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DALLAS, TEXAS

City of Dallas

Public Notice
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POSTED CITY SECRETARY DALLAS, TX

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

City Plan Commission

March 2, 2023

Briefing - 9:00 AM

Public Hearing - 12:30 PM

CITY PLAN COMMISSION
THURSDAY, MARCH 2, 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/CPC030223 or by calling the following phone number: ***Webinar number: 2499 679 5868*** (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: 2499 679 5868*) ***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 1, 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 1 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 2, 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=mc1784f42553e9c238d2369c2ae49e2a2

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

BRIEFING ITEMS:	Item 1
APPROVAL OF MINUTES	
ACTION ITEMS:	
MISCELLANEOUS ITEMS	Item 2
ZONING CASES – UNDER ADVISEMENT	Item 3
ZONING CASES – INDIVIDUAL	Items 4-6
DEVELOPMENT CODE AMENDMENTS	Items 7-8
SUBDIVISION DOCKET:	
SUBDIVISION CASES – CONSENT	Items 9-16
SUBDIVISION CASES – RESIDENTIAL REPLATS	Item 17
CERTIFICATES OF APPROPRIATENESS FOR SIGNS – CONSENT	Items 18-21
APPORTIONMENT OF EXACTION APPEAL - UNDER ADVISEMENT:	Item 22
LANDMARK COMMISSION APPEAL - UNDER ADVISEMENT:	Item 23
OTHER MATTERS:	
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. 23-690 Ethics
City Attorney's Office

PUBLIC TESTIMONY:

APPROVAL OF MINUTES:

Approval of Minutes of the February 16, 2023 City Plan Commission Hearing.

ACTIONS ITEMS:

Miscellaneous Items:

Minor Amendments:

2. 23-691 An application for a minor amendment to the development plan and landscape plan for a retirement housing community use on a portion of property zoned Zone A within Planned Development District No. 695, at the southeast corner of Frankford Road and Coit Road.
Staff Recommendation: **Approval.**
Applicant: Redwood-ERC Dallas, LLC
Representative: Andrew Ruegg, Masterplan
Planner: Hannah Carrasco
Council District: 12
M212-049(HC)

Attachments: Case Report
M212-049_Development Plan
M212-049_Landscape Plan

Zoning Cases - Under Advisement:

3. 23-692 An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Subdistrict 3 within Planned Development District No. 317, the Cedars Area Special Purpose District, on the west line of Cadiz Street, north of Botham Jean Boulevard.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions.
Applicant: Crown Castle
Representative: Vincent Gerard & Associated Inc.
Planner: Michael Pepe
Council District: 2
Z212-322(MP)

Attachments: Z212-322(MP)_Case Report
Z212-322(MP)_Site/Elevation Plan

Zoning Cases - Individual:

4. 23-693 An application for a Specific Use Permit for a community service center on property zoned Planned Development District No. 765, on the southeast corner of Mapleshade Lane and Oxford Drive.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions.
Applicant: Plano Independent School District
Representative: Karl Crawley, Masterplan
Planner: Michael Pepe
Council District: 12
Z212-326(MP)

Attachments: Z212-326(MP)_Case Report
Z212-326(MP)_Site Plan

5. 23-694 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.
Staff Recommendation: **Denial.**
Applicant: Invest in South Dallas LLC
Representative: Anish Thakrar
Planner: Ryan Mulkey
Council District: 7
Z212-354(RM)

Attachments: Z212-354(RM)_Case Report

6. 23-695 An application for a Specific Use Permit for a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District on the northwest line of East Kiest Boulevard, between Kellogg Avenue and Sunnyvale Street.
Staff Recommendation: **Approval**, subject to a site plan, a traffic management plan, and conditions.
Applicant: Dallas Independent School District
Representative: Elsie Thurman, Land Use Planning & Zoning Services
Planner: Jenniffer Allgaier
Council District: 4
Z223-107(JA)

Attachments: Z223-107(JA)_Case Report
Z223-107(JA)_Site Plan
Z223-107(JA)_Traffic Management Plan

Development Code Amendments:

7. 23-696 Consideration of amending Chapters 51 and 51A of the Dallas Development Code Sections 51A-2.102 "Definitions", 51A-4.408 "Maximum Building Height", and related sections with consideration to be given to modify how building height is measured, how grade is established, and provide clarifications.
Staff Recommendation: **Approval.**
Zoning Ordinance Advisory Committee Recommendation: **Approval.**
Postpone From: February 2, 2023.
Planner: Steven Doss
Council District: All
DCA212-006(SD)

Attachments: DCA212-006(SD)_Case Report

8. 23-697 Consideration of amending Chapter 51A of the Dallas Development Code, Section 51A-4.701(d), "Two year limitation" to revise the applicability of the two-year limitation, the standard for the waiver of two-year limitation, and related regulations.
Staff Recommendation: **Approval** of staff's proposed amendments.
Zoning Ordinance Advisory Committee Recommendation: **Approval** of ZOAC proposed amendments.
Planner: Lori Levy
Council District: All
DCA212-007(LL)

Attachments: DCA212-007(LL)_Case Report

SUBDIVISION DOCKET:

Consent Items:

9. 23-698 An application to replat a 8.843-acre tract of land containing all of Lot 3 in City Block L/8466 and a tract of land in City Block L/8466 to create three lots ranging in size from 1.320-acre to 5.650-acre on property located on Olympus Boulevard at Lock street, northwest corner.
Applicant/Owner: Cypress Water Land A, Ltd, Cypress Water Land B, Ltd, Cypress Water Land C, Ltd, The Neighborhoods of Cypress Water Association, Inc.
Surveyor: KFM Engineering & Design
Application Filed: February 3, 2023
Zoning: PD 741
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-068

Attachments: S223-068_Case Report
S223-068_Plat

10. 23-699 An application to create one 60.36-acre lot from a tract of land on property located in the Dallas Extra Territorial Jurisdiction (ETJ) on Farm to Market Road No. 740, north of Cool Water Circle.
Applicant/Owner: Oncor Electric Delivery Company, LLC
Surveyor: Dunaway Associates, L.P.
Application Filed: February 3, 2023
Zoning: N/A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: N/A
S223-069

Attachments: S223-069_Case Report
S223-069_Plat

11. 23-700 An application to create five lots ranging in size from 5.439-acres to 18.182-acres from a 45.139-acre tract of land in City Block A/8178 on property located on Alexis Drive, east of Preston Road/State Highway 289.
Applicant/Owner: Tonti Properties
Surveyor: Spiars Engineering, Inc.
Application Filed: February 3, 2023
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 11
S223-070

Attachments: S223-070_Case Report
S223-070_Plat

12. 23-701 An application to replat a 2.528-acre tract of land containing all of Lots 1, 2, 6, and 3A in City Block G/889 to create one lot on property located on Botham Jean Boulevard, between Corinth Street and Parker Street.
Applicant/Owner: Popeyes Texas Partners, LLC
Surveyor: Spiars Engineering, Inc.
Application Filed: February 3, 2023
Zoning: PD 317 (Subdistrict 3)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-071

Attachments: S223-071_Case Report
S223-071_Plat

13. 23-702 An application to replat a 4.708-acre tract of land containing all of Lots 1 through 10 in City Block H/888, tract of land in City Block H/888 and an abandoned portion on of Alma Street to create one lot on property located on Botham Jean Boulevard, east of Parker Street.
Applicant/Owner: Magnolia Goodson Road, LTD.
Surveyor: Spiars Engineering, Inc.
Application Filed: February 3, 2023
Zoning: PD 317 (Subdistrict 3)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-072

Attachments: S223-072_Case Report
S223-072_Plat

14. 23-703 An application to replat a 0.326-acre tract of land containing all of Lots 2, 3, and 4 in City Block 3/2001 to create one 5,119 square foot lot and one 9,082 square foot lot on property located on Belmont Avenue, south of Fitzhugh Avenue.
Applicant/Owner: IGS Construction, LLC
Surveyor: CBG Surveying Texas, LLC
Application Filed: February 3, 2023
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-074

Attachments: S223-074_Case Report
S223-074_Plat

15. 23-704 An application to replat a 0.5682-acre tract of land containing all of Lots 5, 6, and 7 in City Block D/2356 on property located on Mail Avenue, north of Rural Avenue.
Applicant/Owner: Restudio
Surveyor: Urban Strategy
Application Filed: February 6, 2023
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-075

Attachments: S223-075_Case Report
S223-075_Plat

16. 23-705 An application to create one 20.172-acre lot from a tract of land in City Block 1/8525 on property located on Dowdy Ferry Road, south of Plainview Drive.
Applicant/Owner: A&F Industrial, LLC
Surveyor: Eagle Surveying
Application Filed: February 6, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-076

Attachments: S223-076_Case Report
S223-076_Plat

Residential Replats:

17. 23-706 An application to replat a 1.44-acre tract of land containing a portion of Lots 19 and 20 in City Block C/6657 to create 3 lots ranging in size from 19,805 square feet to 23,064 square feet on property located on North Acres Drive, north of Grady Lane.
Applicant/Owner: Alfredo Romero
Surveyor: CBG Surveying Texas, LLC
Application Filed: February 3, 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
S223-073

Attachments: S223-073_Case Report
S223-073_Plat

Certificate of Appropriateness for Signs:

Consent Items:

18. 23-707 An application for a Certificate of Appropriateness by Monica Ortiz of Barnett Signs, Inc., for a 216.3-square-foot of illuminated attached sign at 302 South Houston Street (north elevation).
Staff Recommendation: **Approval.**
Applicant: Monica Ortiz of Barnett Signs, Inc.
Owner: BMR Dallas Downtown Investments, LLC
Planner: Jason Pool
Council District: 14
2301050004

Attachments: 2301050004_Case Report

19. 23-708 An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (northwest elevation).
Staff Recommendation: **Approval.**
Applicant: Patrick Riland of Petri Electric, Inc.
Owner: Union Investment Real Estate, GmbH
Planner: Jason Pool
Council District: 14
2301160001

Attachments: 2301160001_Case Report

20. 23-709 An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southeast elevation).
Staff Recommendation: **Approval.**
Applicant: Patrick Riland of Petri Electric, Inc.
Owner: Union Investment Real Estate, GmbH
Planner: Jason Pool
Council District: 14
2301160002

Attachments: 2301160002_Case Report

21. 23-710 An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 96-square-foot non-illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southwest elevation).
Staff Recommendation: **Approval.**
Applicant: Patrick Riland of Petri Electric, Inc.
Owner: Union Investment Real Estate, GmbH
Planner: Jason Pool
Council District: 14
2301160003

Attachments: 2301160003_Case Report

Apportionment Exaction Appeal - Under Advisement:

22. 23-711 Consideration of an appeal to the director's apportionment determination associated with Plat No. S178-288 to improve Los Angeles Boulevard on the property located at Los Angeles Boulevard if extended south of Blue Ridge Boulevard with an approved all weather paving material to a width of 20 feet; dedication of an alley easement; construction of a detention pond that will serve the drainage needs of the development; and construction of new off-site water and wastewater extensions that are necessary to adequately serve the development.
UA From: February 16, 2023.
Council District: 3

Attachments: Apportionment of Exaction Appeal_The Record
Apportionment of Exaction Appeal_Appellant Brief & Attachments
Apportionment of Exaction Appeal_City Position Statement & Exhit
Apportionment of Exaction Appeal_Notification Letter

Landmark Commission Appeal - Under Advisement:

23. 23-712 An appeal of the Landmark Commission's decision of (1) denial without prejudice to paint exterior (Body: Blue, Trim: White); and (2) denial with prejudice to replace thirty-one aluminum windows with wood composite windows.
Staff Recommendation: **Denial without prejudice** for item #1 and **approval** with conditions for item #2.
Landmark Commission Recommendation: **Denial without prejudice** for item #1 and **denial with prejudice** for item #2.
Postpone From: February 2, 2023.
UA From: January 5, 2023.
Planner: Rhonda Dunn
Council District: 2
Location: 4512-4518 Sycamore Street
CA212-574(RD)

Attachments: CA212-574(RD)_The Record
CA212-574(RD)_Transcript
CA212-574(RD)_City Brief
CA212-574(RD)_Appellant Brief

OTHER MATTERS:

ADJOURNMENT

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, February 28, 2023

ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) MEETING - Tuesday, February 28, 2023, at 9:00 a.m., in Room 6ES, at City Hall and by videoconference, to consider (1) **DCA223-004** - 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. The public may attend the meeting via the videoconference link: https://bit.ly/ZOAC022823.

Tuesday, March 14, 2023

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING - Tuesday, March 14, 2023, at 10:00 a.m., in Room 5BN at City Hall and by video conference via https://bit.ly/SSDAC031423.

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 #: 23-690 **Item #:** 1.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

Ethics
City Attorney's Office

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Agenda Information Sheet

File #: 23-691 Item #: 2.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 12

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a minor amendment to the development plan and landscape plan for a retirement housing community use on a portion of property zoned Zone A within Planned Development District No. 695, at the southeast corner of Frankford Road and Coit Road.
Staff Recommendation: **Approval**.
Applicant: Redwood-ERC Dallas, LLC
Representative: Andrew Ruegg, Masterplan
Planner: Hannah Carrasco
Council District: 12
M212-049(HC)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

Planner: Hannah Carrasco

FILE NUMBER: M212-049(HC) **DATE FILED:** August 19, 2022

LOCATION: Southeast corner of Frankford Road and Coit Road

COUNCIL DISTRICT: 12

SIZE OF REQUEST: ± 85.78 acres **CENSUS TRACT:** 318.12

REPRESENTATIVE: Andrew Ruegg, Masterplan

OWNER/APPLICANT: Redwood-ERC Dallas, LLC

REQUEST: An application for a minor amendment to the development plan and landscape plan for a retirement housing community use on a portion of property zoned Zone A within Planned Development District No. 695.

STAFF RECOMMENDATION: **Approval.**

PLANNED DEVELOPEMNT DISTRICT No. 695:
http://www.dallascityattorney.com/51P/Articles%20Supp%2028/ARTICLE%20695.pdf

PDD No. 695 Exhibits:
http://www.dallascityattorney.com/51P/Exhibits%20Supp%205/695A.pdf
http://www.dallascityattorney.com/51P/Exhibits%20Supp%2028/Exhibit%20695B.pdf
http://www.dallascityattorney.com/51P/Exhibits%20Supp%2028/Exhibit%20695C.pdf
http://www.dallascityattorney.com/51P/Exhibits%20Supp%2028/Exhibit%20695D.pdf

BACKGROUND INFORMATION:

On September 8, 2004, the Dallas City Council established Planned Development District No. 695 by Ordinance No. 25729.

REQUEST DETAILS:

The purpose of this request is to modify the development and landscape plans for Phase 3 of the Highland Springs Senior Living Community pertaining to the following elements:

Development Plan –

1. Minor modification to the building footprint of RB 3.2
2. Increase to the building floor area for RB 3.2 from 37,835 to 38,850 sf
3. Total phase 3 building floor area for main uses to increase from 977,560 to 978,360 sf
4. Adjust the shape of the small shade structure adjacent to RB 3.2
5. Increase in lot coverage from 8.29% to 8.33%
6. Changes to location and design of sidewalks around RB 3.2

Landscape Plan –

1. Modify the sidewalks and building footprints to match the development plan
2. Minor modification to the location of trees and landscaping in the interior portions of the site

The proposed landscape plan would remain compliant with Article X and PD 695.

This is not a change in zoning request and no changes to the existing zoning standards can be considered. The only purpose of this hearing is to determine if the proposed development plan and landscape plan amendment complies with the standards established for minor amendments. The City code requires that if the plan amendment complies with the standards for a minor amendment, the plan shall be approved

Staff has determined that the request meets the minor amendment criteria for a development plan and landscape plan and does not violate other applicable code requirements.

List of Officers

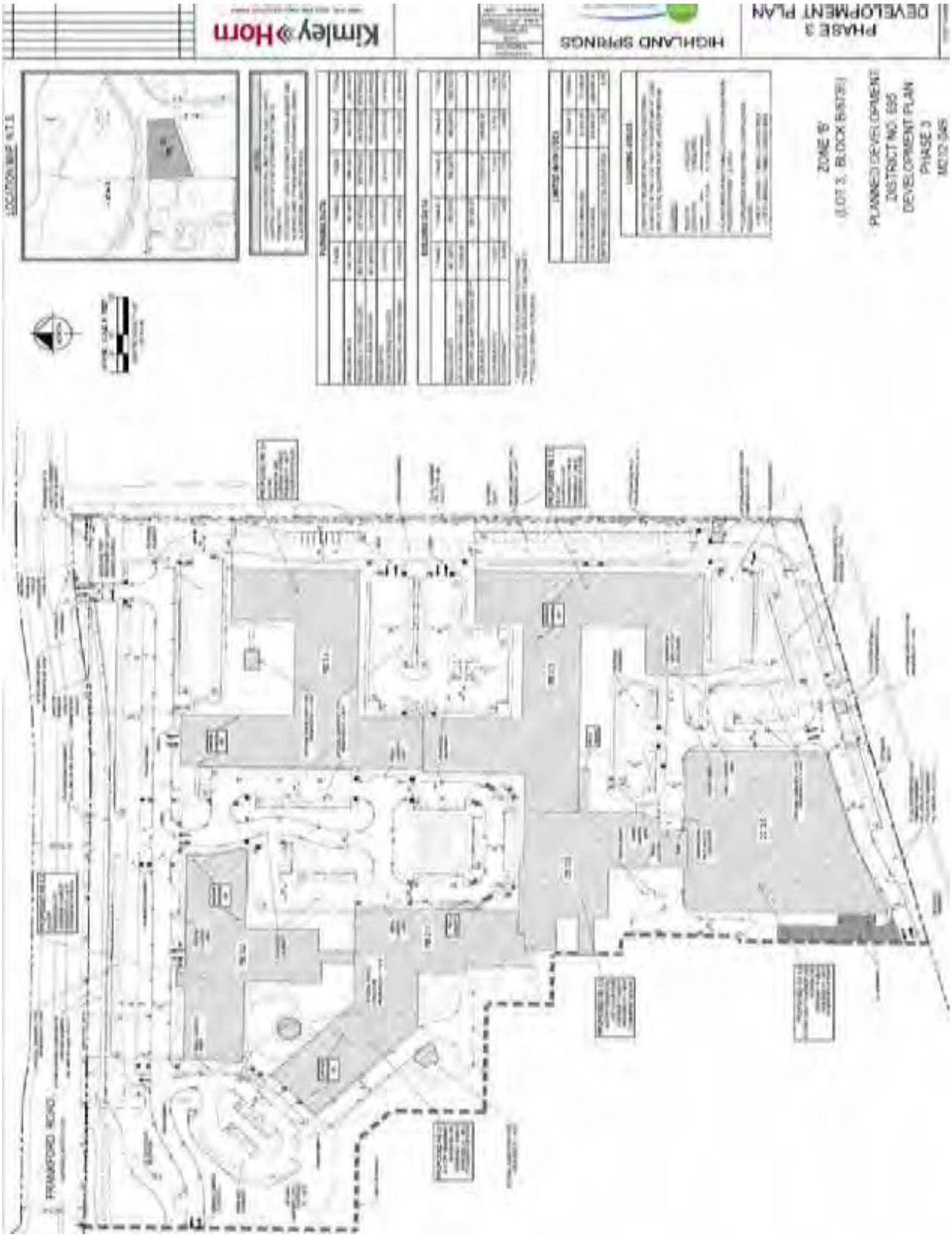
Redwood ERC, LLC

Christian Sweetser – Chief Financial Officer

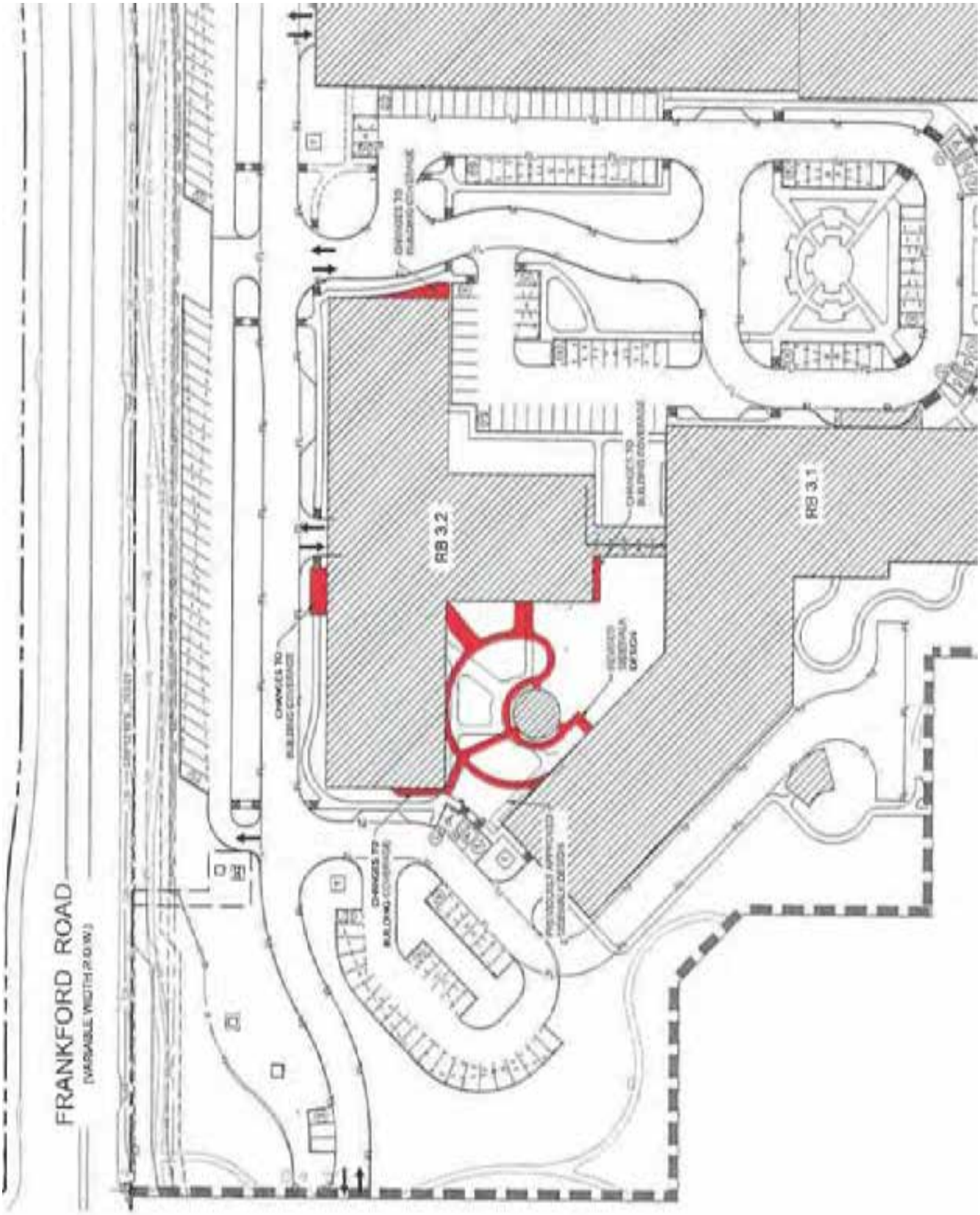
Erickson Living

R. Alan Butler – Chief Executive Officer
Todd Matthiesen – Chief Financial Officer
Susan L. Oliveri – Secretary
Debra B. Doyle – Chief Operating Officer
John D. Hall - Treasurer

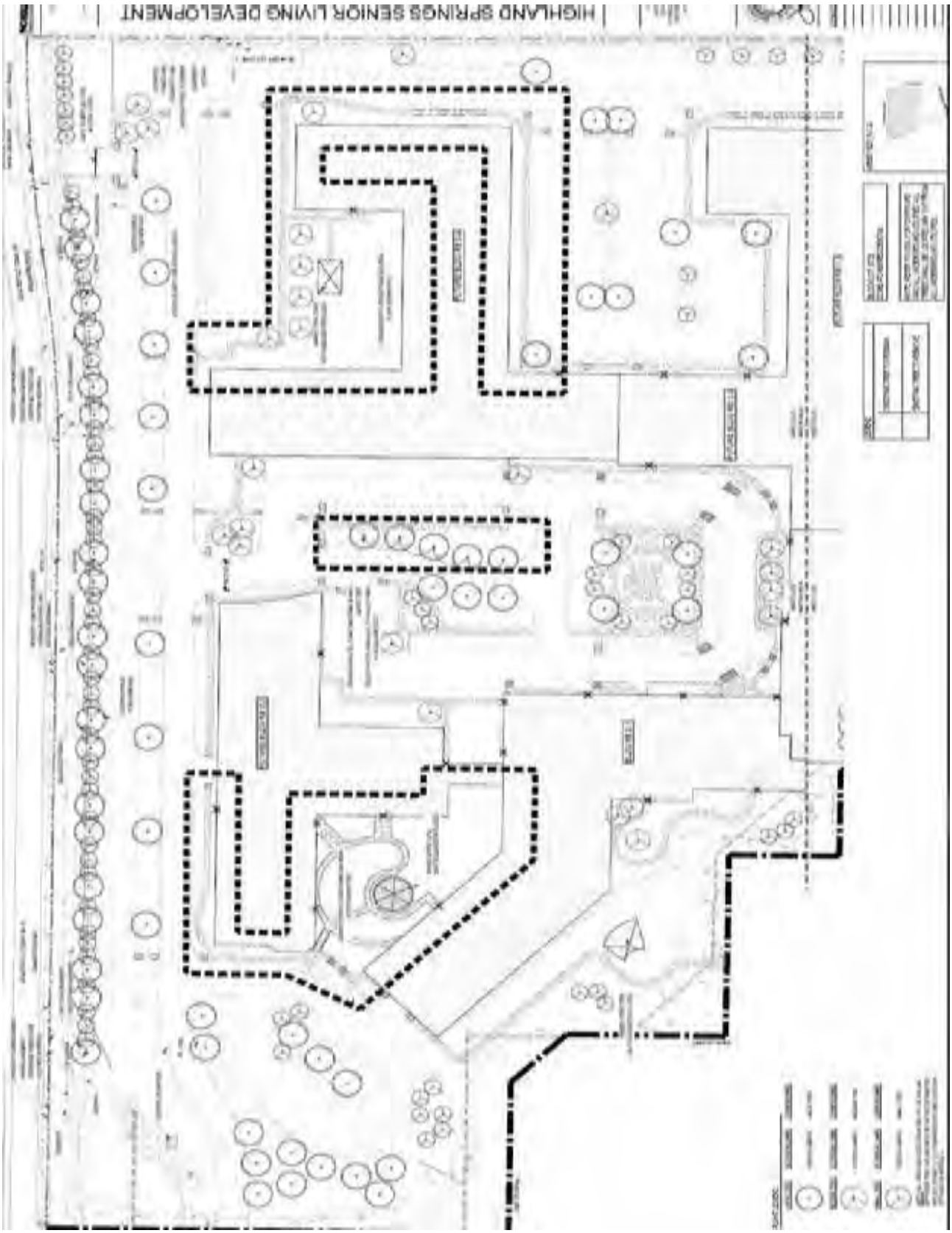
Proposed Development Plan



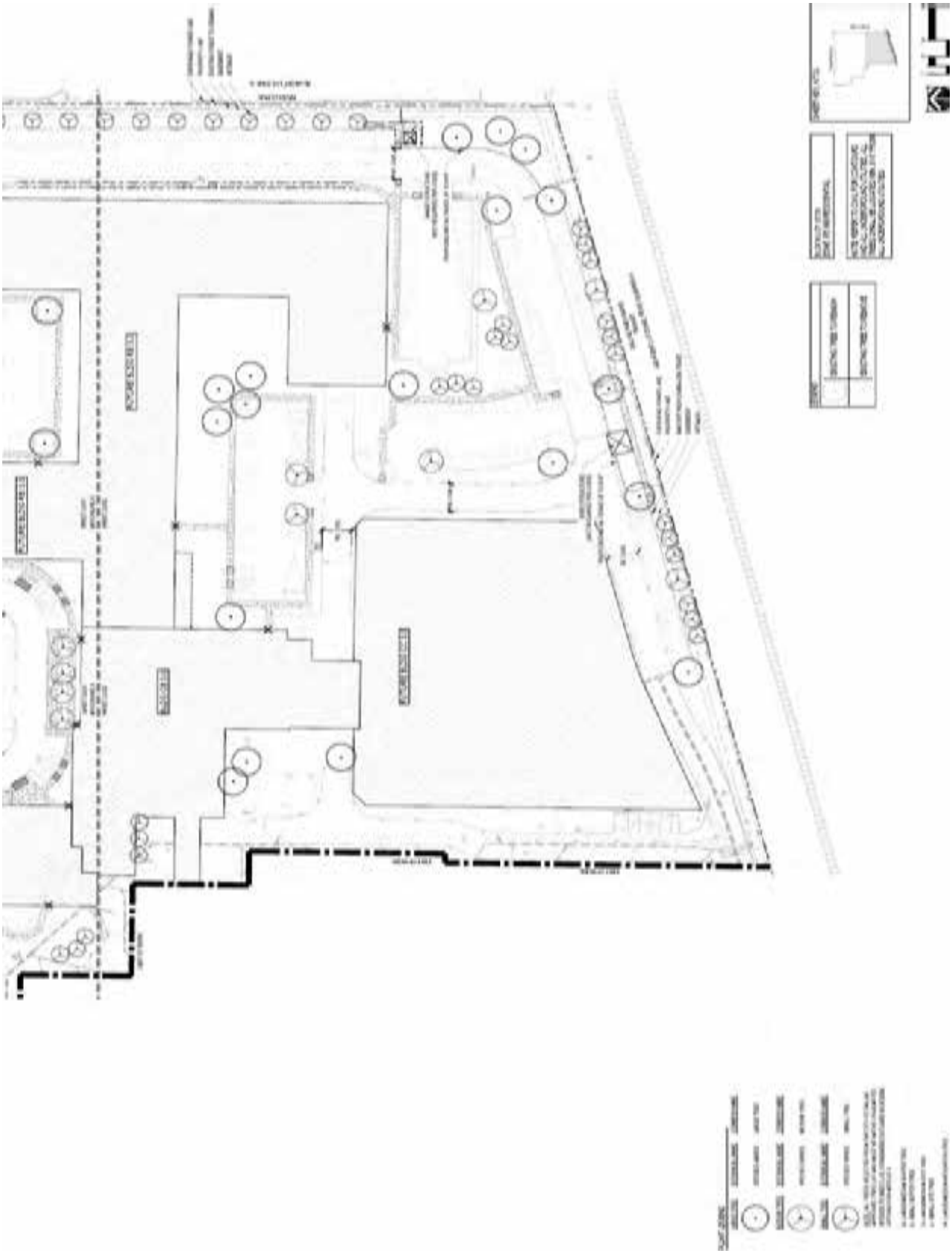
Proposed Development Plan – Enlarged (Changes in Red)



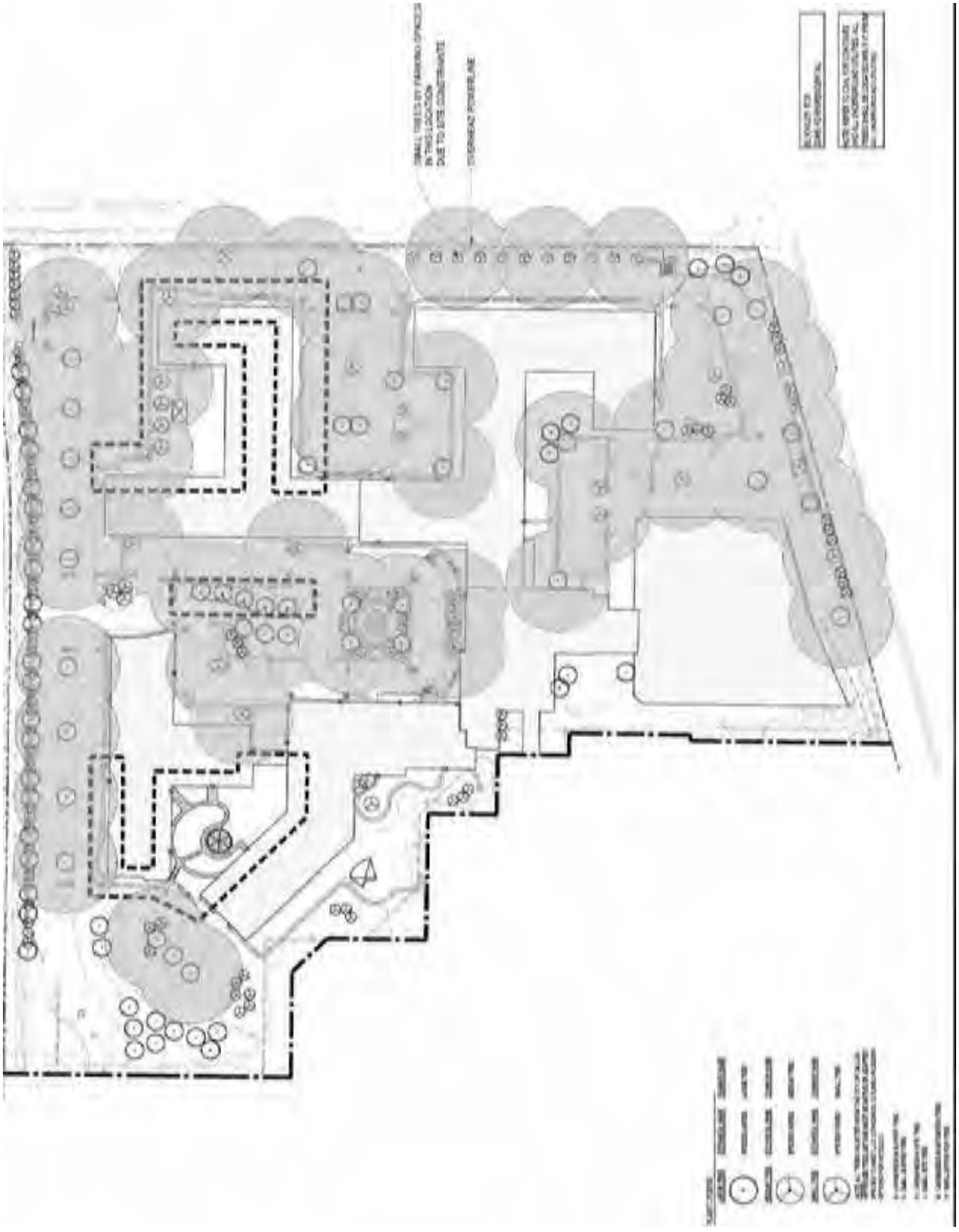
Proposed Landscape Plan – Sheet 1



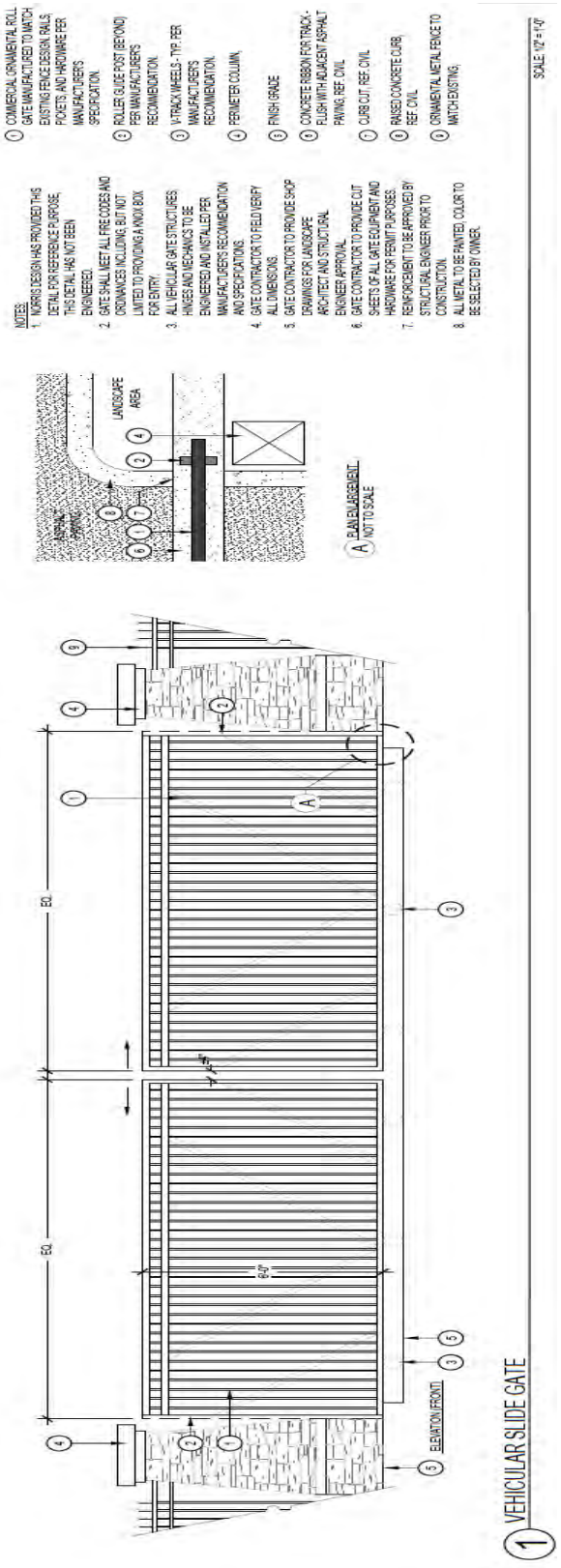
Proposed Landscape Plan – Sheet 2

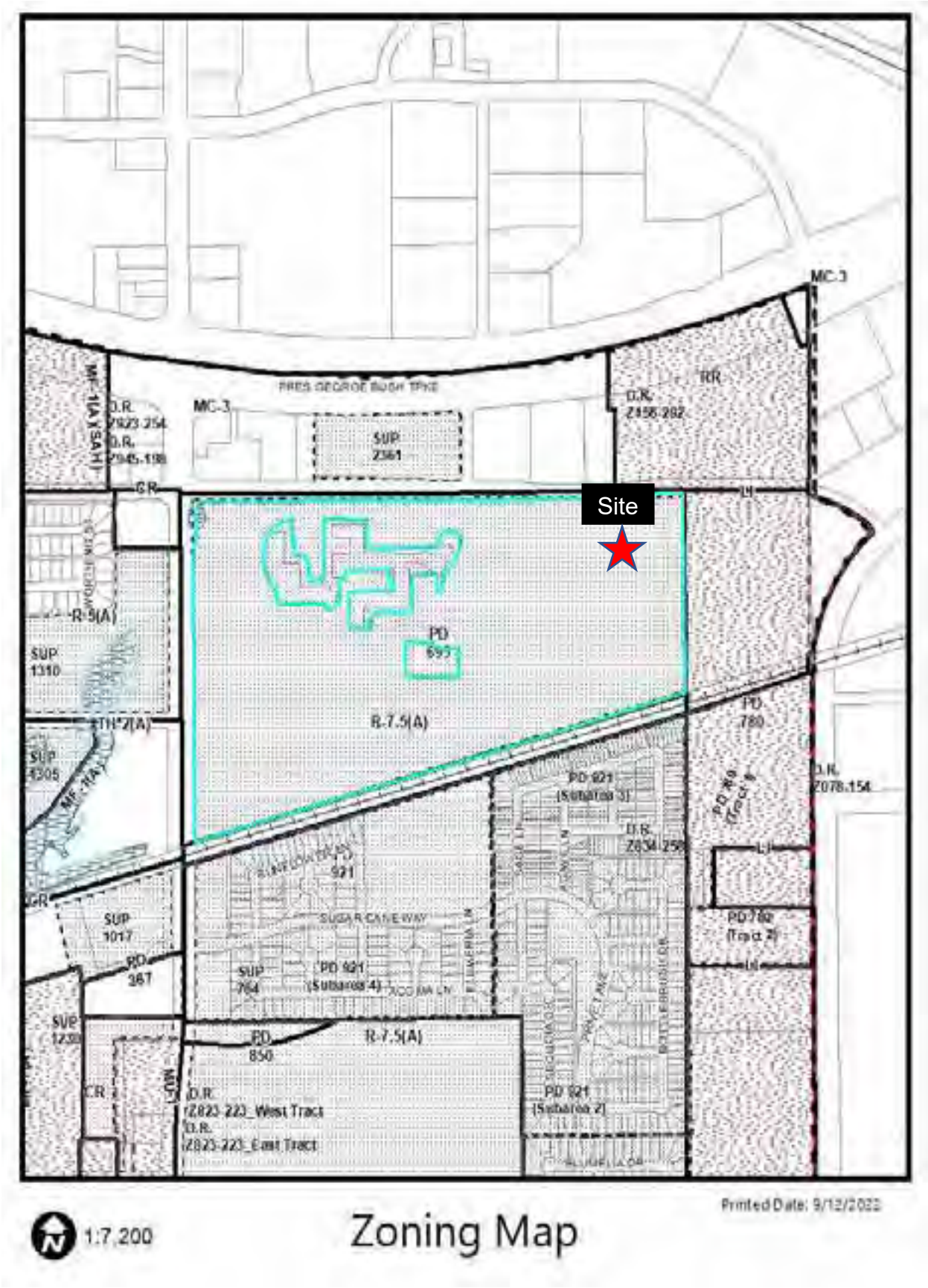


Proposed Landscape Plan – Sheet 3



Proposed Landscape Plan – Sheet 4



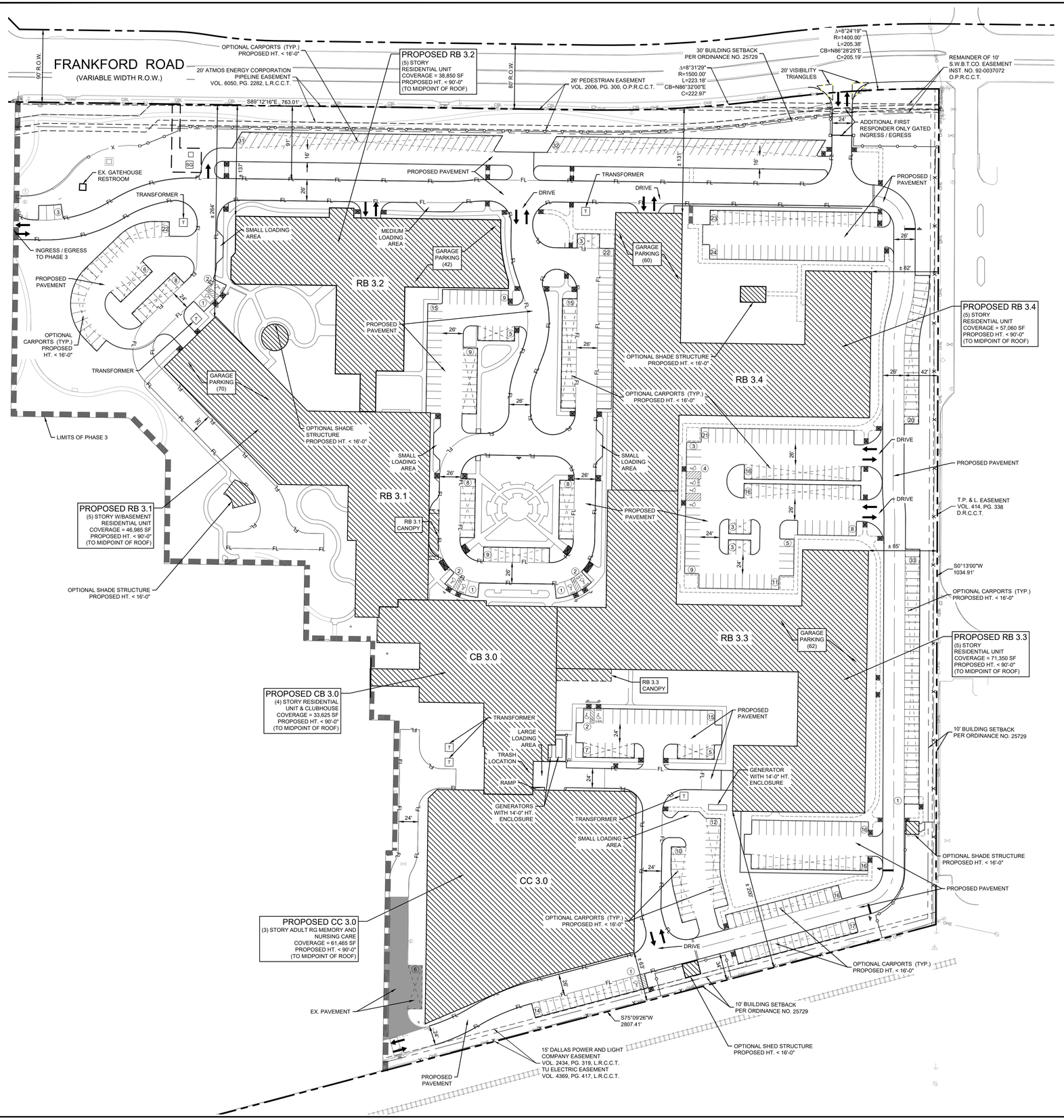

Site
MC-3
PRES GEORGE BUSH TPKE
SUP 2361
D.R. Z156-282
RR
D.R. Z923-254
D.R. Z945-198
MF-1(A)(SAH)
GR
R-5(A)
SUP 1310
TH-2(A)
SUP 1305
MF-1(A)
R-7.5(A)
PD 595
PD 780
D.R. Z078-154
PD 921 (Subarea 3)
D.R. Z834-250
PD 780 (Tract 1)
PD 780 (Tract 2)
LI
PD 921
SUGAR CANE WAY
SUP 1017
PD 387
SUP 764
PD 921 (Subarea 4)
ACCOMA LN
FLEKERIA LN
SUP 1230
PD 850
R-7.5(A)
NO
D.R. Z823-223_West Tract
D.R. Z823-223_East Tract
PD 921 (Subarea 2)
PRIVATE LANE
BOTTLEBRUSH DR
1:7,200
Zoning Map
Printed Date: 9/12/2022

Printed Date: 9/12/2022

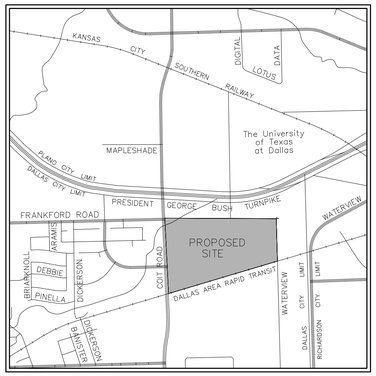
1:7,200

Aerial Map

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



LOCATION MAP N.T.S.



NORTH

GRAPHIC SCALE IN FEET
0 30 60 120

GRAPHIC SCALE 1" = 60'
ON 24"x36"

NOTES

1. LIGHTING STANDARDS WILL MEET PD 695. EXACT ON-SITE LIGHTING LOCATION TO BE DETERMINED AT TIME OF PERMITTING.
2. SITE PROPERTY USES: RETIREMENT HOUSING, MEMORY AND NURSING CARE, FITNESS AREAS, RESTAURANTS, LIBRARY, CLASSROOMS, AND OFFICE SPACE.

PARKING DATA

	PHASE I	PHASE 2	PHASE 3	PHASE 4	TOTALS
DWELLING UNITS	547 UNITS	188 UNITS	568 UNITS	349 UNITS	1652 UNITS
REQUIRED (1.1 SPACES / UNIT)	602 SPACES	207 SPACES	625 SPACES	384 SPACES	1818 SPACES
PROVIDED (ADA INCLUDED)	853 SPACES	223 SPACES	779 SPACES	404 SPACES	2259 SPACES
HANDICAPPED (VAN ACCESIBLE INCLUDED)	19 SPACES	8 SPACES	25 SPACES	12 SPACES	64 SPACES
HANDICAPPED VAN ACCESSIBLE	4 SPACES	4 SPACES	7 SPACES	7 SPACES	22 SPACES

BUILDING DATA

	* PHASE I	** PHASE 2	PHASE 3	PHASE 4	TOTALS
DWELLING UNITS	547 UNITS	188 UNITS	568 UNITS	349 UNITS	1652 UNITS
GROSS SQUARE FOOTAGE (SF) *	747,930 SF	-	-	-	-
GROSS UNIT SQUARE FOOTAGE (SF) **	-	267,950 SF	-	-	-
FLOOR AREA (SF)	-	-	1,173,872 SF	648,892 SF	-
FLOOR AREA RATIO	* 0.220:1	** 0.072:1	0.314:1	0.174:1	0.780:1
LOT COVERAGE***	5.64%	3.62%	8.33%	5.48%	23.07%

* AS INDICATED BY DEVELOPMENT PLAN PHASE 1
** AS INDICATED BY DEVELOPMENT PLAN PHASE 2
*** TOTAL LOT AREA = 3,736,904 SF

LIMITED MAIN USES

	PHASE 3	OVERALL
TOTAL LIMITED MAIN USES	51,870 SF	171,505 SF
TOTAL FLOOR AREA	978,360 SF	2,680,906 SF
LIMITED MAIN USES / TOTAL FLOOR AREA	5.3%	6.4%

LOADING AREAS

2 PER FIRST 300,000 SF AND 1 FOR EACH ADDITIONAL 200,000 SF OR FRACTION. FIRST REQUIRED AND AT LEAST 40% OF TOTAL REQUIRED MUST BE LARGE OR MEDIUM.

REQUIRED:

300,000 SF	2 REQUIRED
2,576,418 SF	13 REQUIRED
2,876,418 SF TOTAL	15 TOTAL REQUIRED *

* 4 LARGE/MEDIUM AND 3 SMALL EXISTING LOADING AREAS PROVIDED IN PHASE 1, 2, AND 4.

** 2 LARGE/MEDIUM AND 6 SMALL LOADING AREAS REQUIRED
- RB 3.1 GARAGE - 1 SMALL LOADING AREA
- RB 3.3 GARAGE - 1 SMALL LOADING AREA

ZONE 'B'
(LOT 3, BLOCK B/8735)

PLANNED DEVELOPMENT
DISTRICT NO. 695
DEVELOPMENT PLAN
PHASE 3
M212-049

No.	REVISIONS	DATE	BY

Kimley»Horn
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER
SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1300 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM TX-F-928
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KHA PROJECT 63939003
DATE 12/16/2020
SCALE AS SHOWN
DESIGNED BY JAK
DRAWN BY JAK
CHECKED BY BJM

HIGHLAND SPRINGS
Erickson LIVING Add more living to your life
DALLAS TEXAS

PHASE 3
DEVELOPMENT PLAN

SHEET NUMBER
1 OF 1

IMAGES
LAST SAVED
PLOTTED BY
PLOT DATE
DWG NAME
erickson logo - EPSG:26914_Data2020214_Lat32.905861_Lon-96.790466_Map0.075 - EPSG:26914_Data0000000_Lat33.205228_Lon-96.783292_Map0.149 - 4705cad (1).dwg
12/16/2020 1:19:59 PM - dBray-RB3.1 - xScen-RB3.1 - xBase-Exist-RB3.1 - xBase-Exist-RB3.1 - xHighlandSpringsRB3.1 - development plan base - xHardscapeDwg Plan - xKrymsp-NAVD Bound - KH Clean_20200331 Tenlow Level
SCHWARTZ, PAYTON 11/6/2020 1:11:19 AM
K:\DFW_Civil\063939003\Engineering\Planning\CAD\Plan Sheets_Development Plan
Highland Springs Neighborhood 3 Development Plan Amendment 4.dwg - (Layout1)

ADJACENT LOT ZONE: MC-3

FRANKFORD ROAD

80' R.O.W.

ADJACENT LOT ZONE: RR

FRANKFORD ROAD

30' BUFFER

30' BUFFER

30' BUFFER

RE: CIVIL

RE: CIVIL

RE:CIVIL

RE:CIVIL

FUTURE BLDG RB 3.2

FUTURE BLDG RB 3.4

BLDG RB 3.1

FUTURE BLDG RB 3.3

FUTURE BLDG RB 3.3

ADJACENT LOT ZONE: LI

LIMIT OF WORK

LIMIT OF WORK

SHEET L0.01
MATCHLINE A
SHEET L0.02

SHEET L0.01
MATCHLINE A
SHEET L0.02

PLANT LEGEND

LARGE TREE	BOTANICAL NAME	COMMON NAME
	SPECIES VARIES	LARGE TREE
MEDIUM TREE	BOTANICAL NAME	COMMON NAME
	SPECIES VARIES	MEDIUM TREE
SMALL TREE	BOTANICAL NAME	COMMON NAME
	SPECIES VARIES	SMALL TREE

NOTE: ALL TREES SELECTED FROM THE CITY OF DALLAS APPROVED TREE LIST AND MUST BE NATIVE OR ADAPTED SPECIES TO MEET L.I.D. STANDARDS OUTLINED IN DESIGN OPTIONS FOR ARTICLE X.

B - LARGE/MEDIUM BUFFER TREE
b - SMALL BUFFER TREE

S - LARGE/MEDIUM SITE TREE
s - SMALL SITE TREE

M - LARGE/MEDIUM MITIGATION TREE
m - SMALL MITIGATION TREE

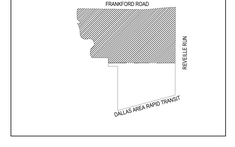
LEGEND

- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMOVE
- BUILDING ENTRY

BLOCK/LOT: 8735
ZONE: PD 695/RESIDENTIAL

NOTE: REFER TO CIVIL FOR CONTOURS AND ALL UNDERGROUND UTILITIES. ALL TREES SHALL BE LOCATED MIN. 5'-0" FROM ALL UNDERGROUND UTILITIES.

SHEET KEY, N.T.S.



NORTH

0 15 30 60

SCALE 1" = 30'

CHECKED BY: MT
DRAWN BY: EL
FILENAME: PLAN_010746_City Permit

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Suite 250
Dallas, TX 75202
972.232.4169
www.norris-design.com

HIGHLAND SPRINGS SENIOR LIVING DEVELOPMENT

SITE DEVELOPMENT PLAN DOCUMENTS
DALLAS, TX

CASE NUMBER: M 212-049

OWNER:
ERICKSON LIVING
CHRIS TURNBULL
701 MAIDEN CHOICE LANE
CATONSVILLE, MD 21228
(410)-242-2880

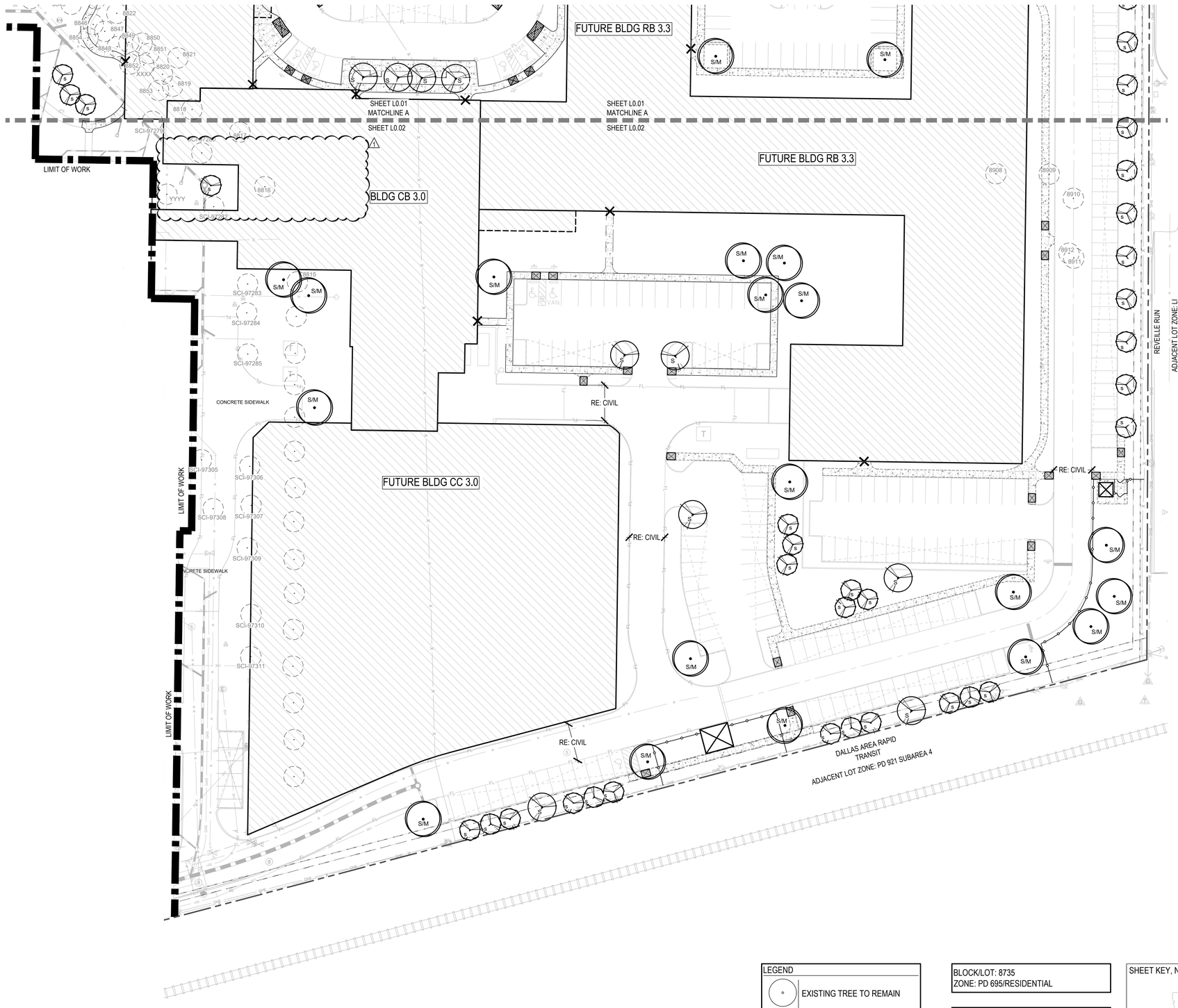
REGISTERED LANDSCAPE ARCHITECT
JOSEPH PETER DALY
2314
STATE OF TEXAS

February 9, 2023

DATE:
10/06/22 PERMIT
1 02/09/23 REV.01

SHEET TITLE:
LANDSCAPE
PLAN - NORTH

SHEET NUMBER:
L 0.01



PLANT LEGEND

LARGE TREE	BOTANICAL NAME	COMMON NAME
	SPECIES VARIES	LARGE TREE
MEDIUM TREE	BOTANICAL NAME	COMMON NAME
	SPECIES VARIES	MEDIUM TREE
SMALL TREE	BOTANICAL NAME	COMMON NAME
	SPECIES VARIES	SMALL TREE

NOTE: ALL TREES SELECTED FROM THE CITY OF DALLAS APPROVED TREE LIST AND MUST BE NATIVE OR ADAPTED SPECIES TO MEET L.I.D. STANDARDS OUTLINED IN DESIGN OPTIONS FOR ARTICLE X.

B - LARGE/MEDIUM BUFFER TREE
b - SMALL BUFFER TREE

S - LARGE/MEDIUM SITE TREE
s - SMALL SITE TREE

M - LARGE/MEDIUM MITIGATION TREE
m - SMALL MITIGATION TREE

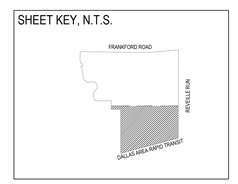
LEGEND

- EXISTING TREE TO REMAIN
- EXISTING TREE TO REMOVE
- BUILDING ENTRY

BLOCK/LOT: 8735
ZONE: PD 695/RESIDENTIAL

NOTE: REFER TO CIVIL FOR CONTOURS AND ALL UNDERGROUND UTILITIES. ALL TREES SHALL BE LOCATED MIN. 5'-0" FROM ALL UNDERGROUND UTILITIES.

SHEET KEY, N.T.S.



NORTH

SCALE 1" = 30'

CHECKED BY: MT
DRAWN BY: EL
FILENAME: PLAN_010746_City Permit

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HIGHLAND SPRINGS SENIOR LIVING DEVELOPMENT

SITE DEVELOPMENT PLAN DOCUMENTS

CASE NUMBER: M 212-049

DALLAS, TX

OWNER:
ERICKSON LIVING
CHRIS TURNBULL
701 MAIDEN CHOICE LANE
CATONSVILLE, MD 21228
(410)-242-2880

REGISTERED LANDSCAPE ARCHITECT
JOSEPH PETER LAY
3148
STATE OF TEXAS

February 9, 2023

DATE:
10/06/22 PERMIT
1 02/09/23 REV 01

SHEET TITLE:
LANDSCAPE PLAN - SOUTH

SHEET NUMBER:
L 0.02

EXISTING TREE SURVEY

Number	Description	Status	Site Tree Credit	Tree Classification	Mitigation
8801	2 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8802	2 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8803	2 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8804	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8805	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8806	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8807	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8808	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8809	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8810	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8811	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8812	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8813	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8814	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8815	3 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8816	2 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8817	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8855	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8857	2 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8858	2 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8859	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8860	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8864	3 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8818	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8866	3 " MAPLE	Removed	0	Class 2 - Rate: 0.70	0.0
8865	7 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8868	3 " MAPLE	Removed	0	Class 2 - Rate: 0.70	0.0
8867	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8869	9 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8870	9 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8871	5 " COTTONWOOD	Removed	0	Class 3 - Rate: 0.40	0.0
8873	3 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8886	10 " PECAN	Removed	0	Class 2 - Rate: 0.70	7.0
8881	12 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	4.8
8882	9 " OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8883	12 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	4.8
8884	9 " OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8885	9 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8886	4 " MULTI-TRUNK CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8887	7 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8888	10 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	7.0
8889	6 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8890	11 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	7.7
8891	14 " OAK	Removed	0	Class 2 - Rate: 1.50	19.5
8892	13 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	5.2
8893	13 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	5.2
8894	10 " OAK	Removed	0	Class 2 - Rate: 0.70	7.0
8895	9 " PECAN	Removed	0	Class 2 - Rate: 0.70	6.3
8896	8 " PECAN	Removed	0	Class 2 - Rate: 0.70	5.6
8897	8 " PECAN	Removed	0	Class 2 - Rate: 0.70	5.6
8898	10 " OAK	Removed	0	Class 2 - Rate: 0.70	7.0
8899	10 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	7.0
8900	7 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8901	9 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8902	10 " OAK	Removed	0	Class 2 - Rate: 0.70	7.0
8904	20 " MULTI-TRUNK CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	8.0
8905	15 " MULTI-TRUNK CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	6.0
8906	17 " MULTI-TRUNK CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	6.8
8907	17 " MULTI-TRUNK HACKBERRY	Removed	0	Class 3 - Rate: 0.40	6.8
8908	9 " PINE	Removed	0	Class 3 - Rate: 0.40	3.6
8909	5 " PINE	Removed	0	Class 3 - Rate: 0.40	2.0
8910	5 " PINE	Removed	0	Class 3 - Rate: 0.40	2.0
8911	5 " PINE	Removed	0	Class 3 - Rate: 0.40	2.0
8912	10 " MULTI-TRUNK WILLOW	Removed	0	Class 3 - Rate: 0.40	4.0
8913	10 " OAK	Removed	0	Class 2 - Rate: 0.70	7.0
8914	14 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	5.6
8915	14 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	5.6
8916	12 " OAK	Removed	0	Class 2 - Rate: 1.50	18.0
8917	9 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	6.3
8918	16 " MULTI-TRUNK MESQUITE	Removed	0	Class 3 - Rate: 0.40	6.4
8919	12 " OAK	Removed	0	Class 2 - Rate: 1.50	18.0
8819	3 " CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8820	3 " CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8821	4 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8822	3 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8823	3 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8824	4 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8825	4 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8826	3 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
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8828	3 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8829	3 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8830	4 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
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8845	2 " MAGNOLIA	Removed	0	Class 2 - Rate: 0.70	0.0
8846	3 " CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8847	4 " CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8848	6 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8849	4 " CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8850	5 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8851	5 " CREPE MYRTLE	Removed	0	Class 3 - Rate: 0.40	0.0
8852	6 " LIVE OAK	Removed	0	Class 2 - Rate: 0.70	0.0
8853	NO DATA	Removed	0	Class 3 - Rate: 0.40	0.0
8854	NODATA	Removed	0	Class 3 - Rate: 0.40	0.0
8856	2 " OAK	Removed	0	Class 2 - Rate: 0.70	0.0
GRAND TOTAL TREE MITIGATION REQUIRED:			N/A	N/A	740.4

Number	Description	Status	Site Tree Credit	Tree Classification	Mitigation
8861	3 " OAK	Retained	1	N/A	N/A
8862	3 " OAK	Retained	1	N/A	N/A
8863	1 " OAK	Retained	0	N/A	N/A
8869	4 " COTTONWOOD	Retained	1	N/A	N/A
8872	7 " LIVE OAK	Retained	1	N/A	N/A
8874	3 " OAK	Retained	1	N/A	N/A
8875	2 " OAK	Retained	1	N/A	N/A
8876	4 " CHINABERRY	Retained	1	N/A	N/A
8877	10 " OAK	Retained	2	N/A	N/A
8878	NO DATA	Retained	0	N/A	N/A
8879	NO DATA	Retained	0	N/A	N/A
8903	11 " OAK	Retained	2	N/A	N/A
8920	9 " MAGNOLIA	Retained	2	N/A	N/A
8921	10 " MAGNOLIA	Retained	2	N/A	N/A
8922	9 " MAGNOLIA	Retained	2	N/A	N/A
8923	9 " MAGNOLIA	Retained	2	N/A	N/A
8924	9 " MAGNOLIA	Retained	2	N/A	N/A
8925	9 " MAGNOLIA	Retained	2	N/A	N/A
8926	9 " MAGNOLIA	Retained	2	N/A	N/A
8927	10 " MAGNOLIA	Retained	2	N/A	N/A
8928	10 " MAGNOLIA	Retained	2	N/A	N/A
8929	10 " MAGNOLIA	Retained	2	N/A	N/A
SUBTOTAL TREE CREDITS RETAINED:			31	N/A	N/A
GRAND TOTAL TREE CREDITS :			31	N/A	N/A

NOTES:

1. **TREE SURVEY HAS NOT BEEN VERIFIED BY AN ARBORIST. CALIPER AND SPECIES TO BE FIELD VERIFIED PRIOR TO FINAL MITIGATION CALCULATIONS.**

LANDSCAPE CALCS - ARTICLE X DESIGN OPTION BREAKDOWN

LANDSCAPE DESIGN OPTION POINTS					POINTS REQUIRED	POINTS PROVIDED
					40 PTS	40 PTS
DESIGN OPTION	DESIGN OPTION DESCRIPTION	REQUIRED	PROVIDED	SHEET	POINTS POSSIBLE	POINTS SHOWN
LOW IMPACT DEVELOPMENT (LID)	WATER-WISE PLANT MATERIALS AND PLANTING BEDS.	1. WATER-WISE PLANTS 2. MULCH 3. EFFICIENT IRRIGATION	1. NATIVE AND ADAPTIVE SPECIES 2. 3" MULCH ON ALL PLANTING BEDS 3. SEE IRRIGATION NOTES SHEET L0.05	L0.01 L0.02 L0.03 L0.05	5 PTS	5 PTS
PARKING LOTS	OPTION 1: PEDESTRIAN PATH.	PROVIDE A PROTECTED PEDESTRIAN PATHWAY, BETWEEN THREE FEET AND 15 FEET IN WIDTH, THROUGH A PARKING LOT TO A BUILDING FROM A PUBLIC OR PRIVATE STREET IN AN EXPANDED LANDSCAPE AREA MEDIAN WITH TREES AND A WALKWAY	158' PEDESTRIAN PATH	L0.01	5 PTS	5 PTS
PARKING LOTS	OPTION 10: POCKET PARK.	PROVIDE A MINIMUM OF 2,500 SQUARE FEET OF CONTIGUOUS OPEN SOIL LANDSCAPE AREA.	4,109 SQFT CONTINUOUS OPEN SOIL LANDSCAPE AREA	L0.01	20 PTS	20 PTS
PEDESTRIAN USES	OPTION 2: SPECIAL AMENITIES.	THE CREDITED FACILITIES MUST OCCUPY AT LEAST 5% OF THE LOT AREA PROVIDED IN NO MORE THAN TWO LOCATIONS ON THE LOT. 22.9 AC x 5% = 1.145 AC (49,876.2 SQFT)	PASSIVE RECREATION SPECIAL AMENITIES: **AREA 1:** 23,751 SQFT **AREA 2:** 27,605 SQFT **TOTAL: 51,356 SQFT**	L0.01 L0.02	5 PTS	5 PTS
PLANT MATERIAL BONUS	POINTS PROVIDED FOR PLANT MATERIALS ADDED	ADDITIONAL PLANT MATERIALS; LARGE OR MEDIUM TREE QTY: 5	5 LARGE TREES IN ADDITION TO ALL BUFFER/SITE/MITIGATION TREES	L0.01	5 PTS	5 PTS

LANDSCAPE CALCS - ARTICLE X & PD 695 - FOR RESIDENTIAL ZONING

ARTIFICIAL LOT AREA SITE CALCULATIONS	REQUIRED	PROVIDED
TOTAL GROSS ARTIFICIAL LOT AREA	N/A	22.9 AC.
BUILDING FOOTPRINT AREA	N/A	7.0 AC.
PAVED AREA (VEHICULAR)	N/A	6.6 AC.
OPEN SPACE = (PERVIOUS AREA)	N/A	9.3 AC.
BUFFER REQUIREMENTS (FRANKFORD ROAD)	REQUIRED	PROVIDED
BUFFER ZONE DIMENSIONS	30'-0" WIDE	30'-0" WIDE
BUFFER ZONE LENGTH (OMITTING ROADWAYS/DRIVEWAYS)	920 LF	920 LF
BUFFER ZONE PLANTING GROUP QUANTITY (EVERY 40') SEE PLAN FOR BUFFER TREE LABEL "B" or "b"	23 GROUPS	23 GROUPS
i. GROUP 1 - ONE LARGE TREE & TWO SMALL TREES	N/A	21 GROUPS
a. LARGE TREE QUANTITY:	21 TREES	21 TREES
b. SMALL TREE QUANTITY:	42 TREES	42 TREES
ii. GROUP 2 - THREE SMALL TREES (BUFFER AREA WITHIN 20' OF OVERHEAD POWER LINE)	N/A	2 GROUPS
a. SMALL TREE QUANTITY	6 TREES	6 TREES
LANDSCAPE AREA REQUIREMENTS	REQUIRED	PROVIDED
EQUAL TO 10% OF THE TOTAL SHARED ACCESS DEVELOPMENT AREA	2.3 AC.	2.3 AC. MIN.
SITE TREE REQUIREMENTS	REQUIRED	PROVIDED
1 TREE FOR EVERY 4,000 SF W/IN SHARED ACCESS DEVELOPMENT AREA (MIN. 2" CAL.) SEE PLANS FOR SITE TREE LABEL "S" or "s"	249	218 NEW SITE TREE CREDITS 31 RETAINED SITE TREE CREDITS
TREE MITIGATION REQUIREMENTS	REQUIRED	PROVIDED
CALIPER QTY. OF REMOVED TREES TO BE MITIGATED SEE PLANS FOR MITIGATION LABEL "M" or "m"	246.4"	247"
SCREENING - OFF STREET LOADING REQUIREMENTS	REQUIRED	PROVIDED
LINEAR FEET OF REQUIRED SCREENING	NOT REQUIRED	N/A
SCREENING - OFF STREET PARKING REQUIREMENTS	REQUIRED	PROVIDED
LINEAR FEET OF REQUIRED SCREENING	NOT REQUIRED	N/A

LANDSCAPE PLANT LIST

LARGE TREE	QTY	BOTANICAL NAME	COMMON NAME	CALIPER
	83	SPECIES VARIES (SELECTED FROM CITY OF DALLAS APPROVED TREE LIST)	LARGE TREE	3" CAL MIN.
MEDIUM TREE	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**CALIPER**
	33	SPECIES VARIES (SELECTED FROM CITY OF DALLAS APPROVED TREE LIST)	MEDIUM TREE	3" CAL MIN.
SMALL TREE	QTY	BOTANICAL NAME	COMMON NAME	CALIPER
	107	SPECIES VARIES (SELECTED FROM CITY OF DALLAS APPROVED TREE LIST)	SMALL TREE	2" CAL MIN.

GENERAL NOTES

1. ALL LANDSCAPE AREAS WILL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM. NO IRRIGATION LINE SHALL BE ALLOWED WITHIN THE DRIPLINE ON AN EXISTING TREE.
2. TREE PROTECTION FENCING MUST BE IN PLACE PRIOR TO THE CLEARING OF THE SITE OR ANY CONSTRUCTION AND MUST REMAIN UNTIL CONSTRUCTION IS COMPLETE. REFER TO CIVIL SHEETS FOR TREE PROTECTION FENCING LOCATIONS.
3. EXISTING TREES SHALL BE MULCHED AT A DEPTH OF THREE INCHES AND A MINIMUM RADIUS OF 10 FEET FROM TREE BASE.
4. CONTRACTOR TO PROVIDE AND INSTALL 6 INCHES OF APPROVED TOPSOIL TO ALL PLANTING AREAS.
5. ALL DISTURBED AREAS SHALL BE REVEGETATED WITH A NATIVE GRASS MIX.
6. PRUNE ALL EXISTING TREES TO ELIMINATE DEAD OR BROKEN LIMBS THAT MIGHT BE HAZARDOUS TO PEDESTRIANS.
7. THE OWNER WILL CONTINUOUSLY MAINTAIN THE REQUIRED LANDSCAPING IN ACCORDANCE WITH CITY OF DALLAS CODES.
8. ADEQUATE BARRIERS BETWEEN ALL VEHICULAR USE AREAS AND ADJACENT LANDSCAPE AREAS, SUCH AS A 6" CONCRETE CURB ARE REQUIRED. IF A STANDARD 6" CURB AND GUTTER ARE NOT PROVIDED FOR ALL VEHICULAR USE AREAS AND ADJACENT LANDSCAPE AREAS, COMPLY WITH ECM, SECTION 2.4.7, "PROTECTION OF LANDSCAPE AREAS".
9. THE NATIVE GRASS MIX 609S WILL BE PLANTED FOR SLOPE STABILIZATION.
   IF MORE RESTRICTIVE WATERING RESTRICTIONS ARE IN EFFECT WHEN LANDSCAPE PLANTING IS BEING CONSIDERED, CONTACT THE LANDSCAPE INSPECTOR (DETERMINE WHICH INSPECTOR APPLIES TO THE PARTICULAR PROJECT) BEFORE BEGINNING PLANTING.
10. THE IRRIGATION WILL COMPLY WITH DALLAS CITY CODE REGARDING THE CITY'S WATER CONSERVATION RESTRICTIONS.

SOIL CONDITIONING AND MULCHING NOTES

1. A MINIMUM OF 3 INCHES OF ORGANIC MULCH SHALL BE ADDED IN NON-TURF AREAS TO THE SOIL SURFACE AFTER PLANTING.
2. NON-POROUS MATERIAL SUCH AS SHEET PLASTIC SHALL NOT BE PLACED UNDER THE MULCH.
3. A MINIMUM OF 6" PERMEABLE SOIL, NATIVE OR IMPORTED, SHALL BE REQUIRED FOR TURF AND LANDSCAPED AREAS. THE ORGANIC MATTER CONTENT OF SUCH SOILS SHALL BE NOT LESS THAN 5% BY DRY WEIGHT.
4. TREE PLANTING AREAS TO BE PROVIDED WITH A MINIMUM OF 12 INCHES OF FRIABLE NATIVE LOAM SOIL (MAXIMUM 40% CLAY, MINIMUM 5% ORGANIC MATTER). PLANTING IN RELATIVELY UNDISTURBED EXISTING NATIVE SOILS IS ENCOURAGED. SOIL TO A MINIMUM DEPTH OF 12 INCHES IS REQUIRED WITHIN THE ENTIRE LANDSCAPE MEDIAN OR PENINSULA. ALL OTHER PLANTING AREAS MUST HAVE A MINIMUM SOIL DEPTH OF 12 INCHES WITH A RADIUS OF SIX FEET FROM THE TREE TRUNK. TREES ARE NOT TO BE PLANTED IN CALICHE, SOLID ROCK, OR, IN SOILS WHOSE TEXTURE HAS BEEN COMPACTED BY CONSTRUCTION EQUIPMENT. AREAS OF COMPACTION WHICH HAVE BEEN SUBSEQUENTLY AMENDED WITH 12 INCHES OF FRIABLE NATIVE SOIL ARE SUITABLE FOR PLANTING.

TREE PLANTING NOTES

1. REMOVE NURSERY APPLIED TREE WRAP, TAPE OR STRING FROM TREE TRUNK AND CROWN. REMOVE ANY TAGS OR LABELS.
2. PRUNE SUCKERS OFF.
3. SET ROOTBALL LEVEL TO GRADE OR SLIGHTLY ABOVE GRADE (1/2") IF IN CLAY SOIL.
4. MULCH 3" DEEP LEAVING 3" CIRCLE OF BARE SOIL AROUND TRUNK OF TREE.
5. FOLD DOWN OR PULL BACK STRING, BURLAP OR PLASTIC EXPOSING ROOTBALL. REMOVE ALL NON-DEGRADABLE MATERIALS. DO NOT REMOVE SOIL FROM ROOTBALL.
6. BREAK UP SIDES OF PLANTING HOLE.
7. CENTER ROOTBALL IN PLANTING HOLE. LEAVE BOTTOM OF PLANTING HOLE FIRM. DO NOT AMEND SOIL UNLESS PLANTING IN POOR OR SEVERELY DISTURBED SOIL OR BUILDING RUBBLE. USE WATER TO SETTLE SOIL AND REMOVE AIR POCKETS AND FIRMLY SET TREE.
8. DO NOT STAKE UNLESS IN HEAVY CLAY SOIL, WINDY CONDITIONS, 3" OR GREATER DIAMETER TREE TRUNK OR LARGE CROWN. IF STAKING IS NEEDED DUE TO THESE CONDITIONS:
   a. STAKE WITH 2 x 2 HARDWOOD STAKES OR APPROVED EQUAL DRIVEN 6" - 8" OUTSIDE OF ROOTBALL;
   b. LOOSELY STAKE TREE TRUNK TO ALLOW FOR TRUNK FLEXING;
   c. STAKE TREES JUST BELOW FIRS BRANCH WITH 2" - 3" WIDE BELT-LIKE, NYLON OR PLASTIC STRAPS (2 PER TREE ON OPPOSITE SIDES OF TREE, CONNECT FROM TREE TO STAKE HORIZONTALLY. DO NOT USE ROPE OR WIRE THROUGH A HOSE.);
   d. REMOVE ALL STAKING MATERIALS AFTER ONE YEAR.

TREE PROTECTION NOTES

1. ALL TREES AND NATURAL AREAS SHOWN ON PLAN TO BE PRESERVED SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING
2. PROTECTIVE FENCES SHALL BE ERECTED ACCORDING TO CITY OF DALLAS STANDARDS FOR TREE PROTECTION.
3. PROTECTIVE FENCES SHALL BE INSTALLED PRIOR TO THE START OF ANY SITE PREPARATION WORK (CLEARING, GRUBBING OR GRADING), AND SHALL BE MAINTAINED THROUGHOUT ALL PHASES OF THE CONSTRUCTION PROJECT.
4. EROSION AND SEDIMENTATION CONTROL BARRIERS SHALL BE INSTALLED OR MAINTAINED IN A MANNER WHICH DOES NOT RESULT IN SOIL BUILD-UP WITHIN TREE DRIP LINES.
5. PROTECTIVE FENCES SHALL SURROUND THE TREES OR GROUP OF TREES, AND WILL BE LOCATED AT THE OUTERMOST LIMIT OF BRANCHES (DRIP LINE), FOR NATURAL AREAS, PROTECTIVE FENCES SHALL FOLLOW THE LIMIT OF CONSTRUCTION LINE, IN ORDER TO PREVENT THE FOLLOWING:
   a. SOIL COMPACTION IN THE ROOT ZONE AREA RESULTING FROM VEHICULAR TRAFFIC OR STORAGE OF EQUIPMENT OR MATERIALS;
   b. ROOT ZONE DISTURBANCES DUE TO GRADE CHANGES (GREATER THAN 6 INCHES CUT OR FILL), OR TRENCHING NOT REVIEWED AND AUTHORIZED BY THE CITY ARBORIST;
   c. WOUNDS TO EXPOSED ROOTS, TRUNK OR LIMBS BY MECHANICAL EQUIPMENT;
   d. OTHER ACTIVITIES DETRIMENTAL TO TREES SUCH AS CHEMICAL STORAGE, CEMENT TRUCK CLEANING, AND FIRES.
6. EXCEPTIONS TO INSTALLING FENCES AT TREE DRIP LINES MAY BE PERMITTED IN THE FOLLOWING CASES:
   e. WHERE THERE IS TO BE AN APPROVED GRADE CHANGE, IMPERMEABLE PAVING SURFACE, TREE WELL, OR OTHER SUCH SITE DEVELOPMENT, ERECT THE FENCE APPROXIMATELY 2 TO 4 FEET BEYOND THE AREA DISTURBED;
   f. WHERE PERMEABLE PAVING IS TO BE INSTALLED WITHIN A TREE'S DRIP LINE, ERECT THE FENCE AT THE OUTER LIMITS OF THE PERMEABLE PAVING AREA (PRIOR TO SITE GRADING SO THAT THIS AREA IS GRADED SEPARATELY PRIOR TO PAVING INSTALLATION TO MINIMIZE ROOT DAMAGE);
   g. WHERE TREES ARE CLOSE TO PROPOSED BUILDINGS, ERECT THE FENCE TO ALLOW 6 TO 10 FEET OF WORK SPACE BETWEEN THE FENCE AND THE BUILDING;
   h. WHERE THERE ARE SEVERE SPACE CONSTRAINTS DUE TO TRACT SIZE, OR OTHER SPECIAL REQUIREMENTS, CONTACT THE CITY ARBORIST AT 214-948-4117 TO DISCUSS ALTERNATIVES.
   i. SPECIAL NOTE: FOR THE PROTECTION OF NATURAL AREAS, NO EXCEPTIONS TO INSTALLING FENCES AT THE LIMIT OF CONSTRUCTION LINE WILL BE PERMITTED.
7. WHERE ANY OF THE ABOVE EXCEPTIONS RESULT IN A FENCE BEING CLOSER THAN 4 FEET TO A TREE TRUNK, PROTECT THE TRUNK WITH STRAPPED-ON PLANING TO A HEIGHT OF 8 FT (OR TO THE LIMITS OF LOWER BRANCHING) IN ADDITION TO THE REDUCED FENCING PROVIDED.
8. TREES APPROVED FOR REMOVAL SHALL BE REMOVED IN A MANNER WHICH DOES NOT IMPACT TREES TO BE PRESERVED.
9. ANY ROOTS EXPOSED BY CONSTRUCTION ACTIVITY SHALL BE PRUNED FLUSH WITH THE SOIL. BACKFILL ROOT AREAS WITH GOOD QUALITY TOP SOIL AS SOON AS POSSIBLE. IF EXPOSED ROOT AREAS ARE NOT BACKFILLED WITHIN 2 DAYS, COVER THEM WITH ORGANIC MATERIAL IN A MANNER WHICH REDUCES SOIL TEMPERATURE AND MINIMIZES WATER LOSS DUE TO EVAPORATION.
10. ANY TRENCHING REQUIRED FOR THE INSTALLATION OF LANDSCAPE IRRIGATION SHALL BE PLACED AS FAR FROM EXISTING TREE TRUNKS AS POSSIBLE.
11. NO LANDSCAPE TOPSOIL DRESSING GREATER THAN 4 INCHES SHALL BE PERMITTED WITHIN THE DRIP LINE OF TREES. NO SOIL IS PERMITTED ON THE ROOT FLARE OF ANY TREE.
12. PRUNING TO PROVIDE CLEARANCE FOR STRUCTURES, VEHICULAR TRAFFIC AND EQUIPMENT SHALL TAKE PLACE BEFORE DAMAGE OCCURS (RIPPING OF BRANCHES, ETC.).
13. ALL FINISHED PRUNING SHALL BE DONE ACCORDING TO RECOGNIZED, APPROVED STANDARDS OF THE INDUSTRY (REFERENCE THE NATIONAL ARBORIST ASSOCIATION PRUNING STANDARDS FOR SHADE TREES AVAILABLE ON REQUEST FROM THE CITY ARBORIST).
14. DEVIATIONS FROM THE ABOVE NOTES MAY BE CONSIDERED ORDINANCE VIOLATIONS IF THERE IS SUBSTANTIAL NON-COMPLIANCE OR IF A TREE SUSTAINS DAMAGE AS A RESULT.

SPECIAL CONSTRUCTION TECHNIQUES

1. PRIOR TO EXCAVATION WITHIN TREE DRIP LINES, OR THE REMOVAL OF TREES ADJACENT TO OTHER TREES THAT ARE TO REMAIN, MAKE A CLEAN CUT BETWEEN THE DISTURBED AND UNDISTURBED ROOT ZONES WITH A ROCK SAW OR SIMILAR EQUIPMENT TO MINIMIZE ROOT DAMAGE.
2. IN CRITICAL ROOT ZONE AREAS THAT CANNOT BE PROTECTED DURING CONSTRUCTION WITH FENCING, AND WHERE HEAVY VEHICULAR TRAFFIC IS ANTICIPATED, COVER THOSE AREAS WITH FOUR (4) INCHES OF ORGANIC MULCH TO BE PRODUCED ON SITE, TO MINIMIZE SOIL COMPACTION.
3. PERFORM ALL GRADING WITHIN CRITICAL ROOT ZONE AREAS WITH SMALL EQUIPMENT TO MINIMIZE ROOT DAMAGE.
4. WATER ALL TREES MOST HEAVILY IMPACTED BY CONSTRUCTION ACTIVITIES DEEPLY AS NECESSARY DURING PERIODS OF HOT, DRY WEATHER. SPRAY TREE CROWNS WITH WATER PERIODICALLY TO REDUCE DUST ACCUMULATION ON THE LEAVES.
5. WHEN INSTALLING CONCRETE ADJACENT TO THE ROOT ZONE OF A TREE, US A PLASTIC VAPOR BARRIER BEHIND THE CONCRETE TO PROHIBIT LEACHING OF LIME INTO THE SOIL.

REMEDIAL TREE CARE NOTES AERATION AND SUPPLEMENTAL NUTRIENT REQUIREMENTS FOR TREES WITHIN CONSTRUCTION AREAS

1. TREES WILL BE FERTILIZED PRIOR TO ANY CONSTRUCTION ACTIVITY. MATERIALS AND METHODS ARE TO BE APPROVED BY THE CITY ARBORIST (214-948-4117) PRIOR TO APPLICATION.
2. THE GENERAL CONTRACTOR SHALL SELECT A FERTILIZATION CONTRACTOR AND INSURE COORDINATION WITH THE CITY ARBORIST. WITHIN 7 DAYS AFTER FERTILIZATION IS PERFORMED, THE CONTRACTOR SHALL PROVIDE DOCUMENTATION OF THE WORK PERFORMED TO THE CITY ARBORIST.
3. ALL CLASS 1 TREES WITHIN (OR ADJACENT TO) THE LIMITS OF CONSTRUCTION WHICH ARE INDICATED TO BE PRESERVED (ON THE PLANS) WILL BE FERTILIZED PRIOR TO THE BEGINNING OF CONSTRUCTION ACTIVITIES AND AGAIN AFTER THE COMPLETION OF ALL CONSTRUCTION. AREAS TO BE FERTILIZED INCLUDE THE ENTIRE CRITICAL ROOT ZONE OF A TREE AS DEPICTED ON THE CITY APPROVED PLANS. TREES ARE TO BE FERTILIZED VIA SOIL INJECTION METHOD (MINIMUM 100 PSI), USING DOGGETT X-L INJECTO 32-7-7 OR EQUIVALENT AT RECOMMENDED RATES. CONSTRUCTION THAT WILL BE COMPLETED IN LESS THAN 90 DAYS SHOULD USE MATERIAL AT RECOMMENDED RATES. ALTERNATIVE ORGANIC FERTILIZER MATERIALS ARE ACCEPTABLE WHEN APPROVED BY THE CITY ARBORIST.

SITE DEVELOPMENT PERMIT - IRRIGATION NOTES

1. THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED SO THAT:
   (a) THERE IS NOT DIRECT OVERSPRAY ONTO NON-

City of Dallas

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

Agenda Information Sheet

File #: 23-692 **Item #:** 3.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Subdistrict 3 within Planned Development District No. 317, the Cedars Area Special Purpose District, on the west line of Cadiz Street, north of Botham Jean Boulevard.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions.
Applicant: Crown Castle
Representative: Vincent Gerard & Associated Inc.
Planner: Michael Pepe
Council District: 2
Z212-322(MP)

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

Planner: Michael V. Pepe

FILE NUMBER: Z212-322(MP) **DATE FILED:** August 18, 2022

LOCATION: West line of Cadiz Street, north of Botham Jean Boulevard

COUNCIL DISTRICT: 2

SIZE OF REQUEST: ±2,400 square feet **CENSUS TRACT:** 48113020402

REPRESENTATIVE: Vincent Gerard & Associates Inc.

APPLICANT: Crown Castle

OWNER: Texas Department of Transportation

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned Subdistrict 3 within Planned Development District No. 317, the Cedars Area Special Purpose District.

SUMMARY: The purpose of this request is to allow for a new tower/antenna for cellular communication, which requires an SUP in this zoning district

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

PRIOR CPC ACTION: At the February 16, 2023 hearing, the City Plan Commission moved to hold the case under advisement until March 2, 2023.

BACKGROUND INFORMATION:

- The site is located within the Interstate 30 right-of-way and is zoned Subdistrict 3 within Planned Development District No. 317, the Cedars Area Special Purpose District. Per the PD, the additional regulations of Sec.51A-4.212(10.1) also apply.
- Within Subarea 3 of the PD, the use requires a specific use permit.
- The proposed height would be similar in size and siting as existing TxDOT high-mast lighting, as well as a similar tower/antenna currently located across I-30.
- The Dallas Development Code stipulates that a cellular tower is exempt from residential proximity slope height restrictions if an SUP is required for the cellular use and the impact of the tower height on an adjacent residential district is considered in the SUP process. However, the site is generally located far from residential properties which would project any proximity slopes.
- The applicant requests an SUP for a tower/antenna for cellular communication for a ten-year period, with eligibility for automatic renewals for additional ten-year periods.
- The applicant has not proposed any changes since the previous hearing.

Zoning History:

There has been two zoning cases in the area in the past five years.

1. Z201-331 – On June 8, 2022, the City Council approved an ordinance for 1) a new subdistrict within the Cedars West Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District; and 2) the termination of Specific Use Permit No. 1484 for a commercial amusement (inside) limited to a Class A dance hall at the west corner of South Riverfront Boulevard and Dearborn Street.

2. Z167-311 – On February 10, 2021, the City Council approved an ordinance to expand and amend Planned Development District No 317, the Cedars Area Special Purpose District, in an area is generally bound by Interstate Highway 45, the DART Rail right-of-way, the Union Pacific Railroad right-of-way, the northwestern side of Interstate Highway 30 from Union Pacific Railroad to Griffin Street, Canton Street between Griffin Street and Ervay Street, Ervay Street, the northern border of the Interstate Highway 30 right-of-way between Ervay Street and St. Paul Street, and Interstate Highway 30. [Subject site and surrounds]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
Cadiz Street	CBD Two Way	100 feet
Botham Jean Boulevard	Principal Arterial	80 foot Bike Plan

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.

While the Plan does not specifically address telecommunication coverage, the Plan contains goals and policies for stabilization and strengthening of neighborhoods. Staff recognizes that telecommunication is a part of overall access to services and utilities. Therefore, an increase in telecommunication coverage may help achieve the general goals of the Plan.

Land Use:

	Zoning	Land Use
Site	Planned Development District No. 317, Subdistrict 3	Interstate Right of Way / Undeveloped
North	Planned Development District No. 317, Subdistrict 3	Interstate Right of Way
East	Planned Development District No. 317, Subdistrict 3	Office, Community Service Center

South	Planned Development District No. 317, Subdistrict 3	Office, Undeveloped
West	Planned Development District No. 317, Subdistrict 3	Interstate Right of Way

Land Use Compatibility:

The area of request is a roughly 2,400 square foot portion of the Interstate 30 right-of-way and is undeveloped. The property is surrounded on the west, north, and northeast by additional right of way for I-30.

Per the PD, an SUP is required for the use. The applicant states the proposed tower is intended to replace a nearby tower, currently located across the I-30 right of way to the northwest. The existing tower/antenna for cellular communication is 105-feet in height.

The site plan indicates the monopole cellular tower area is 40-feet by 60-feet or 2,400 square feet. The site plan contains three equipment pads and the monopole tower. The entire area is surrounded by a six-foot chain-link fence. Access to the site would be from Cadiz Street.

The proposed use can only be installed with the SUP requested. Although the SUP approval can exempt a tower/antenna from Residential Proximity Slope, the code directs an assessment of nearby residential uses to ensure compatibility of height as necessary. The nearest residential uses are over 700 feet from the subject site, and there are no residential districts located nearby that would normally generate RPS.

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 request because it is not foreseen to be detrimental to any development pattern or safety on nearby properties. The request will also provide increased telecommunication coverage in a dense, centrally located area of the city. The proposed height of 125-feet is similar to the existing tower and similar to high-mast lighting located elsewhere on the I-30 right of way. This height is also significantly lower than the maximum building height allowed in the base zoning, which is 300 feet. The siting within the I-30 right of way has the effect of isolating the use from any established neighborhood, where the use will not interfere with any established development pattern. Staff supports the applicant's requested time period of ten years with eligibility for automatic renewal for additional ten-year periods to provide reliable telecommunication coverage subject to review of required materials at the time of auto-renewal.

Landscaping:

Landscaping 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 tower/antenna for cellular communication is one space if the communication tower/antenna has an auxiliary building housing electronic and communication equipment greater than 120 square feet. No auxiliary building is existing/proposed; therefore, no additional parking is triggered by the proposed 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 (A through C) to orange, representing the weakest markets (G through I). The area of request is located within an "E" MVA cluster. Property to the northwest is located within a "C" MVA cluster.

LIST OF PARTNERS/PRINCIPALS/OFFICERS

Crown Castle Inc.

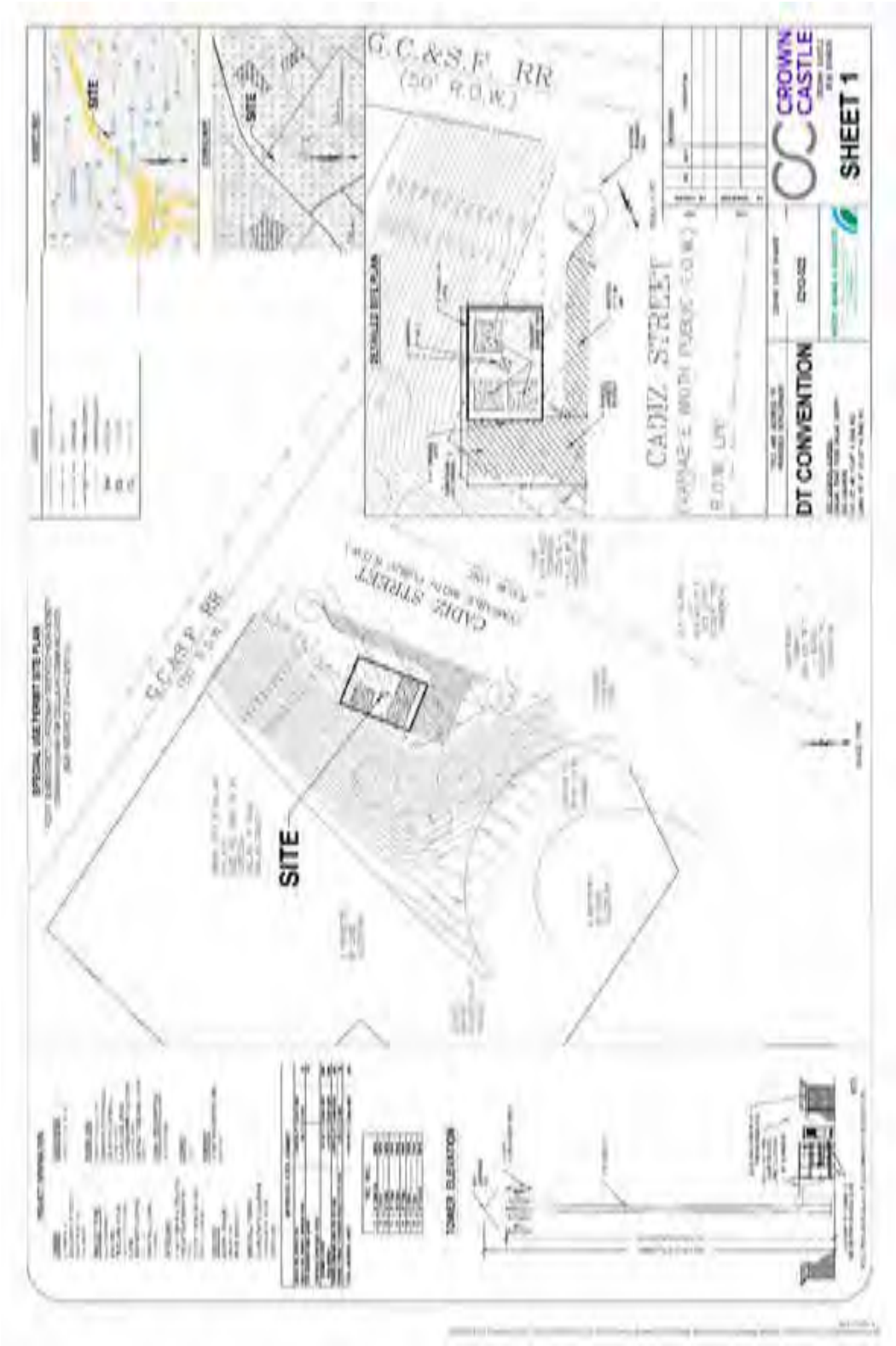
Board of Directors

Jay A. Brown	President, Chief Executive Officer & Director
W. Benjamin Moreland	Director
Robert P. Bartolo	Independent Director
Tammy K. Jones	Independent Director

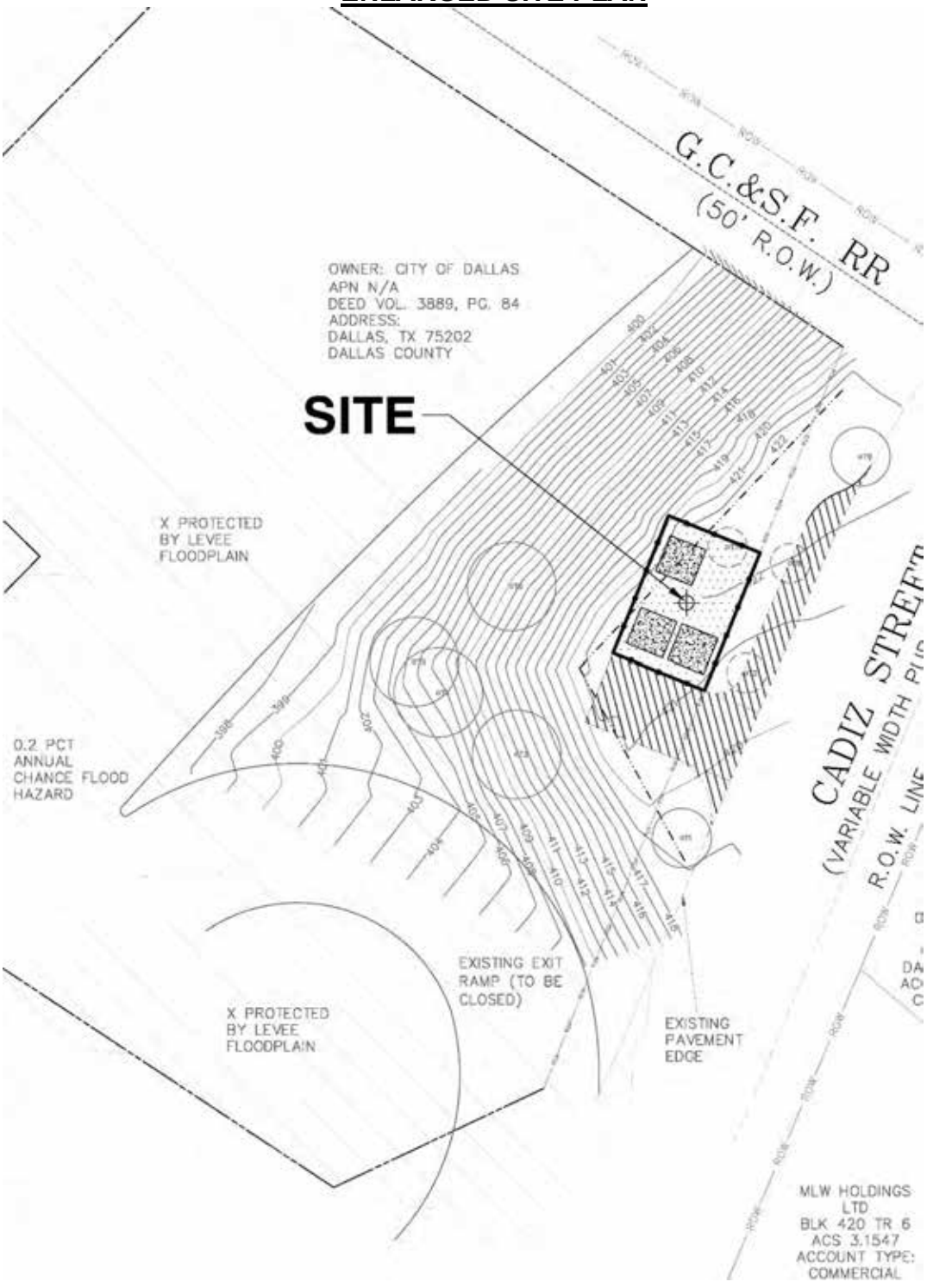
PROPOSED SUP CONDITIONS

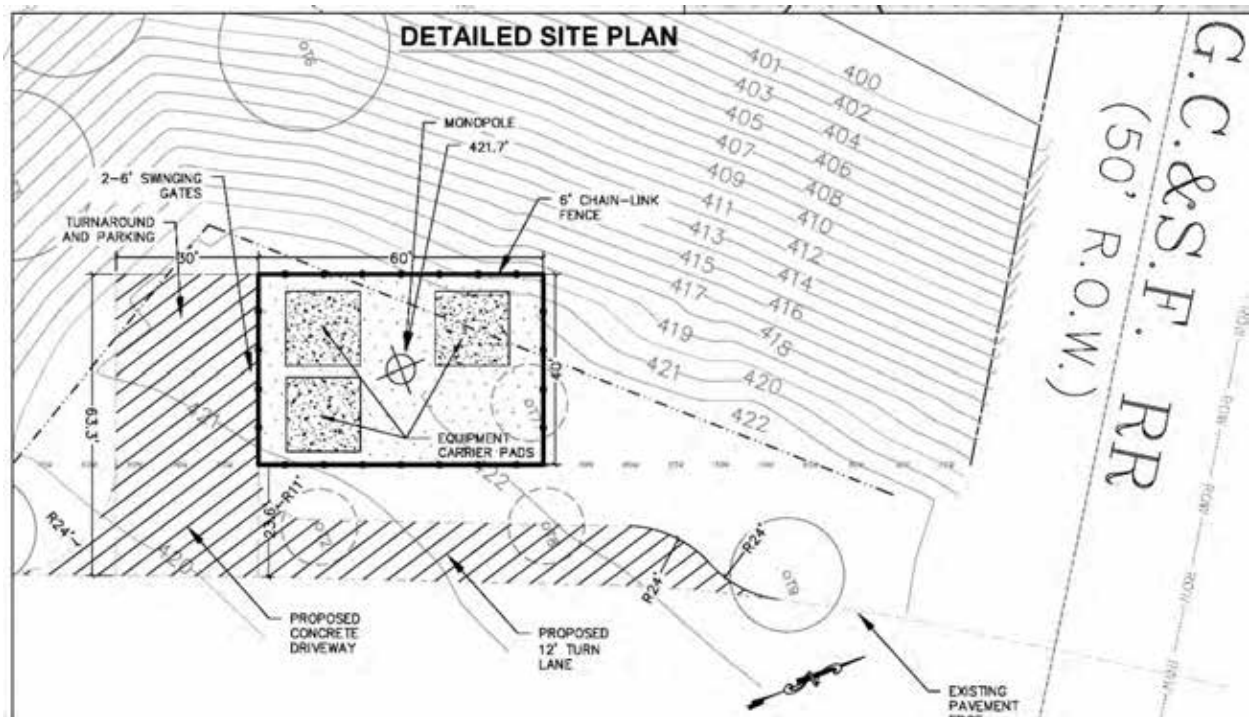
1. USE: The only use authorized by this SUP is a tower/antenna for cellular communication.
2. SITE PLAN: Use and development of the Property must comply with the attached site/elevation plan.
3. HEIGHT: Use and development of the Property are limited to a height of 125 feet, measured to top of structure.
4. COLLOCATION**:** Any tower/antenna for cellular communication must be constructed to support the antenna arrays for at least two other wireless communications carriers and the tower/antenna for cellular communication must be made available to other communication carriers upon reasonable terms.
5. TIME LIMIT: This specific use permit expires …. (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 application for automatic renewal must be filed after the 18th 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 application for automatic renewal is strictly enforced.)
6. MAINTENANCE: The 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/ELEVATION PLAN

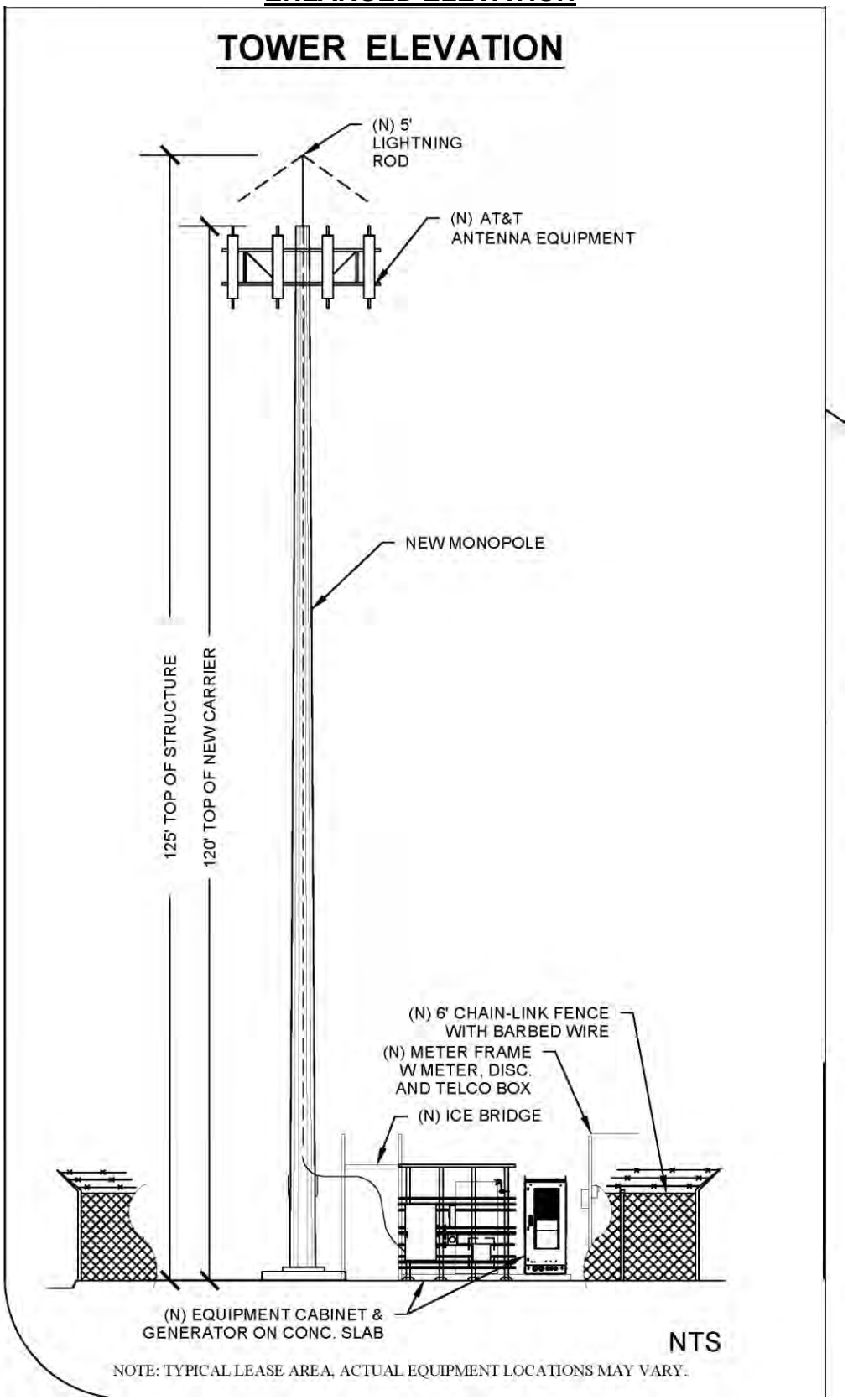


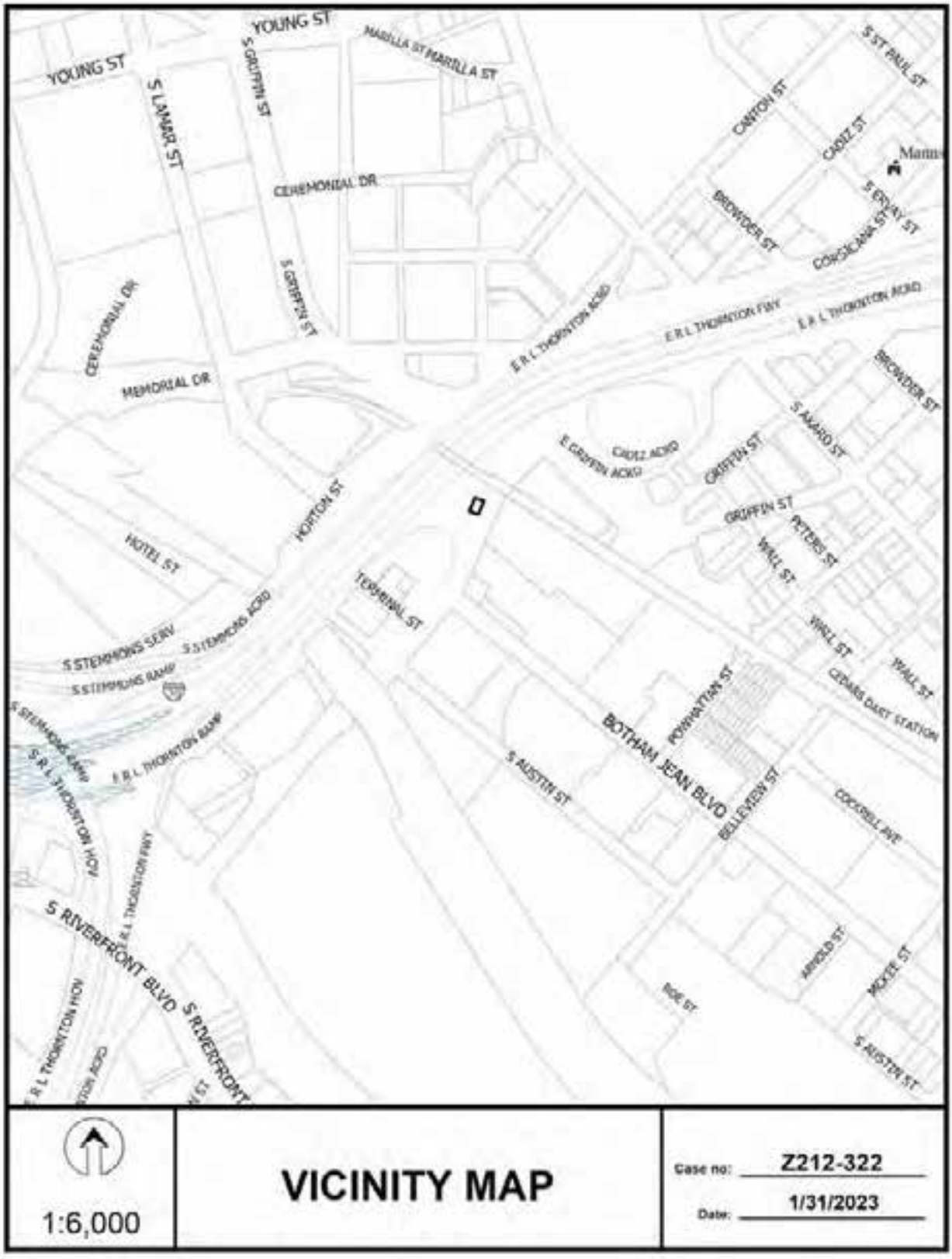
ENLARGED SITE PLAN




DETAILED SITE PLAN
MONOPOLE
421.7'
2-6' SWINGING GATES
6' CHAIN-LINK FENCE
TURNAROUND AND PARKING
30'
60'
63.3'
EQUIPMENT CARRIER PADS
PROPOSED CONCRETE DRIVEWAY
PROPOSED 12' TURN LANE
EXISTING PAVEMENT
G.C.&S.F. RR
(50' R.O.W.)

ENLARGED ELEVATION




YOUNG ST
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S GRIFFIN ST
MARILLA ST
CEREMONIAL DR
MEMORIAL DR
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E R L THORNTON ACRD
CANTON ST
CADIZ ST
BREWSTER ST
CORSICANA ST
S ST PAUL ST
S ERVAY ST
BROWDER ST
S AKARD ST
GRIFFIN ST
CADIZ ACRD
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HORTON ST
HOTEL ST
TERMINAL ST
S STEMMONS SERV
S STEMMONS ACRD
S STEMMONS RAMP
E R L THORNTON RAMP
S R L THORNTON HOV
S RIVERFRONT BLVD
S AUSTIN ST
POWHATTAN ST
BOTHAM JEAN BLVD
BELLEVIEW ST
WALL ST
PETERS ST
CEDARS DART STATION
COCKRELL AVE
ARNOLD ST
MOXIE ST
RUE ST
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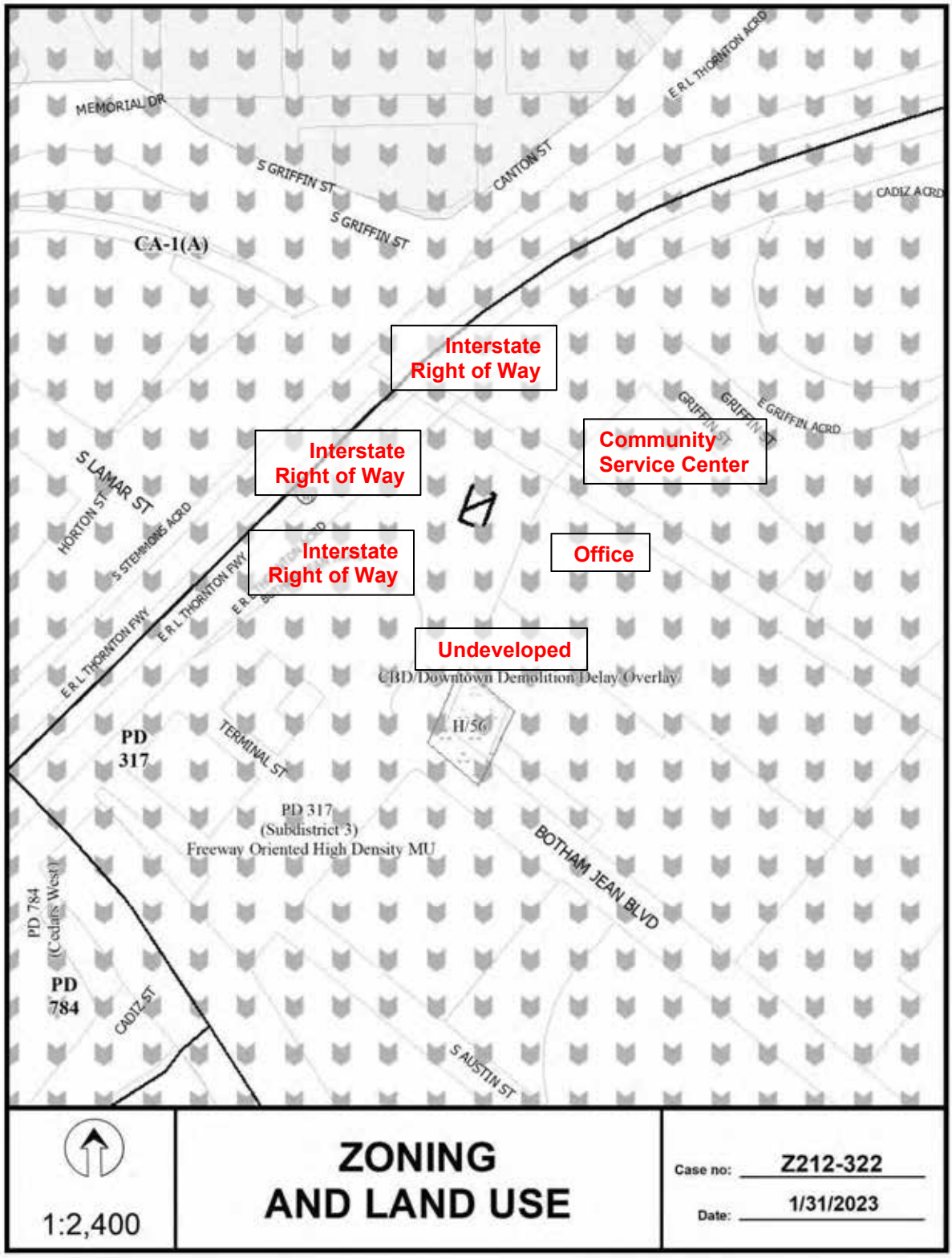
VICINITY MAP
Case no: Z212-322
Date: 1/31/2023

S LAMAR ST
E R L THORNTON FWY
BOTHAM JEAN BLVD
S AUSTIN ST
1:2,400
AERIAL MAP
Case no: Z212-322
Date: 1/31/2023


MEMORIAL DR
S GRIFFIN ST
CANTON ST
E R L THORNTON ACRD
CADIZ ACRD
CA-1(A)
Interstate Right of Way
Interstate Right of Way
Community Service Center
Interstate Right of Way
Office
Undeveloped
CBD/Downtown Demolition Delay Overlay
H/56
S LAMAR ST
HORTON ST
S STEMMONS ACRD
E R L THORNTON FWY
TERMINAL ST
PD 317
PD 317 (Subdistrict 3) Freeway Oriented High Density MU
BOTHAM JEAN BLVD
PD 784 (Cedars West)
PD 784
CADIZ ST
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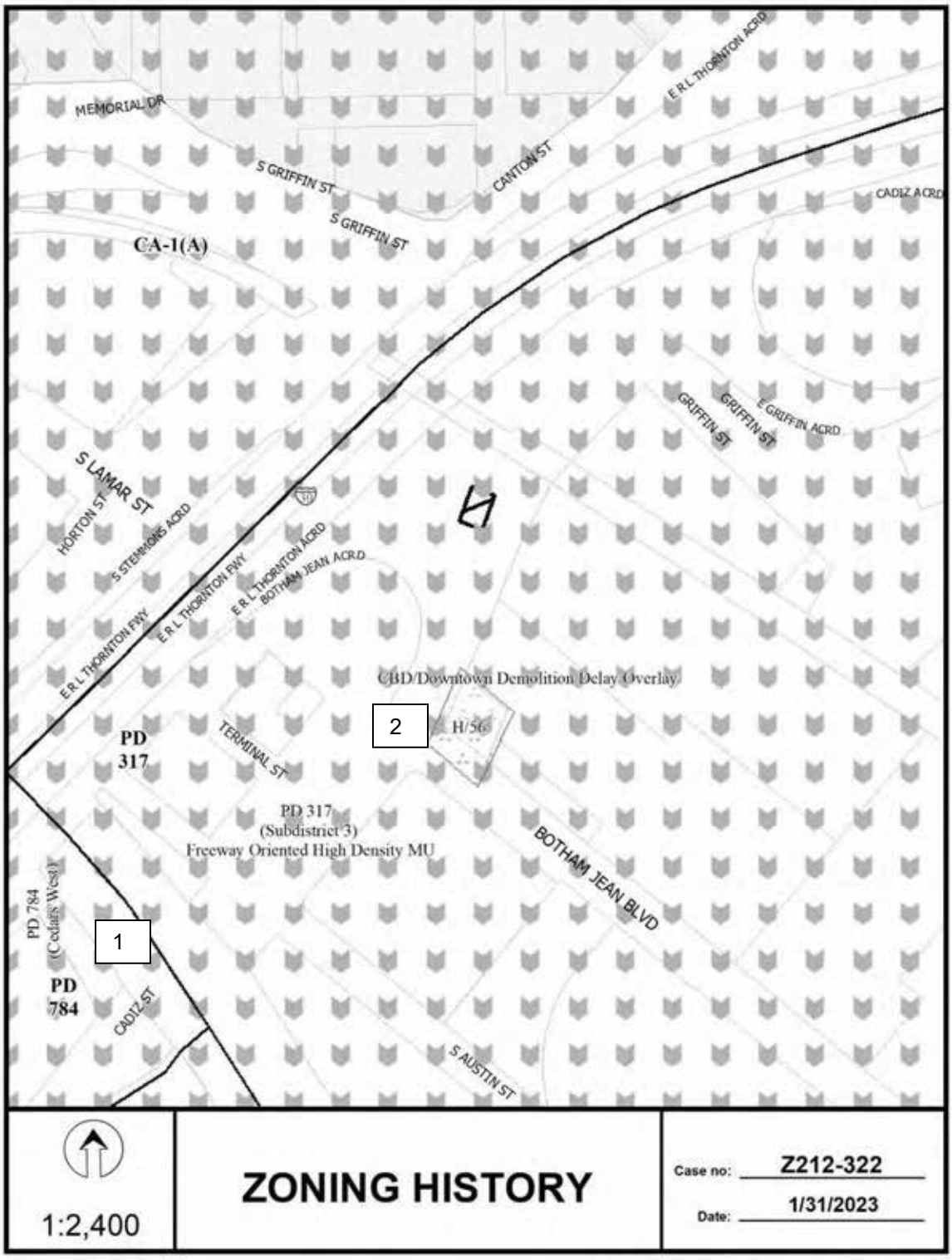
ZONING AND LAND USE
Case no: Z212-322
Date: 1/31/2023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BOTHAM JEAN ACRD
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CBD/Downtown Demolition Delay Overlay
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PD 317
TERMINAL ST
PD 317
(Subdistrict 3)
Freeway Oriented High Density MU
BOTHAM JEAN BLVD
PD 784
(Cedars West)
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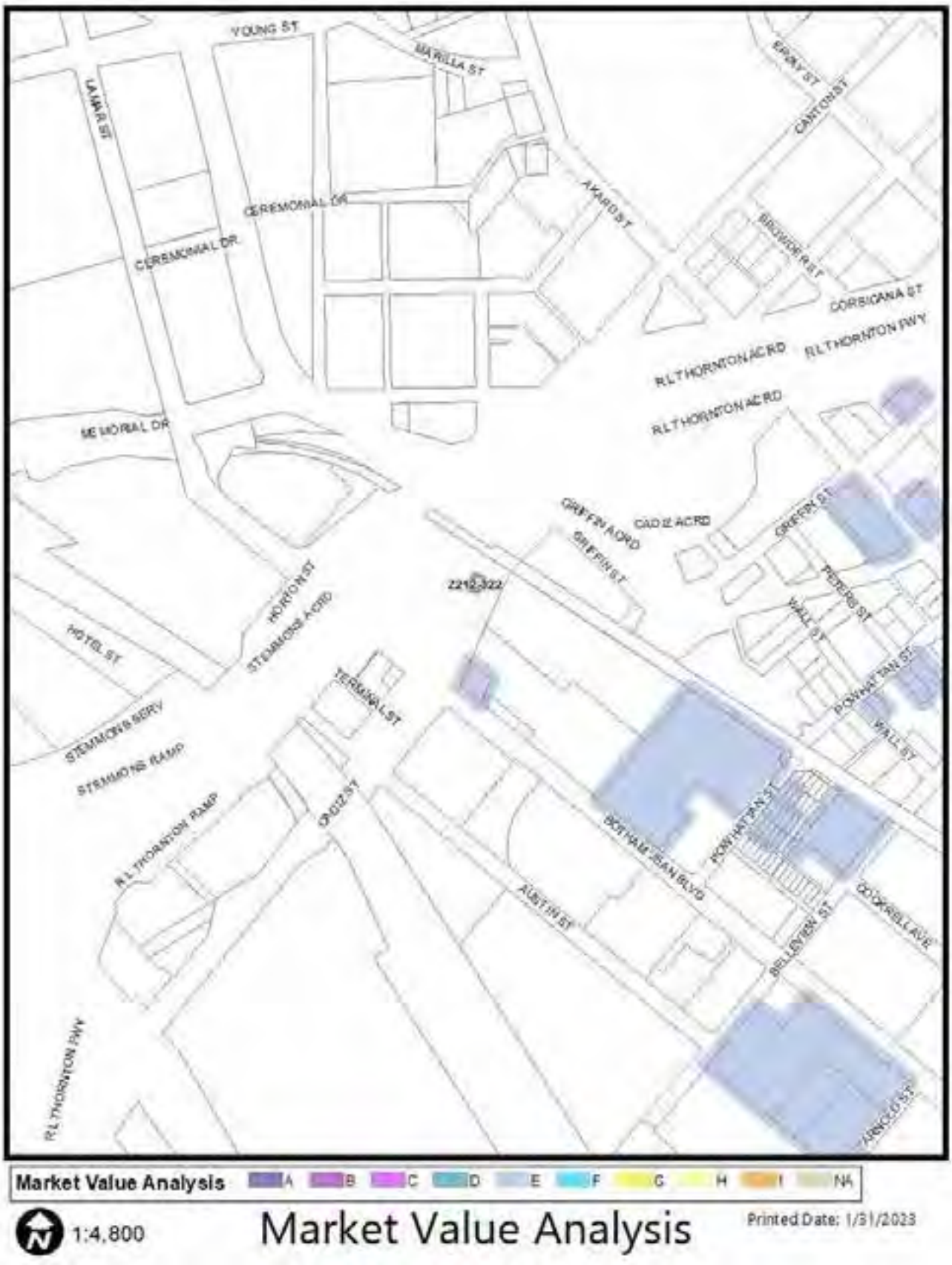
PD 784
CADIZ ST
S AUSTIN ST
1:2,400
ZONING HISTORY
Case no: Z212-322
Date: 1/31/2023


YOUNG ST
MARILLA ST
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AKARD ST
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BROOKE RST
CORSICANA ST
R L THORNTON FWY
R L THORNTON ACRD
R L THORNTON ACRD
MEMORIAL DR
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GRIFFIN ST
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Z212-322
PETERS ST
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HOTEL ST
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STEMMONS RAMP
POWHATTAN ST
WALL ST
R L THORNTON RAMP
CADIZ ST
POWHATTAN ST
BOTHAM JEAN BLVD
AUSTIN ST
BELLEVIEW ST
COCKRELL AVE
R L THORNTON FWY
ARNOLD ST
Market Value Analysis
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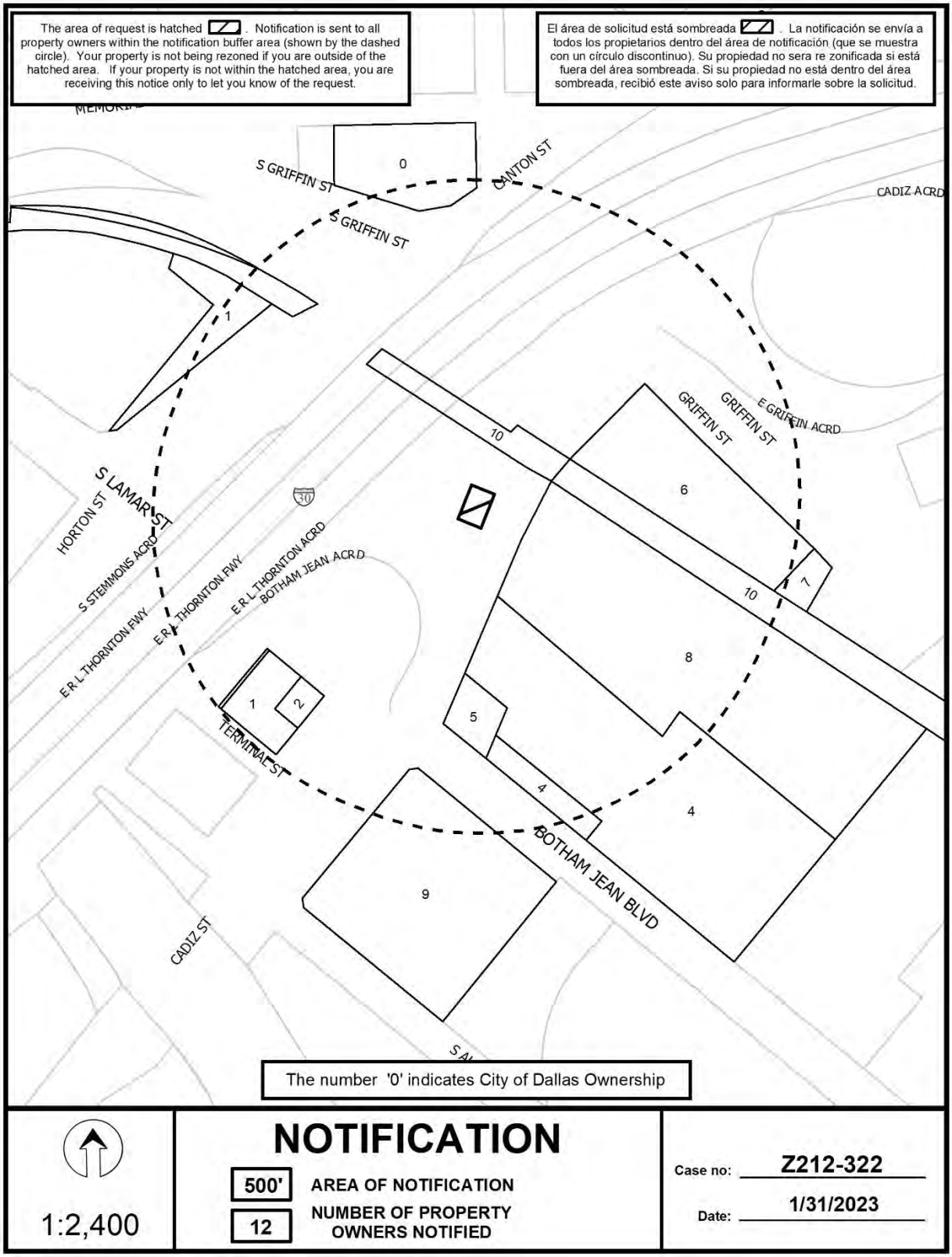
NA
1:4,800
Market Value Analysis
Printed Date: 1/31/2023


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.
S GRIFFIN ST
CANTON ST
CADIZ ACRD
E GRIFFIN ACRD
GRIFFIN ST
HORTON ST
S LAMAR ST
S STEMMONS ACRD
E R L THORNTON FWY
E R L THORNTON ACRD
BOTHAM JEAN ACRD
TERMINAL ST
BOTHAM JEAN BLVD
CADIZ ST
0
1
2
4
5
6
7
8
9
10
The number '0' indicates City of Dallas Ownership
NOTIFICATION
500'
AREA OF NOTIFICATION
12
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: Z212-322
Date: 1/31/2023

01/31/2023

Notification List of Property Owners

Z212-322

12 Property Owners Notified

Label #	*Address*		*Owner*
1	971	BOTHAM JEAN BLVD	CCH LAMAR PARTNERS I LP
2	969	BOTHAM JEAN BLVD	LIM SCOTT
3	967	BOTHAM JEAN BLVD	LADDS ZELVA WARNER
4	908	CADIZ ST	MLW HOLDINGS LTD
5	904	CADIZ ST	ANDERSON BARRY
6	1100	CADIZ ST	DALLAS LIFE SUPPORT CORPORATION
7	933	S GRIFFIN ST	DALLAS MISSION FOR LIFE
8	1010	CADIZ ST	B H DALLAS PORTFOLIO LLC
9	1005	BOTHAM JEAN BLVD	CCH ALAMO LP
10	555	2ND AVE	DART
11	555	2ND AVE	DART
12	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT

SPECIAL USE PERMIT SITE PLAN

PD317, SUBDISTRICT 3, FREEWAY ORIENTED HIGH-DENSITY.
TOWER/ANTENNA FOR CELLULAR COMMUNICATION
[SUP. SEE SECT. 51A-4.212(10.1).]

PROJECT INFORMATION:

OWNER
CROWN CASTLE
1220 AUGUSTA DR STE 500
HOUSTON, TX 77057
1 (877) 486-9377

PROJECT TYPE
NEW 120' MONOPOLE
UNMANNED
TELECOMMUNICATION
FACILITY, CONSISTING OF
FUTURE
EQUIPMENT PLATFORMS,
SHELTERS,
DIRECTIONAL AND GPS
ANTENNAS

APPLICANT
VINCENT GERARD & ASSOCIATES
1715 CAPITAL OF TEXAS HWY
SOUTH
CONTACT: VINCE HUEBINGER
PHONE: 512.326.2693

UTILITIES
ELECTRIC PROVIDER
ONCOR TEXAS
PHONE: 888.313.4747

ONE-CALL TEXAS
CONTRACTOR TO CALL BEFORE
DIGGING PHONE: 811 OR
1.800.545.6000

LANDOWNER
TXDOT/CITY OF DALLAS

PERMITTING
COUNTY: DALLAS COUNTY
JURISDICTION: CITY OF DALLAS
OCCUPANCY: COMMERCIAL
ZONING: PD 317
BUILDING CODE: 2012 IBC
ALLOWABLE IMPERVIOUS COVER:
N/A TXDOT ROW
USE: PUBLIC TELECOMMUNICATION
FACILITY

LEGAL DESCRIPTION
NA - TXDOT ROW

ZONING
PD 317

PARKING
1 SPACE PROVIDED FOR TOWER
WORKERS

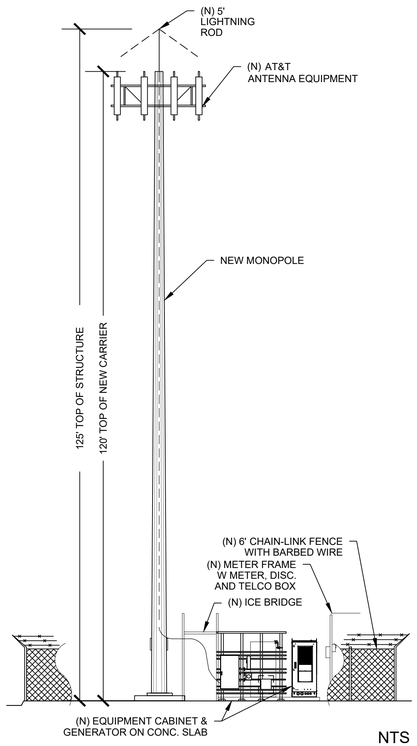
IMPERVIOUS COVER SUMMARY

EXISTING TOTAL PROPERTY SIZE:	122,607 SQ. FT.	2.8147 ACRES	
EXISTING TOTAL PROPERTY IMPERVIOUS COVER:	0 SQ. FT.	0 ACRES	0%
TOTAL IMPERVIOUS COVER ALLOWED:			XX%
PROPOSED IMPERVIOUS COVER:			
EQUIPMENT & TOWER:	96.67 SQ. FT.	0.0022 ACRES	0.08%
PAVED DRIVEWAY:	1,200 SQ. FT.	0.0275 ACRES	0.98%
PROPOSED IMPERVIOUS COVER (THIS SITE PLAN):	1,296.67 SQ. FT.	0.0298 ACRES	1.06%
PROPOSED DECREASE IN IMPERVIOUS COVER (THIS SITE PLAN):	0 SQ. FT.	0 ACRES	0%
TOTAL IMPERVIOUS COVER	1,296.67 SQ. FT.	0.0298 ACRES	1.06%

TREE TABLE

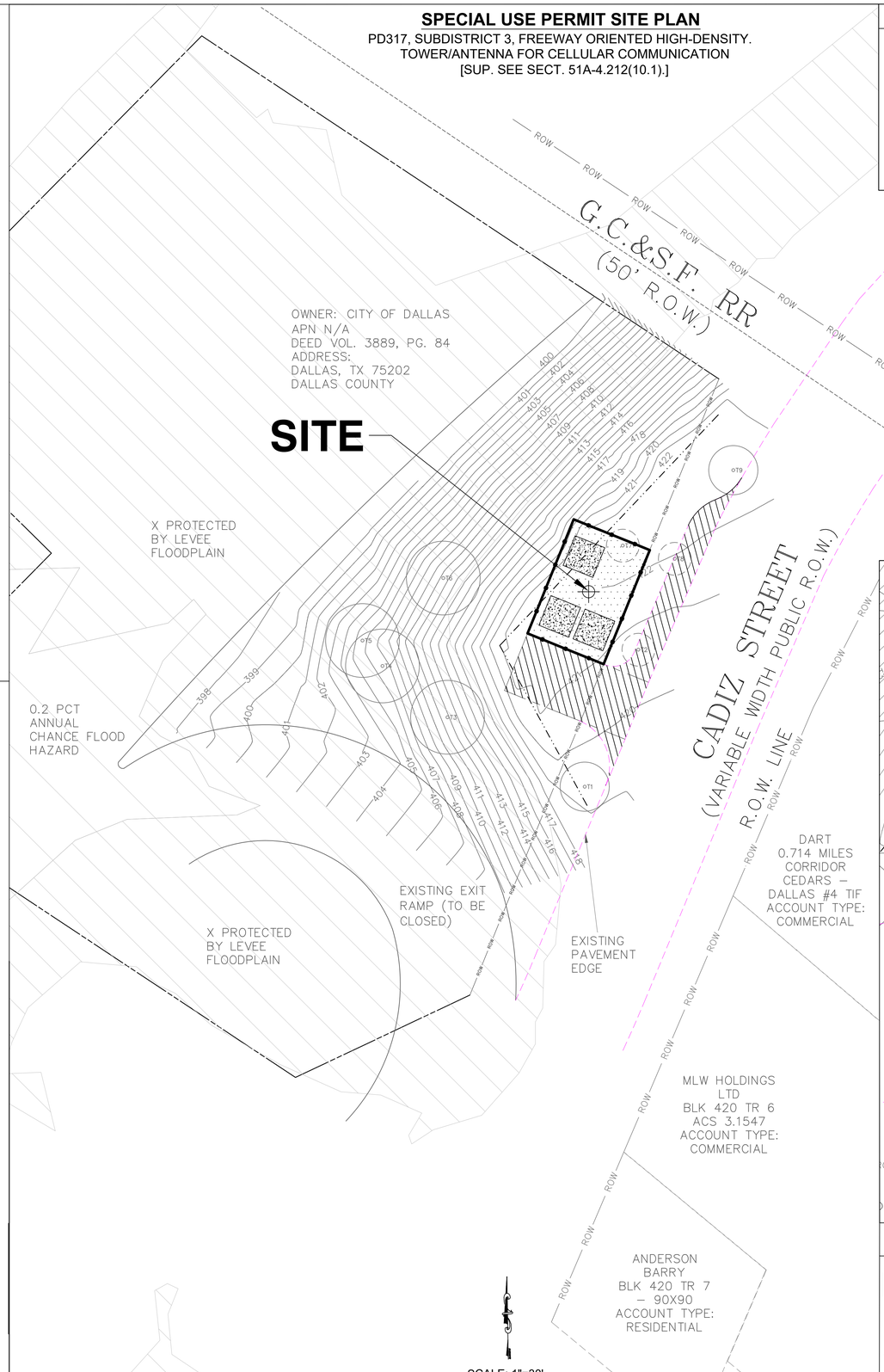
T1	12" CEDAR ELM	REMAIN
T2	8" PECAN	REMOVE
T3	18" PECAN	REMAIN
T4	18" PECAN	REMAIN
T5	18" PECAN	REMAIN
T6	18" PECAN	REMAIN
T7	8" PECAN	REMOVE
T8	8" PECAN	REMOVE
T9	12" RED OAK	REMAIN

TOWER ELEVATION



NTS

NOTE: TYPICAL LEASE AREA, ACTUAL EQUIPMENT LOCATIONS MAY VARY.



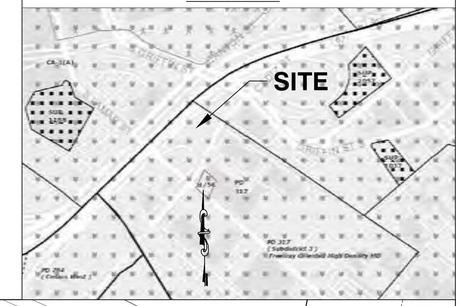
SCALE: 1"=30'

LEGEND

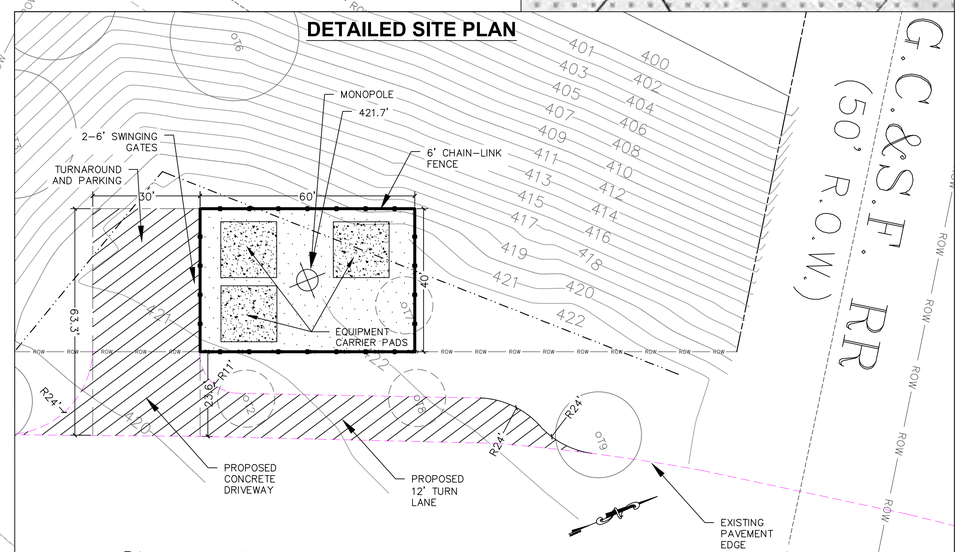
- ACCESS AGREEMENT
- FENCE
- HAZARD LINE
- OHP — OVERHEAD ELECTRIC
- PROPERTY BOUNDARY
- ROW — RIGHT OF WAY
- FIRE HYDRANT
- UTILITY POLE

VICINITY MAP:

ZONING MAP:



DETAILED SITE PLAN



SCALE: 1"=20'

REVISIONS		
NO.	DATE	DESCRIPTION

DRAWN BY: LCH
REVIEWED BY: VGH

TITLE AND ADDRESS OF PROPOSED DEVELOPMENT

DT CONVENTION

SITE LOCATION ADDRESS:
DALLAS, TEXAS 75202 DALLAS COUNTY
SITE LOCATION:
LAT: 32° 46' 17.08" N (NAD 83)
LONG: 96° 47' 57.27" W (NAD 83)

ZONING CASE NUMBER

Z212-322

VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207
AUSTIN, TEXAS 78746
(512)328-2693 - * vince@vincentgerard.com

CROWN CASTLE
CROWN CASTLE
BU# 839839

SHEET 1

B:\Crown\2021\DT Convention Center 839839\CAD\Hunter Markups\Drawing Files\Crown DT Convetion SUP 12.16.22.dwg 12/19/2022 11:18:40 AM

City of Dallas

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

Agenda Information Sheet

File #: 23-693 **Item #:** 4.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 12

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Specific Use Permit for a community service center on property zoned Planned Development District No. 765, on the southeast corner of Mapleshade Lane and Oxford Drive.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions.
Applicant: Plano Independent School District
Representative: Karl Crawley, Masterplan
Planner: Michael Pepe
Council District: 12
Z212-326(MP)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

Planner: Michael V. Pepe

FILE NUMBER: Z212-326(MP) **DATE FILED:** August 25, 2022

LOCATION: Southeast corner of Mapleshade Lane and Oxford Drive.

COUNCIL DISTRICT: 12

SIZE OF REQUEST: ±2.557 acres **CENSUS TRACT:** 48085031709

REPRESENTATIVE: Karl Crawley, Masterplan

APPLICANT/OWNER: Plano Independent School District

REQUEST: An application a Specific Use Permit for a community service center on property zoned Planned Development District No. 765.

SUMMARY: The purpose of this request is to allow for a community service center, which requires an SUP in this zoning district.

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

BACKGROUND INFORMATION:

- The area of request is currently undeveloped and zoned Planned Development District No. 765.

- The applicant proposes a new 10,835-square-foot building for the community service center to be operated by Plano Independent School District.

- The code defines a community service center as "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." PISD could provide a variety of services including education, counseling, food and clothing distribution, and social work.

- The applicant has already submitted a development plan and landscape plan to the City Plan Commission as required by the PD, D212-021, which were approved December 15, 2022. This is the necessary process for development under PD No. 765 when developing a site with a use that requires an SUP. The development plans and landscape plans were evaluated to meeting the standards of code and the PD, and the SUP site plan matches these plans.

- The proposed use is allowed within the PD subject to a specific use permit.

- The applicant requests an SUP for a community service center for a permanent time frame. Staff recommends a ten-year period, with eligibility for automatic renewal for additional ten-year periods, which will allow for ongoing adjustment and review of the site and operations. A ten-year period is appropriate to allow for both construction of the subject site and potential developments on surrounding properties, which may change the nature of the relationship between the subject site and the surrounding pattern.

Zoning History:

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

1. **Z189-364 –** On January 8, 2020, City Council approved Specific Use Permit No. 2362 for an animal shelter or clinic without outside runs for a five-year period with eligibility for automatic renewal for additional five-year periods on property zoned Tract 6A within Planned Development District No. 170 on the southwest corner of Preston Road and Lloyd Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing / Proposed ROW
Mapleshade Lane	Community Collector	80 feet / 80 feet
Oxford Drive	Local	60 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*, 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 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible

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 5.3 ESTABLISHING WALK-TO CONVENIENCE

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

Land Use:

	Zoning	Land Use
Site	Planned Development District No. 765	Undeveloped
North	RR Regional Retail District	Home improvement center, lumber, brick, or building materials sales yard
East	Planned Development District No. 765	Nursery, garden shop, or plant sales
South	Planned Development District No. 765	Undeveloped
West	Planned Development District No. 765, Subarea A within Planned Development District No. 765	Financial institution with drive-in window, Restaurant with drive-in or drive-through service

Land Use Compatibility:
The area of request is currently undeveloped. Properties west of the subject site are used as a financial institution with drive-in window and a restaurant with drive-in or drive-through service. The property to the north of the site is developed as a home improvement center, lumber, brick, or building materials sales yard. Property to the east of the site is used as a nursery, garden shop, or plant sales use. Property to the south of the subject site is undeveloped.

The property is located within Planned Development District No. 765, which was established September 26, 2007. The PD consists of a primary area and one subarea,

which both allow a mix of uses, similar to an MU-2 Mixed Use District. The subject site is located in the primary tract of the PD, which requires an SUP for the proposed use. However, the proposed use would generally be compatible with existing surrounding commercial uses, while providing community services through the Plano Independent School District.

The site plan, which matches the development and landscape plans approved on December 15, 2022, depicts a 10,835-square-foot facility and associated parking. Access to the site would be from both Oxford Drive and Mapleshade Lane. Through the proposed community service center, Plano Independent School District would provide services including education, counseling, food and clothing distribution, and social work.

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 requested use because it is not foreseen to be detrimental to any existing development pattern on nearby properties. There is not an established development pattern on this portion of the block at this time since it is largely undeveloped.

The applicant is requesting an SUP without an expiration date. Staff recommends approval of the SUP, but for a period of 10 years with eligibility for automatic renewal for additional ten-year periods thereafter. Although the proposed use and site orientation are generally compatible with surrounding commercial uses, the mixed use nature of the existing zoning in the area means that adjacent properties could be developed as residential. Although this would likely not necessitate the termination of the SUP in the event this occurs, it may entail minor adjustments to the site plan or conditions, depending upon the development pattern of the surrounding area.

Landscaping:

Landscaping must be provided in accordance with the requirements in Article X, as amended, and the Landscape Plan approved in D212-021. Upon this review, the landscape plan was evaluated to meet the standards of Article X.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a community service center is one space per 200 square feet of floor area. The proposed 10,835 square-foot facility would require 54 spaces. The site plan includes 148 total vehicle spaces.

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 located close to areas designated as “B” cluster.

LIST OF PARTNERS/PRINCIPALS/OFFICERS

Plano Independent School District
Dr. Theresa Williams, Superintendent
Dr. Selenda Anderson, Deputy Superintendent Leadership and Operations
Johnny Hill, Deputy Superintendent for Business and Employee Services
Lisa Wilson, Deputy Superintendent for Teaching, Learning and Life Readiness
Dr. Beth Brockman, Assistant Superintendent for Employee Services
Dr. Courtney Gober, Assistant Superintendent for Student, Family and Community Services
Patrick Tanner, Assistant Superintendent for Technology Services
Lesley Range-Stanton, Chief Communications Officer
Laurie Taylor, Chief Learning Officer
Dr. Dash Weerasinghe, Senior Executive Director for Assessment, Research and Program Evaluation

Board of Trustees
David Stolle, Board President, Place 5
Nancy Humphrey, Board Vice President, Place 3
Jeri Chambers, Board Secretary, Place 6
Dr. Lauren Tyra, Place 1
Angela Powell, Place 2
Dr. Heather Wang, Place 4
Cody Weaver, Place 7

PROPOSED SUP CONDITIONS

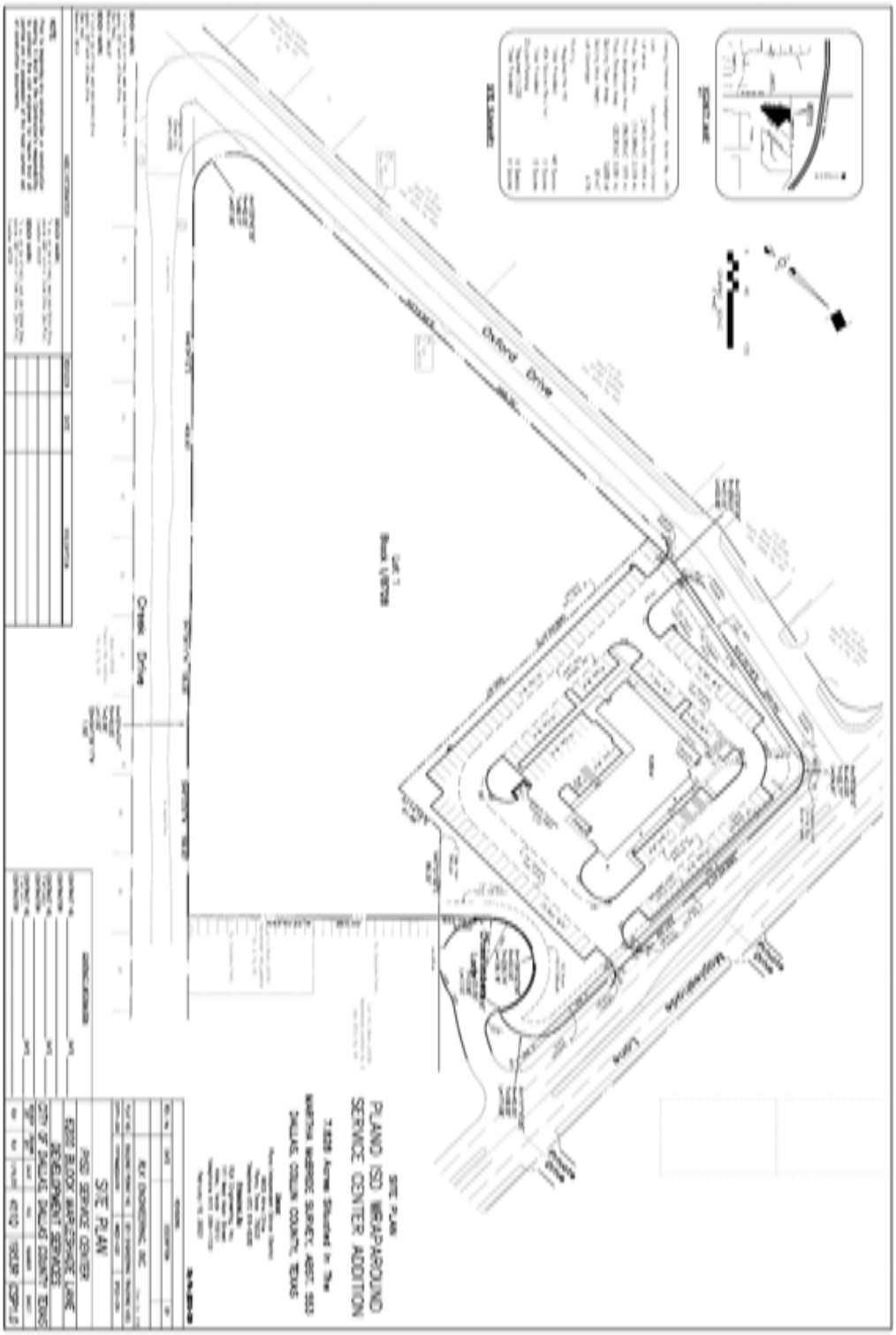
1. USE: The only use authorized by this SUP is a community service center.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. FLOOR AREA: The community service center is limited to a maximum floor area of 11,000 square feet.

Applicant Request:
4. TIME LIMIT: This specific use permit has no expiration date.

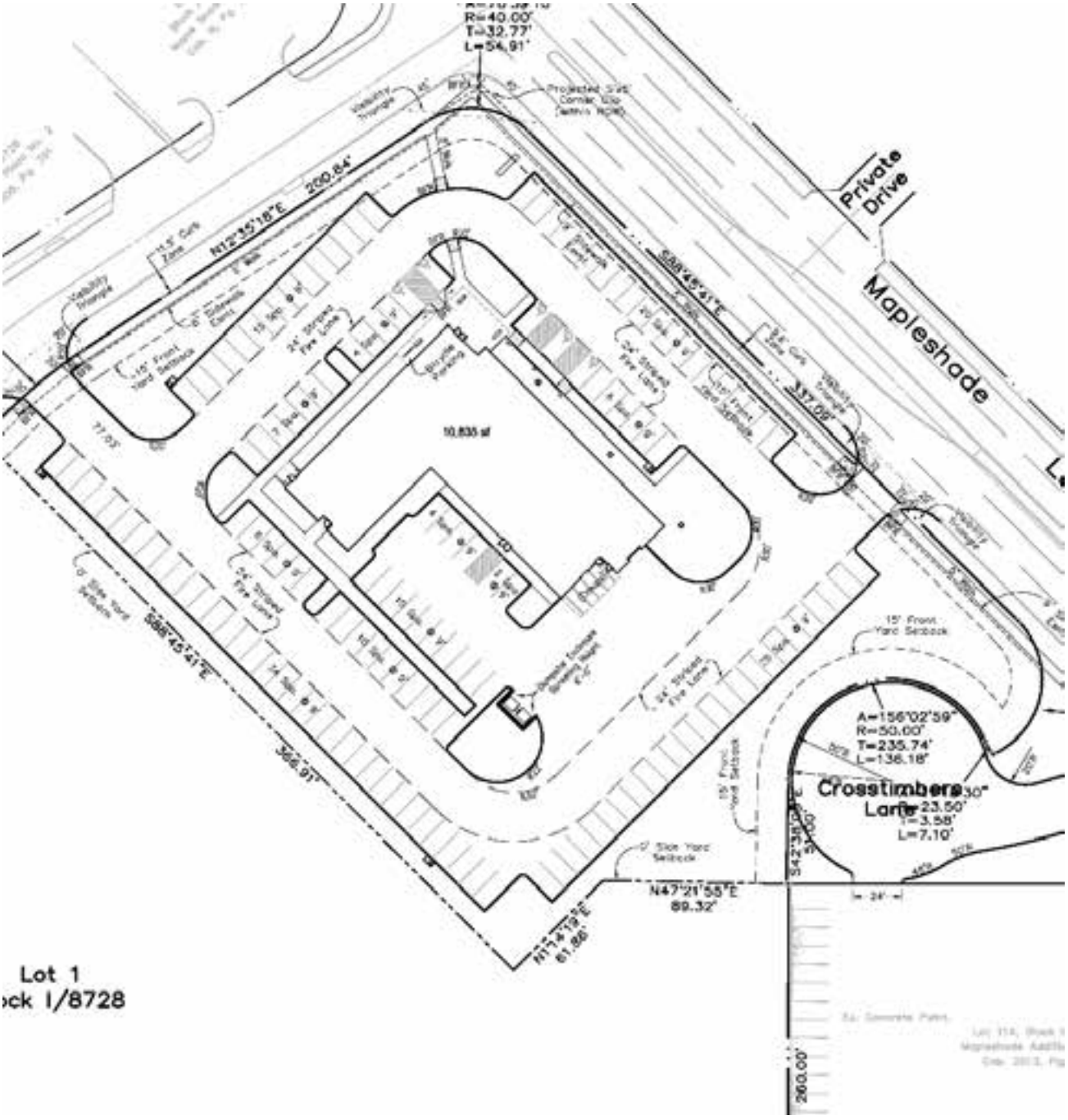
Staff Recommendation:
4. TIME LIMIT: This specific use permit expires (ten years from the passage of this ordinance) but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, 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 application for automatic renewal must be filed after the 18th 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 application for automatic renewal is strictly enforced.)

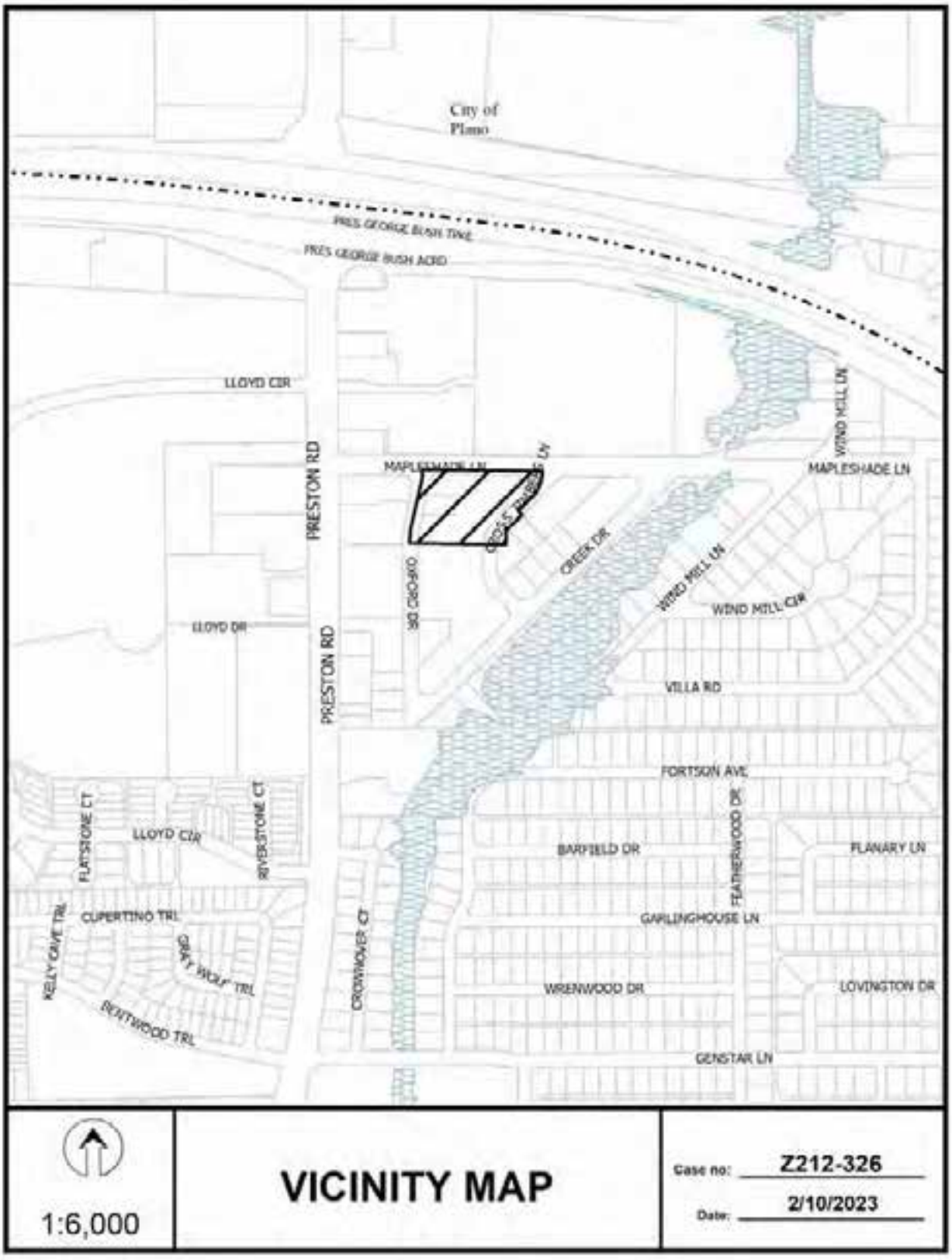
5. HOURS OF OPERATION: The community service center may only operate between 7:00 AM to 7:00 PM, daily.
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN

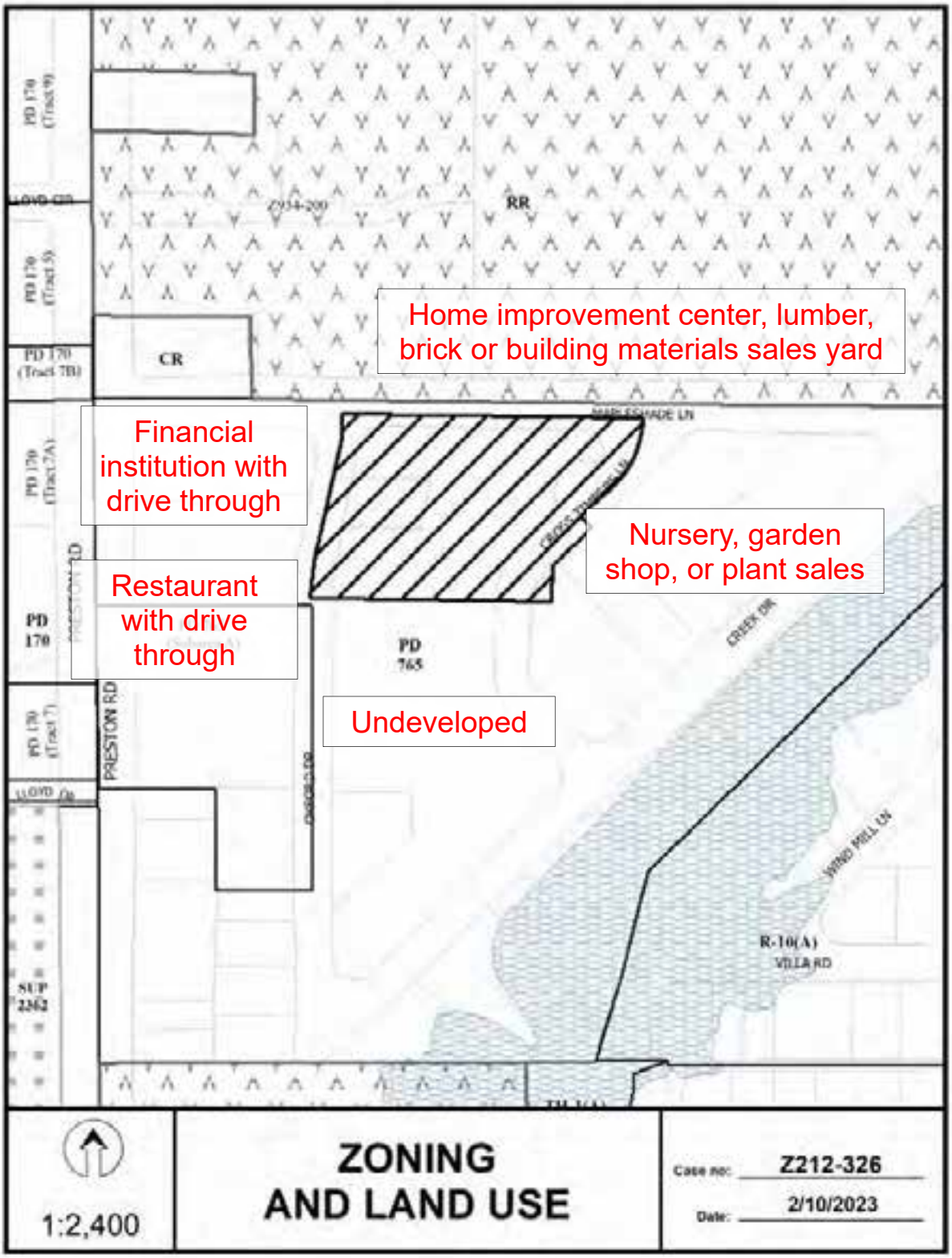


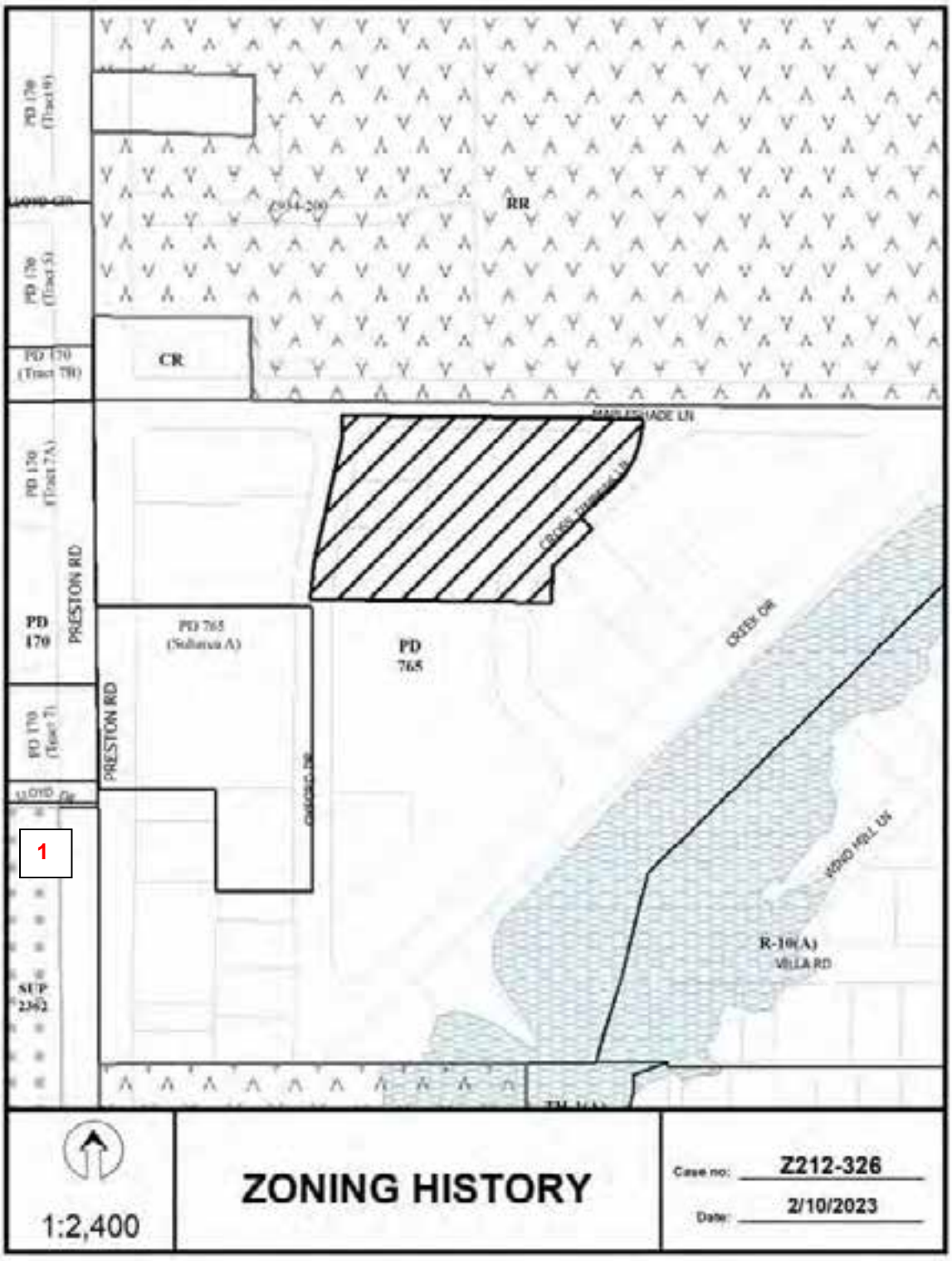
ENLARGED SITE PLAN




City of Plano
PRES GEORGE BUSH TPKE
PRES GEORGE BUSH ACRD
LLOYD CIR
PRESTON RD
MAPLESHADE LN
CROSS TIMBERS LN
WIND HILL LN
SID DEORIO
CREEK DR
WIND MILL CIR
LLOYD DR
VILLA RD
FORTSON AVE
FLATSTONE CT
RIVERSTONE CT
BARFIELD DR
FEATHERWOOD DR
FLANARY LN
CUPERTINO TRL
GARLINGHOUSE LN
KELLY CAVE TRL
GRAY WOLF TRL
CROWMOOR CT
WRENWOOD DR
LOVINGTON DR
RUNTWOOD TRL
GENSTAR LN
1:6,000
VICINITY MAP
Case no: Z212-326
Date: 2/10/2023

PRESTON RD
FLOYD CIR
MARLESHADE LN
PRESTON RD
VILLA RD
1:2,400
AERIAL MAP
Case no: Z212-326
Date: 2/10/2023


Home improvement center, lumber, brick or building materials sales yard
Financial institution with drive through
Nursery, garden shop, or plant sales
Restaurant with drive through
Undeveloped
RR
CR
PD 170
PD 765
R-16(A)
SUP 2262
PRESTON RD
LLOYD DR
CREEK DR
WIND MILL LN
VILLA RD
1:2,400
ZONING AND LAND USE
Case no: Z212-326
Date: 2/10/2023


PD 170 (Tract 9)
LLOYD DR
PD 170 (Tract 5)
PD 170 (Tract 7B)
PD 130 (Tract 7A)
PRESTON RD
PD 170
PD 170 (Tract 7)
LLOYD DR
SUP 2262
1
RR
CR
PD 765 (Subarea A)
PD 765
PRESTON RD
CREEK DR
WOOD HILL LN
R-10(A)
VILLA RD
1:2,400
ZONING HISTORY
Case no: Z212-326
Date: 2/10/2023

ALLIANCE BLVD
RAMP
RAMP
ALLIED DR
PRES GEORGE BUSH TPKE
PRES GEORGE BUSH ACRD
PRES GEORGE BUSH TPKE
PRES GEORGE BUSH ACRD
VILLA RD
LLOYD CIR
PRESTON RD
MAPLESHADE LN
Z212-326
MAPLESHADE LN
WIND MILL LN
LLOYD DR
PRESTON RD
OXFORD DR
CREEK DR
VILLA RD
FAIRFIELD DR
FAIRWAY LN
CARSINGHOUSE LN
WRENWOOD DR
LOVINGTON DR
GENSTAR LN
RIVERSTONE CT
RIVERSTONE CT
CUPERTINO TRL
GRAY WOLF TRL
BENTWOOD TRL
CROWNWOOD CT
Market Value Analysis
A
B
C
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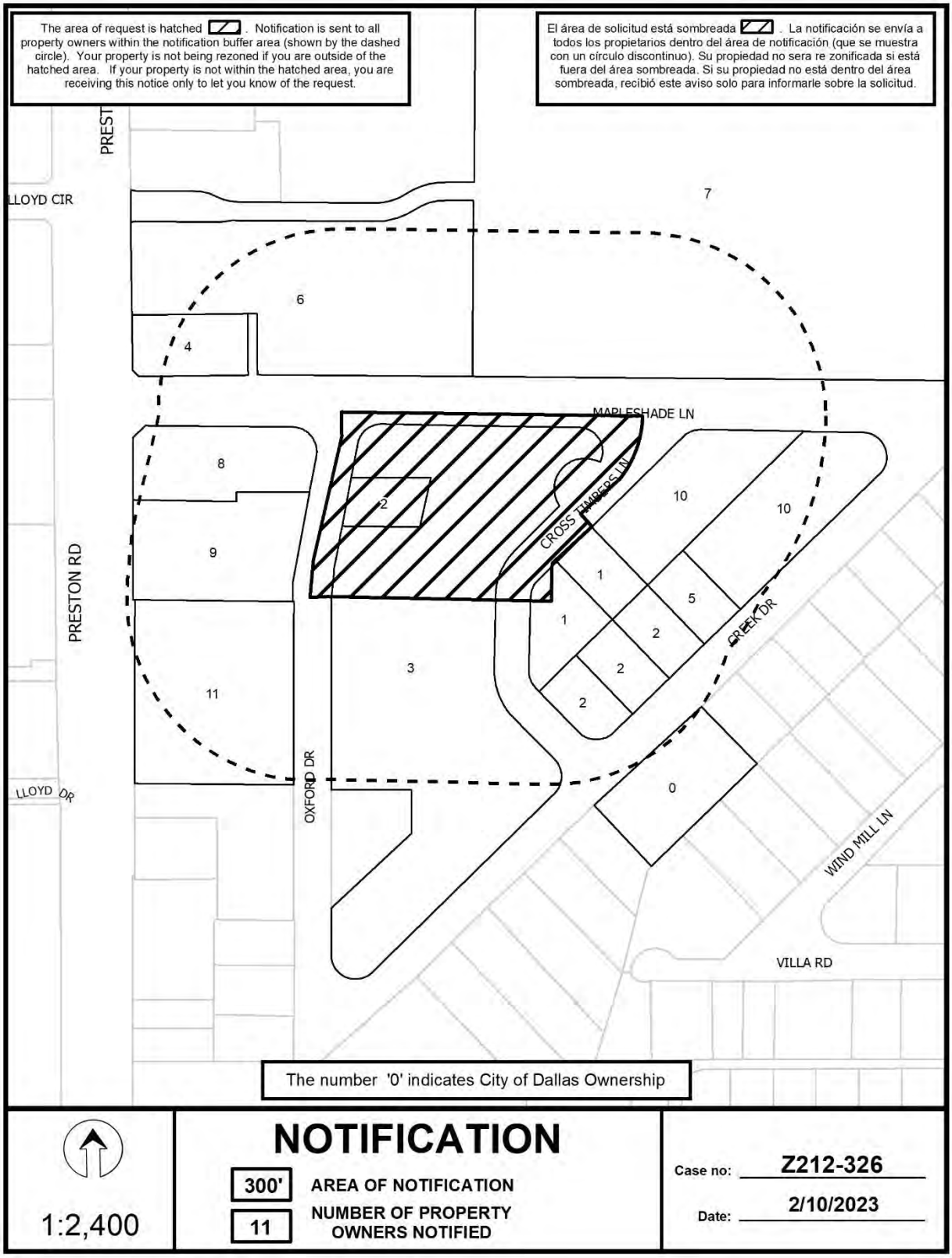
NA
1:6,000
Market Value Analysis
Printed Date: 2/10/2023


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.
PRESTON RD
LLOYD CIR
LLOYD DR
OXFORD DR
MAPLESHADE LN
CROSS TIMBERS LN
CREEK DR
WIND MILL LN
VILLA RD
7
6
4
8
9
11
2
3
10
10
1
5
1
2
2
2
0
The number '0' indicates City of Dallas Ownership
NOTIFICATION
300'
AREA OF NOTIFICATION
11
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: Z212-326
Date: 2/10/2023

02/10/2023

Notification List of Property Owners

Z212-326

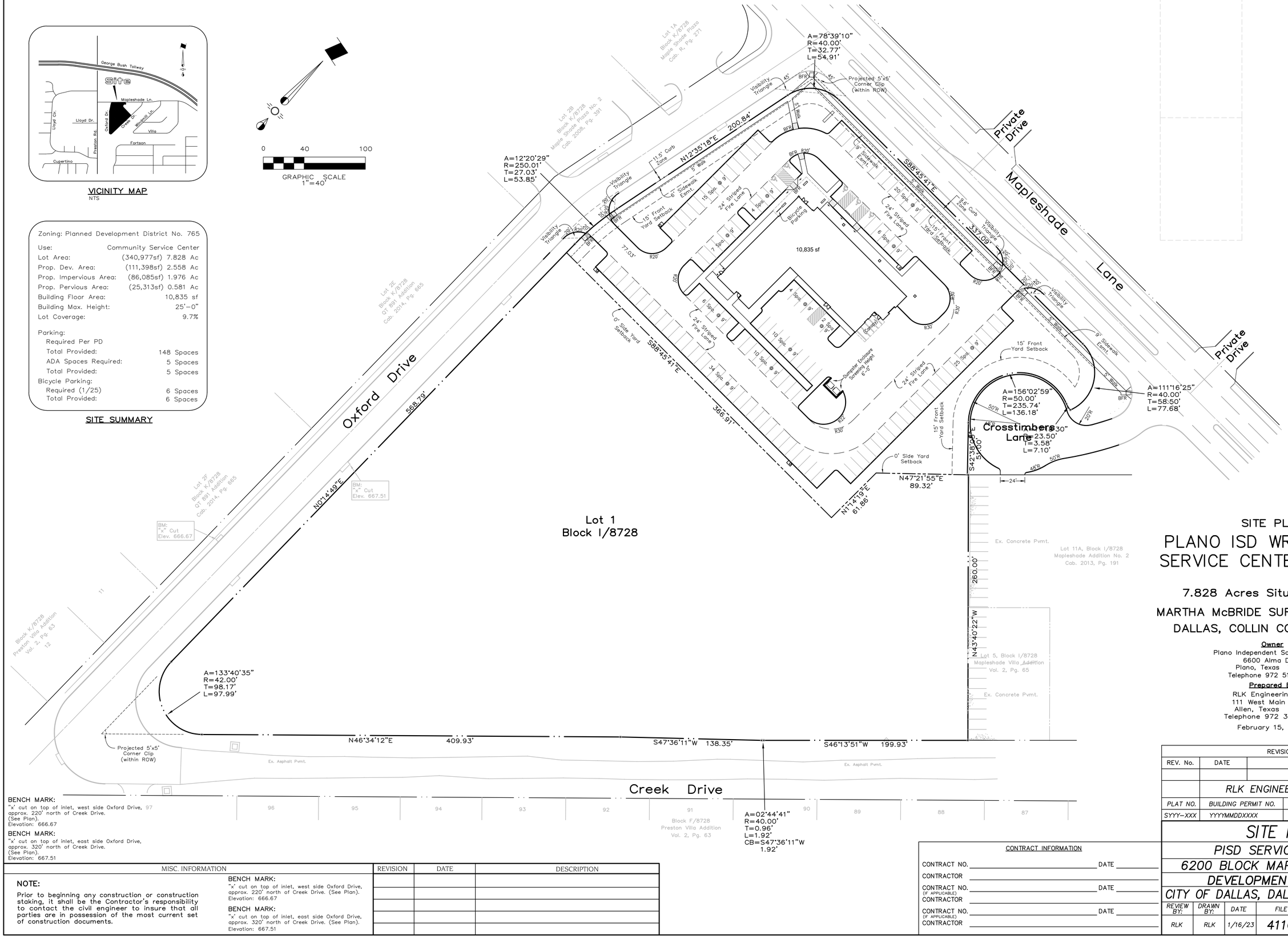
11 Property Owners Notified

Label #	*Address*		*Owner*
1	19102	CROSS TIMBERS LN	PLANO ISD
2	19115	CREEK DR	PLANO INDEPENDENT SCHOOL DISTRICT
3		CREEK DR	PLANO INDEPENDENT SCHOOL DISTRICT THE
4	19200	PRESTON RD	19200 PRESTON ROAD REAL ESTATE CO LLC
5	19117	CREEK DR	MAPLESHADE HOLDINGS LLC
6	19210	PRESTON RD	AVALON PRESTION LLC
7	19210	PRESTON RD	INTERCITY INVESTMENT PROPERTIES INC
8	19176	PRESTON RD	COMERICA BANK
9	19160	PRESTON RD	POLLO SQUARE PARTNERS LLC
10	19125	CREEK DR	WILSON FARM AND LAND HOLDINGS LLC &
11	19020	PRESTON RD	PRESTON ROAD QT LLC

VICINITY MAP
NTS

Zoning: Planned Development District No. 765	
Use:	Community Service Center
Lot Area:	(340,977sf) 7.828 Ac
Prop. Dev. Area:	(111,398sf) 2.558 Ac
Prop. Impervious Area:	(86,085sf) 1.976 Ac
Prop. Pervious Area:	(25,313sf) 0.581 Ac
Building Floor Area:	10,835 sf
Building Max. Height:	25'-0"
Lot Coverage:	9.7%
Parking:	
Required Per PD	
Total Provided:	148 Spaces
ADA Spaces Required:	5 Spaces
Total Provided:	5 Spaces
Bicycle Parking:	
Required (1/25)	6 Spaces
Total Provided:	6 Spaces

SITE SUMMARY



BENCH MARK:
"x" cut on top of inlet, west side Oxford Drive, approx. 220' north of Creek Drive.
(See Plan).
Elevation: 666.67

BENCH MARK:
"x" cut on top of inlet, east side Oxford Drive, approx. 320' north of Creek Drive.
(See Plan).
Elevation: 667.51

MISC. INFORMATION	REVISION	DATE	DESCRIPTION
NOTE: Prior to beginning any construction or construction staking, it shall be the Contractor's responsibility to contact the civil engineer to insure that all parties are in possession of the most current set of construction documents.			
BENCH MARK: "x" cut on top of inlet, west side Oxford Drive, approx. 220' north of Creek Drive. (See Plan). Elevation: 666.67			
BENCH MARK: "x" cut on top of inlet, east side Oxford Drive, approx. 320' north of Creek Drive. (See Plan). Elevation: 667.51			

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR _____
CONTRACT NO. _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____
CONTRACT NO. _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

SITE PLAN

PLANO ISD WRAPAROUND SERVICE CENTER ADDITION

7.828 Acres Situated In The
MARTHA McBRIDE SURVEY, ABST. 553
DALLAS, COLLIN COUNTY, TEXAS

Owner
Plano Independent School District
6600 Alma Drive
Plano, Texas 75023
Telephone 972 519-8282

Prepared By
RLK Engineering, Inc.
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

February 15, 2023

City File #2212-326

REVISIONS			
REV. No.	DATE	DESCRIPTION	BY
	RLK ENGINEERING, INC. Firm No. 579		
PLAT NO.	BUILDING PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
SYYY-XXX	YYYYMMDDXXXX	WW23-030	DP23-016

SITE PLAN
PISD SERVICE CENTER
6200 BLOCK MAPLESHADE LANE
DEVELOPMENT SERVICES
CITY OF DALLAS, DALLAS COUNTY TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
RLK	RLK	1/16/23	411Q	1953R	CSP1.0

City of Dallas

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

Agenda Information Sheet

File #: 23-694 Item #: 5.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

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.
Staff Recommendation: **Denial**.
Applicant: Invest in South Dallas LLC
Representative: Anish Thakrar
Planner: Ryan Mulkey
Council District: 7
Z212-354(RM)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

Planner: Ryan Mulkey, AICP

FILE NUMBER: Z212-354(RM) **DATE FILED:** September 22, 2022

LOCATION: Southeast line of Sidney Street, northeast of 2nd Avenue

COUNCIL DISTRICT: 7

SIZE OF REQUEST: ± 7,124 square feet **CENSUS TRACT:** 48113020800

REPRESENTATIVE: Anish Thakrar

OWNER/APPLICANT: Invest in South Dallas LLC

REQUEST: 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.

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

STAFF RECOMMENDATION: **Denial.**

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

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District. The property is currently undeveloped.
- The applicant proposes to develop the property with a duplex.
- To accomplish this, they request a D(A) Duplex Subdistrict within PD No. 595.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Sidney Street	Local Street	-
2nd Avenue	Principal Arterial	80 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 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 a D(A) District is consistent with the goals and policies marked with an asterisk (*). The applicant's request is **not** consistent with the goals and policies marked with a dagger (†). Additional staff commentary on some of these goals and policies is provided in *italics*.

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. †

Because the applicant proposes a zoning district and land use that is not consistent with the surrounding area, staff recommends that the proposal does not strengthen this existing neighborhood.

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

See Area Plans section below. The request is not consistent with the recommendations of the Hatcher Station Area Plan.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas. *

1.3.1.1 Encourage the 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. †

Although the applicant's request proposes additional housing, staff recommends that the area of request is not an appropriate infill site for a duplex, as the surrounding area is zoned an R-5(A) Subdistrict entirely.

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. †

NEIGHBORHOOD PLUS

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

Action 5.1.1 Audit the development process to identify and eliminate processing, permitting, platting, or other barriers that make infill housing and emerging types of housing for homeownership more difficult, uncertain, or costly.

Although staff's recommendation is denial on the basis of zoning and land use, staff recognizes the conflict between protecting existing single family areas and eliminating barriers to providing more medium density residential.

Action 5.1.3 Conduct rezonings in target areas to remove barriers to more diverse and affordable single family homeownership options including small-lot single family, duplexes, townhomes, cottage homes, and courtyard homes. *

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

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 residential neighborhood land use type, which consists predominantly of single family detached homes with some shops, restaurants, and institutional land uses. By contrast, the urban neighborhood land use type provides a range of housing options close to transit including small lot single family detached dwellings, townhomes, and low- to mid-rise condominiums or apartments.

While a duplex use may be appropriate within the urban neighborhood land use type, it may not be appropriate within the residential neighborhood land use type. Therefore, staff recommends that the applicant's proposal is not 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, the request for a duplex district in an established single family area is not consistent with this area plan.

Land Use:

	Zoning	Land Use
Site	R-5(A) Subdistrict within PD No. 595	Undeveloped
Northwest	R-5(A) Subdistrict within PD No. 595	Undeveloped, single family
Northeast	R-5(A) Subdistrict within PD No. 595	Undeveloped, single family
Southeast	R-5(A) Subdistrict within PD No. 595	Single family, church
Southwest	R-5(A) and CC Subdistricts within PD No. 595	Single family, alcoholic beverage establishment, general merchandise or food store 3,500 square feet or less

Land Use Compatibility:

The area of request is predominantly surrounded by a mix of single family and undeveloped properties. To the southeast, there is also a church. To the southwest along 2nd Avenue are commercial uses including alcoholic beverage establishment and general merchandise or food store 3,500 square feet or less. Staff finds the proposed duplex use to be incompatible with the surrounding area, which is developed or entitled primarily for single family.

The request area is currently zoned an R-5(A) Subdistrict within PD No. 595 and is undeveloped. The applicant proposes to develop the property with a duplex, which is not permitted under the current zoning district. To accomplish this, they request a D(A) Subdistrict within PD No. 595, which would permit the use by right. As can be seen in the development standards comparison table below, the allowance of this additional residential use is one of the primary differences between the existing and proposed subdistricts.

Another major difference with the requested D(A) Subdistrict is a front yard setback of 25 feet, rather than the 20 feet required under the current R-5(A) Subdistrict. Per Sec. 51A-4.401(a)(6), if a blockface is divided by two or more zoning districts, the front yard for the

entire blockface must comply with the requirements of the district with the greatest front yard requirement. This would make the lots zoned an R-5(A) Subdistrict subject to the 25-foot front setback of the D(A) Subdistrict, which may create a nonconformity for any existing structures within this new setback.

Staff does not support the applicant's request because it would establish an isolated D(A) Subdistrict on a single lot in an area that is zoned an R-5(A) Subdistrict entirely. This isolated D(A) Subdistrict and the proposed duplex use would be out of character with the surrounding zoning and land uses, which are predominantly single family. It would also make the lots along this block zoned an R-5(A) Subdistrict subject to a greater front setback than what is currently required, which may create nonconforming structures on these lots.

However, staff acknowledges several goals and policies from the comprehensive plan and Neighborhood Plus plan that encourage the construction of more housing units and the removal of barriers to more diverse and affordable housing options, including duplexes. Ultimately, staff's recommendation of this request is denial because it is incompatible on the basis of zoning and land use. Nonetheless, staff recognizes the conflict between protecting existing single family areas and eliminating barriers to providing more medium density residential.

Development Standards

Following is a comparison of the development standards of the current R-5(A) Subdistrict and the proposed D(A) Subdistrict.

District	Setback		Density	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Ex: R-5(A) in PD No. 595	20'*	5'	1 du/5,000 sf	30'	45%		Single family
Prop: D(A) in PD No. 595	25'*	SF: 5' Duplex: 10' Other: 10'	6,000 sf min lot size	36'	60%		Duplex and single family

* Per Sec. 51A-4.401(a)(6), if a blockface is divided by two or more zoning districts, the front yard for the entire blockface must comply with the requirements of the district with the greatest front yard requirement.

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 a duplex is two spaces per dwelling unit. 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 currently within an “I” MVA cluster and is surrounded by other “I” MVA clusters in all directions.

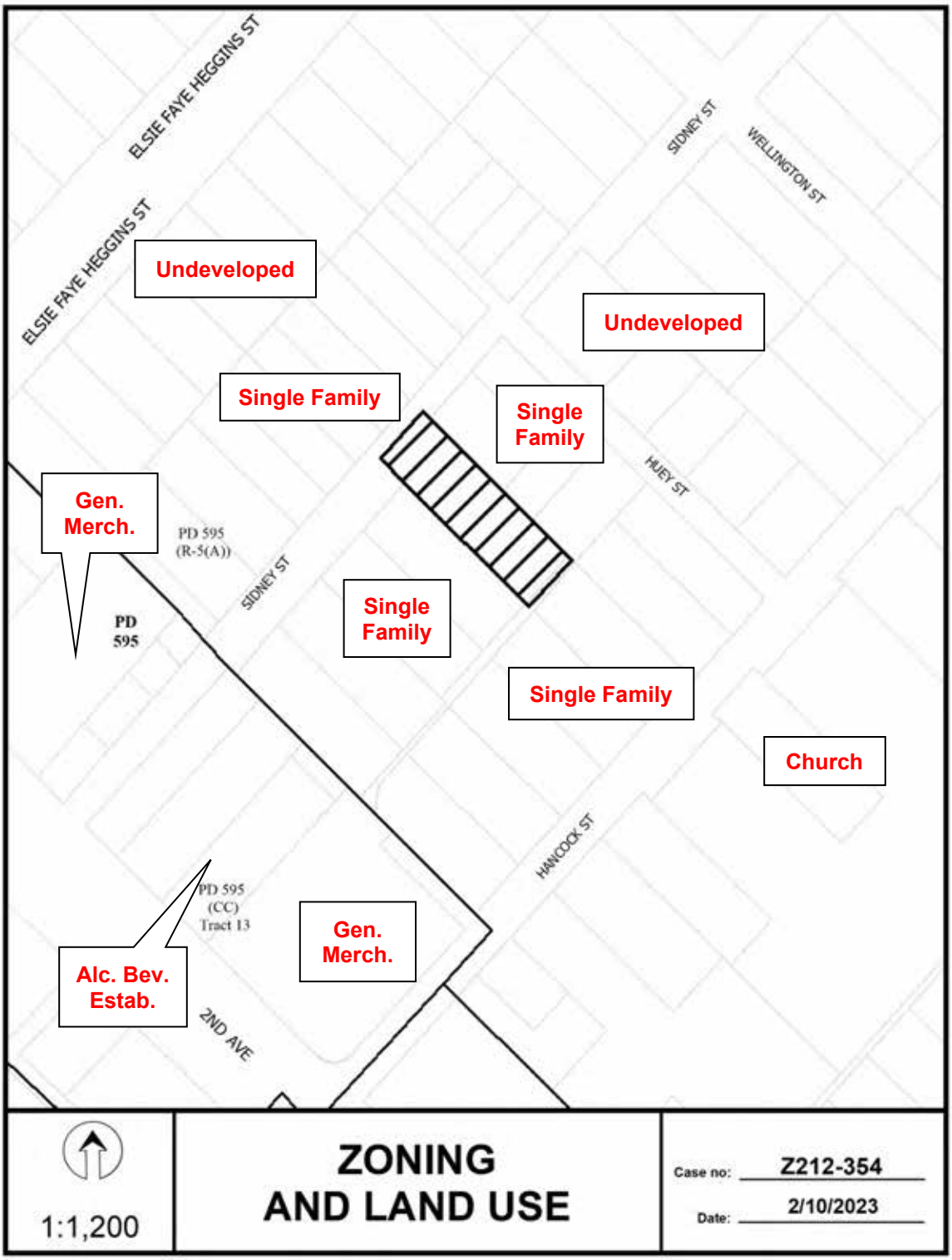
List of Officers

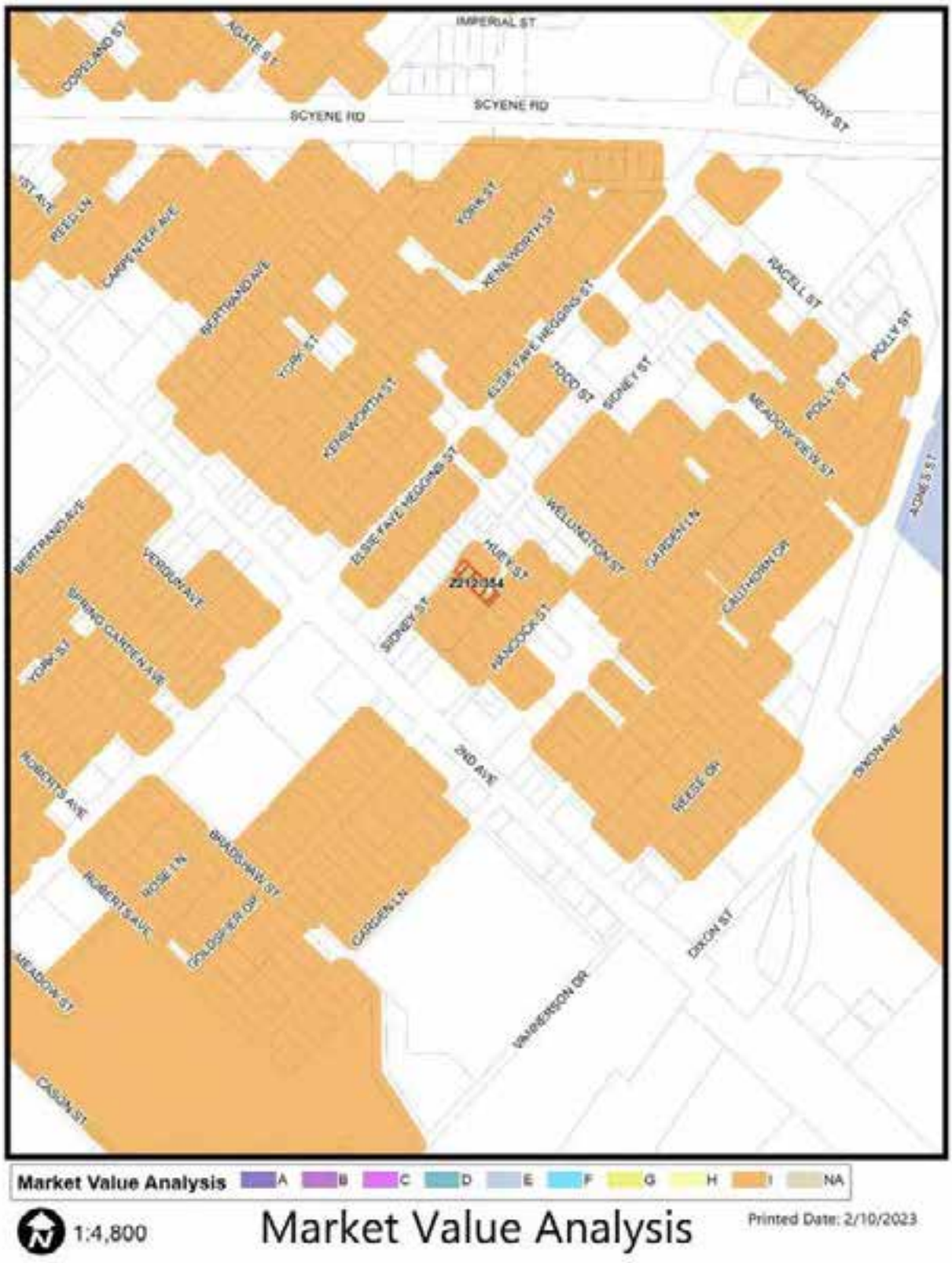
Invest in South Dallas LLC

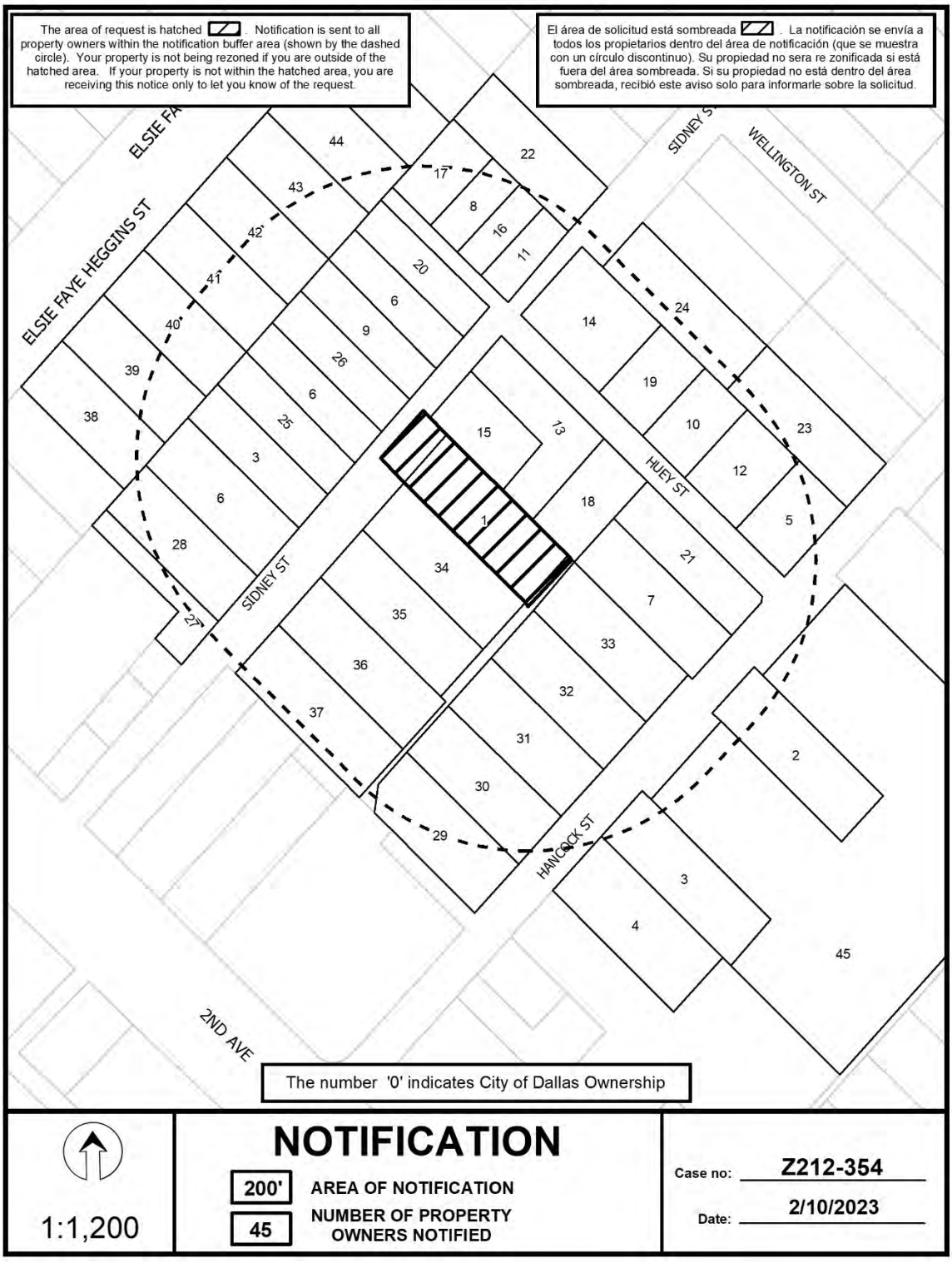
Anish Thakrar, Sole Member

SCYENE RD
SCYENE RD
REED LN
CARPENTER AVE
BERTRAND AVE
YORK ST
KENILWORTH ST
ELSIE FAYE HEGGINS ST
RACELL ST
POLLY ST
MEADOW VIEW ST
TODD ST
SIDNEY ST
HILEY ST
GIBSON LN
WELLINGTON ST
HANCOCK ST
VERDUN AVE
SPRING GARDEN AVE
ROBERTS AVE
ROSE LN
BRATTONHILL ST
GOLDSMITH DR
GARDEN LN
CAUTHORN DR
REESE DR
DEVON AVE
BENDIX ST
ZEKO AVE
Rhonda LC
Anderson, P.C. LC
1:4,800
VICINITY MAP
Case no: Z212-354
Date: 2/10/2023

ELSIE FAYE HEGGINS ST
ELSIE FAYE HEGGINS ST
GLASS ST
SUNSET ST
HANCOCK ST
2ND AVE
1:1,200
AERIAL MAP
Case no: Z212-354
Date: 2/10/2023


ELSIE FAYE HEGGINS ST
ELSIE FAYE HEGGINS ST
SIDNEY ST
WELLINGTON ST
Undeveloped
Undeveloped
Single Family
Single Family
HUEY ST
Gen. Merch.
PD 595 (R-5(A))
SIDNEY ST
PD 595
Single Family
Single Family
Church
HANCOCK ST
PD 595 (CC) Tract 13
Gen. Merch.
Alc. Bev. Estab.
2ND AVE
1:1,200
ZONING AND LAND USE
Case no: Z212-354
Date: 2/10/2023


IMPERIAL ST
SCYENE RD
SCYENE RD
COPELAND ST
AGATE ST
JADONY ST
1ST AVE
REED LN
CARPENTER AVE
BERTRAND AVE
YORK ST
KENILWORTH ST
ELSIE FAYE HEGGINS ST
RACELL ST
POLLY ST
MEADOW VIEW ST
ACME ST
HURLEY ST
Z212-354
SIDNEY ST
HANCOCK ST
WELLINGTON ST
CARDIN LN
CALHOUN DR
VERDUN AVE
SPRING GARDEN AVE
ROBERTS AVE
ROSE LN
BRADSHAW ST
GOLDSMITH DR
2ND AVE
REESE DR
DIXON AVE
DIXON ST
VANBERSON DR
MEADOW ST
CASON ST
Market Value Analysis
A
B
C
D
E
F
G
H
I
NA
1:4,800
Market Value Analysis
Printed Date: 2/10/2023


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.
ELSIE FAYE HEGGINS ST
SIDNEY ST
WELLINGTON ST
HUEY ST
HANCOCK ST
2ND AVE
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
45
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: Z212-354
Date: 2/10/2023

02/10/2023

Notification List of Property Owners

Z212-354

45 Property Owners Notified

Label #	*Address*		*Owner*
1	3534	SIDNEY ST	INVEST IN SOUTH DALLAS LLC
2	3602	HANCOCK ST	BEGINNERS MISSONARY BAPTIST CH
3	3530	HANCOCK ST	MINAFEE HORACE
4	3522	HANCOCK ST	MARTINEZBARRIENTO MANUEL D &
5	3615	HANCOCK ST	Taxpayer at
6	3603	SIDNEY ST	DAVIS LARRY
7	3601	HANCOCK ST	DAVIS KATIE A
8	4712	HUEY ST	ELMORE J B
9	3601	SIDNEY ST	TAYLOR RUTH L
10	4808	HUEY ST	GREGGS RUTHIE MAE
11	4718	HUEY ST	COOK LEWIS
12	4810	HUEY ST	GONZLES JUAN
13	4807	HUEY ST	LOWE SHERRI RACHELLE
14	4802	HUEY ST	JOHNSON PATSY R
15	3602	SIDNEY ST	DICKERSON ARBIE LEE EST OF
16	4716	HUEY ST	WRIGHT GARLAND
17	4702	HUEY ST	ONEAL ROBIN J
18	4811	HUEY ST	BARNETT NICHOLAS A
19	4806	HUEY ST	KUNWAR ABKA LLC
20	3607	SIDNEY ST	THURMAN DORA M ESTATE
21	3607	HANCOCK ST	TATE SHERRI CAY
22	3617	SIDNEY ST	LOPEZ CESAR
23	3617	HANCOCK ST	KENNEDY LEBERTHA
24	3618	SIDNEY ST	AKWIN BUSINESS SOLUTIONS LLC
25	3527	SIDNEY ST	CLEMONS CHESTER L
26	3533	SIDNEY ST	EDMOND COMMODORE

02/10/2023

Label #	*Address*		*Owner*
27	3513	SIDNEY ST	FORD JACQUELINE A ETAL
28	3517	SIDNEY ST	HURDLE FINNIUS CONRAD JR &
29	3517	HANCOCK ST	TEKELEMARIYAM YOUWBDAR
30	3521	HANCOCK ST	WILLIAMS VERONICA L
31	3525	HANCOCK ST	Taxpayer at
32	3529	HANCOCK ST	ISAAC MARTHA DAVIS &
33	3533	HANCOCK ST	MANCINI LUIS VEGA &
34	3526	SIDNEY ST	CRUZ MARIA
35	3522	SIDNEY ST	ROJAS VIRGILIO SANCHEZ
36	3520	SIDNEY ST	SEGURA ADRIANA
37	3516	SIDNEY ST	NIXON ARTHUR MORRIS EST OF &
38	3516	ELSIE FAYE HEGGINS ST	MILES DOYLE
39	3524	ELSIE FAYE HEGGINS ST	POURAHMADI MOE
40	3526	ELSIE FAYE HEGGINS ST	HOLLAND WILLIAM
41	3530	ELSIE FAYE HEGGINS ST	D TOWN INVESTMENT LLC
42	3602	ELSIE FAYE HEGGINS ST	JORDAN ROBERT LEE &
43	3606	ELSIE FAYE HEGGINS ST	WHITESIDE RICKY ANTONY &
44	3610	ELSIE FAYE HEGGINS ST	BOWDRE LAURIE ANITA
45	3610	HANCOCK ST	BEGINNERS BAPTIST CHURCH

Agenda Information Sheet

File #: 23-695 Item #: 6.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Specific Use Permit for a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District on the northwest line of East Kiest Boulevard, between Kellogg Avenue and Sunnyvale Street.
Staff Recommendation: **Approval**, subject to a site plan, a traffic management plan, and conditions.
Applicant: Dallas Independent School District
Representative: Elsie Thurman, Land Use Planning & Zoning Services
Planner: Jenniffer Allgaier
Council District: 4
Z223-107(JA)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

Planner: Jenniffer Allgaier, M. Arch, AICP Candidate

FILE NUMBER: Z223-107(JA) **DATE FILED:** October 5, 2022

LOCATION: Northwest line of East Kiest Boulevard, between Kellogg Avenue and Sunnyvale Street

COUNCIL DISTRICT: 4

SIZE OF REQUEST: Approx. 20.801 acres **CENSUS TRACT:** 48113008801

REPRESENTATIVE: Elsie Thurman, Land Use Planning & Zoning Services

APPLICANT/OWNER: Dallas Independent School District

REQUEST: An application for a Specific Use Permit for a public school other than an open-enrollment charter school on property zoned an R-5(A) Single Family District.

SUMMARY: The purpose of the request is to allow the property to be developed with a new public school to replace the existing school. *[Oliver W. Holmes Humanities/Communications Academy, to be renamed John Lewis Social Justice Academy]*

STAFF RECOMMENDATION: **Approval**, subject to a site plan, a traffic management plan, and conditions.

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

BACKGROUND INFORMATION:

- The area of request is zoned an R-5(A) Single Family District and is currently developed with a public middle school. [O.W. Holmes Academy]

- The applicant proposes to construct a new public middle school [John Lewis Social Justice Academy] and then demolish the existing school. The new facility would be built on the eastern portion of the site, with athletic fields to be located generally in the area of the existing school.

- Platting is required in order to establish a building site for construction of the replacement school. Preliminary plat S212-280 was approved by the City Plan Commission, subject to conditions, on August 18, 2022.

- The current zoning application was initially a request for a new Planned Development District (PD). After submission of the zoning application, however, predevelopment comments provided to the applicant by Development Services (permitting) zoning staff recommended a Specific Use Permit (SUP) in lieu of a PD. The applicant subsequently amended the application to a request for an SUP after determining in coordination with Current Planning staff that, with minor adjustments to the proposed design, the development goals for the property could be accomplished without the need for modified development standards.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Proposed ROW
Kiest *[IH-35E to Cedar Crest]*	Principal Arterial	Minimum-6 lanes-Divided 100 ft ROW; Bike Plan *(not built to M-6-D(A) designation)*

Traffic:

Student drop off and pick up operations for the existing school (see TMP Appendix included later in this staff report) occur almost exclusively within public rights-of-way, predominantly on East Kiest Boulevard (both directions of traffic). Neighborhood streets to the south and west of the site, as well as the parking lot serving the public library across East Kiest Boulevard, are also used for this purpose. Buses currently queue within the school site in front of the existing school.

The proposed traffic management plan (TMP) allows for queuing to occur entirely within the school site, specifies that student drop off and pick up may not occur on adjacent and neighboring roadways nor at the library, and recommends installation of additional *No Parking During School Zone Hours* signs on both sides of East Kiest

Boulevard. Proposed SUP conditions also specify that queuing is only permitted inside the school property and expressly prohibit student drop off and pick up within city rights-of-way.

The proposed TMP, dated February 17, 2023, is sealed by a licensed professional engineer, and contains the signature of the school principal. Proposed SUP conditions require a traffic study evaluating the sufficiency of the TMP to be submitted by November 1, 2025, or within six months after students first begin classes (whichever is later), and by November 1st of each odd-numbered year thereafter.

The Transportation Division of the Transportation Department has reviewed the current zoning application and supports the zoning request as proposed. The Transportation Department will collaborate with school officials to enforce the TMP.

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 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 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries, and schools.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

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

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.

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.

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 5.3 ESTABLISHING WALK-TO CONVENIENCE
Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Surrounding Land Uses:

	Zoning	Land Use
Site	R-5(A) Single Family District	Public middle school
North	R-7.5(A) Single Family District MF-2(A) Multifamily District	Church; multifamily (retirement housing)
East	R-7.5(A) Single Family District	Utility (ONCOR right-of-way); single family
South	PD No. 671; MF-2(A) Multifamily District; R-5(A) Single Family District	Undeveloped; public library; single family
Southwest	R-7.5(A) Single Family District	Public park; public elementary school
West	R-7.5(A) Single Family District	Single family; undeveloped

Land Use Compatibility:

The area of request is located in an R-5(A) Single Family District and is currently developed with a public school [O.W. Holmes Academy], which has been in operation at the request site since 1966. Properties surrounding the site on the west, north, and east of the site are zoned R-7.5(A) and predominantly developed with single family uses. However, property to the north is developed with a church use, and there is an Oncor utility easement abutting the site on the east.

Smaller areas to the north and south of the site are zoned MF-2(A), with the property to the north developed with a church use and a multifamily retirement community. Multifamily property to the south remains undeveloped.

To the south across East Kiest Boulevard, property within PD No. 671 is partially undeveloped but otherwise developed with a public library and a large surface parking area serving the library. Further south, there is an established single family neighborhood in an R-5(A) district.

The applicant proposes to construct a new school [John Lewis Social Justice Academy] on the eastern portion of the request site while students continue to attend classes in the existing building. The existing structure will be demolished, and athletic fields will then be built on the western portion of the property. Although public schools were previously

allowed by right in single family zoning districts, the R-5(A) zoning district regulations currently require that an SUP be obtained to authorize a public school.

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.

The proposed use is compatible with the surrounding neighborhood and is consistent with the existing zoning and with the general provisions for a Specific Use Permit. Additionally, the request is consistent with the Comprehensive Plan goals of ensuring neighborhood access to schools, promoting pedestrian friendly streetscapes, encouraging a balance of land uses within walking distance, and promoting strong and distinctive neighborhoods to enhance Dallas' quality of life.

Staff finds that the current proposal will allow the school to operate in a manner that will not be a detriment to the adjacent properties and the surrounding roadway system and will enhance pedestrian access within and around the request site. Staff supports the zoning request, subject to a site plan, a traffic management plan, and conditions.

Development Standards:

The current zoning application was initially a request for a new Planned Development District (PD). After submission of the zoning change request, however, predevelopment comments provided to the applicant by Development Services Department (permitting) zoning staff recommended a Specific Use Permit (SUP) in lieu of a PD. The applicant subsequently amended the application to a request for an SUP after determining in coordination with Current Planning staff that, with minor adjustments to the proposed design, the development goals for the property could be accomplished without the need for modified development standards.

Because an SUP does not change the zoning classification of a site, a school authorized by an SUP must comply with the development standards for the zoning district in which the school is located, read in conjunction with the yard, lot, and space regulations in Sec. 51A-4.400 of the Dallas Development Code, as amended.

Following is a comparison table showing development standards for R-5(A) Single Family Districts, in general, and development standards for the proposed school at the request site in R-5(A):

	Setbacks		Height[1]	Lot Coverage[2]	Density/FAR	Special Standards
	Front	Side/Rear				
R-5(A) in general	20' min	5' / 5' min for single family structures 10' / 10' min for other permitted structures	30' max	45% max for residential structures 25% max for nonresidential structures	No max FAR Min lot area for a residential use is 5,000 sq ft	Continuity of blockface Parking must comply w front yard setback Max 4' tall fence in front yard
Proposed school at this R-5(A) site in particular	E Kiest Blvd: 20' min	10' /10' min	Any height consistent with FAA airspace limitations and the building code	60% max for institutional uses such as schools	No max FAR No min lot area for a public school	Parking must comply w front yard setback Max 4' tall fence in front yard

[1] Institutional uses (such as schools) may be built to any height consistent with FAA airspace limitations, residential proximity slope (RPS), and the building code. Note, however, that RPS is not generally applicable to lots in R(A), D(A), and TH(A) Districts.

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

Landscaping:

Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

The city arborist reviewed the current zoning request and anticipates that the site can conform to Article X, as proposed. A landscape plan will be required for review at permitting.

Comments shown below are preliminary, based on information provided by the applicant in conjunction with the current zoning application:

- The residential buffer zone is required along two sides (north and west). Where the buffer adjoins the north 'bus loop', a determination regarding whether large or small trees should be planted is pending review of landscape plan at permitting.
    - Avoid a situation where trees impede vehicles and do not disrupt the fire lane.
    - Overhead electric runs along the north side of the unimproved alley along the boundary. Small trees are needed in the restricted space.

- There is no residential adjacency (landscaping) to the east along the trail due to the ONCOR property. Buffering may be suitable for portions of that perimeter but not required.

- The large interior parking lot is designed so that it could meet and exceed Article X standards, provided the planting islands are to Section 51A-10.104 (soil and tree spacing requirements) standards, including 160 square feet of area per tree. These have not been measured. Additional planting could be provided there with the exchange from parking spaces if desired.

- The street buffer zone along Kiest should be able to meet the average 10-foot Street Buffer Zone (SBZ) requirement for the length of the frontage. Any existing trees proposed to remain must be verified based on their proximity to paved (graded) surfaces.

- Preliminary plans for landscaping show a considerable amount of space for tree planting throughout the campus.

- Maintaining existing trees is appreciated. It is recommended that consideration be made through an arborist to determine how to best improve the tree conditions (reduce compaction, etc.) along the street front and to also determine that all of the trees are healthy to grow to maturity.

- Restrict planting from the detention pond.

- Determine landscape design options for permitting.

The city arborist supports the current zoning request as proposed and will coordinate with the applicant at permitting for further review of landscaping requirements at the request site.

Parking:

Pursuant to §51A-4.200 of the Dallas Development Code, if an SUP is required for a school use, the off-street parking requirement may be established in the ordinance granting the SUP [ref. Sec. 51A-4.204(17)(C)(iv)]. Since the proposed SUP conditions do not specify an alternative parking ratio for the school use, off-street parking must be provided in accordance with the standard use regulations (3.5 spaces for each middle school classroom). Site data summary table on the proposed SUP site plan indicates 105 off-street parking spaces are required; 183 spaces are proposed for the site.

Given the significant number of excess off-street parking spaces proposed, staff recommends a reduction in the total number of parking spaces in order to minimize the amount of impervious paved surface on the property. Staff notes that the paved parking area shown on the SUP site plan between the athletic fields and the new school building is not intended for queuing operations or for student drop off and pick up, and a reduction in paved parking in this area would not interfere with traffic operations internal to the site.

The applicant indicates that additional spaces are to be used for special event parking; however, staff requests that the applicant explore alternate options (such as an agreement to utilize the surface parking lot serving the public library) for event parking. Staff notes that providing a portion of the on-site parking (up to the code-allowed 35 percent of required parking) as compact spaces would further reduce the amount of impervious surface on the property.

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 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 part of an MVA cluster; however, the property is embedded within an “H” MVA cluster, and there is an “I” MVA cluster to the southwest across East Kiest Boulevard. In the wider vicinity, there are “G” MVA clusters to the northeast across Illinois Avenue and to the southwest across East Kiest Boulevard, as well as an “F” MVA cluster to the northwest beyond Illinois Avenue and surrounding the public golf course to the north.

Dallas ISD Trustees and Administration

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District 2 **Dustin Marshall**
District 3 **Dan Micciche** – First Vice President
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PROPOSED SUP CONDITIONS

1. USE: The only use authorized by this specific use permit is a public school other than an open-enrollment charter school.

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

3. TIME LIMIT: This specific use permit has no expiration date.

4. LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

5. SIDEWALKS/BUFFER: Prior to the issuance of a certificate of occupancy, minimum six-foot-wide unobstructed sidewalks with minimum five-foot-wide buffer must be provided along the entire length of all street frontages, typ.

6. SIGNS: Signs for a public school other than an open-enrollment charter school must comply with Article VII of the Dallas Development Code, as amended, and are not required to be shown on the SUP site plan.

7. PEDESTRIAN AMENITIES: Prior to the issuance of a certificate of occupancy, each of the following pedestrian amenities must be provided at regular intervals not to exceed 200 feet along the entire length of street frontage:

(A) bench;

(B) trash receptacle; and

(C) bike rack.

Pedestrian amenities must be accessible from the public sidewalk but may not be located in a manner that reduces the unobstructed sidewalk width to less than what is required.

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

9. TRAFFIC MANAGEMENT PLAN:

(A) In general. Operation of the public school other than an open enrollment charter school must comply with the attached traffic management plan.

(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.

(i) 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 November 1, 2025, or within six months after students first begin attending classes, whichever is later. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.

(a) If the Property owner or operator fails to submit the required initial traffic study to the director by November 1, 2025, or within six months after students first begin attending classes, whichever is later, the director shall notify the city plan commission.

(b) If the Property owner or operator fails to submit a required update of the traffic study to the director by November 1st of each odd-numbered year, the director shall notify the city plan commission.

(ii) 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.

(iii) 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.

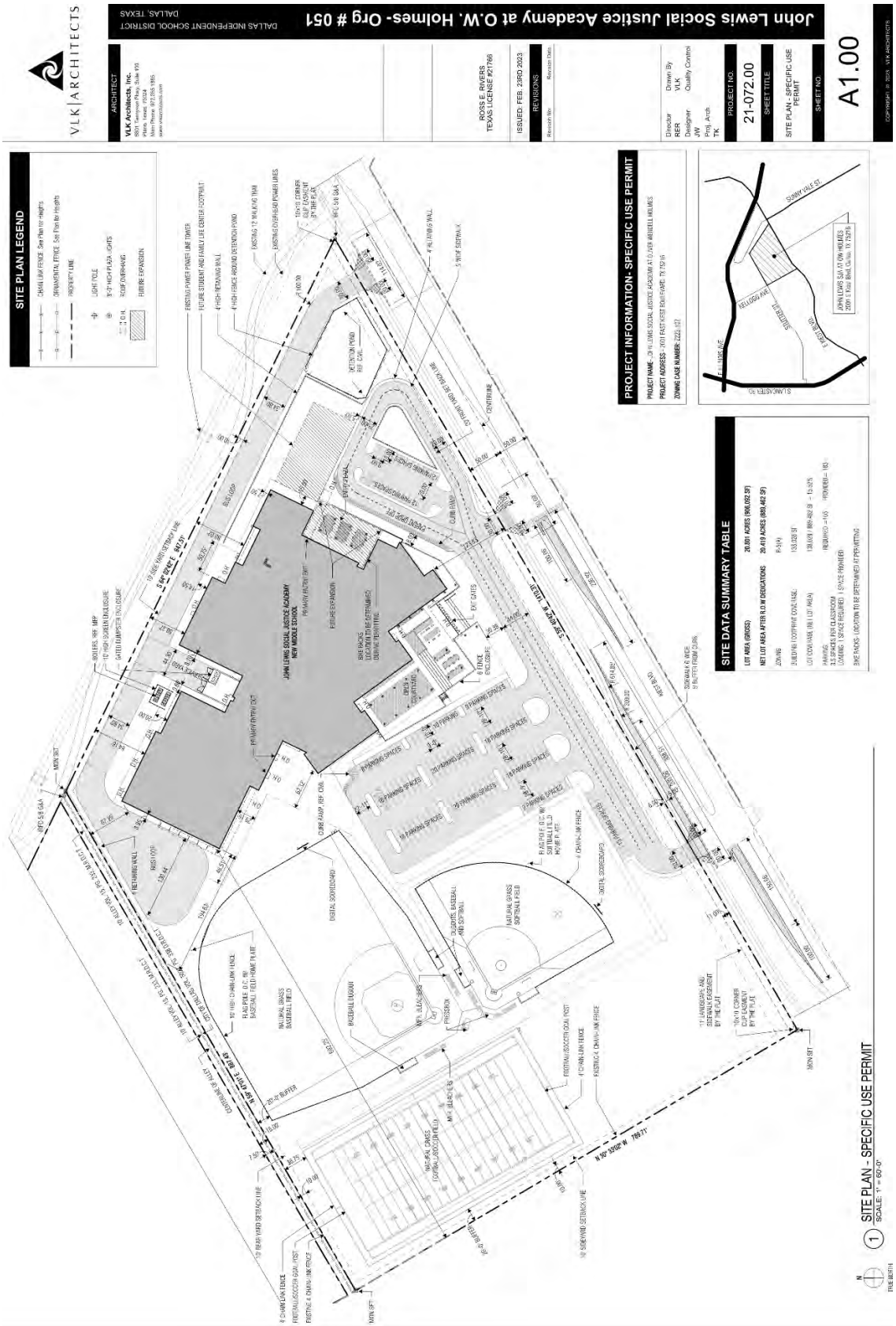
(i) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.

(ii) 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.

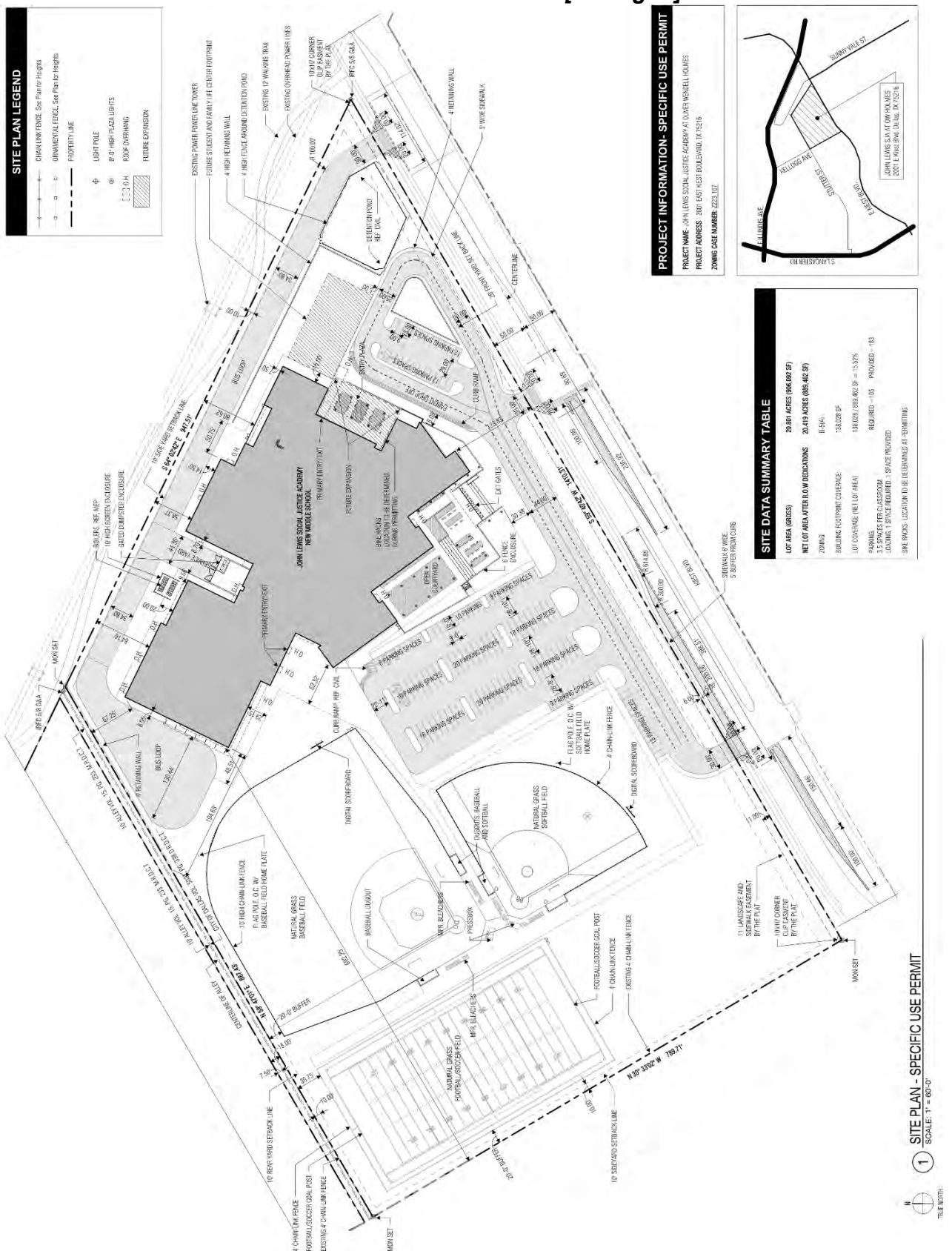
10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

11. 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 SUP SITE PLAN



PROPOSED SUP SITE PLAN *[Enlarged]*



PROPOSED TRAFFIC MANAGEMENT PLAN

LAMBETH
ENGINEERING
ASSOCIATES

Traffic Management Plan
John Lewis Social Justice Academy
at Oliver Wendell Holmes Middle School

February 17, 2023

Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth Engineering) were retained to conduct a traffic management plan (TMP) for John Lewis Social Justice Academy at Oliver Wendell Holmes Middle School (John Lewis). The purpose of this TMP is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods. Below is general information about John Lewis.

School:

- Location: 2001 E. Kiest Boulevard, Dallas, TX 75216
- School District: Dallas Independent School District
- School Times: 8:35 AM – 3:55 PM
- Principal: Ms. Sharron Evans Jackson

Zoning:

- Existing Zoning: Single Family, R-5(A)
- Proposed Zoning: SUP
- Project: Replacing existing school facility

Students:

- Existing Student Enrollment: 588 students in 6th - 8th grades (at time of traffic observations)
- Planned Student Capacity: 833 students in 6th - 8th grades

Staff:

- Existing Staff: 49
- Planned Staff: 55

christy@lambetheng.com 6301 Gaston Ave., Suite 1129, Dallas, TX 75214 972.989.3254

School Access:

- Surrounding Roadways:
  - E. Kiest Boulevard: Principal Arterial M-6-D(A), Six-lane divided
  - E. Illinois Avenue: Principal Arterial M-6-D(A), Six-lane divided
  - Sunnyvale Street: Community Collector, Two-lane undivided S-4-D south of E. Kiest Blvd and Local Street north of E. Kiest Blvd
  - Kellogg Avenue: Local Street, Two-lane undivided
- Sidewalks are provided on both sides of E. Kiest Boulevard, adjacent to the school.

Parking Supply:

- Surplus parking is provided for special events.

Traffic Management Plan

Existing and Projected Queue

Lambeth Engineering met with DISD staff, school principal and the architect during the process of developing the TMP. Traffic observations were conducted on the following dates and times:

- Wednesday, January 11, 2023 – PM Dismissal
- Friday, January 13, 2023 – PM Dismissal
- Tuesday, January 17, 2023 – AM Arrival
- Tuesday, January 17, 2023 – PM Dismissal
- Thursday, January 19, 2023 – PM Dismissal

The peak queue of parent vehicles picking up students was observed to be about 73 vehicles. Parents are currently parking on both sides of E. Kiest Boulevard, and on both sides of Kellogg Avenue. Parents will be able to pick up students on-site when the new school is constructed. A rate of one parent vehicle per 8.5 students is used for this TMP, as parents will be more managed with the new site.

As expected, the peak period of parent vehicles accumulating at the school occurred during the afternoon dismissal period. Most of the traffic clears the campus within 15-20 minutes once school is dismissed. The current traffic pattern is summarized in the **Appendix**.

The projected vehicular accumulations are summarized in **Table 1** below. As shown, the proposed site plan has adequate space to accommodate the parents on site.

Table 1. TMP Summary

Student Capacity	School Times	Travel Modes		Projected Parent Vehicles	Provided Spaces for Parents	Surplus Availability for Parents
833 Students	Beginning: 8:35 AM	Parents	50%	98 Veh.	106 Veh.	8 Veh.
Grades: 6th - 8th	Dismissal: 3:55 PM	Walkers	15%	(2,809 Feet)	(2,500 Feet)	(197 Feet)
		Buses	35%			

Double queue lanes accommodate 51 vehicles (1,212 LF). Parent parking on-site accomodates 55 vehicles (1,288 LF)

Recommendations

The TMP recommendations are described below and shown in **Exhibit 1**.

Students

- School is dismissed at 3:55 PM. As needed, school is dismissed in staggered dismissal periods beginning at 3:45 PM.
- Students who are picked up by parents are instructed to walk to their parents' vehicle waiting in the designated pick-up area.
- Students should walk along the sidewalks to enter their parent vehicles.
- Students should not walk to their parent if the parent is still in the "double queue" lane, waiting to reach the on-site parking aera.
- Students waiting for parents to pick them up later than ordinary dismissal period should remain in the designated area and wait for their parents' arrival.
- Students walking home should be instructed to walk along sidewalks and cross at crosswalks. Students should not be permitted to cross at midblock.

Parents

- Parents must wait inside their vehicle in the queue line(s) extending around the visitor parking lot to pick up their student in the designated pick-up area, as shown in the TMP exhibit.
- When parents arrive on-site, they should pull all the way forward to the end of the on-site parking area.
- Parents should not pick up their student in the double queue lines leading up to the visitor/admin parking lot. Parents should wait to pick up their student in the designated parent parking areas adjacent to the sidewalk in single parking line.
- After the student arrives to the parent vehicle, the parent may leave via the by-pass lane.
- Parents should continually pull forward to allow room for additional vehicles on-site.
- It is recommended that parents not arrive more than 15 minutes before school dismissal.
- Parents may not park in the events parking spaces since they will be blocked in by queuing vehicles. These spaces may be used outside peak arrival and dismissal periods.
- Parents may not park on-street, adjacent to the school, as shown in the TMP exhibit.

Staff

- During the first week of school, staff should monitor parents as they arrive to direct them to pull forward and not stop early.
- After the first week of school, staff should check parents 10 minutes before dismissal and ensure all parents are pulled forward and not blocking by-pass lanes.
- Staff should monitor students at each area where parents are picking up students until all students are dismissed.
- Staff should continue monitoring pedestrians as they leave the school and ensure they are crossing E. Kiest Boulevard at crosswalk, not mid-block, and cross in groups.
- Staff should not direct traffic on E. Kiest Boulevard if they are not a licensed peace officer.

Buses

- A total of 12 school buses, including special education buses, is planned to use the designated bus driveway on the east side of the campus.
- Based on site visit, 40% of buses turned right onto E. Kiest Boulevard, and 60% of buses turned left onto E. Kiest Boulevard. With the new site plan, buses will no longer be able to turn left onto E. Kiest Boulevard. Alternative routes are provided in the **Appendix**.

Licensed Peace Officers

A licensed peace officer is not assigned to John Lewis to assist with traffic, and one is not recommended.

Crossing Guards

There are currently no official crossing guards assigned to the surrounding intersections near John Lewis. City of Dallas does not typically provide crossing guards for middle schools. However, pedestrian safety should be monitored due to E. Kiest Boulevard being a six-lane, divided roadway, a crossing guard in front of the school or at the intersection of E. Kiest Boulevard/Kellogg Avenue may be beneficial.

Parking Restrictions

Currently, there is a small section of restricted parking in front of the school on the north side of E. Kiest Boulevard. Parking should be prohibited on both sides of E. Kiest Boulevard between Sunnyvale Street and Kellogg Avenue, especially around the driveway openings, as illustrated in the TMP exhibit.

School Zones

There is currently a school zone on E. Kiest Boulevard adjacent to the school. It is recommended this school zone remain.

Off-Site Improvements

- Update school-related signs to satisfy current TxMUTCD criteria. Detailed description will be provided with the engineering plan submittal.
- Install additional No Parking during school zone hours signs along both sides of E. Kiest Boulevard in front of the school between Kellogg Avenue and Sunnyvale Street, as shown on the TMP.

Summary

The John Lewis Traffic Management Plan is designed to provide safe vehicular and pedestrian movement to and from school and can accommodate the projected vehicular queues on campus.

If traffic congestion or unsafe movements are noticed, the plan should be reviewed and updated promptly.

REVIEW AND COMMITMENT

The John Lewis Social Justice Academy at Oliver Wendell Holmes Middle School traffic management plan (TMP) for was developed with the intent of optimizing safety and accommodating vehicular traffic queues generated during school peak hours. A concerted effort and full participation by the school administration are essential to maintain safe and efficient traffic operations.

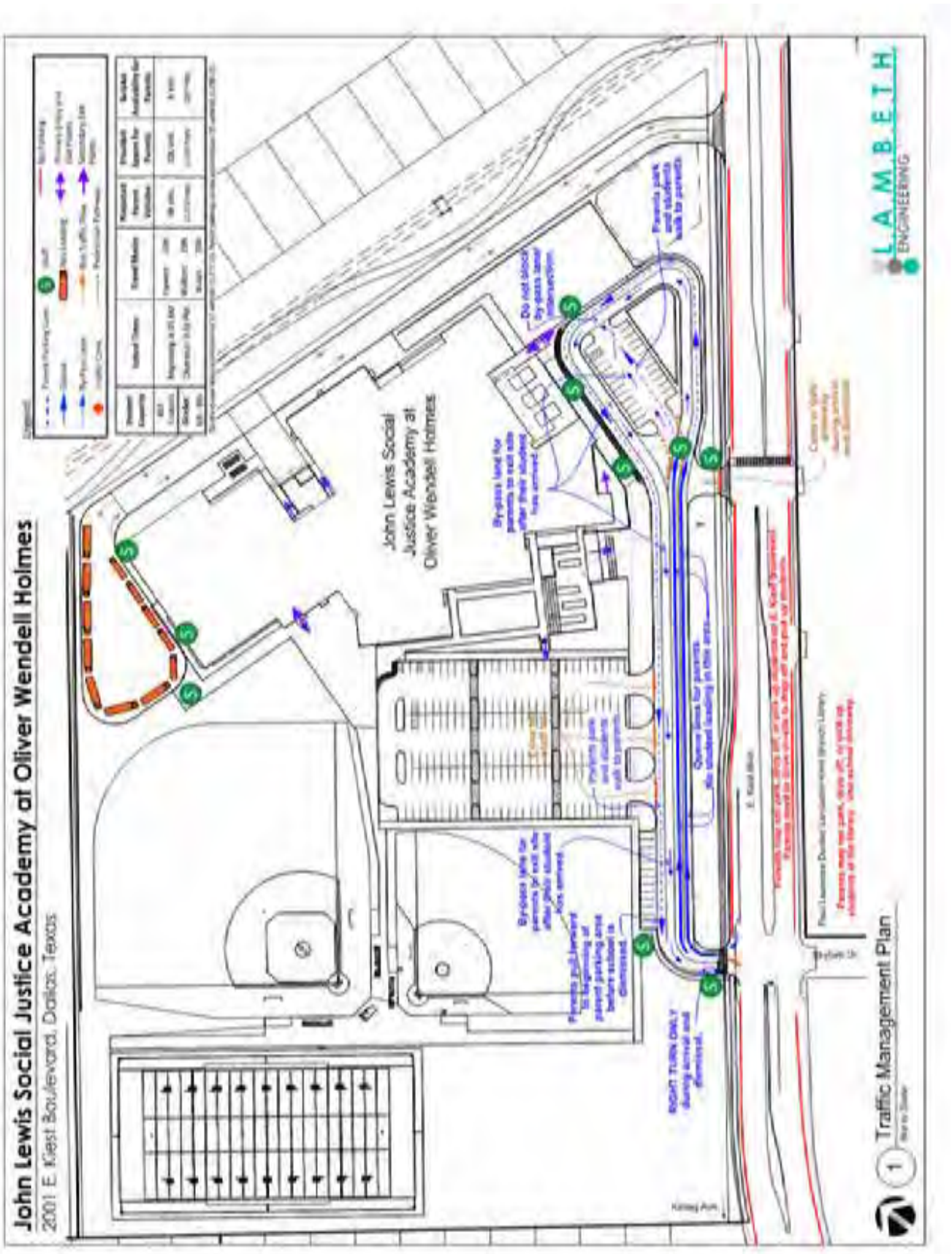
By consent of this TMP submittal, the school administration agrees to the strategies presented herein for which the school is held responsible unless the City of Dallas deems further measures are appropriate.

The school is also committed to continually review and assess the effectiveness of this plan and if warranted, implement changes in the interest of increasing safety and maximizing impacts on the surrounding community.

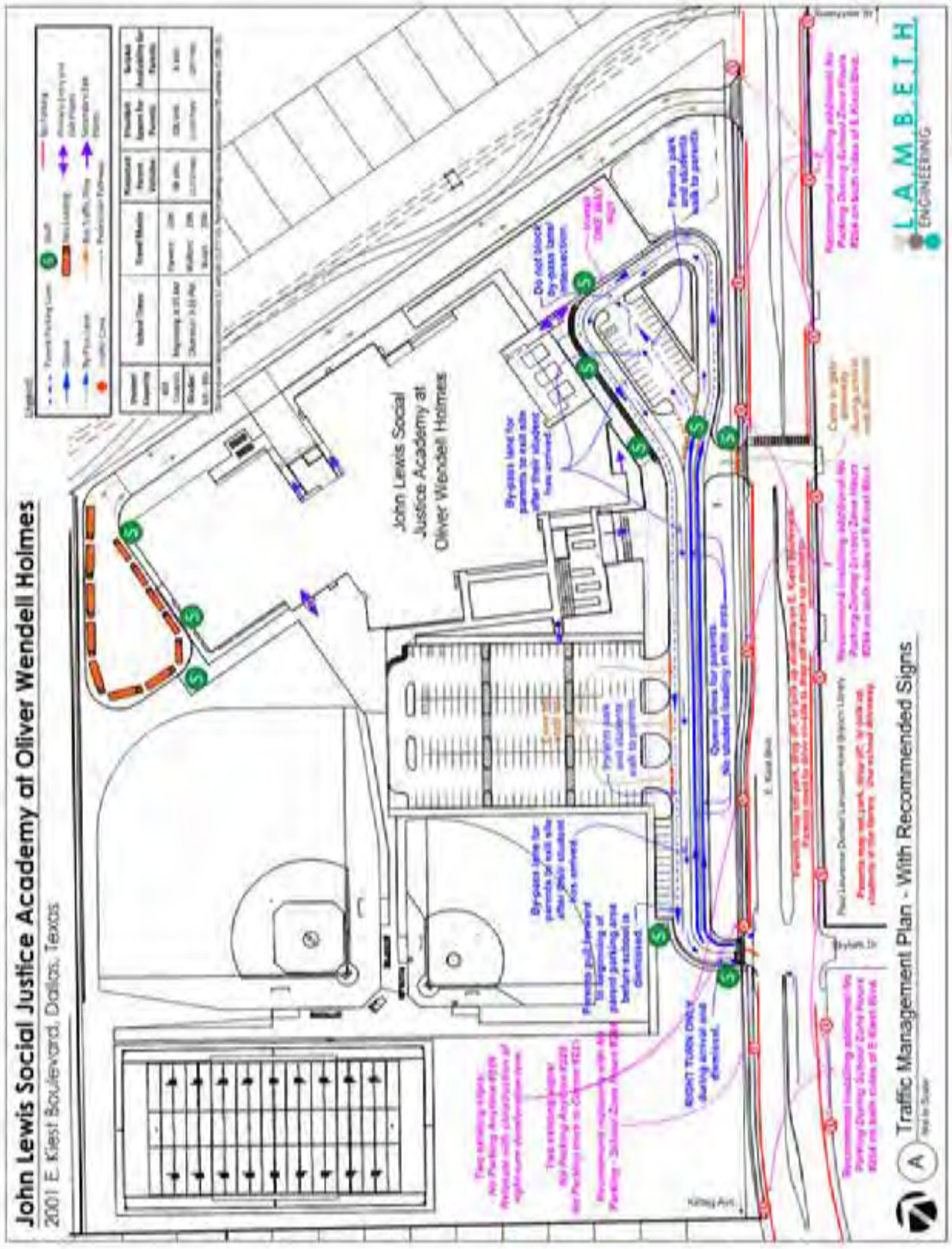
Signature — Date: Jan 26, 2023

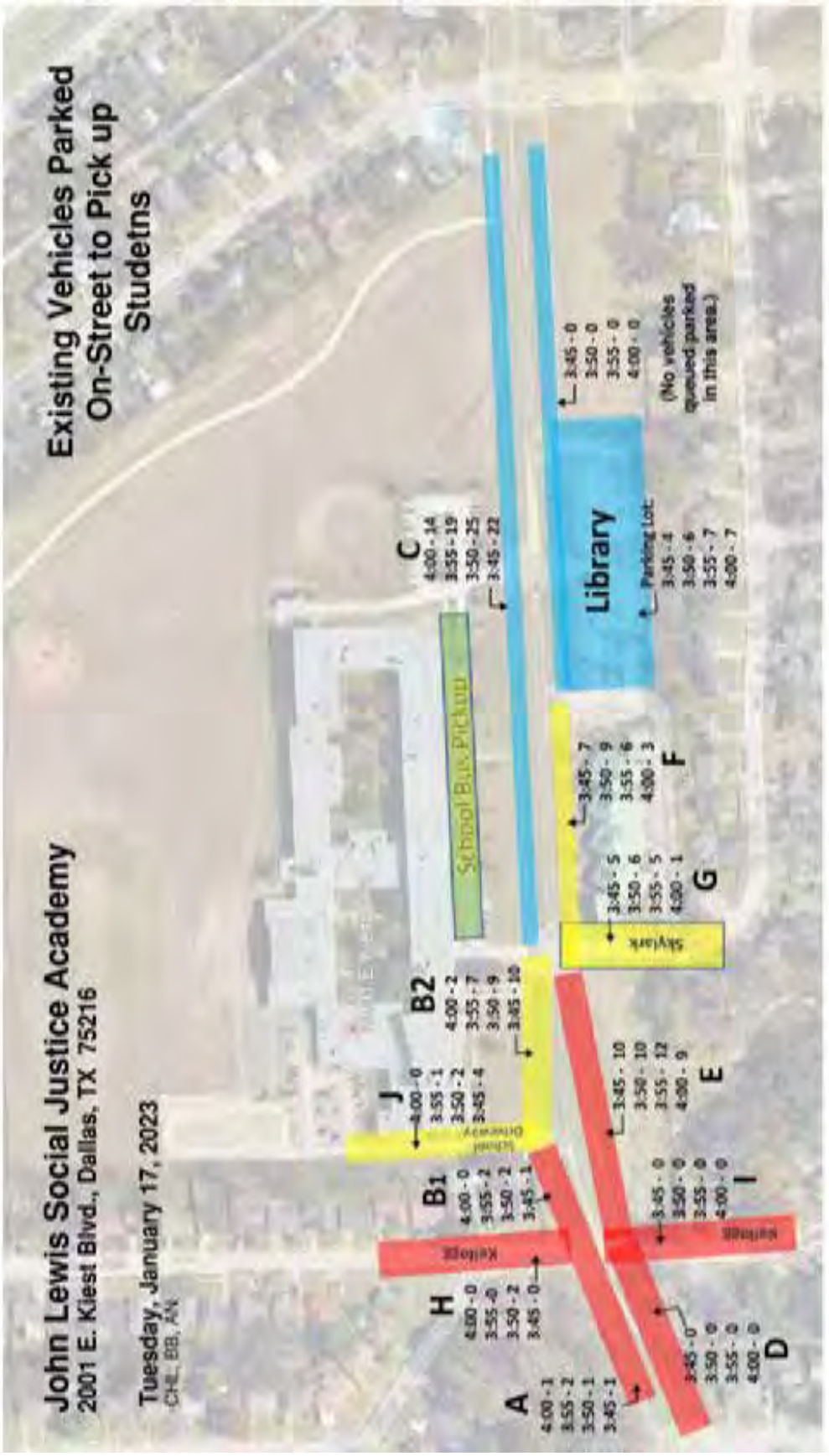
Name: SHARON E. JACKSON — Title: PRINCIPAL

END


John Lewis Social Justice Academy at Oliver Wendell Holmes
2001 E. Kiest Boulevard, Dallas, Texas
John Lewis Social Justice Academy at Oliver Wendell Holmes
LAMBETH
ENGINEERING
1 Traffic Management Plan

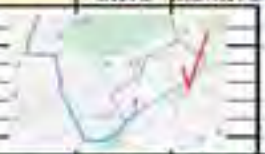
Appendix


John Lewis Social Justice Academy at Oliver Wendell Holmes
2001 E. Kiest Boulevard, Dallas, Texas
John Lewis Social Justice Academy at Oliver Wendell Holmes
Traffic Management Plan - With Recommended Signs
LAMBETH
ENGINEERING


Existing Vehicles Parked
On-Street to Pick up
Studetns
John Lewis Social Justice Academy
2001 E. Kiest Blvd., Dallas, TX 75216
Tuesday, January 17, 2023
Library
School Bus Pickup
Skylark
Kiest
A
B1
B2
C
D
E
F
G
H
I
J

Current Bus Routes
Alternative Routes with No Left-Turn onto E. Kiest Boulevard from School

2022-2023
John Lewis Social Justice Academy @ Oliver Wendell

ROUTE	AM PICK-UP TIME	STOP(s) PICK-UP & DROP-OFF LOCATION	PM DROP-OFF	Early Release December 16 December 23	
1233	6:55 AM	RIDGE ES	3:25 PM	3:00 PM	
	7:15 AM	RUNYON	3:04 PM	2:44 PM	
	7:28 AM	CUELLAR	3:58 PM	2:38 PM	
	7:48 AM	W. HUTCHINS ES	4:38 PM	2:18 PM	
	8:05 AM	**ARRIVE @ ATWELL (INTERSESSION)**	**4:19 PM**	1:59 PM	
	8:20 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	1:45 PM	
Notes:	**No change needed**				
4019	7:51 AM	STELLA AVE 75216 & S DENLEY DR 75216	4:11 PM	1:55 PM	
	7:52 AM	LYNN HAVEN AVE 75216 & S DENLEY DR 75216	4:13 PM	1:54 PM	
	7:54 AM	STRICKLAND ST 75216 & S DENLEY DR 75216	4:15 PM	1:52 PM	
	7:55 AM	HENDRICKS AVE 75216 & S DENLEY DR 75216	4:16 PM	1:51 PM	
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	1:35/1:45 PM	
Notes:	**May require alternate route as shown in grey on map**				
4025	7:51 AM	S EWING AVE 75216 & WINTERS ST 75216 (17)	4:13 PM	1:57 PM	
	7:52 AM	PARKLANDALE AVE 75216 & MORRELL AVE 75203	4:15 PM	1:54 PM	
	7:58 AM	HUTCHINS RD & HULSE BLVD (20)	4:20 PM	1:59 PM	
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	1:35/1:45 PM	
Notes:	**May require alternate route as shown below**				
4028	7:42 AM	MICHIGAN AVE 75216 & GEORGIA AVE 75216	4:25 PM	2:04 PM	
	7:46 AM	W. LOUISIANA AVE & ARGENTA DR (13)	4:21 PM	2:00 PM	
	7:52 AM	2400 MICHIGAN AVE 75216	4:17 PM	1:59 PM	
	7:58 AM	E OVERTON RD & S EWING AVE 75216	4:10 PM	1:50 PM	
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	1:35/1:45 PM	
Notes:	**No change needed**				

Bus Routes from DISD Transportation Website 01.25.23
https://docs.google.com/spreadsheets/d/1cdjd-i1Y-QhiBGFU1IB4TneV8_08FV7F3jth339wC2k/edit#gid=1200635438
Maps from Google Maps 01.25.23

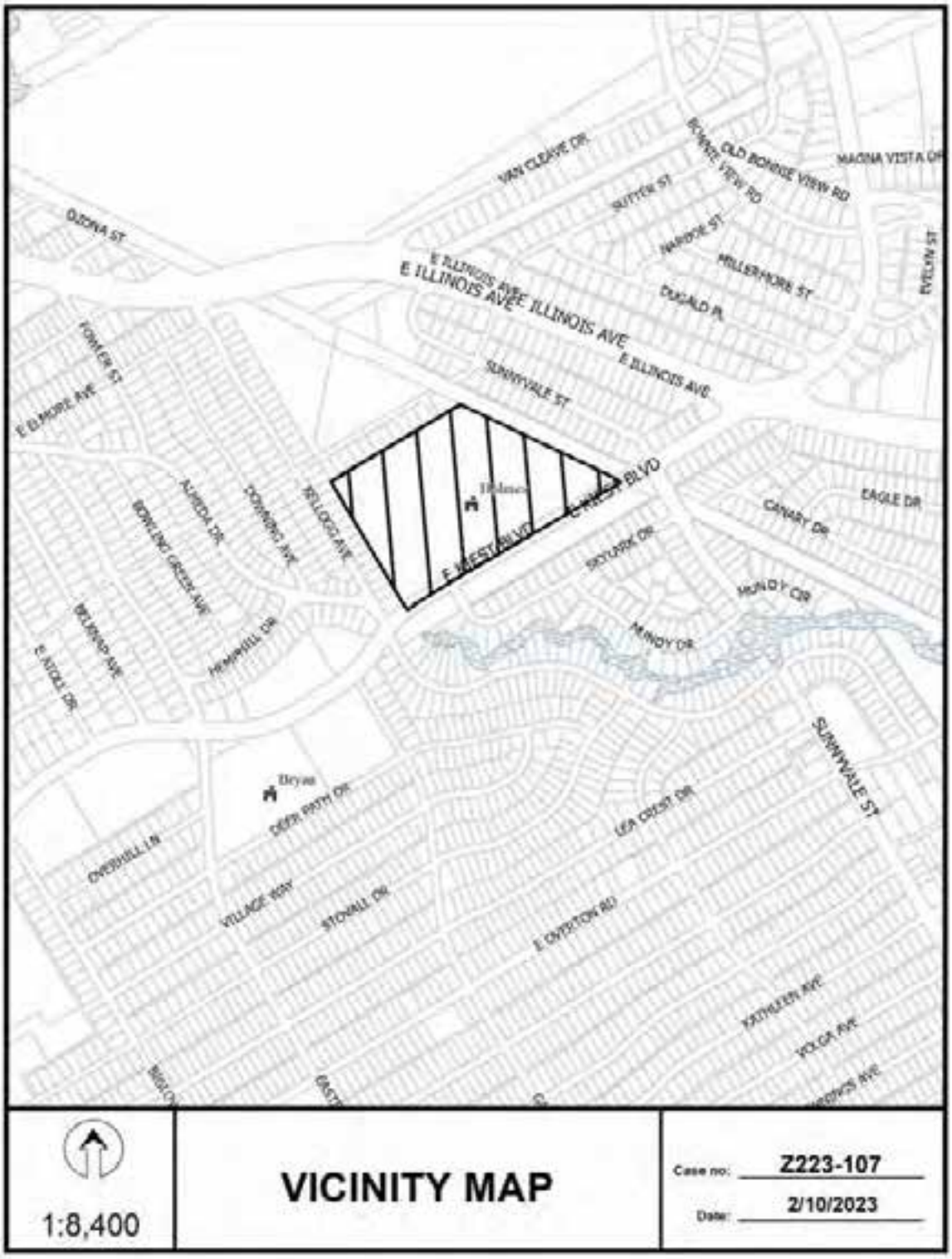
Current Bus Routes
Alternative Routes with No Left-Turn onto E. Kiest Boulevard from School

2022-2023
John Lewis Social Justice Academy @ Oliver Wendell

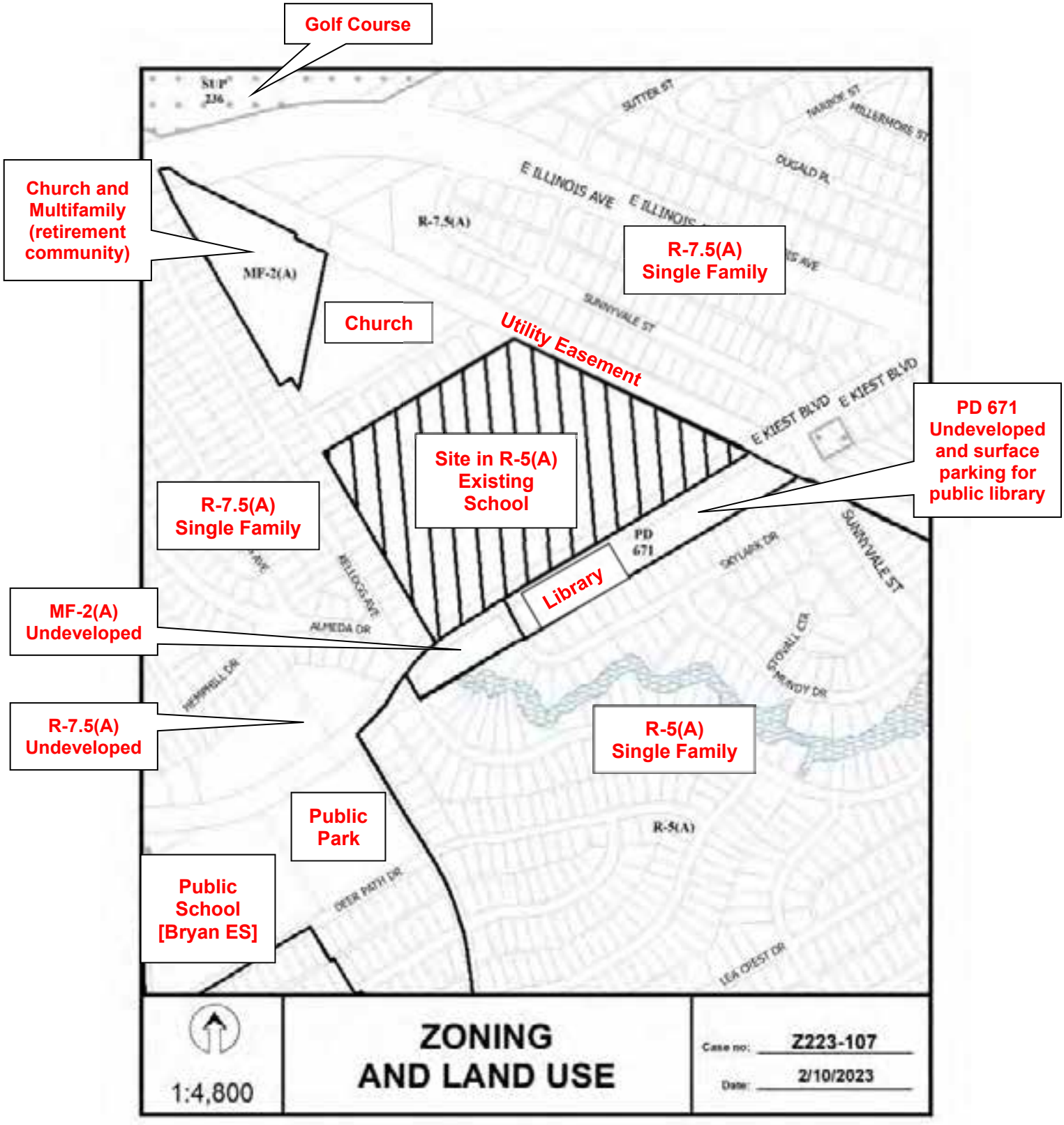
ROUTE	AM PICK-UP TIME	STOP(s) PICK-UP & DROP-OFF LOCATION	PM DROP-OFF	
	7:39 AM	E 10TH ST & N CLIFF ST 75203	4:33 PM	2:09 PM
	7:41 AM	MONAGHAN CT 75203 & STATE HWY 180 75203	4:27 PM	2:06 PM
#638	7:46 AM	CHILDS ST 75203 & AVENUE Q 75203	4:20 PM	1:58 PM
	7:59 AM	VISLARA APTS 3559 E OVERTON RD 75216	4:10 PM	1:50 PM
	8:35 AM	**ARRIVE @ OW HOLMES**	**4:00 PM**	**1:35/1:45 PM**
Notes:	**May require alternate route as shown below**			

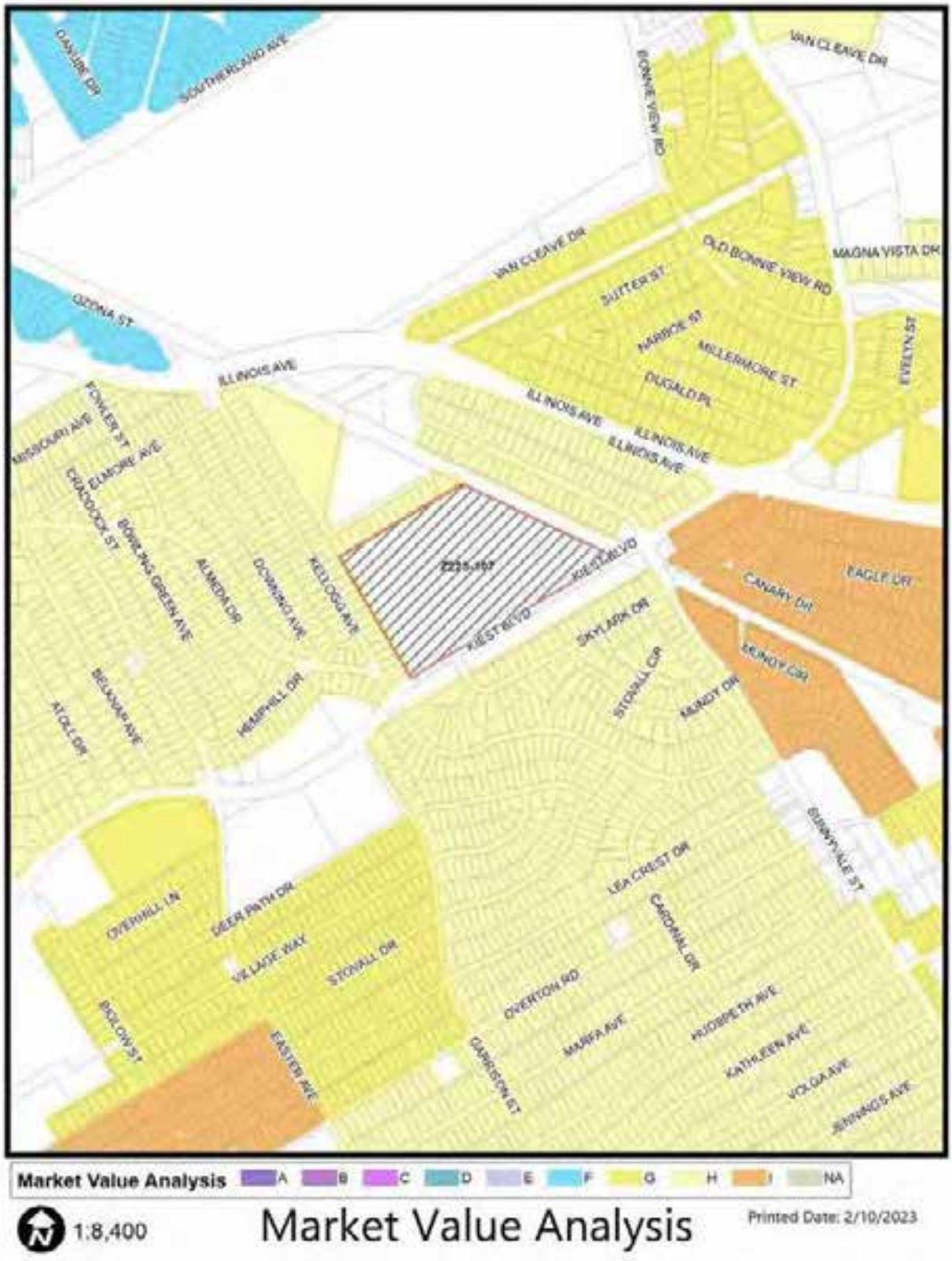
#300	7:05 AM	TOLBERT	4:58 PM	2:34 PM
	7:21 AM	MONARCH	4:45 PM	2:23 PM
	7:39 AM	THORNTON	4:31 PM	2:09 PM
	7:49 AM	PEARL	4:19 PM	1:58 PM
	7:57 AM	HOLLAND	4:12 PM	1:51 PM
	8:35 AM	**ARRIVE @ OW HOLMES**	**4:00 PM**	**1:35/1:45 PM**
Notes:	**No change needed**			

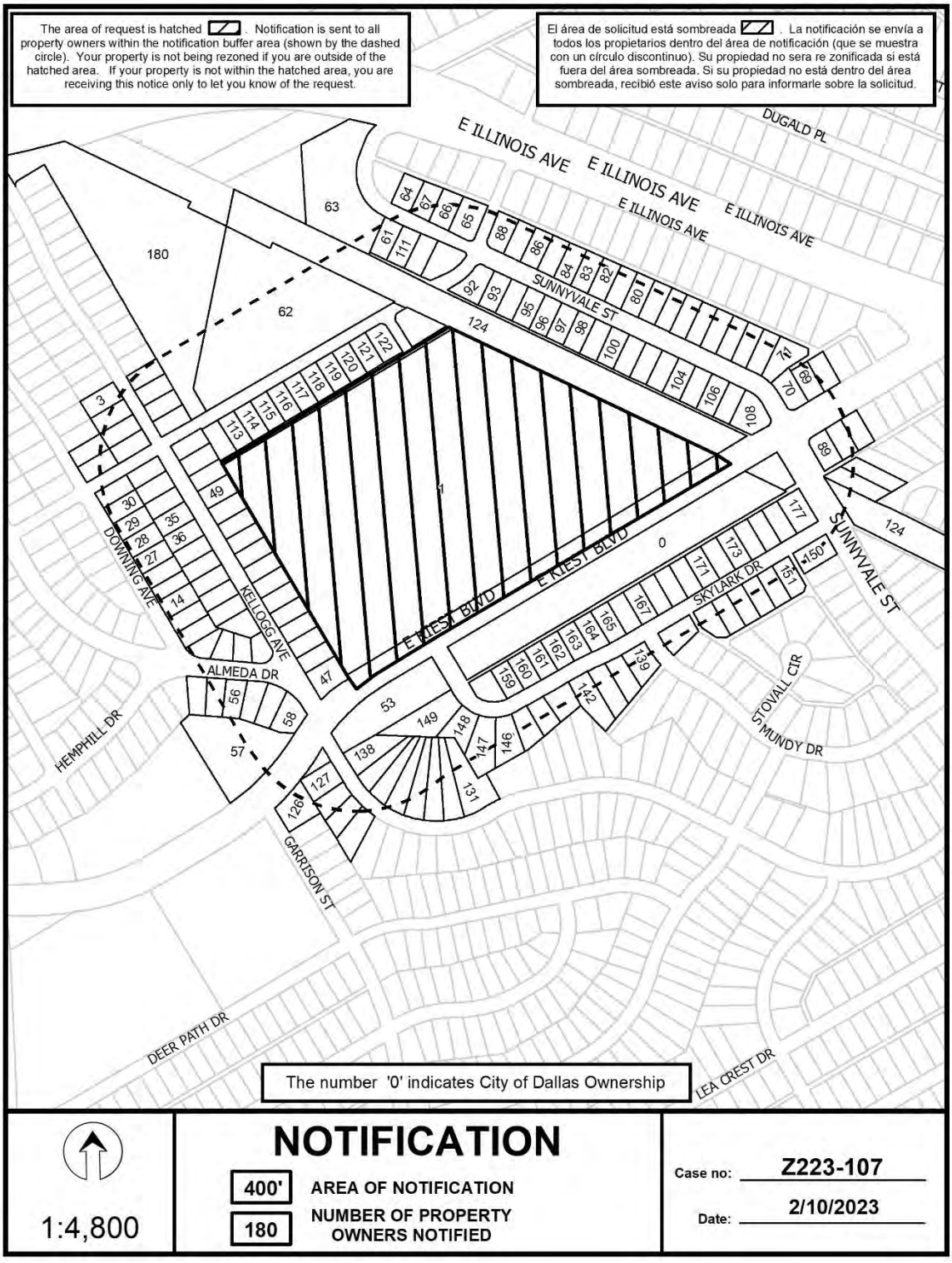
Bus Routes from DISD Transportation Website 01.25.23
https://docs.google.com/spreadsheets/d/1cdjd-i1Y-QNBGFU1iBl4TneVB_08FV7F3jth339wC2k/edit#gid=1200635438
Maps from Google Maps 01.25.23


VAN CLEAVE DR
OLD BORGE VIEW RD
MAGNA VISTA DR
SUTTON ST
OZONA ST
E ILLINOIS AVE
SUNNYVALE ST
E ELMORE AVE
E WEST BLVD
E KIEST BLVD
CANARY DR
EAGLE DR
MUNDY DR
SUNNYVALE ST
LEA CREST DR
E OVERTON RD
KATHLEEN AVE
VOLGA AVE
1:8,400
VICINITY MAP
Case no: Z223-107
Date: 2/10/2023

E ILLINOIS AVE
E ILLINOIS AVE
1:4,800
AERIAL MAP
Case no: Z223-107
Date: 2/10/2023


Golf Course
Church and Multifamily (retirement community)
MF-2(A)
Church
R-7.5(A)
Single Family
Utility Easement
PD 671
Undeveloped and surface parking for public library
Site in R-5(A)
Existing School
R-7.5(A)
Single Family
MF-2(A)
Undeveloped
R-7.5(A)
Undeveloped
Library
PD 671
R-5(A)
Single Family
Public Park
Public School [Bryan ES]
R-5(A)
E ILLINOIS AVE
E KIEST BLVD
SUNNYVALE ST
SUTTER ST
MILLSHIRE ST
DUGALD PL
KELLOGG AVE
ALMEDA DR
HEMPHILL DR
SKYLARK DR
STOVALL CIR
MUNDY DR
DEER PATH DR
LEA CREST DR
1:4,800
ZONING
AND LAND USE
Case no: Z223-107
Date: 2/10/2023


Z223-107
KIEST BLVD
KIEST BLVD
ILLINOIS AVE
ILLINOIS AVE
ILLINOIS AVE
SOUTHERLAND AVE
OZENA ST
VAN CLEAVE DR
BONNIE VIEW RD
VAN CLEAVE DR
OLD BONNIE VIEW RD
MAGNA VISTA DR
SUTTER ST
HARBOR ST
MILLERMORE ST
DUGALD PL
EVELYN ST
FOWLER ST
MISSOURI AVE
ELMORE AVE
CHADDOCK ST
BONNIE BRAE GREEN AVE
ALMEDA DR
OCHIMAG AVE
KELLOGG AVE
HEMPHILL DR
BELANNAH AVE
ATOLL DR
SKYLARK DR
STONALL CIR
KENLEY DR
CANARY DR
EAGLE DR
KENLEY CIR
BURNYVALE ST
LEA CREST DR
CARDINAL DR
OVERTON RD
MARFA AVE
PHOEBE DR AVE
KATHLEEN AVE
VOLGA AVE
JENNINGS AVE
GARRISON ST
EASTER AVE
BIGLOW ST
OVERHILL LN
DEER PATH DR
VILLAGE WAY
STONALL DR
Market Value Analysis
A
B
C
D
E
F
G
H
I
NA
1:8,400
Market Value Analysis
Printed Date: 2/10/2023


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.
E ILLINOIS AVE
DUGALD PL
SUNNYVALE ST
E KIEST BLVD
SKYLARK DR
DOWNING AVE
KELLOGG AVE
ALMEDA DR
HEMPHILL DR
STOVALL CIR
MUNDY DR
GARRISON ST
DEER PATH DR
LEA CREST DR
The number '0' indicates City of Dallas Ownership
NOTIFICATION
400' AREA OF NOTIFICATION
180 NUMBER OF PROPERTY OWNERS NOTIFIED
1:4,800
Case no: Z223-107
Date: 2/10/2023

02/10/2023

Notification List of Property Owners

Z223-107

180 Property Owners Notified

Label #	*Address*		*Owner*
1	2001	E KIEST BLVD	Dallas ISD
2	2670	DOWNING AVE	Taxpayer at
3	2661	KELLOGG AVE	CRADDOCK STEPHEN
4	2665	KELLOGG AVE	CURTIS THEODORE H & OLA
5	2671	KELLOGG AVE	CULBERSON MELINDA
6	2675	KELLOGG AVE	SOLIS AZUCENA F MARTINEZ
7	2676	DOWNING AVE	Taxpayer at
8	2660	KELLOGG AVE	JACKSON CHARLES
9	2666	KELLOGG AVE	PRICE RACHAEL D
10	2670	KELLOGG AVE	COLEMAN MATT L
11	2676	KELLOGG AVE	JONES DOROTHY N
12	2724	DOWNING AVE	VARELA ROMMALDO &
13	2730	DOWNING AVE	COLUNGA CINDY &
14	2734	DOWNING AVE	SUAREZ ALMA LETICIA
15	2738	DOWNING AVE	LOCKETT LARRY D & JACQUELINE DENISE
16	2742	DOWNING AVE	GUERRA GLAUDIA
17	2748	ALMEDA DR	JORDAN BETTY R
18	2754	ALMEDA DR	CONNOR ARCRESSIA EST OF
19	2760	ALMEDA DR	ENGLISH NORMA J N
20	2764	ALMEDA DR	STEELE EVELYN Y
21	2727	KELLOGG AVE	BALDERAS JOVANNY
22	2733	KELLOGG AVE	KEY BRENDA
23	2735	KELLOGG AVE	KELLY LAWANDA
24	2739	KELLOGG AVE	COLEMAN CALVIN E
25	2743	KELLOGG AVE	PNTHR HOLDINGS LLC
26	2751	KELLOGG AVE	MICKENS REFUS E

02/10/2023

Label #	*Address*		*Owner*
27	2720	DOWNING AVE	SUNDAY LILLIAN
28	2716	DOWNING AVE	TILLEY RACHEL E
29	2710	DOWNING AVE	TOBAR CARLOS A SALAZAR &
30	2706	DOWNING AVE	KRAUSE CHELSI JO & TIMOTHY HOLT
31	2702	DOWNING AVE	NASH JOE D
32	2703	KELLOGG AVE	TRAYLOR ORA
33	2707	KELLOGG AVE	RIVERBANK PECAN LLC
34	2711	KELLOGG AVE	TORRES ROBERTO
35	2717	KELLOGG AVE	SOLIS SABINO
36	2723	KELLOGG AVE	KHAZEM TEXAS INV LLC
37	2726	KELLOGG AVE	4 HAPPY HOMES INC
38	2730	KELLOGG AVE	TARDY FLORA ANN &
39	2734	KELLOGG AVE	CARCENAS CHRISTIAN OMAR C &
40	2738	KELLOGG AVE	SAUNDERS ERROL F &
41	2742	KELLOGG AVE	MORENO LUIS YANEZ
42	2748	KELLOGG AVE	Taxpayer at
43	2752	KELLOGG AVE	Taxpayer at
44	2756	KELLOGG AVE	SMITH SHANNELL
45	2760	KELLOGG AVE	MCDUFFY JOYCE
46	2802	KELLOGG AVE	WATSON DIMPLE ESTATE OF
47	2806	KELLOGG AVE	MARTINEZ J SALOMON &
48	2722	KELLOGG AVE	JACKSON KATINA
49	2716	KELLOGG AVE	KULICK RONIT
50	2710	KELLOGG AVE	DAVENPORT ARSIDA
51	2706	KELLOGG AVE	BROOKS JEFFERY CARL &
52	2702	KELLOGG AVE	RANGEL LUCIA O
53	2004	E KIEST BLVD	Taxpayer at
54	2761	ALMEDA DR	ROBINSON SANDRA
55	2765	ALMEDA DR	FRIDIA CHARLOTTE KAY
56	2769	ALMEDA DR	STREDIC VELMA TR
57	1805	E KIEST BLVD	VALPARAISO HOLDINGS LLC

02/10/2023

Label #	*Address*		*Owner*
58	2809	KELLOGG AVE	PRINCE TRACY
59	2779	ALMEDA DR	PATTERSON ALBERT H EST OF
60	2773	ALMEDA DR	LEIJA ELEAZAR & SINDY MANCIA
61	2951	SUNNYVALE ST	RANDALL JACQUELYN
62	1835	SUTTER ST	GREATER ST JAMES BAPTIST
63	2945	SUNNYVALE ST	ST JOHNS LUTHERAN CHURCH
64	2952	SUNNYVALE ST	SIMS HERMAN M & CLAUDINE
65	2966	SUNNYVALE ST	HENRY SHARON
66	2960	SUNNYVALE ST	WARSTEANE C B
67	2956	SUNNYVALE ST	JONES DORATHY M
68	2215	E KIEST BLVD	CORTES EDUARDO JR
69	2209	E KIEST BLVD	ESPARZA GABRIELA MARGARITA GALLEGOS
70	2205	E KIEST BLVD	STALLWORTH MAXINE
71	3080	SUNNYVALE ST	HASSELL NANCY M ESTATE OF
72	3076	SUNNYVALE ST	PRINCE NECIE EST OF
73	3072	SUNNYVALE ST	WARD JONATHAN D
74	3068	SUNNYVALE ST	SALDANA SANTOS & ROCIO DELPILAR DE
75	3064	SUNNYVALE ST	SHELBY VICTOR
76	3058	SUNNYVALE ST	FINCH ARTHUR R
77	3054	SUNNYVALE ST	EDWARDS DOROTHY
78	3050	SUNNYVALE ST	RHONE MARY J
79	3046	SUNNYVALE ST	D&D PPTIES
80	3040	SUNNYVALE ST	FRYE NICOLE
81	3036	SUNNYVALE ST	ELLIS KATIE V EST OF &
82	3032	SUNNYVALE ST	ARMOUR CORA MAE EST OF
83	3026	SUNNYVALE ST	Taxpayer at
84	3022	SUNNYVALE ST	Taxpayer at
85	3016	SUNNYVALE ST	FONSECA HOLDING LLC
86	3012	SUNNYVALE ST	SPRINGFUL PROPERTIES LLC
87	3008	SUNNYVALE ST	CAMPBELL DANIEL JR
88	3002	SUNNYVALE ST	REDMON MINNIE ALFORD

02/10/2023

Label #	*Address*		*Owner*
89	2204	E KIEST BLVD	ABAD VINCENTE A &
90	2208	E KIEST BLVD	HOMEBUYERS LLC
91	2214	E KIEST BLVD	SPENCER NORMA &
92	3003	SUNNYVALE ST	STEVENSON BOBBIE H LIFE ESTATE
93	3007	SUNNYVALE ST	RUIZ MANUEL T &
94	3011	SUNNYVALE ST	ZAVALA SANTIAGO
95	3015	SUNNYVALE ST	GRAY TOMMY
96	3021	SUNNYVALE ST	MAJORS DORIS L EST OF
97	3027	SUNNYVALE ST	HENDERSON CATHY ANN
98	3033	SUNNYVALE ST	CARSON CHARLES
99	3037	SUNNYVALE ST	URBINA MARTIN
100	3041	SUNNYVALE ST	WATKINS TEXAS LLC
101	3047	SUNNYVALE ST	REYES HERMELINDA SANTOS &
102	3051	SUNNYVALE ST	RAFTER WALKER REAL ESTATE V
103	3055	SUNNYVALE ST	CHAVEZ JUAN
104	3059	SUNNYVALE ST	ALVAREZ JOSE
105	3065	SUNNYVALE ST	CARR YVONNE T
106	3071	SUNNYVALE ST	BOWIE LEWIS T
107	3077	SUNNYVALE ST	GREAT INVESTMENTS LLC
108	3083	SUNNYVALE ST	PORTILLO JARLIN JOSUE R &
109	2967	SUNNYVALE ST	SANTIBANEZ PROPERTIES LLC
110	2959	SUNNYVALE ST	ROSALES ELIAS
111	2955	SUNNYVALE ST	BASS ALPHONSE
112	1802	SUTTER ST	LYNNCO LLC
113	1806	SUTTER ST	WINGHAM C ELLIOTT &
114	1812	SUTTER ST	TORRES MARCELINA
115	1816	SUTTER ST	Taxpayer at
116	1822	SUTTER ST	BERRY JENNIFER
117	1826	SUTTER ST	THOMAS PAUL S
118	1832	SUTTER ST	GUZMAN ALFREDO
119	1836	SUTTER ST	IKOVIC KIMBERLY K

02/10/2023

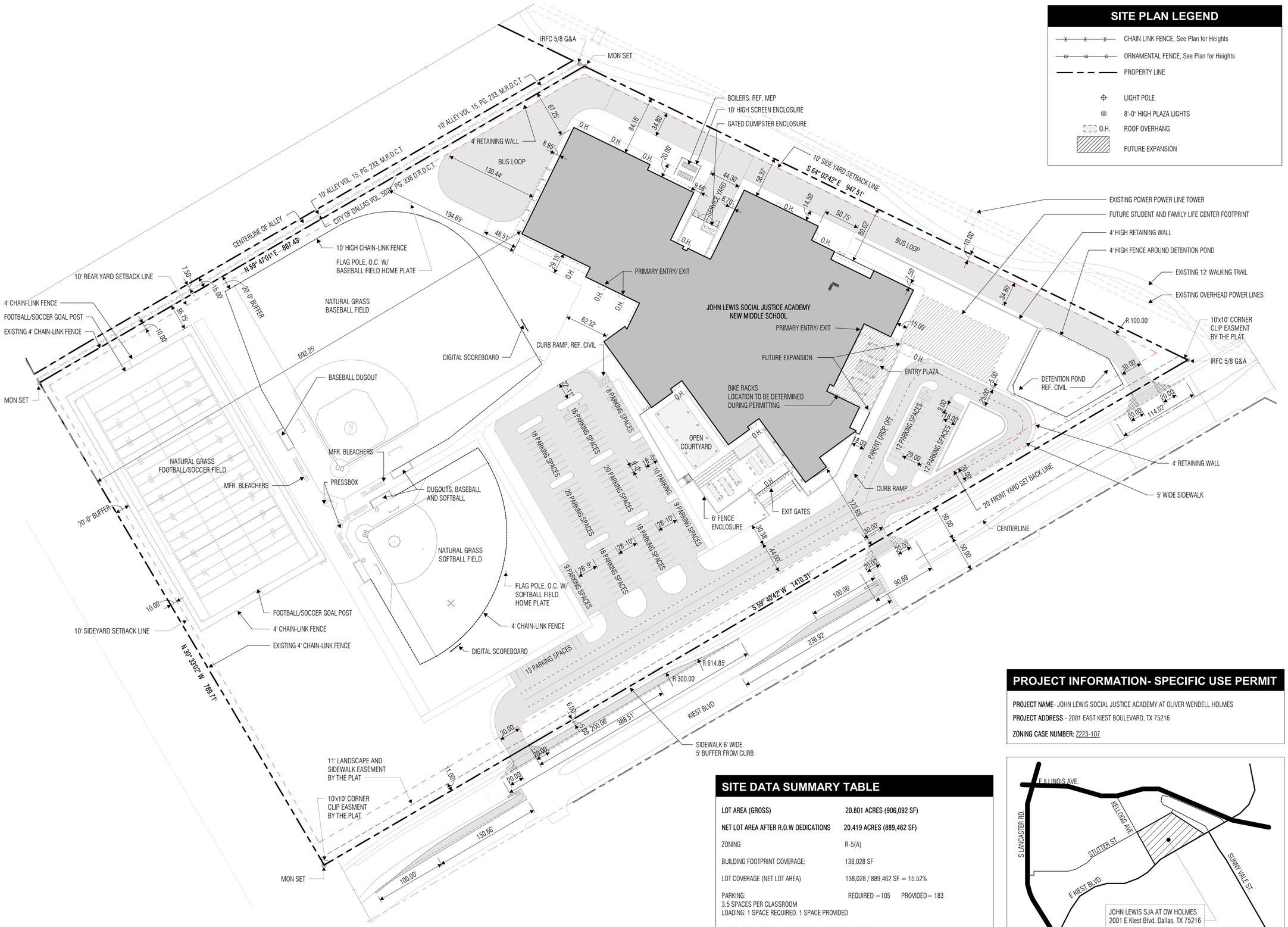
Label #	*Address*		*Owner*
120	1842	SUTTER ST	DILLARD JERRY DONALD &
121	1846	SUTTER ST	WILKERSON KENAN D
122	1852	SUTTER ST	DOSS JAMES E
123	1902	SUTTER ST	MOTEN EUGENE & STELLA
124	2100	E KIEST BLVD	ONCOR ELECRIC DELIVERY COMPANY
125	2100	E KIEST BLVD	ONCOR ELECRIC DELIVERY COMPANY
126	3008	GARRISON ST	COX ALICE
127	2905	KELLOGG AVE	Taxpayer at
128	2909	KELLOGG AVE	WILLIAMS DEBRA JOE
129	2913	KELLOGG AVE	CASTROTORRES DEBORAH
130	2917	KELLOGG AVE	LOZA IVAN FERNANDO
131	3110	KELLOGG AVE	DAVIS SHAKEITHA
132	3102	KELLOGG AVE	BENAVIDES RICARDO ROMEO
133	3010	KELLOGG AVE	METCALF ROSIE L
134	3006	KELLOGG AVE	PENA MARIA
135	3002	KELLOGG AVE	VILLATORO MARIA
136	2912	KELLOGG AVE	KT PROPERTY HOLDING LLC
137	2908	KELLOGG AVE	LOPEZ ANTONIO DIAZ &
138	2904	KELLOGG AVE	KING BESSIE
139	2120	SKYLARK DR	QUINTERO RUBICEL
140	2114	SKYLARK DR	SIERRA ALFREDO
141	2108	SKYLARK DR	AVELLANEDA ALVARO
142	2104	SKYLARK DR	CARRENORAMIREZ ESTEBAN &
143	2032	SKYLARK DR	MARTINEZMANJARRES AARON &
144	2026	SKYLARK DR	MOORE MILDRED ELAYNE
145	2020	SKYLARK DR	CARRIZALES VICTORIA ROSE
146	2016	SKYLARK DR	LANE B L
147	2010	SKYLARK DR	RHONE GOLDEN L EST OF
148	2006	SKYLARK DR	GALINDEZDIAZ SIMON &
149	2002	SKYLARK DR	HAB PROPERTIES I LLC
150	3203	SUNNYVALE ST	BROWN LEE A

02/10/2023

Label #	*Address*		*Owner*
151	2316	SKYLARK DR	MONROE CRAIG
152	2312	SKYLARK DR	CORREA LIZ
153	2306	SKYLARK DR	OFC PRODUCING YOUR MAIN EVENT MTG & EVENT CTR
154	2302	SKYLARK DR	RAMIREZ MARIA TERESA & RICARDO
155	2218	SKYLARK DR	RETANA LUIS GONZALEZ &
156	2214	SKYLARK DR	THOMPSON LUCIOUS EST OF
157	3102	MUNDY DR	ROGERS DOROTHY M
158	2011	SKYLARK DR	GARCIA MARGARITO
159	2015	SKYLARK DR	LUCAS BESSIE M ET AL
160	2021	SKYLARK DR	Taxpayer at
161	2025	SKYLARK DR	MARTINEZ JOSE CRUZ A &
162	2103	SKYLARK DR	MONK ANDREW
163	2109	SKYLARK DR	YOUNG DORIS
164	2115	SKYLARK DR	SALAS JULIO
165	2119	SKYLARK DR	MOSS GREGORY ALLEN EST OF &
166	2123	SKYLARK DR	HEARD CATHERINE D
167	2203	SKYLARK DR	GOMEZNAVARRO JOSE &
168	2207	SKYLARK DR	IBARRA NOE & EULALIA
169	2211	SKYLARK DR	WATSON LATRICE
170	2217	SKYLARK DR	GEE CASSANDRA L
171	2221	SKYLARK DR	HILL MERCEDES
172	2303	SKYLARK DR	FRANCO MARCO A &
173	2307	SKYLARK DR	Taxpayer at
174	2311	SKYLARK DR	BROWN GRACIE MAE
175	2317	SKYLARK DR	GORDON EUNICE
176	2321	SKYLARK DR	TAYLOR AMIE L EST OF
177	2327	SKYLARK DR	JB III INVESTMENTS
178	2403	SKYLARK DR	PALOMO JAVIER CONTRERAS
179	2407	SKYLARK DR	RENTERIA ALVARO & EUGENIA
180	1700	E ELMORE AVE	CEDAR OAKS RETIREMENT CENTER

SITE PLAN LEGEND

- CHAIN LINK FENCE, See Plan for Heights
- ORNAMENTAL FENCE, See Plan for Heights
- PROPERTY LINE
- LIGHT POLE
- 8'-0" HIGH PLAZA LIGHTS
- O.H. ROOF OVERHANG
- FUTURE EXPANSION



N
TRUE NORTH

1 SITE PLAN - SPECIFIC USE PERMIT
SCALE: 1" = 60'-0"

SITE DATA SUMMARY TABLE

LOT AREA (GROSS)	20.801 ACRES (906,092 SF)
NET LOT AREA AFTER R.O.W DEDICATIONS	20.419 ACRES (889,462 SF)
ZONING	R-5(A)
BUILDING FOOTPRINT COVERAGE:	138,028 SF
LOT COVERAGE (NET LOT AREA)	138,028 / 889,462 SF = 15.52%
PARKING: 3.5 SPACES PER CLASSROOM LOADING: 1 SPACE REQUIRED. 1 SPACE PROVIDED	REQUIRED =105 PROVIDED= 183
BIKE RACKS- LOCATION TO BE DETERMINED AT PERMITTING	

PROJECT INFORMATION- SPECIFIC USE PERMIT

PROJECT NAME- JOHN LEWIS SOCIAL JUSTICE ACADEMY AT OLIVER WENDELL HOLMES

PROJECT ADDRESS - 2001 EAST KIEST BOULEVARD, TX 75216

ZONING CASE NUMBER: Z223-107

VLK|ARCHITECTS

ARCHITECT

VLK Architects, Inc.
5801 Tennyson Pkwy, Suite 100
Plano, Texas 75024
Main Phone: 972.265.1885
www.vlkarchitects.com

DALLAS INDEPENDENT SCHOOL DISTRICT
DALLAS, TEXAS

John Lewis Social Justice Academy at O.W. Holmes- Org # 051

ROSS E. RIVERS
TEXAS LICENSE #21766

ISSUED: FEB. 23RD 2023

REVISIONS

Revision No.	Revision Date

Director RER	Drawn By VLK
Designer JW	Quality Control
Proj. Arch. TK	

PROJECT NO.
21-072.00

SHEET TITLE
SITE PLAN - SPECIFIC USE PERMIT

SHEET NO.
A1.00

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LAMBETH ENGINEERING ASSOCIATES
Texas Registered Engineering Firm F-19508

Traffic Management Plan
John Lewis Social Justice Academy at Oliver Wendell Holmes Middle School

February 17, 2023

Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth Engineering) were retained to conduct a traffic management plan (TMP) for John Lewis Social Justice Academy at Oliver Wendell Holmes Middle School (John Lewis). The purpose of this TMP is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods. Below is general information about John Lewis.

School:

- Location: 2001 E. Kiest Boulevard, Dallas, TX 75216
- School District: Dallas Independent School District
- School Times: 8:35 AM – 3:55 PM
- Principal: Ms. Sharron Evans Jackson

Zoning:

- Existing Zoning: Single Family, R-5(A)
- Proposed Zoning: SUP
- Project: Replacing existing school facility.

Students:

- Existing Student Enrollment: 588 students in 6th- 8th grades (at time of traffic observations)
- Planned Student Capacity: 833 students in 6th- 8th grades

Staff:

- Existing Staff: 49
- Planned Staff: 55

School Access:

- Surrounding Roadways:
  - E. Kiest Boulevard: Principal Arterial M-6-D(A), Six-lane divided
  - E. Illinois Avenue: Principal Arterial M-6-D(A), Six-lane divided
  - Sunnyvale Street: Community Collector, Two-lane undivided S-4-D south of E. Kiest Blvd and Local Street north of E. Kiest Blvd
  - Kellogg Avenue: Local Street, Two-lane undivided
- Sidewalks are provided on both sides of E. Kiest Boulevard, adjacent to the school.

***Parking Supply*:**

- Surplus parking is provided for special events.

Traffic Management Plan

Existing and Projected Queue

Lambeth Engineering met with DISD staff, school principal and the architect during the process of developing the TMP. Traffic observations were conducted on the following dates and times:

- Wednesday, January 11, 2023 – PM Dismissal
- Friday, January 13, 2023 – PM Dismissal
- Tuesday, January 17, 2023 – AM Arrival
- Tuesday, January 17, 2023 – PM Dismissal
- Thursday, January 19, 2023 – PM Dismissal

The peak queue of parent vehicles picking up students was observed to be about 73 vehicles. Parents are currently parking on both sides of E. Kiest Boulevard, and on both sides of Kellogg Avenue. Parents will be able to pick up students on-site when the new school is constructed. A rate of one parent vehicle per 8.5 students is used for this TMP, as parents will be more managed with the new site.

As expected, the peak period of parent vehicles accumulating at the school occurred during the afternoon dismissal period. Most of the traffic clears the campus within 15-20 minutes once school is dismissed. The current traffic pattern is summarized in the **Appendix**.

The projected vehicular accumulations are summarized in **Table 1** below. As shown, the proposed site plan has adequate space to accommodate the parents on-site.

Table 1. TMP Summary

Student Capacity	School Times	Travel Modes		Projected Parent Vehicles	Provided Spaces for Parents	Surplus Availability for Parents
833 Students	Beginning: 8:35 AM	Parents	50%	98 Veh.	106 Veh.	8 Veh.
Grades: 6th - 8th	Dismissal: 3:55 PM	Walkers	15%	(2,303 Feet)	(2,500 Feet)	(197 Feet)
		Buses	35%			

Double queue lanes accommodate 51 vehicles (1,212 LF). Parent parking on-site accomodates 55 vehicles (1,288 LF).

Recommendations

The TMP recommendations are described below and shown in **Exhibit 1**.

Students

- School is dismissed at 3:55 PM. As needed, school is dismissed in staggered dismissal periods beginning at 3:45 PM.
- Students who are picked up by parents are instructed to walk to their parents' vehicle waiting in the designated pick-up area.
- Students should walk along the sidewalks to enter their parent vehicles.
- Students should not walk to their parent if the parent is still in the "double queue" lane, waiting to reach the on-site parking aera.
- Students waiting for parents to pick them up later than ordinary dismissal period should remain in the designated area and wait for their parents' arrival.
- Students walking home should be instructed to walk along sidewalks and cross at crosswalks. Students should not be permitted to cross at midblock.

Parents

- Parents must wait inside their vehicle in the queue line(s) extending around the visitor parking lot to pick up their student in the designated pick-up area, as shown in the TMP exhibit.
- When parents arrive on-site, they should pull all the way forward to the end of the on-site parking area.
- Parents should not pick up their student in the double queue lines leading up to the visitor/admin parking lot. Parents should wait to pick up their student in the designated parent parking areas adjacent to the sidewalk in single parking line.
- After the student arrives to the parent vehicle, the parent may leave via the by-pass lane.
- Parents should continually pull forward to allow room for additional vehicles on-site.
- It is recommended that parents not arrive more than 15 minutes before school dismissal.
- Parents may not park in the events parking spaces since they will be blocked in by queuing vehicles. These spaces may be used outside peak arrival and dismissal periods.
- Parents may not park on-street, adjacent to the school, as shown in the TMP exhibit.

Staff

- During the first week of school, staff should monitor parents as they arrive to direct them to pull forward and not stop early.
- After the first week of school, staff should check parents 10 minutes before dismissal and ensure all parents are pulled forward and not blocking by-pass lanes.
- Staff should monitor students at each area where parents are picking up students until all students are dismissed.
- Staff should continue monitoring pedestrians as they leave the school and ensure they are crossing E. Kiest Boulevard at crosswalk, not mid-block, and cross in groups.
- Staff should not direct traffic on E. Kiest Boulevard if they are not a licensed peace officer.

Buses

- A total of 12 school buses, including special education buses, is planned to use the designated bus driveway on the east side of the campus.
- Based on site visit, 40% of buses turned right onto E. Kiest Boulevard, and 60% of buses turned left onto E. Kiest Boulevard. With the new site plan, buses will no longer be able to turn left onto E. Kiest Boulevard. Alternative routes are provided in the **Appendix**.

Licensed Peace Officers

A licensed peace officer is not assigned to John Lewis to assist with traffic, and one is not recommended.

Crossing Guards

There are currently no official crossing guards assigned to the surrounding intersections near John Lewis. City of Dallas does not typically provide crossing guards for middle schools. However, pedestrian safety should be monitored due to E. Kiest Boulevard being a six-lane, divided roadway, a crossing guard in front of the school or at the intersection of E. Kiest Boulevard/Kellogg Avenue may be beneficial.

Parking Restrictions

Currently, there is a small section of restricted parking in front of the school on the north side of E. Kiest Boulevard. Parking should be prohibited on both sides of E. Kiest Boulevard between Sunnyvale Street and Kellogg Avenue, especially around the driveway openings, as illustrated in the TMP exhibit.

School Zones

There is currently a school zone on E. Kiest Boulevard adjacent to the school. It is recommended this school zone remain.

Off-Site Improvements

- Update school-related signs to satisfy current TxMUTCD criteria. Detailed description will be provided with the engineering plan submittal.
- Install additional No Parking during school zone hours signs along both sides of E. Kiest Boulevard in front of the school between Kellogg Avenue and Sunnyvale Street, as shown on the TMP.

Summary

The John Lewis Traffic Management Plan is designed to provide safe vehicular and pedestrian movement to and from school and can accommodate the projected vehicular queues on campus.

If traffic congestion or unsafe movements are noticed, the plan should be reviewed and updated promptly.

REVIEW AND COMMITMENT

The John Lewis Social Justice Academy at Oliver Wendell Holmes Middle School traffic management plan (TMP) for was developed with the intent of optimizing safety and accommodating vehicular traffic queues generated during school peak hours. A concerted effort and full participation by the school administration are essential to maintain safe and efficient traffic operations.

By consent of this TMP submittal, the school administration agrees to the strategies presented herein for which the school is held responsible unless the City of Dallas deems further measures are appropriate.

The school is also committed to continually review and assess the effectiveness of this plan and if warranted, implement changes in the interest of increasing safety and minimizing impacts on the surrounding community.

Signature — Date: Nov 16, 2023

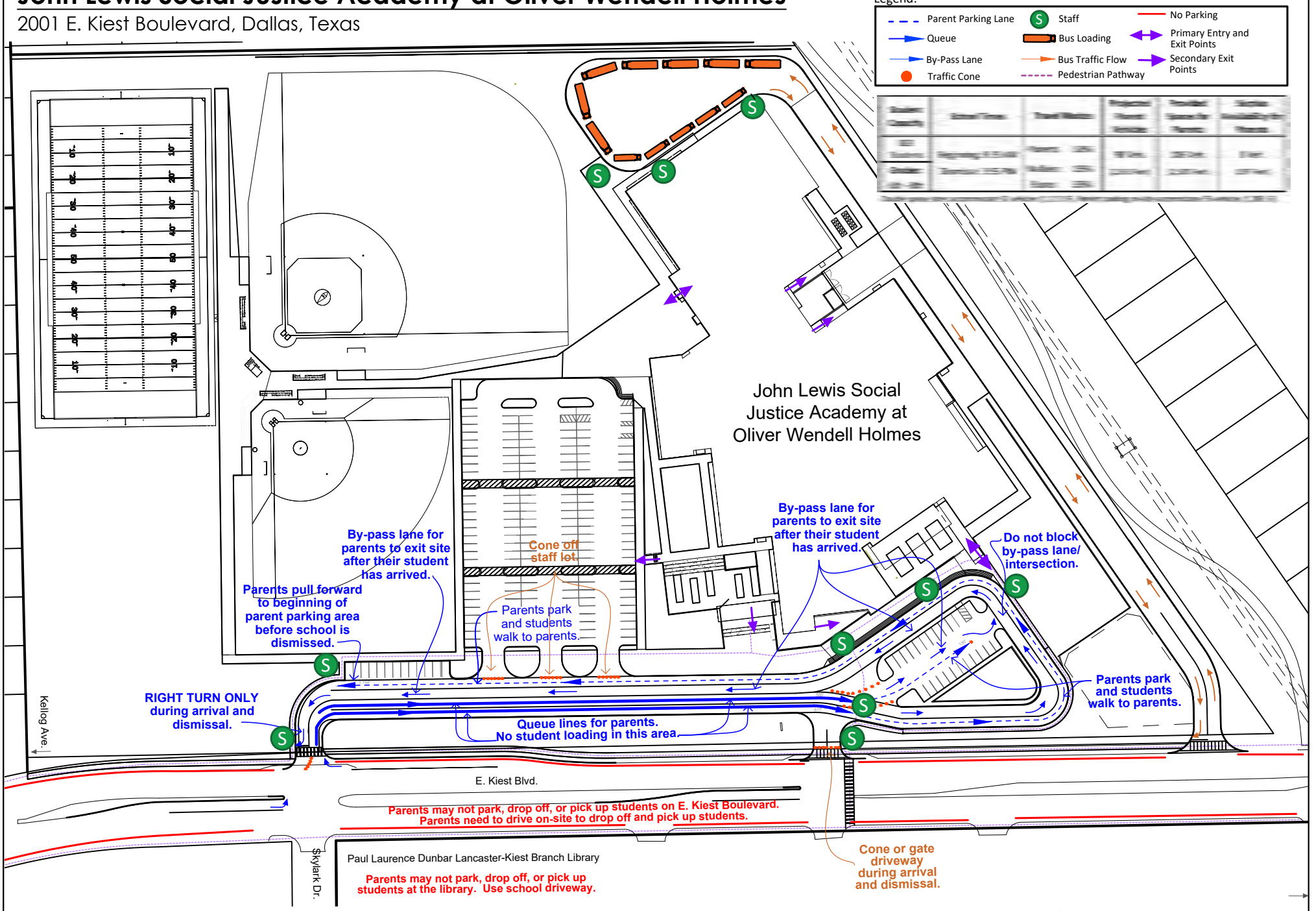
STARRON E. JACKSON — Name

PRINCIPAL — Title

END

John Lewis Social Justice Academy at Oliver Wendell Holmes

2001 E. Kiest Boulevard, Dallas, Texas



1 Traffic Management Plan

Not to Scale

LAMBETH ENGINEERING

TEXAS REGISTERED ENGINEERING FIRM F-19508

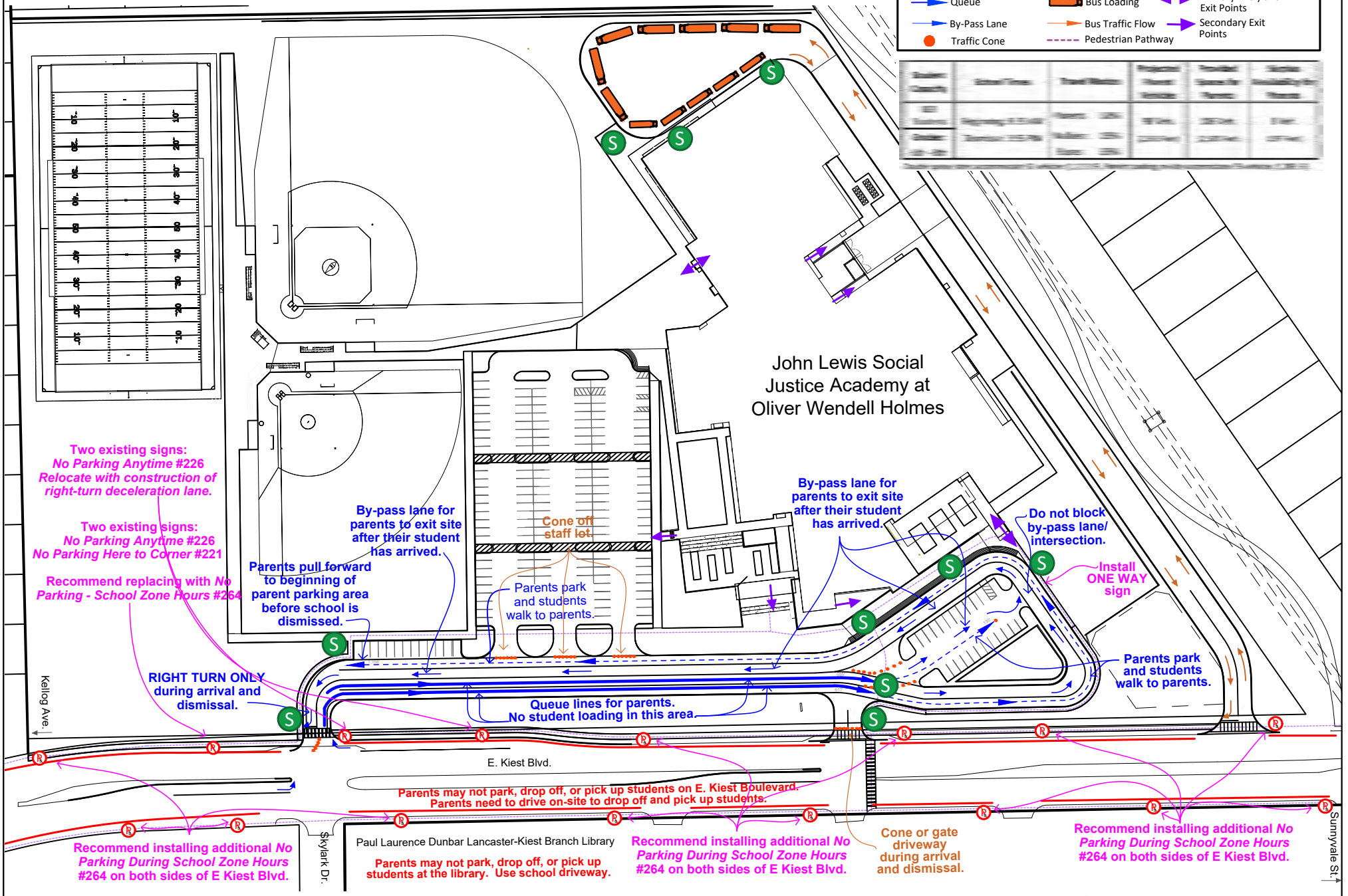
STG 02.17.23

01.20.23 Development Plan Obtained from Salcedo Group

Appendix

John Lewis Social Justice Academy at Oliver Wendell Holmes

2001 E. Kiest Boulevard, Dallas, Texas



A Traffic Management Plan - With Recommended Signs

Not to Scale

LAMBETH ENGINEERING

TEXAS REGISTERED ENGINEERING FIRM F-19508

STG 02.17.23

01.20.23 Development Plan Obtained from Salcedo Group

John Lewis Social Justice Academy

2001 E. Kiest Blvd., Dallas, TX 75216

Tuesday, January 17, 2023

CHL, BB, AN

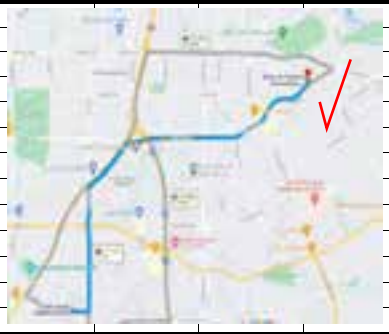
Existing Vehicles Parked On-Street to Pick up Studetns

Current Bus Routes
Alternative Routes with No Left-Turn onto E. Kiest Boulevard from School

2022-2023
John Lewis Social Justice Academy @ Oliver Wendell

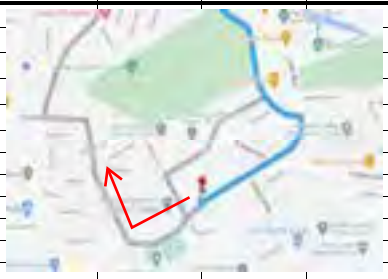
Early Release December 16 - December 21

ROUTE	AM PICK-UP TIME	STOP(s) PICK-UP & DROP-OFF LOCATION	PM DROP-OFF	
1232	6:55 AM	RICE ES	5:25 PM	3:05 PM
	7:15 AM	RUNYON	5:04 PM	2:44 PM
	7:26 AM	CUELLAR	4:58 PM	2:38 PM
	7:46 AM	W. HUTCHINS ES	4:36 PM	2:16 PM
	8:05 AM	**ARRIVE @ ATWELL (INTERSESSION)**	**4:19 PM**	1:59 PM
	8:20 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	1:45 PM
Notes:	**No change needed**			

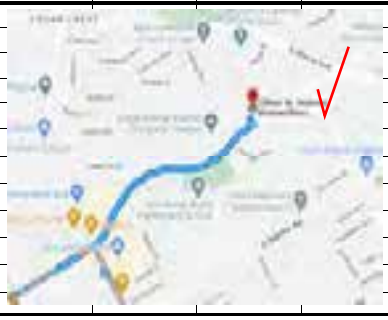


4019	7:51 AM	STELLA AVE 75216 & S DENLEY DR 75216	4:11 PM	1:55 PM
	7:52 AM	LYNN HAVEN AVE 75216 & S DENLEY DR 75216	4:13 PM	1:54 PM
	7:54 AM	STRICKLAND ST 75216 & S DENLEY DR 75216	4:15 PM	1:52 PM
	7:55 AM	HENDRICKS AVE 75216 & S DENLEY DR 75216	4:16 PM	1:51 PM
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	**1:35/1:45 PM**
Notes:	**May require alternate route as shown in grey on map**			

4025	7:51 AM	S EWING AVE 75216 & WINTERS ST 75216 (17)	4:13 PM	1:52 PM
	7:52 AM	HARLANDALE AVE 75216 & MORRELL AVE 75203	4:15 PM	1:54 PM
	7:58 AM	HUTCHINS RD & HULSE BLVD (20)	4:20 PM	1:59 PM
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	**1:35/1:45 PM**
Notes:	**May require alternate route as shown below**			



4026	7:42 AM	MICHIGAN AVE 75216 & GEORGIA AVE 75216	4:25 PM	2:04 PM
	7:46 AM	W. LOUISIANA AVE & ARGENTA DR (18)	4:21 PM	2:00 PM
	7:52 AM	2400 MICHIGAN AVE 75216	4:17 PM	1:56 PM
	7:58 AM	E OVERTON RD & S EWING AVE 75216	4:10 PM	1:50 PM
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	**1:35/1:45 PM**
Notes:	**No change needed**			



Bus Routes from DISD Transportation Website 01.25.23

https://docs.google.com/spreadsheets/d/1cdjd-i1Y-QhIBGFU1iB4TneV8_08FV7F3jth339wC2k/edit#gid=1200635438

Maps from Google Maps 01.25.23

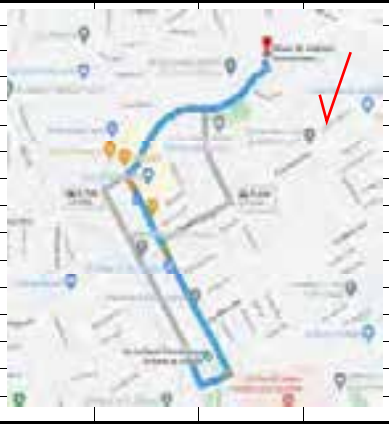
Current Bus Routes
Alternative Routes with No Left-Turn onto E. Kiest Boulevard from School

2022-2023
John Lewis Social Justice Academy @ Oliver Wendell

Early Release December 16 - December 21

ROUTE	AM PICK-UP TIME	STOP(s) PICK-UP & DROP-OFF LOCATION	PM DROP-OFF	
	7:39 AM	E 10TH ST & N CLIFF ST 75203	4:33 PM	2:09 PM
	7:41 AM	MONAGHAN CT 75203 & STATE HWY 180 75203	4:27 PM	2:06 PM
4038	7:48 AM	CHILDS ST 75203 & AVENUE G 75203	4:20 PM	1:58 PM
	7:59 AM	VOLARA APTS 3550 E OVERTON RD 752216	4:10 PM	1:50 PM
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	**1:35/1:45 PM**
Notes:	**May require alternate route as shown below**			

ROUTE	AM PICK-UP TIME	STOP(s) PICK-UP & DROP-OFF LOCATION	PM DROP-OFF	
4200	7:05 AM	TOLBERT	4:58 PM	2:34 PM
	7:21 AM	MCNAIR ES	4:45 PM	2:23 PM
	7:39 AM	THORNTON	4:31 PM	2:09 PM
	7:49 AM	PEASE	4:18 PM	1:59 PM
	7:57 AM	HOLLAND ES	4:12 PM	1:51 PM
	8:05 AM	**ARRIVE @ OW HOLMES**	**4:05 PM**	**1:35/1:45 PM**
Notes:	**No change needed**			



Bus Routes from DISD Transportation Website 01.25.23

https://docs.google.com/spreadsheets/d/1cdjd-i1Y-QhIBGFU1iB4TneV8_08FV7F3jth339wC2k/edit#gid=1200635438

Maps from Google Maps 01.25.23

City of Dallas

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

Agenda Information Sheet

File #: 23-696 Item #: 7.

AGENDA DATE: March 2, 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 51A-2.102 “Definitions”, 51A-4.408 “Maximum Building Height”, and related sections with consideration to be given to modify how building height is measured, how grade is established, and provide clarifications.
Staff Recommendation: **Approval**.
Zoning Ordinance Advisory Committee Recommendation: **Approval**.
Postpone From: February 2, 2023.
Planner: Steven Doss
Council District: All
DCA212-006(SD)

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

Planner: Steven Doss, AICP

FILE NUMBER: DCA212-006(SD) **DATE INITIATED:** Summer 2022

TOPIC: Consideration of amending Chapter 51 and Chapter 51A of the Development Code regarding height and grade measurements and related sections.

CITY COUNCIL DISTRICTS: All **CENSUS TRACTS: All**

PROPOSAL: Consideration of amending Chapters 51 and 51A of the Dallas Development Code Sections 51A-2.102 "Definitions", 51A-4.408 "Maximum Building Height", and related sections with consideration to be given to modify how building height is measured, how grade is established, and provide clarifications.

SUMMARY: The proposed code amendments modify how building height is measured and how grade is established in the Development Code for the purpose of clarity and consistency with other codes. These modifications are also intended to more closely align Dallas with other area cities and provide for more efficient plan review.

ZONING ORDINANCE ADVISORY COMMITTEE RECOMMENDATION: Approval.

STAFF RECOMMENDATION: Approval.

Code Amendments webpage:
https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx

Appendices
1. Change Tables
2. Conservation Districts
3. Comparison Cities

BACKGROUND INFORMATION:

- On February 4, 1987, Council adopted Ordinance No. 19455 which added Chapter 51A to the Dallas Development Code. The note that exists at the end of Section 51A-4.408(a)(2) and the conflicting exceptions to residential proximity slope in the district regulations in Division 51A-4.100 have remained unchanged since the adoption of Chapter 51A.

- The 2000 edition of the International Building Code (IBC) established *grade plane* within six feet of the building.

- On September 24, 2008, Council adopted Ordinance No. 27334 which amended Chapters 51 and 51A to add *finished ground surface elevation* as a definition within the definition of *grade*.

- On October 29, 2021, the Development Services Department (DSD) requested a code amendment to clarify the measurement of height, both the start and end points.

- The Zoning Ordinance Advisory Committee discussed the proposed amendments at four meetings between May and October 2022 and ultimately recommended the included proposed amendments for CPC consideration.

- On January 5, 2023, staff briefed the City Plan Commission (CPC) on ZOAC's recommendation.

STAFF ANAYLSIS:

The Dallas Development Code currently defines building height from a unique definition of grade (the lower point of measurement) to different points on the roof based on the type of roof (the upper point of measurement).

For the starting point of height measurement, the current ordinance measures grade by averaging the finished ground surface elevations at the highest and lowest *exterior corners of a structure*. This starting point is inconsistent with the definition of "grade plane" found in international codes, which measure grade from the finished ground surface elevations *within six feet of the structure*.

The end point of measuring height in the Dallas Development Code is also in need of clarification and updates. Because the Dallas Development Code differs from international codes and contains some misunderstood terminologies, permitting staff must often reject submittals and educate customers on how the Dallas Development Code measures height, and this frequent cycle of revision creates barriers to development

and confusion for the community. The proposed changes would normalize the City's definition of height and grade, provide additional guidance on where the measurement of height begins and ends, and provide additional guidance for allowable rooftop structures, while ensuring that few existing buildings are put into nonconforming status by the proposed amendments.

Lower Point of Measurement

The purpose of amending the definition of grade is to bring it closer to international codes to improve communication and efficiency in government processes. Since at least 2000, international codes have a definition for *grade plane*[1] which measures, "points within the area between the building at the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building" whereas the existing measurement of grade in the Dallas Development Code measures *finished ground surface elevation*[2] to all exterior corners of the structure. The conflict of the Dallas Development Code measuring grade at the corners of a structure and international codes measuring grade six feet from the structure has created much confusion for neighbors questioning how building height is determined and creates multiple plan revisions for permit applicants to demonstrate the proposed construction drawings comply with both definitions of grade plane and grade.

Once grade, per the Dallas Development Code, is documented on grading plans, the building elevations must also show the grade to find the starting point of height. These revisions require the already signed and sealed grading plan from a licensed surveyor/engineer and building elevations from the designer/architect to be sent back for revisions for any development that approaches the maximum structure height to determine if a structure complies with the Dallas Development Code's unique method of determining maximum building height. Revisions to these drawings represents a significant and unexpected cost to the applicant and often leads to delays in plan review while the department awaits submittal of the revised grading plans.

To address this inconsistency, the proposed amendments take steps to more closely align with the international codes methodology of evaluating ground surfaces within six feet of

[1] GRADE PLANE means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building at the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building. (2015 IBC)

[2] FINISHED GROUND SURFACE ELEVATION means the ground surface elevation of the building site before any construction or the ground surface elevation as altered in accordance with grading plans approved by the building official. Finished ground surface elevation does not include: (A) fill material not necessary to make the site developable; (B) berms; or (C) landscape features. (Dallas Development Code)

the building, while maintaining the practice of measuring the highest and lowest points, instead of the international codes' complicated way of averaging an unspecified number of grades along an unspecified number of exterior walls.

The proposed amendment to the definition of grade retains the term "finished ground surface elevation" and is only altered by uncoupling this term from within the definition of grade into a separate and easier to find defined term. The purpose of the 2008 amendment to add "finished ground surface elevation" to the definition of grade was to prevent a lot from being built up steeply to the exterior corners of a foundation for the sole purpose of establishing the lower measurement point of height higher, thereby gaining additional height. The benefits of the 2008 amendment remain intact and are enhanced by extending the calculation of grade from the exterior corners of the structure to within six feet of the structure. The proposed alignment with international codes to extend the measurement of grade from exterior corners of a structure to within six feet of a structure may lower the measurement of grade for many properties; however, the next section of this report will address when the lower point of height measurement can be measured from finished floor and is expected to allow most existing structures which barely conformed to the maximum structure height to still be in compliance with the proposed amendments.

Distances between grade and first finished floor

Staff's original proposal was to amend the starting measurement of height to begin at finished floor, since all building elevations show height measurements starting from finished floor; however, the committee had apprehensions with that proposal. To address concerns that new developments might construct an unusually high finished floor on the ground story that would be incongruous with surrounding properties to gain height advantages, a 'tolerance' of 18 inches between grade and the finished floor was introduced so that most projects can utilize the simplified height measurement. The rationale of making 18 inches the tolerance between grade and the finished floor is based upon crawlspaces for pier and beam foundations which could be significantly taller on a sloping site but are generally 12 to 18 inches tall on the low side of those foundations.

Although the proposed amendments relating to where to begin measuring height is more complex, it allows most developments on relatively flat sites and slab-on-grade foundations some flexibility to be consistent with the submitted elevation drawings, which normally shows a height of the structure measured from the finished floor. The added flexibility with the 18-inch tolerance also serves to establish a reliable base point of measurement for field inspectors in the event the grading around the new structure is slightly adjusted for unexpected changes and it allows for field verification of the starting

point before the vertical members are erected. Therefore, these amendments are recommended to simplify the review process, provide an earlier benchmark for field verification, and to maintain provisions to discourage developments that design structures with elevated finished floors to intentionally gain height advantages.

Upper Point of Measurement

ZOAC discussed simplifying the upper point of height measurement to be to the highest point of a structure, regardless of roof type. However, after further study of peer and area cities, as well as potential nonconformities that would be created by this change, it is recommended that the current system for determining the upper point of measurement by roof design be maintained, including the midpoint of pitched roofs, with some modification. Maintaining the practice of measuring to the midpoint of pitched roofs will also continue to encourage pitched roof designs.

At the January 5 CPC briefing, staff was also asked to review conservation districts to evaluate how the proposed amendments would affect those districts. Staff found that most conservation districts use the Chapter 51A definition of grade but set their own upper measurement points. The proposed amendments will affect any conservation districts or zoning district that does not specifically modify (or restate their own definitions of) height or grade, but the proposed amendments to the measurement of grade will be negligible or more restrictive, depending on how steeply additional fill, if any, are proposed to be added for new construction. A detailed table of conservation districts is provided in the appendix for more information. Similarly, neighborhood stabilization overlays may regulate height with a special regulation called ‘height plane’ which is separately defined in Section 51A-4.507 “Neighborhood Stabilization Overlay” and will not be affected by the proposed amendments because it is separately defined.

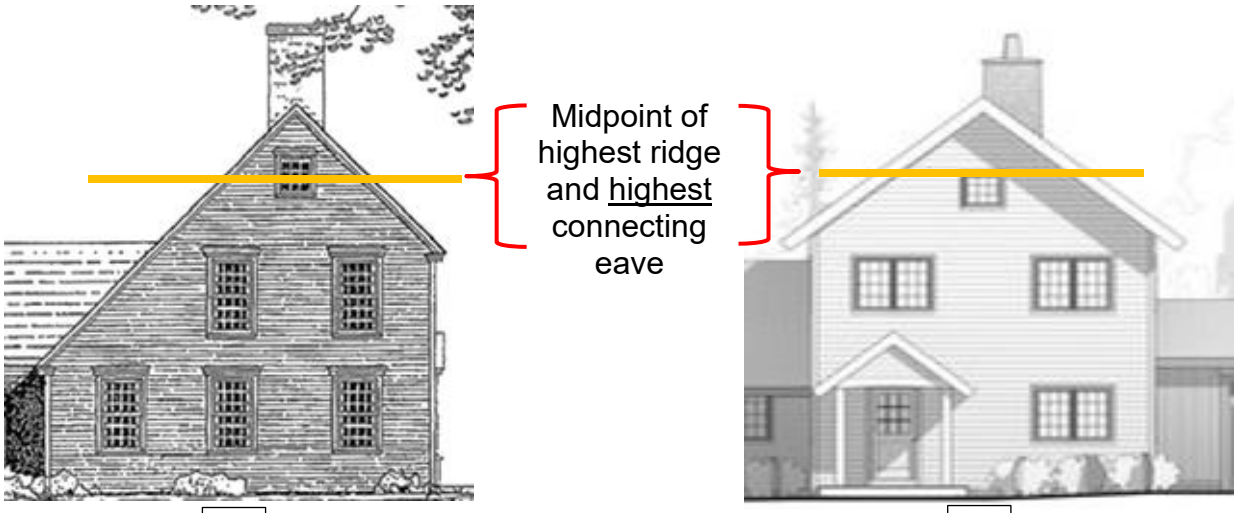
It is also recommended that the ending the measurement of height at the midpoint of a pitched roof along the vertical distance from the highest ridge be measured to the highest connected eave, as opposed to the lowest connected eave as prescribed in the current code. The primary purpose of amending the current definition of the upper point of building height is to eliminate manipulations, particularly in the case of pitched roofs with different eave heights as described in the following illustrations.

Current method of measurement

A B

Currently, the height of a pitched roof is measured to the midpoint of the vertical dimension between the lowest eaves and highest ridge. Setting one eave much lower than the other as shown in Building A above, can lead to additional building mass above the maximum structure height. While the two example buildings compare a one-story to a two-story structure, current code considers them to be nearly the same height.

Proposed method of measurement



A C

It is recommended that the end point of height be measured from the midpoint of the ridge to the highest connecting eave instead of the lowest eaves to enhance consistency.

Also, replacing undefined terms; such as gable, hip, or gambrel; with a list of criteria that constitutes a pitched roof which requires the roof to have a minimum of two connecting eaves on each side of the ridge and a minimum roof pitch of 1:6 (rise over run), provides additional clarity. This clarification is also included in the final paragraph of Section 51A-4.408. After the conclusion of ZOAC, staff determined the need for the same clarification for, the NO(A) Office District regulations, and the NS(A) Neighborhood Services District regulations for consistency.

As with all potential code amendments, it is important to understand the potential nonconformities that could be created. Saltbox and gambrel roofs are the two primary roof types that might experience some nonconforming rights. Since saltbox roofs have eaves at differing heights, there has been differing interpretations about where the eave measurement would be taken and because the amendments move the eave measurement from the lowest eaves to the highest eave, some salt box roofs may become nonconforming as shown in the illustrations above. There is also a potential for nonconformities in structures with gambrel roofs, but gambrel roofs are rare in the city. For both roof types, all of the usual legal nonconforming structure regulations and protections would still apply.

Allowed Structures on Rooftops

In districts that limit building height to 36 feet or less, the current provisions in the Dallas Development Code allow for several structures to be located on rooftops and exceed the maximum structure height, such as elevator bulkheads, mechanical equipment and its screening, and parapet walls. However, in comparative cities, these items are listed as exclusions to height limits in all districts. Additionally, these exceptions often soften unsightly items from upper-level views or are otherwise hidden from street-level view. Therefore, it is recommended extending these exceptions to all districts.

Other modifications to these exceptions are also recommended such as including guardrails with parapet walls and adding equipment such as lightning rods and satellite dishes based on plan review experience. Additionally, it is recommended to include allowances for rooftop access to mechanical rooms to exceed the maximum structure height with added locational standards to prevent the appearance of an additional story and limiting the area of projection to limit the bulk of these projections.

It is also recommended to eliminate the allowance of a 12-foot clerestory projection because the traditional use of clerestories as being limited to windows which allow light into interior rooms are seldom proposed. Usually, clerestory windows are proposed on

the exterior walls of contemporary structures and therefore adds additional height and bulk at an exterior wall, which is inconsistent with the traditional intent of clerestories.

Residential Proximity Slope Note

It is recommended to delete the “Note” regarding Residential Proximity Slope (RPS) in Section 51A-4.408 “Maximum Building Height”. This note is original to Chapter 51A and leads the reader to expect that the structures listed in 51A-4.408(a)(2) are subject to RPS limitations but specifies that district regulations may have exceptions. When the reader refers back to the district regulations, every district that restricts height by RPS also exempts the full list of structures found in Section 51A-4.408(a)(2) from RPS. Therefore, the note contradicts the controlling regulations of the districts which specify the structures listed in Section 51A-4.408(a)(2) are exempt from RPS and this circular reference creates confusion. Deleting this note will not affect how these structures are treated in review and is consistent with how RPS is currently and historically applied. Additionally, the note is unnecessary because without the RPS exception in individual district height regulations, RPS applies to those structures just as RPS applies to the main portion of the structure.

Residential Proximity Slope Clarifications

A small modification regarding where the height measurement of RPS ‘begins’ is recommended and is necessary for consistency with how height is proposed to be measured. Since RPS is a building height restriction, the measurement of it must be consistent with the measurement of height.

ZOAC Recommended Amendments to Chapter 51A

Some definitions are omitted for brevity.
Italics added to denote defined terms.

SEC 51A-2.102. DEFINITIONS.

In this chapter, unless the context requires otherwise:

(8) BASEMENT means any story [~~level~~] of a *building* where more than one half of the vertical distance between floor and ceiling is below *grade*. For purposes of determining maximum stories, basements are excluded.

(37.1) FINISHED GROUND SURFACE ELEVATION means the ground surface elevation of the *building site* before any construction or the ground surface elevation as altered in accordance with grading plans approved by the building official. Finished ground surface elevation does not include:

(A) fill material not necessary to make the site developable;

(B) berms; or

(C) landscape features.

(45) GRADE means the average of the highest and lowest points of the *finished ground surface elevation* on a *building site* measured within six feet of a *structure*, abutting *lot lines*, or *right-of-way lines*, whichever is nearer; including retaining walls and excluding areas located in a *floodplain* as defined by Article V. When a site contains multiple *structures*, additions constructed in phases, or uneven ground story finished floor levels, grade is determined for each *structure*, phase, or ground story finished floor level[~~finished ground surface elevations measured at the highest and lowest exterior corners of a *structure*. For purposes of this definition, FINISHED GROUND SURFACE ELEVATION means the ground surface elevation of the *building site* before any construction or the ground surface elevation as altered in accordance with grading plans approved by the building official. Finished ground surface elevation does not include:~~

~~(A) fill material not necessary to make the site developable;~~

~~(B) berms; or~~

~~(C) landscape features~~].

(45.2) GROUND STORY means any *story* of a *building* or portion thereof with the lowest finished floor, excluding *basements*.

ZOAC Recommended Amendments to Chapter 51A (continued)

(47) HEIGHT means, [~~the vertical distance measured from grade to:~~]

(A) For a *structure* with a *ground story* finished floor,

(1) The measurement of height begins at:

(aa) the finished floor of the *ground story* when the finished floor is 18 inches or less above *grade*, or

(bb) *grade* when the finished floor of the *ground story* is greater than 18 inches above *grade*;

(2) The measurement of height ends at:

(aa) [~~(A)~~] for a *structure* with a pitched ~~[gable, hip, or gambrel,]~~ roof, the midpoint of the vertical dimension between [~~the lowest eaves and~~] the highest ridge and the highest connecting eave, when the roof has a minimum of two connecting eaves on each side of the ridge and a minimum roof pitch of 1:6 (rise over run);

(bb) [~~(B)~~] for a *structure* with a dome roof, the midpoint of the vertical dimension of the dome; and

(cc) [~~(C)~~] for any other *structure*, the highest point of the *structure*.

(B) For a *structure* without a *ground story* finished floor, the measurement of height begins at *grade* and ends at the highest point of that portion of the *structure*.

Recommended Amendments to Chapter 51A (added after ZOAC)

SEC. 51A-4.121. OFFICE DISTRICTS.

(a) Neighborhood office [NO(A)] district.

Omitted for brevity

(4) 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, Division 51A-4.400 controls.)

Omitted for brevity

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 35 feet for a structure with a pitched [~~gable, hip, or gambrel~~] roof and a minimum of two connecting eaves on each side of the ridge and a minimum roof pitch of 1:6 (rise over run); and

(bb) 30 feet for any other structure.

Recommended Amendments to Chapter 51A (added after ZOAC)

SEC. 51A-4.122. RETAIL DISTRICTS.

(b) Neighborhood service [NS(A)] district.

Omitted for brevity

(4) 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, Division 51A-4.400 controls.)

Omitted for brevity

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is:

(aa) 35 feet for a structure with a pitched [~~gable, hip, or gambrel~~] roof and a minimum of two connecting eaves on each side of the ridge and a minimum roof pitch of 1:6 (rise over run); and

(bb) 30 feet for any other structure.

ZOAC Recommended Amendments to Chapter 51A (continued)

SEC 51A-4.408. MAXIMUM BUILDING HEIGHT.

(a) Special height provisions.

Omitted for brevity

(2) In all [~~a~~] districts [~~in which building height is limited to 36 feet or less~~], the following *structures* may project a maximum of 12 feet above the maximum structure height specified in the district regulations (Divisions 51A-4.100 et seq.):

(A) *Structures* on top of a building:

(i) Elevator penthouse or bulkhead.

(ii) Mechanical equipment room and rooftop access structures, when:

(aa) the cumulative area of projection is a maximum of one-third of the roof area,

(bb) an additional setback is provided from the street-facing facades for that portion of the structure above the roof equal to one foot for each foot in height for that portion of the structure above the rooftop, and

(cc) every portion of this structure complies with residential proximity slope.

(iii) Cooling tower.

(iv) Tank designed to hold liquids.

(v) Ornamental cupola or dome.

(vi) Skylights.

(vii) Lightning rods, small satellite dishes, weathervanes, and similar equipment [~~Clerestory~~].

(viii) Visual screens which surround roof mounted mechanical equipment.

(ix) Chimney and vent stacks.

(x) Amateur communications tower.

(xi) Parapet wall or guard rails limited to a height of four feet above the maximum structure height specified in the district regulations.

ZOAC Recommended Amendments to Chapter 51A (continued)

(B) Structures at grade level:

(i) Amateur communications tower.

~~Note: The heights allowed in Subsection (a)(2) are subject to any residential proximity slope height restrictions that may be contained in the district regulations for a particular district. (See Divisions 51-4.100 et. seq.).~~

(3) The maximum building height requirements in a planned development district are controlled by the planned development district regulations.

(4) In all [~~single family, duplex, townhouse, MF- 1(A), MF-1(SAH), MF-2(A), and MF-2(SAH)~~] districts:

(A) no dormer eaves may project above the maximum structure height specified in the district regulations (Divisions 51A-4.100 et seq.); and

(B) the highest point of a structure with a pitched [~~gable, hip, gambrel, or dome~~] roof with a minimum of two connecting eaves on each side of the ridge and a minimum roof pitch of 1:6 (rise over run), may not project more than 12 feet above the maximum height specified in the district regulations (Divisions 51A-4.100 et seq.).

ZOAC Recommended Amendments to Chapter 51A (continued)

SEC. 51A-4.412. RESIDENTIAL PROXIMITY SLOPE.

(a) Definitions of general terms. In this section:

(1) PRIVATE PROPERTY means any property not dedicated to public use, except that "private property" does not include the following:

(A) A private street or alley.

(B) Property on which a utility and public service use listed in Section 51A-4.212 is being conducted as a main use.

(C) A railroad right-of-way.

(D) A cemetery or mausoleum.

(2) RESTRICTED BUILDING OR STRUCTURE means the building or structure whose height is restricted by a residential proximity slope.

(3) SITE OF ORIGINATION means any private property in:

(A) an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A), or MF- 2(SAH) district; or

(B) an identifiable portion of a planned development or conservation district, which portion is restricted to residential uses not exceeding 36 feet in height. See the sections in this chapter governing planned development and conservation districts for specific guidance as to how to treat identifiable portions of those districts.

(b) Residential proximity slope defined. The residential proximity slope is a plane projected upward and outward from every site of origination as defined in Subsection (a). Specifically, the slope is projected from the line formed by the intersection of:

(1) the vertical plane extending through the boundary line of the site of origination; and

(2) the beginning point of the measurement of height [~~grade~~] of the restricted building or structure.

(c) Angle and extent of projection. The angle and extent of projection of the residential proximity slope depends on the zoning category of the site of origination as follows:

ZONING CATEGORY	ANGLE OF PROJECTION	EXTENT
R, R(A), D, D(A), TH, and TH(A)	18.4° (1 to 3 slope)	Infinite.
CH, MF-1, MF-1(A), MF-2, and MF-2(A)	45° (1 to 1 slope)	Terminates at a horizontal distance of 50 feet from the site of origination.

(d) Calculation of height restrictions. The horizontal distances used to calculate the height restrictions imposed by the residential proximity slope may be determined by using the lot, block, and right-of-way dimensions as shown on the official plat or zoning maps of the city, or by scale measurement of the distances on such official maps. All dimensions and methodology used in determining the distance measurement are subject to the approval of the building official.

(e) Exemption. Certain structures are exempt from the residential proximity slope. See Section 51A-4.408.

Image Sources

Building A – Saltbox Roof. familyhomeplans https://www.familyhomeplans.com/plan-52171

Building B – Backyard Cottage. William Merriman Architects
http://www.merrimanarchitects.com/backyard-cottage

Building C – Front Gable Roof. William Merriman Architects
http://www.merrimanarchitects.com/products/small-traditional-sd

References

International Building Code (2015):

> ***GRADE PLANE***. *A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building at the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.*
>
> ***HEIGHT, BUILDING***. *The vertical distance from grade plane to the average height of the highest roof structure.*
>
> SECTION 202 DEFINITIONS

Appendix 1 – Change Tables

This table shows comparative information between Current Code and the proposed amendments.

	Current Code	Proposed Amendments
Basement *51A-2.102(8)*	See Proposed Amendments	Clarification
Finished Ground Surface Elevation *51A-2.102(37.1)*	Definition contained within Grade	Move this definition unchanged to its own item
Grade *51A-2.102(45)*	Average of highest point and lowest point of the finished ground surface elevation at exterior corners of structure	Average of highest point and lowest point of grade within 6' of structure, lot line, or floodplain line, whichever is closer
Ground Story *51A-2.102(45.2)*	[New definition to Article II but exists in Article XIII]	Story with lowest finished floor, excluding basements
Height - lower point of measurement *51A-2.102(47)(A)(1)*	Measured from grade	Measured from grade or finished floor (FF) elevation when FF is within 18" of grade
Height – upper point of measurement on a pitched roof *51A-2.102(47)(A)(2)*	Measured to midpoint of highest ridge and lowest eave	Measured to midpoint of highest ridge and highest eave
Structures allowed to exceed maximum structure height *51A-4.408(a)(2)*	Allowed in districts that limit height to 36' or less	Allowed in all districts
Mechanical Equipment rooms *51A-4.408(a)(2)(A)(ii)*	Allowed to exceed maximum height and since they need access, this item has been interpreted to allow rooftop stairs to exceed height.	Add rooftop access structures, but cumulative maximum is one-third of total roof area; 1:1 setback from street-facing façade; must comply with RPS
Clerestories *51A-4.408(a)(2)(A)(vii)*	Clerestory allowed to exceed maximum height	Strike clerestory, replace with lightning rods, small satellite dishes, weathervanes, and similar equipment
Parapet Walls *51A-4.408(a)(2)(A)(xi)*	Allowed, limited to four feet	Add guardrails and clarify the four-foot limitation is above the max height.
RPS Note *51A-4.408(a)(2)*	Conflicts with district regulations for RPS exceptions	Strike Note to fix conflict and maintain current practice
Height limits for dormers and ridges *51A-4.408(a)(4)*	Restricts in certain districts	Restricts in all districts
Ridge of pitched roof *51A-4.408(a)(4)(B)*	Specifies gable, hip, gambrel, or dome roof	Align with amendments to "pitched" roof and provide definition

	Current Code	Proposed Amendments
Residential Proximity Slope *51A-4.412(b)(2)*	Height limit of RPS begins at grade	Align height limit of RPS with proposed lower point of height measurement
Max building height in NO(A) districts *51A-4.121(a)(4)(E)(ii)(aa)*	Specifies gable, hip, and gambrel roof	Align with amendments to "pitched" roof and provide definition.
Max building height in NS(A) districts *51A-4.122(a)(4)(E)(ii)(aa)*	Specifies gable, hip, and gambrel roof	Align with amendments to "pitched" roof and provide definition.

	Current Code		ZOAC Recommendation	
Zoning District	**Max. Height**	**Exceptions in 51A-4.408(a)(2) apply?**	**Max. Height**	**Exceptions in 51A-4.408(a)(2) apply?**
A(A) *51A-4.111*	24’	Yes	No change	No change
R-1ac(A) *51A-4.112(a)*	36’	Yes	No change	No change
R-1/2ac(A) *51A-4.112(b)*	36’	Yes	No change	No change
R-16(A) *51A-4.112(c)*	30’	Yes	No change	No change
R-13(A) *51A-4.112(d)*	30’	Yes	No change	No change
R-10(A) *51A-4.112(e)*	30’	Yes	No change	No change
R-7.5(A) *51A-4.112(f)*	30’	Yes	No change	No change
R-5(A) *51A-4.112(g)*	30’	Yes	No change	No change
D(A) *51A-4.113*	36’	Yes	No change	No change
TH(A) *51A-4.114*	36’	Yes	No change	No change
CH(A) *51A-4.115*	36’ and RPS[3]	Yes	No change	No change
MF-1(A) & MF-1(SAH) *51A-4.116(a)*	36’ and RPS[3]	Yes	No change	No change
MF-2(A) & MF-2(SAH) *51A-4.116(b)*	36’ and RPS[3]	Yes	No change	No change
MF-3(A) *51A-4.116(c)*	90’ and RPS[3]	No	No change	Yes
MF-4(A) *51A-4.116(d)*	240’ and RPS[3]	No	No change	Yes
MH(A) *51A-4.117*	24’	Yes	No change	No change
NO(A) *51A-4.121(a)*	35’ (pitched roof) and RPS[4]; 30’ otherwise; and RPS[4]	Yes	Update to pitched roof criteria	No change
LO(A) *51A-4.121(b)*	LO-1: 70’ LO-2: 95’ LO-3: 115’ and all have RPS[4]	No	No change	Yes
MO(A) *51A-4.121(c)*	MO-1: 135’ MO-2: 160’ and all have RPS[4]	No	No change	Yes
GO(A) *51A-4.121(d)*	270’ and RPS[4]	No	No change	Yes

[3] Residential proximity slope applies to portions of a structure over 26’ and originates from private property in R(A), D(A), and TH Districts.
[4] Residential proximity slope applies to portions of a structure over 26’ and originates from private property in R(A), D(A), TH, MF-1(A) and MF-2(A) Districts.

	Current Code		ZOAC Recommendation	
Zoning District	**Max. Height**	**Exceptions in 51A-4.408(a)(2) apply?**	**Max. Height**	**Exceptions in 51A-4.408(a)(2) apply?**
NS(A) *51A-4.122(a)*	35' (pitched roof) and RPS[4]; 30' otherwise and RPS[4]	Yes	Update to pitched roof criteria	No change
CR *51A-4.122(b)*	54' and RPS[4]	No	No change	Yes
RR *51A-4.122(c)*	70' and RPS[4]	No	No change	Yes
CS *51A-4.123(a)*	45' and RPS[4]	No	No change	Yes
LI *51A-4.123(b)*	70' and RPS[4]	No	No change	Yes
IR *51A-4.123(c)*	200' and RPS[4]	No	No change	Yes
IM *51A-4.123(d)*	110' and RPS[4]	No	No change	Yes
CA-1(A) & CA-2(A) *51A-4.124(a) – (b)*	Any legal height	No	No change	No change
MU-1 & MU-1(SAH) *51A-4.124(d)*	80' - 120' and RPS[4]	No	No change	Yes
MU-2 & MU-2(SAH) *51A-4.124(e)*	135' - 180' and RPS[4]	No	No change	Yes
MU-3 & MU-3(SAH) *51A-4.124(f)*	270' and RPS[4]	No	No change	Yes
MC-1 *51A-4.125(d)*	70' and RPS[4]	No	No change	Yes
MC-2 *51A-4.125(e)*	90' and RPS[4]	No	No change	Yes
MC-3 & MC-4 *51A-4.125(f)*	MC-3: 115' MC-4: 135' and RPS[4]	No	No change	Yes
UC *51A-4.127*	UC-1: 30'-55' UC-2: 40'-80' UC-3: 55'-100' and RPS[4]	Yes for UC-1 without structured parking bonus; otherwise, no	No change	Yes

[4] Residential proximity slope applies to portions of a structure over 26' and originates from private property in R(A), D(A), TH, MF-1(A) and MF-2(A) Districts.

Appendix 2 – Conservation Districts

	Grade	Building Height
CD No. 1 *Kings Highway*	Chapter 51A	Chapter 51A
CD No. 2 Lakewood	Definition in CD: average of FGSE at highest and lowest exterior corners	CD 2 definition of grade to highest roof ridge
CD No. 3 *Page Avenue*	Chapter 51A	Chapter 51A
CD No. 4 *Greiner Area*	Chapter 51A	Chapter 51A
CD No. 6 *Hollywood / Santa Monica*	Chapter 51A	Grade to highest point of structure, except in Tract IIA height is measured from grade to midpoint of roof
CD No. 7 *Bishop / Eighth Street*	Chapter 51A	Chapter 51A
CD No. 8 *North Cliff*	Chapter 51A	Chapter 51A
CD No. 9 *M Streets*	Chapter 51A	Grade to highest point of the structure
CD No. 10 *Greenway Parks*	Chapter 51A	Grade to midpoint of lowest eave and highest ridge for a gable, hip, or gambrel roof; midpoint of a dome; highest point of any other roof type
CD No. 11 *M Streets East*	Chapter 51A	Grade to roof ridge
CD No. 12 *Belmont Addition*	Chapter 51A	Grade to “peak of any roof structure”
CD No. 13 *Kessler Park*	Chapter 51A	Subarea 1: Finished floor of the first floor to the highest point on the roof ridge; finished floor of first floor must be no less than 12 inches and no more than 30 inches above grade at front façade Subarea 2: Grade to highest point on the roof ridge Subarea 3: Grade to midpoint of vertical distance between lowest eaves and highest point on the roof ridge
CD No. 14 *Edgemont Park*	Chapter 51A	Grade to highest point of the structure
CD No. 15 *Vickery Place*	Chapter 51A	Grade to highest point of the structure
CD No. 16 *Rawlins*	Chapter 51A; finished or average grade may not be altered to be more than one foot above the street level.	Grade to highest point of structure
CD No. 17 *Northern Hills*	Chapter 51A	Grade to the lowest eave, highest peak of a sloped roof, or top of a flat roof
CD No. 20 *Stevens Park*	Chapter 51A	Subarea 1: grade to highest peak of a structure or top of a flat structure Subarea 2: grade to midpoint of lowest eaves and highest ridge, midpoint of dome or highest point of any other structure Subarea 3: Chapter 51A, R-7.5(A) standards

Appendix 3 – Comparison Cities

San Antonio:

Height, building. The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of ceiling of the top story in the case of a flat roof; to the deckline of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.

Sec. 35-A101(b). - Definitions and Rules of Interpretation.

(c) Height Exceptions. The height limits for the various districts do not apply to church spires, belfries, cupolas, or domes not used for human habitation, nor to chimneys, ventilators, skylights, parapet walls, cornices, solar energy systems, or necessary mechanical appurtenances usually located on the roof level, provided that such features are limited to the height necessary for their proper functioning and do not exceed the limitations of the airport hazard zoning regulations.

Sec. 35-517. – Building Height Regulations.

Austin:

(49) HEIGHT, when used in reference to a building, means the vertical distance from the average of the highest and lowest grades adjacent to the building to:

(a) for a flat roof, the highest point of the coping;
(b) for a mansard roof, the deck line;
(c) or a pitched or hip roof, the average height of the highest gable; or
(d) for other roof styles, the highest point of the building.

(45) GRADE means the horizontal elevation of a finished surface.

Sec. 25-4-21 - Definitions

HEIGHT LIMIT EXCEPTIONS.
(A) This section provides exceptions to zoning district height limits.
(B) Subsection (C) applies to:
(1) parapet walls, chimneys, vents, and mechanical or safety features including fire towers, stairways, elevator penthouses, heating or cooling equipment, solar installations, and protective covers; and
(2) ornamental towers, cupolas, domes, and spires that are not designed for occupancy.
(C) A structure described in Subsection (B) may exceed a zoning district height limit by the greater of:
(1) 15 percent;
(2) the amount necessary to comply with a federal or state regulation;
(3) for a stack or vent, the amount necessary to comply with generally accepted engineering standards; or
(4) for a spire, 30 percent.

Sec. 25-2-531 – Height Limit Exceptions.

Fort Worth:

(b) Except for multifamily dwellings developed in accordance with the unified residential development provisions of § 6.506, the height of a building shall be the vertical distance measured from the curb level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge

for a gable, hip or gambrel roof; provided, however, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

(c) Height in multifamily residential developments constructed in accordance with the provisions of § 6.506, unified residential development, shall be measured from the top of the finished slab to top of the highest wall top plate.

…

(e) Elevator penthouses or bulkheads; mechanical equipment rooms; cooling towers; tanks; enclosed stairwells; and ornamental cupolas and domes; signs and spires may be erected on buildings to any height not prohibited by any other law, code or regulation.

Sec. 6.100 Height.

Houston:

Height of the building means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of the building:

a. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when the sidewalk or ground surface is not more than ten feet above the lowest grade

b. An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in item (a) above is more than ten feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

Sec. 41-50. - Definitions

Arlington:

4.1.7. BUILDING HEIGHT

A. Measurement of Primary Structures

The height of a building shall be the vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the roof surface of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip, or gambrel roof.

…..

C. Height Exceptions for Appurtenances

Except as specifically provided elsewhere in this Code, the height limitations contained in this Code do not apply to cupolas, flagpoles, chimneys, antennas, heating and ventilation equipment, stairwell towers, lightning rods, ground-mounted wind turbines, solar panels, or similar appurtenances; provided, however, the following:

1. The appurtenance does not interfere with Federal Aviation Regulations;

2. The appurtenance does not extend more than five feet above the maximum permitted building height, except for flagpoles, belfries, and antennas that must be of greater height in order to function;

3. The appurtenance is not constructed for the purpose of providing

additional floor area in the building;

4. The appurtenance complies with the screening requirements for mechanical equipment and appurtenances in Section 5.3.2, Mechanical and Utility Equipment Screening; and

5. The appurtenance is functional.

Sec. 4.1.7 Building Height

Richardson:

Height means the vertical distance of a building or portion thereof measured from the mean level of the ground surrounding the building to (1) the highest point of the roof's surface if a flat surface, (2) the deck line for a mansard roof, (3) the mean level for a shed roof, or (4) the mean level between eaves and the ridge for hip and gable roofs, and in any event excluding parapet walls not exceeding four feet in height, chimneys, cooling towers, elevator penthouses, mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, domes or spires.

Article I. Sec. 2. Definitions.

Plano:

Height

The vertical distance of a building measured from the average grade as measured at the corners of the building prior to berming to (1) the highest point of the roof's surface if a flat surface, (2) the deck line of mansard roofs or (3) the highest point of the ridge for hip and gable roofs and, in any event, including chimneys, cooling towers, elevator bulkheads, tanks, water towers, radio towers, antennas, ornamental cupolas, domes or spires, and parapet walls. (See Sec. 13.600)

Sec. 8.200 Terms Defined

City of Dallas

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

Agenda Information Sheet

File #: 23-697 **Item #:** 8.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

Consideration of amending Chapter 51A of the Dallas Development Code, Section 51A-4.701(d), "Two year limitation" to revise the applicability of the two-year limitation, the standard for the waiver of two-year limitation, and related regulations.
Staff Recommendation: **Approval** of staff's proposed amendments.
Zoning Ordinance Advisory Committee Recommendation: **Approval** of ZOAC proposed amendments.
Planner: Lori Levy
Council District: All
DCA212-007(LL)

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

PLANNER: Lori Levy, AICP

FILE NUMBER: DCA212-007(LL) **DATE INITIATED:** Fall 2022

TOPIC: Development Code Amendment to consider amendments to the two-year limitation applicability, standards to grant a waiver, and related regulations

COUNCIL DISTRICT: All **CENSUS TRACTS:** All

PROPOSAL: Consideration of amending Chapter 51A of the Dallas Development Code, Section 51A-4.701(d), "Two year limitation," to revise the applicability of the two-year limitation, standards to grant a waiver, and related regulations.

SUMMARY: The proposed code amendments modify the two-year limitation between a final decision of approval or denial of an application for a change in zoning or boundary line adjustment and a subsequent request and the standards to be considered to grant a waiver. These modifications are intended to align Dallas more closely with other area cities and further the City's goal to undergo regulatory review to remove barriers to growth and development.

ZOAC RECOMMENDATION: **Approval** of ZOAC's proposed amendments.

STAFF RECOMMENDATION: **Approval** of staff's proposed amendments.

CODE AMENDMENT WEBPAGE:
https://dallascityhall.com/departments/pnv/Pages/Code-Amendments.aspx

BACKGROUND INFORMATION:

- On May 11, 2022, City Plan Commission (CPC) approved the request of Chair Joanna Hampton, Vice Chair Brent Rubin, and Commissioner Michael Jung to initiate a public hearing to consider a code amendment of the Dallas Development Code, Section 51A-4.701(d), "Two year limitation," to revise the applicability of the two-year limitation, the standard for the waiver of two-year limitation, and related regulations.
- On November 15, 2022 and January 17, 2023, staff presented recommendations for two-year limitations to ZOAC. At the meeting, ZOAC asked staff to consider additional items to be considered to grant a waiver.
- On January 31, 2023, ZOAC motioned to move the item forward to CPC with an alternate recommendation to staff's recommendations.

STAFF ANALYSIS:

CPC initiated the code amendment to review the current two-year waiting period required between a final decision of approval or denial of an application for a change in zoning or boundary line adjustment and a subsequent application for a change in zoning or boundary line adjustment. A two-year waiting period is not required for minor amendments to site, landscape, or development plans and original development plans. However, any change to an approved site, landscape, or development plan that does not qualify for a minor amendment would be subject to the two-year waiting period since significant changes to approved plans are required to go through the zoning process.

The current two-year waiting period between an approved zoning or specific use permit (SUP) application on a property creates challenges because relief from the waiting period is only granted with a waiver from CPC. The CPC waiver process adds at least a month to a minimum two public hearings by CPC and Council that are already required for a zoning change, including an SUP and a boundary adjustment.

To grant a waiver under the existing parameters, the commission must consider what is meant by "changed circumstances regarding the property sufficient to warrant a new hearing". The meaning of this phrase has historically been interpreted in a variety of ways ranging from physical changes to the land or existing structures which have been altered outside the property owner's control (e.g. tornado, fire damage, flooding, etc.) to changes that are not physically discernable such as a change in interpretation, property owner, or market conditions. These differing interpretations have complicated the waiver process and therefore warrants review.

Analyses of Previous Two-Year Waiver Requests

Most waiver applications are made so that a subsequent application and public hearings could occur to correct inconsistencies in the preceding zoning or SUP ordinance, adjust for changes in market conditions, or because an SUP was granted within two years on the same property, often for an unrelated use to the new application requiring a waiver.

Staff researched two-year waivers that were filed from 2018 to 2022 and found five out of 13 waivers that were submitted as a result of final action decisions of denial (with prejudice). Of the 13 waiver applications that were submitted, 12 (92.3%) waivers were approved. Of those five waiver applications, two were granted approval by CPC within one month of filing and two were denied within one month of filing the application. Of those two denied by CPC, one was ultimately granted (overturned) upon an appeal to City Council within six months of filing the application. One waiver application was granted within two months of filing the application.

Exempting Approvals from the Two-Year Waiting Period

ZOAC recommended to maintain applying the waiting period for approvals whereas staff does not. Staff recommends an exemption for approvals for an SUP or for a change in zoning district classification or boundary from the two-year limitation. Staff's recommendation to exempt approvals from a waiting period will have at least four significant impacts as described below:

1. Exempting approvals from the waiting period would eliminate 61.5%, or eight out of 13 waiver applications, based on the waivers submitted between 2018 and 2022 – significantly reducing the number of waiver applications. This reduction in the number of waiver applications submitted will save time for staff and the commission.

2. Exempting approvals from the waiting period will save time for the property owner because the waiver process adds a minimum of one month in addition to the zoning change process which could take an additional three to six months when there is no backlog of cases. This additional time to go through a waiver process could negatively impact further development of a property. Staff's recommendation supports the goal to undergo regulatory review to remove barriers to growth and development, particularly in areas that are experiencing accelerated economic growth and vitality or a resurgence of growth and development. It also directly correlates to the Economic Development Policy (EDP) to analyze and improve development review processes to encourage predictability in order to meet the larger goal of leveraging a diverse range

of commercial and industrial development opportunities in all areas of the city to meet 10-year demand for business growth.

3. Exempting approvals from the waiting period would align with 13 out of 15 cities compared. The comparison shows that only Atlanta and El Paso require approvals to have a waiting period. Austin, Baltimore, Boston, Buffalo, Columbus, Fort Worth, Houston, Minneapolis, Philadelphia, San Antonio, San Diego, San Francisco, and San Jose do not require approvals to have any waiting period. Eliminating the waiting period for approvals would help to make Dallas competitive and ultimately better positioned for more development opportunities in a competitive climate.

4. Exempting approvals from a waiting period will realign previous decisions for approval with previous decisions for denial without prejudice instead of the current requirement which requires previous decisions for approval to wait like previous final decisions of denial (with prejudice). In rare circumstances when portions of a previous request that were not included in the previous approval are resubmitted within two years of the previous final decision, CPC and Council still retain the option to work with the applicant to find consensus, deny the subsequent request without prejudice, or deny the subsequent request with prejudice and impose a two-year waiting period before another subsequent request can be made. This concern should not outweigh the consequences of requiring previous decisions of approval to get a waiver.

Ultimately, staff has found insufficient reasons to maintain a two-year waiting period for approvals alongside denials (with prejudice). Therefore, staff recommends that properties that were granted a specific use permit or approved for a change in zoning district classification or boundary should not be required to wait two years before making a subsequent request.

Additional Criteria to Grant Two-Year Waivers

ZOAC recommended to add a long list of standards to evaluate the waiver requests. Staff does not agree that standards to grant a waiver should be included in the code amendment or ultimately specified in the regulations. Staff believes that the applicant should instead provide justification for such waiver on a case-by-case basis.

Staff also notes that the standards for waivers in comparison cities is very limited and therefore, staff is concerned that an exhaustive list of criteria for waivers is inconsistent with most other cities, and may cause unexpected consequences, and add processing time for staff to gather information necessary to present to the commission to consider the additional criteria.

In lieu of the long list of standards recommended by ZOAC, staff supports only one change to the standards of “changed circumstances regarding the property sufficient to warrant a new hearing”. Staff recommends this change as, “The commission may waive the two-year limitation if there are changed circumstances [~~regarding the property~~] sufficient to warrant a new hearing” since the meaning of this phrase has historically been interpreted to be limited to physical changes to the land or existing structures which have been altered outside the property owner’s control (e.g. tornado, fire damage, flooding, etc.). This interpretation has created conflicts between staff and CPC. Staff’s recommended amendment is expected to resolve most of these conflicts and will allow the applicant to present how physical or nonphysical changes warrant a new hearing.

Time period elapsed since previous final decision

Staff would support a reduction to the duration of the two-year time period to wait to submit subsequent applications in lieu of the suggestion to consider the time period that elapsed since the previous final decision and the waiver request. Since the time period that elapsed since the previous final decision is not specific as to how long of a waiting period would be appropriate, staff does not recommend this be added to the factors to consider.

Regarding the duration of the required waiting period, of the 15 typical comparison cities nation-wide, Columbus, Minneapolis, and San Diego had no waiting period required; San Antonio only had a six-month waiting period; Fort Worth, Houston, Philadelphia, San Francisco, El Paso, Baltimore, Buffalo, and San Jose had a one-year waiting period; and Austin had a one-and one-half year waiting period. Only two other cities of our comparison cities, Atlanta and Boston, require a two-year waiting period like Dallas. Therefore, a one-year waiting period would align with a majority of comparison cities.

Unanimity of the previous decision

Staff does not support ZOAC’s recommendation to consider whether the vote for the previous final decision was or was not unanimous on a previous decision. From a policy point of view, Council or CPC's decisions being viewed as final is important and should be respected. If applicants are able to go back and use the unanimity (or lack thereof) of the previous vote as a reason to get around the original decision, then that takes away from the finality of all decisions by the bodies that are not unanimous.

Nature and degree of public responses received

Staff does not support ZOAC's recommendation to consider the nature and degree to which public responses to previous final decisions were received because neither the nature nor degree can be objectively judged outside the context of the original decision. Further, gathering previously submitted emails and responses to give to the applicant would put additional burdens on staff. Additionally, staff makes professional recommendations based on the merits of the applications and, if this item is adopted, it could result in staff recommending denial of waiver requests when any responses to the previous request are received.

Although the notification requirements in the Dallas Development Code meet all state and local requirements, the number of responses received often fails to capture all of those who wish to respond. The number of responses received are often diminished because of a multitude of reasons. For example, there could be a delay due to time spent in the US Postal Service system. Homeowners may be out of town when the notice arrives and they often only have a few days to put it back in the mail. Property owners may have changed since the annual tax roll was published and the new owners do not receive the notice. The property owner may be a corporation that may not recognize the significance of notification or respond in a timely manner and other various reasons.

Responses collected also rarely include business owners for various reasons, condominium owners because they must vote as a whole through the condominium governance, and other property owners that missed one of the required elements to catalog the response (e.g. the time must be written on responses to be registered). The largest excluded stakeholder on notifications and responses collected are from residential and commercial renters since the requirements for collecting responses set forth in the Dallas Development Code are narrowly focused on property owners. Therefore, staff considers establishing previously collected responses as a standard to waive the waiting period (or not) as inequitable and out of context.

Additionally, property owners who had originally sent responses in opposition rarely update their original position before the deadline passes to update the register of responses. Outdated responses often occur when the community and applicant come to a consensus by the conclusion of the request. A response in opposition may have arisen originally due to a lack of understanding of all the details of the request before the case is heard, and then there is support for the request upon learning the details or a response in opposition may have simply been a plea for more time to understand the request. Therefore, responses received should be considered a partial representation of public input and is not recommended to be specified as a standard to grant a waiver in code.

Refining Terminology:

The remaining proposed amendments include many changes that simply refine the existing interpretation. For example, the word “subsequent” is proposed to replace “further”. Although no significant changes in interpretation were discovered with this proposed change, staff believes “subsequent” is a more refined and appropriate word in this context and was seen in some comparison cities. The remainder of the changes proposed are considered improvements to the existing requirements but are not significant changes to current practices and interpretations.

Summary of Staff Recommendations

Staff recommends removing the two-year limitation for approvals of a change in zoning district classification or boundary, which includes decisions to grant SUPs. Exempting approvals from the two-year waiting period will significantly reduce the number of two-year waiver applications presented to CPC. Exempting approvals from the two-year waiting period is expected to have a direct impact on development and economic growth; particularly in areas that are experiencing accelerated economic growth and vitality or a resurgence of growth and development. Staff’s recommended amendments will also align Dallas more closely with other area cities. Additionally, staff believes that no standards to grant a waiver should be provided in the Dallas Development Code and that the applicant should instead provide the justification for the waiver on a case-by-case basis.

ZOAC Recommended Amendments to §51A-4.701. Zoning Amendments

Note: ~~Strikeouts~~ are words being removed. Underlined words are words being added.

(d) Two-year [~~Two year~~] limitation.

ZOAC Recommendation:

(1) Except as provided in Subsections (d)(2) and (d)(3), after a final decision is reached by the commission or city council either granting or denying a request for a change in a zoning district classification or boundary, no subsequent [~~further~~] applications may be considered for that property for two years from the date of the final decision.

(2) If the commission or the city council renders a final decision of denial without prejudice, or if the city council grants a specific use permit and imposes a time limit of two years or less, the two-year [~~two year~~] limitation is waived.

Staff Recommendation:

(1) Except as provided in Subsections (d)(2) and (d)(3), after a final decision is reached by the commission or city council [~~either granting or~~] denying a request for a change in a zoning district classification or boundary, no subsequent [~~further~~] applications may be considered for that property for two years from the date of the final decision.

(2) If the commission or the city council renders a final decision of denial without prejudice, [~~or if the city council grants a specific use permit and imposes a time limit of two years or less,~~] the two-year [~~two year~~] limitation is waived.

(3) A property owner may apply for a waiver of the two-year [~~two year~~] limitation in the following manner:

(A) The applicant shall submit the [~~his~~] request in writing to the director. The director shall inform the applicant of the date on which the commission shall consider the [~~his~~] request and shall advise the applicant of the [~~his~~] right to appear before the commission.

[The remainder of the page is intentionally left blank.]

ZOAC Recommendation:

(B) The commission may consider the following factors when determining whether to waive the two-year limitation and grant a new hearing:

(i) T[t]here are changed circumstances regarding the property [~~sufficient to warrant a new hearing.~~];

(ii) T[t]he length of time that has elapsed since the previous zoning decision;

(iii) Whether the previous final decision for a change in a zoning district classification or boundary of the property was city-initiated;

(iv) Whether the previous final decision was for a specific use permit;

(v) Whether significant and material changes between the previous and subsequent requests are expected, including but not limited to:

(aa) a change in land area,

(bb) the nature of the subsequent request, or

(cc) new circumstances or information has been discovered that were unforeseeable;

(vi) Whether the previous final decision for a change in a zoning district classification or boundary of the property was or was not unanimous;

(vii) The nature and degree of public support for or opposition to the prior final decision; or

(viii) Other factors in which granting a waiver is or is not contrary to the public interest.

Staff Recommendation:

(B) The commission may waive the two-year limitation if there are changed circumstances [~~regarding the property~~] sufficient to warrant a new hearing.

(C) A simple majority vote by the commission is required to grant the request. If a waiver [~~rehearing~~] is granted, the applicant shall follow the procedure for a[~~n~~] zoning amendment per [~~to~~] this article or a request for a change in a zoning district classification or boundary.

(D)[(~~C~~)] If the commission denies the request, the applicant may appeal in writing to the city council by filing an appeal with the director.

[The remainder of the page is intentionally left blank.]

OTHER CITIES COMPARISON
FOR TWO YEAR LIMITATION FOR SUBSEQUENT APPLICATIONS
(TABLE 1 OF 2)

	Dallas	Atlanta	Austin	Baltimore	Boston	Buffalo	Columbus	El Paso
Application (Subsequent) Limitation	Y	Y	Y	Y	Y	Y	N	Y
Waiting Time Period (in Years)	2	2	1-1/2	1	2	1	N/A	1
Decision Impacted	Approvals/ Denials – change in a zoning district classification or boundary	Applications for any change affecting same property or any part thereof	Denials – zone or rezone to a property or a portion of the property to the same or a less restrictive zoning district	Denials – the same applications for the same properties for variances and conditional uses	Denials - SUP's or permits	Denials	N/A	Change of zoning for a given property
Waiver	Y	Y	N	Y	Y	Y	N/A	Y
Exceptions	1. Denial w/o prejudice 2. If SUP is granted with imposed time limit of two years or less (2 yr. time limit is waived) or 3. Property owner may apply for waiver in writing	Planning Bureau or Council may initiate a change on same property not less than 1 year (1 yr. time frame may not be waived)	N/A	Substantial new evidence is available	1. Unanimous vote of board of 3 members; or 2. Vote of 4 members of a board of 5 members; or 3. Two-thirds vote of a board of more than five members	Substantial new evidence or a mistake of law or of fact	N/A	Y
Conditions	1. Applicant must submit waiver request in writing to Director;	N/A	Applicant may not file another application within 1-1/2 yrs. if application:	Application must include: 1. Detailed description of how application is	1. Specific and material changes in conditions upon which	Applicant must submit detailed statement justifying consideration	N/A	A finding that a substantial change in conditions has occurred

OTHER CITIES COMPARISON
FOR TWO YEAR LIMITATION FOR SUBSEQUENT APPLICATIONS
(TABLE 1 OF 2)

	Dallas	Atlanta	Austin	Baltimore	Boston	Buffalo	Columbus	El Paso
Conditions (cont'd)	2. Changed circumstances that warrant a new hearing; and 3. A vote of a simple majority of the Commission		1. Is not recommended by the Land Use Commission as requested by applicant and withdrawn by applicant before Council votes on application; 2. Is not recommended by Land Use Commission as requested by applicant and is denied by Council; 3. Is amended by applicant before Land Use Commission makes recommendation and applicant withdraws application before Council votes on	substantially different request or how substantially new evidence justifies consideration	decision was made; 2. Describes such changes in record of proceedings; and 3. Unless all but one of the members of the planning board consents thereto and after notice to parties in interest of such time and place of proceedings of such question of consent will be considered			

OTHER CITIES COMPARISON
FOR TWO YEAR LIMITATION FOR SUBSEQUENT APPLICATIONS
(TABLE 1 OF 2)

	Dallas	Atlanta	Austin	Baltimore	Boston	Buffalo	Columbus	El Paso
Conditions (cont'd)			application; or 4. Is amended by the applicant before the Land Use Commission makes a recommendation and Council denies the application.					
Reapplication Decision Maker	Planning Commission	City Council may approve ordinance to waive 2 yrs.	N/A	Zoning Administrator must summarily deny if Administrator finds that application is not appropriate for hearing	Planning Board	Ordinance Administrator may deny if Administrator determines no grounds to justify consideration of a hearing	N/A	Planning Commission

OTHER CITIES COMPARISON
FOR TWO YEAR LIMITATION FOR SUBSEQUENT APPLICATIONS
(TABLE 2 OF 2)

	Dallas	Ft. Worth	Houston	Minneapolis	Philadelphia	San Antonio	San Diego	San Francisco	San Jose
Application (Subsequent) Limitation	Y	Y	Y	N	Y	Y	N	Y	Y
Waiting Time Period (in Years)	2	1	1	N/A	1	6 mos.	N/A	1	1
Decision Impacted	Approvals/ Denials – change in a zoning district classification or boundary	Denials (with prejudice)	Denials	N/A	Denials	Denials	N/A	Planning Code, General Plan, conditional use or variance	Denials – same zoning or rezoning for same property or any part thereof
Waiver	Y	Y	N	N/A	Y	N	N/A	N	N
Exceptions	1. Denial w/o prejudice 2. If SUP is granted with imposed time limit of two years or less (2 yr. time limit is waived) or 3. Property owner may apply for waiver in writing	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

OTHER CITIES COMPARISON
FOR TWO YEAR LIMITATION FOR SUBSEQUENT APPLICATIONS
(TABLE 2 OF 2)

	Dallas	Ft. Worth	Houston	Minneapolis	Philadelphia	San Antonio	San Diego	San Francisco	San Jose
Exceptions (cont'd)	4. Applicant requests withdrawal 5 full working days before the date of the hearing								
Conditions		Original Applicant must: submit a written statement of substantially changed conditions	N/A	N/A	Zoning Board must hold a public hearing limited to two issues: 1. whether the Dept. of License and Inspections (L&I) properly applied the One Year Rule; and 2. whether because of materially changed circumstances, the application should be considered not withstanding the One Year Rule	N/A	N/A	N/A	N/A
Reapplication Decision Maker		City Council	N/A	N/A	Zoning Commission	N/A	N/A	N/A	N/A

Agenda Information Sheet

File #: 23-698 Item #: 9.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 8.843-acre tract of land containing all of Lot 3 in City Block L/8466 and a tract of land in City Block L/8466 to create three lots ranging in size from 1.320-acre to 5.650-acre on property located on Olympus Boulevard at Lock street, northwest corner.
Applicant/Owner: Cypress Water Land A, Ltd, Cypress Water Land B, Ltd, Cypress Water Land C, Ltd, The Neighborhoods of Cypress Water Association, Inc.
Surveyor: KFM Engineering & Design
Application Filed: February 3, 2023
Zoning: PD 741
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-068

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-068 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Olympus Boulevard at Lock Street, northwest corner

DATE FILED: February 3, 2023 **ZONING:** PD 741

PD LINK: https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=741

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 8.843-acres **MAPSCO:** 11A-L

APPLICANT/OWNER: Cypress Water Land A, Ltd, Cypress Water Land B, Ltd, Cypress Water Land C, Ltd, The Neighborhoods of Cypress Water Association, Inc.

REQUEST: An application to replat a 8.843-acre tract of land containing all of Lot 3 in City Block L/8466 and a tract of land in City Block L/8466 to create three lots ranging in size from 1.320-acre to 5.650-acre on property located on Olympus Boulevard at Lock Street, northwest corner.

SUBDIVISION HISTORY:

1. S212-108 was a request east of the present request to create one 5.291-acre lot and one 0.552-acre lot and to dedicate rights-of-way from 8.190-acre tract of land in City Block N/8466 on property located northeast of Olympus Boulevard. The request was approved on March 24, 2022 but has not been recorded.

2. S189-264 was a request north of the present request to replat an 8.171-acre tract of land containing part of Lot 1 in City Block G/8466 and part of City Block 8466 to create one 0.261-acre lot and one 7.869-acre lot on property located at terminus of Harpers Lane, north of Byron Bay Street. The request was approved on August 15, 2019 but has not been recorded.

3. S189-242 was a request north of the present request to replat a 7.910-acre tract of land containing part of Lot 1 in City Block G/8466 and part of City Block 8466 to create one lot on property located at terminus of Harpers Lane, north of Byron Bay Street. The request was withdrawn July 10, 2019

4. S189-216 was a request east of the present request to create one 1.110-acre lot and one 0.413-acre lot from a 1.850-acre tract of land in City Block 8763 on property located on Lyndon B. Johnson Freeway / Interstate Highway No. 20 at Haymarket Road, northwest corner. The request was approved on February 20, 2020 and recorded June 28, 2022.

STAFF RECOMMENDATION: The request complies with the requirements of PD 741; 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 three.

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. 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.

Flood Plain Conditions:

17. On the final plat, determine the 100-year water surface elevation across this addition.

18. 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*

19. 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*

20. On the final plat, specify minimum fill and minimum finished floor elevations. *Section 51A-8.611(d), Trinity Watershed Management.*

21. 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.*

22. 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)*

23. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

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

25. On the final plat, chose a new or different addition name. Platting Guidelines.

Dallas Water Utilities Conditions:

26. 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).

27. 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.

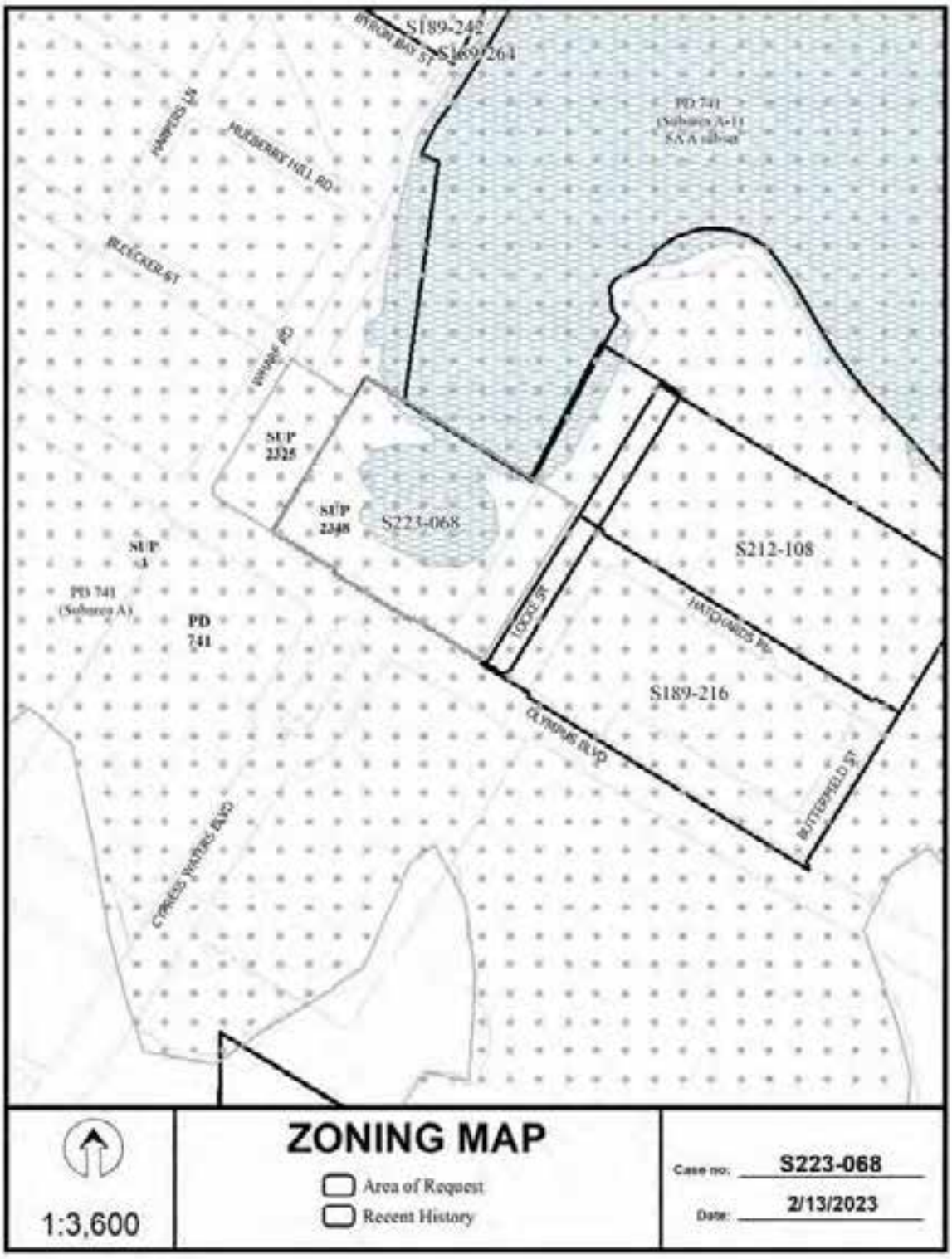
28. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater Engineering Plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

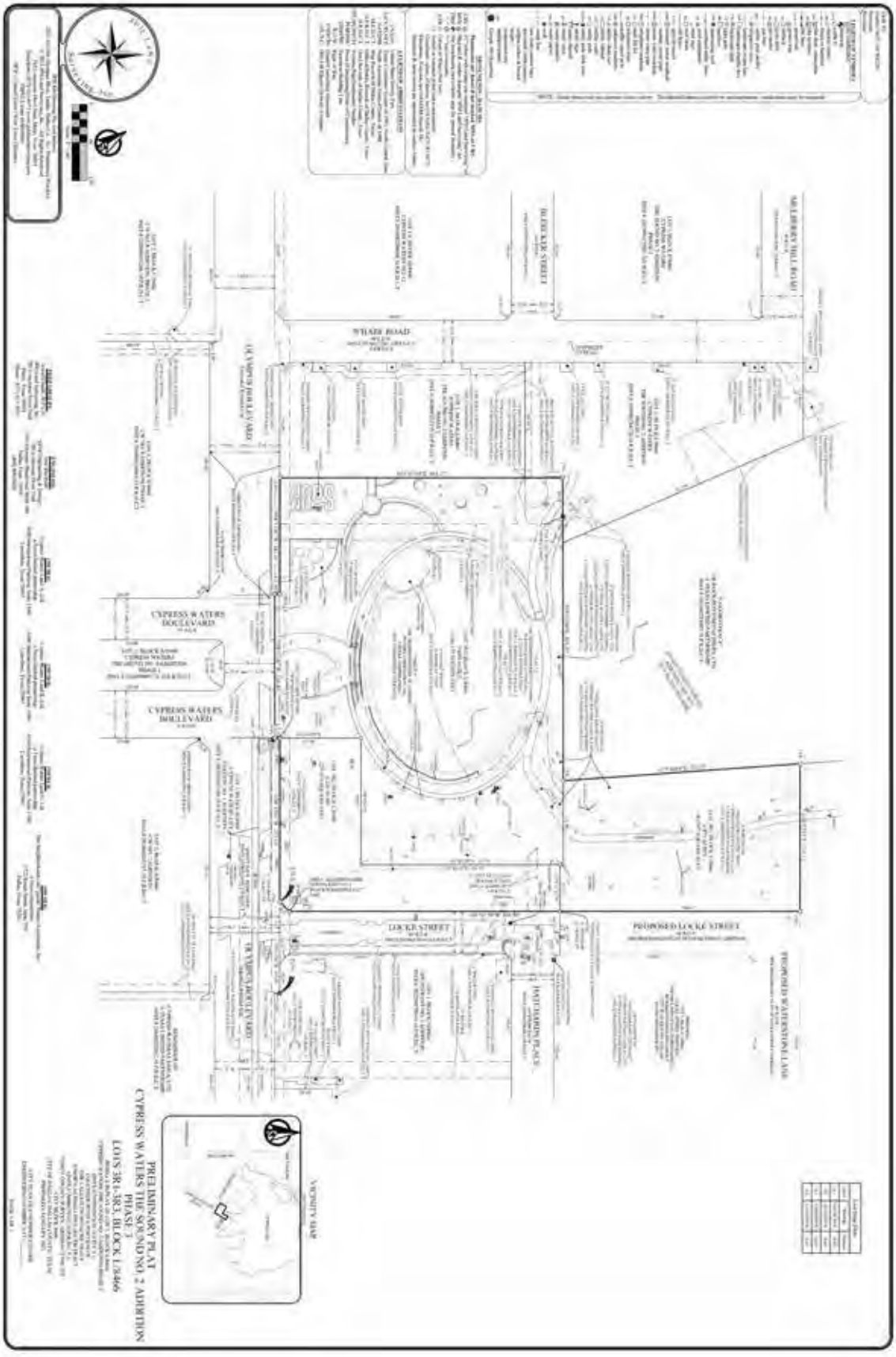
29. Prior to final plat, remove all instances of “Proposed”

30. Prior to final plat, contact the Addressing Manager to obtain appropriate name for the proposed public street. Sections 51A-8.403(a)(1)(A)(xii)

31. On the final plat, identify the property as Lots 3A-3C in City Block L/8466. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


S189-242
S189-264
BYRON BAY ST
PD 741
(Subarea A-11
SAA subarea)
HARWICH LN
MERRIBROOK HILL RD
BLEECKER ST
WINDSOR DR
SUP
2325
SUP
2348
S223-068
SUP
3
PD 741
(Subarea A)
PD
741
S212-108
TOCCOA ST
HATTERAS PL
S189-216
OLYMPUS BLVD
BUTTERFIELD ST
CYPRESS WATERS BLVD
ZONING MAP
Area of Request
Recent History
1:3,600
Case no: S223-068
Date: 2/13/2023

S189-242
S189-264
S223-068
S223-308
S189-245
1:3,600
AERIAL MAP
Area of Request
Recent History
Case no: S223-068
Date: 2/13/2023


WHITE ROAD
CYPRESS WATERS BOULEVARD
CYPRESS WATERS BOULEVARD
LOCKE STREET
PROPOSED LOCKE STREET
PROPOSED WATERSTAR LANE
HAYGOOD PLACE
BLOCK XXX STREET
MULBERRY HILL ROAD
PRELIMINARY PLAT
CYPRESS WATERS THE SOUND NO. 2 ADDITION
PHASE 3
LOTS 381-383, BLOCK L/8466

PRELIMINARY PLAT
CYPRESS WATERS THE SOUND NO. 2 ADDITION
PHASE 3
LOTS 3R1-3R3, BLOCK L/9866

Field: FC
Drafter: SGT | DFW6220
Revision:
Revision:

LEGEND OF SYMBOLS

- air conditioner
- borehole
- CATV cable tv
- EM electric meter
- fence or handrail
- FDC fire dept. connection
- FH fire hydrant
- FIRE LANE fire lane
- guard rail
- GR grease trap
- GP bollard
- GI grate inlet
- GM gas meter
- GAS gas line
- GUY utility pole anchor
- IV irrigation valve
- landscape or tree line
- LEB landscape electric box
- LSL landscape light
- LP light pole
- MB mailbox
- MW monitoring well
- OHU overhead utility lines
- PE pool equipment
- road sign
- RD roof drain
- silt fence
- 336.7' spot elevation
- SSMH sanitary sewer manhole
- sanitary sewer pipe
- SDMH storm water manhole
- ST storm water pipe
- TMH telephone manhole
- TFL tank fill lid
- TR telephone riser
- traffic signal pole
- UMH unknown manhole
- CO utility clean out
- UC utility cabinet
- UV utility vault
- UP utility pole
- UP/UG utility pole with riser
- utility sign
- water shutoff
- WV water valve
- WM water manhole
- WM water meter
- well
- W water line
- one-foot contour lines
- tree trunk (with canopy)
- caliper inches at breast height
- ornamental tree
- (M) multiple trunks
- Google 360 Hyperlink

NOTE - Some items may not pertain to this survey. The identification is subject to interpretation, verification may be required.

MONUMENTS / DATUMS

Monuments are found if not marked MNS or CRS.

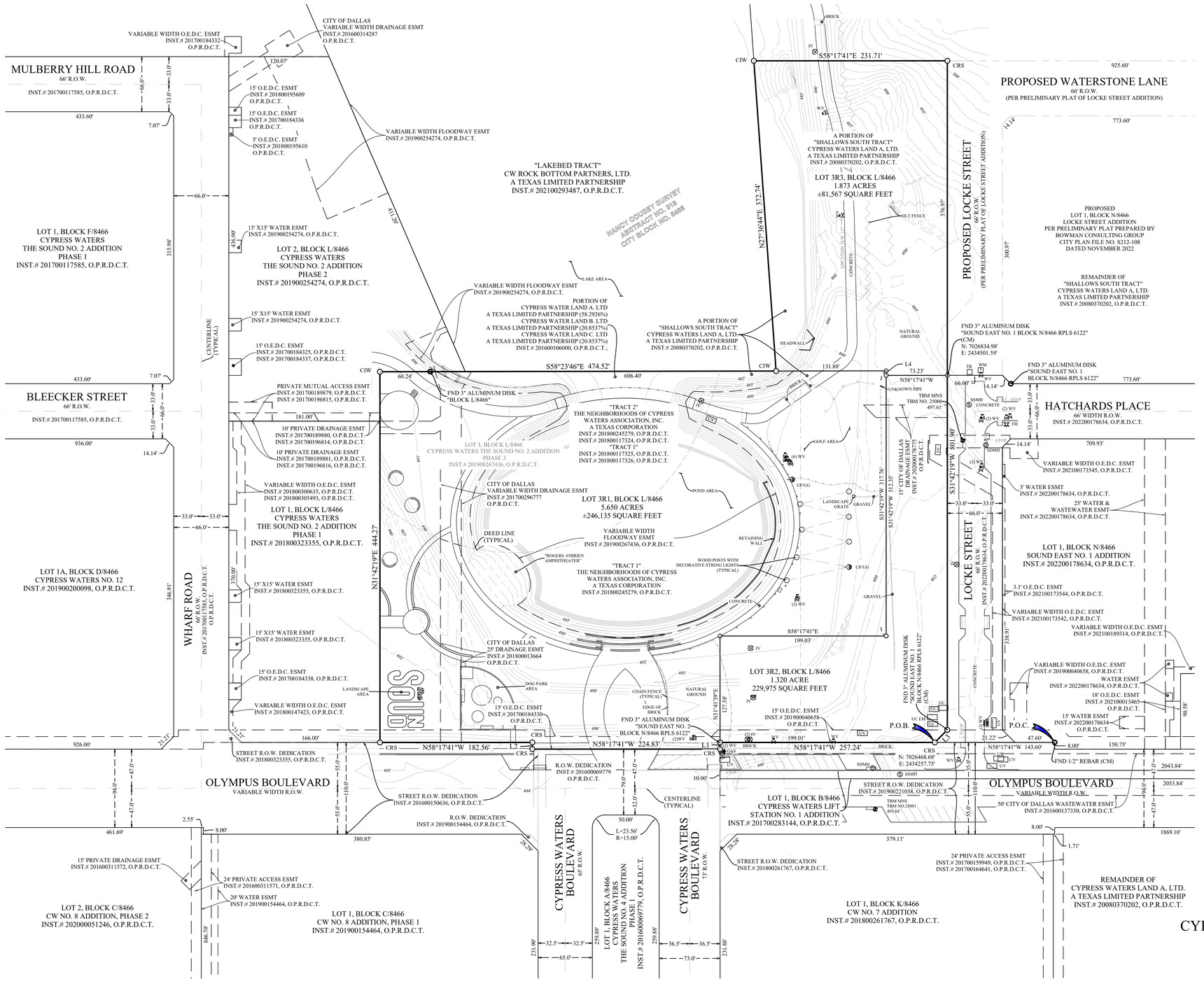
- CRS 1/2" rebar with orange cap stamped "JPH Land Surveying" set
- MNS Mag nail & washer stamped "JPH Land Surveying" set
- TBM Site benchmark (see vicinity map for general location)
- "+" "+" cut in concrete
- CIW Corner in Water (Not Set)
- Vertex or common point (not a monument)

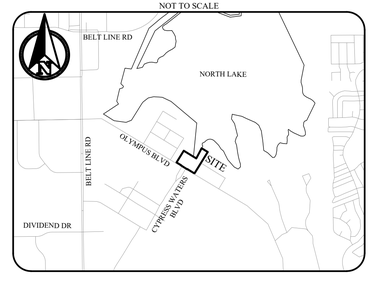
Coordinate values, if shown, are US.SyFt./TxCS,'83,NCZ
Elevations, if shown, are NAVD'88 (Geoid 18)
Distances & areas shown are represented in surface values

LEGEND OF ABBREVIATIONS

US.SyFt.	United States Survey Feet
TxCS,'83,NCZ	Texas Coordinate System of 1983, North Central Zone
NAVD'88	North American Vertical Datum of 1988
M.R.D.C.T.	Map Records of Dallas County, Texas
O.P.R.D.C.T.	Official Public Records of Dallas County, Texas
D.R.D.C.T.	Deed Records of Dallas County, Texas
VOL/PG/INST#	Volume/Page/Instrument Number
POB/POC	Point of Beginning/Point of Commencing
ESMT/BL	Easement/Building Line
R.O.W.	Right of Way
FND/CM	Found/Controlling Monument
O.E.D.C.	ONCOR Electric Delivery Company

Line Data Table		
Line #	Bearing	Distance
L1	S31°41'39"W	8.00'
L2	N31°42'19"E	8.00'
L3	S76°42'18"W	21.21'
L4	S31°42'19"W	5.41'





PRELIMINARY PLAT
CYPRESS WATERS THE SOUND NO. 2 ADDITION PHASE 3
LOTS 3R1-3R3, BLOCK L/8466

BEING A REPLAT OF LOT 3, BLOCK L/8466
CYPRESS WATERS THE SOUND NO. 2 ADDITION PHASE 3
(INST.# 201900267436, O.P.D.C.T.)
TOGETHER WITH A PORTION OF
THE CALLED 250.992-ACRE TRACT
KNOWN AS SHALLOWS SOUTH TRACT
(INST.# 20080370202, O.P.R.D.C.T.)
NANCY COUSEY SURVEY, ABSTRACT NO. 318
CITY BLOCK 8466
CITY OF DALLAS, DALLAS COUNTY, TEXAS
PREPARED: JANUARY 2023

CITY PLAN FILE NUMBER S223-068
ENGINEERING NUMBER 311T- _____

PAGE 1 OF 2

JPH LaNd Surveying, Inc

0 60' 120'
Scale: 1" = 60'

JPH Job/Drawing No. (see below)
2023.103.001 Olympus Blvd., Dallas, Dallas Co., Tx - Preliminary Plat.dwg
© 2023 JPH Land Surveying, Inc. - All Rights Reserved
785 Lonesome Dove Trail, Hurst, Texas 76054
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPELS Firm #10019500
DFW | Central Texas | West Texas | Houston

PREPARED BY:
Jewel Chadd , R.P.L.S.
JPH Land Surveying, Inc.
785 Lonesome Dove Trail
Hurst, Texas 76054
Phone: (817) 431-4971

ENGINEER:
Sree Ravipalti
KFM Engineering & Design
785 Lonesome Dove Trail
3501 Olympus Boulevard, Suite 100
Dallas Texas 75019
(469) 899-0926

OWNER:
Cypress Waters Land A, Ltd.
a Texas limited partnership
4100 International Parkway Suite 1100
Carrollton, Texas 75007

OWNER:
Cypress Waters Land B, Ltd.
a Texas limited partnership
4100 International Parkway Suite 1100
Carrollton, Texas 75007

OWNER:
Cypress Waters Land C, Ltd.
a Texas limited partnership
4100 International Parkway Suite 1100
Carrollton, Texas 75007

OWNER:
The Neighborhoods of Cypress Waters Association, Inc.
a Texas corporation
1722 Routh Street, Suite 770
Dallas, Texas 75201

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DALLAS §

WHEREAS, Cypress Waters Land A, Ltd., a Texas limited partnership, Cypress Waters Land B, Ltd., a Texas limited partnership, Cypress Waters Land C, Ltd., a Texas limited partnership, and The Neighborhoods of Cypress Waters Association, Inc., a Texas corporation, all acting through the undersigned, its duly authorized agent, are the owners of that certain tract situated in the Nancy Cousey Survey, Abstract Number 318, City Block 8466, City of Dallas, Dallas County, Texas, said tract being: **(1)** a portion of the called 250.992-acre tract (known as "Shallows South Tract") described in the Special Warranty Deed with Easement Reservation and Restrictive Covenants to Cypress Waters Land A, Ltd., a Texas limited partnership recorded under Instrument Number 20080370202, Official Public Records, Dallas County, Texas, (O.P.R.D.C.T.), **(2)** all of the called 3.5125-acre tract and the 1.5101-acre tract described as Tracts 1 & 2 respectively in the Special Warranty Deed to the said Neighborhoods of Cypress Waters Association, Inc. (hereinafter referred as "Waters Association") recorded under Instrument Number 201800245279, O.P.R.D.C.T. (58.2926% Interest), **(3)** all of the 1.5101-acre tract described as "Tract 1" in the Special Warranty Deed to the said Waters Association recorded under Instrument Number 201800117325, O.P.R.D.C.T. (20.8537% Interest), **(4)** all of the 1.5101-acre tract described as "Tract 1" in the Special Warranty Deed to Waters Association recorded under Instrument Number 201800117326, O.P.R.D.C.T. (20.8537% Interest), and **(5)** a portion of the called 41.963-acre tract described as "Tract 2s" in the Special Warranty Deed to Cypress Waters Land A, Ltd. (58.2926% Interest), the said Cypress Waters Land B, Ltd. (20.8537% Interest), and the said Cypress Waters Land C, Ltd. (20.8537% Interest), recorded under Instrument Number 201600106000, O.P.R.D.C.T.; said tract includes all of Lot 3, Block L/8466, Cypress Waters The Sound No. 2 Addition, Phase 3, according to the plat recorded under Instrument Number 201900267436, O.P.R.D.C.T.; the subject tract is more particularly described as follows:

COMMENCING at a found 1/2 inch rebar found on the northeast right of way of Olympus Boulevard (a variable width right of way as dedicated in the plat of Cypress Waters No. 4 Addition, Phase 2, recorded under Instrument Number 201900221038, O.P.R.D.C.T.), at a re-entrant corner of Lot 1, Block N/8466, Sound East No. 1 Addition, according to the plat recorded under Instrument Number 202200178634, O.P.R.D.C.T.; **THENCE** NORTH 58°17'41" WEST, with the said northeast right of way of Olympus Boulevard, a distance of 143.60 feet to a 1/2" rebar with orange cap stamped "JPH Land Surveying" set at the southwest corner of the said Sound East No. 1 Addition, being the **POINT OF BEGINNING**;

THENCE NORTH 58°17'41" WEST, continuing with the northeast right of way of Olympus Boulevard, a distance of 257.24 feet to a 1/2" rebar with orange cap stamped "JPH Land Surveying" set at an entrant corner of the aforementioned Lot 3, Block L/8466;

THENCE with the perimeter and to the corners of Lot 3, Block L/8466, the following calls:

1. SOUTH 31°41'39" WEST, a distance of 8.00 feet to a found 3-inch aluminum disk stamped "Sound East No. 2 Block N/8466 RPLS 6122";
2. NORTH 58°17'41" WEST , a distance of 224.83 feet to a set 1/2" rebar with orange cap stamped "JPH Land Surveying";
3. NORTH 31°42'19" EAST, a distance of 8.00 feet to a set 1/2" rebar with orange cap stamped "JPH Land Surveying";
4. NORTH 58°17'41" WEST , a distance of 182.56 feet to a set 1/2" rebar with orange cap stamped "JPH Land Surveying";
5. NORTH 31°42'19" EAST, a distance of 444.27;
6. SOUTH 58°23'46" EAST, passing at a distance of 60.24 feet a 3-inch aluminum disk stamped "Block L/8466", and continuing on the said course, in all, a total distance of 474.52 feet to a salient corner of the tract described as "Lakebed Tract" in the deed to CW Rock Bottom Partners, Ltd., a Texas limited partnership, recorded under Instrument Number 202100293487, O.P.R.D.C.T. ;

THENCE NORTH 27°36'44" EAST, with the perimeter of the said Lakebed Tract, a distance of 372.74 feet;

THENCE SOUTH 58°17'41" EAST, through the interior of the aforementioned "Shallows South Tract", a distance of 231.71 feet to a 1/2" rebar with orange cap stamped "JPH Land Surveying" set at the northwest corner of the proposed Lot 1, Block N/8466, Lock Street Addition according to the preliminary plat prepared by Bowman Consulting Group, dated November 2022 (City Plan File No. S212-108);

THENCE SOUTH 31°42'19" WEST, continuing through the interior of the "Shallows South Tract" and with the proposed northwest line of the said proposed Lock Street Addition, passing at a distance of 376.97 feet a 3-inch aluminum disk stamped "Sound East No. 1 Block N/8466 RPLS 6122" found at the west corner of the proposed Lock Street Addition, being the northwest corner of the aforementioned Sound East No. 1 Addition, and continuing on the said course, now with the northwest line of the Sound East No. 1 Addition, in all, a total distance of 801.90 feet to a 3-inch aluminum disk stamped "Sound East No. 1 Block N/8466 RPLS 6122" found at an entrant corner of the Sound East No. 1 Addition;

THENCE SOUTH 76°42'18" WEST, continuing with the northwest line of the Sound East No. 1 Addition, a distance of 21.21 feet returning to the **POINT OF BEGINNING** and enclosing 8.843 acres (± 385,196 square feet).

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Cypress Waters Land A, Ltd.**, a Texas limited partnership, **Cypress Waters Land B, Ltd.**, a Texas limited partnership, **Cypress Waters Land C, Ltd.**, a Texas limited partnership, and **The Neighborhoods of Cypress Waters Association, Inc.**, a Texas corporation, all acting through the undersigned, its duly authorized agent, do hereby adopt this plat designating the herein above-described property as ***Cypress Waters The Sound No. 2 Addition, Phase 3***, an addition in the City of Dallas, 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 this _____ day of _____, 20___.

By: **Cypress Waters Land A, Ltd.**, a Texas limited partnership

By: Billingsley 380 North GP, L.L.C., a Texas limited liability company, its general partner

_____

By: Kenneth D. Mabry, Manager

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared **Kenneth D. Mabry**, Manager of General Partner, 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

_____

Witness my hand this _____ day of _____, 20___.

By: **Cypress Waters Land B, Ltd.**, a Texas limited partnership

By: Billingsley 380 North GP, L.L.C., a Texas limited liability company, its general partner

_____

By: Kenneth D. Mabry, Manager

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared **Kenneth D. Mabry**, Manager of General Partner, 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

Witness my hand this _____ day of _____, 20___.

By: **Cypress Waters Land C, Ltd.**, a Texas limited partnership

By: Billingsley 380 North GP, L.L.C., a Texas limited liability company, its general partner

_____

By: Kenneth D. Mabry, Manager

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared **Kenneth D. Mabry**, Manager of General Partner, 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

_____

Witness my hand this _____ day of _____, 20___.

By: **The Neighborhoods of Cypress Waters Association, Inc.,** a Texas corporation

_____

By: Kenneth D. Mabry, Senor Vice President

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared **Kenneth D. Mabry**, Senior Vice President, 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, **Jewel Chadd**, 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)(e)(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.

_____

Jewel Chadd
Registered Professional
Land Surveyor No. 5754
jewel@jphls.com

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared **Jewel Chadd** 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 _____, 2021.

_____

Notary Public in and for the State of Texas

SURVEYOR'S NOTES:

1. The purpose of this replat is to combine all of the existing Lot 3, Block L/8466 with a portion of the unplatted 250.992-acre tract described as "Shallows South Tract".
2. This plat was prepared without the benefit of a commitment for title insurance. Therefore, there may be easements or documents pertaining to the subject tract that are not shown or referenced hereon.
3. Basis of bearing is the northwest right of way line of Locke Street (Record Bearing: N 31°42'19" E) as recorded under Instrument Number 202200178634, O.P.R.D.C.T.
4. Dallas Water Utilities (DWU) Benchmark:

   Benchmark 12-A-1 a Square is cut on West end of North concrete Headwall at 10'x20' Box Culvert, 50' North of centerline of Beltline Road , and 160' East of centerline of Luna Road.
   Published Elevation = 443.875'
5. Benchmark descriptions as provided by Mitch Hesse, P.E., Project Manager of KFM Engineering & Design:

   Site Benchmark #1: Box cut with an "X" cut set on the north edge of a headwall running parallel with Olympus Lane +/- 70' NE from a fire hydrant. 525' Northeast from the centerline of Olympus Lane.
   Provided Elevation = 494.92'

   Site Benchmark #2: Box cut with an "X" cut set on the east edge of a 16'x10' headwall. +/- 590' Northeast from the intersection of Olympus Lane and Cypress Waters Blvd.
   Provided Elevation = 488.68'
6. Site Benchmarks set by JPH Land Surveying, Inc.:

   The benchmark (TBM No. 25000) is a mag nail with a washer stamped "JPH BENCHMARK" set in storm drain inlet on the northeast side of Locke Street, being located approximately 417 feet northerly from the centerline intersection of Olympus Lane and Locke Street. Benchmark Elevation = 497.61' (NAVD88).

   The benchmark (TBM No. 25001) is a mag nail with a washer stamped "JPH BENCHMARK" set in storm drain inlet on the southeast side of Olympus Lane, being located approximately 223 feet southeasterly from the centerline intersection of Olympus Lane and Cypress Waters Boulevard. Benchmark Elevation = 493.84' (NAVD88).
7. The fieldwork was complete on January 19, 2023.
8. This property lies within ZONE(S) X (Unshaded) of the Flood Insurance Rate Map for Dallas County, Texas and Incorporated Areas, map no. 48113C0165K, dated 2014/07/07, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at http://hazards.fema.gov.
9. Lot to lot drainage will not be allowed without engineering section approval.
10. No permanent structures (buildings) are located within the limits of this plat.
11. Topographic data (contours) shown hereon are based on the linework provided by KFM Engineering & Design.

PRELIMINARY PLAT
CYPRESS WATERS THE SOUND NO. 2 ADDITION PHASE 3
LOTS 3R1-3R3, BLOCK L/8466

BEING A REPLAT OF LOT 3, BLOCK L/8466
CYPRESS WATERS THE SOUND NO. 2 ADDITION PHASE 3
(INST.# 201900267436, O.P.D.C.T.)
TOGETHER WITH A PORTION OF
THE CALLED 250.992-ACRE TRACT
KNOWN AS SHALLOWS SOUTH TRACT
(INST.# 20080370202, O.P.R.D.C.T.)
NANCY COUSEY SURVEY, ABSTRACT NO. 318
CITY BLOCK 8466
CITY OF DALLAS, DALLAS COUNTY, TEXAS
PREPARED: JANUARY 2023

CITY PLAN FILE NUMBER S223-068
ENGINEERING NUMBER 311T- _____

JPH LaNd Surveying, Inc.

JPH Job/Drawing No. (see below)
2023.103.001 Olympus Blvd., Dallas, Dallas Co., Tx - Preliminary Plat.dwg
© 2023 JPH Land Surveying, Inc. - All Rights Reserved
785 Lonesome Dove Trail, Hurst, Texas 76054
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPELS Firm #10019500
DFW | Central Texas | West Texas | Houston

City of Dallas

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

Agenda Information Sheet

File #: 23-699 Item #: 10.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 60.36-acre lot from a tract of land on property located in the Dallas Extra Territorial Jurisdiction (ETJ) on Farm to Market Road No. 740, north of Cool Water Circle.
Applicant/Owner: Oncor Electric Delivery Company, LLC
Surveyor: Dunaway Associates, L.P.
Application Filed: February 3, 2023
Zoning: N/A
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: N/A
S223-069

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-069 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Farm to Market Road No. 740, north of Cool Water Circle

DATE FILED: February 3, 2023 **ZONING:** N/A

CITY COUNCIL DISTRICT: N/A **SIZE OF REQUEST:** 60.36-acres **MAPSCO:** 741C

APPLICANT/OWNER: Oncor Electric Delivery Company, LLC

REQUEST: An application to create one 60.36-acre lot from a tract of land on property located in the Dallas Extra Territorial Jurisdiction (ETJ) on Farm to Market Road No. 740, north of Cool Water Circle.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of Dallas Extra Territorial Jurisdiction (ETJ); 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 Forney for any work within their jurisdiction.

Flood Plain Conditions:

17. On the final plat, determine the 100-year water surface elevation across this addition

18. 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*

19. 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*

20. On the final plat, specify minimum fill and minimum finished floor elevations. *Section 51A-8.611(d), Trinity Watershed Management.*

21. 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.*

22. 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)*

23. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

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

25. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

26. On the final plat, all access easement(s) must be recorded by separate instrument(s) and the recording information must be shown on the final plat. Platting Guidelines.

27. Prior to final plat, remove fire lane.

28. On the final plat, add standard owner's dedication language for Dallas ETJ.

29. On the final plat, clarify dedicated easement grantees.

30. On the final plat, annotate all property distances on ad-joiners.

31. On the final plat, increase level of detail on surrounding properties.

Dallas Water Utilities Conditions:

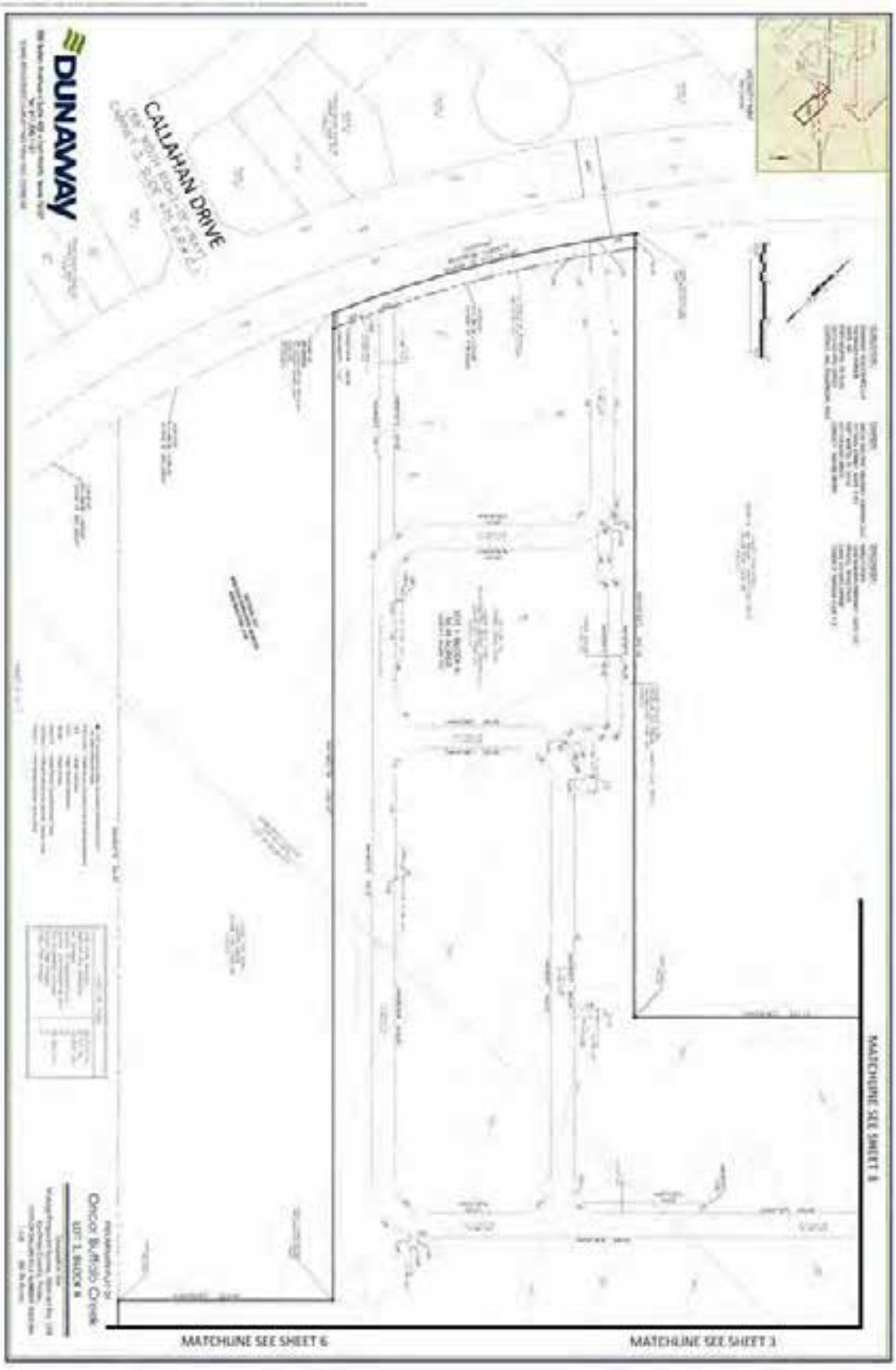
32. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

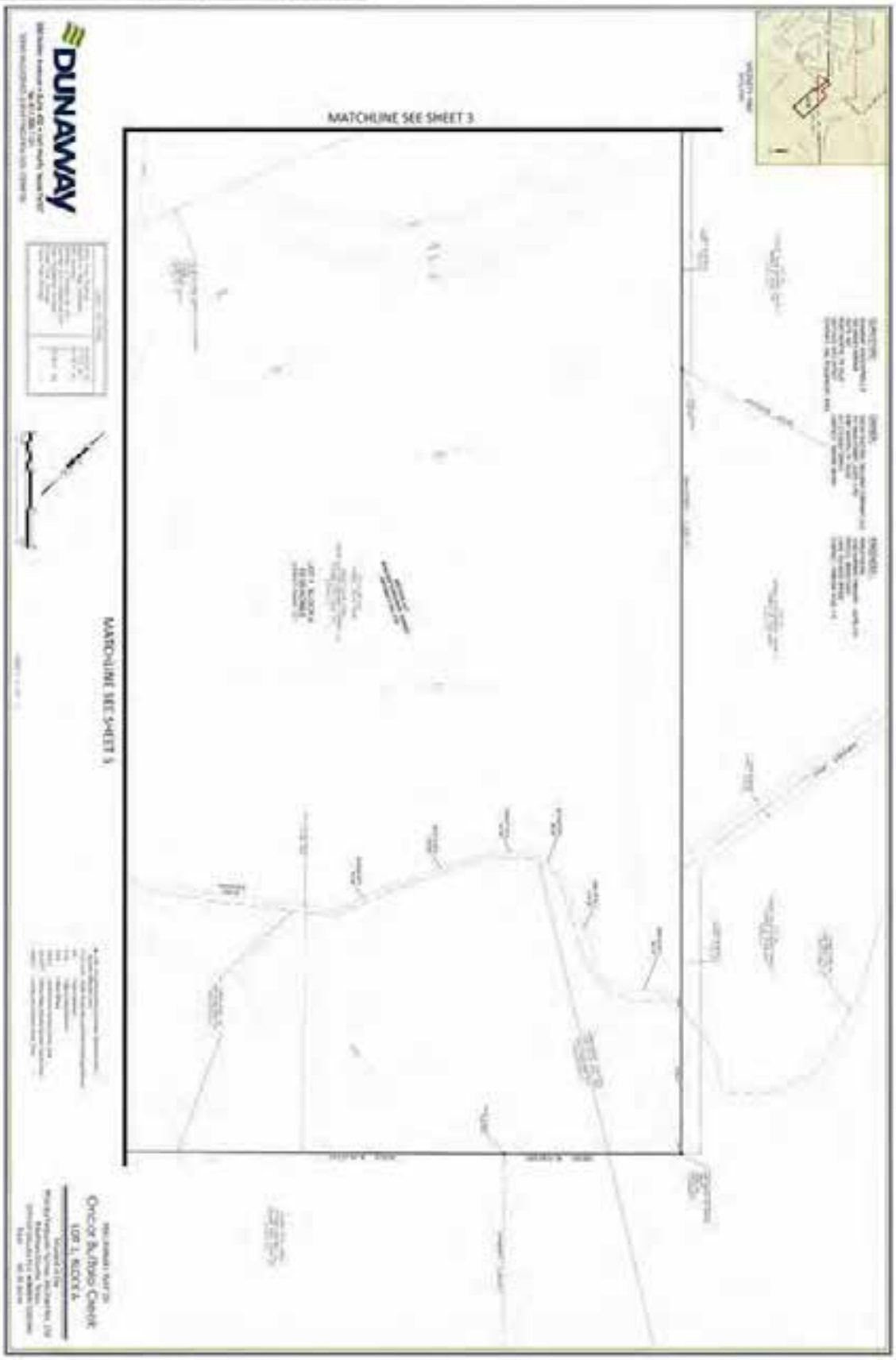
33. Contact the City of Dallas Addressing Manager and Kaufman County 9-1-1 Addressing Coordinator for help determining acceptable name for the new street and verifying that the existing names are correct. Sections 51A-8.403(a)(1)(A)(xii), Section. 51A-8.403. (a) (1) (A) (xiv), Section. 51A-8.506. (e)

Maverick Dr
Black Hills Blvd
Saddle Club Dr
Saddle Club Dr
Spur Dr
Bridle Trl
Cooperwood Dr
Motor Sports
AERIAL MAP
Area of Request
Recent History
1:6,000
Case no: S223-069
Date: 2/13/2023

DUNAWAY
SHEET 2
SHEET 3
SHEET 4
SHEET 5
SHEET 6


DUNAWAY
CALLAHAN DRIVE
MATCHLINE SEE SHEET 6
MATCHLINE SEE SHEET 3
MATCHLINE SEE SHEET 8

DUNAWAY
MATCHLINE SEE SHEET 2
MATCHLINE SEE SHEET 2
MATCHLINE SEE SHEET 5
MATCHLINE SEE SHEET 4


DUNAWAY
MATCHLINE SEE SHEET 3
MATCHLINE SEE SHEET 1

DUNAWAY
MATCHLINE SEE SHEET 6
MATCHLINE SEE SHEET 8

DUNAWAY
MATCHLINE SEE SHEET 2
MATCHLINE SEE SHEET 3
MATCHLINE SEE SHEET 3

DUNAWAY

VICINITY MAP
NOT TO SCALE

SURVEYOR:
DUNAWAY ASSOCIATES, L.P.
550 BAILEY AVENUE
SUITE 400
FORT WORTH, TX 76107
(817)-632-4761 OFFICE
CONTACT: HAL MOLLENKOPF, RPLS

OWNER:
ONCOR ELECTRIC DELIVERY COMPANY, LLC
777 MAIN STREET, SUITE #707
FORT WORTH, TX 76102
817-215-6282 OFFICE
CONTACT: RACHEL BRYEN

ENGINEER:
KIMLEY-HORN
6160 WARREN PARKWAY - SUITE 210
FRISCO, TEXAS 75034
(469) 353-6055 OFFICE
CONTACT: MARISSA VOLK, P.E.

SADDLECLUB DRIVE
(VARIABLE WIDTH RIGHT-OF-WAY)
CABINET 2, PAGE 53
P.R.K.C.T.

LOT 9
SADDLE CLUB ESTATES
CABINET 2, PAGE 53
P.R.K.C.T.

LOT 36
SADDLE CLUB ESTATES PHASE 3
CABINET 2, PAGE 254
P.R.K.C.T.

LOT 35
SADDLE CLUB ESTATES PHASE 3
CABINET 2, PAGE 254
P.R.K.C.T.

LOT 34
SADDLE CLUB ESTATES PHASE 3
CABINET 2, PAGE 254
P.R.K.C.T.

LOT 33
SADDLE CLUB ESTATES
PHASE 3
CABINET 2, PAGE 254
P.R.K.C.T.

APPROXIMATE LOCATION
FLOOD PLAIN ELEV. 425
PER FEMA MAP NO.
48257C0040 D

FEMA ZONE AE
PER FEMA MAP NO.
48257C0040 D

FOUND 1/2-INCH IRON ROD
WITH YELLOW CAP STAMPED
"HALFF"
NAD83 GRID
N=6,981,178.64
E=2,595,629.53

FOUND 1/2-INCH IRON ROD
WITH YELLOW CAP STAMPED
"HALFF"

FOUND 1/2-INCH
IRON ROD

FOUND 3/8-INCH
IRON ROD

S44°58'33"E 978.62'

S44°57'59"E 1,332.74'

TRAVIS RANCH PHASE 3G
CABINET 3, SLIDE 236
P.R.K.C.T.

LOT 2
LOT 3
LOT 4
LOT 5
LOT 6

FARM TO MARKET NO. 740
(105' WIDTH RIGHT-OF-WAY)

BLOCK A
LOT 8

BLOCK A
LOT 54

BLOCK A
LOT 55

BLOCK A
LOT 58

LOT 59

BLOCK A
LOT 60

CALLAHAN DRIVE
(58' WIDTH RIGHT-OF-WAY)
CABINET 3, SLIDE 475 P.R.K.C.T.

BLOCK L
LOT 70
LOT 69
LOT 68
LOT 67
LOT 66
LOT 65

TRAVIS RANCH PHASE 3E
CABINET 3, SLIDE 475
P.R.K.C.T.

BLOCK L
LOT 64

BLOCK L
LOT 63

BLOCK L
LOT 62

CALLED 10.00 ACRES
MICKEY W. AND THELMA J. HARDY LIVING TRUST
VOLUME 6038, PAGE 346
D.R.K.C.T.

N45°04'06"E 527.75'

FOUND 1/2-INCH IRON ROD
WITH YELLOW CAP STAMPED
"HALFF"

FOUND 1/2-INCH
IRON ROD

S44°55'54"E 814.43'

105'
60.0'

Δ=13°17'44"
R=1,399.36' L=324.73'
CH=N30° 17' 07"E 324.00'

POINT OF
BEGINNING
SET 5/8-INCH IRON ROD WITH YELLOW
CAP STAMPED "DUNAWAY ASSOC"
NAD83 GRID
N=6,982,737.71
E=2,592,884.16

N44°58'57"W 1,026.29'

CALLED 5.00 ACRES
JOSEPH GARCIA
VOLUME 1090, PAGE 988
D.R.K.C.T.

FOUND 1/2-INCH IRON ROD
WITH YELLOW CAP STAMPED
"HALFF"

N45°01'03"E 223.44'

FOUND 1/2-INCH
IRON ROD

N44°58'57"W 2,011.13'

FOUND 1/2-INCH IRON
ROD WITH CAP
(ILLEGIBLE)

FOUND 3 1/2-INCH TXDOT
SURVEY DISK

APPROXIMATE LOCATION
CITY OF HEATH
CITY OF DALLAS ETJ

SHEET 2

SHEET 3

SHEET 4

SHEET 5

SHEET 6

20114 FM 740
FORNEY, TEXAS 75126

CALLED 60.47 ACRES
ONCOR ELECTRIC DELIVERY COMPANY LLC
VOLUME 5217, PAGE 275
O.P.R.K.C.T.

LOT 1, BLOCK A
60.36 ACRES
2,629,417 SQUARE FEET

SECTION 157
MALCIGY FERGUSON SURVEY
ABSTRACT NO. 158

CALLED 26.6375 ACRES
ARTHUR L. GARCIA
VOLUME 5770, PAGE 305
O.P.R.K.C.T.

APPROXIMATE LOCATION
FLOOD PLAIN ELEV. 422
PER FEMA MAP NO.
48257C0040 D

FOUND 2-INCH
IRON PIPE

S44°56'41"W
183.69'

FEMA ZONE AE
PER FEMA MAP NO.
48257C0040 D

CALLED 77.78 ACRES
FORNEY PARTNERS LLC
VOLUME 5895, PAGE 541 O.P.R.K.C.T.

S45°26'44"W 879.46'

100' 0 100' 200'
SCALE 1" = FEET 100'

● = 5/8" iron rod with yellow cap stamped "DUNAWAY ASSOC." set unless otherwise noted.
P.A.F.L.U.D.E. = Public Access, Fire Lane, Utility & Drainage Easement
W.E. = Water Easement
S.V.E. = Sight Visibility Easement
R.O.W. = Right-of-Way
D.R.K.C.T. = Deed Records, Kaufman County, Texas
O.P.R.K.C.T. = Official Public Records, Kaufman County, Texas
P.R.K.C.T. = Plat Records, Kaufman County, Texas

LAND USE TABLE	
Total Gross Acreage	60.4750 Ac.
Right-of-Way Dedication	0.1119 Ac.
Net Acreage	60.3631 Ac.
Number of Residential Lots	0
Number Non-Residential Lots	0
Non-Residential Acreage	60.3631 Ac.
Private Park Acreage	0
Public Park Acreage	0

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

PRELIMINARY PLAT OF
Oncor Buffalo Creek
LOT 1, BLOCK A

Situated in the
Malcigy Ferguson Survey, Abstract No. 158
Kaufman County, Texas,
CITY OF DALLAS FILE NUMBER: S223-069
1 Lot 60.36 Acres

PLOTTED BY: James Gondello,ON: Tuesday, January 31, 2023 AT: 5:25 PM FILEPATH: G:\Production\000\003\100\3115\023-Buffalo Creek\Survey\Drawings\$003115.023 - Buffalo Creek Plat NAD83 Surface North Central Zone - Dallas Co.dwg

VICINITY MAP
NOT TO SCALE

SURVEYOR:
DUNAWAY ASSOCIATES, L.P.
550 BAILEY AVENUE
SUITE 400
FORT WORTH, TX 76107
(817)-632-4761 OFFICE
CONTACT: HAL MOLLENKOPF, RPLS

OWNER:
ONCOR ELECTRIC DELIVERY COMPANY, LLC
777 MAIN STREET, SUITE #707
FORT WORTH, TX 76102
817-215-6282 OFFICE
CONTACT: RACHEL BRYEN

ENGINEER:
KIMLEY-HORN
6160 WARREN PARKWAY - SUITE 210
FRISCO, TEXAS 75034
(469) 353-6055 OFFICE
CONTACT: MARISSA VOLK, P.E.

SCALE 1"= 40' — 40' 0 40' 80' FEET

MATCHLINE SEE SHEET 3

CALLED 10.00 ACRES
MICKEY W. AND THELMA J. HARDY LIVING TRUST
VOLUME 6038, PAGE 346
D.R.K.C.T.

CALLED 0.0374 ACRES
MICKEY W. AND THELMA J. HARDY LIVING TRUST
VOLUME 6038, PAGE 346
D.R.K.C.T.

FOUND 1/2-INCH IRON ROD WITH YELLOW CAP STAMPED "HALFF"

FOUND 1/2-INCH IRON ROD

S44°55'54"E 814.43'

N45°04'06"E 527.75'

N45°01'38"E 442.88'

S44°58'27"E 11.00'

N45°01'33"E 124.92'

S45°01'38"W 628.92'

BLOCK A
LOT 54

BLOCK A
LOT 55

BLOCK A
LOT 58
TRAVIS RANCH PHASE 3E
CABINET 3, SLIDE 475
P.R.K.C.T.

LOT 59

BLOCK A
LOT 60

BLOCK L
LOT 70

LOT 69

LOT 68

TRAVIS RANCH PHASE 3E
CABINET 3, SLIDE 475
P.R.K.C.T.

CALLAHAN DRIVE
(58' WIDTH RIGHT-OF-WAY)
CABINET 3, SLIDE 475 P.R.K.C.T.

15.15'

105'

60.0'

15' RIGHT-OF-WAY DEDICATION
0.1119 ACRES OR 4,872 SQUARE FEET (BY THIS PLAT)

Δ=13°27'01"
R=1,384.36' L=324.98'
CH=S30° 07' 11"W 324.23'

Δ=13°17'44"
R=1398.36' L=324.73'
CH=S30° 07' 07"E 324.00'

24' P.A.F.L.U.D.E. (BY THIS PLAT)

VARIABLE WIDTH W.E. (BY THIS PLAT)

10' W.E. (BY THIS PLAT)

15' W.E. (BY THIS PLAT)

11' W.E. (BY THIS PLAT)

N44°55'54"W 146.75'

S44°55'54"E 134.32'

S44°55'54"E 423.14'

S44°55'54"E 423.20'

N45°04'06"E 143.02'

S45°04'06"W 143.02'

N45°01'38"E 102.34'

S45°01'38"W 102.04'

20114 FM 740
FORNEY, TEXAS 75126

CALLED 60.47 ACRES
ONCOR ELECTRIC DELIVERY COMPANY LLC
VOLUME 5217, PAGE 275
O.P.R.K.C.T.

LOT 1, BLOCK A
60.36 ACRES
2,629,417 SQUARE FEET

N44°58'22"W 237.98'

S44°58'22"E 249.17'

N44°58'22"W 423.20'

N44°58'22"W 631.27'

VARIABLE WIDTH S.V.E. (BY THIS PLAT)

S24°54'44"W 102.30'

S44°58'57"E 1.12'

16.12'

N44°58'57"W 1,026.29'

POINT OF BEGINNING
SET 5/8-INCH IRON ROD WITH YELLOW CAP STAMPED "DUNAWAY ASSOC"
NAD83 GRID
N=6,982,737.71
E=2,592,884.16

Δ=10°14'10"
R=1,399.36' L=250.00'
CH=N18° 31' 09"E 249.67'

Δ=8°16'50"
R=1,399.36' L=202.24'
CH=N9° 15' 39"E 202.07'

SECTION 157
MALCIGY FERGUSON SURVEY
ABSTRACT NO. 158

APPROXIMATE LOCATION
CITY OF HEATH
CITY OF DALLAS ETJ

CALLED 5.00 ACRES
JOSEPH GARCIA
VOLUME 1090, PAGE 988
D.R.K.C.T.

FOUND 1/2-INCH IRON ROD WITH YELLOW CAP STAMPED "HALFF"

N45°01'03"E 223.44'

FOUND 1/2-INCH IRON ROD

N44°58'57"W 914.90'

MATCHLINE SEE SHEET 6

● = 5/8" iron rod with yellow cap stamped "DUNAWAY ASSOC." set unless otherwise noted.
P.A.F.L.U.D.E. = Public Access, Fire Lane, Utility & Drainage Easement
W.E. = Water Easement
S.V.E. = Sight Visibility Easement
R.O.W. = Right-of-Way
D.R.K.C.T. = Deed Records, Kaufman County, Texas
O.P.R.K.C.T. = Official Public Records, Kaufman County, Texas
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Number Non-Residential Lots	0
Non-Residential Acreage	60.3631 Ac.
Private Park Acreage	0
Public Park Acreage	0

PRELIMINARY PLAT OF
Oncor Buffalo Creek
LOT 1, BLOCK A

Situated in the
Malcigy Ferguson Survey, Abstract No. 158
Kaufman County, Texas,
CITY OF DALLAS FILE NUMBER: S223-069
1 Lot 60.36 Acres

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

PLOTTED BY: Jones Garabella Ont; tuesday, January 31, 2023 AT: 2:25 PM FILEPATH: C:\Production\SDV\353100\13\1\023\Buffalo Creek\Survey\Drawings\353100.13.1.023 Buffalo Creek Plat (NAD83) Surface North Central Zone - District Coordinates

VICINITY MAP
NOT TO SCALE

SURVEYOR:
DUNAWAY ASSOCIATES, L.P.
550 BAILEY AVENUE
SUITE 400
FORT WORTH, TX 76107
(817)-632-4761 OFFICE
CONTACT: HAL MOLLENKOPF, RPLS

OWNER:
ONCOR ELECTRIC DELIVERY COMPANY, LLC
777 MAIN STREET, SUITE #707
FORT WORTH, TX 76102
817-215-6282 OFFICE
CONTACT: RACHEL BRYEN

ENGINEER:
KIMLEY-HORN
6160 WARREN PARKWAY - SUITE 210
FRISCO, TEXAS 75034
(469) 353-6055 OFFICE
CONTACT: MARISSA VOLK, P.E.

LOT 9
SADDLE CLUB ESTATES
CABINET 2, PAGE 53
P.R.K.C.T.

SECTION 157
MALCIGY FERGUSON SURVEY
ABSTRACT NO. 158

LOT 36
SADDLE CLUB ESTATES PHASE 3
CABINET 2, PAGE 254
P.R.K.C.T.

N27°42'28"E 380.22'

10' UTILITY EASEMENT
CABINET 2, PAGE 254
P.R.K.C.T.

250' TEXAS POWER & LIGHT
COMPANY EASEMENT
VOLUME 505, PAGE 337
D.R.K.C.T.

FOUND 1/2-INCH IRON ROD WITH YELLOW CAP STAMPED "HALFF"

10' UTILITY EASEMENT
CABINET 2, PAGE 53
P.R.K.C.T.

S44°58'33"E 978.62'

FOUND 1/2-INCH IRON ROD

10' UTILITY EASEMENT
CABINET 2, PAGE 254
P.R.K.C.T.

S44°57'59"E 1,332.74'

N45°04'06"E 527.75'

CALLED 10.00 ACRES
MICKEY W. AND THELMA J.
HARDY LIVING TRUST
VOLUME 6038, PAGE 346
D.R.K.C.T.

L4 L5 L6 L7 L8 C8 C9

460 455 450 445 440 475 470 465

30' P.A.F.L.U.D.E.
(BY THIS PLAT)

APPROXIMATE LOCATION
CITY OF HEATH
CITY OF DALLAS ETJ

250' TEXAS POWER & LIGHT
COMPANY EASEMENT
VOLUME 462, PAGE 633
D.R.K.C.T.
CONVEYED TO
TXU ELECTRIC COMPANY
VOLUME 1920, 253
D.R.K.C.T.

EXISTING
POND

LOT 1, BLOCK A
60.36 ACRES
2,629,417 SQUARE FEET

20114 FM 740
FORNEY, TEXAS 75126

CALLED 60.47 ACRES
ONCOR ELECTRIC DELIVERY COMPANY LLC
VOLUME 5217, PAGE 275
O.P.R.K.C.T.

MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 6

40' 0 40' 80'
SCALE 1"= FEET 40'

● = 5/8" iron rod with yellow cap stamped "DUNAWAY ASSOC." set unless otherwise noted.
P.A.F.L.U.D.E. = Public Access, Fire Lane, Utility & Drainage Easement
W.E. = Water Easement
S.V.E. = Sight Visibility Easement
R.O.W. = Right-of-Way
D.R.K.C.T. = Deed Records, Kaufman County, Texas
O.P.R.K.C.T. = Official Public Records, Kaufman County, Texas
P.R.K.C.T. = Plat Records, Kaufman County, Texas

LAND USE TABLE	
Total Gross Acreage	60.4750 Ac.
Right-of-Way Dedication	0.1119 Ac.
Net Acreage	60.3631 Ac.
Number of Residential Lots	0
Number Non-Residential Lots	0
Non-Residential Acreage	60.3631 Ac.
Private Park Acreage	0
Public Park Acreage	0

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

PRELIMINARY PLAT OF
Oncor Buffalo Creek
LOT 1, BLOCK A

Situated in the
Malcigy Ferguson Survey, Abstract No. 158
Kaufman County, Texas,
CITY OF DALLAS FILE NUMBER: S223-069
1 Lot 60.36 Acres

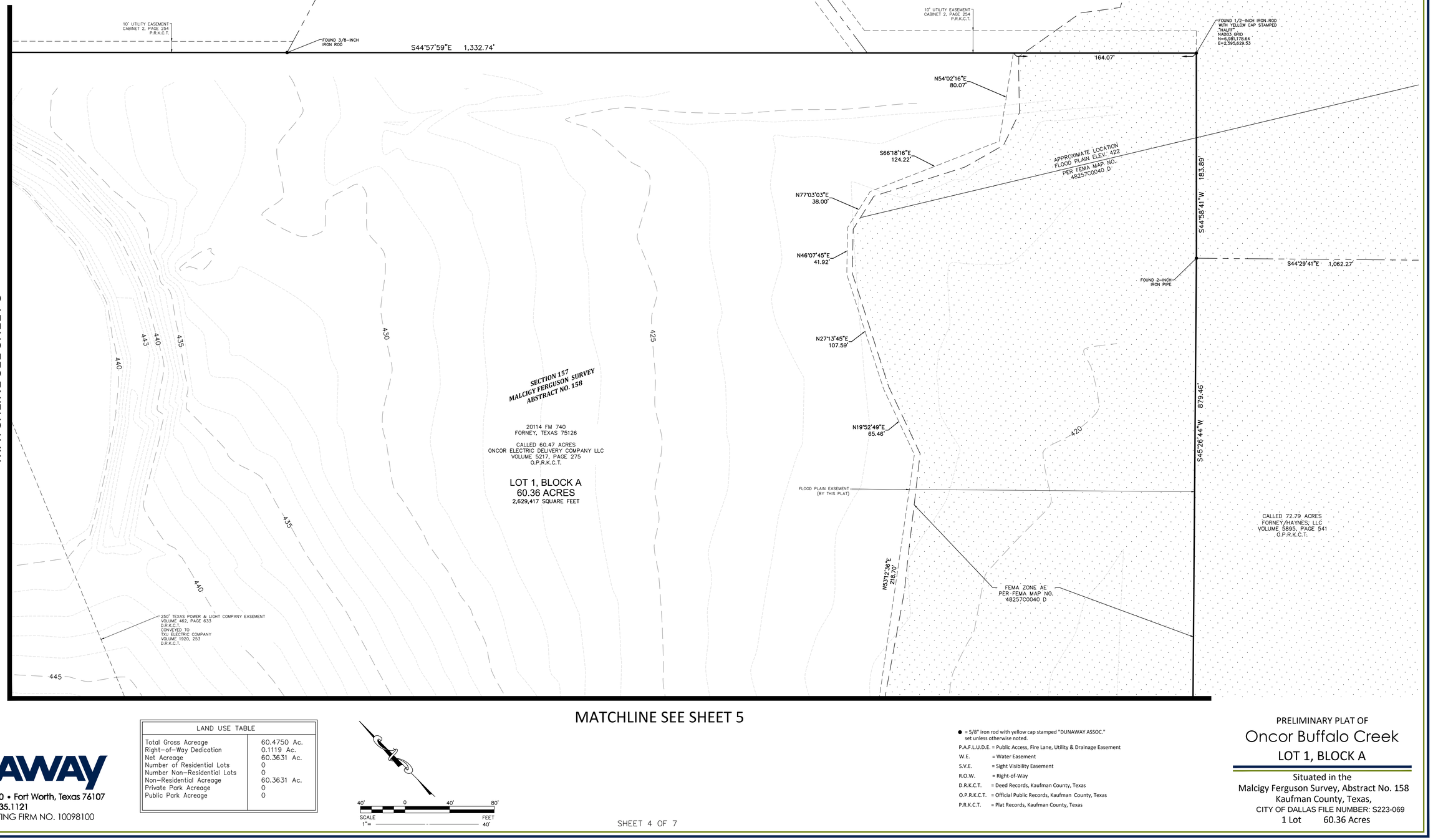
PLOTTED BY: James Candelaria Chi; Tuesday, January 31, 2023 At 1:23 PM FILEPATH: G:\Production\00\003\00\315\023-Buffalo Creek\Survey\Drawings\003315.023- Buffalo Creek Plat NAD83 Surface North Central Zone - Dallas Co.dwg

VICINITY MAP
NOT TO SCALE

SURVEYOR:
DUNAWAY ASSOCIATES, L.P.
550 BAILEY AVENUE
SUITE 400
FORT WORTH, TX 76107
(817)-632-4761 OFFICE
CONTACT: HAL MOLLENKOPF, RPLS

OWNER:
ONCOR ELECTRIC DELIVERY COMPANY, LLC
777 MAIN STREET, SUITE #707
FORT WORTH, TX 76102
817-215-6282 OFFICE
CONTACT: RACHEL BRYEN

ENGINEER:
KIMLEY-HORN
6160 WARREN PARKWAY - SUITE 210
FRISCO, TEXAS 75034
(469) 353-6055 OFFICE
CONTACT: MARISSA VOLK, P.E.



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1 Lot 60.36 Acres

PLOTTED BY: James Grzeskiewicz on Tuesday, January 31, 2023 At 1:25 PM FILEPATH: C:\Production\SDV\600100\31\01\03-Buffalo Creek\Survey\Drawings\600031103 - Buffalo Creek Plat NAD83 Surface North Central Zone - Dallas Co.dwg

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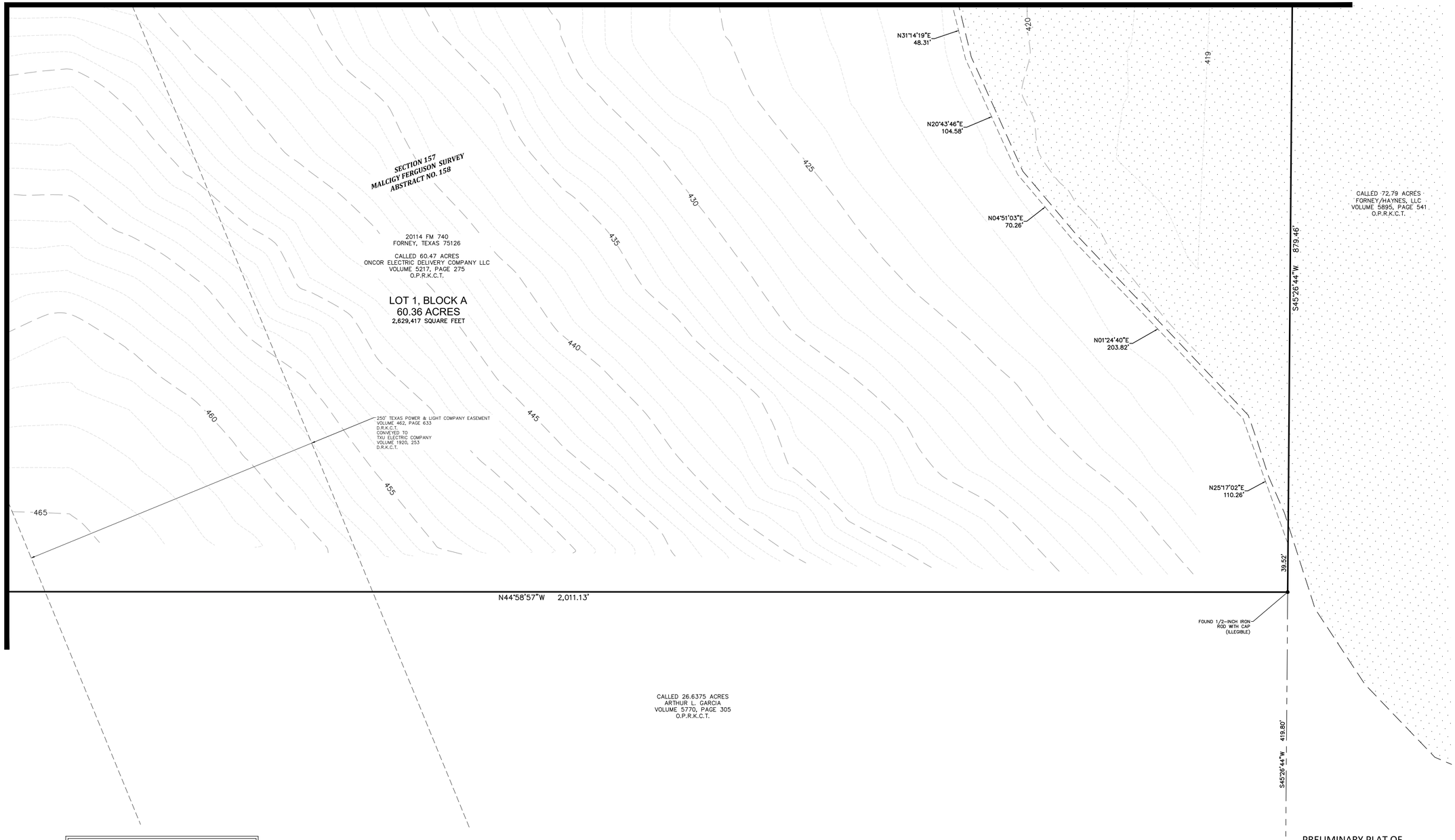
MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 6



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PRELIMINARY PLAT OF
Oncor Buffalo Creek
LOT 1, BLOCK A

Situated in the
Malcigy Ferguson Survey, Abstract No. 158
Kaufman County, Texas,
CITY OF DALLAS FILE NUMBER: S223-069
1 Lot 60.36 Acres

PLOTTED BY: James Grandello On: Tuesday, January 31, 2023 At: 1:23 PM FILEPATH: G:\Production\000\003\005\03115-023-Buffalo Creek\Survey\Drawings\300311-023 - Buffalo Creek Plat NAD83 Surface North Central Zone - Dallas Co.dwg

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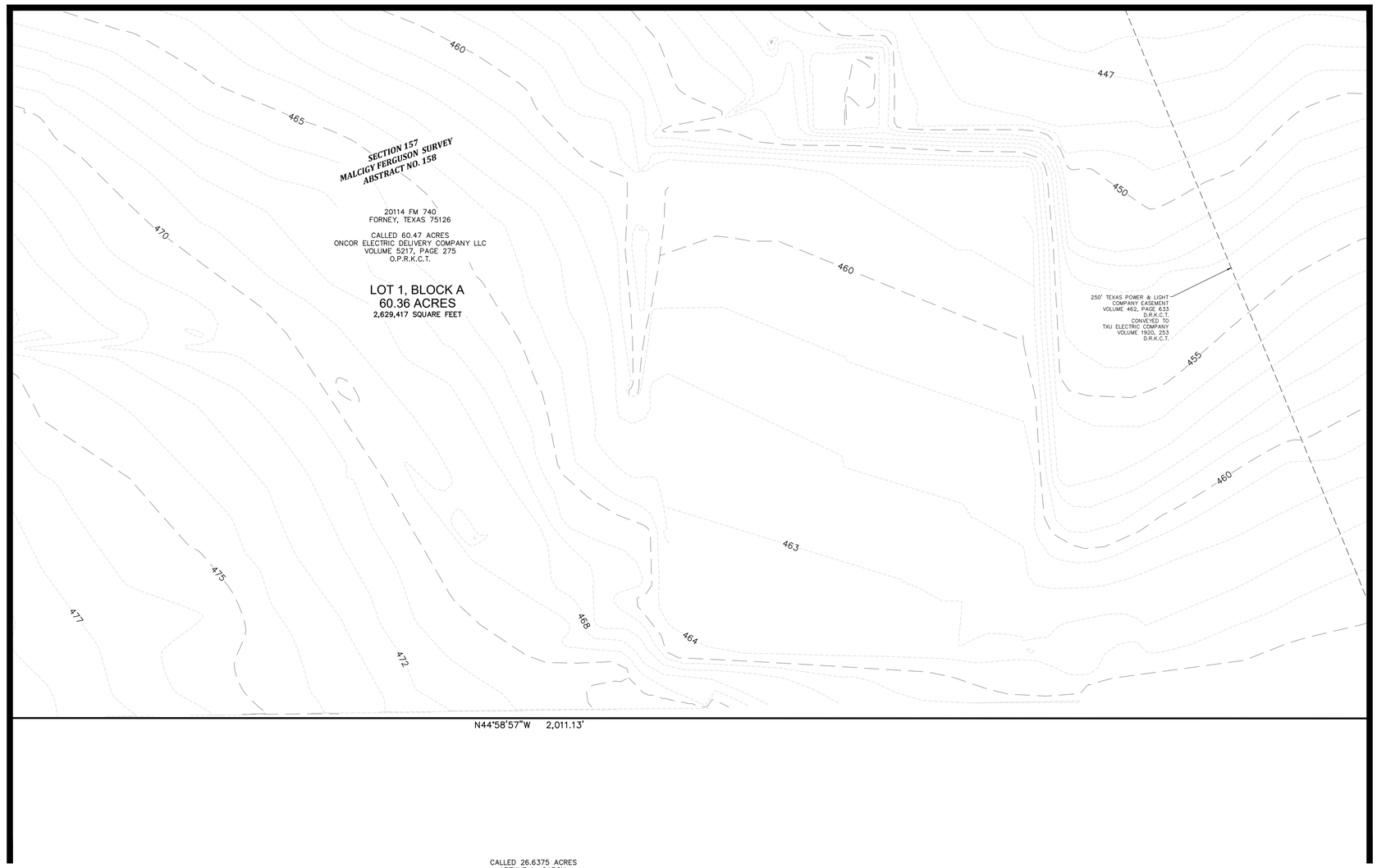
NOTES:

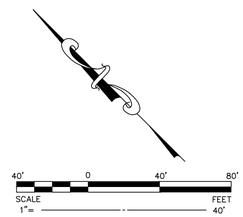
1. The basis of bearings for this survey is the Texas State Coordinate System (NAD83), North Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.99986178 was used for this project.
2. According to the graphical plotting of the flood insurance rate map for Kaufman County and incorporated areas, panel 40 of 600, map number 48257C0040 D, map effective date: July 3, 2012, the subject property is located in Zone X (unshaded), defined as "areas determined to be outside the 0.2% annual chance floodplain" and Zone AE, defined as "Special Food Hazard areas (SFHAs) subject to inundation by the 1% annual chance flood; Base Flood elevations determined." This statement does not reflect any type of flood study by this firm.
3. Topographic Survey performed by others and provided by Kimley-Horn.
4. The purpose of this plat is to create Lot 1, Block A from a 60.47 acre tract of land.
5. Easement and Right-of-Way to Texas Power & Light Company, as recorded in Volume 462, Page 633, D.R.K.C.T. and conveyed to TXU Electric Delivery Company, as recorded in Volume 1920, Page 253, D.R.K.C.T. - as shown hereon.
6. Right-of-Way easement to Forney Lake Water Supply Corporation, as recorded in Volume 489, Page 1195, D.R.K.C.T. - does not contain a plottable description.
7. Right-of-Way easement to Farmers Electric Cooperative, Inc., as recorded in Volume 728, Page 593, D.R.K.C.T. - Blanket in nature.
8. This plat and drawing were performed without the benefit of a title commitment.

MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 2

MATCHLINE SEE SHEET 5





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VICINITY MAP
NOT TO SCALE

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ENGINEER:

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6160 WARREN PARKWAY - SUITE 210
FRISCO, TEXAS 75034
(469) 353-6055 OFFICE
CONTACT: MARISSA VOLK, P.E.

Fire Lane Line Table		
Line Number	Bearing	Distance
L1	S54°06'56"E	47.24'
L2	S44°55'54"E	130.56'
L3	S44°58'22"E	124.07'
L4	N44°58'33"W	23.01'
L5	N45°01'27"E	24.00'
L6	S44°58'33"E	130.01'
L7	S45°01'27"W	24.00'
L8	N44°58'33"W	23.00'
L9	N44°55'54"W	130.56'
L10	N54°06'56"W	34.12'

Water Line Table		
Line Number	Bearing	Distance
L11	N44°55'54"W	173.15'
L12	S45°08'29"W	30.41'
L13	S44°51'31"E	10.00'
L14	N45°08'29"E	30.42'
L15	N44°55'54"W	227.82'
L16	S45°08'29"W	30.41'
L17	S44°51'31"E	10.00'
L18	N45°08'29"E	30.42'
L19	S44°58'22"E	93.97'
L20	N45°04'59"E	10.00'
L21	S44°58'22"E	10.00'
L22	S45°04'59"W	10.00'
L23	S44°51'31"E	11.42'
L24	S45°08'29"W	10.00'
L25	N44°51'31"W	13.61'
L26	N44°58'22"W	100.54'
L27	S45°01'38"W	10.00'
L28	S44°58'22"E	10.00'
L29	N45°01'38"E	10.00'
L30	N44°55'54"W	12.27'
L31	S45°31'43"W	12.39'
L32	N44°28'17"W	10.00'
L33	N45°31'43"E	12.31'
L34	N44°55'54"W	46.98'
L35	N89°55'54"W	14.80'
L36	N00°04'06"E	20.36'
L37	N45°04'06"E	31.00'
L38	N00°04'06"E	7.93'
L39	N44°55'54"W	20.26'
L40	S44°55'54"E	2.17'
L41	S44°55'54"E	0.25'
L42	S00°04'06"W	20.36'
L43	S45°04'06"W	31.00'
L44	S00°04'06"W	7.93'
L45	S89°55'54"E	14.80'
L46	S44°55'54"E	49.25'

Fire Lane Curve Table				
Curve Number	Central Angle	Radius	Arc Length	Chord Bearing and Distance
C1	020°47'03"	30.00	10.88	S43°43'25"E 10.82'
C2	009°11'03"	500.00	80.15	S49°31'25"E 80.06'
C3	090°00'00"	54.00	84.82	S00°04'06"W 76.37'
C4	090°02'28"	30.00	47.15	S00°02'52"W 42.44'
C5	090°00'00"	30.00	47.12	S89°58'22"E 42.43'
C6	090°02'28"	54.00	84.86	S89°57'08"E 76.39'
C7	090°02'28"	30.00	47.15	S89°57'08"E 42.44'
C8	090°00'11"	30.00	47.13	N00°01'33"E 42.43'
C9	089°59'49"	30.00	47.12	N89°58'27"W 42.43'
C10	090°00'00"	54.00	84.82	N89°58'22"W 76.37'
C11	090°02'28"	54.00	84.86	N00°02'52"E 76.39'
C12	090°00'00"	30.00	47.12	N00°04'06"E 42.43'
C13	009°11'03"	476.00	76.30	N49°31'25"W 76.22'
C14	050°07'59"	30.00	26.25	N79°10'56"W 25.42'
C15	001°30'14"	1,399.36	36.73	N34°43'22"E 36.73'
C16	001°27'37"	1,397.37	35.61	S36°12'14"W 35.61'
C17	090°00'00"	30.00	47.12	N00°01'38"E 42.43'
C18	090°02'28"	30.00	47.15	S89°57'08"E 42.44'
C19	089°57'32"	30.00	47.10	S00°02'52"W 42.41'
C20	090°00'00"	30.00	47.12	N89°58'22"W 42.43'

Water Line Curve Table				
Curve Number	Central Angle	Radius	Arc Length	Chord Bearing and Distance
C21	007°01'39"	54.00	6.62	N48°32'28"E 6.62'
C22	039°20'40"	30.00	20.60	S64°36'14"E 20.20'
C23	030°33'30"	54.00	28.80	S29°41'37"E 28.46'
C24	000°39'26"	1,384.36	15.88	S25°50'56"W 15.88'
C25	013°32'10"	54.00	12.76	N38°09'49"W 12.73'
C26	013°32'10"	54.00	12.76	S51°41'59"E 12.73'
C27	032°28'51"	54.00	30.61	S74°42'30"E 30.20'
C28	032°28'51"	54.00	30.61	S15°09'18"E 30.20'
C29	002°07'33"	1,384.36	51.36	S24°27'27"W 51.36'

Sight Visibility Easement Curve Table				
Curve Number	Central Angle	Radius	Arc Length	Chord Bearing and Distance
C30	004°13'09"	1,384.36	101.94	S25°30'15"W 101.92'

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF KAUFMAN §

WHEREAS ONCOR ELECTRIC DELIVERY COMPANY LLC BEING THE OWNER of a 60.47 acre tract of land situated in the Malcigy Ferguson Survey, Abstract No. 158, City of Heath, Kaufman County, Texas being more particularly described by metes and bounds as follows:

Metes & Bounds Description

BEING a 60.48 acre tract of land situated in the Malkijah Ferguson Survey, Abstract 158, Kaufman County, Texas, and being all of a called 60.47 acre tract of land described in deed to Oncor Electric Delivery Company LLC, as recorded in Volume 5217, Page 275, Official Public Records of Kaufman County, Texas (O.P.R.K.C.T.), said 60.48 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a set 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC" for the most westerly southwest corner of said Oncor tract and the northwest corner of a called 5.00 acre tract of land described in deed to Joseph Garcia, as recorded in Volume 1090, Page 988, Deed Records Kaufman County, Texas (D.R.K.C.T.), said corner being on the southeasterly right-of-way line of Farm to Market No. 740 (105 foot ROW), said corner being on a circular curve to the right having a radius of 1,399.36 feet and whose chord bears North 30 degrees 17 minutes 07 seconds East, a distance of 324.00 feet, said POINT OF BEGINNING being locatable by NAD83 Grid Coordinates N: 6,982,737.71, E: 2,592,884.16;

THENCE Northeast, along said southeasterly right-of-way line and said curve to the right, through a central angle of 13 degrees 17 minutes 44 seconds, an arc distance of 324.73 feet to a found 1/2-inch iron rod with yellow cap stamped "HALFF" for the most westerly northwest corner of said Oncor tract and the southwest corner of a called 0.0374 acre tract of land described in deed to Mickey W. Hardy and Thelma I. Hardy Living Trust, as recorded in Volume 6038, Page 346, D.R.K.C.T.;

THENCE South 44 degrees 55 minutes 54 seconds East, departing said southeasterly right-of-way line, along the north line of said Oncor tract and the south line of said 0.0374 acre Hardy tract, a distance of 814.43 feet to a found 1/2-inch iron rod for an ell corner of said Oncor tract and the southeast corner of said 0.0374 acre Hardy tract;

THENCE North 45 degrees 04 minutes 06 seconds East, along said Oncor tract and the east line of said 0.0374 acre Hardy tract, passing a found 1/2-inch iron rod at a distance 2.00 feet for the northeast corner of said 0.0374 acre Hardy tract and the southeast corner of a called 10.00 acre tract of land described in deed to Mickey W. Hardy and Thelma I. Hardy Living Trust, as recorded in the aforementioned Volume 6038, Page 346, D.R.K.C.T., continuing along the along said Oncor tract and the east line of said 10.00 acre Hardy tract, a total distance of 527.75 feet to a found 1/2-inch iron rod for the most easterly northeast corner of said 10.00 acre Hardy tract and the most northerly northwest corner of said Oncor tract, said corner being on the southwest line of Lot 9, Saddleclub Estates, as recorded in Cabinet 2, Page 53, Plat Records Kaufman County, Texas (P.R.K.C.T.);

THENCE South 44 degrees 58 minutes 33 seconds East, along the northeast line of said Oncor tract and the southwest line of said Lot 9, a distance of 978.62 feet to a found 1/2-inch iron rod for the southeast corner of said Lot 9 and the southwest corner of Lot 36, Saddleclub Estates, Phase 3, as recorded in Cabinet 2, Page 254, P.R.K.C.T.;

THENCE South 44 degrees 57 minutes 59 seconds East, along the northeast line of said Oncor tract and the southwest line of said Saddleclub Estates, Phase 3, a distance of 1,332.74 feet to a found 1/2-inch iron rod with yellow cap stamped "HALFF" for the northeast corner of said Oncor tract and an ell corner of said Saddleclub Estates, Phase 3;

THENCE South 44 degrees 58 minutes 41 seconds West, along the easterly line of said Oncor tract and along said Saddleclub Estates, Phase 3, a distance of 183.89 feet to a found 2-inch iron pipe for the corner of Lot 34 of said Saddleclub Estates, Phase 3 and the northwest corner of a called 72.79 acre tract of land described in deed to Forney/Haynes, LLC, as recorded in Volume 5895, Page 541, O.P.R.K.C.T.;

THENCE South 45 degrees 26 minutes 44 seconds West, along the easterly line of said Oncor tract and the westerly line of said Forney/Haynes tract, a distance of 879.46 feet to a found 1/2-inch iron rod with yellow cap (illegible) for the southeast corner of said Oncor tract and the northeast corner of a called 26.6375 acre tract of land described in deed to Arthur L. Garcia, as recorded Volume 5770, Page 305, O.P.R.K.C.T.;

THENCE North 44 degrees 58 minutes 57 seconds West, along the southwest line of said Oncor tract and the northeast line of said Arthur L. Garcia tract, a distance of 2,011.13 feet to a found 1/2-inch iron rod an ell corner of said Oncor tract and the southeast corner of the aforementioned called 5.00 acre Joseph Garcia;

THENCE North 45 degrees 01 minutes 03 seconds East, along said Oncor tract and the southeast line of said Joseph Garcia tract, a distance of 223.44 feet to a found 1/2-inch iron rod with yellow cap stamped "HALFF" for an ell corner of said Oncor tract and the northeast corner of said Joseph Garcia tract;

THENCE North 44 degrees 58 minutes 57 seconds West, along the southwest line of said Oncor tract and the northeast line of said Joseph Garcia tract, a distance of 1,026.29 feet to the POINT OF BEGINNING, and containing 2,634,290 square feet or 60.48 of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT ONCOR ELECTRIC DELIVERY COMPANY LLC does hereby adopt this plat designating the hereinabove described property as ONCOR BUFFALO CREEK an addition to the City of Health, Kaufman County, Texas, and hereby dedicates to the public use forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purposes stated and for the mutual accommodation and use of all utilities desiring or using same. The City of Heath and public utilities shall, at all times, have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of procuring permission from anyone. The City of Heath or Kaufman County will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grades on streets in this subdivision.

We further certify that all other parties who have a mortgage or lien interest in Oncor Buffalo Creek have been notified and signed this plat. We also understand the following;

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Heath will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/owner has complied with all requirements of the Subdivision Regulations of the City of Heath regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets, water, sewer, drainage structure, storm sewers and alley, all according to the specifications of the City of Heath; or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the City Secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the City Secretary, supported by evidence as the work done; or until the developer and/or owner files a corporate surety bond with the City Secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Heath.

Witness my hand this _____ day of _____ , 2023.

_____
OWNERS NAME

Recommended for final approval:

_____ _____
Chairperson Date
Planning and Zoning Commission

Approved:

_____ _____
Mayor Date
City of Heath, Texas

I hereby certify that the above and foregoing Plat of Oncor Buffalo Creek to the City of Heath, Texas, was approved by the Mayor of the City of Heath on the _____ day of _____, 2023 .

This approval shall be invalid unless the approved Plat for the Addition is recorded in the office of the County Clerk of Kaufman County, Texas, within 365 days from the date of final approval. An extension may be granted by the Planning and Zoning Commission.

The addition shall be subject to all the requirements of the Platting Ordinance of the City of Heath.

Witness my hand this _____ day of _____ , 2023.

_____
City Secretary
City of Heath, Texas

SURVEYOR'S CERTIFICATE:

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Hal Mollenkopf, R.P.L.S. No. 5439 do hereby certify that this plat is from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

_____
Hal Mollenkopf
Registered Professional Land Surveyor No. 5439
State of Texas

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.

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

PRELIMINARY PLAT OF
Oncor Buffalo Creek
LOT 1, BLOCK A

Situated in the
Malcigy Ferguson Survey, Abstract No. 158
Kaufman County, Texas,
CITY OF DALLAS FILE NUMBER: S223-069
1 Lot 60.36 Acres

PLOTTED BY: James Grandelis On: Tuesday, January 31, 2023 At 1:23 PM FILEPATH: G:\Production\000\003\100\315\023-Buffalo Creek\Survey\Drawings\003315023-Buffalo Creek Plat NAD83 Surface North Central Zone - Dallas Co.dwg

Agenda Information Sheet

File #: 23-700 Item #: 11.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 11

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create five lots ranging in size from 5.439-acres to 18.182-acres from a 45.139-acre tract of land in City Block A/8178 on property located on Alexis Drive, east of Preston Road/State Highway 289.
Applicant/Owner: Tonti Properties
Surveyor: Spiars Engineering, Inc.
Application Filed: February 3, 2023
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 11
S223-070

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-070 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Alexis Drive, east of Preston Road/State Highway 289

DATE FILED: February 3, 2023 **ZONING:** MF2-(A)

CITY COUNCIL DISTRICT: 11 **SIZE OF REQUEST:** 45.139-acres **MAPSCO:** 15F-15G

APPLICANT/OWNER: Tonti Properties

REQUEST: An application to create five lots ranging in size from 5.439-acres to 18.182-acres from a 45.139-acre tract of land in City Block A/8178 on property located on Alexis Drive, east of Preston Road/State Highway 289.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

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 15,923 square feet to 309,039 square feet, the properties to north are zoned CR Community Retail District, to the east and southeast are zoned R-16(A) Single Family District and PD 474. (*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 MF-2(A) Multi 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 five.

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. 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.

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*

Flood Plain Conditions:

18. On the final plat, determine the 100-year water surface elevation across this addition.

19. 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*

20. 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*

21. On the final plat, specify minimum fill and minimum finished floor elevations. *Section 51A-8.611(d), Trinity Watershed Management.*

22. 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.*

23. 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)*

24. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

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

26. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

27. On the final plat, all access easement(s) must be recorded by separate instrument(s) and the recording information must be shown on the final plat. Platting Guidelines.

Dallas Water Utilities Conditions:

28. 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).

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.

30. 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.

31. 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.

32. Prior to final plat, fire protection improvements may be required.

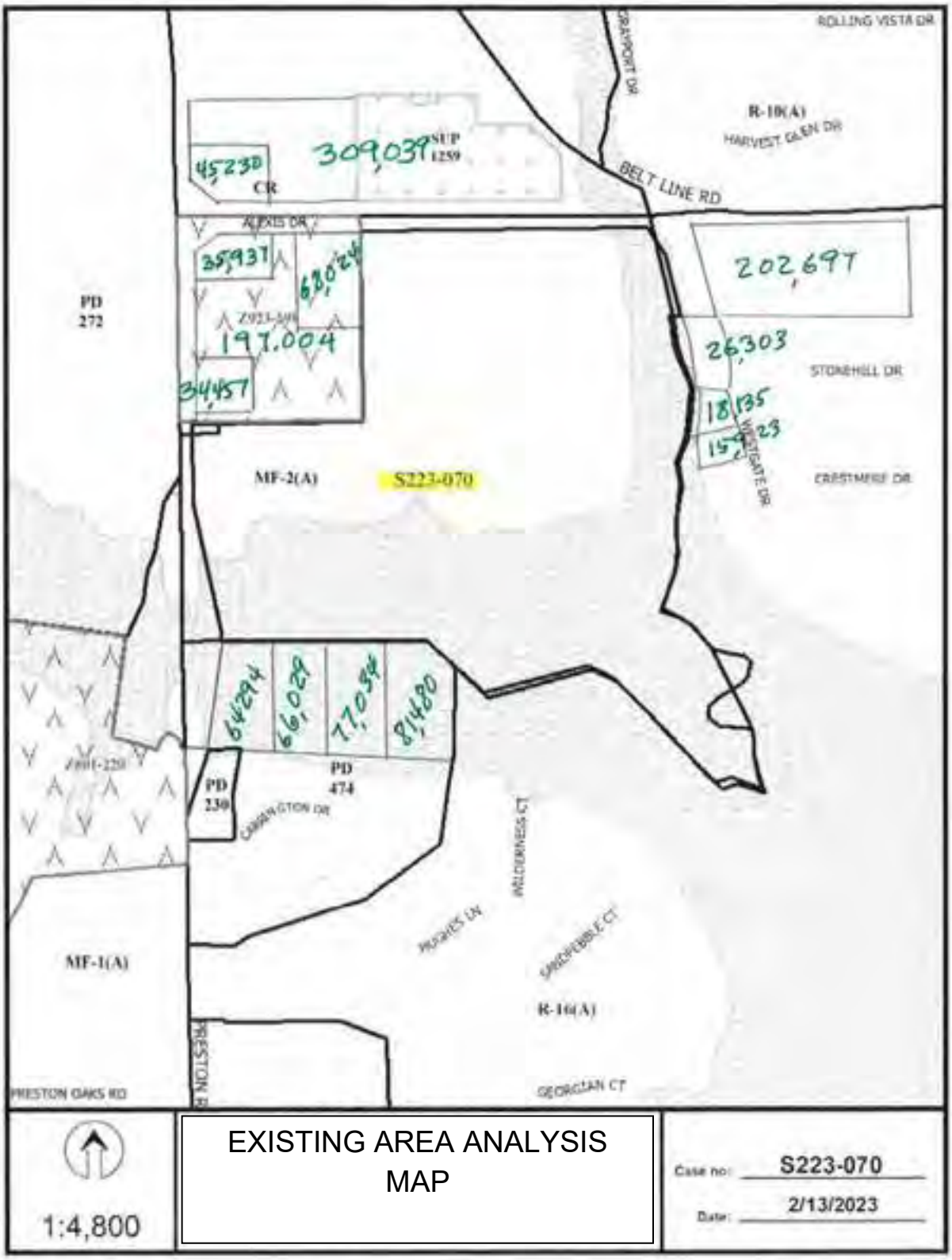
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

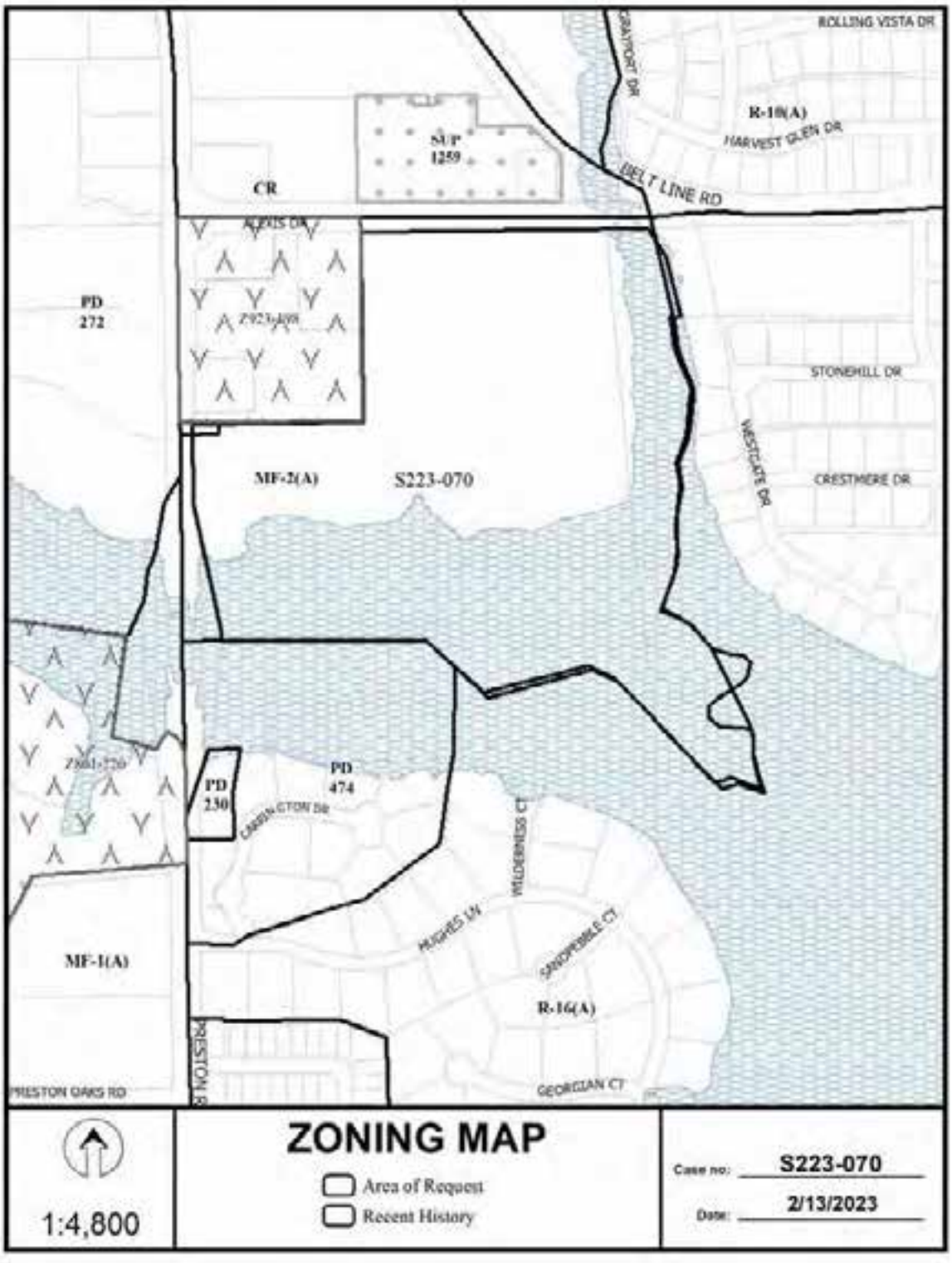
33. On the final plat, change "Preston Road/State Highway 289 Formerly Known As State Highway 14" to "Preston Road (State Highway 289). Section 51A-8.403(a)(1)(A)(xii)

34. On the final plat, Bold the "Belt Line Road" label sheet 1.

35. Prior to final plat, provide documentation of Belt Line Road and Elmo Hutchins Road for Alexis Drive.

36. On the final plat, identify the property as Lots 5-9 in City Block A/8178. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


ROLLING VISTA DR
GRAYPORT DR
R-10(A)
HARVEST GLEN DR
BELT LINE RD
45,230
CR
309,039
SUP 1259
ALEXIS DR
35,937
68,024
Z923-349
197,004
34,457
PD 272
202,697
26,303
STONEHILL DR
18,135
15,423
WHITEGATE DR
CRESTMERE DR
MF-2(A)
S223-070
64,294
66,029
77,034
81,480
PD 230
PD 474
CARRINGTON DR
WILDERNESS CT
PRIDE'S LN
SANDPEBBLE CT
MF-1(A)
R-16(A)
PRESTON RD
PRESTON OAKS RD
GEORGIAN CT
1:4,800
EXISTING AREA ANALYSIS MAP
Case no: S223-070
Date: 2/13/2023


ROLLING VISTA DR
R-10(A)
HARVEST GLEN DR
SUP 1259
CR
BELT LINE RD
PD 272
MF-2(A)
S223-070
STONEHILL DR
CRESTMERE DR
WESTGATE DR
PD 230
PD 474
CARBONDALE DR
WILDERNESS CT
HUGHES LN
SANDPEBBLE CT
MF-1(A)
R-16(A)
PRESTON RD
PRESTON OAKS RD
GEORGIAN CT
ZONING MAP
Area of Request
Recent History
1:4,800
Case no: S223-070
Date: 2/13/2023

S223-070
1:4,800
AERIAL MAP
Area of Request
Recent History
Case no: S223-070
Date: 2/13/2023

PRELIMINARY PLAT
TONTI ALEXIS ADDITION
LOTS 1A THROUGH 5A, BLOCK A/5878
IN THE JAMES BYRD SURVEY, ABSTRACT NO. 84,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 45.139 ACRES
CITY PLAN FILE NO. S223-070
CITY ENGINEER PLAN FILE NO. DP _-_
PRESTON ROAD / STATE HIGHWAY 289
ALEXIS DRIVE
POINT OF BEGINNING
MATCH LINE
LEGEND
VICINITY MAP
NOTES:

PRESTON ROAD / STATE HIGHWAY 22
MATCH LINE
MATCH LINE
MATCH LINE
LEGEND
Lot 1, Block A/8178
(265,117 Square Feet)
Lot 2, Block A/8178
(819,400 Square Feet)
Lot 3, Block A/8178
(265,117 Square Feet)
PRELIMINARY PLAT
TONTI ALEXIS ADDITION
LOTS 1A THROUGH 5A, BLOCK A/8178
IN THE JAMES BYRD SURVEY, ABSTRACT NO. 84,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 45.139 ACRES
CITY PLAN FILE NO. S223-070
CITY ENGINEER PLAN FILE NO. DP ___-___

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 1,966,257 square feet or 45.139 acres tract of land situated James Byrd Survey, Abstract Number 84, in City Block 8178, City of Dallas, Dallas County, Texas, being all of a tract conveyed by a special warranty deed to NSHE TX Black Tetra, LLC, recorded in Instrument Number 201500204154, Official Public Records, Dallas County, Texas (OPRDCT), and corrected in Instrument Number 201600063170 OPRDCT, and being all of a tract conveyed by a special warranty deed to NSHE TX Black Tetra, LLC, recorded in Instrument Number 201600260453 OPRDCT, with the subject tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap found on the south line of Alexia Drive, a 100-foot right-of-way (formerly Belt Line Road and Elmo Hufthines Road), as conveyed by right-of-way deed to the County of Dallas, recorded in Volume 3486, Page 575, Deed Records, Dallas County, Texas (DRDCT), for the northeast corner of Lot 2, Block A/8178, Preston/Alexia Addition (2nd correction plat), recorded in Volume 94240, Page 1708 DRDCT;

THENCE N 89°23'01" E, along the south line of Alexia Drive and same for said right-of-way deed, and of another conveyed as "Tract Two" to the County of Dallas, recorded in Volume 3486, Page 573 DRDCT, passing at 804.00 feet a 1" iron rod found for the northeast corner of the first mentioned NSHE tract and the northwest corner of the second mentioned tract, and continuing a total distance of 843.48 feet to a 3-1/4" aluminum disc stamped "TA ADDITION SPARSENG RPLS 5252" set for the northeast corner of a tract conveyed by a warranty deed with vendor's lien to Bob C. Lewis, recorded in Volume 94193, Page 4823 DRDCT;

THENCE S 32°31'18" E, 107.90 feet along the west line thereof to a 3-1/4" aluminum disc stamped "TA ADDITION SPARSENG RPLS 5252" set;

THENCE S 18°39'18" E, 205.22 feet continuing along the west line of said Lewis tract to a 3-1/4" aluminum disc stamped "TA ADDITION SPARSENG RPLS 5252" set for the southwest corner thereof, being the northwest of Lot 34, Block 9/8178, and the northeast corner of the "Floodway Management Area", in Block 8178, of Northwood Hills Estates, Twelfth Section, according to the Correction Plat thereof, recorded in Volume 81254, Page 2692 DRDCT;

THENCE along the north and west lines of said Floodway Management Area, the following:

S 89°54'30" W, 38.39 feet to a point for corner (unable to set);

A non-tangent curve to the right having a central angle of 15°49'11", a radius of 130.00 feet, a chord of S 1°48'48" E – 35.78 feet, an arc length of 35.89 feet to a point for corner (unable to set);

S 05°54'13" E, 51.90 feet to a point for corner (unable to set);

A tangent curve to the left having a central angle of 19°01'20", a radius of 130.00 feet, a chord of S 15°24'53" E – 42.96 feet, an arc length of 43.16 feet to a point for corner (unable to set);

S 24°55'33" E, 85.52 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 31°34'30", a radius of 100.00 feet, a chord of S 09°08'18" E – 54.41 feet, an arc length of 55.11 feet to a point for corner (unable to set);

S 06°38'57" W, 133.26 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 17°28'00", a radius of 130.00 feet, a chord of S 15°22'57" W – 39.48 feet, an arc length of 39.63 feet to a point for corner (unable to set);

S 24°06'57" W, 53.63 feet to a point for corner (unable to set);

S 12°08'03" E, 61.18 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 32°18'00", a radius of 100.00 feet, a chord of S 04°00'57" W – 55.63 feet, an arc length of 56.37 feet to a point for corner (unable to set);

S 20°09'57" W, 5.42 feet to a point for corner (unable to set);

S 05°06'27" W, 73.88 feet to a point for corner (unable to set);

A tangent curve to the left having a central angle of 08°30'30", a radius of 130.00 feet, a chord of S 00°51'12" W – 19.29 feet, an arc length of 19.30 feet to a point for corner (unable to set);

S 07°24'03" E, 71.86 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 15°00'00", a radius of 150.00 feet, a chord of S 04°05'57" W – 39.16 feet, an arc length of 39.27 feet to a point for corner (unable to set);

S 11°35'57" W, 34.28 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 07°25'00", a radius of 130.00 feet, a chord of S 15°18'27" W – 16.82 feet, an arc length of 16.83 feet to a point for corner (unable to set);

S 19°00'57" W, 119.72 feet to a point for corner (unable to set);

S 71°15'06" E, 61.99 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 30°02'00", a radius of 100.00 feet, a chord of S 56°14'06" E – 51.82 feet, an arc length of 52.42 feet to a point for corner (unable to set);

S 41°13'06" E, 84.10 feet to a point for corner (unable to set);

S 26°50'06" E, 279.88 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 29°13'52", a radius of 130.00 feet, a chord of S 12°13'10" E – 65.61 feet, an arc length of 66.32 feet to a point for corner (unable to set);

S 02°23'46" W, 15.04 feet to a point for corner (unable to set);

And a tangent curve to the left having a central angle of 15°29'32", a radius of 170.00 feet, a chord of S 05°21'00" E – 45.83 feet, an arc length of 45.97 feet to a point for corner (unable to set);

THENCE S 13°05'46" E, passing at 12.15 feet the southeast corner of said Floodway Management Area, being a northerly corner of a tract conveyed by deed to the City of Dallas as the "Bert Fields Park", recorded in Volume 83258, Page 5987 DRDCT, and continuing along a westerly line thereof a total distance of 89.40 feet to a point for corner (unable to set);

THENCE along the northerly lines of said park tract, the following:

N 69°46'00" W, 103.25 feet to a point for corner (unable to set);

S 75°37'28" W, 57.19 feet to a point for corner (unable to set);

N 43°32'26" W, 285.89 feet to a point for corner (unable to set);

N 43°28'51" W, 185.71 feet;

N 69°13'51" W, 100.00 feet to a point for corner (unable to set);

And S 75°16'39" W, 350.00 feet to a point for corner (unable to set);

THENCE N 48°13'21" W, continuing along the north line of said park tract, passing at 121.93 feet the northwest corner thereof, a point being the lower northeast corner the Floodway Easement Common Area "A", created by the final plat of The Oaks at Williamsburg, recorded in Volume 98258, Page 232 DRDCT, and continuing along a north line thereof a total distance of 253.00 feet to a point for corner (unable to set);

THENCE S 89°49'37" W, 310.00 feet along the north line of Floodway Easement Common Area "A" to a point for corner (unable to set);

THENCE S 89°51'33" W, 362.76 feet continuing along the north line of Floodway Easement Common Area "A" to a point for corner (unable to set) on the east line of Preston Road (State Highway 289, formerly known as State Highway 14), a variable width public right-of-way, for the east line thereof as conveyed to the State of Texas as "Tract One" by a right-of-way deed recorded in Volume 75101, Page 465 DRDCT;

THENCE N 00°58'28" W, 33.37 feet along the east line of said road and same for said right-of-way deed to a point for corner (unable to set);

THENCE N 12°28'08" W, along the east line of said road and same for said right-of-way deed, passing at 60.00 feet a 3-1/4" aluminum disc stamped "TA ADDITION SPARSENG RPLS 5252" set (for witness), continuing a total distance of 428.55 feet to a 3-1/4" aluminum disc stamped "TA ADDITION SPARSENG RPLS 5252" set for the most northerly corner of said right-of-way deed, being on the east line of another right-of-way tract conveyed as "Tract One" by a right-of-way deed recorded in Volume 2324, Page 251 DRDCT;

THENCE N 00°58'25" W, 263.50 feet continuing along the east line of said road and same for said right-of-way deed to a 3-1/4" aluminum disc stamped "TA ADDITION SPARSENG RPLS 5252" set for the southwest corner of Lot 3, Block A/8178, Preston/Alexia Addition;

THENCE N 89°18'26" E, 560.90 feet along the south line of Lot 3 to a 1/2" iron pipe found for the southwest corner thereof;

THENCE N 00°51'44" W, along the east line of Lot 3, passing at 306.92 feet the northeast corner thereof, being the southeast corner of Lot 2, and continuing along the east line thereof a total distance of 626.30 feet to the POINT OF BEGINNING with the subject tract containing 1,966,257 square feet or 45.139 acres of land, as noted in the preamble above.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Tonti Properties**, acting by, and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as **TONTI ALEXIS 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.

By: _____

_____, President

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 Carl B. Anderson, IV, 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

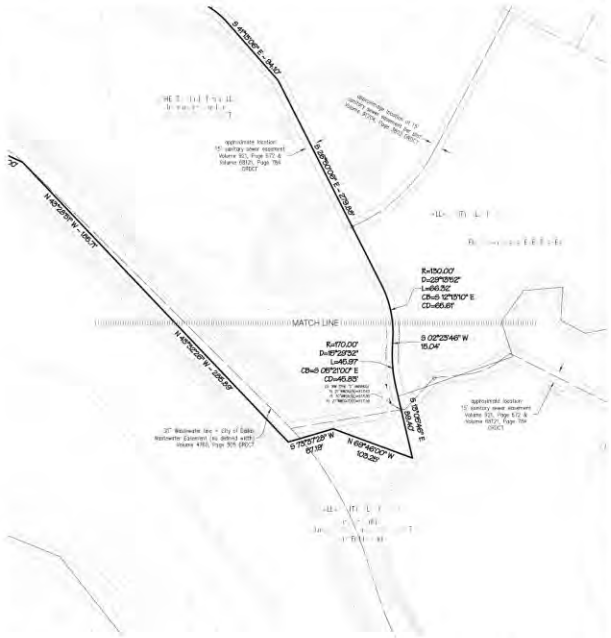
DARREN K. BROWN, R.P.L.S. NO. 5252

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

TONTI ALEXIS ADDITION

LOTS 1A THROUGH 5A, BLOCK A/8178
IN THE JAMES BYRD SURVEY, ABSTRACT NO. 84,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 45.139 ACRES
CITY PLAN FILE NO. S223-070
CITY ENGINEER PLAN FILE NO. DP___-___

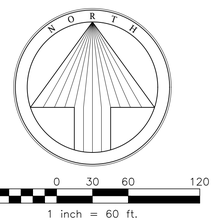
APPLICANT	ENGINEER / SURVEYOR
Tonti Properties	Spiars Engineering, Inc.
4949 Westgrove Drive Suite 100	760 Custer Road, Suite 100,
Dallas, Texas 75248	Plano, TX 75075
Telephone: (972) 447-9626	Telephone: (972) 422-0077
Contact: Adam Asensio	TBPE No. F-2121 / TBPLS No. F-10043100
	Contact: Kevin Wier

Page 3 of 3 Scale: 1" = 60' February 2023 SD Job No. 23-265

1 inch = 60 ft.

S223-070

City Plan Commission Date: 03/02/2023 11(j)



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. The purpose of this plat is to create five lots from two unplatted tracts of land.
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.

LEGEND	
ADS	3-1/4" ALUMINUM DISC STAMPED "TA ADDITION SPIARSENG RPLS 5252" SET
IRF	IRON ROD FOUND
CIRF	IRON ROD WITH PLASTIC CAP FOUND
CM	CONTROL MONUMENT
DRDCT	DEED RECORDS, DALLAS COUNTY, TEXAS
OPRDCT	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

Lot 4A, Block B/8189
HSM PEPPER SQUARE ADDITION
Volume 2001026, Page 2569 DRDCT
(New Pepper Square S/C Partners, Ltd.,
Instrument Number 201000205228 OPRDCT)

Lot 7, Block B/8189
ALEXIS CITY GARAGE ADDITION
Volume 96054, Page 1829 DRDCT
(Zell Three Inc.
Volume 95247, Page 1107 DRDCT)

Lot 6, Block B/8189
CORSER ADDITION
Volume 92205
Page 2293 DRDCT
(Fremont Hills Prop LLC
Instrument Number
201800114487 OPRDCT)

BELT LINE ROAD
100' right-of-way
(Volume 67019
Page 673 DRDCT)

Simmons Land Company
Volume 914, Page 1049
DRDCT

ALEXIS DRIVE
(formerly Belt Line Road & Elmo Huffhines Road)
100' right-of-way

County of Dallas – Tract One
Volume 3518, Page 28 DRDCT

County of Dallas – Tract Two
Volume 3495, Page 562 DRDCT

County of Dallas – Tract Two
Volume 3495, Page 573 DRDCT

County of Dallas
Volume 3495, Page 575 DRDCT

County of Dallas – Tract One
Volume 3518, Page 60 DRDCT

Subdivision of Part of Block A/8179
Volume 70095, Page 1567 DRDCT
(Baptist Hashem Congregation Inc.,
Volume 92062, Page 6820 DRDCT)

Bob G. Lewis
Volume 94193
Page 4822 DRDCT

POINT OF BEGINNING

N 89°23'01" E ~ 431.02'

S 32°26'19" E ~ 107.50'

S 13°58'19" E ~ 205.22'

S 89°54'30" W
38.39'

S 00°51'44" W ~ 625.30'

Lot 2, Block A/8178
5.439 Acres
(236,906 Square Feet)

Lot 3, Block A/8178
8.286 Acres
(360,952 Square Feet)

Lot 1, Block A/8178
6.975 Acres
(303,822 Square Feet)

Lot 4, Block A/8178
5.627 Acres
(245,117 Square Feet)

R=130.00'
D=15°49'11"
L=35.89'
CB=S 13°48'48" E
CD=35.78'

R=130.00'
D=19°01'20"
L=43.16'
CB=S 15°24'53" E
CD=42.96'

R=100.00'
D=31°34'30"
L=55.11'
CB=S 09°08'18" E
CD=54.41'

R=130.00'
D=17°28'00"
L=39.63'
CB=S 15°22'57" W
CD=39.48'

R=100.00'

S 24°06'57" W ~ 135.26'

S 12°08'03" E
61.10'

S 00°00'00" E ~ 428.31'

S 00°00'00" E ~ 388.53'

S 00°00'00" E ~ 338.01'

S 00°01'00" E
116.15'

S 17°14'37" W
43.39'

S 30°01'05" W ~ 244.63'

N 89°16'26" E ~ 560.90'

S 00°51'44" E
26.50'

N 00°56'25" W ~ 269.50'

N 00°56'25" W ~ 292.80'

S 74°58'48" W ~ 310.63'

S 87°01'45" W ~ 165.44'

S 75°40'16" W ~ 93.77'

N 89°59'18" W ~ 698.45'

WEST ~ 220.85'

WEST ~ 717.78'

S 89°59'00" W
20.00'

S 89°26'09" E
19.15'

S 89°26'09" E
12.78'

S 21°42'18" E
101.78'

S 21°42'18" E
83.91'

SOUTH ~ 176.86'

SOUTH ~ 111.44'

SOUTH ~ 91.97'

EAST
58.54'

EAST
88.54'

SOUTH
82.56'

SOUTH
66.33'

WEST
15.46'

SOUTH ~ 479.00'

VARIABLE WIDTH
ACCESS EASEMENT
(BY THIS PLAT)

15' water
easement
per plat

15' drainage
easement
per plat

70' Reciprocal Easement
Volume 83133, Page 3739
DRDCT

approximate location
15' sanitary sewer easement
Volume 921, Page 672 &
Volume 68121, Page 784
DRDCT

"NSHE TX Block Tetra, LLC
Instrument Number
201600260453 OPRDCT

NSHE TX Black Tetra, LLC
Instrument Number 201500204154 OPRDCT,
corrected in Instrument Number
201600053170 OPRDCT

DALLAS CITY BLOCK 8178

JAMES BYRD SURVEY
ABSTRACT NUMBER 84

F.W. WIGGINTON SURVEY
ABSTRACT NUMBER 1610

State of Texas / Volume 2243, Page 571 DRDCT

PRESTON ROAD / STATE HIGHWAY 289

centerline

formerly known as State Highway 14

State of Texas – Tract One / Volume 2324, Page 251 DRDCT

Lot 5, Block 11/8180
NORTHWOOD HILLS ESTATES
NINTH SECTION
Volume 72153
Page 1912 DRDCT

NORTHWOOD HILLS ESTATES
TWELFTH SECTION
(Correction Plat)
Volume 91204
Page 3602 DRDCT

WESTGATE DRIVE, a 50' right-of-way
Volume 91204, Page 3602 DRDCT
Volume 72153, Page 1912 &

DALLAS CITY BLOCK 9/8181

FLOODWAY MANAGEMENT AREA

MATCH LINE

MATCH LINE

PRELIMINARY PLAT

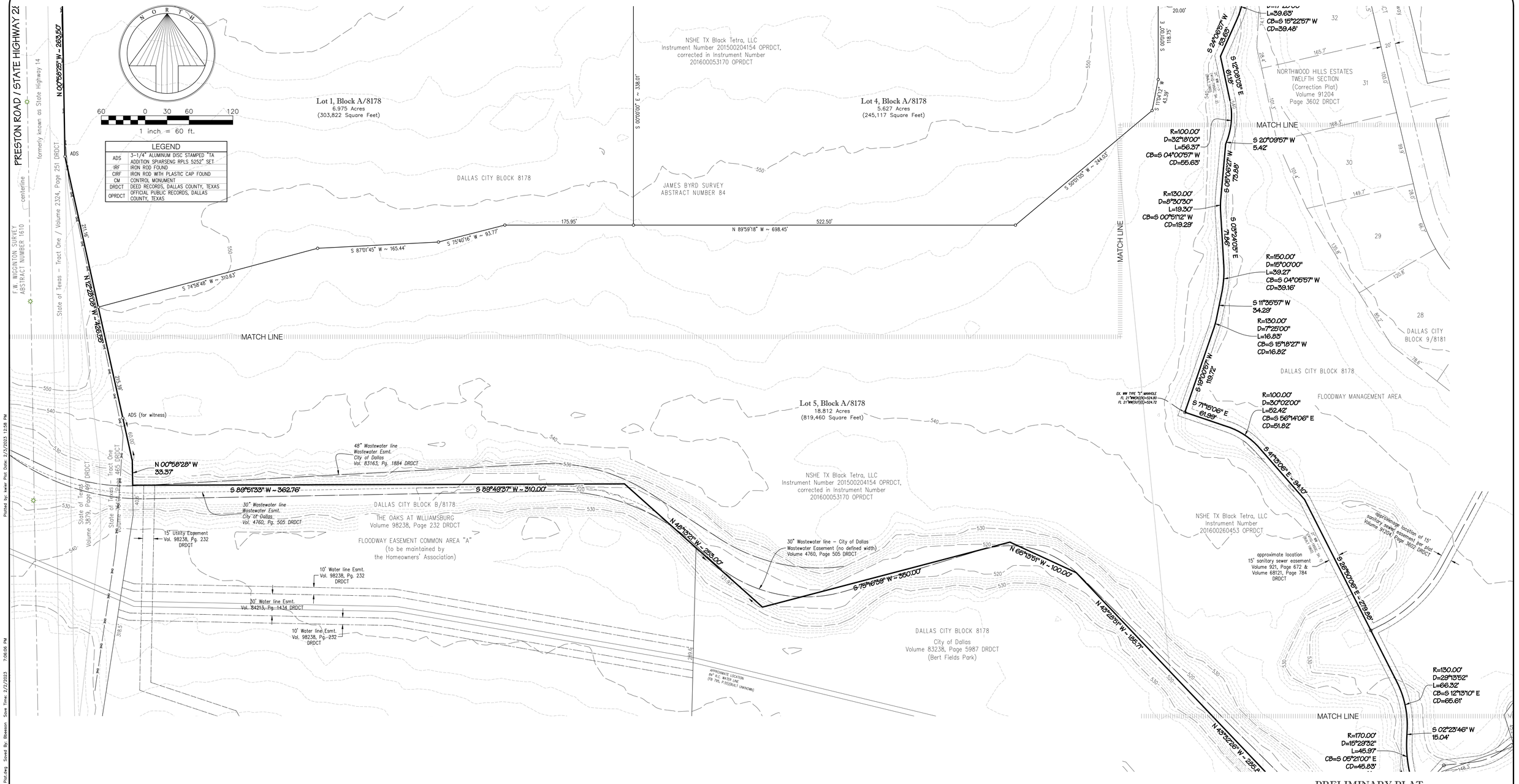
TONTI ALEXIS ADDITION

LOTS 1A THROUGH 5A, BLOCK A/8178
IN THE JAMES BYRD SURVEY, ABSTRACT NO. 84,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 45.139 ACRES
CITY PLAN FILE NO. S223-070
CITY ENGINEER PLAN FILE NO. DP__-___

APPLICANT
Tonti Properties
4949 Westgrove Drive Suite 100
Dallas, Texas 75248
Telephone: (972) 447-9035
Contact: Adam Auensen

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

Drawing: G:\2022 JOBS\22-265 Tonti Properties\CAD\Preliminary\22-265 Preliminary Plat.dwg Saved By: Bbeeson Save Time: 2/2/2023 7:06:06 PM Plotted by: kwier Plot Date: 2/3/2023 12:58 PM



PRELIMINARY PLAT

TONTI ALEXIS ADDITION

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OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 1,966,257 square feet or 45.139 acres tract of land situated James Byrd Survey, Abstract Number 84, in City Block 8178, City of Dallas, Dallas County, Texas, being all of a tract conveyed by a special warranty deed to NSHE TX Black Tetra, LLC, recorded in Instrument Number 201500204154, Official Public Records, Dallas County, Texas (OPRDCT), and corrected in Instrument Number 201600053170 OPRDCT, and being all of a tract conveyed by a special warranty deed to NSHE TX Black Tetra, LLC, recorded in Instrument Number 201600260453 OPRDCT, with the subject tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap found on the south line of Alexis Drive, a 100–foot right–of–way (formerly Belt Line Road and Elmo Huffhines Road), as conveyed by right–of–way deed to the County of Dallas, recorded in Volume 3495, Page 575, Deed Records, Dallas County, Texas (DRDCT), for the northeast corner of Lot 2, Block A/8178, Preston/Alexis Addition (2nd correction plat), recorded in Volume 94240, Page 1708 DRDCT;

THENCE N 89°23'01" E, along the south line of Alexis Drive and same for said right–of–way deed, and of another conveyed as "Tract Two" to the County of Dallas, recorded in Volume 3495, Page 573 DRDCT, passing at 804.00 feet a 1" iron rod found for the northeast corner of the first mentioned NSHE tract and the northwest corner of the second mentioned tract, and continuing a total distance of 943.46 feet to a 3–1/4" aluminum disc stamped "TA ADDITION SPIARSENG RPLS 5252" set for the northwest corner of a tract conveyed by a warranty deed with vendor's lien to Bob G. Lewis, recorded in Volume 94193, Page 4822 DRDCT;

THENCE S 32°31'18" E, 107.90 feet along the west line thereof to a 3–1/4" aluminum disc stamped "TA ADDITION SPIARSENG RPLS 5252" set;

THENCE S 13°39'18" E, 205.22 feet continuing along the west line of said Lewis tract to a 3–1/4" aluminum disc stamped "TA ADDITION SPIARSENG RPLS 5252" set for the southwest corner thereof, being the northwest of Lot 34, Block 9/8181, and the northeast corner of the "Floodway Management Area", in Block 8178, of Northwood Hills Estates, Twelfth Section, according to the Correction Plat thereof, recorded in Volume 91204, Page 3602 DRDCT;

THENCE along the north and west lines of said Floodway Management Area, the following:

S 89°54'30" W, 38.39 feet to a point for corner (unable to set);

A non–tangent curve to the right having a central angle of 15°49'11", a radius of 130.00 feet, a chord of S 13°48'48" E – 35.78 feet, an arc length of 35.89 feet to a point for corner (unable to set);

S 05°54'13" E, 51.90 feet to a point for corner (unable to set);

A tangent curve to the left having a central angle of 19°01'20", a radius of 130.00 feet, a chord of S 15°24'53" E – 42.96 feet, an arc length of 43.16 feet to a point for corner (unable to set);

S 24°55'33" E, 85.52 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 31°34'30", a radius of 100.00 feet, a chord of S 09°08'18" E – 54.41 feet, an arc length of 55.11 feet to a point for corner (unable to set);

S 06°38'57" W, 133.26 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 17°28'00", a radius of 130.00 feet, a chord of S 15°22'57" W – 39.48 feet, an arc length of 39.63 feet to a point for corner (unable to set);

S 24°06'57" W, 53.63 feet to a point for corner (unable to set);

S 12°08'03" E, 61.18 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 32°18'00", a radius of 100.00 feet, a chord of S 04°00'57" W – 55.63 feet, an arc length of 56.37 feet to a point for corner (unable to set);

S 20°09'57" W, 5.42 feet to a point for corner (unable to set);

S 05°06'27" W, 73.88 feet to a point for corner (unable to set);

A tangent curve to the left having a central angle of 08°30'30", a radius of 130.00 feet, a chord of S 00°51'12" W – 19.29 feet, an arc length of 19.30 feet to a point for corner (unable to set);

S 03°24'03" E, 71.86 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 15°00'00", a radius of 150.00 feet, a chord of S 04°05'57" W – 39.16 feet, an arc length of 39.27 feet to a point for corner (unable to set);

S 11°35'57" W, 34.29 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 07°25'00", a radius of 130.00 feet, a chord of S 15°18'27" W – 16.82 feet, an arc length of 16.83 feet to a point for corner (unable to set);

S 19°00'57" W, 119.72 feet to a point for corner (unable to set);

S 71°15'06" E, 61.99 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 30°02'00", a radius of 100.00 feet, a chord of S 56°14'06" E – 51.82 feet, an arc length of 52.42 feet to a point for corner (unable to set);

S 41°13'06" E, 94.10 feet to a point for corner (unable to set);

S 26°50'06" E, 279.88 feet to a point for corner (unable to set);

A tangent curve to the right having a central angle of 29°13'52", a radius of 130.00 feet, a chord of S 12°13'10" E – 65.61 feet, an arc length of 66.32 feet to a point for corner (unable to set);

S 02°23'46" W, 15.04 feet to a point for corner (unable to set);

And a tangent curve to the left having a central angle of 15°29'32", a radius of 170.00 feet, a chord of S 05°21'00" E – 45.83 feet, an arc length of 45.97 feet to a point for corner (unable to set);

THENCE S 13°05'46" E, passing at 12.15 feet the southwest corner of said Floodway Management Area, being a northerly corner of a tract conveyed by deed to the City of Dallas as the "Bert Fields Park", recorded in Volume 83238, Page 5987 DRDCT, and continuing along a westerly line thereof a total distance of 89.40 feet to a point for corner (unable to set);

THENCE along the northerly lines of said park tract, the following:

N 69°46'00" W, 103.25 feet to a point for corner (unable to set);

S 73°37'28" W, 57.19 feet to a point for corner (unable to set);

N 43°32'26" W, 285.89 feet to a point for corner (unable to set);

N 43°28'51" W, 185.71 feet;

N 65°13'51" W, 100.00 feet to a point for corner (unable to set);

And S 75°16'39" W, 350.00 feet to a point for corner (unable to set);

THENCE N 48°13'21" W, continuing along the north line of said park tract, passing at 121.93 feet the northwest corner thereof, a point being the lower northeast corner the Floodway Easement Common Area "A", created by the final plat of The Oaks at Williamsburg, recorded in Volume 98238, Page 232 DRDCT, and continuing along a north line thereof a total distance of 253.00 feet to a point for corner (unable to set);

THENCE S 89°49'37" W, 310.00 feet along the north line of Floodway Easement Common Area "A" to a point for corner (unable to set);

THENCE S 89°51'33" W, 362.76 feet continuing along the north line of Floodway Easement Common Area "A" to a point for corner (unable to set) on the east line of Preston Road (State Highway 289, formerly known as State Highway 14), a variable width public right–of–way, for the east line thereof as conveyed to the State of Texas as "Tract One" by a right–of–way deed recorded in Volume 75101, Page 465 DRDCT;

THENCE N 00°58'28" W, 33.37 feet along the east line of said road and same for said right–of–way deed to a point for corner (unable to set);

THENCE N 12°28'08" W, along the east line of said road and same for said right–of–way deed, passing at 60.00 feet a 3–1/4" aluminum disc stamped "TA ADDITION SPIARSENG RPLS 5252" set (for witness), continuing a total distance of 426.55 feet to a 3–1/4" aluminum disc stamped "TA ADDITION SPIARSENG RPLS 5252" set for the most northerly corner of said right–of–way deed, being on the east line of another right–of–way tract conveyed as "Tract One" by a right–of–way deed recorded in Volume 2324, Page 251 DRDCT;

THENCE N 00°58'25" W, 263.50 feet continuing along the east line of said road and same for said right–of–way deed to a 3–1/4" aluminum disc stamped "TA ADDITION SPIARSENG RPLS 5252" set for the southwest corner of Lot 3, Block A/8178, Preston/Alexis Addition;

THENCE N 89°16'26" E, 560.90 feet along the south line of Lot 3 to a 1/2" iron pipe found for the southwest corner thereof;

THENCE N 00°51'44" W, along the east line of Lot 3, passing at 306.92 feet the northeast corner thereof, being the southeast corner of Lot 2, and continuing along the east line thereof a total distance of 625.30 feet to the POINT OF BEGINNING with the subject tract containing 1,966,257 square feet or 45.139 acres of land, as noted in the preamble above.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Tonti Properties,** acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as **TONTI ALEXIS 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.

_____

By: _____

_____
_____, President

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 Carl B. Anderson, IV, 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

_____
DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS
REGISTERED
DARREN K. BROWN
5252
PROFESSIONAL
LAND SURVEYOR

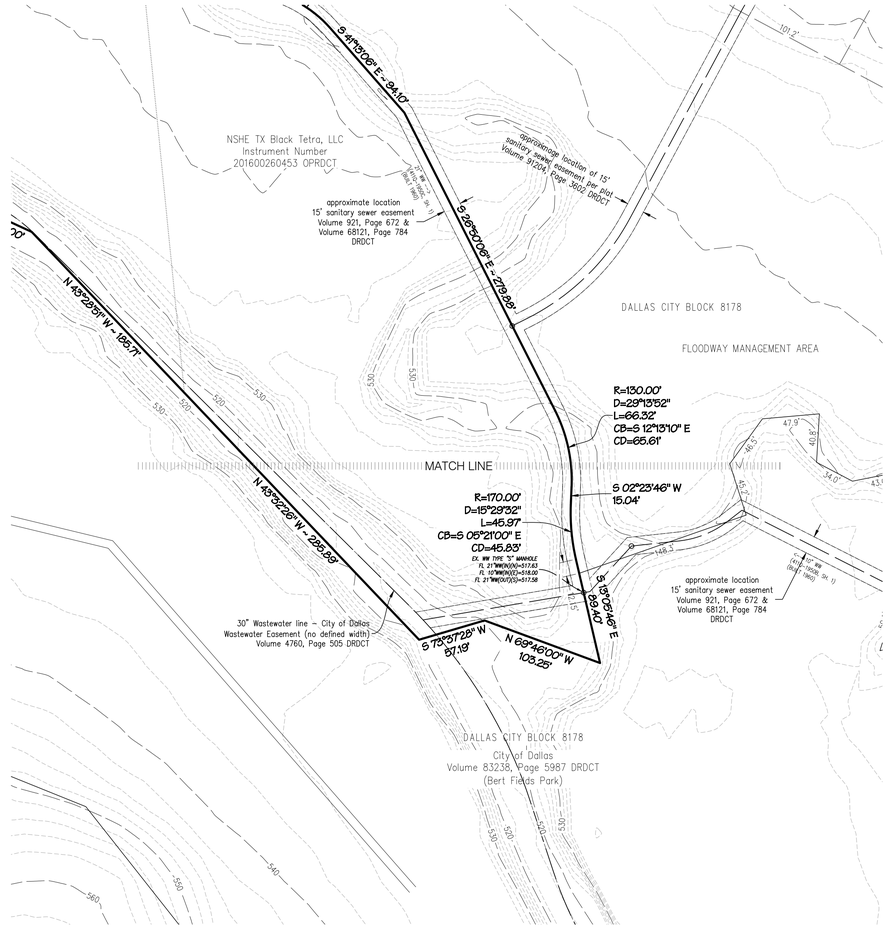
darren.brown@
spiarsengineering.com

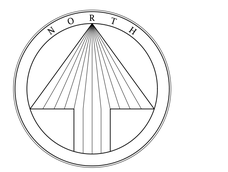
STATE OF TEXAS §
COUNTY OF COLLIN §

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





60 0 30 60 120
1 inch = 60 ft.

PRELIMINARY PLAT

TONTI ALEXIS ADDITION

LOTS 1A THROUGH 5A, BLOCK A/8178
IN THE JAMES BYRD SURVEY, ABSTRACT NO. 84,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 45.139 ACRES
CITY PLAN FILE NO. S223-070
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Agenda Information Sheet

File #: 23-701 Item #: 12.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 2.528-acre tract of land containing all of Lots 1, 2, 6, and 3A in City Block G/889 to create one lot on property located on Botham Jean Boulevard, between Corinth Street and Parker Street.
Applicant/Owner: Popeyes Texas Partners, LLC
Surveyor: Spiars Engineering, Inc.
Application Filed: February 3, 2023
Zoning: PD 317 (Subdistrict 3)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-071

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-071 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Botham Jean Boulevard, between Corinth Street and Parker Street

DATE FILED: February 3, 2023 **ZONING:** PD 317 (Subdistrict 3)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20317.pdf

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 2.528-acre **MAPSCO:** 45V

APPLICANT/OWNER: Popeyes Texas Partners, LLC

REQUEST: An application to replat a 2.528-acre tract of land containing all of Lots 1, 2, 6, and 3A in City Block G/889 to create one lot on property located on Botham Jean Boulevard, between Corinth Street and Parker Street.

SUBDIVISION HISTORY:

1. S223-072 is a request southeast of the present request to replat a 4.708-acre tract of land containing all of Lots 1 through 1 in City Block H/888, tract of land in City Block H/888 and an abandoned portion on of Alma Street to create one lot on property located on Botham Jean Boulevard, east of Parker Street. The request is scheduled for public hearing on March 2, 2023.

2. S212-196 was a request northwest of the present request to create one 1.2328-acre lot from a tract of land in City Block 1094 on property located on Wall Street, north of Botham Jean Boulevard. The request was approved on May 19, 2022 but has not been recorded.

3. S212-116 was a request southwest of the present request to replat a 38.559-acre tract of land containing all of Block 1084, all of Lots 1-9, Block A/1091, all of Lots 1-24, Block B/1091, all of Block Q/1094-1/2, all of Block 1095, all of Lots 1-13, Block P/1096-1/2, a portion of Lots 1-6,and all of Lots 7-12, Block R/1097, a portion of LOT 1, and all of Lots 2-4, Block N/1099, a portion of Lot 1, and all of Lots 2-5, Block O/1099, all of Lot 1, and part of Lot 2, Block J/1100, all of Lot 1 and a part of Lot 2, Block K/1100, all of Lots 2-6 and Lots 7-11 and a portion of Lot 1 and Lot 12, Block S/1098 to create one lot on property located on Cockrell Avenue, northwest of Corinth Street. The request was approved on March 24, 2022 but has not been recorded.

4. S178-294 was a request south of the present request to replat a 6.165-acre tract of land containing part of Lots 1 through 9 and 18, all of Lots 10 through 17 in City Block F/1102, all of Lots 1 through 4 in City Block G/1103, and an abandoned alley to create one lot on property bounded by Corinth Street, Lamar Avenue, Alma Street, and Cockrell Avenue; and to replat a 2.252-acre tract of land containing all of Lot 1A in City Block 1/1101 and part of City Block B/1107 to create one lot on property located on Alma Street at Lamesa Street, south of Cockrell Avenue. The request was approved on September 6, 2018 and was withdrawn on June 3, 2021.

5. S178-003 was a request northwest of the present request to replat a 1.035-acre tract of land containing part of Lot 28, part of abandoned Beaumont Street, and part of City Block 1090 1/2 to create a 19-lot shared access development with 3 common areas on property located on Wall Street at Beaumont Street, south corner. The request was approved on November 9, 2017 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of PD 317 (Subdistrict 3); 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' of right-of-way (via fee simple) from the established center line of Botham Jean Boulevard *Section 51A 8.602(c)*

16. On the final plat, dedicate 25' feet of right-of-way (via fee simple or street easement) from the established centerline of Parnell Street *Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).*

17. On the final plat, dedicate a minimum 25 feet x 25 feet corner clip (via fee simple or street easement) at the intersection of Botham Jean Boulevard & Corinth Street Section 51A 8.602(d)(1)

18. On the final plat, dedicate a 10 feet x 10 feet corner clip (via fee simple or street easement) at the intersection of Corinth Street & Parnell Street respectively Section 51A 8.602(d)(1)

19. 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)*

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. Prior to final plat, clarify extension of Wall St. within the plat as either abandonment or dedicate 50' ROW.

Survey (SPRG) Conditions:

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

23. On the final plat, show distances/width across all adjoining right-of-way. 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.

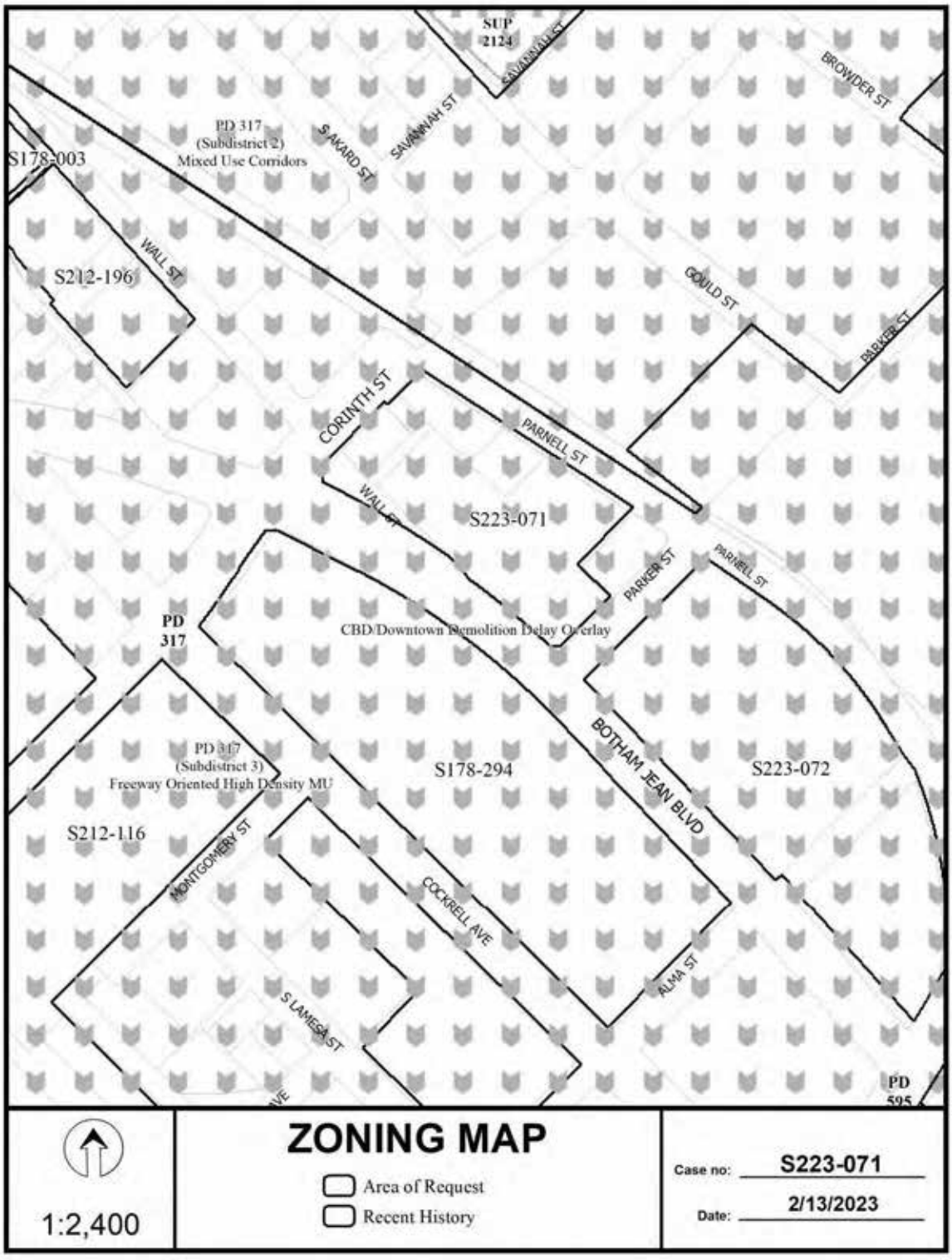
26. Water and wastewater main improvements is required by Private Development Contract. Submit water/wastewater Engineering Plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

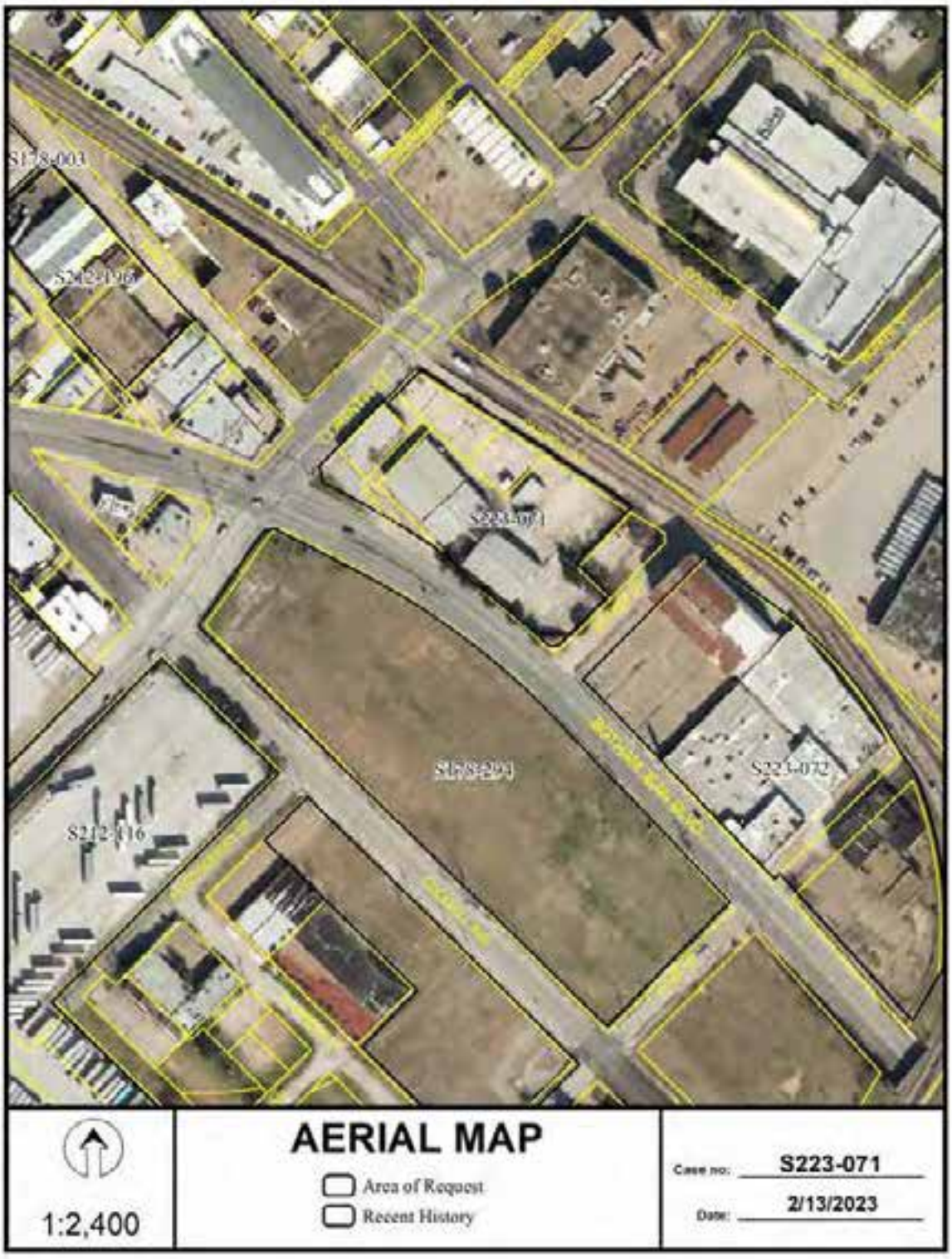
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

27. Prior of final plat, contact Real Estate to discuss building encroaching into the right-of-way of Corinth Street.

28. On the final plat, change “Botham Jean Boulevard Formerly Wall Street, Grigsby Avenue & Lamar” to “Botham Jean Boulevard (F.K.A. Lamar Street) (F.K.A. Wall Street) (F.K.A. Grigsby Avenue” 51A-8.403(a)(1)(A)(xii)

29. On the final plat, identify the property as Lot 1A in City Block G/889. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


SUP
2124
S. AKARD ST
SAVANNAH ST
BROWDER ST
PD 317
(Subdistrict 2)
Mixed Use Corridors
S178-003
WALL ST
S212-196
GOULD ST
PARKER ST
CORINTH ST
PARNELL ST
WALL ST
S223-071
PARKER ST
PARNELL ST
PD
317
CBD/Downtown Demolition Delay Overlay
BOTHAM JEAN BLVD
PD 317
(Subdistrict 3)
Freeway Oriented High Density MU
S178-294
S223-072
S212-116
MONTGOMERY ST
COCKRELL AVE
ALMA ST
S LAMESA ST
PD
595
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-071
Date: 2/13/2023


S178-003
S212-196
S223-071
S178-294
S223-072
S212-116
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-071
Date: 2/13/2023

NOTES:

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone, 4202, North American Datum of 1983 (2011).
2. Coordinate values are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011) and are adjusted to surface and no projection.
3. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.
4. The purpose of this plat is to create one lot.
5. All existing buildings to be demolished.

LEGEND

IRS	5/8" IRON ROD WITH "SPIARSENG" CAP SET
IRF	IRON ROD WITH "SPIARSENG" CAP FOUND
MNF	MAG NAIL FOUND
MNS	MAG NAIL SET
PK	"X" CUT FOUND
PKS	"X" CUT SET
IRFC	IRON ROD WITH "RPLS 5324" CAP FOUND
IRSC	IRON ROD WITH "SPIARSENG" CAP SET
MFC	MAG NAIL FOUND WITH SHINER
MSC	MAG NAIL SET WITH SHINER
DFC	"X" CUT FOUND WITH SHINER
DSC	"X" CUT SET WITH SHINER
(DRDCT)	DEED RECORDS, DALLAS COUNTY, TEXAS
(MRDCT)	MAP RECORDS, DALLAS COUNTY, TEXAS
(OPRDCT)	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

PRELIMINARY PLAT

LARKSPUR CORINTH ADDITION

LOT 3AR, BLOCK G/889
LOTS 1, 2, AND 6, BLOCK G/889
JOHN J. EAKINS SANTA FE ADDITION,
AND LOT 3A, BLOCK G/889
CLAXTON RECYCLING ADDITION,
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 2.528 ACRES
CITY PLAN FILE NO. S223-071
CITY ENGINEER PLAN FILE NO. DP - ____

APPLICANT
Rupayan Texas Partners LLC
5400 Belt Line Rd, Suite 180
Belmont, CA 94002
Contact: Dipankar Ghosh

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
1581 N. Main St., Suite 150
Plano, TX 75075
TBPE Reg. F-2121 / TBPLS Reg. F-10043100
Contact: Kiran Wier

Scale: 1" = 30' February, 2023 SEC Job No. 22-126

PRELIMINARY PLAT

LARKSPUR CORINTH ADDITION

LOT 1A, BLOCK G/1009

LOTS 1-3, AND A, BLOCK G/1009,

JOHN J. LAMAR SURVEY, ABSTRACT 1, AND

CLAYTON RECTANGULAR SURVEY,

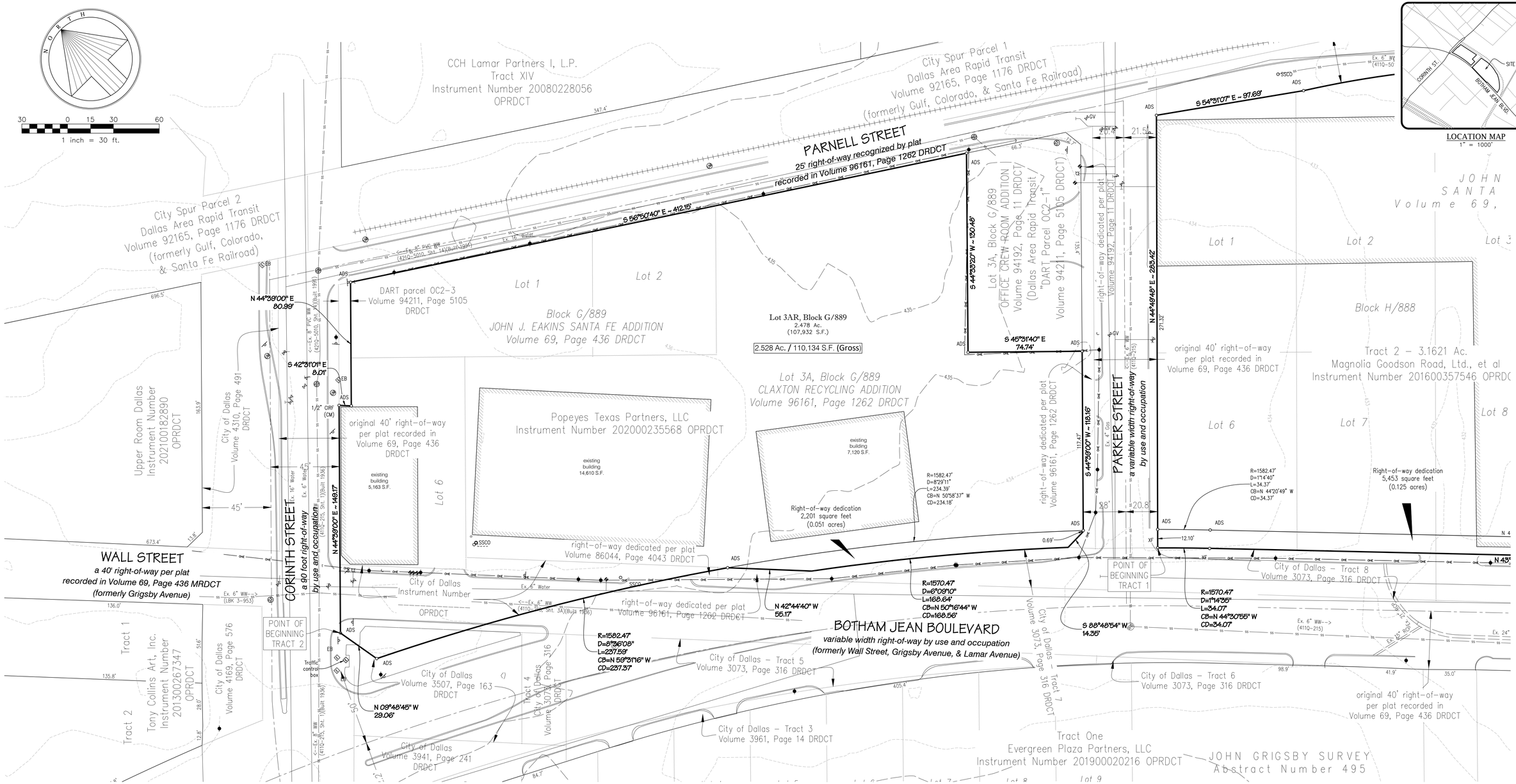
PERS GROUP, SURVEY, ABSTRACT 1, NUMBER 490

CITY OF DALLAS, DALLAS COUNTY, TEXAS

TOTAL AREA = 2.838 ACRES

CITY PLAN FILE NO. S223-071

CITY ENGINEER PLAN FILE NO. DP____/____



NOTES:

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. 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.
3. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.
4. The purpose of this plat is to create one lot.
5. All existing buildings to be demolished.

LEGEND	
ADS	3-1/4" ALUMINUM DISC STAMPED "CC ADDITION SPIARSENG RPLS 5252" SET
BWS	2" BRASS WASHER STAMPED "LWC ADDITION SPIARSENG RPLS 5252" SET WITH A MAG NAIL
IRF	IRON ROD FOUND
CIRF	IRON ROD WITH PLASTIC CAP FOUND
XF	"X" FOUND IN CONCRETE
CM	CONTROL MONUMENT
DRDCT	DEED RECORDS, DALLAS COUNTY, TEXAS
MRDCT	MAP RECORDS, DALLAS COUNTY, TEXAS
OPRDCT	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

PRELIMINARY PLAT

LARKSPUR CORINTH ADDITION

LOT 3AR, BLOCK G/889
LOTS 1, 2, AND 6, BLOCK G/889,
JOHN J. EAKINS SANTA FE ADDITION,
AND LOT 3A, BLOCK G/889,
CLAXTON RECYCLING ADDITION,
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 2.528 ACRES
CITY PLAN FILE NO. S223-071
CITY ENGINEER PLAN FILE NO. DP__-___

APPLICANT
Popeyes Texas Partners, LLC
940 Emmett Ave, Suite 200
Belmont, CA 94002
Telephone: (415) 227-2261
Contact: Debra L. Perry

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" = 30' February, 2023 SEI Job No. 22-136

Drawing: G:\2022 JOBS\22-136 Lamar Corinth SFFR\CAD\Preliminary\22-136 Preliminary Plat-West.dwg Saved By: bbeeson Save Time: 2/2/2023 8:31:31 AM Plotted by: kwier Plot Date: 2/3/2023 1:05 PM

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 110,134 square feet or 2.528 acres tract of land situated in the John Grigsby Survey, Abstract Number 495, in the City of Dallas, Dallas County, Texas, in City Block G/889, being part of Lot 1 and part of Lot 6, and all of Lot 2, Block G, of the John J. Eakins Santa Fe Addition, according to the plat thereof recorded in Volume 69, Page 436, Deed Records, Dallas County, Texas (DRDCT), being all of Lot 3A, Block G/889, Claxton Recycling Addition, according to the plat thereof recorded in Volume 96161, Page 1262 DRDCT, as conveyed by a general warranty deed (cash) to Popeyes Texas Partners, LLC, recorded in Instrument Number 202000235568, Official Public Records, Dallas County, Texas (OPRDCT), and being all of that portion of Wall Street abandoned by the City of Dallas by Instrument Number _____ OPRDCT, with the subject tract being more particularly described as follows:

BEGINNING at a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the north end of a corner clip being the intersection of the north line of Botham Jean Boulevard, a variable width right–of–way by use and occupation (formerly known as Wall Street, Grigsby Avenue, and Lamar Avenue), with the southeast line of Corinth Street, a recognized 90–foot–wide right–of–way by use and occupation, for the upper west corner of said right–of–way abandonment;

THENCE N 44°39'00" E, 149.17 feet along the southeast line of Corinth Street and the northwest line of said abandonment and Lot 6, and same for said Popeyes tract, to a 1/2" iron rod with plastic cap found for the west corner of a tract conveyed as "DART Parcel OC2–3", to Dallas Area Rapid Transit, recorded in Volume 94211, Page 5105 DRDCT;

THENCE S 42°31'01" E, 8.01 feet departing Corinth Street, along the southwest line of Parcel OC2–3 to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the south corner thereof, being an inset corner of said Popeyes tract;

THENCE N 44°39'00" E, 80.99 feet along the southeast line of Parcel OC2–3, and along a northwesterly line of said Popeyes tract to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set on the south line of Parnell Street, a 25–foot–wide right–of–way, recognized as such by said plat of Claxton Recycling Addition, for the north corner of said Popeyes tract and the east corner of Parcel OC2–3, and being the north line of Lot 1, Block G, John J. Eakins Addition;

THENCE S 56°50'40" E, 412.15 feet along the south line of Parnell Street and the north line of Lots 1 and 2, Block G, and Lot 3A, Block G/889, Claxton Recycling Addition, and same for said Popeyes tract, to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the most northerly east corner of Lot 3A, Block G/889, Claxton Recycling Addition, and same for said Popeyes tract, being the north corner of Lot 3A, Block G/889, Office Crew Room Addition, recorded in Volume 94192, Page 11 DRDCT (also being "Dart Parcel OC2–1, in deed recorded above);

THENCE S 44°33'20" W, 130.48 feet along the upper southeast line of Lot 3A, Block G/889, Claxton Recycling Addition, and same for said Popeyes tract, and along the northwest line of Lot 3A, Block G/889, Office Crew Room Addition, to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for a common corner thereof;

THENCE S 45°31'40" E, 74.74 feet along the lower northeast line of Lot 3A, Block G/889, Claxton Recycling Addition, and same for said Popeyes tract, and along the southwest line of Lot 3A, Block G/889, Office Crew Room Addition, to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set on the northwest line of Parker Street, originally a 40–foot–wide right–of–way created by said plat of John J. Eakins Addition, being variable width by use and occupation, being the west corner of a right–of–way dedication thereof by said plat of Lot 3A, Block G/889, Office Crew Room Addition, and for the north corner of another right–of–way dedication thereof by said plat of Lot 3A, Block G/889, Office Crew Room Addition;

THENCE S 44°39'00" W, 118.16 feet along the lower southeast line of Lot 3A, Block G/889, Office Crew Room Addition, and same for said Popeyes Addition, and along the northwest line of said right–of–way dedication to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the east end of a corner clip being the intersection of Parker Street and Botham Jean Boulevard, and same for said right–of–way dedication, being the easterly south corner of Lot 3A, Block G/889, Office Crew Room Addition, and same for said Popeyes Addition;

THENCE S 88°48'54" W, 14.35 feet along said corner clip and the most southerly line of Lot 3A, Block G/889, Office Crew Room Addition, and same for said Popeyes Addition, to a point for corner on the northeast line of a right–of–way tract conveyed as "Tract 7" to the City of Dallas, by a warranty deed recorded in Volume 3073, Page 316 DRDCT;

THENCE along the northeast line of Botham Jean Boulevard, and same for said Tract 7, and along a southwesterly line of Lot 3A, Block G/889, Office Crew Room Addition, and same for said Popeyes Addition, around a non–tangent curve to the left having a central angle of 06°09'10", a radius of 1570.47 feet, a chord of N 50°16'44" W – 168.56 feet, an arc length of 168.64 feet to a point being the east corner of another right–of–way dedication per said plat of Lot 3A, Block G/889, Claxton Recycling Addition;

THENCE N 42°44'40" W, 55.17 feet along the northeast line of Botham Jean Boulevard, and along a southwest line of Lot 3A, Block G/889, Office Crew Room Addition, and same for said Popeyes Addition, and along the northeast line of said right–of–way dedication, to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the east corner of said right–of–way abandonment;

THENCE along the northeast line of Botham Jean Boulevard, and along the south line of said abandonment, and along the around a non–tangent curve to the left having a central angle of 08°36'08", a radius of 1582.47 feet, a chord of N 59°31'16" W – 237.37 feet, an arc length of 237.59 feet to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the south end of said corner clip;

THENCE N 09°48'45" W, 29.06 feet along said corner clip to the POINT OF BEGINNING with the subject tract containing 110,134 square feet or 2.528 acres of land, as noted in the preamble above.

Drawing: G:\2022 JOBS\22–136 Lamar Corinth SFFR\DAD\Preliminary\22–136 Preliminary Plat–West.dwg Saved By: EBeeson Save Time: 2/2/2023 8:31:31 AM Plotted by: xwier Plot Date: 2/3/2023 1:05 PM

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Popeyes Texas Partners LLC, acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as LARKSPUR CORINTH 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.

Popeyes Texas Partners, LLC

_____
Debra L. Perry, Manager

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 _____ 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

DETENTION AREA EASEMENT STATEMENT

The proposed detention area along Block A/4011 within the Limits of this addition, will remain as detention areas to the line and grade shown on the plans at all times and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the Detention Areas in Block A/4011. The City of Dallas will not be responsible for the maintenance and operation of said Detention Areas or for any damage or injury to private property or person that results from the flow of water along, into or out of said Detention Areas, or for the control of Erosion.

No obstruction to the natural flow of storm water run–off shall be permitted by filling or by construction of any type of dam, building, bridge, fence, walkway or any other structure within the designated Detention Areas, as hereinafter defined in Block A/4011, unless approved by the Directors of Development Services and Dallas Water Utilities. Provided, however, it is understood that in the event it becomes necessary for the City of Dallas to erect any type of Drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivisions, then in such an event, the City of Dallas shall have the right to enter upon the Detention Areas at any point, or points to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep clean and free of debris, silt, and any substance which would result in unsanitary conditions and the City of Dallas shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.

The Detention Area in Block A/4011, as in the case of all Detention Areas, is subject to Storm Water overflow to an extent, which cannot be clearly defined. The City of Dallas shall not be held liable for any damage of any nature resulting from the occurrence of these natural phenomena, nor resulting from the failure of any structure or structures within the Detention Areas or the subdivision storm drainage system.

The Detention Areas serving the plat are shown by the Detention Area Easement Line as shown on the plat.

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 _____, 2022.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

_____
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 _____, 2022.

_____
Notary Public, State of Texas

PRELIMINARY PLAT

LARKSPUR CORINTH ADDITION

LOT 3AR, BLOCK G/889
LOTS 1, 2, AND 6, BLOCK G/889,
JOHN J. EAKINS SANTA FE ADDITION,
AND LOT 3A, BLOCK G/889,
CLAXTON RECYCLING ADDITION,
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 2.528 ACRES
CITY PLAN FILE NO. S223-071
CITY ENGINEER PLAN FILE NO. DP__-___

APPLICANT
Popeyes Texas Partners, LLC
940 Emmett Ave, Suite 200
Belmont, CA 94002
Telephone: (415) 227-2261
Contact: Debra L. Perry

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

February, 2023 SEI Job No. 22-136

Agenda Information Sheet

File #: 23-702 Item #: 13.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 4.708-acre tract of land containing all of Lots 1 through 10 in City Block H/888, tract of land in City Block H/888 and an abandoned portion on of Alma Street to create one lot on property located on Botham Jean Boulevard, east of Parker Street.
Applicant/Owner: Magnolia Goodson Road, LTD.
Surveyor: Spiars Engineering, Inc.
Application Filed: February 3, 2023
Zoning: PD 317 (Subdistrict 3)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-072

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-072 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Botham Jean Boulevard, between Corinth Street and Parker Street

DATE FILED: February 3, 2023 **ZONING:** PD 317 (Subdistrict 3)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20317.pdf

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 4.708-acres **MAPSCO:** 45V

APPLICANT/OWNER: Magnolia Goodson Road, LTD.

REQUEST: An application to replat a 4.708-acre tract of land containing all of Lots 1 through 10 in City Block H/888, tract of land in City Block H/888 and an abandoned portion on of Alma Street to create one lot on property located on Botham Jean Boulevard, east of Parker Street.

SUBDIVISION HISTORY:

1. S223-071 is a request northwest of the present request to replat a 2.528-acre tract of land containing all of Lots 1, 2, 6, and 3A in City Block G/889 to create one lot on property located on Botham Jean Boulevard, between Corinth Street and Parker Street. The request is scheduled for public hearing on March 2, 2023.

2. S178-294 was a request south of the present request to replat a 6.165-acre tract of land containing part of Lots 1 through 9 and 18, all of Lots 10 through 17 in City Block F/1102, all of Lots 1 through 4 in City Block G/1103, and an abandoned alley to create one lot on property bounded by Corinth Street, Lamar Avenue, Alma Street, and Cockrell Avenue; and to replat a 2.252-acre tract of land containing all of Lot 1A in City Block 1/1101 and part of City Block B/1107 to create one lot on property located on Alma Street at Lamesa Street, south of Cockrell Avenue. The request was approved on September 6, 2018 and was withdrawn on June 3, 2021.

STAFF RECOMMENDATION: The request complies with the requirements of PD 317 (Subdistrict 3); 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 25 feet of right-of-way (via fee simple or street easement) from the established centerline of Parker Street & Parnell Street *Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).*

16. On the final plat, dedicate a minimum 10 feet x10 feet corner clip (via fee simple or street easement) at the intersection of Botham Jean Boulevard & Parker Street Section 51A 8.602(d)(1)

17. On the final plat, dedicate a 5 feet x 5 feet corner clip (via fee simple or street easement) at the intersection of Parker Street & Parnell Street respectively Section 51A 8.602(d)(1)

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*

Survey (SPRG) Conditions:

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

20. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

21. 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.

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.

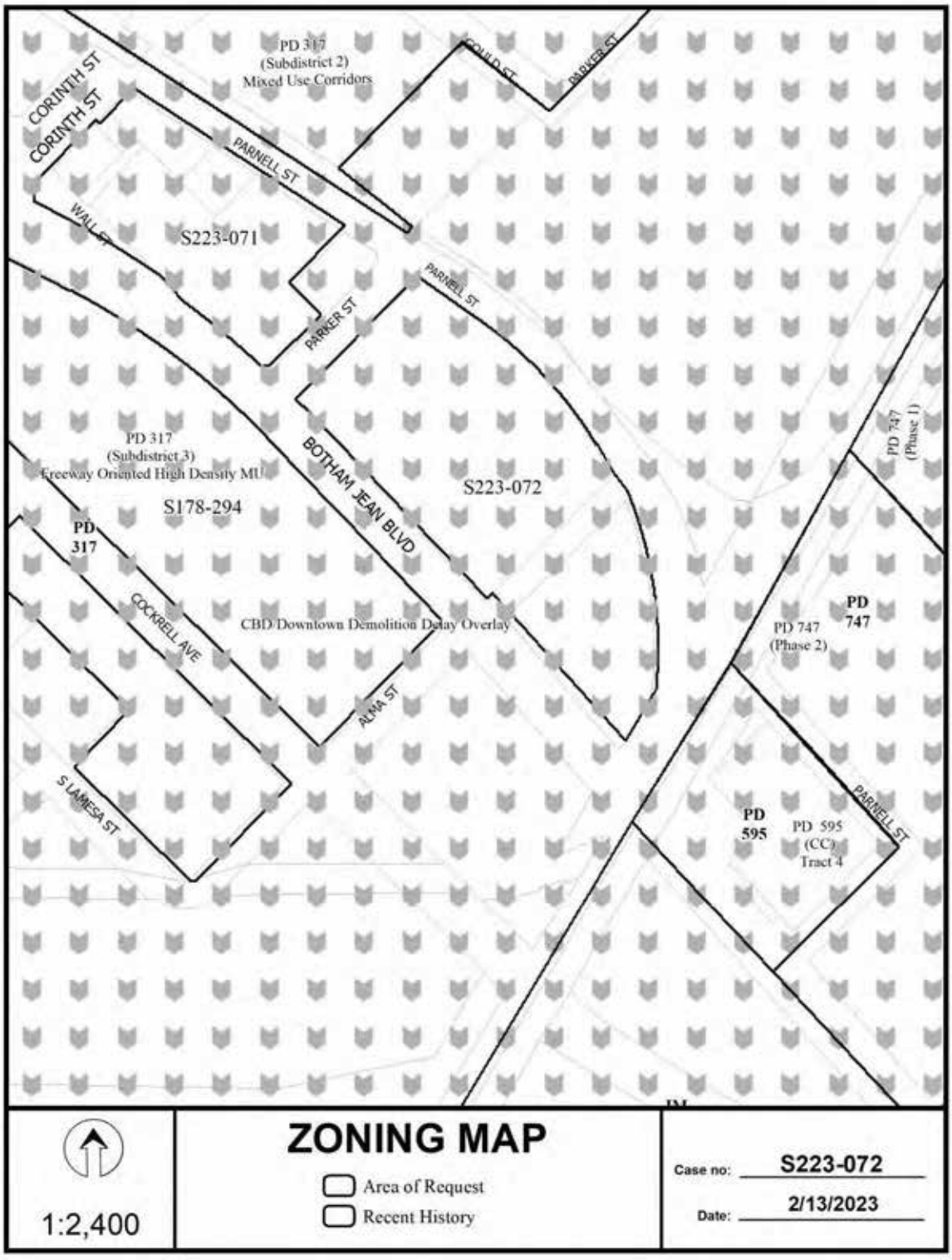
24. Water and wastewater main improvements is required by Private Development Contract. Submit water/wastewater Engineering Plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

25. Prior of final plat, please show the abandonment on the plat as follows: Abandonment authorized by Ordinance No., recorded as Inst. Nos. (Cert. No., QDC No.). Utility Easements retained.

26. Prior of final plat, contact Real Estate to discuss building encroaching into the right-of-way.

27. On the final plat, change “Botham Jean Boulevard Formerly Wall Street, Grigsby Avenue & Lamar” to “Botham Jean Boulevard (F.K.A. Lamar Street) (F.K.A. Wall Street) (F.K.A. Grigsby Avenue” 51A-8.403(a)(1)(A)(xii)


PD 317
(Subdistrict 2)
Mixed Use Corridors
CORINTH ST
CORINTH ST
PARNELL ST
WALL ST
S223-071
GOULD ST
PARKER ST
PARNELL ST
PARKER ST
PD 317
(Subdistrict 3)
Freeway Oriented High Density MU
S178-294
BOTHAM JEAN BLVD
S223-072
PD 747
(Phase 1)
PD
317
COCKRELL AVE
CBD Downtown Demolition Delay Overlay
PD
747
PD 747
(Phase 2)
ALMA ST
S LAMESA ST
PD
595
PD 595
(CC)
Tract 4
PARNELL ST
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-072
Date: 2/13/2023

S223-072
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-072
Date: 2/13/2023

PRELIMINARY PLAT
LARKSPUR BOTHAM JEAN ADDITION
LOT 1A BLOCK H/8SS
BEING A REPLAT OF PART OF LOTS 1-10, BLOCK H/8SS,
JOHN J. EAKINS SANTA FE ADDITION,
AND DALLAS CITY BLOCK 1111 (UNPLATTED)
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 4.708 ACRES (GROSS)
CITY PLAN FILE NO. S223-072
CITY ENGINEER PLAN FILE NO. DP_-_
APPLICANT
Larkspur Botham Jean, LLC
1401 Pitt Street, Suite 200
Houston, TX 77003
Contact: Kevin Weir
ENGINEER / SURVEYOR
Pacheco Koch
7557 Rambler Road, Suite 1100
Dallas, TX 75231
Telephone: (972) 235-3031
TBPE No. F-2321 / TBPLS No. F-10043100
Contact: David Hall
Scale: 1" = 40'
February 2023
Sheet No. SP-1.00
NOTES:
1. Basis of bearing derived from the State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983, (2011).
2. Coordinates shown are Texas State Plane Coordinate System, North Central Zone, (4202), North American Datum of 1983 (2011). All distances are surface and no projection factor has been applied.
3. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.
4. The purpose of this plat is to create one lot.
5. All existing buildings to be demolished.
LEGEND
FOUND 1/2" IRON ROD W/ CAP STAMPED "PACHECO KOCH"
SET 1/2" IRON ROD W/ CAP STAMPED "PACHECO KOCH"
FOUND "X" IN CONCRETE
SET "X" IN CONCRETE
FOUND MONUMENT AS NOTED
SET MONUMENT AS NOTED
CENTERLINE
PROPERTY LINE
EASEMENT LINE
RIGHT-OF-WAY LINE
DEED CALL
RECORD CALL
VOLUME, PAGE, DEED RECORDS, DALLAS COUNTY, TEXAS
VOLUME, PAGE, MAP RECORDS, DALLAS COUNTY, TEXAS
DRDCT
PARNELL STREET
a 25' right-of-way recorded in Volume 96, Page 342 DRDCT
PARKER STREET
a variable width right of way by use and occupation
BOTHAM JEAN BOULEVARD
formerly a variable width right of way by use and occupation
formerly Hall Street, Grigsby Avenue, & Lamar Avenue
ALMA STREET
a 50' right-of-way recorded in Volume 96, Page 342 DRDCT
GULF, COLORADO, & SANTA FE RAILROAD
variable width right-of-way
Lot 3AR, Block G/ 889
(15,530 S.F.)
Lot 1A, Block H/ 8SS
(183,833 S.F.)
4.709 Ac / 205,077 S.F. (Gross)
Right-of-way dedication
(0.001 acres)
Right-of-way dedication
(0.123 acres)
Right-of-way dedication
(0.032 acres)
JOHN GRIGSBY SURVEY
Abstract Number 495
LOCATION MAP
N.T.S.

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 205,077 square feet or 4.708 acres tract of land situated in the John Grigsby Survey, Abstract Number 495, in the City of Dallas, Dallas County, Texas, in City Blocks 1111 and H/888, being part of Lots 7 through 10, Block H/ of the John J. Eakins Santa Fe Addition, according to the plat thereof recorded in Volume 69, Page 436, Deed Records, Dallas County, Texas (DRDCT), as conveyed as "Tract 2" by a special warranty deed to Magnolia Goodson Road, Ltd., et al, recorded in Instrument Number 20160035794th, Official Public Records, Dallas County, Texas (OPRDCT), and being all of City Block 1111, as conveyed as "Tract 1" by said special warranty deed above, and being a portion of Alma Street, both that portion thereof dedicated as a 30-foot-wide right-of-way created by said plat of the John J. Eakins Santa Fe Addition described above, and part of Tract 1 conveyed by a warranty deed to the City of Dallas, recorded in Volume 3585, Page 235 DRDCT, and abandoned by the City of Dallas by Instrument Number _____ (OPRDCT), with the subject tract being more particularly described as follows:

BEGINNING at an "X" found in concrete at the intersection of the northwest corner of Botham Jean Boulevard, a variable width right-of-way by use and occupation (formerly known as Wall Street, Grigsby Avenue, and Lamar Avenue), for the north corner of a right-of-way dedication thereof conveyed as "Tract B" to the City of Dallas by deed recorded in Volume 3073, Page 316 DRDCT, with the southeast line of Parker Street, a 40-foot-wide right-of-way created by said plat of the John J. Eakins Santa Fe Addition described above, for the west corner of Tract 2;

THENCE N 44°49'48" E, along the southeast line of Parker Street, and along the northwest line of Tract 2, passing at 12.10 feet a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set, and continuing along the common line thereof 283.40 feet to a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the most westerly corner of that portion of Parnell Street, closed by City of Dallas Ordinance Number 92-2170, as shown on the plat of Lot 1A, Block G/888, Office Crest Room Addition, recorded in Volume 94192, Page 41 DRDCT, being the north corner of Tract 2;

THENCE S 54°31'07" E, 97.69 feet along the southwest line of said closed street, and along the northeast line of Tract 2 to a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set;

THENCE along the southwest line of said closed street, and along the northeast line of Tract 2, around a non-tangent curve to the right having a central angle of 26°43'14", a radius of 666.20 feet, a chord of S 44°25'19" E – 303.88 feet, an arc length of 310.69 feet, to a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set;

THENCE S 31°00'42" E, 51.42 feet along the southwest line of said closed street, and along the northeast line of Tract 2 to a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the north corner of said street abandonment;

THENCE S 36°26'32" E, 38.59 feet continuing along the southwest line of said closed street, and along the northeast line of said street abandonment, to a 5/8" iron rod found for an inset corner of City Spur Parcel 1, conveyed by a deed without warranty to Dallas Area Rapid Transit, recorded in Volume 92165, Page 1176 DRDCT, for the east corner of said abandonment, and for the north corner of Tract 1;

THENCE along the west line of City Spur Parcel 1, and along the east line of Tract 1, around a non-tangent curve to the right having a central angle of 27°41'59", a radius of 676.70 feet, a chord of S 08°50'27" E – 324.92 feet, an arc length of 326.11 feet to a 5/8" iron rod found for the north corner of a tract conveyed by a warranty deed to the City of Dallas, recorded in Volume 2879, Page 218 DRDCT;

THENCE S 30°08'27" W, 102.07 feet along the northwest line of said City of Dallas tract and the southeast line of Tract 1 to a 5/8" iron rod with plastic cap found for intersection of said City of Dallas tract with the northeast line of Botham Jean Boulevard, being the south corner of Tract 1, being the northeast corner of a right-of-way tract conveyed as "Tract Number 1" to the City of Dallas by a warranty deed recorded in Volume 3177, Page 573 DRDCT;

THENCE N 42°08'43" W, 286.24 feet along the southwest line of Tract 1 and the northeast of Botham Jean Boulevard, and same for said Tract Number 1, passing the north corner thereof and the east corner of another right-of-way tract conveyed as "Tract 2" to the City of Dallas by a warranty deed recorded in Volume 3585, Page 235 DRDCT, and continuing along the northeast line thereof to a railroad spike found for the south corner of another right-of-way tract for Alma Street, a 40-foot wide right-of-way, conveyed as "Tract 1" to the City of Dallas by a warranty deed recorded in Volume 3585, Page 235 DRDCT, being the intersection thereof with the northeast line of Botham Jean Boulevard, for the west corner of Tract 1;

THENCE N 44°41'12" E, 0.86 feet along the southeast line of Alma Street and same for said right-of-way deed, and along the northwest line of Tract 1, to a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the south corner of said street abandonment;

THENCE N 43°43'29" W, 38.85 feet along the southwest line of said street abandonment to a 3-1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set on the northeast line of Alma Street and the southeast line of Tract 2;

THENCE S 44°49'48" W, 12.00 feet along the common line thereof to an "X" found in concrete for the intersection of Botham Jean Boulevard with Alma Street, being the south corner of Tract 2, and being the east corner of a right-of-way dedication to the City of Dallas, by a warranty deed recorded in Volume 3605, Page 630 DRDCT;

THENCE N 43°43'29" W, 420.17 feet along the southwest line of Tract 2 and the northeast line of Botham Jean Boulevard, and same for said right-of-way tract, passing the north corner thereof and the east corner of said Tract B, and continuing along the northeast line thereof to an "X" found in concrete;

THENCE continuing along the southwest line of Tract 2 and the northeast line of Botham Jean Boulevard, and same for said right-of-way tract, around a non-tangent curve to the left having a central angle of 01°14'35", a radius of 1570.43 feet, a chord of N 44°30'58" W – 34.07 feet, an arc length of 34.07 feet to the POINT OF BEGINNING with the subject tract containing 205,077 square feet or 4.708 acres of land, as noted in the preamble above.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Magnolia Goodson Road LTD**, acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as **LARKSPUR BOTHAM JEAN 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.

Magnolia Goodson Road, LTD

_____
David Foor, Manager

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 _____, 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

DETENTION AREA EASEMENT STATEMENT

The proposed detention area along Block A/4211, within the Limits of this addition, will remain as detention areas to the line and grade shown on the plans at all times and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the Detention Areas in Block A/4011. The City of Dallas will not be responsible for the maintenance and operation of said Detention Areas or for any damage or injury to private property or person that results from the flow of water along, into or out of said Detention Areas, or for the control of Erosion.

No obstruction to the natural flow of storm water run-off shall be permitted by filling or by construction of any type of dam, building, bridge, fence, walkway or any other structure within the designated Detention Areas, as hereinafter defined in Block A/4011, unless approved by the Directors of Development Services and Dallas Water Utilities. Provided, however, it is understood that in the event it becomes necessary for the City of Dallas to erect any type of drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivisions, then in such an event, the City of Dallas shall have the right to enter upon the Detention Areas at any point, or points to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep clean and free of debris, silt, and any substance which would result in unsanitary conditions, and the City of Dallas shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.

The Detention Area in Block A/4011, as in the case of all Detention Areas, is subject to Storm Water overflow to an extent, which cannot be clearly defined. The City of Dallas shall not be held liable for any damage of any nature resulting from the occurrence of these natural phenomena, nor resulting from the failure of any structure or structures within the Detention Areas or the subdivision storm drainage system.

The Detention Areas serving the plat are shown by the Detention Area Easement Line as shown on the plat.

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.

DARREN K. BROWN, RPLS, NO. 5252

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

LARKSPUR BOTHAM JEAN ADDITION

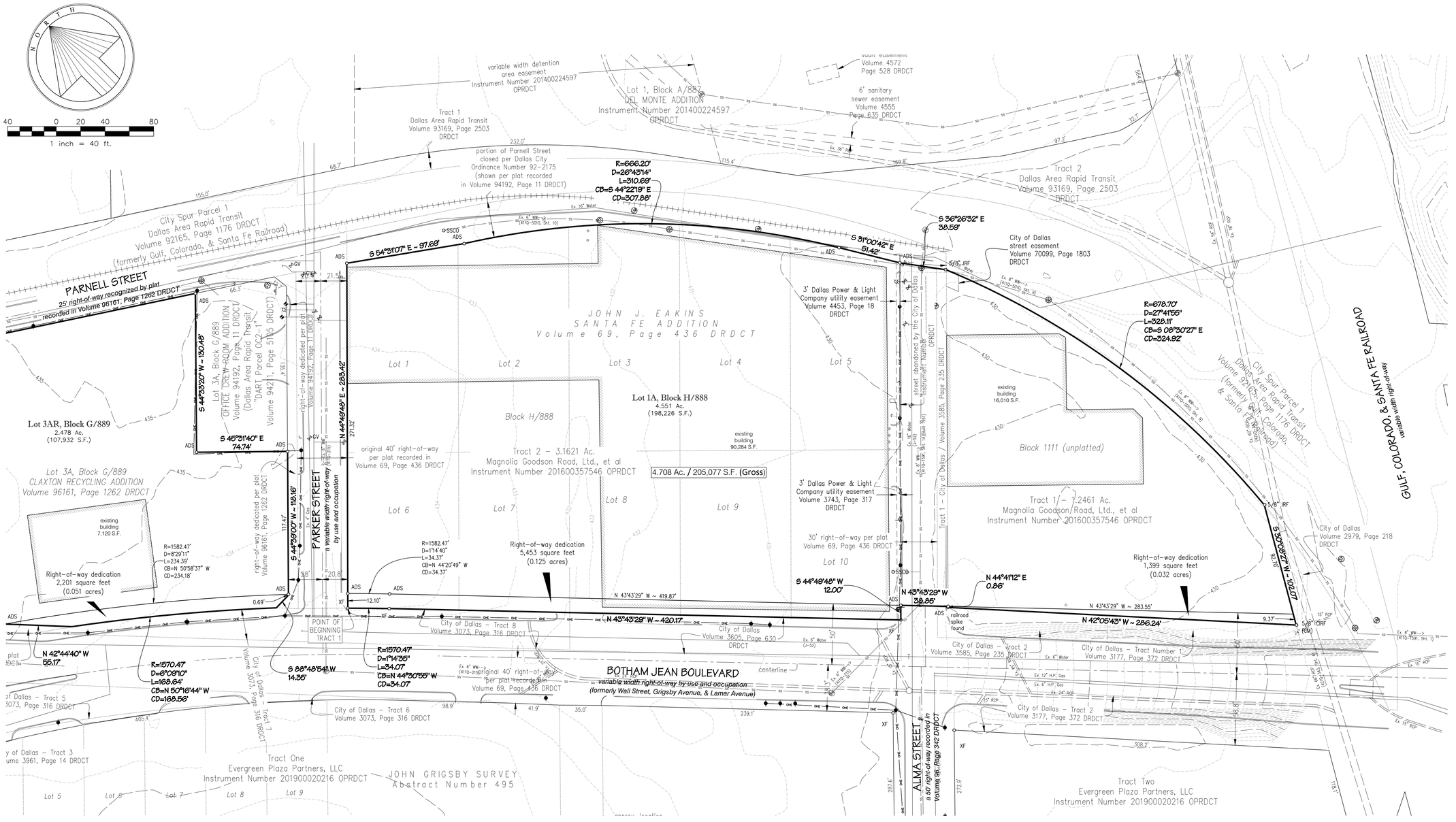
LOT 1A, BLOCK H/888
BEING A REPLAT OF PART OF LOTS 1-10, BLOCK H/888,
JOHN J. EAKINS SANTA FE ADDITION,
AND DALLAS CITY BLOCK 1111 (UNPLATTED)
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 4.708 ACRES (GROSS)
CITY PLAN FILE NO. S223-072
CITY ENGINEER PLAN FILE NO. DP__-___

APPLICANT	ENGINEER / SURVEYOR
Magnolia Goodson Road, Ltd	Spiars Engineering, Inc.
2410 Polk Street, Suite 200	765 Custer Road, Suite 100
Houston, TX 77003	Plano, TX 75075
Telephone: (713) 280-8881	Telephone: (972) 422-0077
Contact: David Foor	TBPE No. F-2121 / TBPLS No. F-10043100
	Contact: Kevin Wier

February, 2023 SEI Job No. 22-108

S223-072

City Plan Commission Date: 03/02/2023 13(g)


NORTH
40 0 20 40 80
1 inch = 40 ft.
variable width detention area easement Instrument Number 201400224597 OPRDCT
Lot 1, Block A/887 DEL MONTE ADDITION Instrument Number 201400224597 OPRDCT
Volume 4572 Page 528 DRDCT
6' sanitary sewer easement Volume 4555 Page 635 DRDCT
Tract 1 Dallas Area Rapid Transit Volume 93169, Page 2503 DRDCT
portion of Parnell Street closed per Dallas City Ordinance Number 92-2175 (shown per plat recorded in Volume 94192, Page 11 DRDCT)
R=666.20'
D=26°43'14"
L=310.69'
CB=S 44°22'19" E
CD=307.88'
Tract 2 Dallas Area Rapid Transit Volume 93169, Page 2503 DRDCT
City Spur Parcel 1 Dallas Area Rapid Transit Volume 92165, Page 1176 DRDCT (formerly Gulf, Colorado, & Santa Fe Railroad)
PARNELL STREET
25' right-of-way recognized by plat recorded in Volume 96161, Page 1262 DRDCT
S 54°31'07" E ~ 97.69'
S 31°00'42" E 51.42'
S 36°26'32" E 38.59'
City of Dallas street easement Volume 70099, Page 1803 DRDCT
3' Dallas Power & Light Company utility easement Volume 4453, Page 18 DRDCT
R=678.70'
D=27°41'55"
L=328.11'
CB=S 08°30'27" E
CD=324.92'
JOHN J. EAKINS SANTA FE ADDITION Volume 69, Page 436 DRDCT
Lot 1 Lot 2 Lot 3 Lot 4 Lot 5
Lot 3A, Block G/889 2.478 Ac. (107,932 S.F.)
Lot 3A, Block G/889 OFFICE CREW-ROOM ADDITION Volume 94192, Page 11 DRDCT
"DART Parcel OCC-1" (Dallas Area Rapid Transit) Volume 94211, Page 5105 DRDCT
S 44°35'20" W ~ 130.48'
S 45°31'40" E 74.74'
N 44°49'48" E ~ 285.42'
271.32'
Lot 1A, Block H/888 4.551 Ac. (198,226 S.F.)
existing building 16,010 S.F.
existing building 90,284 S.F.
Block H/888
Block 1111 (unplatted)
original 40' right-of-way per plat recorded in Volume 69, Page 436 DRDCT
Tract 2 - 3.1621 Ac. Magnolia Goodson Road, Ltd., et al Instrument Number 201600357546 OPRDCT
4.708 Ac. / 205,077 S.F. (Gross)
Tract 1 - City of Dallas / Volume 3585, Page 235 DRDCT
Tract 1/- 1.2461 Ac. Magnolia Goodson Road, Ltd., et al Instrument Number 201600357546 OPRDCT
City Spur Parcel 1 Dallas Area Rapid Transit Volume 92165, Page 1176 DRDCT (formerly Gulf, Colorado, & Santa Fe Railroad)
GULF, COLORADO & SANTA FE RAILROAD variable width right-of-way
Lot 3A, Block G/889 CLAXTON RECYCLING ADDITION Volume 96161, Page 1262 DRDCT
existing building 7,120 S.F.
Right-of-way dedication 2,201 square feet (0.051 acres)
R=1582.47'
D=8°29'11"
L=234.39'
CB=N 50°58'37" W
CD=234.18'
S 44°39'00" W ~ 118.16'
PARKER STREET
variable width right-of-way by use and occupation
right-of-way dedicated per plat Volume 96161, Page 1262 DRDCT
117.24'
Ex. 4" Gas
20.8'
9.8'
0.69'
POINT OF BEGINNING TRACT 1
12.10'
R=1582.47'
D=1°14'40"
L=34.37'
CB=N 44°20'49" W
CD=34.37'
Right-of-way dedication 5,453 square feet (0.125 acres)
N 43°43'29" W ~ 419.87'
S 44°49'48" W 12.00'
N 44°41'12" E 0.86'
N 43°43'29" W 38.85'
Right-of-way dedication 1,399 square feet (0.032 acres)
N 43°43'29" W ~ 283.55'
N 42°05'43" W ~ 286.24'
railroad spike found
5/8" IRF
5/8" CIRF
1" (CM)
S 36°26'32" W ~ 102.07'
City of Dallas Volume 2979, Page 218 DRDCT
N 42°44'40" W 55.17'
R=1570.47'
D=6°09'10"
L=168.64'
CB=N 50°16'44" W
CD=168.56'
S 88°48'54" W 14.35'
R=1570.47'
D=1°14'35"
L=34.07'
CB=N 44°30'55" W
CD=34.07'
BOTHAM JEAN BOULEVARD
variable width right-of-way by use and occupation
(formerly Wall Street, Grigsby Avenue, & Lamar Avenue)
centerline
original 40' right-of-way per plat recorded in Volume 69, Page 436 DRDCT
City of Dallas - Tract 8 Volume 3073, Page 316 DRDCT
City of Dallas Volume 3605, Page 630 DRDCT
City of Dallas - Tract 6 Volume 3073, Page 316 DRDCT
City of Dallas - Tract 7 Volume 3073, Page 316 DRDCT
City of Dallas - Tract 5 Volume 3073, Page 316 DRDCT
City of Dallas - Tract 3 Volume 3961, Page 14 DRDCT
City of Dallas - Tract 2 Volume 3585, Page 235 DRDCT
City of Dallas - Tract Number 1 Volume 3177, Page 372 DRDCT
City of Dallas - Tract 2 Volume 3177, Page 372 DRDCT
ALMA STREET
a 50' right-of-way recorded in Volume 96, Page 342 DRDCT
Tract One Evergreen Plaza Partners, LLC Instrument Number 201900020216 OPRDCT
JOHN GRIGSBY SURVEY Abstract Number 495
Tract Two Evergreen Plaza Partners, LLC Instrument Number 201900020216 OPRDCT
Lot 5 Lot 6 Lot 7 Lot 8 Lot 9
Lot 6 Lot 7 Lot 8 Lot 9 Lot 10
Block 1111 (unplatted)
Ex. 6" WW (4110-5010, Sht. 9)
Ex. 16" Water
Ex. 6" WW (4110-5010, Sht. 10)
Ex. 6" WW (4110-7591, Sht. 9)
Ex. 6" WW (4110-7591, Sht. 1)
Ex. 6" Water
Ex. 12" H.P. Gas
Ex. 24" RCP
Ex. 15" RCP
Ex. 18" RCP
Ex. 8" WW (4110-7591, Sht. 1)
Ex. 36" RCP
Ex. 15" Water (J-30)
Ex. 6" WW (J-32)
Ex. 6" WW (J-33)
Ex. 6" WW (J-34)
Ex. 6" WW (J-35)
Ex. 6" WW (J-36)
Ex. 6" WW (J-37)
Ex. 6" WW (J-38)
Ex. 6" WW (J-39)
Ex. 6" WW (J-40)
Ex. 6" WW (J-41)
Ex. 6" WW

Drawing: G:\2022 JOBS\22-136 Lamar Corinth SFR\CAD\Preliminary\22-136 Preliminary Plat-East.dwg Saved By: kweir Save Time: 2/3/2023 1:06:37 PM Plotted by: kweir Plot Date: 2/3/2023 1:06 PM

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 205,077 square feet or 4.708 acres tract of land situated in the John Grigsby Survey, Abstract Number 495, in the City of Dallas, Dallas County, Texas, in City Blocks 1111 and H/888, being part of Lots 1 through 10, Block H, of the John J. Eakins Santa Fe Addition, according to the plat thereof recorded in Volume 69, Page 436, Deed Records, Dallas County, Texas (DRDCT), as conveyed as "Tract 2" by a special warranty deed to Magnolia Goodson Road, Ltd., et al, recorded in Instrument Number 201600357546, Official Public Records, Dallas County, Texas (OPRDCT), and being all of City Block 1111, as conveyed as "Tract 1" by said special warranty deed above, and being a portion of Alma Street, both that portion thereof dedicated as a 30–foot–wide right–of–way created by said plat of the John J. Eakins Santa Fe Addition described above, and part of Tract 1 conveyed by a warranty deed to the City of Dallas, recorded in Volume 3585, Page 235 DRDCT, and abandoned by the City of Dallas by Instrument Number _____ OPRDCT, with the subject tract being more particularly described as follows:

BEGINNING at an "X" found in concrete at the intersection of the northeast corner of Botham Jean Boulevard, a variable width right–of–way by use and occupation (formerly known as Wall Street, Grigsby Avenue, and Lamar Avenue), for the north corner of a right–of–way dedication thereof conveyed as "Tract 8" to the City of Dallas by deed recorded in Volume 3073, Page 316 DRDCT, with the southeast line of Parker Street, a 40–foot–wide right–of–way created by said plat of the John J. Eakins Santa Fe Addition described above, for the west corner of Tract 2;

THENCE N 44°49'48" E, along the southeast line of Parker Street, and along the northwest line of Tract 2, passing at 12.10 feet a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set, and continuing along the common line thereof 283.42 feet to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the most westerly corner of that portion of Parnell Street, closed by City of Dallas Ordinance Number 92–2175, as shown on the plat of Lot 3A, Block G/889, Office Crew Room Addition, recorded in Volume 94192, Page 11 DRDCT, being the north corner of Tract 2;

THENCE S 54°31'07" E, 97.69 feet along the southwest line of said closed street, and along the northeast line of Tract 2 to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set;

THENCE along the southwest line of said closed street, and along the northeast line of Tract 2, around a non–tangent curve to the right having a central angle of 26°43'14", a radius of 666.20 feet, a chord of S 44°22'19" E – 307.88 feet, an arc length of 310.69 feet to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set;

THENCE S 31°00'42" E, 51.42 feet along the southwest line of said closed street, and along the northeast line of Tract 2 to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the north corner of said street abandonment;

THENCE S 36°26'32" E, 38.59 feet continuing along the southwest line of said closed street, and along the northeast line of said street abandonment, to a 5/8" iron rod found for an inset corner of City Spur Parcel 1, conveyed by a deed without warranty to Dallas Area Rapid Transit, recorded in Volume 92165, Page 1176 DRDCT, for the east corner of said abandonment, and for the north corner of Tract 1;

THENCE along the west line of City Spur Parcel 1, and along the east line of Tract 1, around a non–tangent curve to the right having a central angle of 27°41'55", a radius of 678.70 feet, a chord of S 08°30'27" E – 324.92 feet, an arc length of 328.11 feet to a 5/8" iron rod found for the north corner of a tract conveyed by a warranty deed to the City of Dallas, recorded in Volume 2979, Page 218 DRDCT;

THENCE S 30°08'27" W, 102.07 feet along the northwest line of said City of Dallas tract and the southeast line of Tract 1 to a 5/8" iron rod with plastic cap found for intersection of said City of Dallas tract with the northeast line of Botham Jean Boulevard, being the south corner of Tract 1, being the northeast corner of a right–of–way tract conveyed as "Tract Number 1" to the City of Dallas by a warranty deed recorded in Volume 3177, Page 372 DRDCT;

THENCE N 42°05'43" W, 286.24 feet along the southwest line of Tract 1 and the northeast of Botham Jean Boulevard, and same for said Tract Number 1, passing the north corner thereof and the east corner of another right–of–way tract conveyed as "Tract 2" to the City of Dallas by a warranty deed recorded in Volume 3585, Page 235 DRDCT, and continuing along the northeast line thereof to a railroad spike found for the south corner of another right–of–way tract for Alma Street, a 40–foot wide right–of–way, conveyed as "Tract 1" to the City of Dallas by a warranty deed recorded in Volume 3585, Page 235 DRDCT, being the intersection thereof with the northeast line of Botham Jean Boulevard, for the west corner of Tract 1;

THENCE N 44°41'12" E, 0.86 feet along the southeast line of Alma Street and same for said right–of–way deed, and along the northwest line of Tract 1, to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set for the south corner of said street abandonment;

THENCE N 43°43'29" W, 38.85 feet along the southwest line of said street abandonment to a 3–1/4" aluminum disc stamped "CC ADDITION SPIARSENG RPLS 5252" set on the northwest line of Alma Street and the southeast line of Tract 2;

THENCE S 44°49'48" W, 12.00 feet along the common line thereof to an "X" found in concrete for the intersection of Botham Jean Boulevard with Alma Street, being the south corner of Tract 2, and being the east corner of a right–of–way dedication to the City of Dallas, by a warranty deed recorded in Volume 3605, Page 630 DRDCT;

THENCE N 43°43'29" W, 420.17 feet along the southwest line of Tract 2 and the northeast line of Botham Jean Boulevard, and same for said right–of–way tract, passing the north corner thereof and the east corner of said Tract 8, and continuing along the northeast line thereof to an "X" found in concrete;

THENCE continuing along the southwest line of Tract 2 and the northeast line of Botham Jean Boulevard, and same for said right–of–way tract, around a non–tangent curve to the left having a central angle of 01°14'35", a radius of 1570.47 feet, a chord of N 44°30'55" W – 34.07 feet, an arc length of 34.07 feet to the POINT OF BEGINNING with the subject tract containing 205,077 square feet or 4.708 acres of land, as noted in the preamble above.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Magnolia Goodson Road LTD ,** acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as **LARKSPUR BOTHAM JEAN 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.

Magnolia Goodson Road, LTD

_____
David Foor, Manager

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 _____ 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

DETENTION AREA EASEMENT STATEMENT

The proposed detention area along Block A/4011 within the Limits of this addition, will remain as detention areas to the line and grade shown on the plans at all times and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the Detention Areas in Block A/4011. The City of Dallas will not be responsible for the maintenance and operation of said Detention Areas or for any damage or injury to private property or person that results from the flow of water along, into or out of said Detention Areas, or for the control of Erosion.

No obstruction to the natural flow of storm water run–off shall be permitted by filling or by construction of any type of dam, building, bridge, fence, walkway or any other structure within the designated Detention Areas, as hereinafter defined in Block A/4011, unless approved by the Directors of Development Services and Dallas Water Utilities. Provided, however, it is understood that in the event it becomes necessary for the City of Dallas to erect any type of Drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivisions, then in such an event, the City of Dallas shall have the right to enter upon the Detention Areas at any point, or points to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep clean and free of debris, silt, and any substance which would result in unsanitary conditions and the City of Dallas shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.

The Detention Area in Block A/4011, as in the case of all Detention Areas, is subject to Storm Water overflow to an extent, which cannot be clearly defined. The City of Dallas shall not be held liable for any damage of any nature resulting from the occurrence of these natural phenomena, nor resulting from the failure of any structure or structures within the Detention Areas or the subdivision storm drainage system.

The Detention Areas serving the plat are shown by the Detention Area Easement Line as shown on the plat.

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 _____, 2022.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

_____
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 _____, 2022.

_____
Notary Public, State of Texas

PRELIMINARY PLAT

LARKSPUR BOTHAM JEAN ADDITION

LOT 1A, BLOCK H/888
BEING A REPLAT OF PART OF LOTS 1-10, BLOCK H/888,
JOHN J. EAKINS SANTA FE ADDITION,
AND DALLAS CITY BLOCK 1111 (UNPLATTED)
JOHN GRIGSBY SURVEY, ABSTRACT NUMBER 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 4.708 ACRES (GROSS)
CITY PLAN FILE NO. S223-072
CITY ENGINEER PLAN FILE NO. DP__-___

APPLICANT
Magnolia Goodson Road, Ltd.
2410 Polk Street, Suite 200
Houston, TX 77003
Telephone: (713) 293-6901
Contact: David Foor

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

February, 2023 SEI Job No. 22-136

Agenda Information Sheet

File #: 23-703 Item #: 14.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.326-acre tract of land containing all of Lots 2, 3, and 4 in City Block 3/2001 to create one 5,119 square foot lot and one 9,082 square foot lot on property located on Belmont Avenue, south of Fitzhugh Avenue.
Applicant/Owner: IGS Construction, LLC
Surveyor: CBG Surveying Texas, LLC
Application Filed: February 3, 2023
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-074

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-074 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Belmont Avenue, south of Fitzhugh Avenue

DATE FILED: February 3, 2023 **ZONING:** MF-2(A)

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 0.326-acres **MAPSCO:** 35Z

APPLICANT/OWNER: IGS Construction, LLC

REQUEST: An application to replat a 0.326-acre tract of land containing all of Lots 2, 3, and 4 in City Block 3/2001 to create one 5,119 square foot lot and one 9,082 square foot lot on property located on Belmont Avenue, south of Fitzhugh Avenue.

SUBDIVISION HISTORY:

1. S201-665 was a request west of the present request to replat a 0.284-acre tract of land containing all of Lots 12 and 13 in City Block 1/2001 to create one lot on property located on Manett Street, northeast of Kirby Street. The request was approved on June 3, 2021 but has not been recorded.

2. S190-175 was a request southwest of the request to replat a 0.379-acre tract of land containing all of Lots 13 and 14 in City Block B/2002 to move the existing common lot line and create one 0.175-acre lot and one 0.204-acre on property located on Manett Street at Kirby Street, northwest corner. The request was approved on July 23, 2020 but has not been recorded.

3. S190-122 was a request southwest of the present request to replat a 0.264-acre tract of land containing all of Lot 11 in City Block E/2002 to create five lots ranging in size from 1,781 square feet to 3,000 square feet on property located at 4535 Weldon Street, northeast of Carroll Avenue. The request was approved on May 21, 2020 and recorded October 22, 2021.

4. S190-066 was a request south of the present request to replat a 0.190-acre tract of land containing part of Lots 2 and 3 in City Block E/2011 on property located on Kirby Avenue, southeast of Capital Avenue. The request was approved on January 23, 2020 but has not been recorded.

5. S189-230 was a request north of the present request to replat a 0.46-acre tract of land containing all of Lot 10 in City Block E/1995 to create one 9,798.85-square foot lot and one 9,801.43-square foot lot on property located on Belmont Avenue, north of Fitzhugh Avenue. The request was administratively approved on June 24, 2019 but was withdrawn June 25, 2019.

6. S178-147 was a request south of the present request to replat a 0.197-acre tract of land containing part of Lot 3 and Lot 4 in City Block E/2011 to create one lot on property located at 2319 Kirby Avenue (A.K.A. “Kirby Street”), west of Deere Street. The request was approved on April 5, 2018 and recorded August 30, 2018.

7. S178-037 was a request north of the present request to replat a 0.458-acre tract of land containing all of Lot 2 in City Block E/1995 to create one 0.230-acre and one 0.228-acre on property located on Manett Street, northeast of Fitzhugh Avenue. The request was administratively approved on November 29, 2017 and recorded on May 18, 2018.

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 are zoned CR Community Retail District, to the east are zoned R-7.5(A) Single Family District, the properties to the southwest and west of the request have lot areas ranging in size from 4,537 square feet to 7,645 square feet and lot widths of 49 feet each. (*Please refer to the existing area analysis and aerial map)*

- Lot 2,3, and 4 in City Block 3/2001 of the request currently have width of 75 feet, 65, feet , and 60 respectivley.

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 MF-2(A) Multi 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 56 feet of right-of-way (via fee simple or street easement) from the established centerline of Belmont Avenue. 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.

Dallas Water Utilities Conditions:

17. 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.

18. Wastewater main improvements may be required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

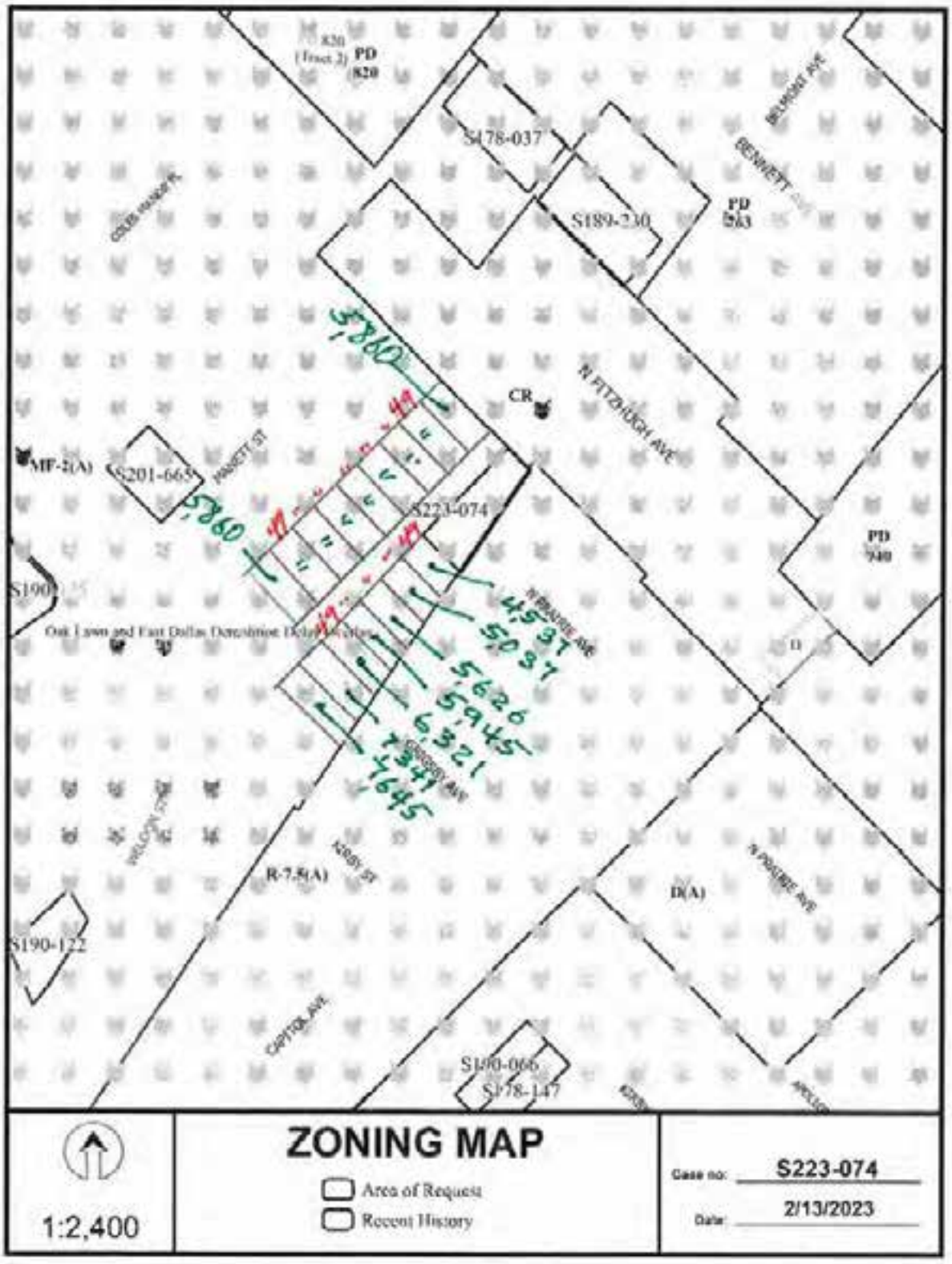
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

19. On the final plat, change “North Fitzhugh Avenue” to “Fitzhugh Avenue”. Section 51A-8.403(a)(1)(A)(xii).

20. On the final plat, change “North Prairie Avenue” to “Prairie Avenue”. Section 51A-8.403(a)(1)(A)(xii).

21. On the final plat, change “Belmont Avenue (Formerly Hurt Street)” to “Belmont Avenue (F.K.A. Hurt Street)”. Section 51A-8.403(a)(1)(A)(xii)

22. On the final plat, identify the property as Lots 2A and 3A in City Block 3/2001. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


PD 820
S178-037
S189-230
PD 583
BELMONT AVE
BENNETT AVE
GOLDEN HAWK PL
N FITZHUGH AVE
CR
MF-2(A)
S201-665
HASKETT ST
S223-074
PD 948
S190-
Oak Lawn and East Dallas Dangerous Drainage Area
N PEARCE AVE
5780
5780
4597
5037
5626
5945
6321
7341
7645
GASTON AVE
IRELAND ST
ABBOTT ST
R-7.5(A)
D(A)
S190-122
CAPITOL AVE
S190-066
S178-147
ZONING MAP
Area of Request
Recent History
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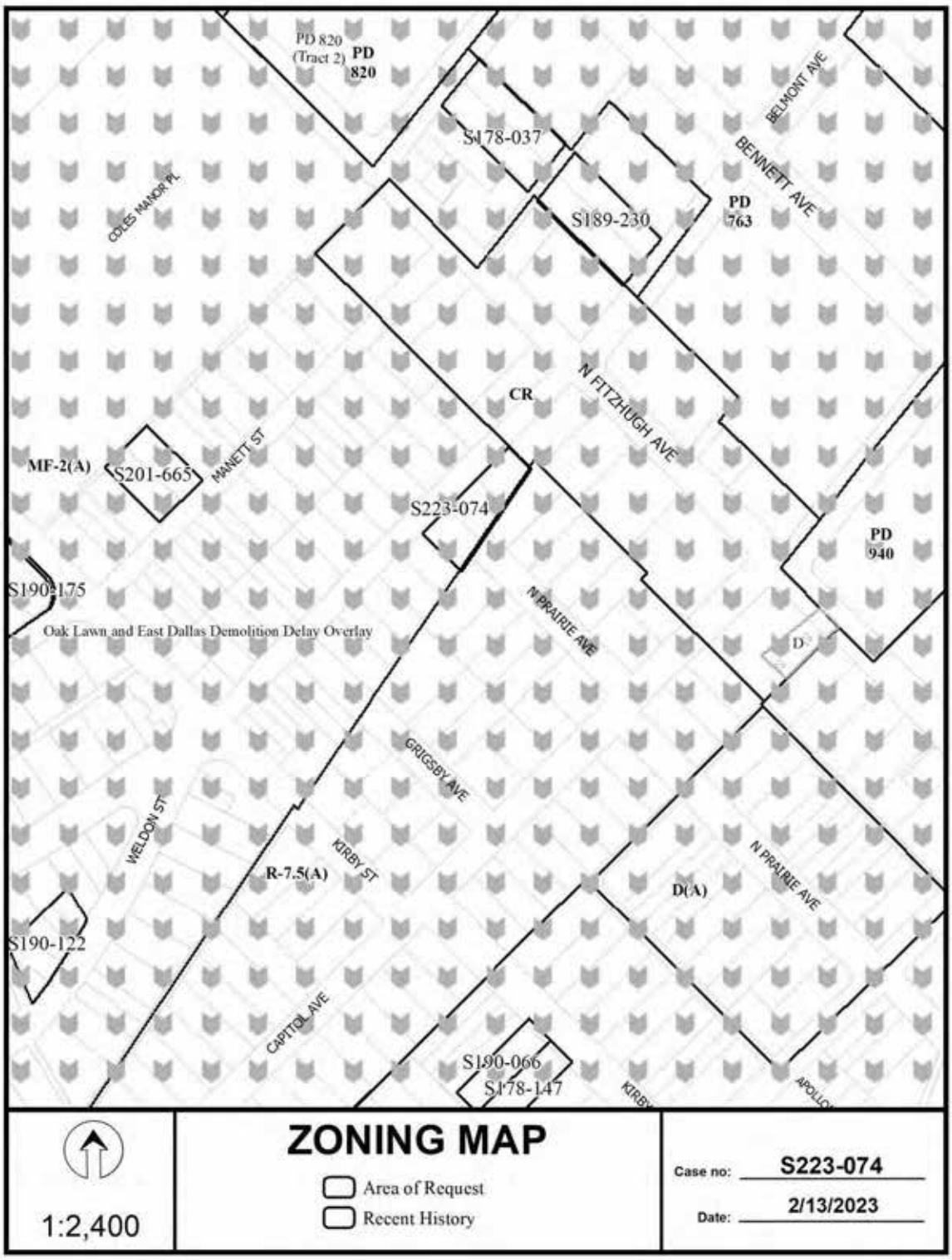
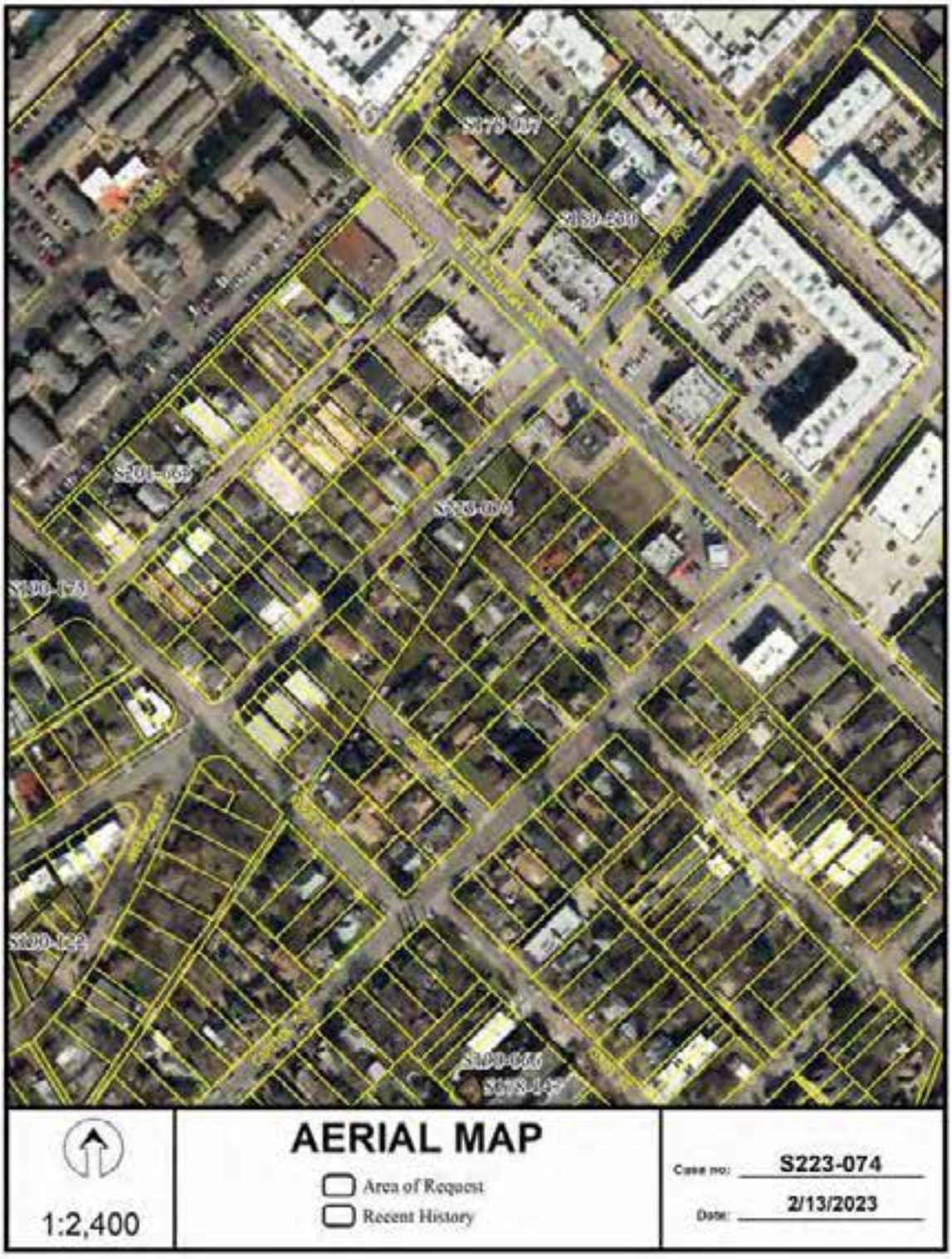
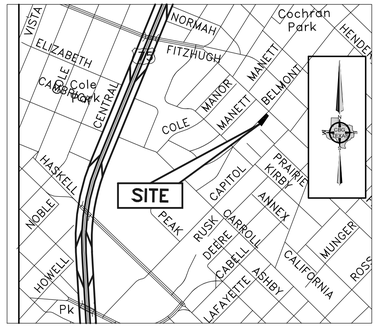
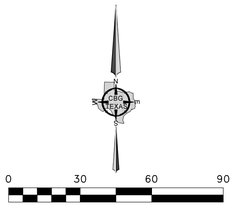
Case no: S223-074
Date: 2/13/2023


PD 820 (Tract 2)
PD 820
S178-037
BELMONT AVE
BENNETT AVE
COLES MANOR PL
S189-230
PD 763
CR
N FITZHUGH AVE
MF-2(A)
S201-665
MANETT ST
S223-074
PD 940
S190-175
Oak Lawn and East Dallas Demolition Delay Overlay
N PRAIRIE AVE
D
GRIGSBY AVE
WELDON ST
KIRBY ST
R-7.5(A)
D(A)
N PRAIRIE AVE
S190-122
CAPITOL AVE
S190-066
S178-147
KIRBY
APOLLO
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-074
Date: 2/13/2023


AERIAL MAP
1:2,400
Area of Request
Recent History
Case no: S223-074
Date: 2/13/2023



VICINITY MAP
NOT TO SCALE



SCALE: 1" = 30'

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
INST. NO. = INSTRUMENT NUMBER
VOL. PG. = VOLUME, PAGE
CM = CONTROLLING MONUMENT
R.O.W. = RIGHT-OF-WAY
IRF = IRON ROD FOUND
ACS = 3-1/4 ALUMINUM DICK STAMPED "TCA" AND RPLS 5513" OVER A 1/2 INCH IRON ROD SET

GENERAL NOTES

1) BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).
2) THE PURPOSE OF THIS PLAT IS TO CREATE TWO LOT FOR DEVELOPMENT OUT OF THREE LOT.
3) LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION 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 4202, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS IGS Construction LLC, is the owner of a 14,201 square foot tract of land situated in the J. Grigby Survey, Abstract No. 1495 in the City of Dallas, Dallas County, Texas, and being Lots 2, 3, AND 4, Block 3/2001, of Rick and Hurt's North Fitzhugh Avenue Addition, an Addition to the City of Dallas, according to the Map or Plat thereof recorded in Volume 2, Page 220, Map records of Dallas County, Texas, same being tracts of land conveyed to Abstract Properties LLC, by Deeds recorded in Instrument No's. 202200255288, 202200255293 and 202200255297, Official Public Records, Dallas County, Texas and being more particularly describe by Metes and Bounds as follows:

COMMENCING at a point for corner, said corner been the North corner of Lot 1, Block 3/2001, of said Rich and Hurt's Addition, same being in the intersection of the Southwest Right-of Way line of North Fitzhugh Avenue (Public Right-of-Way), by Map recorded in Volume 2, Page 220, Map records of Dallas County, Texas and the Southeast Right of Way line of Belmont Avenue (38 foot width Right-of-Way) formerly Known as Hurt Street, by Map recorded in Volume 2, Page 220, Map Records, Dallas County, Texas;

THENCE South 45 degrees 10 minutes 00 seconds West, along the said Southeast Right-of-Way line of said Belmont Avenue, a distance of 148.00 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of said Lot 1, and being the POINT OF BEGINNING of herein described tracts;

THENCE South 44 degrees 57 minutes 29 seconds East, along the said Southwest line of said Lot 1, a distance of 51.52 feet to a 3-14 aluminum disk stamped "TCA" and " RPLS 5513" set over 1/2 inch iron rod set for corner, said corner being the South corner of said Lot 1, same being along the Northwest line of Lot 9, Block A/2007, of Gulf Park Addition, an Addition of the City of Dallas, according to the Map or Plat thereof recorded in Volume 4, Page 136, of Map Records of Dallas County, Texas;

THENCE South 34 degrees 08 minutes 03 seconds West, along the Northwest line of said Lot 9, a distance of 203.75 feet to a 1/2 inch iron rod found for corner, said corner being along the Northeast line of Lot 6, Block C/2007 of said Gulf Park Addition, same corner being the South Corner of Lot 5, Block 3/2001, of said Rick and Hurts Addition;

THENCE North 44 degrees 57 minutes 29 seconds West, along the Northeast line of said Lot 5, a distance of 90.44 feet to 1/2 inch iron rod found for corner, said corner being the Northeast corner of said Lot 5, Block 3/2001, same being along the Southeast Right-of-Way line of said Belmont Avenue;

THENCE North 45 degrees 08 minutes 44 seconds West, along the Southeast Right-of-Way line of said Belmont Avenue, a distance of 200.07 feet, or to the POINT OF BEGINNING and containing 14,201 square feet or 0.326 acre of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, IGS Construction LLC, acting by and through their duly authorized agent, Michael Cimino do hereby adopt this plat, designating the herein described property as **TIN CUP 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: _____
IGS Construction LLC (OWNER)
Michael Cimino (Founder and CEO)

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears Michael Cimino , 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 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 ON 02/03/2023, 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 PLAT
TIN CUP ADDITION
LOTS 2A AND 2B, BLOCK 3/2001
14,201 Sq. Ft. / 0.326 ACRES
BEING A REPLAT OF
LOT 2-4, BLOCK 3/2001 RICK AND HURT'S FITZHUGH AVENUE ADDITION
J. GRIGBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO.: S223-074
ENGINEERING PLAN NO.: _____

OWNER: IGS CONSTRUCTION LLC.
AGENT: MICHAEL CIMINO
2000 McKINNEY AVENUE #17.
DALLAS, TEXAS 75001
512-994-8693

CBG SURVEYING TEXAS LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & SURVEYING
Main Office
1413 E. 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: 02-03-2023 / JOB NO. 2221955-PRELIMINARY PLAT / DRAWN BY: LRA

Agenda Information Sheet

File #: 23-704 Item #: 15.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.5682-acre tract of land containing all of Lots 5, 6, and 7 in City Block D/2356 on property located on Mail Avenue, north of Rural Avenue.
Applicant/Owner: Restudio
Surveyor: Urban Strategy
Application Filed: February 6, 2023
Zoning: MF-2(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-075

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-075 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Mail Avenue, north of Rural Avenue

DATE FILED: February 6, 2023 **ZONING:** MF-2(A)

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 0.5682-acres **MAPSCO:** 33R

APPLICANT/OWNER: Restudio

REQUEST: An application to replat a 0.5682-acre tract of land containing all of Lots 5, 6, and 7 in City Block D/2356 to create one lot on property located on Mail Avenue, north of Rural Avenue.

SUBDIVISION HISTORY:

1. S223-051 was a request northwest of the present request to replat a 0.200-acre tract of land containing all of Lot 7 and portion of Lot 8 to create one lot on property located on Anson Road, northeast of Anson Circle. The request was approved on December 29, 2022 but has not been recorded.

2. S212-227 was a request southeast of the present request to create one 0.9134-acre lot from a tract of land in City Block 2366 on property located on Empire Central, at the terminus of Forest Park Road. The request was approved on June 16, 2022 but has not been recorded.

3. S190-228 was a request southwest of the present request to create an 8-lot shared access development with lots ranging in size from 1,515 square feet to 2,804 square feet from a 0.378-acre tract of land in City Block 5761 on property located at the terminus of Mail Avenue, north of Harry Hines Boulevard. The request was approved on October 1, 2020 but has not been recorded.

4. S190-192 was a request southwest of the present request to create one 0.378-acre lot from a tract of land in City Block 5761 on property located at the terminus of Mail Avenue, southwest of Rural Avenue. The request was approved August 20, 2020 and withdrawn September 3, 2020.

5. S189-271 was a request north of the present request to replat a 0.678-acre lot containing all of Lots 27 through 29 and portion of Lot 13 in City Block B/2365 and an abandoned portion of alley to create one lot on property located on Anson Road at Mohawk Road. The request was withdrawn July 31, 2019.

6. S178-292 was a request southeast of the present request to create a 0.336-acre lot from a tract of land in City Block 2/2366 on property located on Shea Road, East of Harry Hines Boulevard. The request was administratively approved on August 21, 2018 but has not been recorded.

7. S178-144 was a request southeast of the present request to replat a 0.669-acre tract of land containing all of Lot E in City Block 2/2366 to create one lot on

property located at 2116 Shea Road, east of Harry Hines Boulevard. The request was denied on April 5, 2018

8. S178-017 was a request southwest of the present request to replat a 1.519-acre tract of land containing all of Lots 2 through 7 in City of Block A/2365 to create a 30-lot shared access area development with lots ranging in size from 0.04-acre to 0.091-acre on a property located on Lovedale Avenue at Rural Avenue, south corner. The request was approved on November 30, 2017. Phase B S178-017B was submitted but has not been recorded.

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 southeast, and southwest of the request have no established lot pattern with lot areas ranging in size from 1,638 square feet to 15,127 square feet and lot widths ranging in size from 22 feet to 100 feet are zoned MF-2(A) Multi 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 MF-2(A) Multi 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)

Survey (SPRG) Conditions:

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

Dallas Water Utilities Conditions:

16. 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).

17. 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.

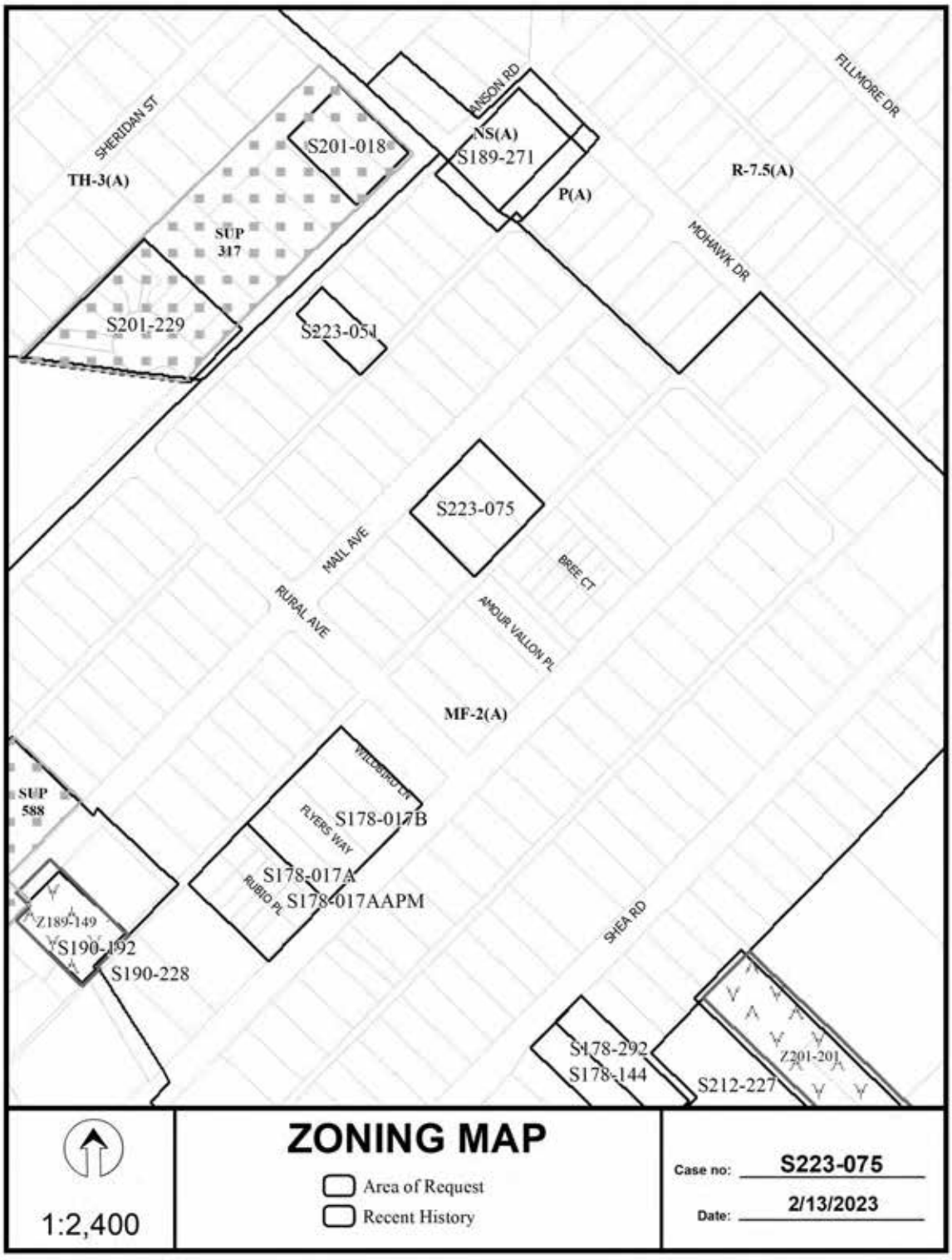
18. Water and Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

19. On the final plat, change “Bee Court” to “Bree Court”. Section 51A-8.403(a)(1)(A)(xii).

20. On the final plat, identify the property as Lot 5A in City Block D/2365. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

SHERIDAN ST
TH-3(A)
S201-018
MASON RD
NS(A)
S189-271
P(A)
R-7.5(A)
SUP 317
S201-229
S223-054
HOPKINS DR
6695
7391
15127
S223-075
8250
8457
8250
8054
SHARED ACCESS DEVELOPMENT LOTS RANGING IN SIZE FROM 1698 TO 2924
MF-2(A)
SUP 588
S178-017B
S178-017A
S178-017AAPM
S190-192
S190-228
SHEA RD
S178-292
S178-144
S212-227
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-075
Date: 2/13/2023


SHERIDAN ST
TH-3(A)
S201-018
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S201-229
S223-051
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NS(A)
S189-271
P(A)
FILLMORE DR
R-7.5(A)
MOHAWK DR
S223-075
MAUL AVE
RURAL AVE
BREE CT
AMOUR VALLON PL
MF-2(A)
SUP 588
WILDERADO DR
FLYERS WAY
S178-017B
S178-017A
RUBIO PL
S178-017AAPM
Z189-149
S190-192
S190-228
SHEA RD
S178-292
S178-144
S212-227
Z201-201
ZONING MAP
Area of Request
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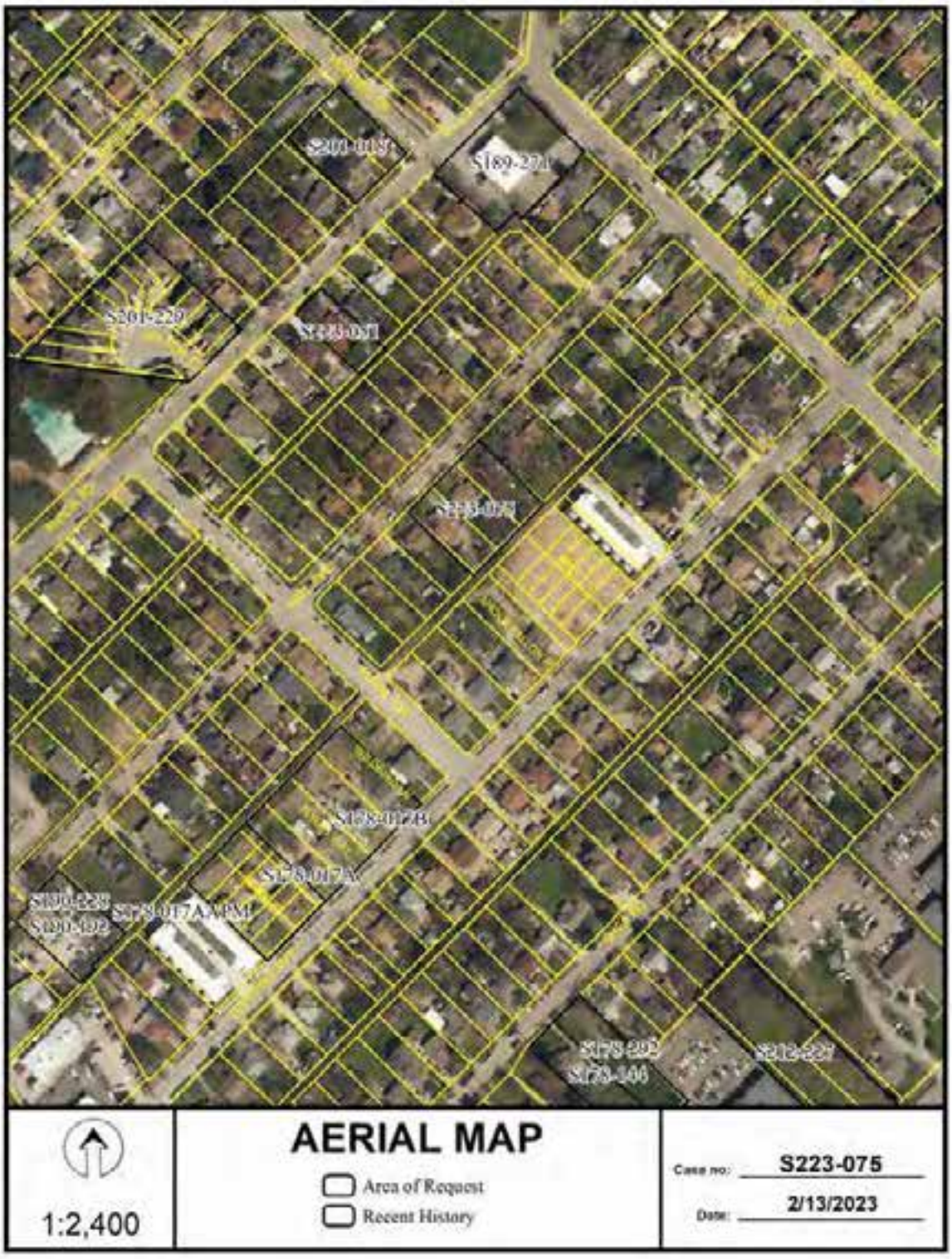
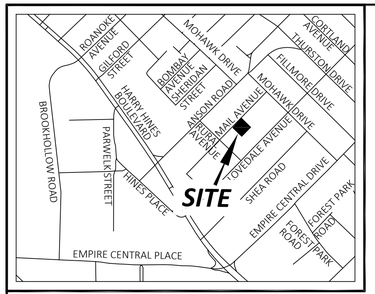

S201-013
S189-271
S201-229
S223-071
S178-017B
S178-017A
S178-017A/PM
S178-222
S178-166
S213-227
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-075
Date: 2/13/2023

SITE
PRELIMINARY PLAT
URBAN



VICINITY MAP
(NOT TO SCALE)

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

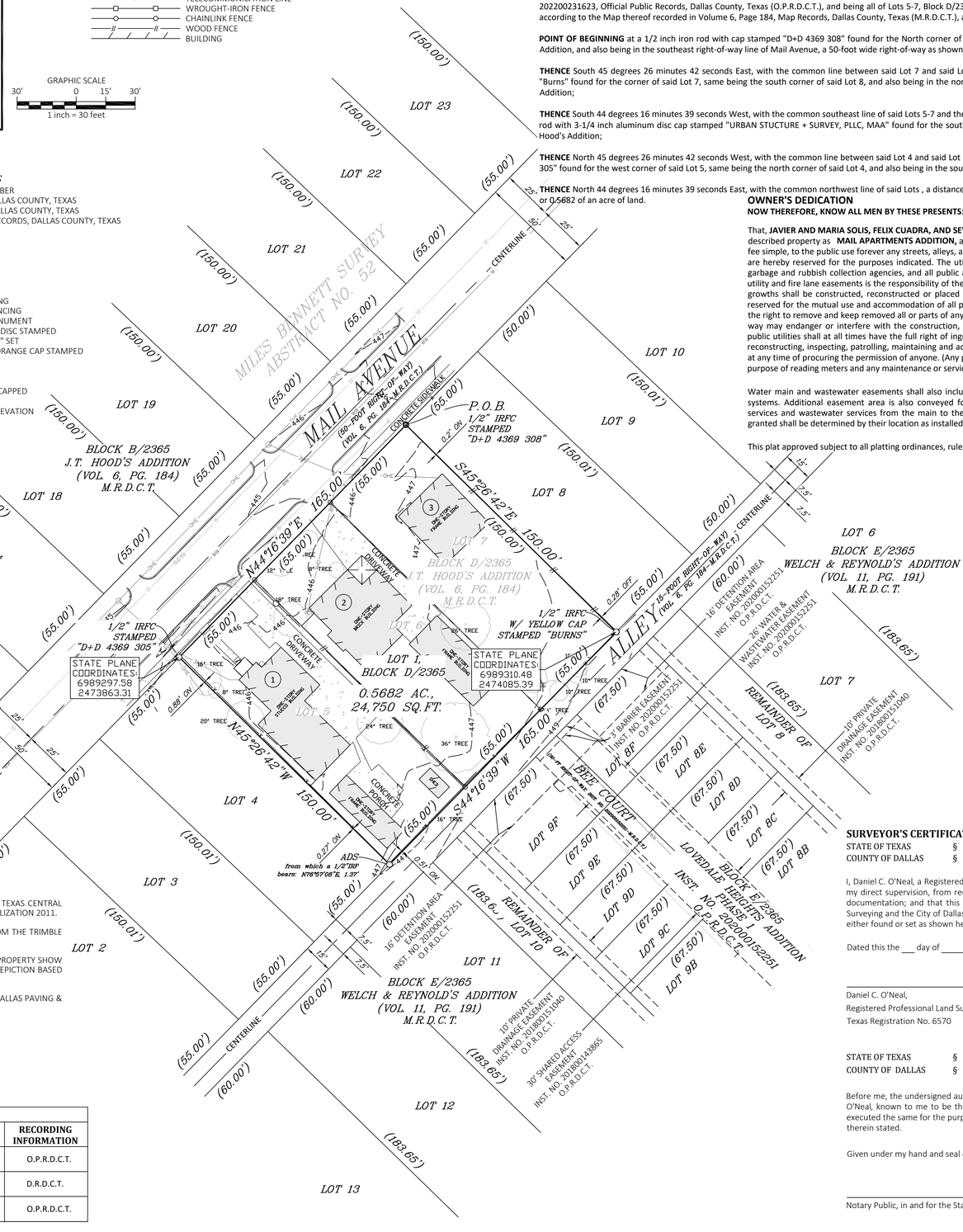
GRAPHIC SCALE
30' 0 15' 30'
1 inch = 30 feet

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 MANHOLE
- ELECTRIC VAULT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- GAS MARKER
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- 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
INST.	INSTRUMENT
NO.	NUMBER
(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
ADS	3-1/4" ALUMINUM DISC STAMPED "ONEAL 6570, MAA" SET
IRS	IRON ROD SET w/ ORANGE CAP STAMPED "ONEAL 6570"
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRFC	IRON ROD FOUND CAPPED
ESMT	EASEMENT
FFE	FINISHED FLOOR ELEVATION
ELEV.	ELEVATION
XXX.X	SPOT ELEVATION
NG	NATURAL GROUND
TC	TOP CURB
G	GUTTER
FL	FLOW LINE



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.

PURPOSE NOTE:
The purpose of this plat is to create one lot of record from an existing three platted lots.

OWNERSHIP INFORMATION			
	NAME	INSTRUMENT NO VOLUME/PAGE	RECORDING INFORMATION
(1)	FELIX CUADRA	INST. NO. 200402770741	O.P.R.D.C.T.
(2)	SEVERIANO ARANDA	VOL. 75118, PG. 846	D.R.D.C.T.
(3)	JOSE & JACQUELINE GOMEZ	INST. NO. 201200095916	O.P.R.D.C.T.

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS Felix Cuadra, Javier and Maria Solis, and Severiano and Julia Aranda, are the sole owners of a 0.5682 acre or a 24,750 square feet tract of land situated in the Miles Bennett Survey, Abstract No. 52, City of Dallas, Dallas County, Texas, being all of that certain tract of land described to said Felix Cuadra by Warranty Deed with Vendor's Lien, recorded in Instrument No. 200402770741, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being all of that certain tract of land described to said Severiano and Julia Aranda by Warranty Deed with Vendor's Lien, recorded in Volume 75118, Page 846, Deed Records, Dallas County, Texas (D.R.D.C.T.), and also being all of that certain tract of land as described in General Warranty Deed 202200231623, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being all of Lots 5-7, Block D/2365, J.T. Hood's Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 6, Page 184, Map Records, Dallas County, Texas (M.R.D.C.T.), and being more particularly described as follows:

POINT OF BEGINNING at a 1/2 inch iron rod with cap stamped "D+D 4369 308" found for the North corner of said Lot 7, same being the west corner of Lot 8, Block D/2365, said J.T. Hood's Addition, and also being in the southeast right-of-way line of Mail Avenue, a 50-foot wide right-of-way as shown on said plat of J.T. Hood's Addition;

THENCE South 45 degrees 26 minutes 42 seconds East, with the common line between said Lot 7 and said Lot 8, a distance of 150.00 feet to a 1/2 inch iron rod with yellow cap stamped "Burns" found for the corner of said Lot 7, same being the south corner of said Lot 8, and also being in the northwest right-of-way line of a 15-foot Alley, as shown on said plat of J.T. Hood's Addition;

THENCE South 44 degrees 16 minutes 39 seconds West, with the common southeast line of said Lots 5-7 and the northwest line of said 15-foot Alley, a distance of 165.00 feet to a 1/2 inch iron rod with 3-1/4 inch aluminum disc cap stamped "URBAN STUCTURE + SURVEY, PLLC, MAA" found for the south corner of said Lot 5, same being the east corner of Lot 4, D/2365, of said J.T. Hood's Addition;

THENCE North 45 degrees 26 minutes 42 seconds West, with the common line between said Lot 4 and said Lot 5, a distance of 150.00 feet, to a 1/2-inch iron rod with cap stamped "D+D 4369 305" found for the west corner of said Lot 5, same being the north corner of said Lot 4, and also being in the southwest right-of-way of said Mail Avenue;

THENCE North 44 degrees 16 minutes 39 seconds East, with the common northwest line of said Lots , a distance of 150.00 feet to the **POINT OF BEGINNING**, and containing 24,750 square feet or 0.5682 of an acre of land.

OWNER'S DEDICATION
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **JAVIER AND MARIA SOLIS, FELIX CUADRA, AND SEVERIANO AND JULIA ARANDA,** do hereby adopt this plat, designating the herein described property as **MAIL APARTMENTS 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: JOSE AND JACQUELINE GOMEZ

By: _____ Date: _____
JAVIER SOLIS, OWNER

By: _____ Date: _____
MARIA SOLIS, 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 JAVIER AND MARIA SOLIS, 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

OWNER: FELIX CUADRA

By: _____ Date: _____
FELIX CUADRA, 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 FELIX CUADRA, 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

OWNER: SEVERIANO AND JULIA ARANDA

By: _____ Date: _____
SEVERIANO ARANDA, OWNER

By: _____ Date: _____
JULIA ARANDA, 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 SEVERIANO AND JULIA ARANDA, 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, Daniel C. O'Neal, 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.

_____
Daniel C. O'Neal,
Registered Professional Land Surveyor
Texas Registration No. 6570

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 Daniel C. O'Neal, 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

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.

CIVIL
Urban Strategy
4222 Main St.
Dallas, TX 75226
www.urbanstrategy.us
214-295-5775
TBPELS Firm No. 10194610

SURVEYOR
Daniel C. O'Neal
O'Neal Surveying Company
TBPLS Firm No. 10194132
c: 903 - 804-2891
daniel.oneal@onealsurveying.com

DEVELOPER/ OWNER
RESTUDIO
1044 Burlington Blvd.,
Dallas, TX 75208
contact: Stephanie Behring
Phone: 817-706-2205
stephanie@restudioarchitecture.com

URBAN STRATEGY
4222 Main Street, Dallas, Texas 75226
Firm Registration #F-22252, 214.396.2339
www.urbanstrategy.us

PRELIMINARY PLAT

0.5682 ACRES / 24,750 SQUARE FEET

LOT 1, BLOCK D/2365
MAIL AVENUE APARTMENTS ADDITION

A REPLAT OF LOTS 5-7, BLOCK D/2365, J.T. HOOD'S ADDITION
RECORDED IN VOL. 6, PG. 184, IN THE
MAP RECORDS OF DALLAS COUNTY, TEXAS
OUT THE MILES BENNETT SURVEY , ABSTRACT NO. 52
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE No. S223-075

ENGINEERING PLAN No. XXXX-_____

ISSUE DATE: 02/03/2023 PROJECT NO.: 22686 SCALE: 1 inch = 30 ft. PAGE 1 OF 1

FILE NAME: SVY - 22686 - PRELIM _ PLAT.DWG
FILE LOCATION: S:\Survey (Team Folder)\Projects\2022\22686 - 2220,2212,2228 MAIL AVE\ACAD\Sheets\SVY - 22686 - PRELIM _ PLAT.dwg
LAST SAVED BY: Daniel O'Neal
PLOTTED ON: 2/6/2023 9:36 AM

City of Dallas

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

Agenda Information Sheet

File #: 23-705 Item #: 16.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 20.172-acre lot from a tract of land in City Block 1/8525 on property located on Dowdy Ferry Road, south of Plainview Drive.
Applicant/Owner: A&F Industrial, LLC
Surveyor: Eagle Surveying
Application Filed: February 6, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-076

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-076 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Dowdy Ferry Road, south of Plainview Drive

DATE FILED: February 6, 2023 **ZONING:** IR

CITY COUNCIL DISTRICT: 8 **SIZE OF REQUEST:** 20.172-acres **MAPSCO:** 68M

APPLICANT/OWNER: A&F Industrial, LLC

REQUEST: An application to create one 20.172-acre lot from a tract of land in City Block 1/8525 on property located on Dowdy Ferry Road, south of Plainview Drive.

SUBDIVISION HISTORY:

1. S201-551 was a request south of the present request to create one 53.6165-acre lot from a tract of land in City Block 8524 on property located on Dowdy Ferry Road, north of Lyndon B. Johnson Freeway. The request was approved on January 7, 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. Provide Right–Of-Way, design and construction for a deceleration/acceleration Lane if the Traffic Impact Study (TIS) justifies this need.

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.

Survey (SPRG) Conditions:

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

24. On the final plat, chose a new or different addition name. Platting Guidelines.

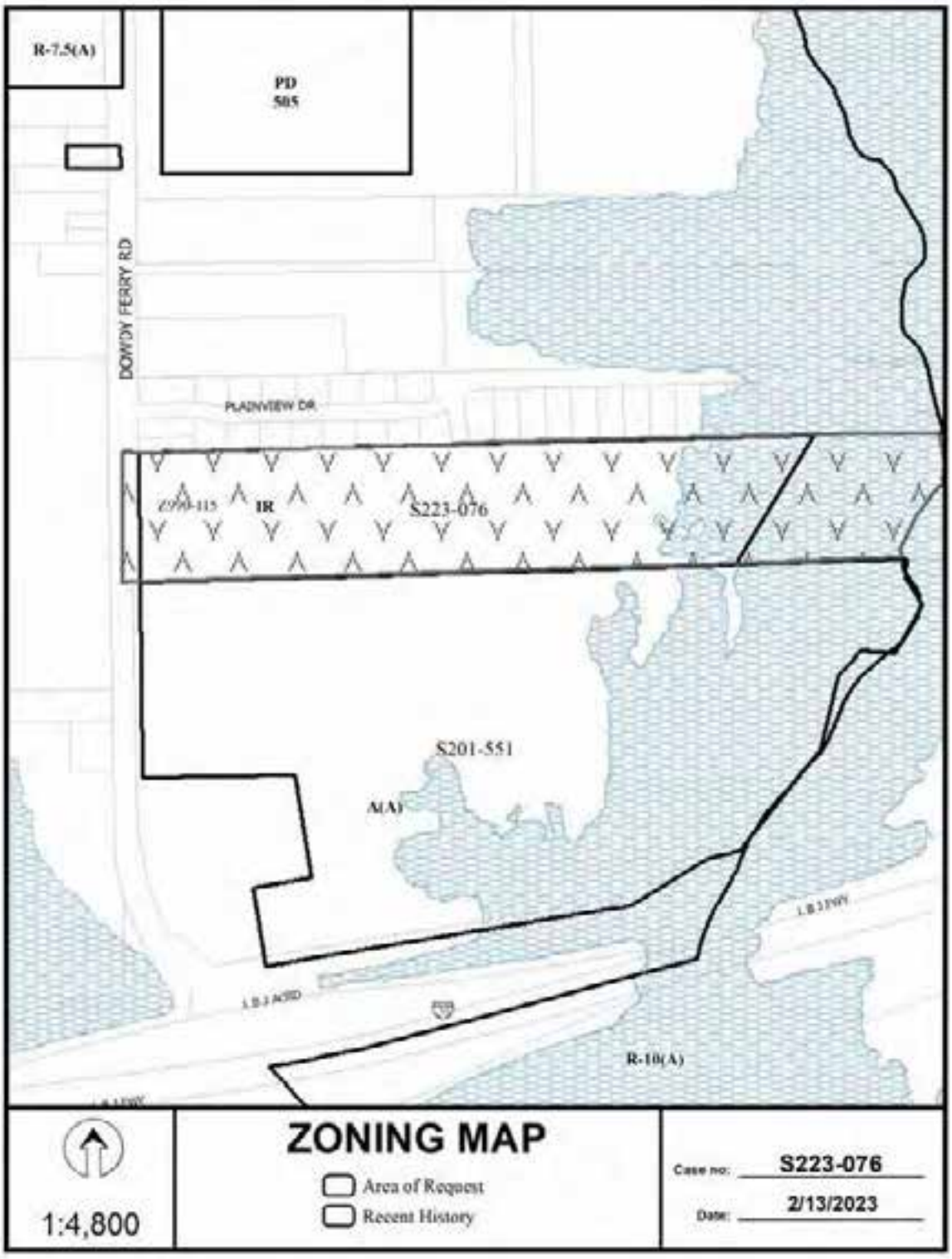
Dallas Water Utilities Conditions:

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.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

27. On the final plat, identify the property as Lot 1 in City Block A/8525. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

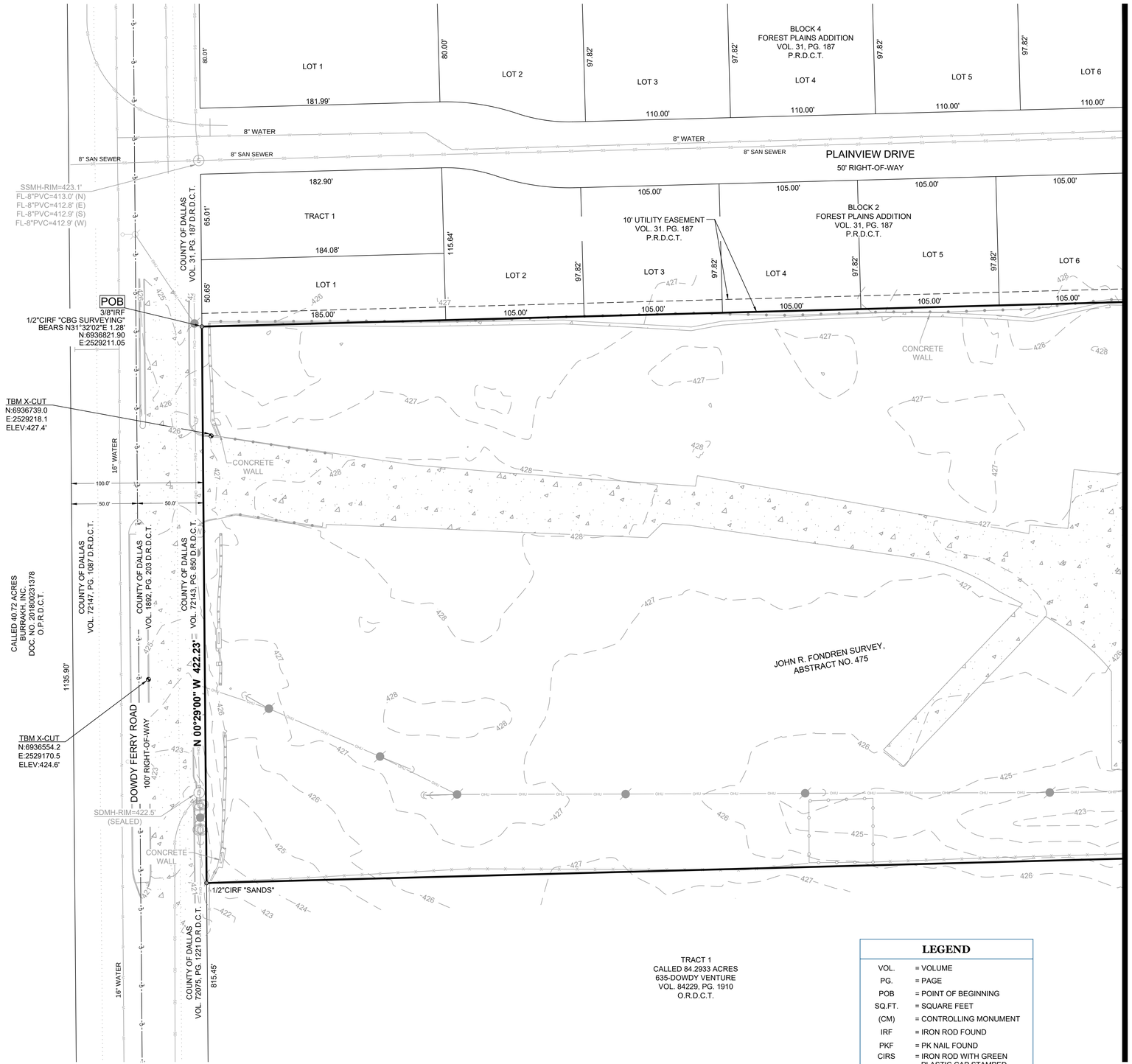

R-7.5(A)
PD
505
DOWDY FERRY RD
PLAINVIEW DR
IR
S223-076
S201-551
MA)
R-10(A)
1:4,800
ZONING MAP
Area of Request
Recent History
Case no: S223-076
Date: 2/13/2023

S223076
S201-681
AERIAL MAP
Area of Request
Recent History
1:4,800
Case no: S223-076
Date: 2/13/2023

PRELIMINARY PLAT
A & F ADDITION
LOT 1, CITY BLOCK 16525
EAGLE
SURVEYING

PRELIMINARY PLAT
A & F ADDITION
LOT 1, CITY BLOCK 1/8825
EAGLE
SURVEYING

PRELIMINARY PLAT
A & F ADDITION
LOT 1, CITY BLOCK 8/825
EAGLE
SURVEYING



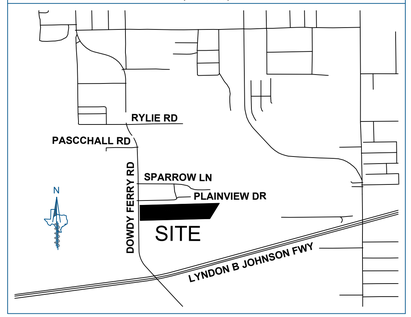
TRACT 1
CALLED 84.2933 ACRES
635-DOWDY VENTURE
VOL. 84229, PG. 1910
O.R.D.C.T.

N

1" = 40'

0 20' 40'

VICINITY MAP
(1"=2000')



GENERAL NOTES

1. The purpose of this plat is to create one (1) lot of record from an unplatted tract.
2. The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTK Network. 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 Grid Coordinates shown are referenced to the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983.
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. Elevations shown on this survey are based on GPS observations utilizing the AllTerra RTK Network. North American Vertical Datum of 1988 (Geoid 12A).
8. All existing structures will be demolished.

LEGEND

VOL.	= VOLUME
PG.	= PAGE
POB	= POINT OF BEGINNING
SQ.FT.	= SQUARE FEET
(CM)	= CONTROLLING MONUMENT
IRF	= IRON ROD FOUND
PKF	= PK NAIL FOUND
CIRS	= IRON ROD WITH GREEN PLASTIC CAP STAMPED "EAGLE SURVEYING" SET
INST. NO.	= INSTRUMENT NUMBER
D.R.D.C.T.	= DEED RECORDS, DALLAS COUNTY, TEXAS
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—— -℄- ——	CENTERLINE
———	SUBJECT BOUNDARY LINE

PRELIMINARY PLAT

A & F ADDITION

LOT 1, CITY BLOCK 1/8525

BEING ALL OF A 20.17 ACRE TRACT OF LAND
RECORDED IN DOCUMENT NUMBER 202200092470
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
JOHN R. FONDREN SURVEY, ABSTRACT 475,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-076
CITY ENGINEERING NO. DP_____

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
A & F Industrial, LLC
13901 Midway Road, Suite 120 B125
Dallas, TX 75244

JOB NUMBER
2211.005-02
DATE
02/03/2023
REVISION
-
DRAWN BY
EN

EAGLE SURVEYING
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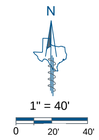
222 South Elm Street
Suite 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177



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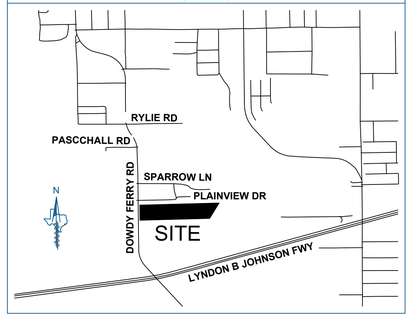

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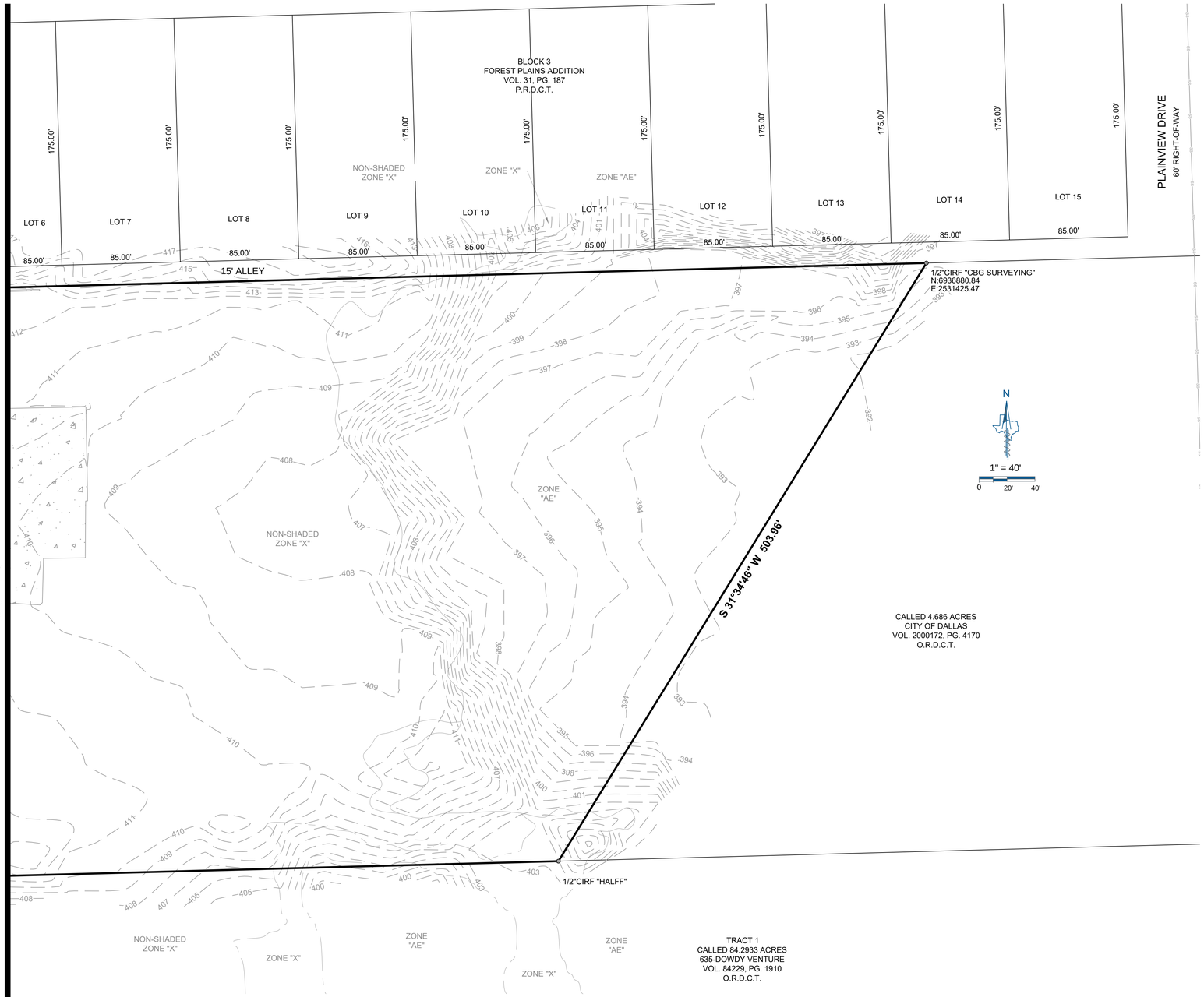

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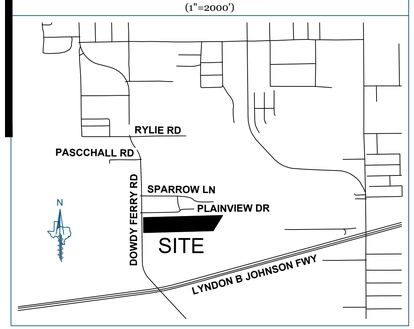

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OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS A & F INDUSTRIAL, LLC, is the sole owner of a 20.17 acre tract of land out of the John R. Fondren Survey, Abstract Number 475, situated in the City of Dallas, Dallas County, Texas, and being all of a called 20.17 acre tract of land conveyed to A & F INDUSTRIAL, LLC by Special Warranty Deed with Vendor's Lien of record in Document Number 202200092470 of the 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 in the east right-of-way line of Dowdy Ferry Road (100' right-of-way, recorded in Volume 1892, Page 203, Volume 72147, Page 1087, D.R.D.C.T.), being the northwest corner of said 20.17 acre tract and the southwest corner of Lot 1, Block 2, Forest Plains Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 31, Page 187 of the Plat Records of Dallas County, Texas, from which a found 1/2" iron rod with yellow plastic cap stamped "CBG SURVEYING" bears N31°32'02"E, a distance of 1.28 feet;

THENCE, N88°28'32"E, along the south line of said Forest Plains Addition, being the common north line of said 20.17 acre tract, a distance of 2215.20 feet to a 1/2" iron rod with yellow plastic cap stmaped "HALFF" found, being the northwest corner of a called 4.686 acre tract of land conveyed to the City of Dallas by General Warranty Deed of record in Volume 2000172, Page 4170 of the Official Public Records of Dallas County, Texas;

THENCE, S31°34'46"W, along the west line of said 4.686 acre tract, being the common east line of said 20.17 acre tract, a distance of 503.96 feet to a 1/2" iron rod with yellow plastic cap stamped "CBG SURVEYING" found in the north line of a called 84.2933 acre tract of land described as Tract 1 conveyed to 635-Dowdy Venture by General Warranty Deed of record in Volume 84229, Page 1910 of the Official Public Records of Dallas County, Texas, being the southwest corner of said 4.686 acre tract and the southeast corner of said 20.17 acre tract;

THENCE, S88°28'32"W, along the north line of said Tract 1, being the common south line of said 20.17 acre tract, a distance of 1,947.63 feet to a 1/2" iron rod with black plastic cap stamped "SANDS" found in the east right-of-way line of said Dowdy Ferry Road, being the northwest corner of said Tract 1 and the southwest corner of said 20.17 acre tract;

THENCE, N00°29'00"W, along the east right-of-way line of said Dowdy Ferry Road, being the common west line of said 20.17 acre tract, a distance of 422.23 feet to the POINT OF BEGINNING, containing 20.17 acres or 878,686 square feet, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT **A & F INDUSTRIAL, LLC**, does hereby adopt this plat, designating the herein described property as **A & F 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: **A & F INDUSTRIAL, 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

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

PRELIMINARY PLAT
A & F ADDITION
LOT 1, CITY BLOCK 1/8525
BEING ALL OF A 20.17 ACRE TRACT OF LAND
RECORDED IN DOCUMENT NUMBER 202200092470
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
JOHN R. FONDREN SURVEY, ABSTRACT 475,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-076
CITY ENGINEERING NO. DP_____

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
A & F Industrial, LLC
13901 Midway Road, Suite 120 B125
Dallas, TX 75244

JOB NUMBER	2211.005-02
DATE	02/03/2023
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 #: 23-706 Item #: 17.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 1.44-acre tract of land containing a portion of Lots 19 and 20 in City Block C/6657 to create 3 lots ranging in size from 19,805 square feet to 23,064 square feet on property located on North Acres Drive, north of Grady Lane.
Applicant/Owner: Alfredo Romero
Surveyor: CBG Surveying Texas, LLC
Application Filed: February 3, 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
S223-073

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CITY PLAN COMMISSION **THURSDAY, MARCH 2, 2023**

FILE NUMBER: S223-073 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: North Acres Drive, north of Grady Lane

DATE FILED: February 3, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 5 **SIZE OF REQUEST:** 1.44-acres **MAPSCO:** 59V & 59Z

APPLICANT/OWNER: Alfredo Romero

REQUEST: An application to replat a 1.44-acre tract of land containing a portion of Lots 19 and 20 to create 3 lots ranging in size from 19,805 square feet to 23,064 square feet on property located on North Acres Drive, north of Grady Lane.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

PROPERTY OWNER NOTIFICATION: On February 15, 2023, 22 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, south, and west of the request have no established lot pattern with lot areas ranging in size from 12,771 square feet to 48,207 square feet and lot widths ranging in size from 60 feet to 160 feet are zoned R-7.5(A) Single Family District. (*Please refer to the existing area analysis and aerial map)*

- The properties to the east of the request are in City of Buch Springs.

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 three.

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. 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.

Flood Plain Conditions:

16. Comply with Peaks Branch drainage requirements. Finish floor elevation is recommended to be 3' above nearest inlet, top of curb. Per DWU Floodplain Management Department recommendation.

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. Prior to final plat, clarify or resolve large, existing underground storm drainage system.

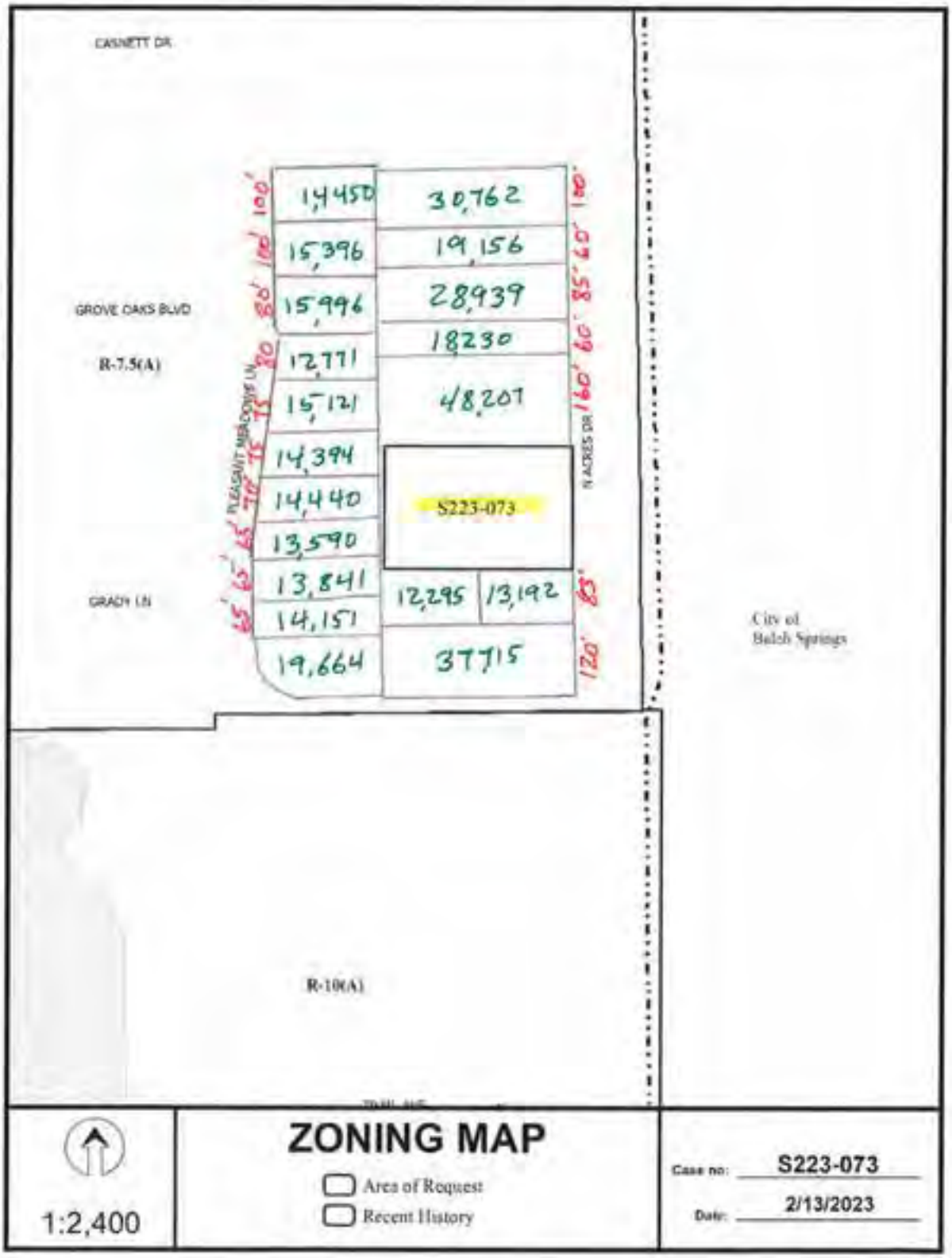
Dallas Water Utilities Conditions:

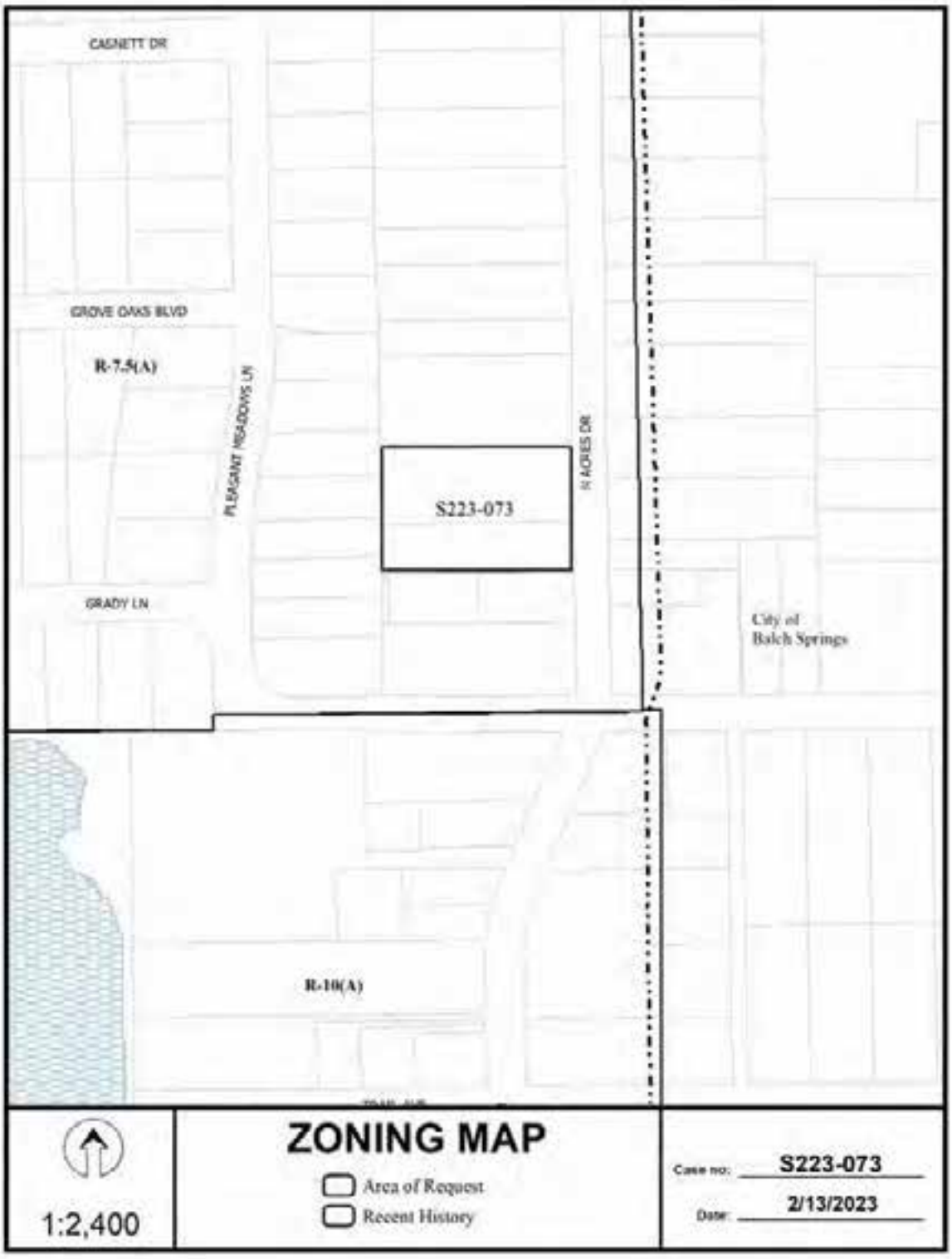
20. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

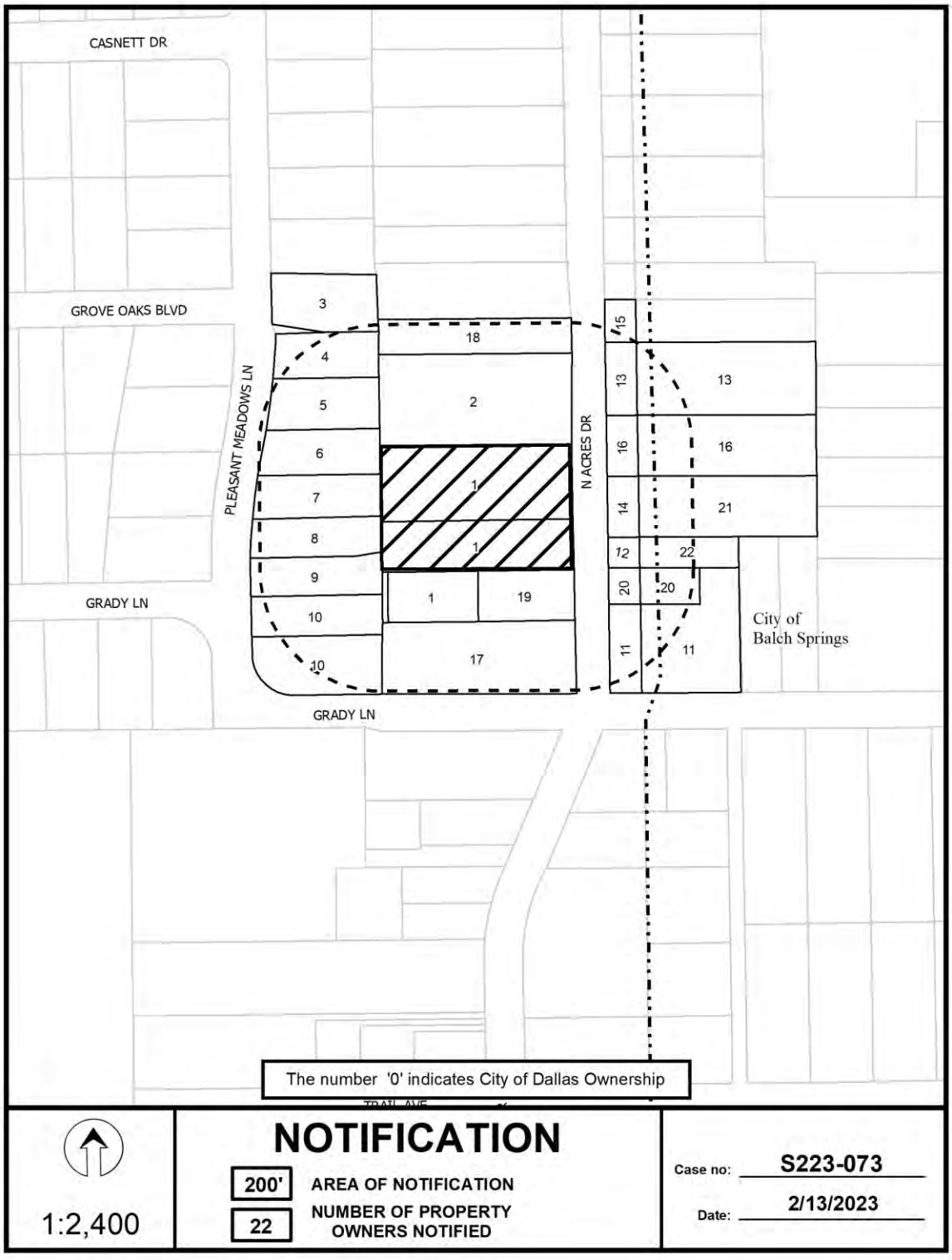
21. On the final plat, change "N. Acres Drive" to "North Acres Drive". Section 51A-8.403(a)(1)(A)(xii).

22. On the final plat, identify the property as Lots 19C-19E in City Block C/6657. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


CASNETT DR
GROVE OAKS BLVD
R-7.5(A)
GRADY LN
PLEASANT MEADOWS LN
N ACRES DR
S223-073
City of Balch Springs
R-10(A)
1,450
30,762
15,396
19,156
15,996
28,939
18230
12,771
15,121
48,207
14,394
14,440
13,590
13,841
14,151
19,664
12,295
13,192
37,715
100'
80'
80'
80'
75'
75'
65'
65'
160'
85'
60'
180'
85'
120'
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-073
Date: 2/13/2023


CASNETT DR
GROVE OAKS BLVD
R-7.5(A)
PLEASANT MEADOWS LN
S223-073
N ACRES DR
GRADY LN
City of
Balch Springs
R-10(A)
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-073
Date: 2/13/2023

S223-073
BRADY LN
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-073
Date: 2/13/2023


CASNETT DR
GROVE OAKS BLVD
PLEASANT MEADOWS LN
N ACRES DR
GRADY LN
GRADY LN
City of
Balch Springs
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
22
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: S223-073
Date: 2/13/2023

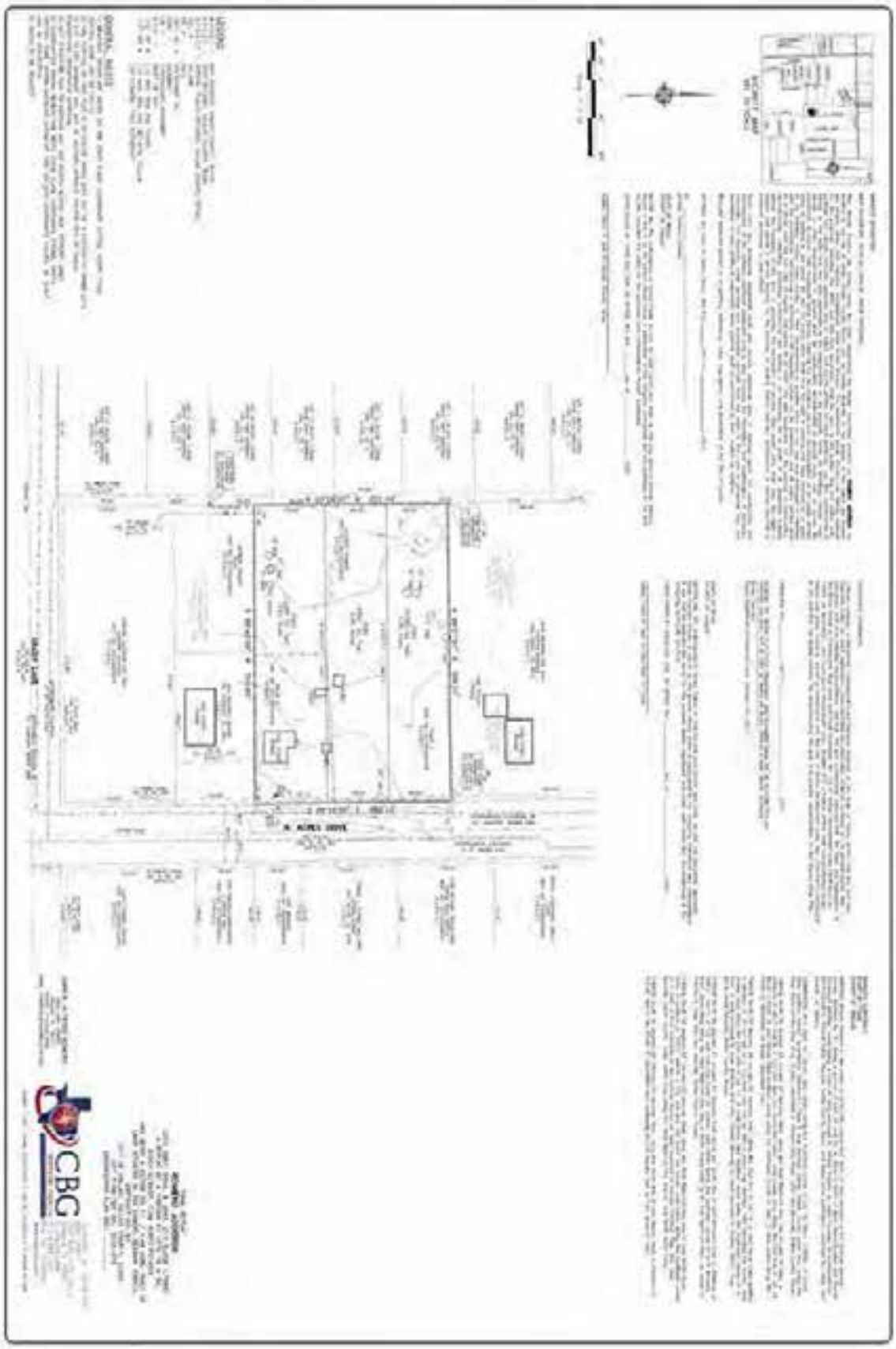
02/07/2023

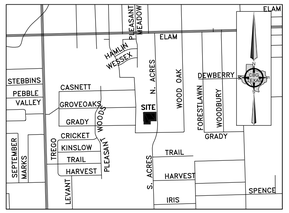
Notification List of Property Owners

S223-073

22 Property Owners Notified

Label #	*Address*		*Owner*
1	117	N ACRES DR	ROMERO ALFREDO
2	131	N ACRES DR	MIRANDA JUAN & CHRISTINA
3	146	PLEASANT MEADOWS DR	CARDONA JOSE MANUEL SANCHEZ &
4	140	PLEASANT MEADOWS DR	IGLESIAS TERESA DE J &
5	134	PLEASANT MEADOWS DR	DALLAS HOUSING ACQUISITION &
6	128	PLEASANT MEADOWS DR	TORRES JIMMY & CHARLOTTE
7	124	PLEASANT MEADOWS DR	SILVA HERMILA
8	120	PLEASANT MEADOWS DR	LANCASTER VERNA JOAN
9	114	PLEASANT MEADOWS DR	WILLIAMSON LARRY L
10	110	PLEASANT MEADOWS DR	WILLIAMSON LARRY
11	104	N ACRES DR	GARCIA LLENY GUZMAN
12	116	N ACRES DR	MIRANDA JOSE
13	132	N ACRES DR	LOPEZ ARITZA JACQUELINE G
14	120	N ACRES DR	QUIROZ ROMAN J & LORGIA
15	136	N ACRES DR	MORENO GABINO & ANA M
16	126	N ACRES DR	ORTEGA JOSE ANTONIO & DONNA T
17	107	N ACRES DR	JACKSON ANNETTE
18	137	N ACRES DR	ROMERO GUSTAVO &
19	111	N ACRES DR	MUNOZ ANA
20	112	N ACRES DR	RAMIREZHERNANDEZ ERIK
21	120	N ACRES DR	QUIROZ ROMAN J & LORGIA
22	116	N ACRES DR	MIRANDA CRISTAL





VICINITY MAP
NOT TO SCALE

40' 20' 0 40' 80'

SCALE: 1" = 40'

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Alfredo Romero, do hereby adopt this plat, designating the herein described property as **ROMERO 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: _____
Alfredo Romero (Owner)

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears Alfredo Romero 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 02/03/2023 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

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Alfredo Romero is the owner of a 62,706 square foot tract of land situated in the Samuel Beeman Survey, Abstract No. 67, being a portion of Lots 19 and 20, in Block C/6657 of Elam Acres Estates and Thelma Davenport Addition, same being a tract of land conveyed to Alfredo Romero by deed recorded in Instrument No. 201700222816, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a point for corner, said corner being the Southeast corner of Lot 14, Block 1/6656, of Grove Oaks Addition thereof recorded in Volume 21, Page 5, Map Records, Dallas County, Texas, same lying along the West Right-of-Way line of a 10' alley, described in Volume 264, Page 1272, Map Records, Dallas County, Texas;

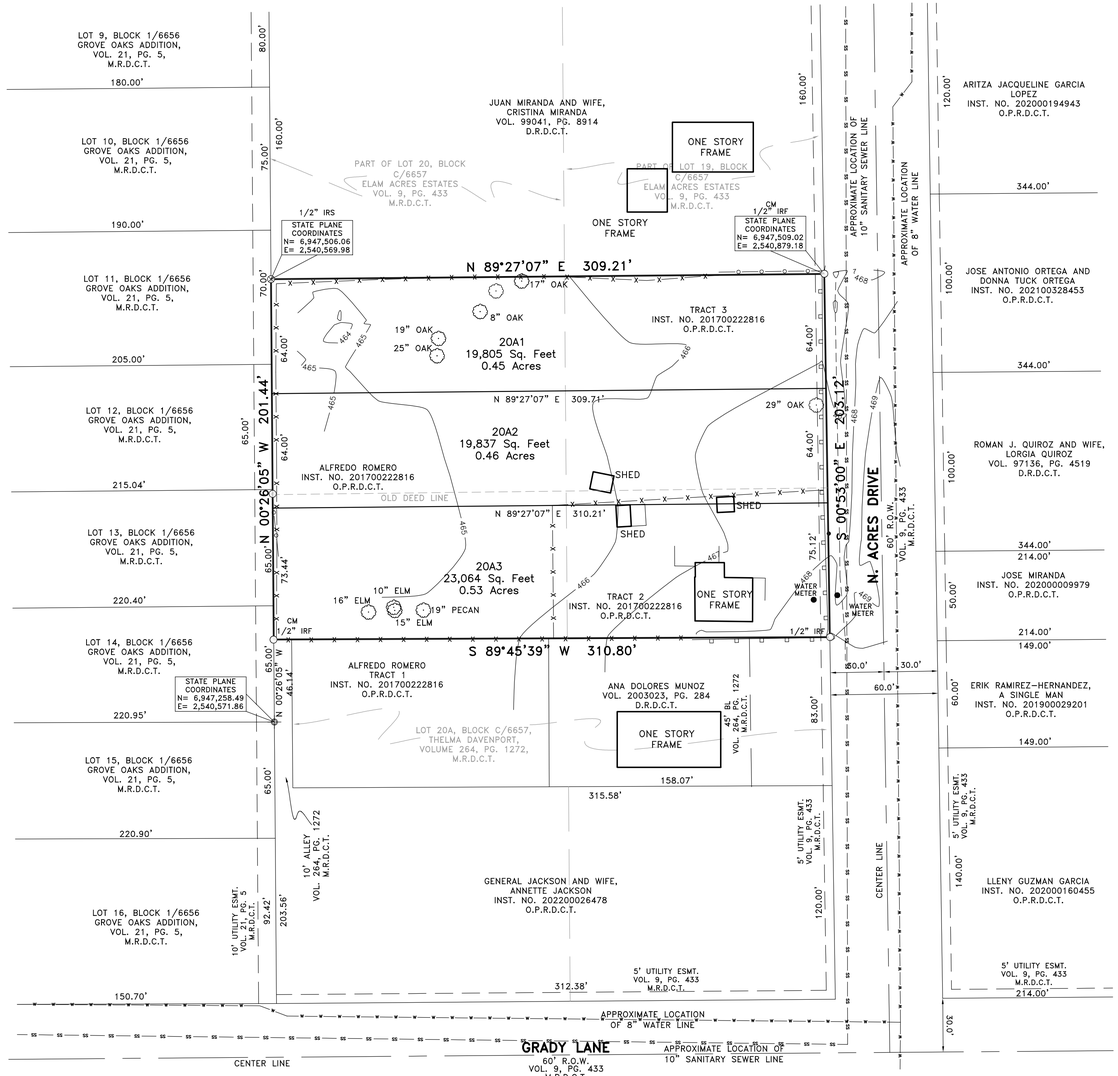
THENCE North 00 degrees 26 minutes 05 seconds West, along the West Right-of-Way line of said 10' alley, a distance of 46.14 feet to a 1/2 inch iron rod found for corner, said corner lying along the East line of Lot 14, Block 1/6656, of said Grove Oaks Addition, same being the Northwest corner of said 10' alley, same being the POINT OF BEGINNING of herein described tract;

THENCE North 00 degrees 26 minutes 05 seconds West, along the East line of Lot 14 of said Grove Oaks Addition a distance of 201.44 feet to a 1/2 inch iron rod set with a yellow cap stamped "CBG Surveying" for corner, said corner lying along the East line of Lot 11, of said Grove Oaks Addition, same being the Southwest corner of a tract of land conveyed to Juan Miranda and wife, Cristina Miranda by deed recorded in Volume 99041, Page 8914, Deed Records, Dallas County, Texas;

THENCE North 89 degrees 27 minutes 07 seconds East, along the South line of said Miranda tract, a distance of 309.21 feet to a 1/2 inch iron rod found for corner, said corner being the Southeast corner of said Miranda tract, same lying along the West Right-of-Way line of North Acres Drive (a 60 foot Right-of-Way), as shown in Volume 9, Page 433, Map Records, Dallas County, Texas)

THENCE South 00 degrees 53 minutes 00 seconds East, along the West Right-of-Way line of said North Acres Drive, a distance of 203.12 feet to a 1/2 inch iron rod found for corner, said corner being the Northeast corner of a tract of land conveyed to Ana Dolores Munoz, by deed recorded in Volume 2003023, Page 284, Deed Records, Dallas County, Texas, same lying along the West Right-of-Way line of said North Acres Drive;

THENCE South 89 degrees 45 minutes 39 seconds West, along the North line of said Munoz tract, a distance of 310.80 feet to the POINT OF BEGINNING and containing 62,706 square feet or 1.44 acres of land.



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.
ESMT.	=	EASEMENT
CM	=	CONTROLLING MONUMENT
R.O.W.	=	RIGHT-OF-WAY
1/2" IRF	=	1/2 INCH IRON ROD FOUND
1/2" IRS	=	1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED "CBG SURVEYING"

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 THREE LOTS OUT OF A PORTION OF THREE 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.
6) SHEDS TO BE REMOVED

FINAL REPLAT
ROMERO ADDITION
LOTS 20A1, 20A2, & 20A3, CITY BLOCK C/6657
A REPLAT OF A PORTION OF LOTS 19 & 20,
BLOCK C/6657, ELAM ACRES ESTATES
AND BEING A 62,706 SQ. FT. / 1.44 ACRE TRACT OF
LAND SITUATED IN THE SAMUEL BEEMAN SURVEY,
ABSTRACT NO. 67
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO.: S223-073
ENGINEERING PLAN NO.: _____

OWNER: ALFREDO ROMERO
5802 CARY STREET
DALLAS, TX, 75227
PHONE: 214-605-6482
EMAIL: ROMEROALFREDO@ICLOUD.COM

CBG SURVEYING TEXAS LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & SURVEYING
Main Office
1413 East I-30, Ste. 7
Garland, TX 75043
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F 214.349.2216
Firm No. 10168800
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SCALE: 1"=40' / DATE: 02/03/2023 / JOB NO. 2216222-01 / DRAWN BY: ANR

Agenda Information Sheet

File #: 23-707 Item #: 18.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Certificate of Appropriateness by Monica Ortiz of Barnett Signs, Inc., for a 216.3-square-foot of illuminated attached sign at 302 South Houston Street (north elevation).
Staff Recommendation: **Approval**.
Applicant: Monica Ortiz of Barnett Signs, Inc.
Owner: BMR Dallas Downtown Investments, LLC
Planner: Jason Pool
Council District: 14
2301050004

powered by Legistar™

CITY PLAN COMMISSION **Thursday, March 2, 2023**

Planner: Jason Pool

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)

DOWNTOWN SPECIAL PROVISION SIGN DISTRICT

CASE NUMBER: 2301050004 **DATE FILED:** January 5, 2023

LOCATION: 302 S Houston Street (north elevation) **SIZE OF REQUEST:** 216.3 sq. ft.

COUNCIL DISTRICT: 14 **ZONING:** CA-1(A)

APPLICANT: Monica Ortiz of Barnett Signs, Inc.

OWNER: BMR Dallas Downtown Investments, LLC

TENANT: InterContinental Hotels Group

REQUEST: An application for a Certificate of Appropriateness by Monica Ortiz of Barnett Signs, Inc., for a 216.3-square-foot illuminated attached sign at 302 S Houston Street (north elevation).

SUMMARY: The applicant proposes to install a 216.3-square-foot sign, composed of an LED-illuminated set of channel letters mounted on a back panel, against the façade facing Jackson Street, bearing the name Holiday Inn and a logo.

STAFF RECOMMENDATION: **Approval**

SSDAC RECOMMENDATION: **Approval**

BACKGROUND:

- The subject site is located in Downtown Special Provision Sign District within the Central Business District Subdistrict.

  These regulations are established in: Sec. 51A-7.900 (Specific details included below).

- The applicant proposes to install a 216.3-square-foot sign, composed of an LED-illuminated set of channel letters mounted on a back panel, against the façade facing Jackson Street, bearing the name Holiday Inn and a logo. All sign elements are constructed entirely of metal, plastic, and LED lighting. Each five-inch-deep channel letter is proposed to have a white plastic face to be back-lit using white LED. The face of the logo is to have a digitally printed, translucent vinyl overlay, that allows the face to illuminate the same as it appears during the day. The faces for the Holiday Inn lettering are to include second surface PMS 362 green translucent vinyl. This will allow the faces to appear white during the day and green while illuminated. Both the Logo and Holiday Inn faces are to be secured using trim cap to aluminum returns, all painted to match PMS 362 green. The faces for the Express lettering will illuminate white and maintain a consistent color during the day. These faces are to be secured to with trim cap to aluminum returns, all painted to match PMS Reflex Blue. All letters are to be flush-mounted to a replacement back panel, located inplace of the existing sign, and painted to match the exsiting panel and wall section below. The overall projection of the sign will not exceed five-inches.

- This sign is an upper level flat attached sign, submitted as sign 2. The intent is to replace the previous tenant's sign. This is the only application being reviewed by this body for this site. The remaining signs were approved under director approval.

- Construction of the proposed sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per Sec. 51A-7.900.

51A-7.902 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 the downtown area while addressing the diversity of businesses and promoting the economy of downtown. The general objectives of this division include those listed in Section 51A-7.101 as well as aesthetic considerations to ensure that signs are appropriate to the architecture of the district, do not obscure significant architectural features of its buildings, and lend themselves to the developing retail and residential uses and the pedestrian character of the area. The district regulations are in large part inspired by the high level of pedestrian activity and the need to maximize effective orientation of signage toward the walking public. (Ord. Nos. 19455; 20167; 21404; 24606)

51A-7.911 DEFINITIONS

In this division:

(14) FLAT ATTACHED SIGN means an attached sign projecting 12 inches or less from a building, and the face of which is parallel to the building facade.

(33) UPPER LEVEL SIGN means an attached sign wholly situated within the upper level sign area.

(34) UPPER LEVEL SIGN AREA means the portion of a facade more than 36 feet above grade and within the top 12 feet of a facade on buildings 18 stories or less, or within the top 36 feet of a facade on buildings more than 18 stories.

This sign is considered an upper level flat attached sign. The overall projection of the sign will not exceed 12-inches.

51A-7.911 ATTACHED PREMISE SIGNS.

(a) Attached signs in general.

(1) Attached signs must be securely attached.

(3) The total effective area for all signs on a facade, excluding media wall signs in the Discovery Subdistrict and gateway signs in the Chase Tower Subdistrict, may not exceed:

(C) 30 percent of the area in the upper level sign area.

(e) Flat attached signs.

(3) Upper level flat attached signs.

(A) Each upper level flat attached sign may have a maximum of eight words that contain any character of a height equal to or exceeding four inches.

(B) Upper level flat attached signs must be wholly located within the upper level sign area.

The sign occupies approximately 60-percent of the 360-square-feet of sign allowance for the upper level portion of this façade. The sign is to be located entirely within the top 12-feet of the façade.

51A-7.505 PERMIT PROCEDURES FOR SPECIAL PROVISION SIGN DISTRICTS.

(B) **Factors the committee shall consider.** In reviewing an application, the committee shall first consider whether the applicant has submitted sufficient information for the committee to make an informed decision. If the committee finds the proposed sign to be consistent with the special character of the special provision sign district, the committee shall make a recommendation of approval to the city plan commission. The committee shall consider the proposed sign in terms of its appropriateness to the special provision sign district with particular attention to the effect of the proposed sign upon the economic structure of the special provision sign district and the effect of the sign upon adjacent and surrounding premises without regard to any consideration of the message conveyed by the sign. After consideration of these factors, the committee shall recommend approval or denial of the application and forward that recommendation to the city plan commission.

(6) Decision by the commission. Upon receipt of a recommendation by the committee, the commission shall hold a public hearing to consider the application. At least 10 days before the hearing, notice of the date, time, and place of the hearing, the name of the applicant, and the location of the proposed sign must be published in the official newspaper of the city and the building official shall serve, by hand-delivery or mail, a written notice to the applicant that contains a reference to this section, and the date, time, and location of this hearing. A notice sent by mail is served by depositing it properly addressed and postage paid in the United States mail. In addition, if the application is for a detached sign or for an attached sign that has more than 100 square feet of effective area, the applicant must post the required number of notification signs in accordance with Section 51A-1.106. In making its decision, the commission shall consider the same factors that were required to be considered by the committee in making its recommendation. If the commission approves the application, it shall forward a certificate of appropriateness to the building official within 15 days after its approval. If the commission denies the application, it shall so inform the building official in writing. Upon receipt of the written denial, the building official shall so advise the applicant within five working days of the date of receipt of the written notice.

Property Ownership
BMR Dallas Downtown Investments, LLC
302 S Houston Street
Dallas, TX 75201

Officer names: See Following Schedule

Tenant Ownership
InterContinental Hotels Group
3 Ravinia Drive, Ste. 100
Atlanta, GA 30346

Officer names: See Following Schedule

BMR DALLAS DOWNTOWN INVESTMENTS, LLC

- Mehul Patel
- Mukund Patel
- Balvant Patel
- Ravi Patel

IHG HOTELS GROUP BOARD MEMBERS

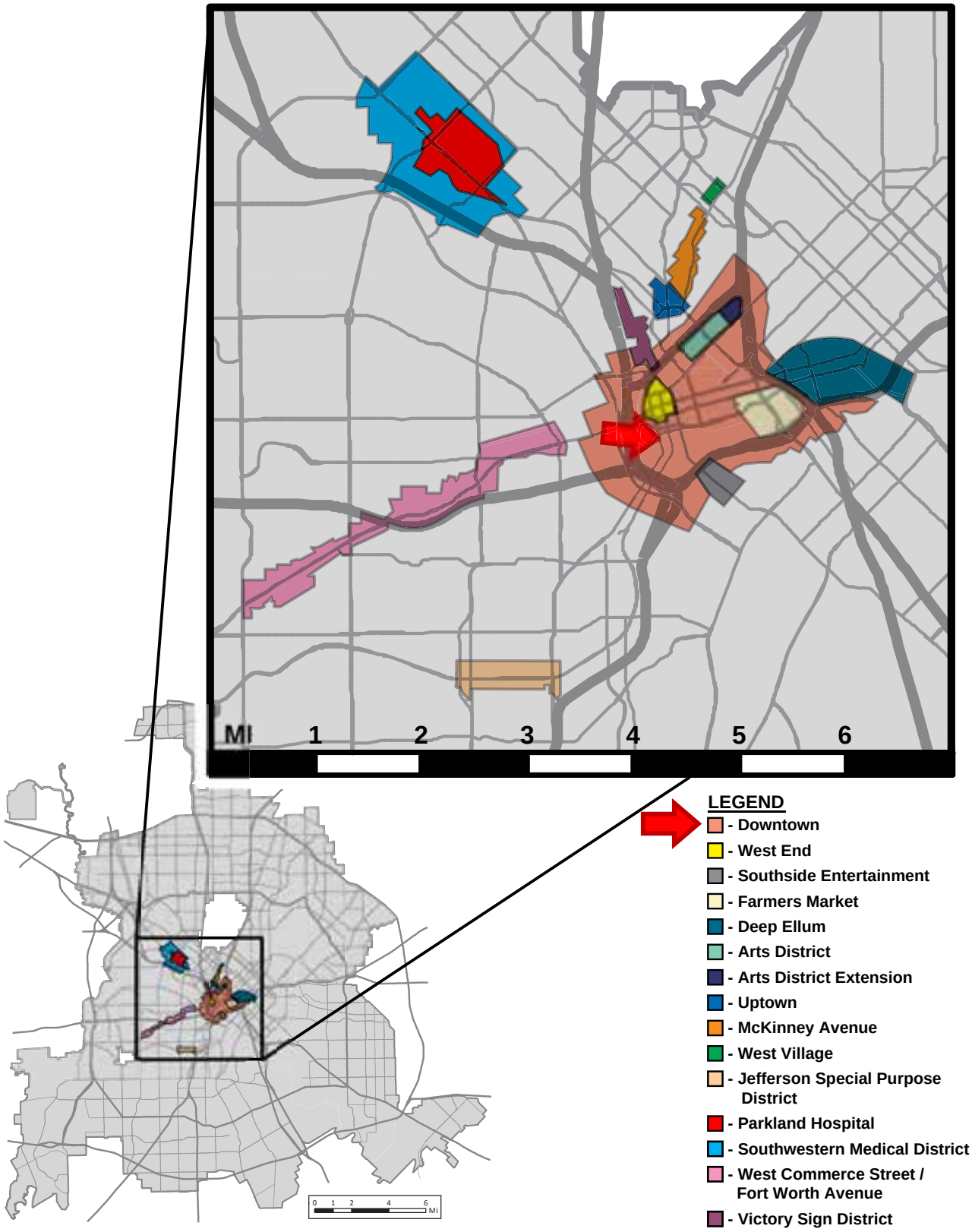
- Deanna Oppenheimer
  Non-Executive Chair
- Keith Barr
  Chief Executive Officer
- Paul Edgecliffe-Johnson
  Chief Financial Officer & Group Head of Strategy
- Elie Maalouf
  Chief Executive Officer, Americas
- Graham Allan
  Senior Independent Non-Executive Director
- Daniela Barone Soares
  Non-Executive Director
- Arthur de Haast
  Non-Executive Director
- Ian Dyson
  Non-Executive Director
- Duriya Farooqui
  Non-Executive Director
- Byron Grote
  Non-Executive Director
- Jo Harlow
  Non-Executive Director
- Jill McDonald
  Non-Executive Director
- Sharon Rothstein
  Non-Executive Director

SSDAC Action:

February 14, 2023

MOTION: It was moved to **approve**:
An application for a Certificate of Appropriateness by Monica Ortiz of Barnett Signs, Inc., for a 216.3-square-foot of illuminated attached sign at 302 S Houston Street (north elevation).

Maker:	Dumas
Second:	Hardin
Result:	Carried: 3 to 0
For:	3 - Peadon, Hardin, and Dumas
Against:	0 - none
Absent:	0 - none
Conflict:	0 - none
Speakers:	Monica Ortiz of Barnett Signs, Inc. Jack Baker of Barnett Signs, Inc.



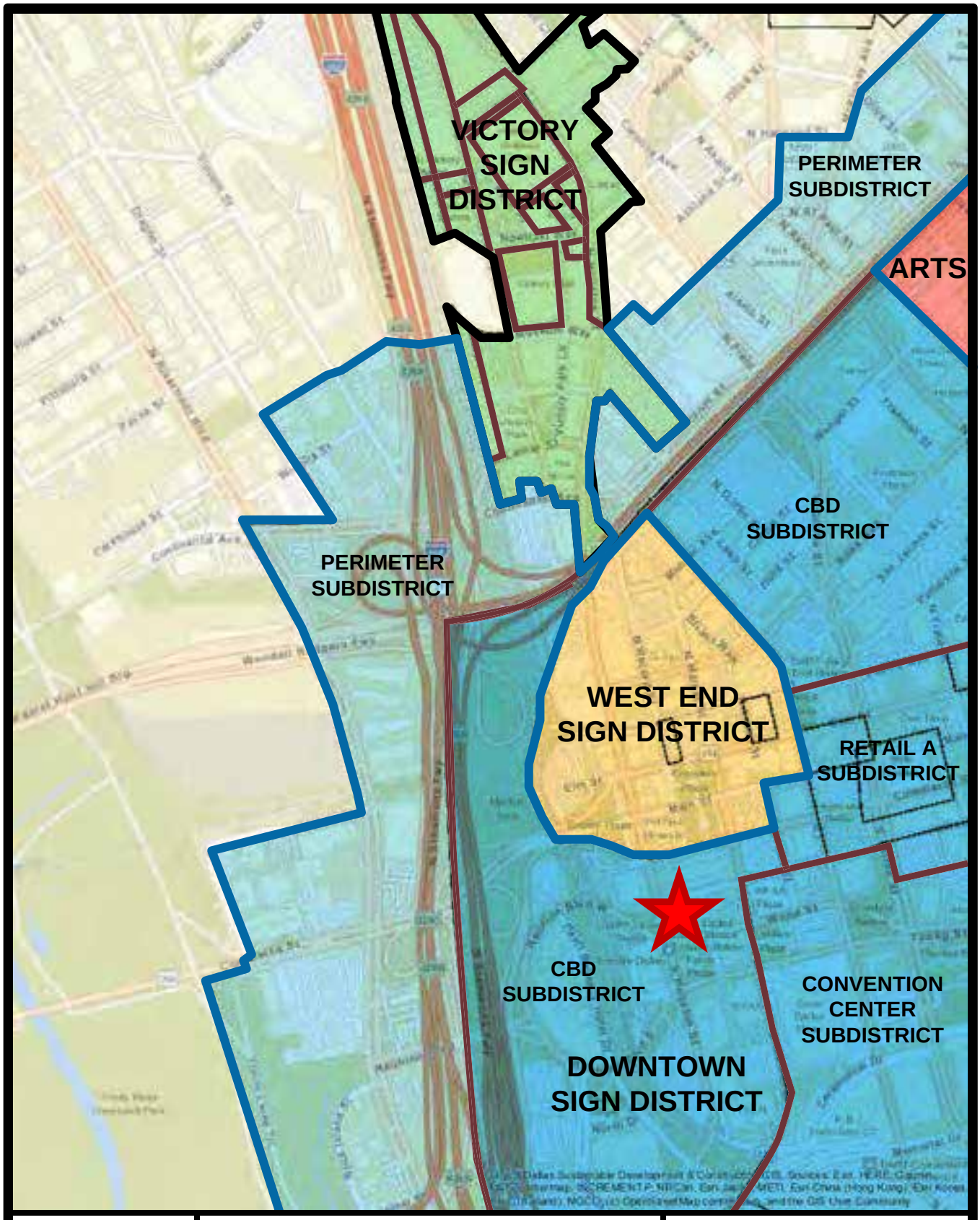
SPSD MAP

302 S Houston St

Downtown Sign District - CBD

Case no: 2301050004

Date: 02/06/2023



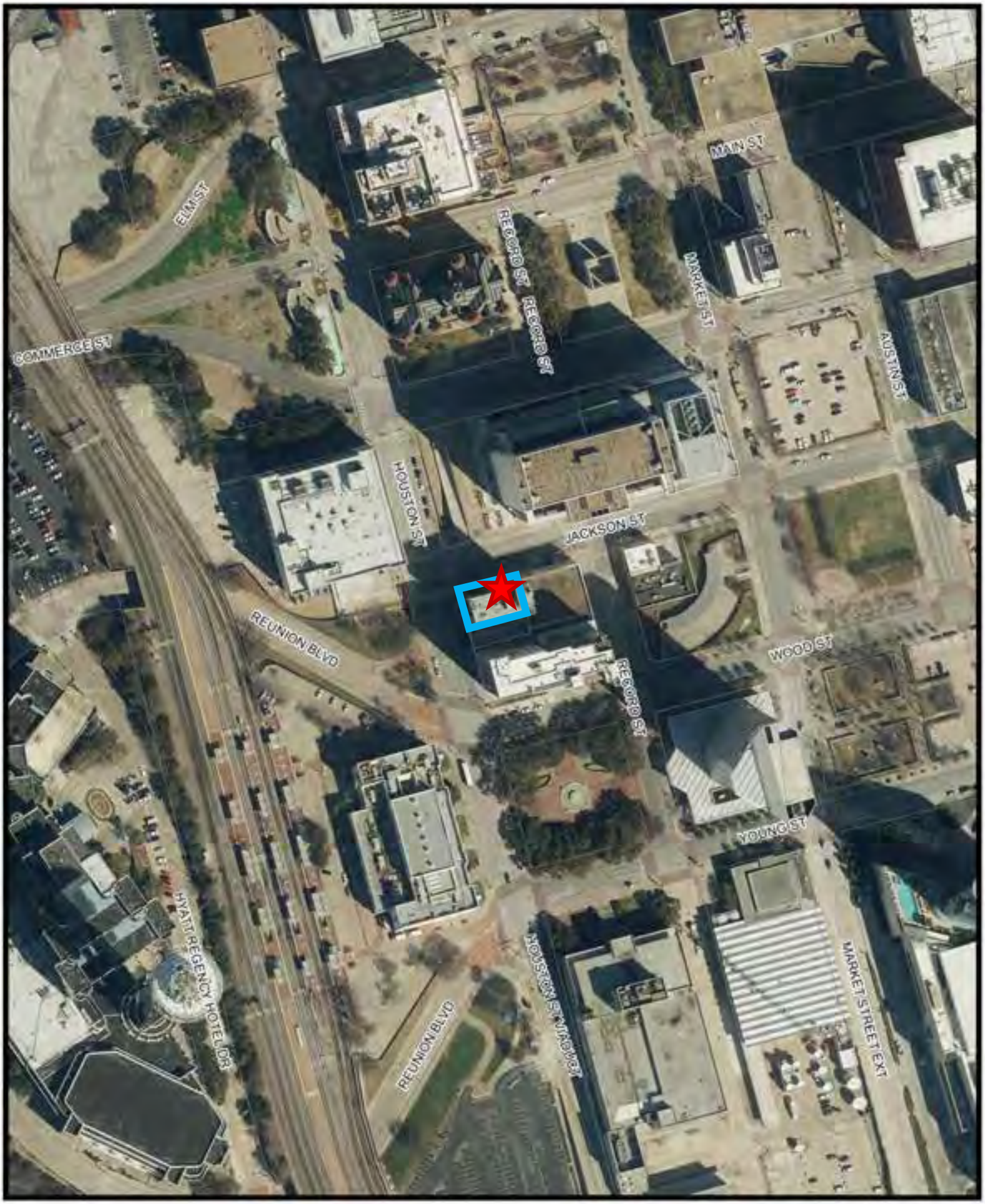
SPSD MAP

302 S Houston St

Downtown Sign District - CBD

Case no: **2301050004**

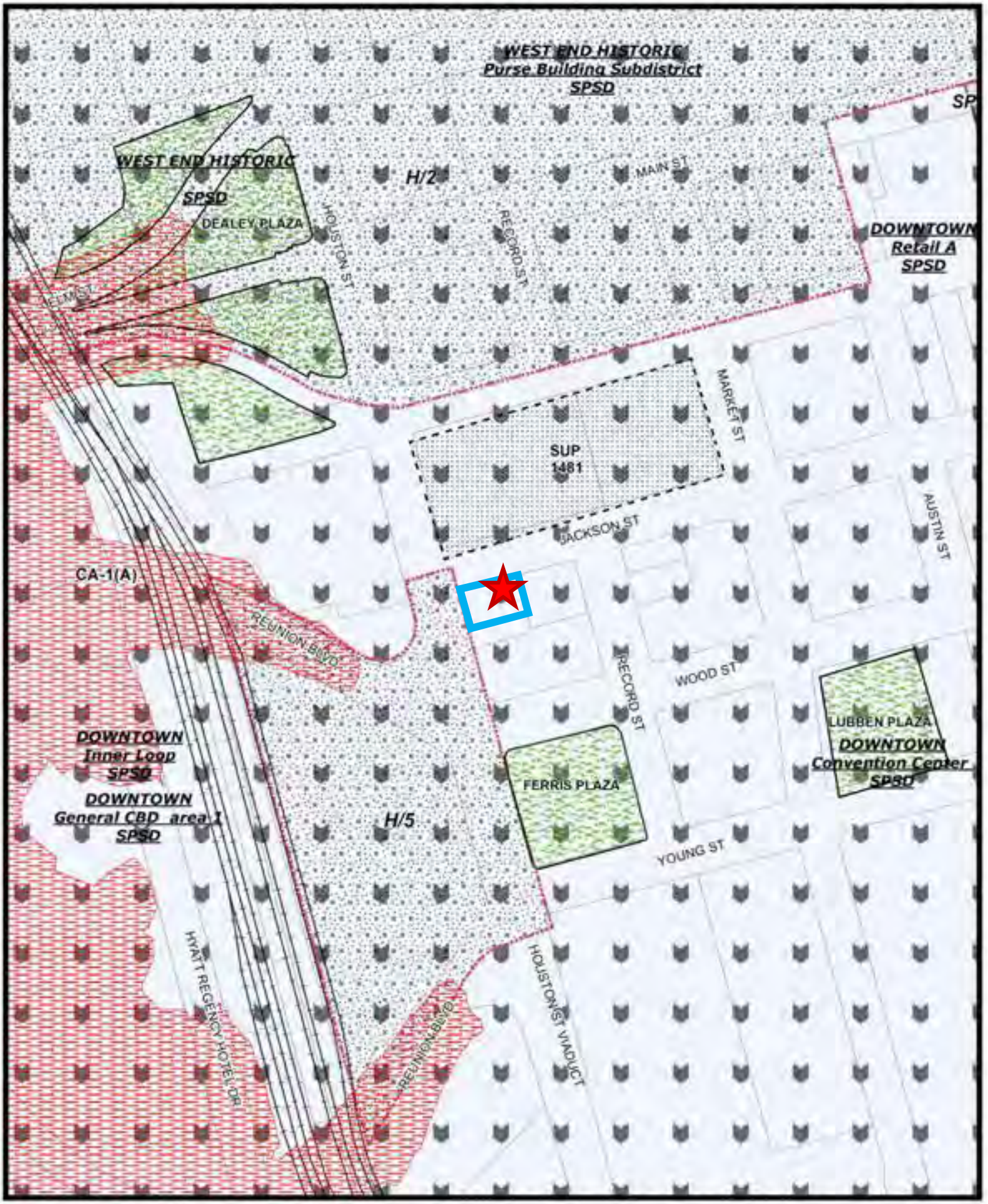
Date: **02/06/2023**



1:2,400

Aerial Map - 302 S Houston St

Printed Date: 2/6/2023



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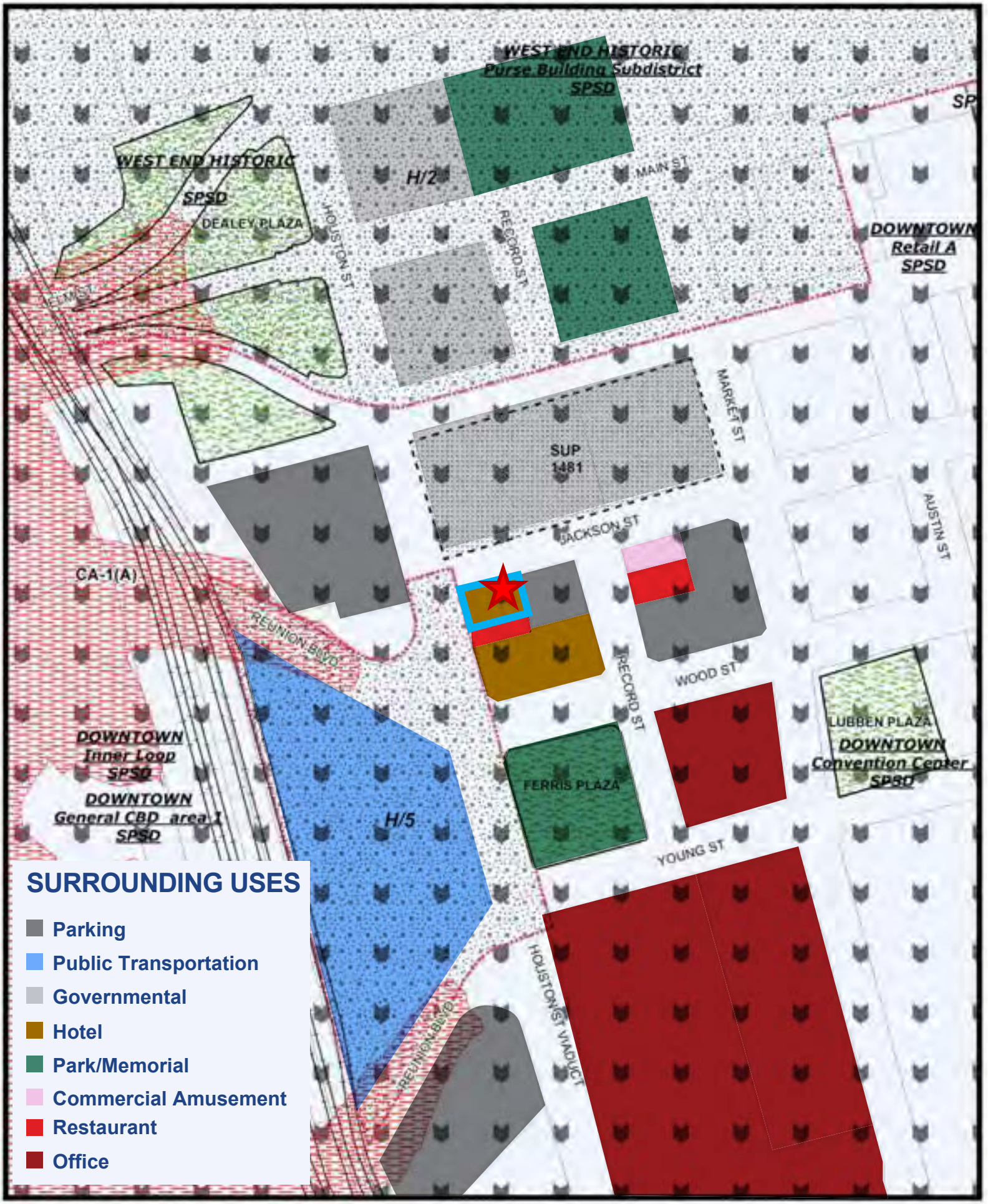
Zoning Map - 302 S Houston St

Printed Date: 2/6/2023



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Surrounding Uses - 302 S Houston St

18-13

Printed Date: 2/6/2023

Job 174016961-002 (2301050004)

Job Edit

Miscellaneous Transaction

Job 174016961-002 (2301050004)

Electrical Sign (ES) ERECT ATTACHED SIGN (B) Alteration

Status: Paid | Created By: MMARTIN | Date Created: Jan 05, 2023

Date Completed: Jan 05, 2023

Parent Job: 174016961-001 (2209261114)

Specific Location: 302 S HOUSTON - 216.3 SF ILLUMINATED ATTACHED SIGN - N ELV

Details

Customer

Ortiz, Monica
4250 Action Dr
Mesquite, TX 75150
(972) 362-8774
monica@barnettsigns.com

Fee Amount

FeeType

Staff Email

Details

Customer: Ortiz, Monica
4250 Action Dr
Mesquite, TX 75150 (972) 362-8774

Fees (EXT): 2301050004 5BN - Special Provision Sign District fee $345.00
Adjusted:$0.00 Paid:$345.00 Owed:$0.00

Fees

Description / Posted Date	Amount	Tax	Total	Balance
5BN - Special Provision Sign District fee	$345.00	$0.00	$345.00	$0.00
Receipt Number: 788008 $345.00	($345.00)	$0.00	($345.00)	
				$0.00

Processes

Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
System Fee Collection						
SICASHIERINTERFACE	Complete	Collected				Jan 05, 2023 11:52:47
Auto generated System Fee Collection						

INN CODE: DALSH

HOLIDAY INN EXPRESS
302 SOUTH HOUSTON STREET
DALLAS, TX 75202

EXISTING SIGNS:

1. ~~4'-8" X 12'-0" X 12'-8" CANOPY SIGNS~~
2. 44" CHANNEL LETTERS ON BACKER PANEL
3. ~~12'-8" X 2'-8" VERTICAL WALL SIGN~~
4. ~~12'-8" X 2'-8" VERTICAL WALL SIGN~~

PROPOSED SIGNS:

1. ~~REMOVE CANOPY / 2'-8" X 5'-11 1/4" BLADE SIGN~~
2. XL-LM-4-L: 4'-1" MONOGRAM W/ 32 1/2" CHANNEL LETTERS, LINEAR LAYOUT, ON EXISTING BACKER PANEL
3. ~~REMOVE WALL SIGN / 3'-8" X 21'-8" BLADE SIGN~~
4. ~~REMOVE WALL SIGN~~

APPROVAL BOX - PLEASE INITIAL		
CUSTOMER APPROVAL		Date

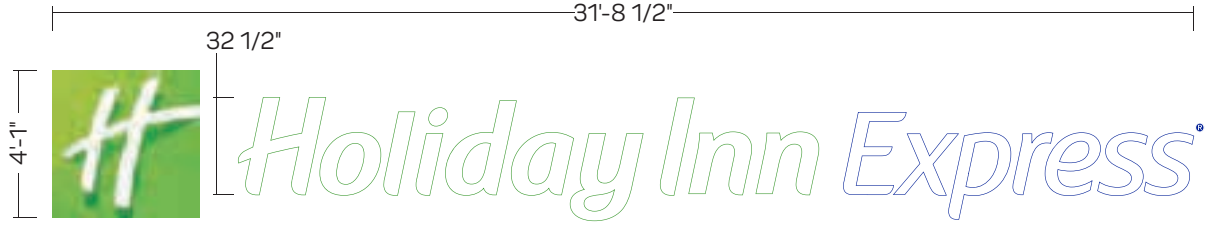
Customer: HOLIDAY HOUSE EXPRESS	Date: 08/22/22	Prepared By: CM/JR	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.	
Location: DALLAS, TX	File Name: 373635 - R2 - DALLAS, TX			Eng: -

persona
SIGNS | LIGHTING | IMAGE
Persona Signs, LLC
700 21st Street Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 · www.personasigns.com

2

*TECH NICAL SURVEY REQUIRED BEFORE PRODUCTION

EXISTING:
44" I LLUMINATED CHANNEL L ETTERS
(ESTIMATED 5'-11" X 24'-9" L ETTER DIMS MAX)
BOXED AREA: 146.44 SQ FT



PROPOSED:
NON-L LUMINATED :
4'-1" MONOGRAM W/ 3 1/2"
CHANNEL L ETTERS, L INEAR
L AYOUT ON EXISTING
BACKER PANEL
BOXED AREA: 129.48 SQ FT

NIGHT V IEW

GRAPHIC DETAIL
SCAL E: 3/16" = 1'-0"

APPROVAL B OX - PLEASE INITIAL		
CUSTOMER APPROVAL		Date

Customer: HOLIDAY INN EXPRESS	Date: 07/01/22	Prepared By: CM	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.	
Location: DALLAS, TX	File Name: 373635 - R2 - DALLAS, TX			Eng: -

persona
SIGNS | LIGHTING | IMAGE
Persona Signs, LLC
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Watertown, SD 57201-0210
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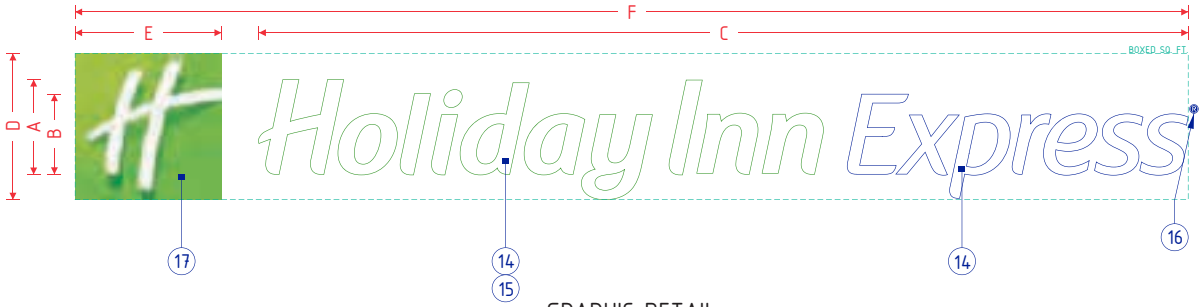
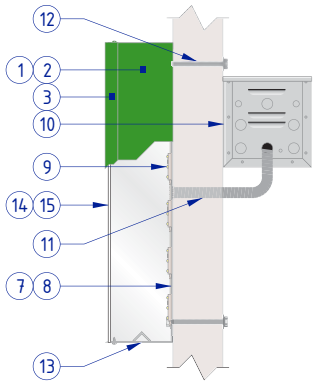
18-16

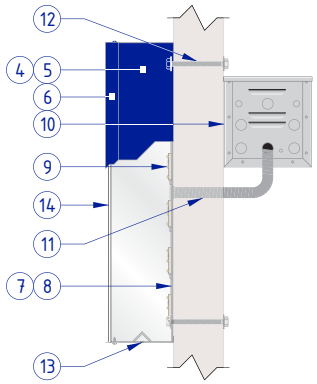


GRAPHIC DETAIL
NOT TO SCALE

HOLIDAY INN EXPRESS LINEAR CHANNEL LETTERS WITH MONOGRAM & LARGE LETTERS SPECIFICATIONS	
NO.	PART/DESCRIPTION
1	.050" x 5" ALUMINUM RETURNS PAINTED TO MATCH PMS 362 GREEN; BELOW 30"
2	.063" x 5" ALUMINUM RETURNS PAINTED TO MATCH PMS 362 GREEN; 30" & UP
3	1" TRIM CAP PAINTED TO MATCH PMS 362 GREEN
4	.050" x 5" ALUMINUM RETURNS PAINTED TO MATCH PMS REFLEX BLUE; BELOW 30"
5	.063" x 5" ALUMINUM RETURNS PAINTED TO MATCH PMS REFLEX BLUE; 30" & UP
6	1" TRIM CAP PAINTED TO MATCH PMS REFLEX BLUE
7	.063" ALUMINUM BACK; BELOW 30"
8	.080" ALUMINUM BACK; 30" & UP
9	GE 7100K WHITE LED'S AS REQUIRED
10	REMOTE POWER SUPPLIES AS REQUIRED
11	ELECTRICAL OUT PROVISION: THROUGH BACK, CENTER
12	MOUNTING HARDWARE AS DETERMINED BY SITE CONDITIONS
13	DRAIN HOLES WITH BAFFLE AS REQUIRED
14	3/16" WHITE ACRYLIC FACE
15	3M 3630-5684 GREEN VINYL (2ND SURFACE)
16	STUD-MOUNTED ALUMINUM PAINTED WHITE W/ 3M 3635-8485 BLUE VINYL BACKGROUND
17	SEE CORRESPONDING MONOGRAM CONSTRUCTION PRINT



"HOLIDAY INN" LETTER PROFILE
NOT TO SCALE



"EXPRESS" LETTER PROFILE
NOT TO SCALE

NOTES:

- CHANNEL LETTER INTERIORS TO BE PAINTED REFLECTIVE WHITE
- CHANNEL LETTERS TO USE 120 VOLT STANDARD POWER
- U.L. LISTED
- FOR USE ON DARK COLORED BUILDINGS

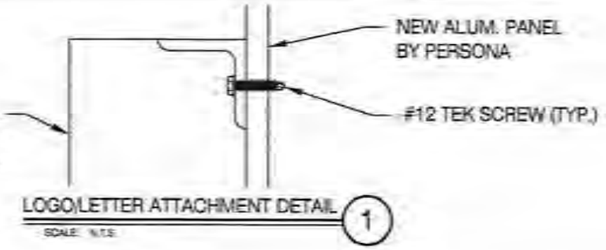
HOLIDAY INN EXPRESS LINEAR CHANNEL LETTERS WITH MONOGRAM & LARGE LETTERS STANDARD SIZES										
LETTER "H" HEIGHT	LETTER "E" HEIGHT	COPY LENGTH	MONOGRAM HEIGHT	MONOGRAM LENGTH	OVERALL LENGTH	AMP LOAD LETTERS	AMP LOAD MONOGRAM	AMP LOAD TOTAL	BOXED SQUARE FOOTAGE	ACTUAL SQUARE FOOTAGE
A	B	C	D	E	F					
2'-0"	1'-8 1/4"	19'-7 1/8"	3'-1"	3'-1"	23'-5 1/2"	1.70	0.65	2.35	72.33	23.47
2'-8 1/2"	2'-3 7/16"	26'-6 3/8"	4'-1"	4'-1"	31'-8 1/2"	2.60	0.65	3.25	129.48	42.27
3'-6"	2'-11 7/16"	34'-3 7/16"	5'-1"	5'-1"	40'-8 7/8"	3.50	1.30	4.80	207.09	68.59
4'-0"	3'-4 1/2"	39'-2 1/2"	6'-1"	6'-1"	46'-10"	4.10	1.95	6.05	284.90	92.85
4'-5 3/4"	3'-9 3/8"	43'-10 9/16"	7'-1"	7'-1"	52'-8 1/2"	4.10	2.60	6.70	373.35	120.19
5'-0"	4'-2 11/16"	48'-11 3/4"	8'-1"	8'-1"	59'-0 1/4"	6.40	2.60	9.00	477.09	152.59
6'-0"	5'-0 13/16"	58'-9 5/16"	9'-1"	9'-1"	70'-2 1/2"	7.50	2.92	10.42	637.73	208.15
7'-0"	5'-10 15/16"	68'-6 7/8"	10'-1"	10'-1"	81'-4 3/4"	11.00	3.25	14.25	820.74	272.69

Customer: HOLIDAY INN EXPRESS	Date: 02/20/18	Prepared By: RS/AP	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.	persona SIGNS | LIGHTING | IMAGE
Item Number: ITEM NUMBER	File Name: HOLIE LINEAR CL W MONOGRAM-WHITE-LARGE LTRS RT 18-17		Revision: 1	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com

100'
LA QUINTA

WALL SIGN SPECIFICATIONS

1. REFER TO SIGN COMPANY'S DRAWING(s) FOR MORE DETAILS. ALL DESIGNS, DETAILING, FABRICATION AND CONSTRUCTION SHALL CONFORM TO:
   2015 IBC
   ACI
   AISC
   AMERICAN WELDING SOCIETY
   LOCAL BUILDING CODES & ORDINANCES
2. ALUMINUM PIPE: 6061-T6 ALLOY
3. ALUMINUM SQUARE/RECTANGULAR: 6061-T6 ALLOY U.N.O.
4. THREADED ROD: ASTM A193 GRADE B7
5. ANCHOR BOLTS: STAINLESS STEEL OR GALVANIZED ASTM F1554 GRADE 36 U.N.O. (ALTERNATES GRADE 55 & 105)
6. CONNECTION BOLTS: STAINLESS STEEL OR GALVANIZED ASTM A325
7. ALUMINUM ANGLES, CHANNELS, STRUCTURAL SHAPES: 6061-T6 ALLOY U.N.O.
8. ALUMINUM PLATE: 5052-H34 ALLOY
9. ALUMINUM SHEET: 5052-H32 ALLOY
10. WELDING ELECTRODES: E70XX
11. WELDERS SHALL BE CERTIFIED FOR TYPE OF WELDING.
12. THIS ENGINEER DOES NOT WARRANT THE ACCURACY OF DIMENSIONS FURNISHED BY OTHERS.
13. ALL EXPOSED STEEL SHALL BE PAINTED WITH AN ENAMEL PAINT TO PROHIBIT CORROSION.
14. THE CONTRACTOR (INSTALLER) IS RESPONSIBLE FOR THE MEANS & METHODS OF CONSTRUCTION IN REGARDS TO JOB SITE SAFETY.
15. THIS DESIGN IS FOR THE INDICATED ADDRESS ONLY, AND SHOULD NOT BE USED AT OTHER LOCATIONS WITHOUT WRITTEN PERMISSION OF THE ENGINEER.
16. DESIGN OF DETAILS AND STRUCTURAL MEMBERS NOT SHOWN, ARE BY OTHERS.
17. INSTALLED FASTENERS MUST MEET OR EXCEED THE VALUES SHOWN IN THE LIST ON THE CALCULATIONS SHEET.
18. ALL ANCHORS SHALL BE COATED TO PREVENT CORROSION.
19. WALL SIGNS ATTACHED TO EXTERIOR WALLS OF SOLID MASONRY OR CONCRETE, SHALL BE SAFELY AND SECURELY ATTACHED BY MEANS OF METAL ANCHORS, BOLTS OR EXPANSION BOLTS OF NOT LESS THAN 3/8" DIAMETER AND SHALL BE EMBEDDED AT LEAST 5 INCHES.
20. WOOD BLOCKS SHALL NOT BE USED FOR ANCHORAGE, EXCEPT IN THE CASE OF WALL SIGNS ATTACHED TO BUILDINGS WITH WALLS OF WOOD.
21. A WALL SIGN SHALL NOT BE SUPPORTED BY ANCHORAGE SECURED TO AN UNBRACED PARAPET WALL. LAG BOLT ANCHORAGE INTO WOOD 3" MIN. EMBEDMENT.
22. A THREADED ROD MAY BE USED FOR THRU BOLT CONNECTION (USE WASHER AND DOUBLE NUT OR CRIMP THREADS BOTH ENDS TYP.)
23. SIGN MUST BE ATTACHED TO OR THROUGH SOLID BLOCKING. ATTACHMENT TO SHEATHING ONLY IS NOT ACCEPTABLE.
24. AT E.I.F.S. INSTALLATIONS INSTALL WITH PIPE SLEEVE. SEAL ALL PENETRATIONS.
25. THIS DESIGN FOR ANCHORAGE TO EXISTING STRUCTURE ONLY. BUILDING DESIGNER TO VERIFY ADEQUACY OF STRUCTURE TO RESIST THE ADDITIONAL LOADING. THIS ENGINEER NOT RESPONSIBLE FOR EXISTING STRUCTURE.
26. CHANNEL LETTERS AND WALL SIGNS ARE BY OTHERS
27. ELECTRICAL RACEWAYS ARE BY OTHERS.

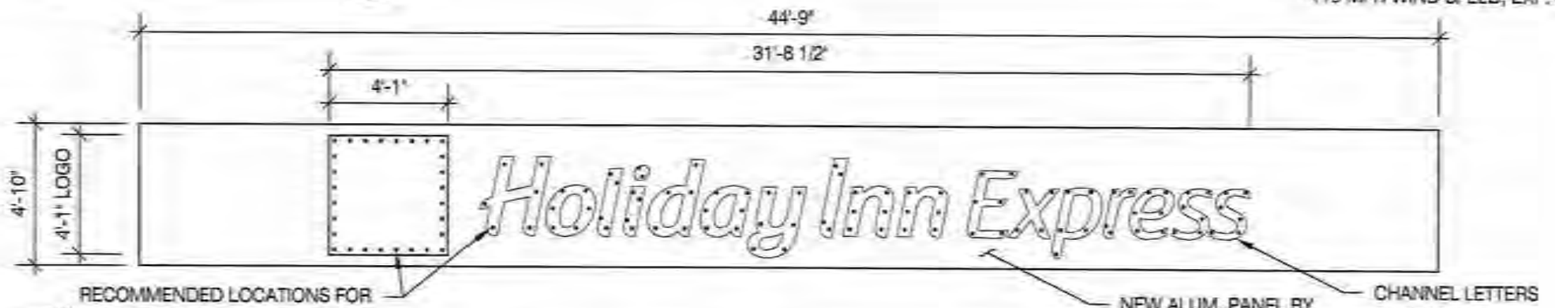


LOGO/LETTER ATTACHMENT DETAIL 1
SCALE: N.T.S.

NOTES

1.) SEE MANUFACTURERS DRAWINGS FOR ADDITIONAL DETAILS AND DIMENSIONS.

* CLIENT - PERSONA
* 2015 IBC
* RISK CATEGORY II
* 115 MPH WIND SPEED, EXP. C



CHANNEL LETTERS AND LOGO - FRONT ELEVATION A
SCALE: N.T.S.

WIND DATA

Building Code:	2015 IBC	Importance Factor, I	1.0	Base Pressure, $\sqrt{q_h}/K_{zt}$	17.3 psf
Wind Load Criteria:	ASCE 7-10	Directionality Factor, K_d	0.85	Mean Roof Height, h	110 ft
Wind Speed, V	115 mph	Topography Factor, K_{zt}	1.0	Exposure Coefficient, K_h	1.29
Exposure Category:	C	ASD Wind Load Factor, γ	0.6	Velocity Pressure, q_h	22.3 psf

FASTENER DATA

Mark	Used Yes/No	Type	Wall Type	Allow. Shear	Allow. Pullout	Anchor Embed	Wood Thickness	Notes
1	No	3/8" Liberty Anchor	Masonry (Hollow), Wood, Cold-Form Steel	300	300	–	–	
2	No	3/8" Lag Bolt	Wood	300	300	3	3	
3	No	3/8" Hilti HLC Anchor	Masonry & Clay Brick	300	300	1 1/4	–	Refer to manufacturers specifications for minimum req's
4	No	3/8" Toxo Bolt	Masonry (Hollow), Wood, Cold-Form Steel	300	300	–	–	
5	No	3/8" Expansion Bolt	Masonry (Filled), Concrete	300	300	5	–	
6	Yes	#12 Tek Screw w/ ACM	ACM Panel	25	25	–	–	–

WALL SIGN #1 - FLUSH MOUNT TO ALUM. PANEL

Description	CHANNEL LETTER "H"
# of Fasteners	6

Wind Pressure Override: 0 psf

Interior Application: No

Loads

Section	Location	Height ft	Width ft	Weight psf	Area sf	Weight lbs	Top Elevation ft	GC_p	$q_h GC_p$ psf	Pullout Force lbs
–	Ht. Above Grade	100.0		–	–	–	100	–	–	
1	Base of Sign	2.8	1.0	5	3	14	102.75	-1.80	-40.1	114
2		0.0	0.0	5	0	0	102.75	-1.80	-40.1	0
3		0.0	0.0	5	0	0	102.75	-1.80	-40.1	0
4	Top of Sign	0.0	0.0	5	0	0	102.75	-1.80	-40.1	0
Totals		2.8	1.0		3	14				114

Fastener Analysis

Fastener Mark	# of Fasteners Required: Shear	Pullout	Governs	Used Yes/No	Status
1	1	1	1	No	Not Used
2	1	1	1	No	Not Used
3	1	1	1	No	Not Used
4	1	1	1	No	Not Used
5	1	1	1	No	Not Used
6	1	5	5	Yes	OK

WALL SIGN #2 - FLUSH MOUNT TO ALUM. PANEL

Description	LOGO
# of Fasteners	28

Interior Application: No

Loads

Section	Location	Height ft	Width ft	Weight psf	Area sf	Weight lbs	Top ft	GC_p	$q_h GC_p$ psf	Pullout lbs
–	Ht. Above Grade	108.0	–	–	–	–	100	–	–	–
1	Base of Sign	4.1	4.1	5	17	83	104.08	-1.80	-40.1	668
2		0.0	0.0	5	0	0	104.08	-1.80	-40.1	0
3		0.0	0.0	5	0	0	104.08	-1.80	-40.1	0
4	Top of Sign	0.0	0.0	5	0	0	104.08	-1.80	-40.1	0
Totals		4.1	4.1		17	83				668

Fastener Analysis

Fastener Mark	# of Fasteners Required: Shear	Pullout	Governs	Used Yes/No	Status
1	1	5	3	No	Not Used
2	1	5	3	No	Not Used
3	1	5	3	No	Not Used
4	1	5	3	No	Not Used
5	1	5	3	No	Not Used
6	4	27	27	Yes	OK

STATE OF TEXAS
DARREN S. ANTLE
116577
LICENSED
PROFESSIONAL ENGINEER
11/4/23

MBI COMPANIES INC.
299 N. WEISGARBER RD.
KNOXVILLE, TN 37919
FIRM #-15323
PHONE 865.584.0999
SIGN-ENGINEER.COM

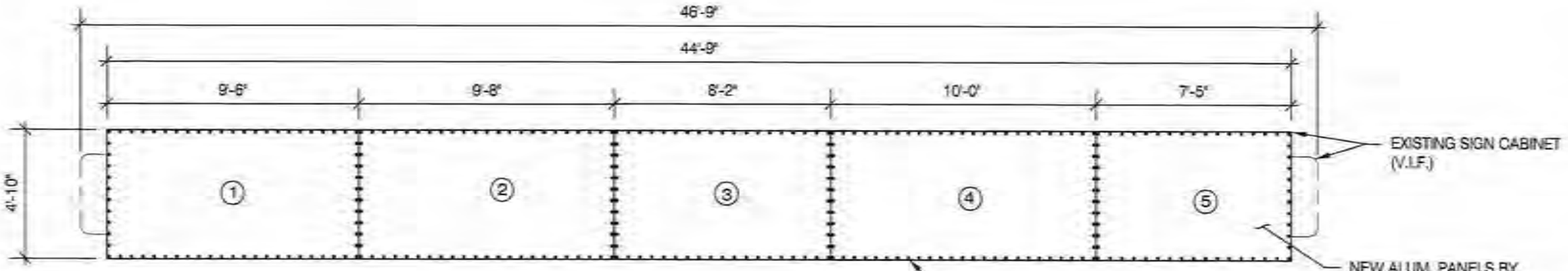
PROJECT: 302 S HOUSTON ST, DALLAS, TX 75202

DRAWN BY: CTP | CHECKED BY: JRM | COMM. NO. 220030.221 | DATE: 12/29/22

DRAWING TITLE: HOLIDAY INN EXPRESS #DALSH

REV #	DATE	DRAWN BY

DRAWING NO. DWG. 2



ALUM. PANEL ATTACHMENT TO EXISTING CABINET - FRONT ELEVATION (A)
SCALE: N.T.S.

NOTES

1.) SEE MANUFACTURERS DRAWINGS FOR ADDITIONAL DETAILS AND DIMENSIONS.

* CLIENT - PERSONA
* 2015 IBC
* RISK CATEGORY II
* 115 MPH WIND SPEED, EXP. C

NOTE:
ALL EXISTING DIMENSIONS AND CONDITIONS PROVIDED BY PERSONA AND MUST BE VERIFIED IN FIELD.

NOTE:
THIS DESIGN FOR ANCHORAGE TO EXISTING STRUCTURE ONLY. BUILDING ENGINEER TO VERIFY ADEQUACY OF THE EXISTING STRUCTURE TO RESIST ADDITIONAL LOADS SHOWN. THIS ENGINEER NOT RESPONSIBLE FOR EXISTING STRUCTURE.

WIND DATA

Building Code:	2015 IBC	Importance Factor, I:	1.0	Base Pressure, q_{sfg} (K_z):	17.3 psf
Wind Load Criteria:	ASCE 7-10	Directionality Factor, K_d:	0.85	Mean Roof Height, h:	112 ft
Wind Speed, V:	115 mph	Topography Factor, K_{zt}:	1.0	Exposure Coefficient, K_z:	1.29
Exposure Category:	C	ASD Wind Load Factor, y:	0.6	Velocity Pressure, q_z:	22.3 psf

FASTENER DATA

Mark	Used Yes/No	Type	Wall Type	Allow. Shear	Allow. Pullout	Anchor Embed	Wood Thickness	Notes
1	No	3/8" Liberty Anchor	Masonry (Hollow), Wood, Cold-Form Steel	300	300	--	--	
2	No	3/8" Lag Bolt	Wood	200	300	3	8	
3	No	3/8" Hilti HLC Anchor	Masonry & Clay brick	300	300	1 1/4	--	Refer to manufactuers specification for minimum req'd
4	No	3/8" Thru Bolt	Masonry (Hollow), Wood, Cold-Form Steel	300	300	--	--	
5	No	3/8" Expansion Bolt	Masonry (Filled), Concrete	300	300	5	--	
6	Yes	#12 Tek Screw w/ ACM	ACM Panel	25	25	--	--	--

ALUM. PANEL - FLUSH MOUNT TO CABINET

Description:	10' ALUM. PANEL WORST CA
# of Fasteners:	70

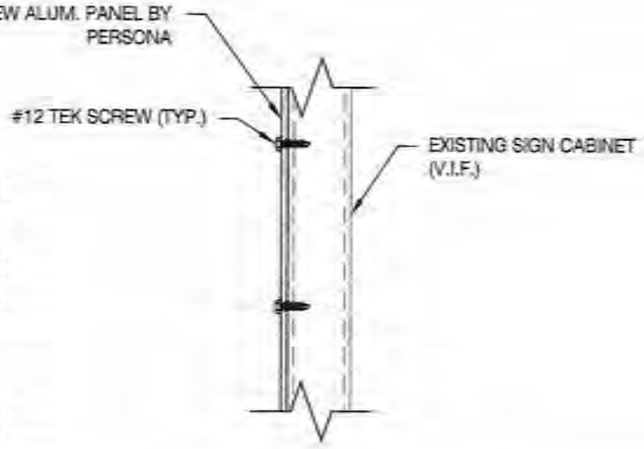
Wind Pressure Override: 0 psf
Interior Application: No

Loads

Section	Location	Height	Width	Weight	Area	Weight	Top Elevatio	GC_p	$q_z GC_p$	Pullout Force
		ft	ft	psf	sf	lbs	ft		psf	lbs
--	Ht. Above Grade:	100.0	--	--	--	--	100	--	--	--
1	Base of Sign	4.8	10.0	5	48	242	104.83	-1.58	-35.2	1702
2		0.0	0.0	5	0	0	104.83	-1.80	-40.1	0
3		0.0	0.0	5	0	0	104.83	-1.80	-40.1	0
4	Top of Sign	0.0	0.0	5	0	0	104.83	-1.80	-40.1	0
Totals		4.8	10.0		48	242				1702

Fastener Analysis

Fastener Mark	# of Fasteners Required: Shear	Pullout	Governs	Used Yes/No	Status
1	1	6	6	No	Not Used
2	2	6	6	No	Not Used
3	1	6	6	No	Not Used
4	1	6	6	No	Not Used
5	1	6	6	No	Not Used
6	10	69	69	Yes	Ok



ALUM. PANEL ATTACHMENT TO EXISTING CABINET DETAIL (1)
SCALE: N.T.S.

NUMBER OF FASTENERS REQ'D PER PANEL		
1	9'-6" W PANEL	66 FASTENERS
2	9'-8" W PANEL	66 FASTENERS
3	8'-2" W PANEL	58 FASTENERS
4	10'-0" W PANEL	70 FASTENERS
5	7'-5" W PANEL	54 FASTENERS

MBI COMPANIES INC.
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PROJECT: 302 S HOUSTON ST, DALLAS, TX 75202
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DATE: 12/29/22
DRAWING TITLE: HOLIDAY INN EXPRESS #DALSH

REV #	DATE	DRAWN BY

DRAWING NO.: DWG. 3

STATE OF TEXAS
DARREN S. ANTLE
116577
LICENSED
PROFESSIONAL ENGINEER
12/29/22

City of Dallas

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

Agenda Information Sheet

File #: 23-708 Item #: 19.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (northwest elevation).
Staff Recommendation: **Approval**.
Applicant: Patrick Riland of Petri Electric, Inc.
Owner: Union Investment Real Estate, GmbH
Planner: Jason Pool
Council District: 14
2301160001

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APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)

DOWNTOWN SPECIAL PROVISION SIGN DISTRICT

CASE NUMBER: 2301160001 **DATE FILED:** January 16, 2023
LOCATION: 2000 McKinney Avenue, Ste. 810 (northwest elevation) **SIZE OF REQUEST:** 273.8 sq. ft.

COUNCIL DISTRICT: 14 **ZONING:** PD 193, PDS 68

APPLICANT: Patrick Riland of Petri Electric, Inc.

OWNER: Union Investment Real Estate, GmbH

TENANT: Texas Capital Bank

REQUEST: An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (northwest elevation).

SUMMARY: The applicant proposes to install a 273.8-square-foot LED-illuminated channel letter set, against the façade facing McKinney Avenue, bearing the name Texas Capital and a logo.

STAFF RECOMMENDATION: **Approval**

SSDAC RECOMMENDATION: **Approval**

BACKGROUND:

- The subject site is located in Downtown SPSD within the Perimeter Subdistrict. This subdistrict follows base zoning. PDS 68 is a business zoning sign district.

  These regulations are established in: Sec. 51A-7.900 (Specific details included below).

- The applicant proposes to install a 273.8-square-foot LED-illuminated channel letter set, against the façade facing McKinney Avenue, bearing the name Texas Capital and a logo. All sign elements are constructed entirely of metal, plastic, and LED lighting. The sign will consist of five-inch-deep channel letters, mounted to a three-inch by three-inch aluminium frame. All channel letters are proposed to have plastic faces that are secured by metal retainers. Each face is to be backlit with LED lighting, colored to match each face. The star portion of the logo and all lettering will have white faces with retainers and returns that are painted TCB trade dress blue. The ring portion of the logo will have a red face with matching retainers and returns. The interior ring of the logo will contain a back panel that is painted to match the wall color. The horizontal projection of the sign is not exceed more than ten-inches from the surface of the wall, while the vertical projection is not to exceed more than four-feet above the top of the wall.

- This is the first of three applications under review by this body for this site. This sign is to be located on northwest elevation, and is submitted as Sign 001. The existing Texas Capital Bank sign on this façade is to be removed. The remaining signs were approved under director procedure.

- Construction of the proposed sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per Sec. 51A-7.900.

51A-7.902 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 the downtown area while addressing the diversity of businesses and promoting the economy of downtown. The general objectives of this division include those listed in Section 51A-7.101 as well as aesthetic considerations to ensure that signs are appropriate to the architecture of the district, do not obscure significant architectural features of its buildings, and lend themselves to the developing retail and residential uses and the pedestrian character of the area. The district regulations are in large part inspired by the high level of pedestrian activity and the need to maximize effective orientation of signage toward the walking public. (Ord. Nos. 19455; 20167; 21404; 24606)

51A-7.305 ATTACHED SIGNS.

(b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.

(c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.

(e) Attached signs may project more than 18 inches from vertical building planes as follows:

(2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached.

The effective area of the proposed sign covers less than one-percent of the total façade area. The sign is composed of three words including Texas, Capital, and a logo. The projection on the finished sign is approximately 10-inches horizontally from the building surface and will not extend more than four-feet vertical from the top of the wall to which it is attached.

51A-7.905 SPECIAL PROVISIONS FOR ATTACHED SIGNS.

(a) Except as provided in Sections 51A-7.908, 51A-7.914, and 51A-7.915, a person shall not alter, place, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city.

(b) The procedure for obtaining a sign permit is outlined in Section 51A-7.505 of this article. Section 51A-7.602 of this article does not apply to signs in this district.

(c) A person who violates Subsection (a) is guilty of a separate offense for each day or portion of a day during which the violation is continued. (Ord. Nos. 20167; 21404; 24606; 24925)

51A-7.505 PERMIT PROCEDURES FOR SPECIAL PROVISION SIGN DISTRICTS.

(B) **Factors the committee shall consider.** In reviewing an application, the committee shall first consider whether the applicant has submitted sufficient information for the committee to make an informed decision. If the committee finds the proposed sign to be consistent with the special character of the special provision sign district, the committee shall make a recommendation of approval to the city plan commission. The committee shall consider the proposed sign in terms of its appropriateness to the special provision sign district with particular attention to the effect of the proposed sign upon the economic structure of the special provision sign district and the effect of the sign upon adjacent and surrounding premises without regard to any consideration of the message conveyed by the sign. After consideration of these factors, the committee shall recommend approval or denial of the application and forward that recommendation to the city plan commission.

(6) Decision by the commission. Upon receipt of a recommendation by the committee, the commission shall hold a public hearing to consider the application. At least 10 days before the hearing, notice of the date, time, and place of the hearing, the name of the applicant, and the location of the proposed sign must be published in the official newspaper of the city and the building official shall serve, by hand-delivery or mail, a written notice to the applicant that contains a reference to this section, and the date, time, and location of this hearing. A notice sent by mail is served by depositing it properly addressed and postage paid in the United States mail. In addition, if the application is for a detached sign or for an attached sign that has more than 100 square feet of effective area, the applicant must post the required number of notification signs in accordance with Section 51A-1.106. In making its decision, the commission shall consider the same factors that were required to be considered by the committee in making its recommendation. If the commission approves the application, it shall forward a certificate of appropriateness to the building official within 15 days after its approval. If the commission denies the application, it shall so inform the building official in writing. Upon receipt of the written denial, the building official shall so advise the applicant within five working days of the date of receipt of the written notice.

Property Ownership
Union Investment Real Estate, GmbH
1330 6th Avenue, Ste. 800A
New York, NY 10019

Officer names: See Following Schedule

Tenant Ownership
Texas Capital Bank
2000 McKinney Ave, Ste. 810
Dallas, TX 75201

Officer names: See Following Schedule

Owner and Tenant for 2000 McKinney Signage Permit Submittal

Owner:

Union Investment Real Estate, GmbH
Diana Steinfurth-Schmidt
Ulrich Dischler.

Tenant:

Texas Capital Bank, a State Bank
Rob Holmes
John Cummings
Catherine R. Zalatoris

SSDAC Action:

February 14, 2023

MOTION: It was moved to **approve**:
An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (northwest elevation).

Maker:	Dumas
Second:	Hardin
Result:	Carried: 3 to 0

For:	3	- Peadon, Hardin, and Dumas
Against:	0	- none
Absent:	2	- Haqq and Webster
Conflict:	0	- none

Speakers: Patrick Riland of Petri Electric
Kurt Monigle of Monigle
Catherine Zalatoris of Texas Capital

Job 175787050-002 (2301160001)

Job Edit

Miscellaneous Transaction

Job 175787050-002 (2301160001)

Electrical Sign (ES) ATTACHED - SIGN 001; NW ELV (A) New Construction

Status: Paid Created By: JPOOL Date Created: Jan 16, 2023

Date Completed: Jan 16, 2023

Parent Job: 175787050-001 (2301111118)

Specific Location: 2000 MCKINNEY - 273.8 SF ILLUMINATED ATTACHED SIGN - NW ELV

Details

Customer
Riland, Patrick
907 N Bowser
Richardson, TX 75081
(214) 729-9115

Fee Amount

FeeType

Staff Email JASON.POOL@DALLAS.GOV

Details

Fees (EXT): 2301160001 5BN - Special Provision Sign District fee $345.00
Adjusted:$0.00 Paid:$345.00 Owed:$0.00

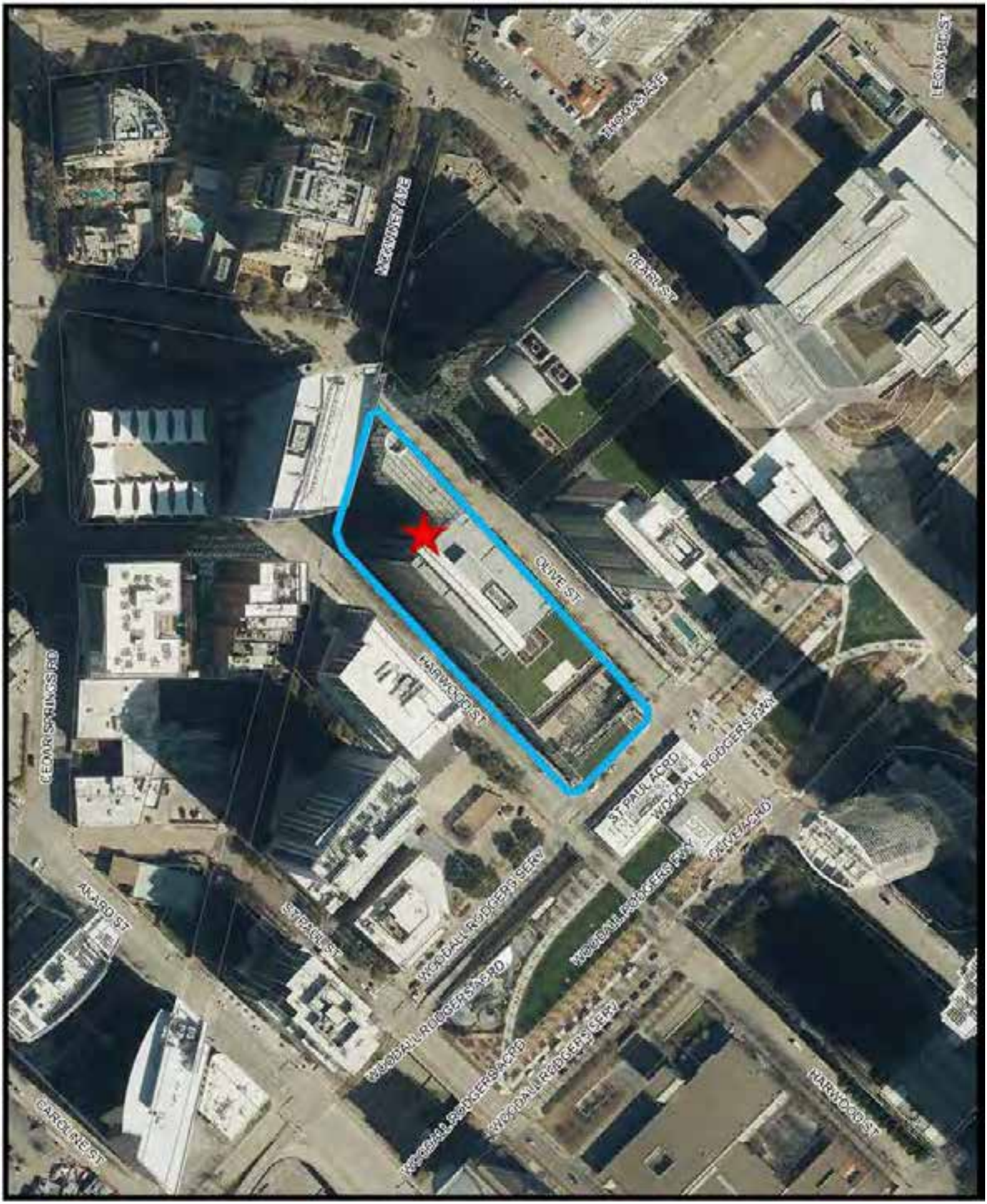
Customer: Riland, Patrick
907 N Bowser
Richardson, TX 75081 (214) 729-9115

Fees

Description / Posted Date	Amount	Tax	Total	Balance
5BN - Special Provision Sign District fee	$345.00	$0.00	$345.00	$0.00
Receipt Number: 789772 $345.00	($345.00)	$0.00	($345.00)	
				$0.00

Processes

Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
System Fee Collection						
SICASHIERINTERFACE	Complete	Collected				Jan 16, 2023 10:35:35
Auto generated System Fee Collection						



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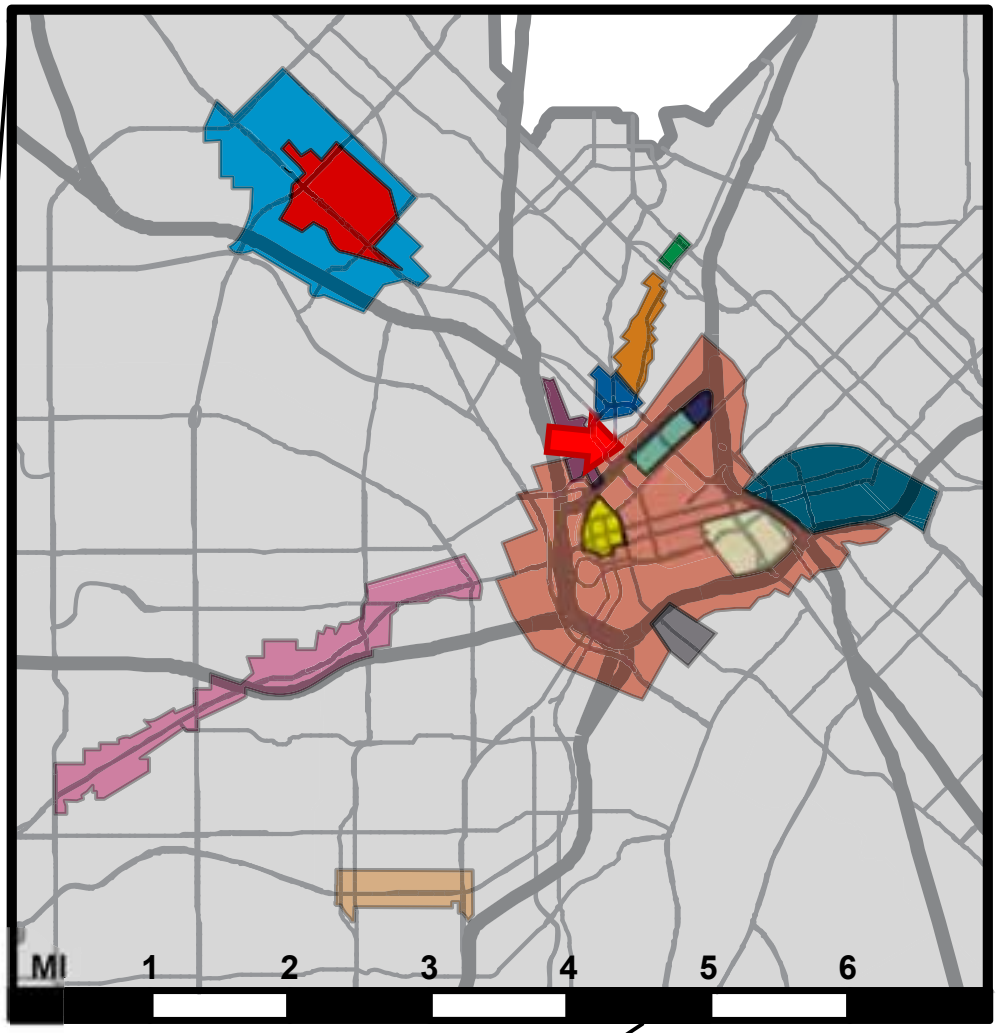
Aerial Map - 2000 McKinney Ave

Printed Date: 2/6/2023



LEGEND

- Downtown
- West End
- Southside Entertainment
- Farmers Market
- Deep Ellum
- Arts District
- Arts District Extension
- Uptown
- McKinney Avenue
- West Village
- Jefferson Special Purpose District
- Parkland Hospital
- Southwestern Medical District
- West Commerce Street / Fort Worth Avenue
- Victory Sign District

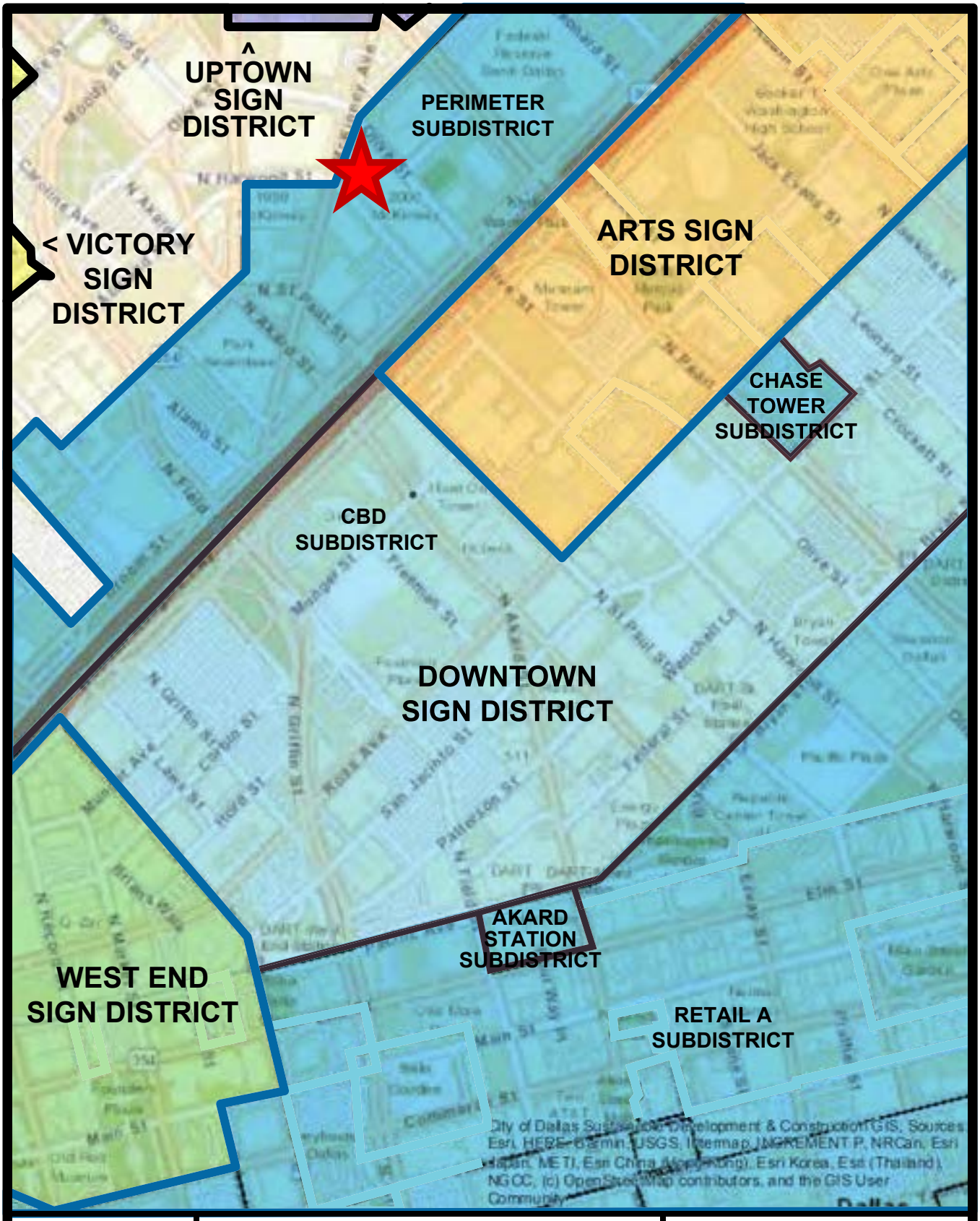
SPSD MAP

2000 McKinney Ave

Downtown Sign District - Perimeter

Case no: 2301160001

Date: 02/06/2023



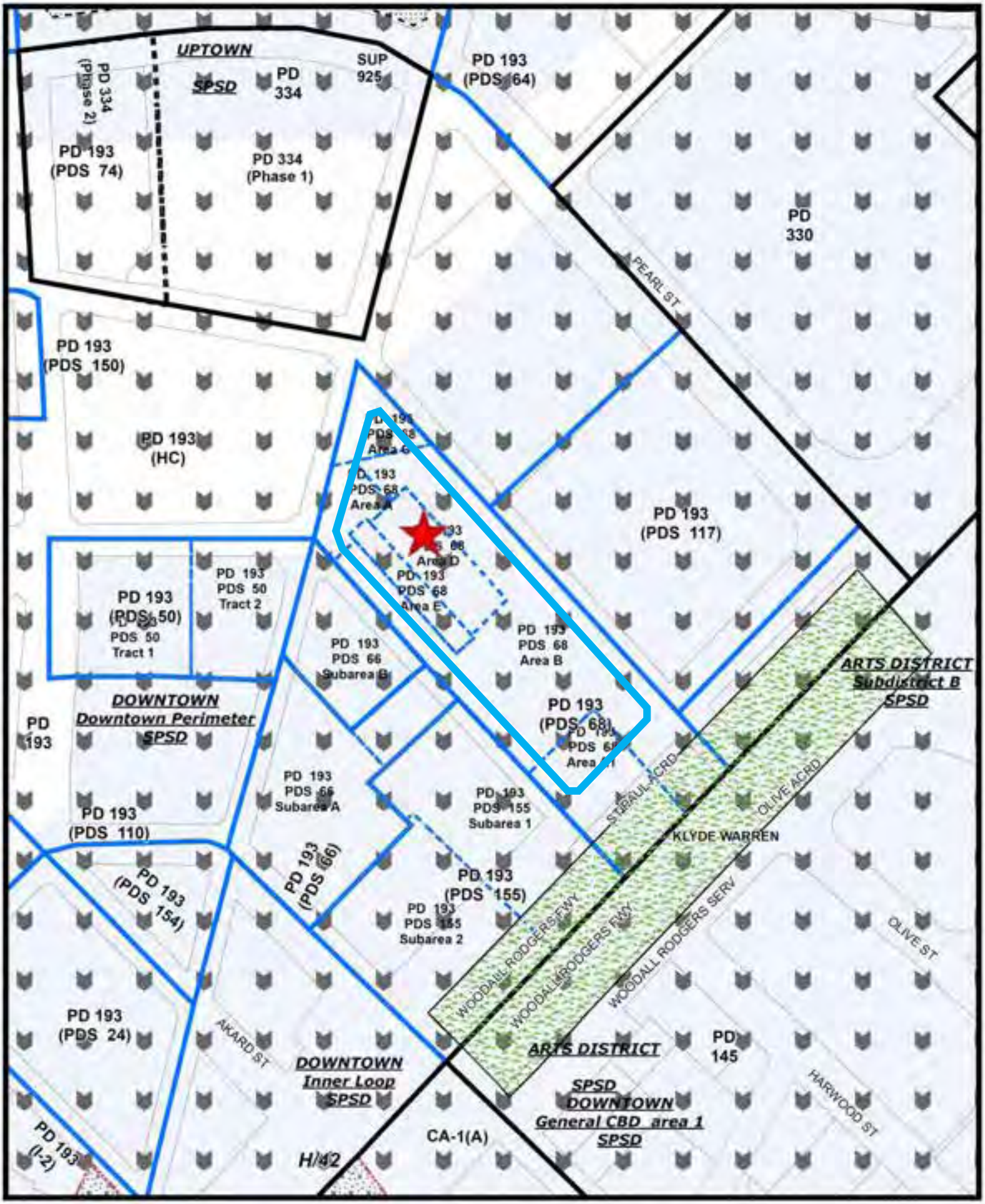
SPSD MAP

2000 McKinney Ave

Downtown Sign District - Perimeter

Case no: 2301160001

Date: 02/06/2023



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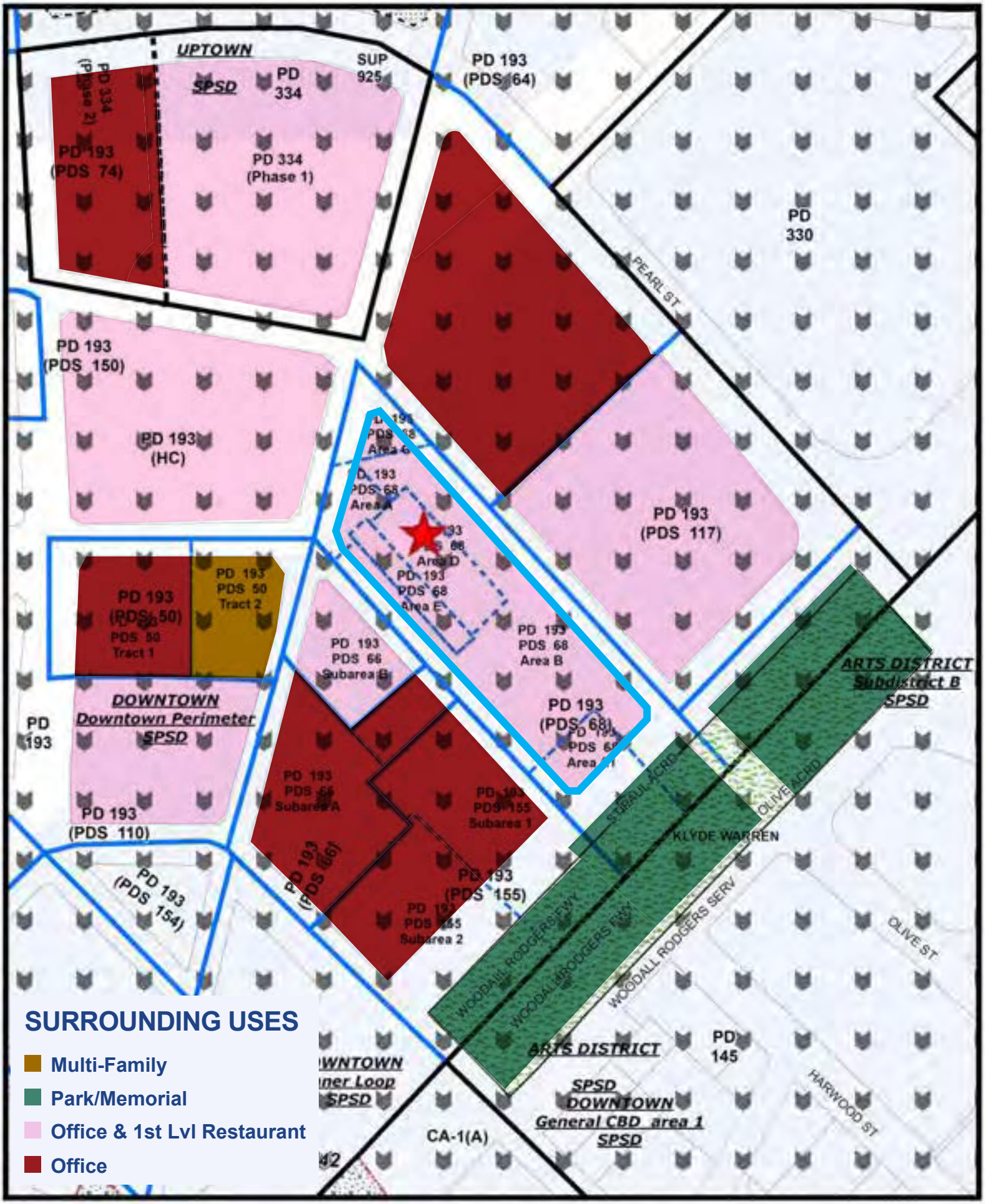
Zoning Map - 2000 McKinney Ave

19-12

Printed Date: 2/6/2023



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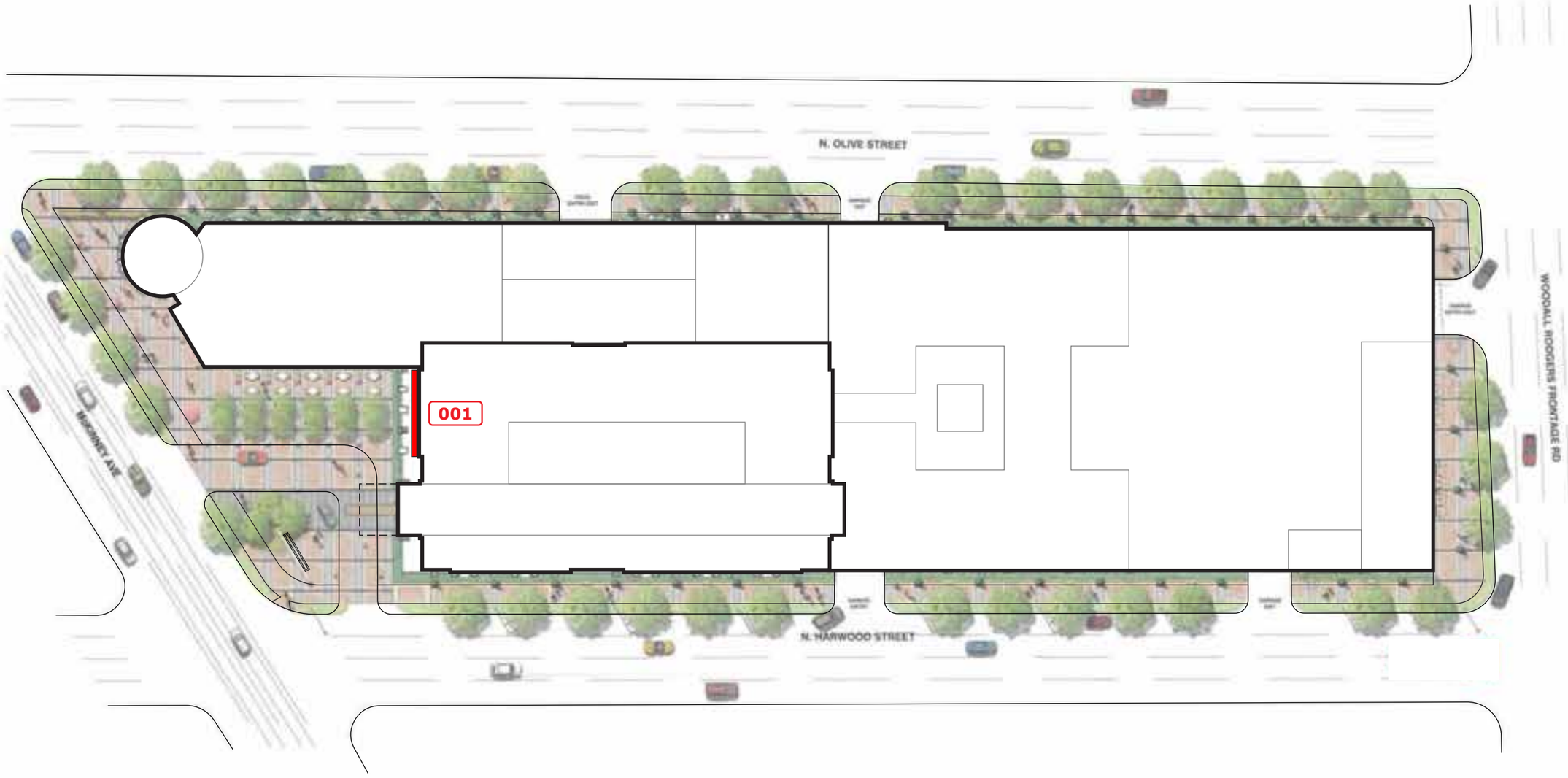
Surrounding Uses - 2000 McKinney Ave

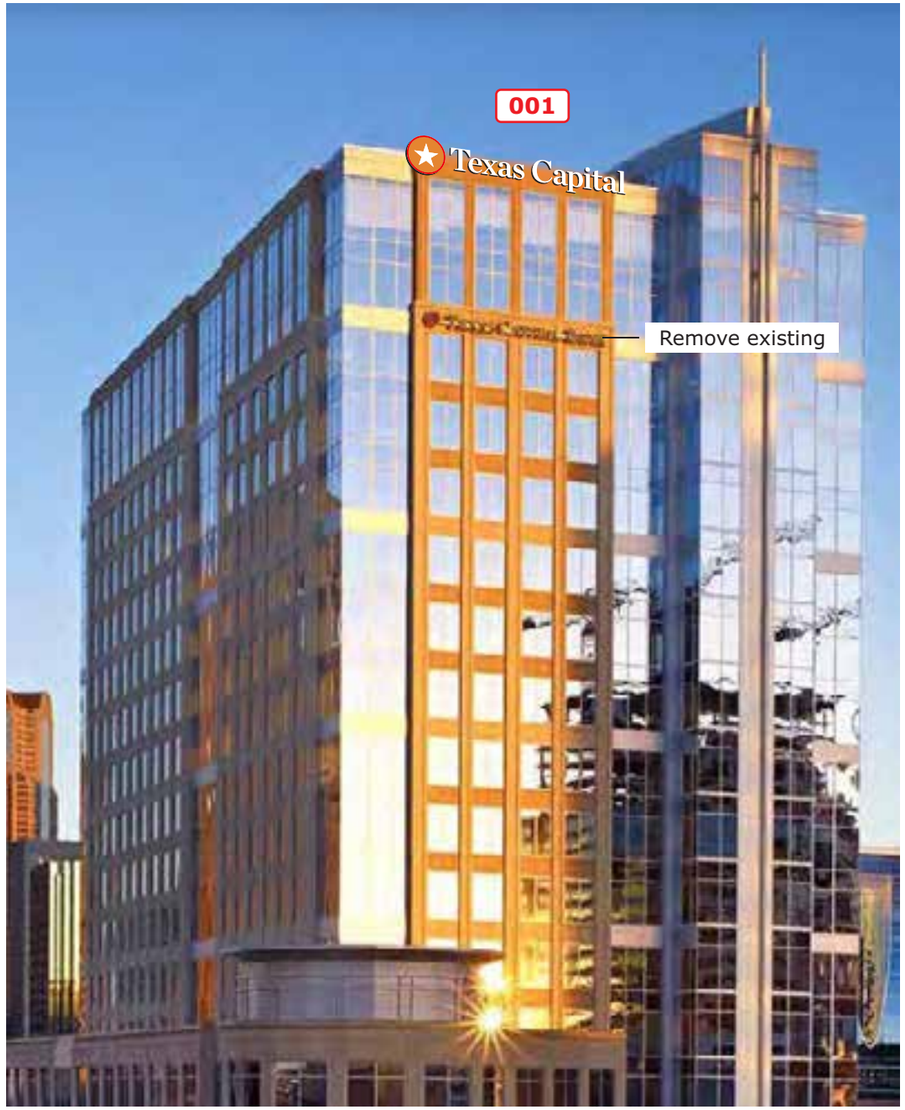
19-13

Printed Date: 2/6/2023

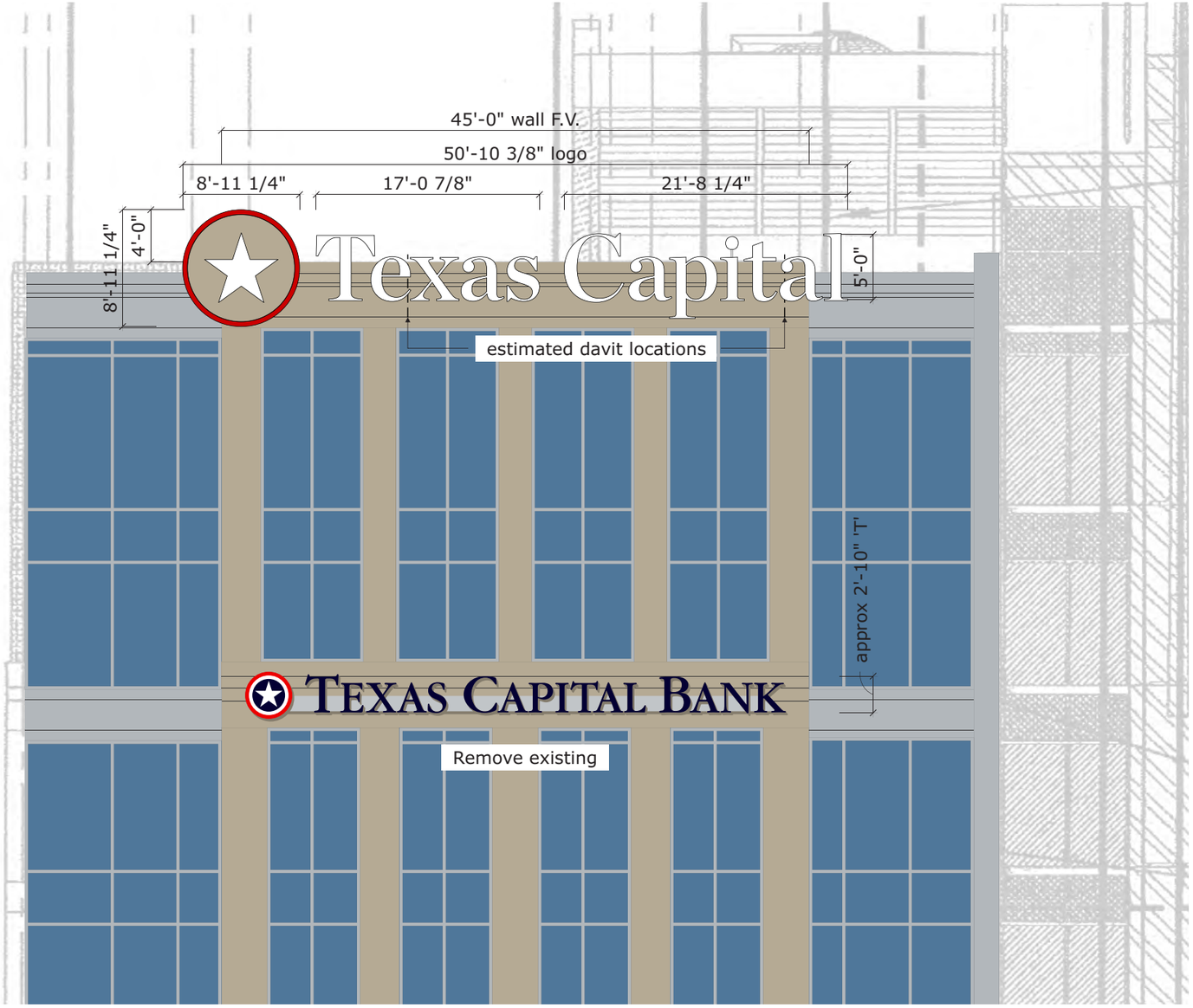
Site plan


N. OLIVE STREET
WOODALL RODGERS FRONTAGE RD
MCKINNEY AVE
N. HARWOOD STREET
001

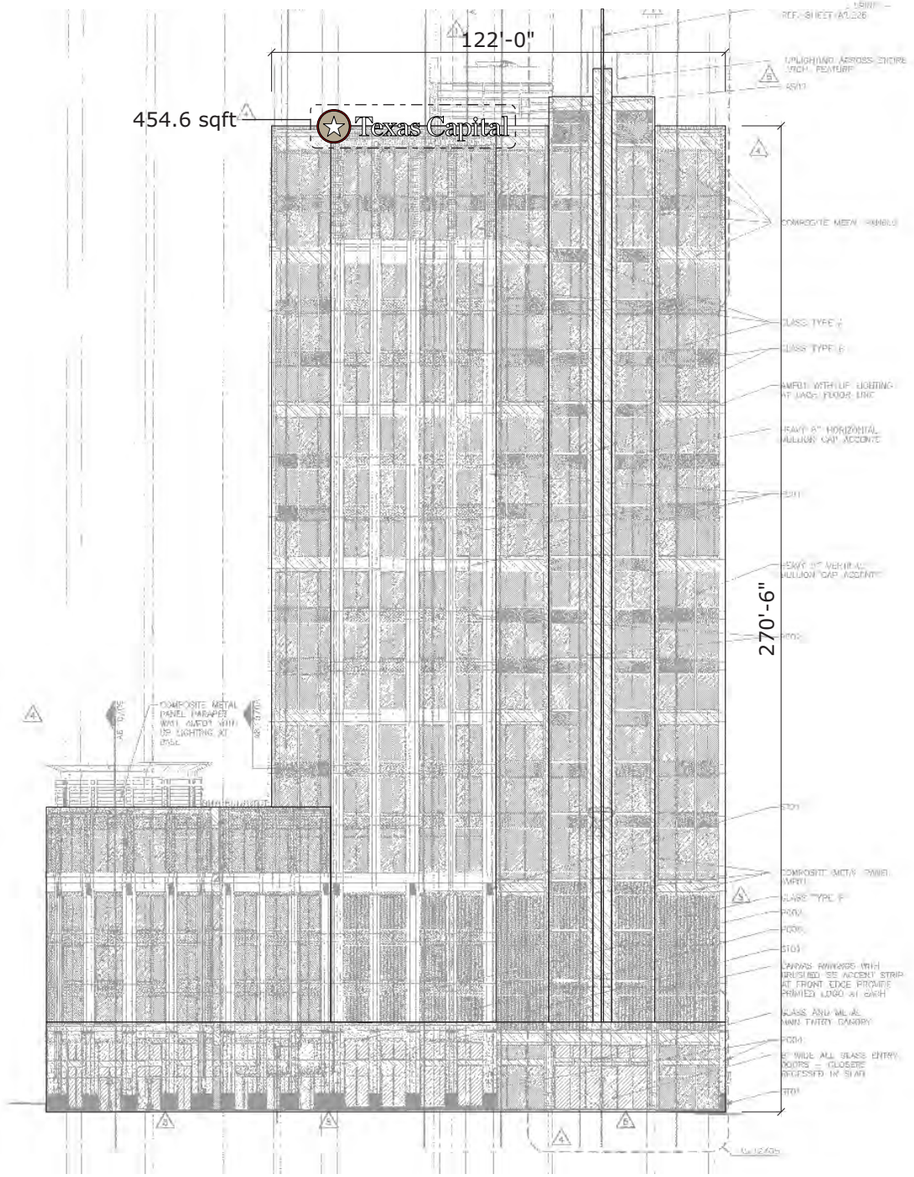
Rooftop Letters / 5'-0" Channel letters



West elevation



West elevation

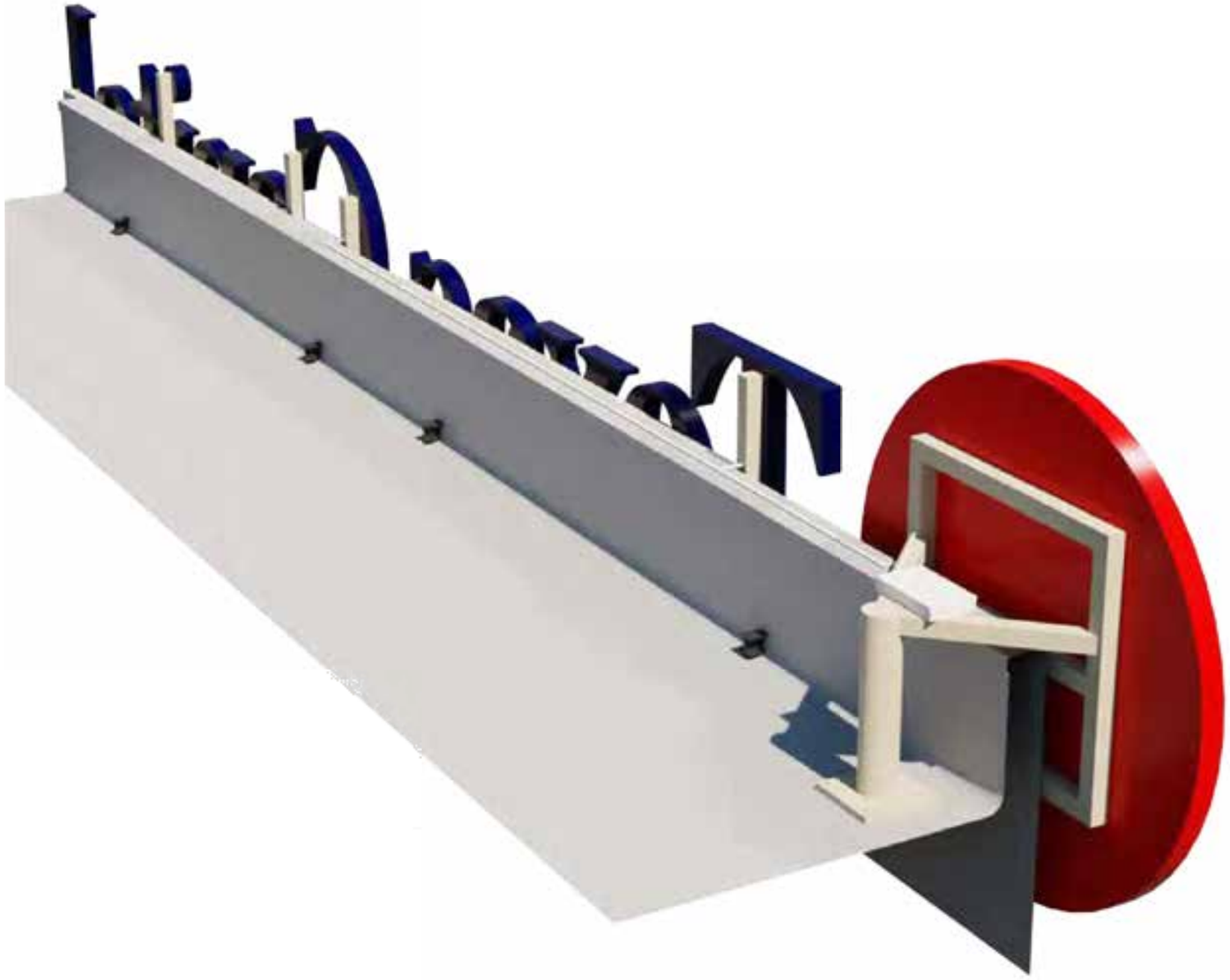


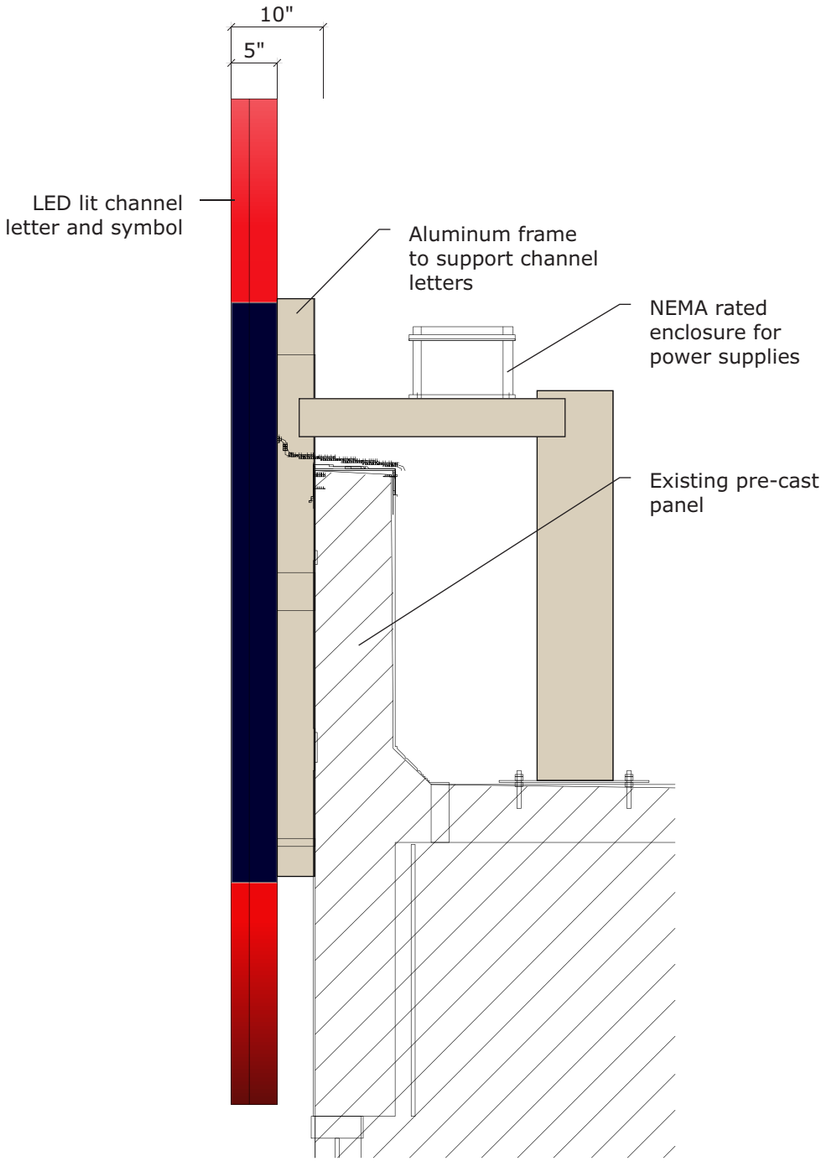
Rooftop Letters / 5'-0" Channel letters

Daytime

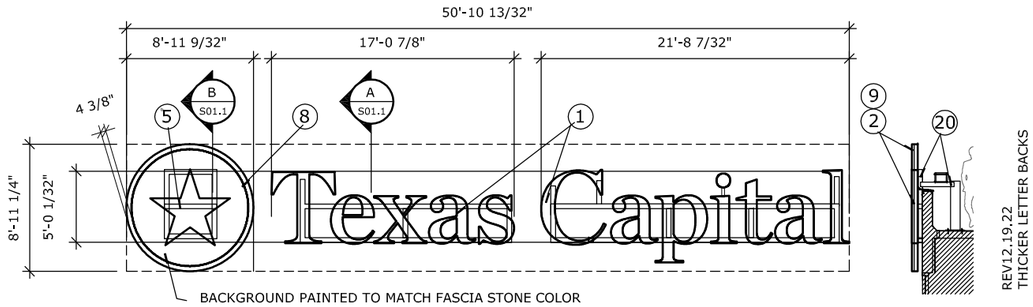
Nighttime

Rooftop Letters / Conceptual framing detail





Vertical section

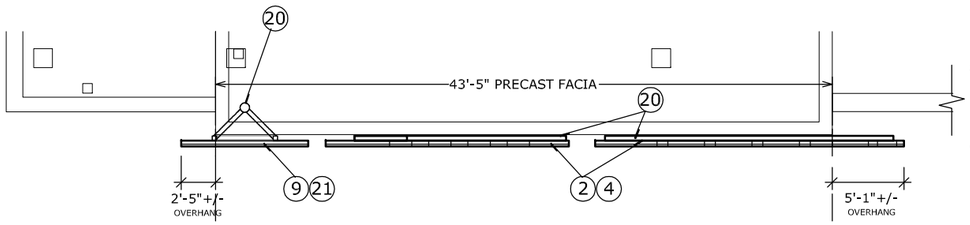


1 5' WHITE CHANNEL LETTERS (454.6 sq ft)
SIGN# 001
SCALE: 3/32"=1'-0"

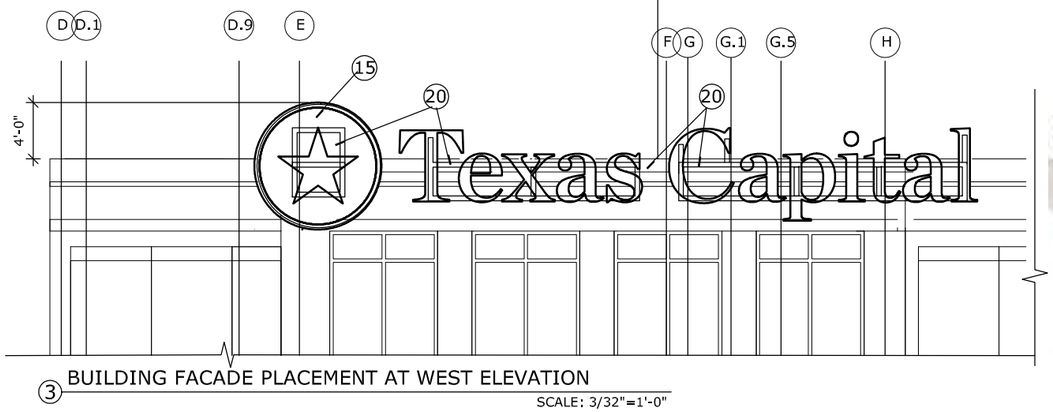
2 SIDE VIEW
SCALE: 3/32"=1'-0"

REV12.19.22
THICKER LETTER BACKS

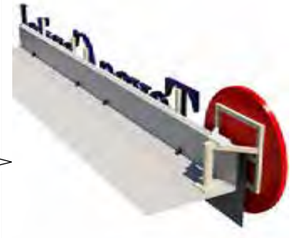
SEE PAGE 3-5
ROOFTOP LETTERS /5'-0 CHANNEL LETTERS
FOR FULLCOLOR SIGN ELEVATION AND EXISTING SITE CONDITIONS



2 TOP VIEW AT WEST ELEVATION
SCALE: 3/32"=1'-0"

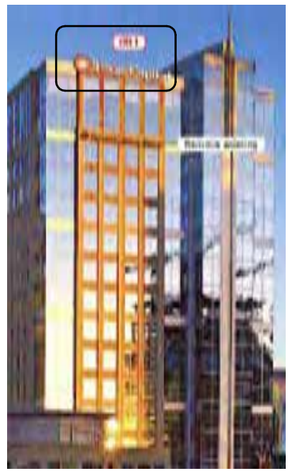


3 BUILDING FACADE PLACEMENT AT WEST ELEVATION
SCALE: 3/32"=1'-0"



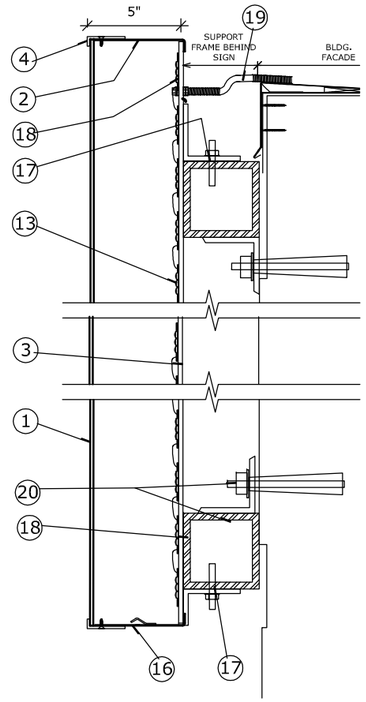
REAR VIEW

WEST ELEVATION

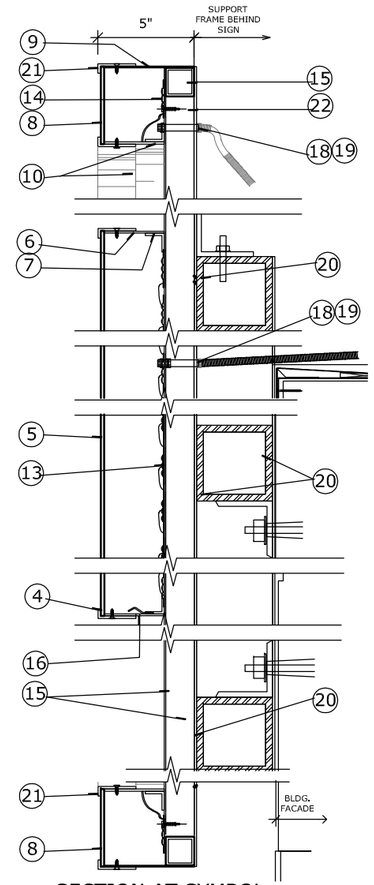


NOTES FOR TCB ROOFTOP LETTERS

1. LETTER FACES TO BE .177" WHITE TRANSLUCENT POLYCARBONATE, PLASKOLITE SG05 7328 WHITE OR APPROVED EQUAL. USE ARTWORK PROVIDED BY DESIGNER.
2. LETTER RETURNS TO BE .090" ALUMINUM. FORM AS SHOWN. PAINT FINISH EXTERIOR SURFACE TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURFACES WITH LIGHT ENHANCEMENT PAINT. FORM AS SHOWN. USE ARTWORK PROVIDED BY DESIGNER.
3. LETTER BACKS TO BE .25" ALUMINUM. PAINT FINISH EXTERIOR SURFACE TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR WITH LIGHT ENHANCEMENT PAINT.
4. LETTER & STAR TRIM CAP TO BE .090" ALUMINUM FABRICATED RETAINERS WITH RETURN ON FACE TO SECURE LETTER FACES. PAINT RETURN LEGS TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH FACE RETURN TCB WHITE. SEMI-GLOSS FINISH. ATTACH THROUGH LETTER RETURNS WITH STAINLESS STEEL PAN HEAD SCREWS. PAINT HEADS TO MATCH RETURNS.
5. "STAR" FACE TO BE .177" WHITE TRANSLUCENT POLYCARBONATE, PLASKOLITE SG05 7328 WHITE. USE ARTWORK PROVIDED BY DESIGNER.
6. "STAR" RETURNS TO BE .090" ALUMINUM. CHEM WELD TO ALUMINUM ANGLE FRAME. PAINT FINISH EXTERIOR SURFACES TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURACES WITH LIGHT ENHANCEMENT PAINT.
7. 1"X1"X .125" ALUMINUM ANGLE "STAR" FRAME. MITER CUT, WELD, AND GRIND SMOOTH AT CORNERS. MECHANICALLY ATTACH FRAME TO .125" ALUMINUM BACKING SHEET WITH STAINLESS STEEL PAN HEAD SCREWS.
8. "CIRCLE" FACE TO BE .177" PLASKOLITE WHITE TRANSLUCENT (2447 LD) OR APPROVED EQUAL. FIRST SURFACE DECORATE WITH 3M 3630-93 FIRE ENGINE RED. OVERLAMINATE WITH 3M 3660M.
9. "CIRCLE" EXTERIOR RETURN TO BE .090" ALUMINUM. PAINT FINISH EXTERIOR SURFACE TCB RED. SEMI-GLOSS FINISH. PAINT FINSH INTERIOR SURFACE WITH LIGHT ENHANCEMENT PAINT.
10. "CIRCLE" INTERIOR RETURN TO BE .090" ALUMINUM. CHEM WELD TO ALUMINUM ANGLE FRAME. PAINT FINISH EXTERIOR SURFACES TCB RED. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURACES WITH LIGHT ENHANCEMENT PAINT.
11. 1"X1"X .125" ROLLED ALUMINUM ANGLE "CIRCLE" INTERIOR FRAME. MITER CUT, WELD, AND GRIND SMOOTH AT CORNERS. MECHANICALLY ATTACH FRAME TO .125" ALUMINUM BACKING SHEET WITH STAINLESS STEEL PAN HEAD SCREWS.
12. "CIRCLE" RETURNS TO BE .090" ALUMINUM. CHEM WELD TO ALUMINUM ANGLE FRAME. PAINT FINISH EXTERIOR SURFACES TCB RED. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURACES WITH LIGHT ENHANCEMENT PAINT.
13. LETTER AND "STAR" LEDS TO BE 6500K WHITE. SLOANLED OR APPROVED EQUAL. LED MANUFACTURER TO PROVIDE LED MODULE SPECIFICATION, LAYOUTS, AND POWER SUPPLY REQUIRMENTS AS REQUIRED TO PROVIDE EVEN ILLUMINATION ACROSS SIGN FACE WITHOUT HOT SPOTS OR SHADOWS.
14. "CIRCLE" LEDS TO BE 623NM RED. SLOANLED OR APPROVED EQUAL. LED MANUFACTURER TO PROVIDE LED MODULE SPECIFICATION, LAYOUTS, AND POWER SUPPLY REQUIRMENTS AS REQUIRED TO PROVIDE EVEN ILLUMINATION ACROSS SIGN FACE WITHOUT HOT SPOTS OR SHADOWS.
15. 1 ½"X 1 ½"X .125" ROLLED ALUMINUM TUBE FRAME. PROVIDE 1 ½" X 1 ½" X .125" ALUMINUM VERTICAL TUBE BRACING AT QUARTER POINTS. CHEM WELD.125" ALUMINUM BACKING SHEET FIRST SURFACE TO FRAME. PAINT FINSH BACKING SHEET TO MATCH EXISTING PRECAST PANEL SYSTEM.
16. PROVIDE WEEP HOLES WITH LIGHT SCREEN AS REQUIRED TO MEET UL.
17. 3"X3"X.25" ALUMINUM MOUNTING CLIPS WELDED TO ALUMINUM LETTER BACKS. PAINT TO MATCH LETTERS. MECHANICALLY ATTACH TO STRUCTRUAL SUPPORT FRAME WITH STAINLEES STEEL SELF TAPPING TEK SCREWS.
18. PROVIDE GREENFIELD CONNECTORS TO MEET U.L.
19. PROVIDE LIQUIDTITE FLEXIBLE CONDUIT TO NEMA RATED EXTERIOR POWER SUPPLY BOXES ON THE SUPPORT STRUCTURE.
20. SEE STRUCTURAL DRAWINGS S1.00 FOR MEMBER CALL OUTS AND ATTACHMENT.
21. "CIRCLE" TRIM CAP TO BE .090" ALUMINUM FABRICATED RETAINERS WITH RETURN ON FACE TO SECURE LETTER FACES. PAINT FINISH TCB RED. SEMI-GLOSS FINISH. ATTACH THROUGH LETTER RETURNS WITH STAINLESS STEEL PAN HEAD SCREWS. PAINT HEADS TO MATCH RETURNS.
22. .125" ALUMINUM BACKING SHEET. PAINT FINISH EXTERIOR SURFACE TCB RED. SEMI-GLOSS FINISH.



A SECTION AT LETTERS
SCALE: 1 1/2"=1'-0"



B SECTION AT SYMBOL
SCALE: 1 1/2"=1'-0"

ROOFTOP LETTERS FOR WEST FACADE

These documents are for design intent and shall be used only as a guide to produce the finished sizes, appearances and functions shown. Nothing contained in these documents shall be construed as a design for any engineered element. The fabricator/contractor shall be responsible for all structural, electrical, mechanical and foundation engineering. See General Specifications for additional requirements. These documents were not produced under an architectural services agreement. These drawings are part of an original unpublished design by Monigle Associates, Inc. The detailing and information contained on these pages shall not be reproduced, copied or utilized except for the specific project for which they were created, without previous written authorization from Monigle Associates, Inc. © Monigle Associates, Inc. "All Rights Reserved" 150 Adams Street - Denver, Colorado 80206

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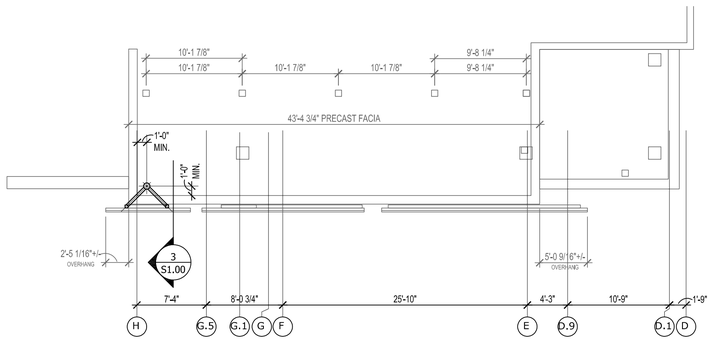
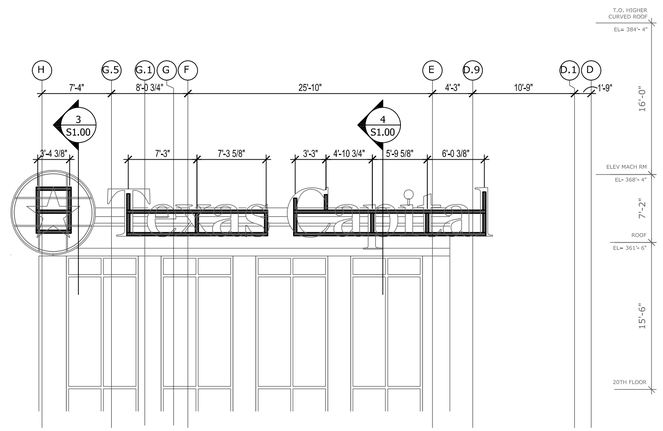
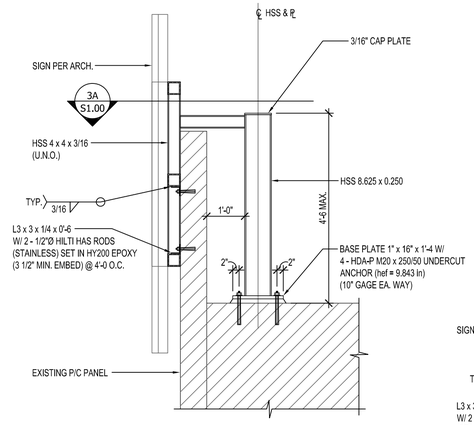


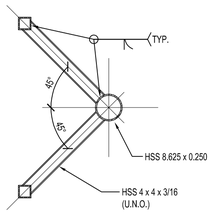
1 PLAN VIEW
Scale: 1/8" = 1'-0



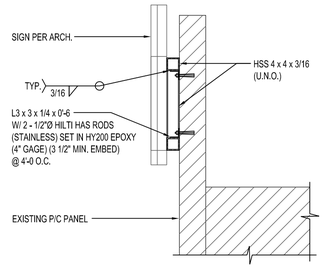
2 ELEVATION VIEW
Scale: 1/8" = 1'-0"



3 SECTION
Scale: 1/2" = 1'-0"



3A PLAN VIEW
Scale: 1/2" = 1'-0"



4 SECTION
Scale: 1/2" = 1'-0"

GENERAL NOTES

1. DESIGN CRITERIA

1. THE STRUCTURAL DESIGN IS IN ACCORDANCE WITH THE PROVISIONS OF THE INTERNATIONAL BUILDING CODE, 2018 EDITION.
2. DESIGN LOADS ARE LISTED BELOW:
   A. WIND LOADS: ASCE 7-16 V = 115 MPH

2. GENERAL NOTES

1. BDD WILL PROVIDE STRUCTURAL OBSERVATIONS AT AN INTERVAL TO BE AGREED UPON WITH THE OWNER.
2. THE CONTRACTOR SHALL ENSURE THAT CONSTRUCTION MATERIALS WHOSE WEIGHT EXCEEDS THE DESIGN LIVE LOADS INDICATED ON THE STRUCTURAL DRAWINGS ARE NOT STORED ON STRUCTURALLY SUPPORTED FLOOR OR ROOF FRAMING.
3. THE USE OF EPOXY AND ACRYLIC ADHESIVES IS NOT PERMITTED FOR USE AT MISPLACED AND/OR OMITTED EMBEDS, DOWELS, OR OTHER ITEMS INTENDED TO BE ANCHORED IN CONCRETE UNLESS SPECIFICALLY NOTED ON DRAWINGS.
4. G.C. TO LOCATE ALL EXISTING REINFORCEMENT AND POST-TENSIONING PRIOR TO INSTALLING ANCHORS AND AVOID ANY DAMAGE TO EXISTING REINFORCEMENT AND POST-TENSIONING.
5. PRINCIPAL OPENINGS ARE SHOWN ON THE DRAWINGS. REFER TO ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS FOR SLEEVES, CURBS, INSERTS AND OTHER OPENINGS NOT SHOWN. THE CONTRACTOR SHALL PROVIDE FOR ALL THESE ITEMS WHETHER SHOWN ON THE STRUCTURAL DRAWINGS OR NOT. THE GENERAL CONTRACTOR SHALL VERIFY THE SIZE AND LOCATION OF ALL OPENINGS WITH THE MECHANICAL SUBCONTRACTOR AND SHALL COORDINATE THEM WITH THE MECHANICAL EQUIPMENT PURCHASED. ANY DEVIATION FROM OR ADDITIONS TO OPENINGS SHOWN ON THE STRUCTURAL DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND STRUCTURAL ENGINEER FOR APPROVAL PRIOR TO FABRICATION OR INSTALLATION OF STRUCTURAL MEMBERS.
6. REFER TO ARCHITECTURAL DRAWINGS FOR DIMENSIONS AND ELEVATIONS NOT SHOWN AND FOR EXACT LOCATIONS OF ALL SLAB DEPRESSIONS.
7. THE CONTRACTOR SHALL COMPARE THE STRUCTURAL SECTIONS WITH THE ARCHITECTURAL SECTIONS AND REPORT ANY DISCREPANCY TO THE ARCHITECT AND STRUCTURAL ENGINEER PRIOR TO FABRICATING OR INSTALLING STRUCTURAL MEMBERS.

3. STRUCTURAL STEEL NOTES

1. STRUCTURAL STEEL SHALL BE NEW AND SHALL CONFORM TO AISC's "SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS," LATEST APPROVED EDITION.
2. BOLTS AND BOLTED CONNECTIONS SHALL CONFORM TO THE REQUIREMENTS OF THE SPECIFICATIONS. UNLESS NOTED OTHERWISE, CONNECTION BOLTS SHALL CONFORM TO ASTM A325-N.
3. ALL STRUCTURAL STEEL SHAPES, PLATES, ETC., SHALL CONFORM TO THE FOLLOWING DESIGNATIONS, UNLESS NOTED OTHERWISE:

STRUCTURAL STEEL MATERIAL DESIGNATIONS

MATERIAL SPECIFICATION	USAGE
ASTM A572 OR A992, GRADE 50	ALL STRUCTURAL STEEL UNLESS NOTED OTHERWISE
ASTM A36	AS NOTED ON DRAWINGS
ASTM A500, GRADE 'C' (50 KSI)	RECTANGULAR HOLLOW STRUCTURAL SECTIONS
ASTM A500, GRADE 'C' (46 KSI)	ROUND HOLLOW STRUCTURAL SECTIONS
ASTM A53, GRADE 'B'	PIPES

4. CONTRACTOR SHALL SUBMIT CALCULATIONS AND SHOP DRAWINGS OF ALL STRUCTURAL STEEL CONNECTIONS NOT SPECIFICALLY DETAILED ON THE STRUCTURAL DRAWINGS FOR REVIEW BY THE ARCHITECT AND STRUCTURAL ENGINEER. THE CALCULATIONS AND SHOP DRAWINGS SHALL BE SIGNED AND SEALED BY A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF THE PROJECT LOCATION.
5. ALL FIELD CONNECTIONS SHALL BE BOLTED WITH 3/4 INCH DIAMETER BOLTS (ASTM A325-N UNLESS NOTED) OR WELDED AS SHOWN ON THESE DRAWINGS. ALL NON-COMPOSITE BEAM CONNECTIONS SHALL BE EQUAL TO ONE-HALF OF THE AISC BEAM (ALLOWABLE UNIFORM LOAD) TABLE VALUE FOR THE CORRESPONDING SPAN, EXCEPT AS SHOWN ON THESE DRAWINGS. COMPOSITE BEAM CONNECTIONS SHALL BE EQUAL TO 1.9 MULTIPLIED TIMES ONE-HALF OF THE AISC BEAM TABLE VALUE FOR THE CORRESPONDING SPAN.
6. STEEL MEMBERS SHALL NOT BE SPLICED EXCEPT WHERE SHOWN ON THE DRAWINGS, UNLESS APPROVED BY THE ENGINEER.
7. ALL STRUCTURAL STEEL DETAILS AND CONNECTIONS SHALL CONFORM TO THE STANDARDS OF THE AISC.
8. ALL ANCHOR RODS SHALL CONFORM TO ASTM F1554, GRADE 36 UNLESS NOTED OTHERWISE. REFER TO BASEPLATE DETAILS FOR LOCATIONS WHERE ASTM F1554 GRADE 55-S1 ANCHOR RODS ARE REQUIRED. WHERE GRADE 55 OR 105 ARE REQUIRED, PROVIDE TYPE 'S1' WELDABLE ANCHOR RODS.
9. FOR ALL HIGH STRENGTH BOLTS, HARDENED WASHERS SHALL BE PROVIDED AS REQUIRED BY THE SPECIFICATIONS.
10. HOT DIP GALVANIZE ALL STRUCTURAL STEEL EXPOSED TO WEATHER.

4. WELDING NOTES

1. WHEN WELDS ARE NOT CALLED OUT ON THE DRAWINGS, THEY ARE MINIMUM SIZE CONTINUOUS FILLET WELDS IN ACCORDANCE WITH AWS D1.1. FILLET WELDS NOT SPECIFIED AS TO LENGTH SHALL BE CONTINUOUS.
2. UNLESS NOTED OTHERWISE ON THE DRAWINGS, ALL GROOVE WELD SHALL BE FULL PENETRATION.
3. PROVIDE FILLET WELDS AT ALL CONTACT JOINTS BETWEEN STEEL MEMBERS SUFFICIENT TO DEVELOP THE ALLOWABLE TENSILE STRENGTH OF THE SMALLER MEMBER AT THE JOINT UNLESS NOTED OTHERWISE ON THE DRAWINGS.
4. WELDING OF METAL FORM DECK SHALL CONFORM TO AWS D1.3.

5. TEMPORARY CONDITIONS

1. THE STRUCTURAL DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE.
2. THE CONTRACTOR SHALL SUPPLY ALL TEMPORARY BRACING AND SHORING THAT MAY BE NECESSARY TO ACCOMMODATE THE CONTRACTOR'S MEANS, METHODS, AND SEQUENCE OF CONSTRUCTION.

6. REQUESTS FOR INFORMATION

1. THE G.C. SHALL VERIFY THE FOLLOWING PRIOR TO SUBMITTING AN RFI:
   A. RFI DOES NOT INCLUDE SUBSTITUTION REQUESTS.
   B. RFI DOES NOT REQUEST VERIFICATION OF THE G.C.'S MEANS AND METHODS.
   C. RFI DOES NOT REQUEST CONFIRMATION THAT BDD'S SUBMITTAL COMMENTS ARE TO BE INCORPORATED INTO THE FIELD USE SHOP DRAWINGS.
   D. THE ANSWER IS NOT CONTAINED WITHIN THE CONTRACT DOCUMENTS.
   E. RFI IS BASED ON THE LATEST ISSUED DRAWINGS INCLUDING ANY PREVIOUS RFI RESPONSES AND PERTINENT COMMENTS FROM REVIEWED SUBMITTALS.
   F. RFI INCLUDES THE G.C.'S PROPOSED SOLUTION.
   G. RFI IDENTIFIES ANY COST AND/OR SCHEDULE IMPACT.
   H. RFI REFERENCES ANY RELEVANT DRAWINGS, SUBMITTALS, AND PREVIOUS RFIS.
   I. RFI PROVIDES ANY RELEVANT DIMENSIONS NECESSARY TO LOCATE AND DEFINE THE REQUEST.
   J. IF PHOTOS ARE PROVIDED, MARKUPS OR SKETCHES WITH PERTINENT INFORMATION SUCH AS DIMENSIONS AND GRID LABELS SPECIFICALLY LOCATING ITEMS RELATIVE TO THE PLANS AND DOCUMENTS SHALL ALSO BE PROVIDED.
2. ANY RFI RELATED TO THE REMEDIATION OF NON-CONFORMING WORK IS SUBJECT TO THE FOLLOWING:
   A. NON-CONFORMING WORK INCLUDING, BUT NOT LIMITED TO, MISPLACED OR UNPLACED EMBEDS, DOWELS, OR OPENINGS SHALL BE DOCUMENTED BY NON-CONFORMANCE REPORTS.
   B. ANY RFI ASSOCIATED WITH THE REMEDIATION OF NON-CONFORMING ITEMS SHALL REFERENCE THE ASSOCIATED NON-CONFORMANCE REPORT IN THE RFI.
   C. NON-CONFORMING ITEMS REQUIRING REMEDIATION SHALL BE SUBJECT TO ADDITIONAL SERVICES AT ANY POINT IN THE DURATION OF THE PROJECT. HOURS WILL BE TRACKED AND REPORTED ON ASSOCIATED NON-CONFORMING ITEMS.
   D. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF ANY ADDITIONAL SERVICES AND ENGINEERING FEES ASSOCIATED.
3. ANY REVISED RFI SHALL HAVE A NEW ORIGINATION DATE, NOT THE ORIGINATION DATE OF THE ORIGINAL RFI.
4. THE G.C. SHALL NOTIFY BDD OF ANY RFI RESPONSES FROM OTHER TRADES THAT CONFLICT WITH BDD'S RFI RESPONSE.
5. THE USE OF TEMPORARY CONSTRUCTION EQUIPMENT IS NOT RELATED TO CONTRACT DOCUMENTS, AND THEREFORE IS NOT APPROPRIATE TO BE SUBMITTED FOR REVIEW AS A RFI OR SUBMITTAL AND MAY BE SUBJECT TO ADDITIONAL SERVICES. DESIGN LIVE LOADS ARE PROVIDED FOR ALLOWABLE LOADINGS OF EQUIPMENT.

7. SUBMITTALS

1. THE G.C. SHALL SUBMIT A SCHEDULE OF ALL SUBMITTALS TO BE SENT, INCLUDING SUBMITTAL TITLES AND DATES. THE G.C. SHALL ADHERE TO THE SUBMITTAL SCHEDULE AS CLOSE AS POSSIBLE. WHEN SUBMITTALS ARE ADVANCED AHEAD OF SCHEDULE OR SUBMITTED IN SUCH A WAY THAT THE SCHEDULE IS COMPRESSED, THE REVIEW TIME OF SUBMITTALS IS SUBJECT TO EXPANSION BEYOND THE AGREED UPON REVIEW PERIOD.
2. THE G.C. SHALL PERFORM A THOROUGH REVIEW AND VERIFY THAT THE FOLLOWING ITEMS HAVE BEEN ADDRESSED PRIOR TO SUBMITTING TO THE ARCHITECT AND ENGINEER:
   A. SUBMITTAL IS REQUIRED BY THE PROJECT SPECIFICATIONS.
   B. SUBMITTAL DOES NOT INCLUDE SUBSTITUTION REQUESTS.
   C. SUBMITTAL COVERS INTENDED SCOPE.
   D. SUBMITTAL IS COORDINATED AMONG ALL CONSTRUCTION TRADES.
   E. SUBMITTAL IS BASED ON THE LATEST ISSUED DRAWINGS, INCLUDING ANY PREVIOUS RFI RESPONSES ASSOCIATED WITH INFORMATION CONTAINED WITHIN THE SUBMITTAL.
   F. BDD'S COMMENTS FROM ANY PREVIOUS SUBMITTALS ARE INCORPORATED.
   G. REVISIONS FROM PREVIOUS SUBMITTALS SHALL BE SPECIFICALLY IDENTIFIED BY CLOUDS. ONLY SHEETS CONTAINING REVISIONS ARE TO BE RESUBMITTED.
   H. SUBMITTAL SHALL INCLUDE A STAMP ON EACH SHEET INDICATING THE SPECIFICATION NUMBER, SUBMITTAL NUMBER, AND SUBMITTAL DESCRIPTION. THE STAMP IS LOCATED WHERE PERTINENT INFORMATION IS NOT OBSCURED.
   I. SUBMITTAL DOES NOT USE SHEETS, PLANS, OR DETAILS DIRECTLY FROM THE STRUCTURAL DRAWINGS.
   J. SUBMITTAL COMMENTS FROM THE DETAILER ARE VERIFIED FOR INFORMATION THAT IS PROVIDED IN THE CONTRACT DOCUMENTS, PREVIOUS RFI RESPONSES, OR PREVIOUS SUBMITTAL COMMENTS.
3. SUBMITTALS THAT DO NOT ADHERE TO THE ABOVE REQUIREMENTS ARE SUBJECT TO REJECTION BY BDD.
4. REVIEW OF REVISED SUBMITTALS IS LIMITED TO REVISED SCOPE, ALL COMMENTS FROM THE PREVIOUS REVIEW ARE STILL APPLICABLE UNLESS OTHERWISE NOTED.
5. THE G.C. SHALL BE RESPONSIBLE TO ENSURE THAT BDD'S SUBMITTAL COMMENTS ARE INCORPORATED INTO THE FIELD-USE DRAWINGS.
6. THE SUBMITTAL REVIEW PERIOD SHALL BEGIN UPON BDD'S RECEIPT OF THE SUBMITTAL.
7. PARTIAL SUBMITTALS WILL ONLY BE REVIEWED FOR ITEMS THAT ARE SPECIFIC TO THE SUBMITTAL TITLE.
8. IF ANY OF THE ABOVE SUBMITTAL NOTES ARE IN CONFLICT WITH THE CONTRACT, THE G.C. SHALL NOTIFY BDD PRIOR TO SUBMISSION OF THE FIRST SUBMITTAL.

8. DEFERRED SUBMITTALS

1. DEFERRED SUBMITTALS AS INDICATED IN THE SPECIFICATIONS ARE LISTED BELOW. REFER TO THE SPECIFICATIONS FOR SPECIFIC INFORMATION REQUIRED.
   A. SIGN AND CONNECTIONS TO STRUCTURAL FRAME

9. PRECONSTRUCTION MEETINGS

1. THE GENERAL CONTRACTOR SHALL CONDUCT PRECONSTRUCTION MEETINGS PRIOR TO EACH MAJOR STRUCTURAL ELEMENT INSTALLATION. THE MEETINGS SHALL INCLUDE:
   A. CONSTRUCTION ADMINISTRATION PROCEDURES
   B. STRUCTURAL STEEL
2. EACH MEETING SHALL BE ATTENDED BY THE ARCHITECT/STRUCTURAL ENGINEER. THE GENERAL CONTRACTOR WILL KEEP MEETING MINUTES AND DISTRIBUTE THEM TO THE ATTENDEES.

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STATE OF TEXAS
RYAN W. DONAHUE
92815
REGISTERED
PROFESSIONAL ENGINEER

Jan. 6, 2023

The seal appearing on this document was authorized by Ryan W. Donahue, P.E. on Jan. 6, 2023. Alteration of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Act.

TEXAS CAPITAL BANK
SIGN SUPPORT

DALLAS, TX

Revisions:

Date:
Jan. 6, 2023

Sheet Title
PLANS, DETAILS
& GENERAL NOTES

Sheet No.
S1.00

SPECIAL INSPECTION SCHEDULE NOTES

1. ALL NONDESTRUCTIVE TESTING SHALL BE DOCUMENTED PER AISC 360 SECTION N5.5G AND SHALL IDENTIFY THE TESTED WELD BY PIECE MARK, LOCATION IN THE ELEMENT, AND LOCATION IN THE BUILDING.
2. REDUCTION OF UT TESTING RATE MAY BE DONE IN ACCORDANCE WITH AISC 360 SECTION N5.5E.
3. INCREASE IN UT TESTING RATE SHALL BE DONE IN ACCORDANCE WITH AISC 360 SECTION N5.5F.
4. INSPECTION OF REINFORCMENT, INCLUDING PRESTRESING TENDON PLACEMENT SHALL OCCUR UPON COMPLETION OF THE REINFORCING AND PRESTRESING TENDON INSTALLATION. ANY ITEMS FOUND TO BE DEFICIENT SHALL BE REINSPECTED AFTER CORRECTIVE ACTIONS BY THE CONTRACTOR.
5. INSPECTION OF FORMWORK SHALL OCCUR UPON COMPLETION OF THE FORMWORK ACTIVITIES FOR A GIVEN CONCRETE PLACEMENT.
6. NOT REQUIRED FOR WOOD SHEAR WALLS, SHEAR PANELS AND DIAPHRAGMS WHERE THE SPECIFIED FASTENER SPACING OF THE SHEATHING IS MORE THAN 4 IN. ON CENTER.
7. NOT REQUIRED FOR COLD-FORMED STEEL LIGHT-FRAME SHEAR WALLS AND DIAPHRAGMS WHERE EITHER OF THE FOLLOWING APPLIES:
   - THE SHEATHING IS GYPSUM BOARD OR FIBERBOARD
   - THE SHEATHING IS WOOD STRUCTURAL PANEL OR STEEL SHEETS ON ONLY ONE SIDE OF THE ASSEMBLY AND THE FASTENER SPACING IS MORE THAN 4 IN. ON CENTER.
8. THE RATE OF UT IS PERMITTED TO BE REDUCED IN ACCORDANCE WITH SECTION J6.2G.
9. THE RATE OF MT IS PERMITTED TO BE REDUCED IN ACCORDANCE WITH SECTION J6.2H.
10. FOR ORDINARY MOMENT FRAMES IN STRUCTURES IN RISK CATEGORIES I OR II, UT AND MT OF CJP GROOVE WELDS ARE REQUIRED ONLY FOR DEMAND CRITICAL WELDS.

STATEMENT OF SPECIAL INSPECTIONS

1. SPECIAL INSPECTIONS SHALL BE PROVIDED BY AN INDEPENDENT AGENCY EMPLOYED BY THE OWNER AND APPROVED BY THE BUILDING OFFICIAL FOR THE ITEMS IN THE SPECIFICATIONS AND THE SCHEDULES OF SPECIAL INSPECTIONS.
   A. THE INSPECTION AND TESTING AGENT(S) SHALL BE ENGAGED BY THE OWNER OR THE OWNER'S AGENT, AND NOT BY THE CONTRACTOR OR SUBCONTRACTOR WHOSE WORK IS TO BE INSPECTED OR TESTED. ANY CONFLICT OF INTEREST MUST BE DISCLOSED TO THE BUILDING OFFICIAL PRIOR TO COMMENCING WORK.
2. THE NAME(S) AND QUALIFICATIONS OF THE INSPECTION AGENT(S) SHALL BE SUBMITTED TO THE BUILDING OFFICIAL FOR APPROVAL PRIOR TO THE START OF CONSTRUCTION.
3. THE PURPOSE OF THESE SPECIAL INSPECTIONS IS TO ASSURE THAT GOOD PRACTICES ARE FOLLOWED IN CONSTRUCTING THE PROJECT IN ACCORDANCE WITH THE DESIGN AND THE CONSTRUCTION DOCUMENTS IN ORDER TO ASSURE THE PUBLIC OF THE SAFE CONSTRUCTION AND SUBSEQUENT USE OF THE STRUCTURE.
4. THESE INSPECTIONS DO NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO DO THE WORK PROPERLY IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND DOES NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO CARRY OUT HIS QUALITY CONTROL, INSPECTIONS AND TESTING.
5. SPECIAL INSPECTOR'S RESPONSIBILITY:
   A. SPECIAL INSPECTOR SHALL HAVE ALL QUALIFICATIONS AS OUTLINED BY THE BUILDING OFFICIAL AND THESE QUALIFICATIONS MUST BE ACCEPTABLE TO THE BUILDING OFFICAL.
   B. SPECIAL INSPECTOR SHALL BE TOTALLY FAMILIAR WITH THE INTENT, THE CONTENT, AND THE PROVISIONS OF THE CONTRACT DOCUMENTS RELATING TO THE PART OF THE PROJECT UNDER HIS INSPECTION RESPONSIBILITY.
   C. SPECIAL INSPECTOR SHALL BE RESPONSIBLE TO THE BUILDING OFFICIAL.
6. CONTRACTOR'S RESPONSIBILITY:
   A. CONTRACTOR SHALL COOPERATE WITH THE SPECIAL INSPECTOR IN PERFORMING HIS INSPECTION DUTIES AS SPECIFIED.
      THE SPECIAL INSPECTOR SHALL HAVE FREE ACCESS TO THE PROJECT AT ALL TIMES.
      1. CONTRACTOR SHALL ADVISE THE SPECIAL INSPECTOR IN ADVANCE OF CONSTRUCTION SCHEDULES AND PLANNED OPERATIONS IN ORDER TO ASSURE TIMELY AND APPROPRIATE OBSERVATION AND INSPECTION OF SPECIFIED ITEMS.
      2. CONTRACTOR SHALL MAKE A SET OF APPROVED SHOP DRAWINGS AVAILABLE TO THE SPECIAL INSPECTOR AT THE JOBSITE.
      3. CONSTRUCTION OR WORK FOR WHICH SPECIAL INSPECTION OR TESTING IS REQUIRED SHALL REMAIN ACCESSIBLE AND EXPOSED UNTIL COMPLETION OF THE REQUIRED TASKS.
   B. CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT OF RESPONSIBILITY TO THE BUILDING OFFICIAL AND THE OWNER OR OWNER'S AUTHORIZED AGENT PRIOR TO COMMENCEMENT OF WORK. THE STATEMENT OF RESPONSIBILITY SHALL ACKNOWLEDGE AWARENESS OF THE SPECIAL REQUIREMENTS CONTAINED IN THE STATEMENT OF SPECIAL INSPECTIONS.
7. OWNER'S RESPONSIBILITY:
   A. COST OF EMPLOYING THE SPECIAL INSPECTOR SHALL BE THE RESPONSIBILITY OF THE OWNER.
   B. FINAL INTERPRETATION OF THE CONTRACT DOCUMENTS SHALL REST WITH THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.
8. GENERAL DUTIES OF SPECIAL INSPECTOR:
   A. SPECIAL INSPECTOR SHALL COOPERATE WITH THE CONTRACTOR IN TIMELY OBSERVATIONS AND INSPECTIONS OF APPROPRIATE WORK OUTLINED IN THE SCHEDULE OF SPECIAL INSPECTIONS. HOWEVER, HE SHALL REFRAIN FROM SUPERVISING OR DIRECTING WORKMEN ON THE PROJECT FOR THE CONTRACTOR, AS THIS IS EXPRESSLY NOT PART OF THE SPECIAL INSPECTORS DUTIES OR INSPECTION FUNCTIONS.
   B. SPECIAL INSPECTOR SHALL IMMEDIATELY ALERT THE CONTRACTOR OF ALL DISCREPANCIES AND DEVIATIONS FROM THE CONTRACT DOCUMENTS AND THE APPROVED SHOP DRAWINGS.
   C. SPECIAL INSPECTION REPORTS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE BUILDING OFFICIAL, THE OWNER AND CONTRACTOR.
   D. UPON COMPLETION OF THE BUILDING, A SIGNED AND SEALED STATEMENT BY THE SPECIAL INSPECTOR SHALL BE SUBMITTED TO THE BUILDING OFFICIAL, STATING THAT THE PART OF THE PROJECT UNDER HIS INSPECTION RESPONSIBILITIES HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
9. DEFINITIONS:
   A. CONTINUOUS: THE SPECIAL INSPECTOR IS PRESENT CONTINUOUSLY WHEN AND WHERE THE WORK TO BE INSPECTED IS BEING PERFORMED.
      1. CONTINUOUS MEANS THAT A SPECIAL INSPECTOR HAS TO BE ON SITE ONLY IF ACTUAL CONSTRUCTION IS TAKING PLACE.
   B. PERIODIC: THE SPECIAL INSPECTOR IS INTERMITTENTLY PRESENT WHERE THE WORK TO BE INSPECTED HAS BEEN OR IS BEING PERFORMED.
   C. OBSERVE: THE INSPECTOR SHALL OBSERVE THESE ITEMS ON A RANDOM, DAILY BASIS. OPERATIONS NEED NOT BE DELAYED PENDING THESE INSPECTIONS.
   D. PERFORM: THESE TASKS SHALL BE PERFORMED FOR EACH ITEM (WELDED JOINT, MEMBER, BOLTED CONNECTION, OR ASSEMBLY).
   E. DOCUMENT: THE INSPECTOR SHALL PREPARE REPORTS INDICATING THAT THE WORK HAS BEEN PERFORMED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. WORK NOT IN COMPLIANCE WITH THE CONTRACT DOCUMENTS AND WHETHER THE NONCOMPLIANCE HAS BEEN SATISFACTORILY REPAIRED SHALL BE NOTED IN THE INSPECTION REPORT.

SCHEDULE OF SPECIAL INSPECTIONS

IBC SECTION 1705.1.1: SPECIAL CASES

IBC SECTION 1705.1.1: SPECIAL CASES

REQ'D	SPECIAL INSPECTION TASKS	FREQUENCY	NOTES
Y	CONSTRUCTION MATERIALS AND SYSTEMS THAT ARE ALTERNATIVES TO MATERIALS AND SYSTEMS PRESCRIBED BY THE IBC.	PERIODIC	
Y	UNUSUAL DESIGN APPLICATIONS OF MATERIALS DESCRIBED IN THE IBC.	PERIODIC	
Y	MATERIALS AND SYSTEMS REQUIRED TO BE INSTALLED IN ACCORDANCE WITH ADDITIONAL MANUFACTURER'S INSTRUCTIONS THAT PRESCRIBE REQUIREMENTS NOT CONTAINED IN THE IBC OR IN STANDARDS REFERENCED BY THE IBC.	PERIODIC/ CONTINUOUS PER ESR REPORT	
Y	EPOXY ADHESIVE: THE SPECIAL INSPECTOR MUST BE ON THE JOBSITE INITIALLY DURING ANCHOR OR POST-INSTALLED REINFORCING BAR INSTALLATION TO VERIFY: • ANCHOR OR POST-INSTALLED REINFORCING BAR TYPE • ANCHOR DIMENSIONS • CONCRETE TYPE • CONCRETE COMPRESSIVE STRENGTH • ADHESIVE IDENTIFICATION AND EXPIRATION DATE • HOLE DIMENSIONS • HOLE CLEANING PROCEDURES • SPACING • EDGE DISTANCES • CONCRETE THICKNESS • ANCHOR OR POST-INSTALLED REINFORCING BAR EMBEDMENT • TIGHTENING TORQUE • ADHERENCE TO THE MANUFACTURER'S PRINTED INSTALLATION INSTRUCTIONS. THE SPECIAL INSPECTOR MUST VERIFY THE INITIAL INSTALLATIONS OF EACH TYPE AND SIZE OF ADHESIVE ANCHOR OR POST-INSTALLED REINFORCING BAR BY CONSTRUCTION PERSONNEL ON SITE. SUBSEQUENT INSTALLATIONS OF THE SAME ANCHOR OR POST-INSTALLED REINFORCING BAR TYPE AND SIZE BY THE SAME CONSTRUCTION PERSONNEL ARE PERMITTED TO BE RERFORMED IN THE ABSENCE OF THE SPECIAL INSPECTOR. ANY CHANGE IN THE ANCHOR OR POST-INSTALLED REINFORCING BAR PRODUCT BEING INSTALLED OR THE PERSONNEL PERFORMING THE INSTALLATION REQUIRES AN INITIAL INSPECTION. FOR ONGOING INSTALLATIONS OVER AN EXTENDED PERIOD, THE SPECIAL INSPECTOR MUST MAKE REGULAR INSPECTIONS TO CONFIRM CORRECT HANDLING AND INSTALLATION OF THE PRODUCT.	INITIAL AND PERIODIC AS NOTED	
Y	EPOXY ADHESIVE: CONTINUOUS SPECIAL INSPECTION OF ADHESIVE ANCHORS OR POST-INSTALLED REINFORCING BAR INSTALLED IN HORIZONTAL OR UPWARDLY INCLINED ORIENTATIONS TO RESIST SUSTAINED TENSION LOADS SHALL BE PERFORMED IN ACCORDANCE WITH ACI 318.	CONTINUOUS	
Y	POST-INSTALLED MECHANICAL ANCHORS: INSPECTION DURING ANCHOR INSTALLATION SHALL VERIFY: • ANCHOR TYPE • ANCHOR DIMENSIONS • CONCRETE TYPE • CONCRETE COMPRESSIVE STRENGTH • HOLE DIMENSIONS • HOLE CLEANING PROCEDURES • ANCHOR SPACING • EDGE DISTANCES • CONCRETE THICKNESS • ANCHOR EMBEDMENT • INSTALLATION TORQUE • ADHERENCE TO THE MANUFACTURER'S PUBLISHED INSTALLATION INSTRUCTIONS	PERIODIC	

IBC SECTION 1705.2: STEEL CONSTRUCTION

AISC 360 TABLE N5.4-1: INSPECTION TASKS PRIOR TO WELDING

REQ'D	SPECIAL INSPECTION TASKS PRIOR TO WELDING	ACTION	NOTES
Y	WELDER QUALIFICATION RECORDS AND CONTINUITY RECORDS	OBSERVE	
Y	WELDING PROCEDURE SPECIFICATIONS (WPSS) AVAILABLE	PERFORM	
Y	MANUFACTURER CERTIFICATIONS FOR WELDING CONSUMABLES AVAILABLE	PERFORM	
Y	MATERIAL IDENTIFICATION (TYPE/GRADE)	OBSERVE	
Y	WELDER IDENTIFICATION SYSTEM: THE FABRICATOR OR ERECTOR, AS APPLICABLE, SHALL MAINTAIN A SYSTEM BY WHICH A WELDER WHO HAS WELDED A JOINT OR MEMBER CAN BE IDENTIFIED. STAMPS, IF USED, SHALL BE THE LOW-STRESS TYPE.	OBSERVE	
Y	CONFIGURATION AND FINISH OF ACCESS HOLES	OBSERVE	
Y	FIT-UP OF FILLET WELDS • DIMENSIONS (ALIGNMENT, GAPS AT ROOT) • CLEANLINESS (CONDITION OF STEEL SURFACES) • TACKING (TACK WELD QUALITY AND LOCATION)	OBSERVE	

AISC 360 TABLE N5.4-2: INSPECTION TASKS DURING WELDING

REQ'D	SPECIAL INSPECTION TASKS DURING WELDING	ACTION	NOTES
Y	CONTROL AND HANDLING OF WELDING CONSUMABLES • PACKAGING • EXPOSURE CONTROL	OBSERVE	
Y	NO WELDING OVER CRACKED TACK WELDS	OBSERVE	
Y	WPS FOLLOWED • SETTINGS ON WELDING EQUIPMENT • TRAVEL SPEED • SELECTED WELDING MATERIALS • SHIELDING GAS TYPE/FLOW RATE • PREHEAT APPLIED • INTERPASS TEMPERATURE MAINTAINED (MIN./MAX.) • PROPER POSITION (F, V, H, OH)	OBSERVE	
Y	WELDING TECHNIQUES • INTERPASS AND FINAL CLEANING • EACH PASS WITHIN PROFILE LIMITATIONS • EACH PASS MEETS QUALITY REQUIREMENTS	OBSERVE	

AISC 360 TABLE N5.4-3: INSPECTION TASKS AFTER WELDING

REQ'D	SPECIAL INSPECTION TASKS AFTER WELDING	ACTION	NOTES
Y	WELDS CLEANED	OBSERVE	
Y	SIZE, LENGTH AND LOCATION OF WELDS	PERFORM	
Y	WELDS MEET VISUAL ACCEPTANCE CRITERIA • CRACK PROHIBITION • WELD/BASE-METAL FUSION • CRATER CROSS SECTION • WELD PROFILES • WELD SIZE • UNDERCUT • POROSITY	PERFORM	
Y	ARC STRIKES	PERFORM	
Y	VISUALLY INSPECT *k*-AREA FOR CRACKS WITHIN 3 IN. OF WELDS.	PERFORM	
Y	WELD ACCESS HOLES IN ROLLED HEAVY SHAPES AND BUILT-UP HEAVY SHAPES VISUALLY INSPECTED FOR CRACKS	PERFORM	
Y	BACKING REMOVED AND WELD TABS REMOVED (IF REQUIRED)	PERFORM	
Y	REPAIR ACTIVITIES	PERFORM	
Y	DOCUMENT ACCEPTANCE OR REJECTION OF WELDED JOINT OR MEMBER	PERFORM	
Y	NO PROHIBITED WELDS HAVE BEEN ADDED WITHOUT THE APPROVAL OF THE E.O.R.	OBSERVE	

AISC 360 SECTION N5.5: NONDESTRUCTIVE TESTING

REQ'D	SPECIAL INSPECTION TASKS	ACTION	NOTES
Y	ULTRASONIC TESTING (UT) SHALL BE PERFORMED ON CJP GROOVE WELDS SUBJECT TO TRANSVERSELY APPLIED TENSION LOADING IN BUTT, T-, AND CORNER JOINTS IN MATERIALS 5/16 IN. THICK OR GREATER AT THE FOLLOWING RATES: • 10% OF WELDS IN RISK CATEGORY II • 100% OF WELDS IN RISK CATEGORY III AND IV	PERFORM AND DOCUMENT	1,2,3
Y	WELDED JOINTS SUBJECT TO FATIGUE AS REQUIRED BY TABLE A-3.1 OF AISC 360	PERFORM AND DOCUMENT	1

AISC 360 TABLE N5.6-1: INSPECTION TASKS PRIOR TO BOLTING

REQ'D	SPECIAL INSPECTION TASKS PRIOR TO BOLTING	ACTION	NOTES
Y	INSPECTION TASKS PRIOR TO BOLTING	PERFORM	
Y	MANUFACTURER'S CERTIFICATIONS AVAILABLE FOR FASTENER MATERIALS	OBSERVE	
Y	FASTENERS MARKED IN ACCORDANCE WITH ASTM REQUIREMENTS	OBSERVE	
Y	CORRECT FASTENERS SELECTED FOR THE JOINT DETAIL (GRADE, TYPE, BOLT LENGTH IF THREADS ARE TO BE EXCLUDED FROM SHEAR PLANE)	OBSERVE	
Y	CORRECT BOLTING PROCEDURE SELECTED FOR JOINT DETAIL	OBSERVE	
Y	CONNECTING ELEMENTS, INCLUDING THE APPROPRIATE FAYING SURFACE CONDITION AND HOLE PREPARATION, IF SPECIFIED, MEET APPLICABLE REQUIREMENTS	OBSERVE	
Y	PRE-INSTALLATION VERIFICATION TESTING BY INSTALLATION PERSONNEL OBSERVED AND DOCUMENTED FOR FASTENER ASSEMBLIES AND METHODS USED	OBSERVE	
Y	PROTECTED STORAGE PROVIDED FOR BOLTS, NUTS, WASHERS AND OTHER FASTENER COMPONENTS	OBSERVE	

AISC 360 TABLE N5.6-2: INSPECTION TASKS DURING BOLTING

REQ'D	SPECIAL INSPECTION TASKS DURING BOLTING	ACTION	NOTES
Y	FASTENER ASSEMBLIES PLACED IN ALL HOLES AND WASHERS (IF REQUIRED) ARE POSITIONED AS REQUIRED	OBSERVE	
Y	JOINT BROUGHT TO THE SNUG-TIGHT CONDITION PRIOR TO THE PRETENSIONING OPERATION	OBSERVE	
Y	FASTENER COMPONENT NOT TURNED BY THE WRENCH PREVENTED FROM ROTATING	OBSERVE	
Y	FASTENERS ARE PRETENSIONED IN ACCORDANCE WITH THE RCSC SPECIFICATION, PROGRESSING SYSTEMATICALLY FROM THE MOST RIGID POINT TOWARD THE FREE EDGES	OBSERVE	

AISC 360 TABLE N5.6-3: INSPECTION TASKS AFTER BOLTING

REQ'D	SPECIAL INSPECTION TASKS AFTER BOLTING	ACTION	NOTES
Y	DOCUMENT ACCEPTANCE OR REJECTION OF BOLTED CONNECTIONS	PERFORM	

AISC 360 SECTION N5.8: OTHER INSPECTION TASKS

REQ'D	SPECIAL INSPECTION TASKS	ACTION	NOTES
Y	PLACEMENT OF ANCHOR RODS AND OTHER EMBEDMENTS SUPPORTING STRUCTURAL STEEL: • DIAMETER • GRADE • TYPE • LENGTH • EMBEDMENT DEPTH INTO CONCRETE	PERFORM AND DOCUMENT	
Y	INSPECT THE FABRICATED STEEL OR ERECTED STEEL FRAME, AS APPLICABLE, TO VERIFY COMPLIANCE WITH THE DETAILS SHOWN ON THE CONSTRUCTION DOCUMENTS INCLUDING: • BRACES • STIFFENERS • MEMBER LOCATIONS • CORRECT APPLICATION OF JOINT DETAILS AT EACH CONNECTION	PERFORM AND DOCUMENT	

IBC SECTION 1705.3: CONCRETE CONSTRUCTION

IBC TABLE 1705.3: REQUIRED SPECIAL INSPECTION AND TESTS OF CONCRETE CONSTRUCTION

REQ'D	SPECIAL INSPECTION TASKS	FREQUENCY	NOTES
Y	1. INSPECT ANCHORS POST-INSTALLED IN HARDENED CONCRETE MEMBERS.	-	
Y	A. ADHESIVE ANCHORS INSTALLED IN HORIZONTALLY OR UPWARDLY INCLINED ORIENTATIONS TO RESIST SUSTAINED TENSION LOADS.	CONTINUOUS	
Y	B. MECHANICAL ANCHORS AND ADHESIVE ANCHORS NOT DEFINED IN 4.A.	PERIODIC	

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BDD #22160

STATE OF TEXAS
RYAN W. DONAHUE
92815
REGISTERED
PROFESSIONAL ENGINEER

Jan. 6, 2023

The seal appearing on this document was authorized by Ryan W. Donahue, P.E. on Jan. 6, 2023. Alteration of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Act.

TEXAS CAPITAL BANK SIGN SUPPORT

DALLAS, TX

Revisions:

Date: Jan. 6, 2023

Sheet Title: SPECIAL INSPECTION PLAN

Sheet No. **S1.01**

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Agenda Information Sheet

File #: 23-709 Item #: 20.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southeast elevation).
Staff Recommendation: **Approval**.
Applicant: Patrick Riland of Petri Electric, Inc.
Owner: Union Investment Real Estate, GmbH
Planner: Jason Pool
Council District: 14
2301160002

powered by Legistar™

Planner: Jason Pool

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)

DOWNTOWN SPECIAL PROVISION SIGN DISTRICT

CASE NUMBER: 2301160002 **DATE FILED:** January 16, 2023
LOCATION: 2000 McKinney Avenue, Ste. 810 (southeast elevation) **SIZE OF REQUEST:** 273.8 sq. ft.

COUNCIL DISTRICT: 14 **ZONING:** PD 193, PDS 68

APPLICANT: Patrick Riland of Petri Electric, Inc.

OWNER: Union Investment Real Estate, GmbH

TENANT: Texas Capital Bank

REQUEST: An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southeast elevation).

SUMMARY: The applicant proposes to install 273.8-square-foot LED-illuminated channel letter set, against the façade facing Woodall Rodgers Freeway, bearing the name Texas Capital and a logo.

STAFF RECOMMENDATION: **Approval**

SSDAC RECOMMENDATION: **Approval**

BACKGROUND:

- The subject site is located in Downtown SPSD within the Perimeter Subdistrict. This subdistrict follows base zoning. PDS 68 is a business zoning sign district.

  These regulations are established in: Sec. 51A-7.900 (Specific details included below).

- The applicant proposes to install 273.8-square-foot LED-illuminated channel letter set, against the façade facing Woodall Rodgers Freeway, bearing the name Texas Capital and a logo. All sign elements are constructed entirely of metal, plastic, and LED lighting. The sign will consist of five-inch-deep channel letters, mounted to a three-inch by three-inch aluminium frame. All channel letters are proposed to have plastic faces that are secured by metal retainers. Each face is to be backlit with LED lighting, colored to match each face. The star portion of the logo and all lettering will have white faces with retainers and returns that are painted TCB trade dress blue. The ring portion of the logo will have a red face with matching retainers and returns. The interior ring of the logo will contain a back panel that is painted to match the wall color. The horizontal projection of the sign is not exceed more than ten-inches from the surface of the wall, while the vertical projection is not to exceed more than four-feet above the top of the wall.

- This is the second of three applications under review by this body for this site. This sign is to be located on northwest elevation, and is submitted as Sign 002. The existing Texas Capital Bank sign on this façade is to be removed. The remaining signs were approved under director procedure.

- Construction of the proposed sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per Sec. 51A-7.900.

51A-7.902 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 the downtown area while addressing the diversity of businesses and promoting the economy of downtown. The general objectives of this division include those listed in Section 51A-7.101 as well as aesthetic considerations to ensure that signs are appropriate to the architecture of the district, do not obscure significant architectural features of its buildings, and lend themselves to the developing retail and residential uses and the pedestrian character of the area. The district regulations are in large part inspired by the high level of pedestrian activity and the need to maximize effective orientation of signage toward the walking public. (Ord. Nos. 19455; 20167; 21404; 24606)

51A-7.305 ATTACHED SIGNS.

(b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.

(c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.

(e) Attached signs may project more than 18 inches from vertical building planes as follows:

(2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached.

The effective area of the proposed sign covers less than one-percent of the total façade area. The sign is composed of three words including Texas, Capital, and a logo. The projection on the finished sign is approximately 10-inches horizontally from the building surface and will not extend more than four-feet vertical from the top of the wall to which it is attached.

51A-7.905 SPECIAL PROVISIONS FOR ATTACHED SIGNS.

(a) Except as provided in Sections 51A-7.908, 51A-7.914, and 51A-7.915, a person shall not alter, place, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city.

(b) The procedure for obtaining a sign permit is outlined in Section 51A-7.505 of this article. Section 51A-7.602 of this article does not apply to signs in this district.

(c) A person who violates Subsection (a) is guilty of a separate offense for each day or portion of a day during which the violation is continued. (Ord. Nos. 20167; 21404; 24606; 24925)

51A-7.505 PERMIT PROCEDURES FOR SPECIAL PROVISION SIGN DISTRICTS.

(B) **Factors the committee shall consider.** In reviewing an application, the committee shall first consider whether the applicant has submitted sufficient information for the committee to make an informed decision. If the committee finds the proposed sign to be consistent with the special character of the special provision sign district, the committee shall make a recommendation of approval to the city plan commission. The committee shall consider the proposed sign in terms of its appropriateness to the special provision sign district with particular attention to the effect of the proposed sign upon the economic structure of the special provision sign district and the effect of the sign upon adjacent and surrounding premises without regard to any consideration of the message conveyed by the sign. After consideration of these factors, the committee shall recommend approval or denial of the application and forward that recommendation to the city plan commission.

(6) Decision by the commission. Upon receipt of a recommendation by the committee, the commission shall hold a public hearing to consider the application. At least 10 days before the hearing, notice of the date, time, and place of the hearing, the name of the applicant, and the location of the proposed sign must be published in the official newspaper of the city and the building official shall serve, by hand-delivery or mail, a written notice to the applicant that contains a reference to this section, and the date, time, and location of this hearing. A notice sent by mail is served by depositing it properly addressed and postage paid in the United States mail. In addition, if the application is for a detached sign or for an attached sign that has more than 100 square feet of effective area, the applicant must post the required number of notification signs in accordance with Section 51A-1.106. In making its decision, the commission shall consider the same factors that were required to be considered by the committee in making its recommendation. If the commission approves the application, it shall forward a certificate of appropriateness to the building official within 15 days after its approval. If the commission denies the application, it shall so inform the building official in writing. Upon receipt of the written denial, the building official shall so advise the applicant within five working days of the date of receipt of the written notice.

Property Ownership
Union Investment Real Estate, GmbH
1330 6th Avenue, Ste. 800A
New York, NY 10019

Officer names: See Following Schedule

Tenant Ownership
Texas Capital Bank
2000 McKinney Ave, Ste. 810
Dallas, TX 75201

Officer names: See Following Schedule

Owner and Tenant for 2000 McKinney Signage Permit Submittal

Owner:

Union Investment Real Estate, GmbH
Diana Steinfurth-Schmidt
Ulrich Dischler.

Tenant:

Texas Capital Bank, a State Bank
Rob Holmes
John Cummings
Catherine R. Zalatoris

SSDAC Action:

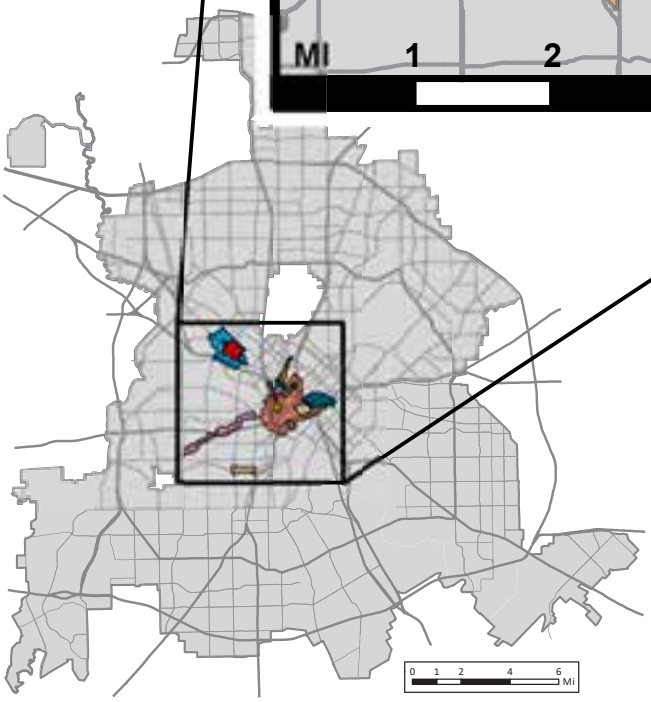
February 14, 2023

MOTION: It was moved to **approve**:
An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 273.8-square-foot illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southeast elevation).

Maker:	Dumas
Second:	Hardin
Result:	Carried: 3 to 0

For:	3	- Peadon, Hardin, and Dumas
Against:	0	- none
Absent:	2	- Haqq and Webster
Conflict:	0	- none

Speakers: Patrick Riland of Petri Electric
Kurt Monigle of Monigle
Catherine Zalatoris of Texas Capital



LEGEND

- Downtown
- West End
- Southside Entertainment
- Farmers Market
- Deep Ellum
- Arts District
- Arts District Extension
- Uptown
- McKinney Avenue
- West Village
- Jefferson Special Purpose District
- Parkland Hospital
- Southwestern Medical District
- West Commerce Street / Fort Worth Avenue
- Victory Sign District

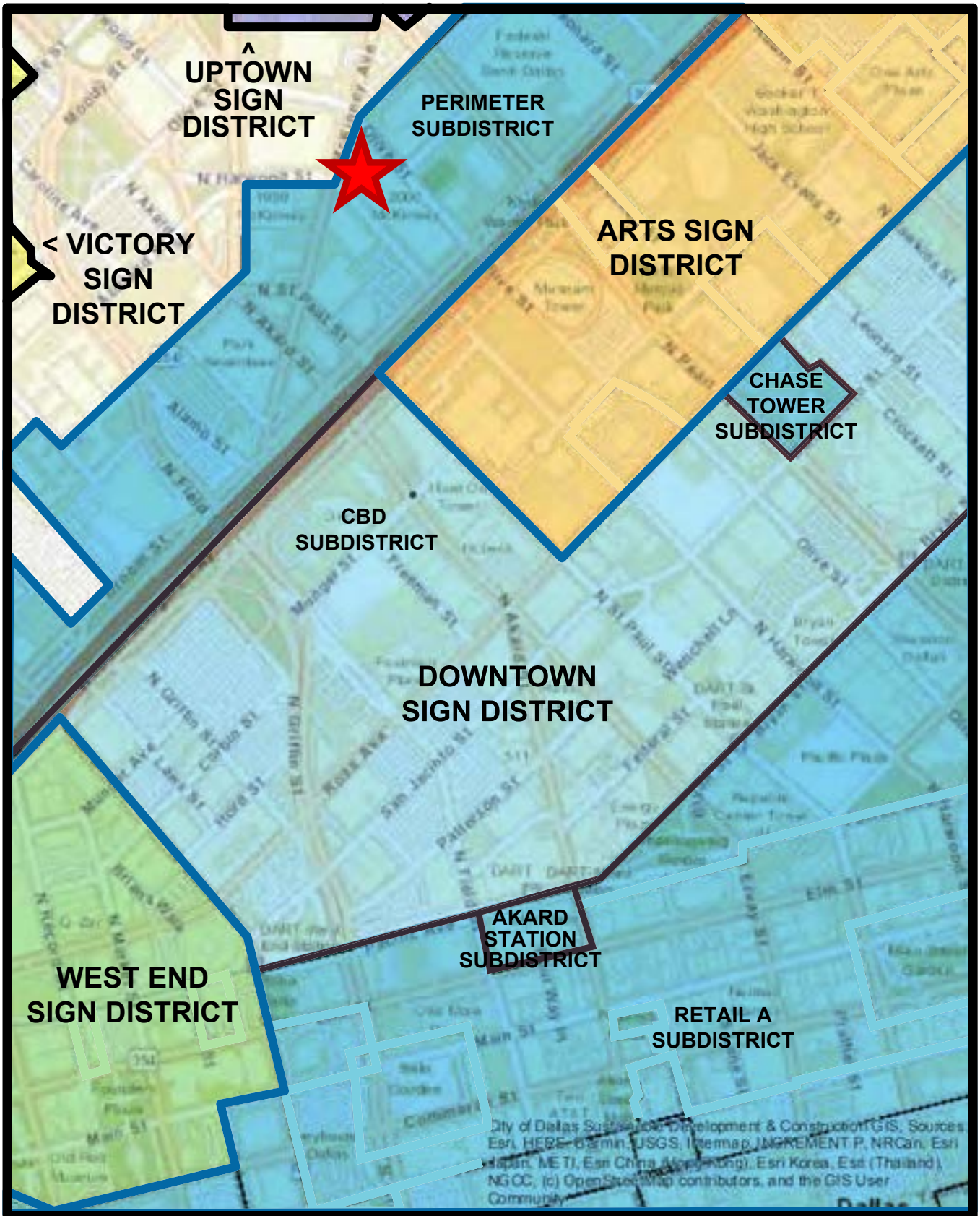
SPSD MAP

2000 McKinney Ave

Downtown Sign District - Perimeter

Case no: 2301160003

Date: 02/06/2023



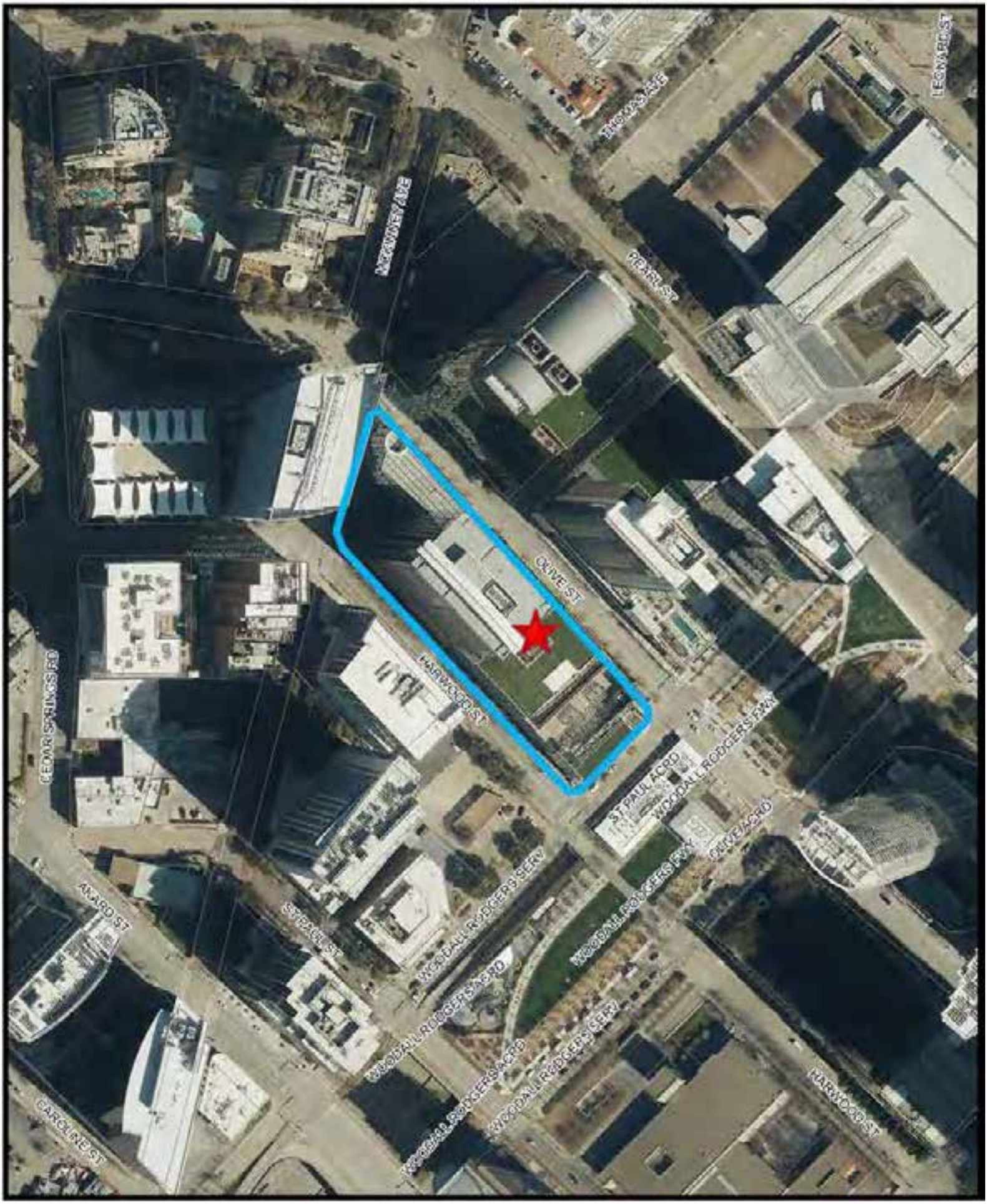
SPSD MAP

2000 McKinney Ave

Downtown Sign District - Perimeter

Case no: **2301160003**

Date: **02/06/2023**



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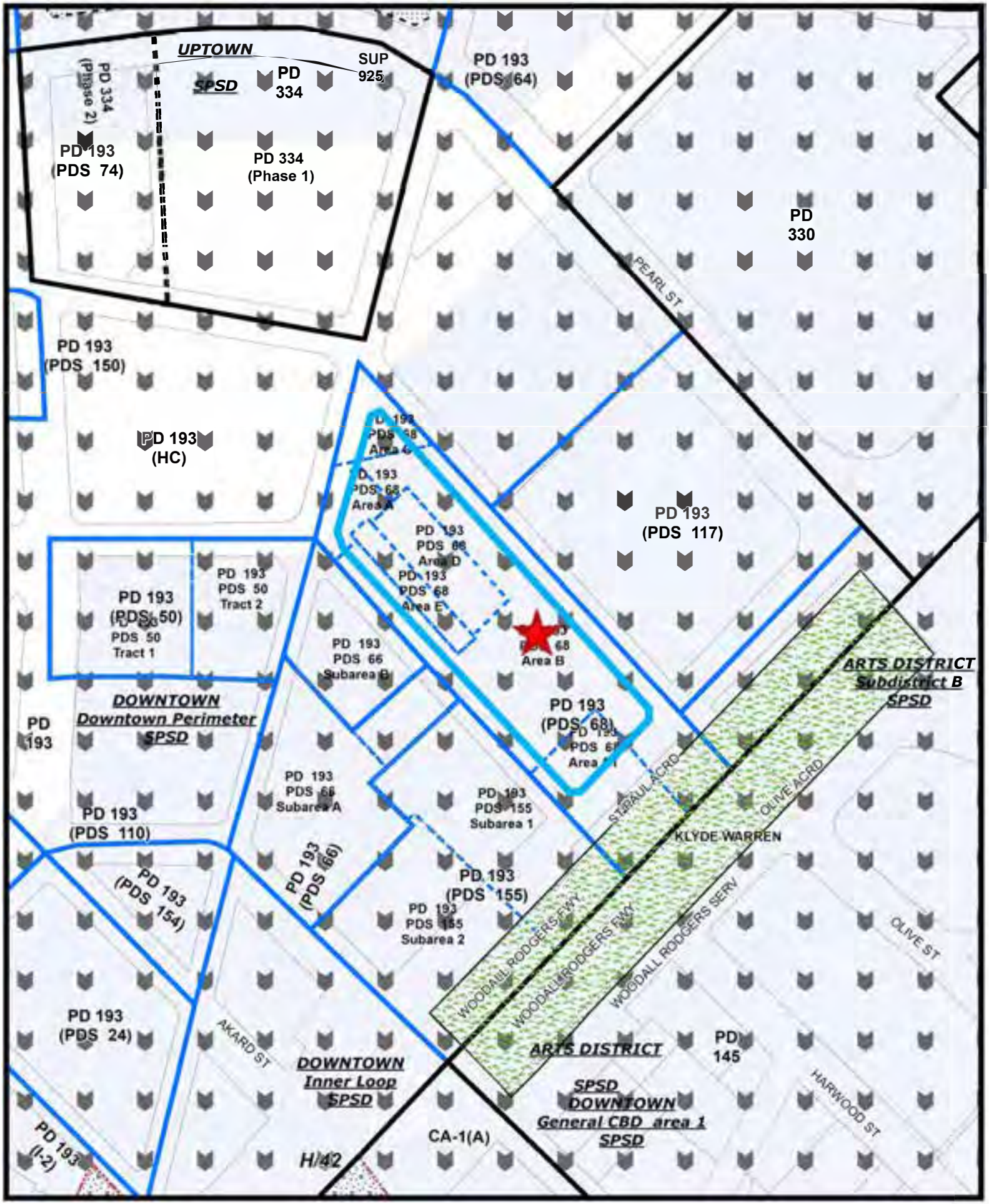
Aerial Map - 2000 McKinney Ave

20-10

Printed Date: 2/6/2023



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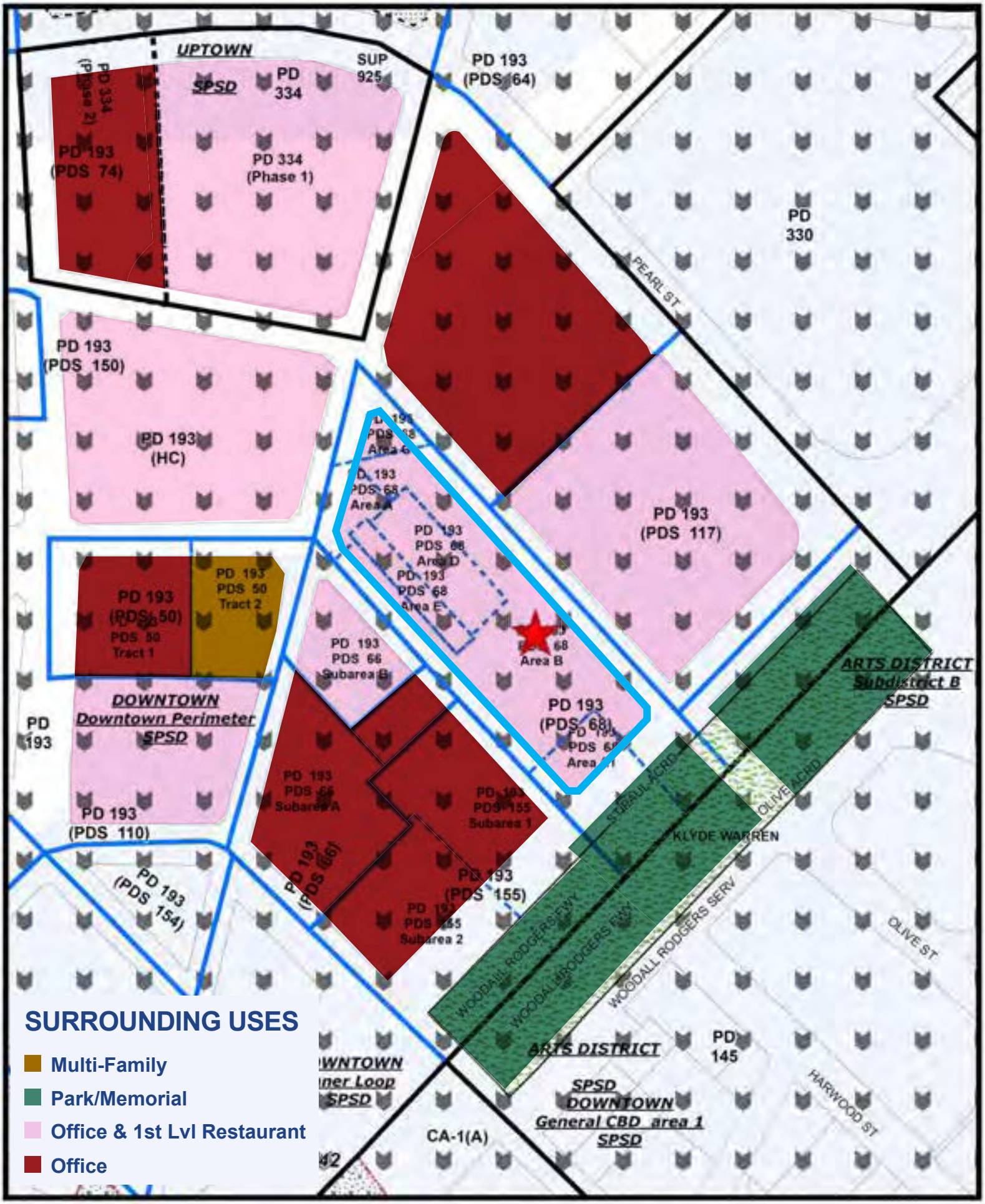
Zoning Map - 2000 McKinney Ave

20-11

Printed Date: 2/6/2023



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Surrounding Uses - 2000 McKinney Ave

20-12

Printed Date: 2/6/2023

Job 175787373-002 (2301160002)

Job Edit

Miscellaneous Transaction

Job 175787373-002 (2301160002)

Electrical Sign (ES) ATTACHED - SIGN 002; SE ELV (A) New Construction

Status: Paid Created By: JPOOL Date Created: Jan 16, 2023

Date Completed: Jan 16, 2023

Parent Job: 175787373-001 (2301111120)

Specific Location: 2000 MCKINNEY - 273.8 SF ILLUMINATED ATTACHED SIGN - SE ELV

Details

Customer
Riland, Patrick
907 N Bowser
Richardson, TX 75081
(214) 729-9115

Fee Amount

FeeType

Staff Email JASON.POOL@DALLAS.GOV

Details

Fees (EXT): 2301160002 5BN - Special Provision Sign District fee $345.00
Adjusted:$0.00 Paid:$345.00 Owed:$0.00

Customer: Riland, Patrick
907 N Bowser
Richardson, TX 75081 (214) 729-9115

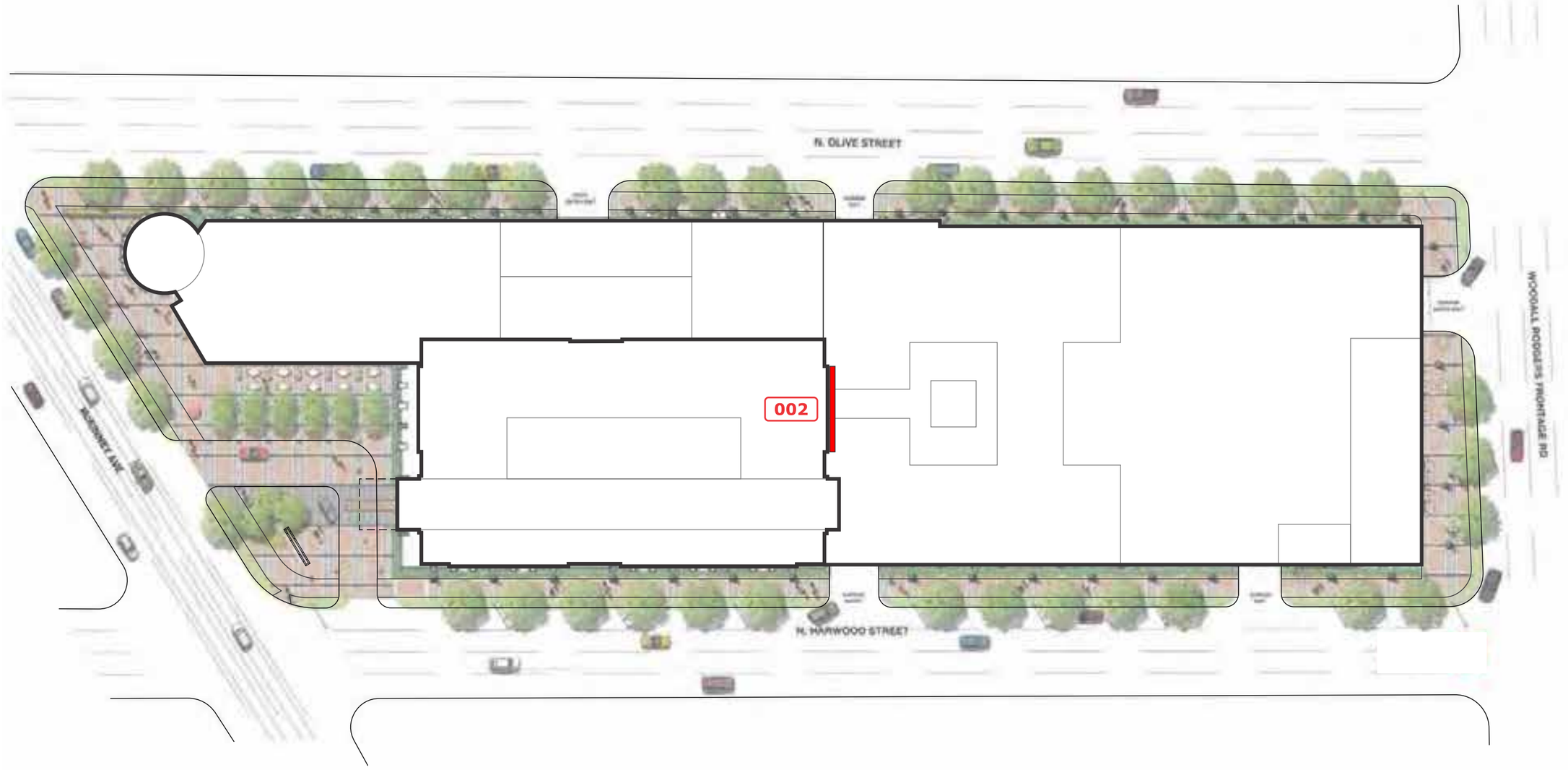
Fees

Description / Posted Date	Amount	Tax	Total	Balance
5BN - Special Provision Sign District fee	$345.00	$0.00	$345.00	$0.00
Receipt Number: 789775 $345.00	($345.00)	$0.00	($345.00)	
				$0.00

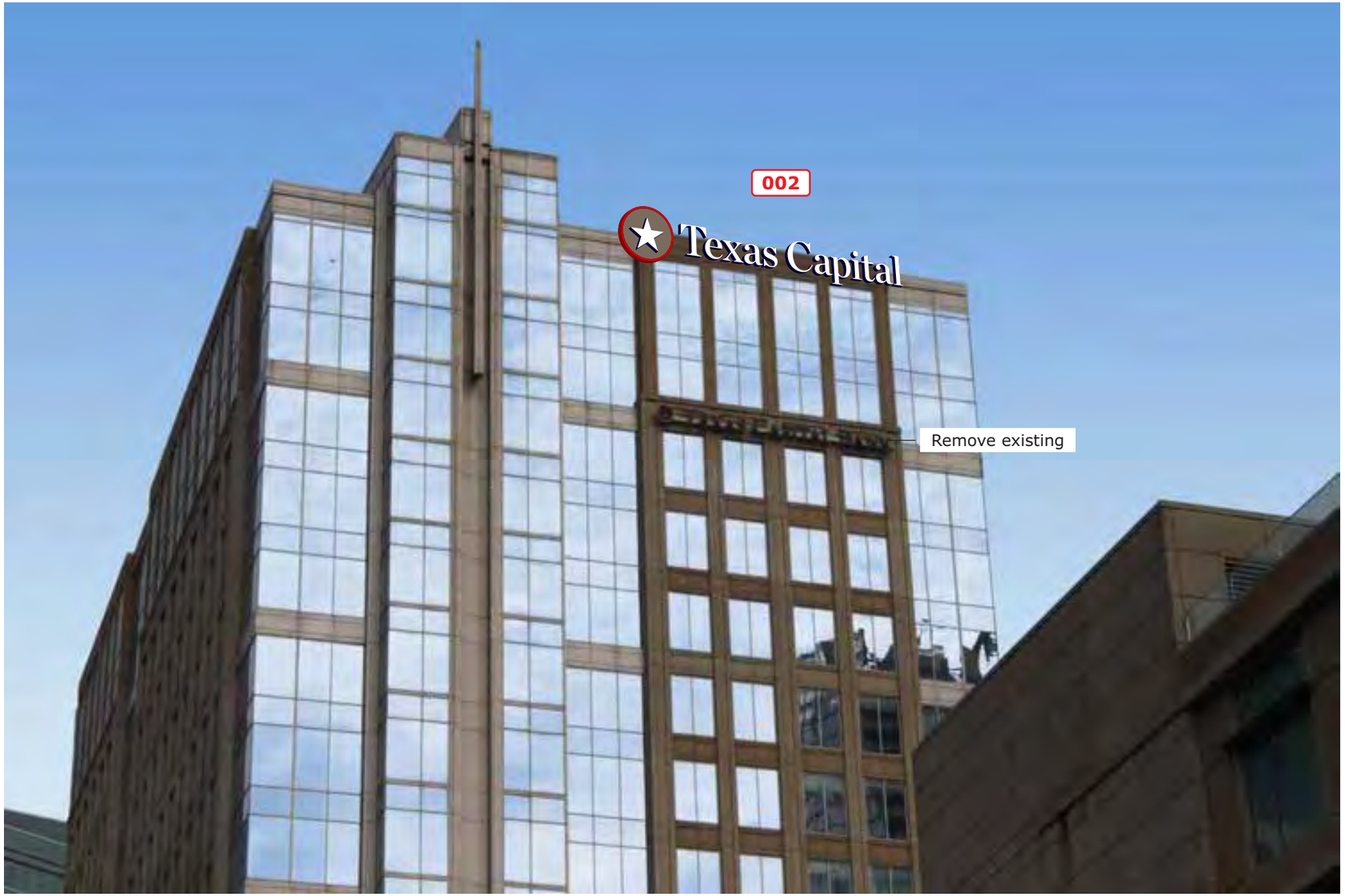
Processes

Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
System Fee Collection						
SICASHIERINTERFACE	Complete	Collected				Jan 16, 2023 10:39:29
Auto generated System Fee Collection						

Site plan

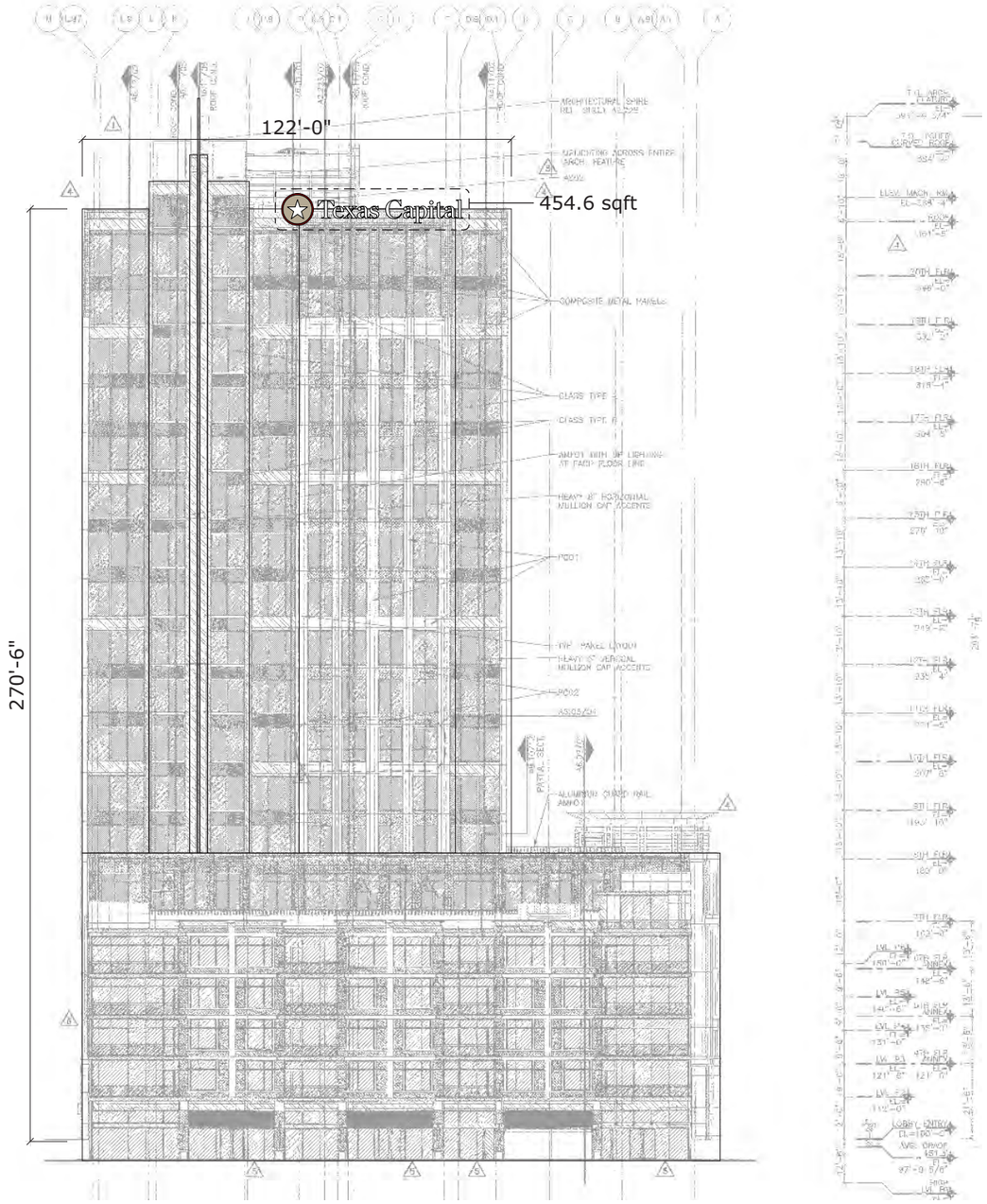

N. OLIVE STREET
002
N. HARWOOD STREET
WOODALL RODGERS FRONTAGE RD

Rooftop Letters / 5'-0" Channel letters



East elevation

East elevation

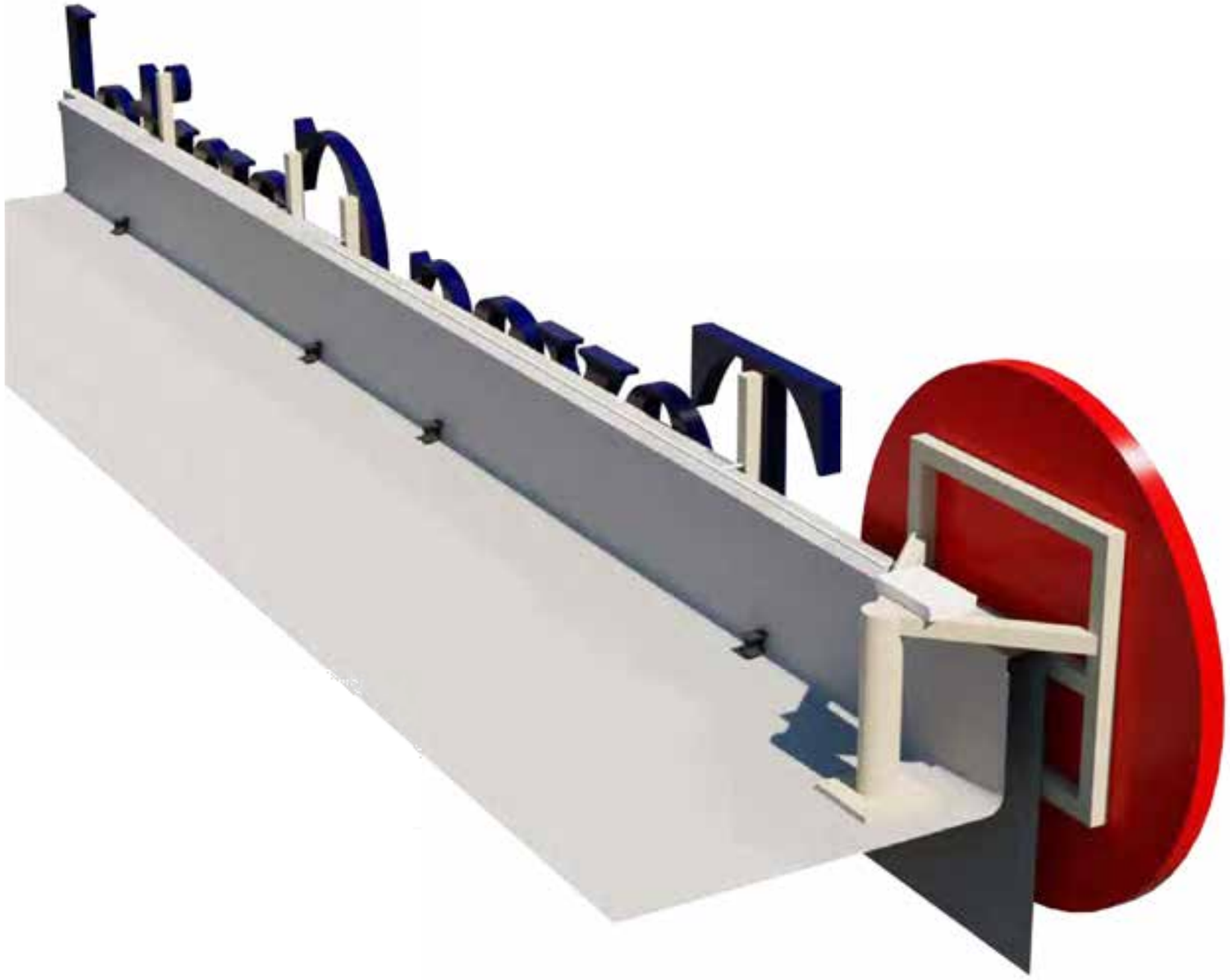


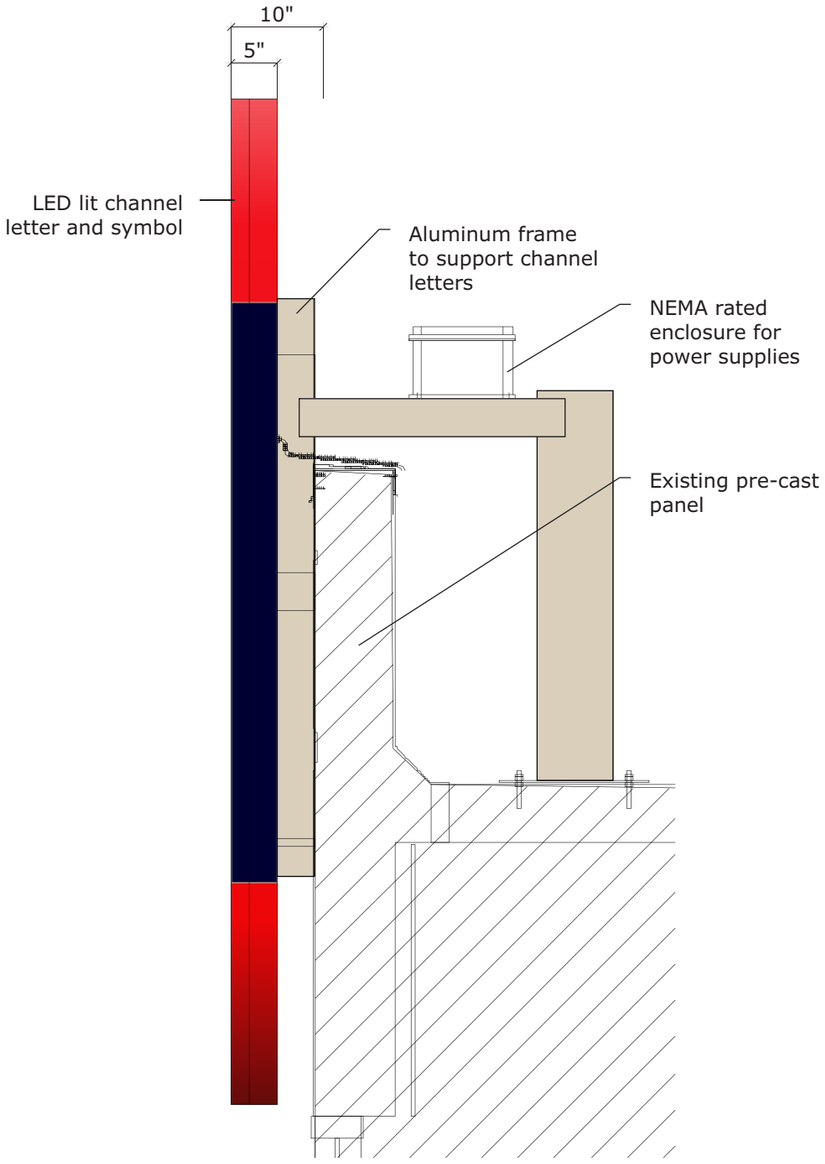
Rooftop Letters / 5'-0" Channel letters

Daytime

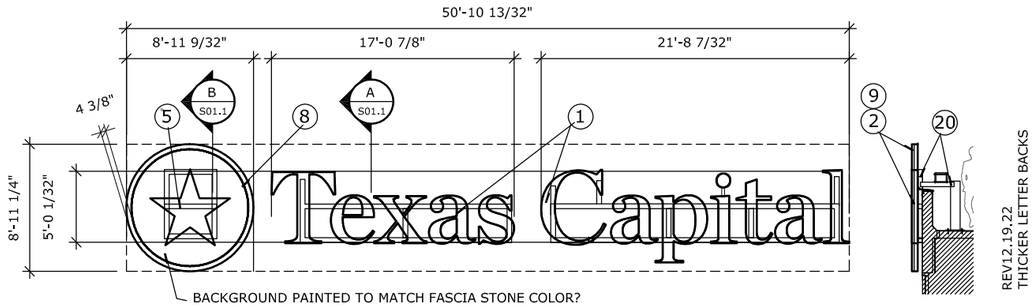
Nighttime

Rooftop Letters / Conceptual framing detail





Vertical section

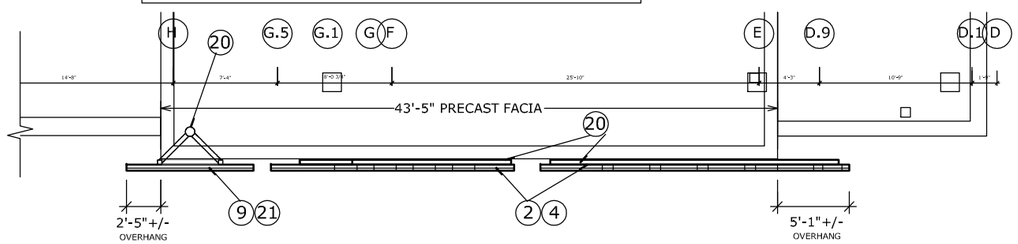


1 5' WHITE CHANNEL LETTERS (454.6 sq ft)
SIGN# 002
SCALE: 3/32"=1'-0"

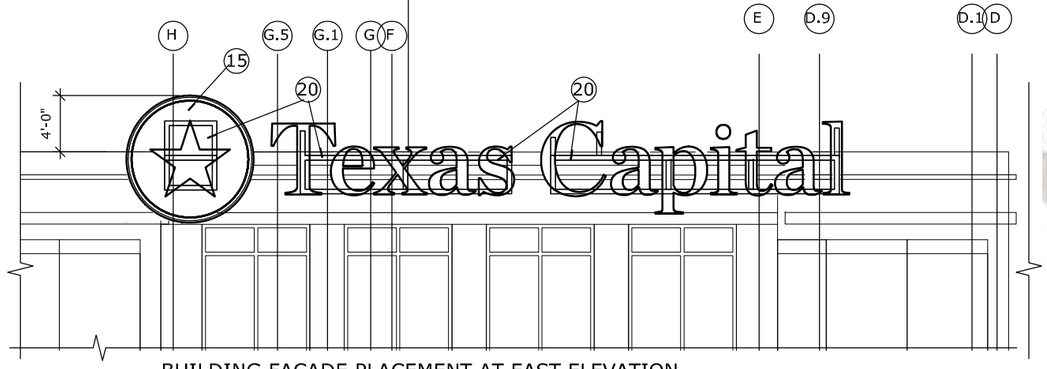
2 SIDE VIEW
SCALE: 3/32"=1'-0"

REV12.19.22
THICKER LETTER BACKS

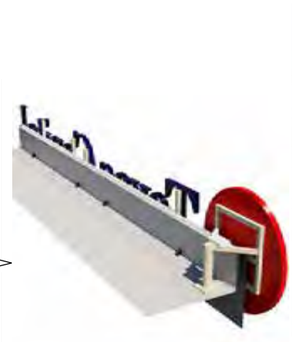
SEE PAGE 3-5
ROOFTOP LETTERS /5'-0 CHANNEL LETTERS
FOR FULLCOLOR SIGN ELEVATION AND EXISTING SITE CONDITIONS



2 TOP VIEW AT EAST ELEVATION
SCALE: 3/32"=1'-0"

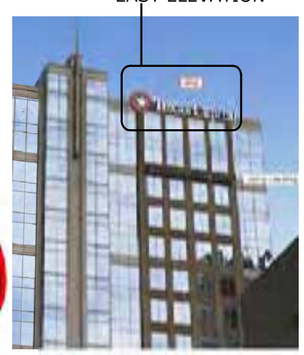


3 BUILDING FACADE PLACEMENT AT EAST ELEVATION
SCALE: 3/32"=1'-0"



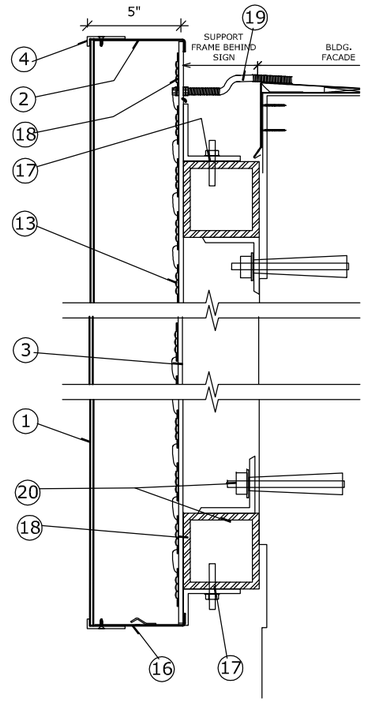
REAR VIEW

EAST ELEVATION

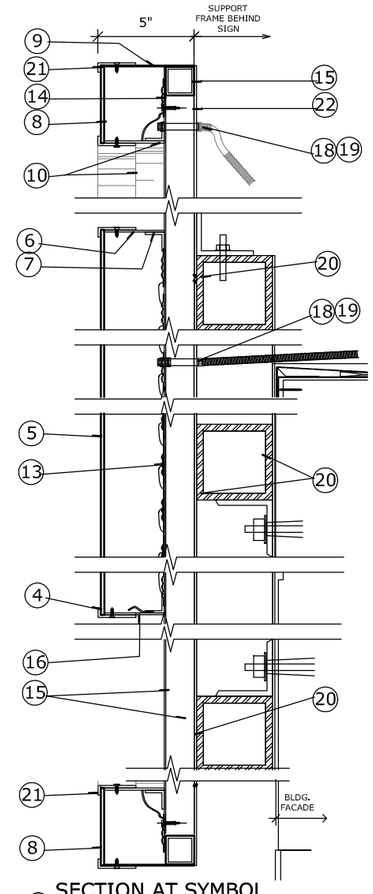


NOTES FOR TCB ROOFTOP LETTERS

1. LETTER FACES TO BE .177" WHITE TRANSLUCENT POLYCARBONATE, PLASKOLITE SG05 7328 WHITE OR APPROVED EQUAL. USE ARTWORK PROVIDED BY DESIGNER.
2. LETTER RETURNS TO BE .090" ALUMINUM. FORM AS SHOWN. PAINT FINISH EXTERIOR SURFACE TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURFACES WITH LIGHT ENHANCEMENT PAINT. FORM AS SHOWN. USE ARTWORK PROVIDED BY DESIGNER.
3. LETTER BACKS TO BE .25" ALUMINUM. PAINT FINISH EXTERIOR SURFACE TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR WITH LIGHT ENHANCEMENT PAINT.
4. LETTER & STAR TRIM CAP TO BE .090" ALUMINUM FABRICATED RETAINERS WITH RETURN ON FACE TO SECURE LETTER FACES. PAINT RETURN LEGS TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH FACE RETURN TCB WHITE. SEMI-GLOSS FINISH. ATTACH THROUGH LETTER RETURNS WITH STAINLESS STEEL PAN HEAD SCREWS. PAINT HEADS TO MATCH RETURNS.
5. "STAR" FACE TO BE .177" WHITE TRANSLUCENT POLYCARBONATE, PLASKOLITE SG05 7328 WHITE. USE ARTWORK PROVIDED BY DESIGNER.
6. "STAR" RETURNS TO BE .090" ALUMINUM. CHEM WELD TO ALUMINUM ANGLE FRAME. PAINT FINISH EXTERIOR SURFACES TCB BLUE. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURACES WITH LIGHT ENHANCEMENT PAINT.
7. 1"X1"X .125" ALUMINUM ANGLE "STAR" FRAME. MITER CUT, WELD, AND GRIND SMOOTH AT CORNERS. MECHANICALLY ATTACH FRAME TO .125" ALUMINUM BACKING SHEET WITH STAINLESS STEEL PAN HEAD SCREWS.
8. "CIRCLE" FACE TO BE .177" PLASKOLITE WHITE TRANSLUCENT (2447 LD) OR APPROVED EQUAL. FIRST SURFACE DECORATE WITH 3M 3630-93 FIRE ENGINE RED. OVERLAMINATE WITH 3M 3660M.
9. "CIRCLE" EXTERIOR RETURN TO BE .090" ALUMINUM. PAINT FINISH EXTERIOR SURFACE TCB RED. SEMI-GLOSS FINISH. PAINT FINSH INTERIOR SURFACE WITH LIGHT ENHANCEMENT PAINT.
10. "CIRCLE" INTERIOR RETURN TO BE .090" ALUMINUM. CHEM WELD TO ALUMINUM ANGLE FRAME. PAINT FINISH EXTERIOR SURFACES TCB RED. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURACES WITH LIGHT ENHANCEMENT PAINT.
11. 1"X1"X .125" ROLLED ALUMINUM ANGLE "CIRCLE" INTERIOR FRAME. MITER CUT, WELD, AND GRIND SMOOTH AT CORNERS. MECHANICALLY ATTACH FRAME TO .125" ALUMINUM BACKING SHEET WITH STAINLESS STEEL PAN HEAD SCREWS.
12. "CIRCLE" RETURNS TO BE .090" ALUMINUM. CHEM WELD TO ALUMINUM ANGLE FRAME. PAINT FINISH EXTERIOR SURFACES TCB RED. SEMI-GLOSS FINISH. PAINT FINISH INTERIOR SURACES WITH LIGHT ENHANCEMENT PAINT.
13. LETTER AND "STAR" LEDS TO BE 6500K WHITE. SLOANLED OR APPROVED EQUAL. LED MANUFACTURER TO PROVIDE LED MODULE SPECIFICATION, LAYOUTS, AND POWER SUPPLY REQUIRMENTS AS REQUIRED TO PROVIDE EVEN ILLUMINATION ACROSS SIGN FACE WITHOUT HOT SPOTS OR SHADOWS.
14. "CIRCLE" LEDS TO BE 623NM RED. SLOANLED OR APPROVED EQUAL. LED MANUFACTURER TO PROVIDE LED MODULE SPECIFICATION, LAYOUTS, AND POWER SUPPLY REQUIRMENTS AS REQUIRED TO PROVIDE EVEN ILLUMINATION ACROSS SIGN FACE WITHOUT HOT SPOTS OR SHADOWS.
15. 1 ½"X 1 ½"X .125" ROLLED ALUMINUM TUBE FRAME. PROVIDE 1 ½" X 1 ½" X .125" ALUMINUM VERTICAL TUBE BRACING AT QUARTER POINTS. CHEM WELD.125" ALUMINUM BACKING SHEET FIRST SURFACE TO FRAME. PAINT FINSH BACKING SHEET TO MATCH EXISTING PRECAST PANEL SYSTEM.
16. PROVIDE WEEP HOLES WITH LIGHT SCREEN AS REQUIRED TO MEET UL.
17. 3"X3"X.25" ALUMINUM MOUNTING CLIPS WELDED TO ALUMINUM LETTER BACKS. PAINT TO MATCH LETTERS. MECHANICALLY ATTACH TO STRUCTRUAL SUPPORT FRAME WITH STAINLEES STEEL SELF TAPPING TEK SCREWS.
18. PROVIDE GREENFIELD CONNECTORS TO MEET U.L.
19. PROVIDE LIQUIDTITE FLEXIBLE CONDUIT TO NEMA RATED EXTERIOR POWER SUPPLY BOXES ON THE SUPPORT STRUCTURE.
20. SEE STRUCTURAL DRAWINGS S1.00 FOR MEMBER CALL OUTS AND ATTACHMENT.
21. "CIRCLE" TRIM CAP TO BE .090" ALUMINUM FABRICATED RETAINERS WITH RETURN ON FACE TO SECURE LETTER FACES. PAINT FINISH TCB RED. SEMI-GLOSS FINISH. ATTACH THROUGH LETTER RETURNS WITH STAINLESS STEEL PAN HEAD SCREWS. PAINT HEADS TO MATCH RETURNS.
22. .125" ALUMINUM BACKING SHEET. PAINT FINISH EXTERIOR SURFACE TCB RED. SEMI-GLOSS FINISH.



A SECTION AT LETTERS
SCALE: 1 1/2"=1'-0"



B SECTION AT SYMBOL
SCALE: 1 1/2"=1'-0"

ROOFTOP LETTERS FOR EAST FACADE

These documents are for design intent and shall be used only as a guide to produce the finished sizes, appearances and functions shown. Nothing contained in these documents shall be construed as a design for any engineered element. The fabricator/contractor shall be responsible for all structural, electrical, mechanical and foundation engineering. See General Specifications for additional requirements. These documents were not produced under an architectural services agreement. These drawings are part of an original unpublished design by Monigle Associates, Inc. The detailing and information contained on these pages shall not be reproduced, copied or utilized except for the specific project for which they were created, without previous written authorization from Monigle Associates, Inc. © Monigle Associates, Inc. "All Rights Reserved" 150 Adams Street - Denver, Colorado 80206

Client:	Client	Checked By:		Rev No:	
Job Number:		Approval:		Rev No:	
Drawn By:		Scale:	As indicated	Rev No:	
Date:	00.00.00			Rev No:	

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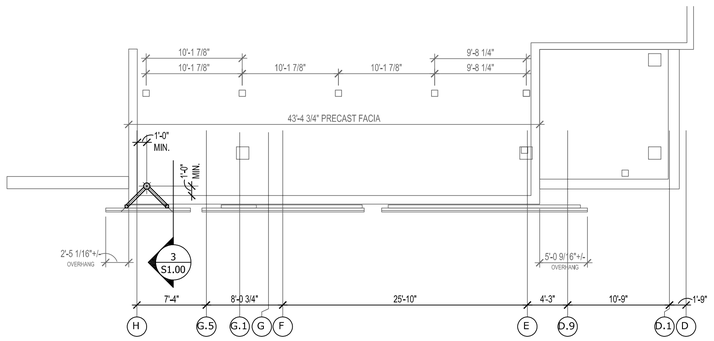
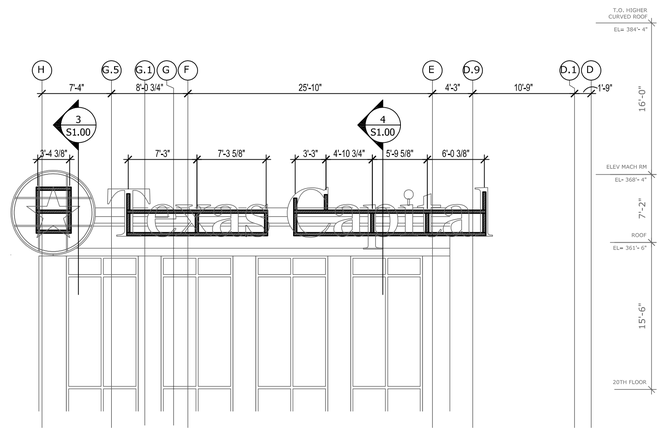
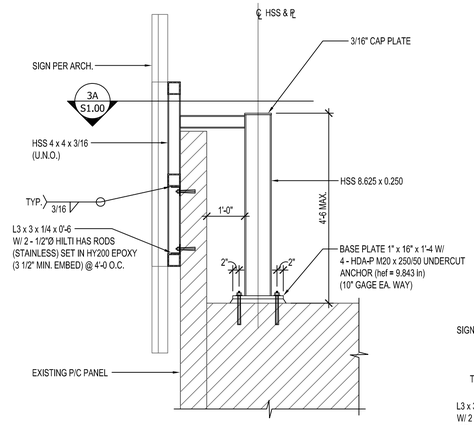


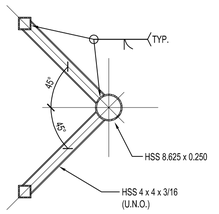
1 PLAN VIEW
Scale: 1/8" = 1'-0



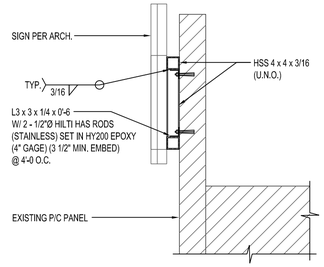
2 ELEVATION VIEW
Scale: 1/8" = 1'-0"



3 SECTION
Scale: 1/2" = 1'-0"



3A PLAN VIEW
Scale: 1/2" = 1'-0"



4 SECTION
Scale: 1/2" = 1'-0"

GENERAL NOTES

1. DESIGN CRITERIA

1. THE STRUCTURAL DESIGN IS IN ACCORDANCE WITH THE PROVISIONS OF THE INTERNATIONAL BUILDING CODE, 2018 EDITION.
2. DESIGN LOADS ARE LISTED BELOW:
   A. WIND LOADS: ASCE 7-16 V = 115 MPH

2. GENERAL NOTES

1. BDD WILL PROVIDE STRUCTURAL OBSERVATIONS AT AN INTERVAL TO BE AGREED UPON WITH THE OWNER.
2. THE CONTRACTOR SHALL ENSURE THAT CONSTRUCTION MATERIALS WHOSE WEIGHT EXCEEDS THE DESIGN LIVE LOADS INDICATED ON THE STRUCTURAL DRAWINGS ARE NOT STORED ON STRUCTURALLY SUPPORTED FLOOR OR ROOF FRAMING.
3. THE USE OF EPOXY AND ACRYLIC ADHESIVES IS NOT PERMITTED FOR USE AT MISPLACED AND/OR OMITTED EMBEDS, DOWELS, OR OTHER ITEMS INTENDED TO BE ANCHORED IN CONCRETE UNLESS SPECIFICALLY NOTED ON DRAWINGS.
4. G.C. TO LOCATE ALL EXISTING REINFORCEMENT AND POST-TENSIONING PRIOR TO INSTALLING ANCHORS AND AVOID ANY DAMAGE TO EXISTING REINFORCEMENT AND POST-TENSIONING.
5. PRINCIPAL OPENINGS ARE SHOWN ON THE DRAWINGS. REFER TO ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS FOR SLEEVES, CURBS, INSERTS AND OTHER OPENINGS NOT SHOWN. THE CONTRACTOR SHALL PROVIDE FOR ALL THESE ITEMS WHETHER SHOWN ON THE STRUCTURAL DRAWINGS OR NOT. THE GENERAL CONTRACTOR SHALL VERIFY THE SIZE AND LOCATION OF ALL OPENINGS WITH THE MECHANICAL SUBCONTRACTOR AND SHALL COORDINATE THEM WITH THE MECHANICAL EQUIPMENT PURCHASED. ANY DEVIATION FROM OR ADDITIONS TO OPENINGS SHOWN ON THE STRUCTURAL DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND STRUCTURAL ENGINEER FOR APPROVAL PRIOR TO FABRICATION OR INSTALLATION OF STRUCTURAL MEMBERS.
6. REFER TO ARCHITECTURAL DRAWINGS FOR DIMENSIONS AND ELEVATIONS NOT SHOWN AND FOR EXACT LOCATIONS OF ALL SLAB DEPRESSIONS.
7. THE CONTRACTOR SHALL COMPARE THE STRUCTURAL SECTIONS WITH THE ARCHITECTURAL SECTIONS AND REPORT ANY DISCREPANCY TO THE ARCHITECT AND STRUCTURAL ENGINEER PRIOR TO FABRICATING OR INSTALLING STRUCTURAL MEMBERS.

3. STRUCTURAL STEEL NOTES

1. STRUCTURAL STEEL SHALL BE NEW AND SHALL CONFORM TO AISC's "SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS," LATEST APPROVED EDITION.
2. BOLTS AND BOLTED CONNECTIONS SHALL CONFORM TO THE REQUIREMENTS OF THE SPECIFICATIONS. UNLESS NOTED OTHERWISE, CONNECTION BOLTS SHALL CONFORM TO ASTM A325-N.
3. ALL STRUCTURAL STEEL SHAPES, PLATES, ETC., SHALL CONFORM TO THE FOLLOWING DESIGNATIONS, UNLESS NOTED OTHERWISE:

STRUCTURAL STEEL MATERIAL DESIGNATIONS

MATERIAL SPECIFICATION	USAGE
ASTM A572 OR A992, GRADE 50	ALL STRUCTURAL STEEL UNLESS NOTED OTHERWISE
ASTM A36	AS NOTED ON DRAWINGS
ASTM A500, GRADE 'C' (50 KSI)	RECTANGULAR HOLLOW STRUCTURAL SECTIONS
ASTM A500, GRADE 'C' (46 KSI)	ROUND HOLLOW STRUCTURAL SECTIONS
ASTM A53, GRADE 'B'	PIPES

4. CONTRACTOR SHALL SUBMIT CALCULATIONS AND SHOP DRAWINGS OF ALL STRUCTURAL STEEL CONNECTIONS NOT SPECIFICALLY DETAILED ON THE STRUCTURAL DRAWINGS FOR REVIEW BY THE ARCHITECT AND STRUCTURAL ENGINEER. THE CALCULATIONS AND SHOP DRAWINGS SHALL BE SIGNED AND SEALED BY A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF THE PROJECT LOCATION.
5. ALL FIELD CONNECTIONS SHALL BE BOLTED WITH 3/4 INCH DIAMETER BOLTS (ASTM A325-N UNLESS NOTED) OR WELDED AS SHOWN ON THESE DRAWINGS. ALL NON-COMPOSITE BEAM CONNECTIONS SHALL BE EQUAL TO ONE-HALF OF THE AISC BEAM (ALLOWABLE UNIFORM LOAD) TABLE VALUE FOR THE CORRESPONDING SPAN, EXCEPT AS SHOWN ON THESE DRAWINGS. COMPOSITE BEAM CONNECTIONS SHALL BE EQUAL TO 1.9 MULTIPLIED TIMES ONE-HALF OF THE AISC BEAM TABLE VALUE FOR THE CORRESPONDING SPAN.
6. STEEL MEMBERS SHALL NOT BE SPLICED EXCEPT WHERE SHOWN ON THE DRAWINGS, UNLESS APPROVED BY THE ENGINEER.
7. ALL STRUCTURAL STEEL DETAILS AND CONNECTIONS SHALL CONFORM TO THE STANDARDS OF THE AISC.
8. ALL ANCHOR RODS SHALL CONFORM TO ASTM F1554, GRADE 36 UNLESS NOTED OTHERWISE. REFER TO BASEPLATE DETAILS FOR LOCATIONS WHERE ASTM F1554 GRADE 55-S1 ANCHOR RODS ARE REQUIRED. WHERE GRADE 55 OR 105 ARE REQUIRED, PROVIDE TYPE 'S1' WELDABLE ANCHOR RODS.
9. FOR ALL HIGH STRENGTH BOLTS, HARDENED WASHERS SHALL BE PROVIDED AS REQUIRED BY THE SPECIFICATIONS.
10. HOT DIP GALVANIZE ALL STRUCTURAL STEEL EXPOSED TO WEATHER.

4. WELDING NOTES

1. WHEN WELDS ARE NOT CALLED OUT ON THE DRAWINGS, THEY ARE MINIMUM SIZE CONTINUOUS FILLET WELDS IN ACCORDANCE WITH AWS D1.1. FILLET WELDS NOT SPECIFIED AS TO LENGTH SHALL BE CONTINUOUS.
2. UNLESS NOTED OTHERWISE ON THE DRAWINGS, ALL GROOVE WELD SHALL BE FULL PENETRATION.
3. PROVIDE FILLET WELDS AT ALL CONTACT JOINTS BETWEEN STEEL MEMBERS SUFFICIENT TO DEVELOP THE ALLOWABLE TENSILE STRENGTH OF THE SMALLER MEMBER AT THE JOINT UNLESS NOTED OTHERWISE ON THE DRAWINGS.
4. WELDING OF METAL FORM DECK SHALL CONFORM TO AWS D1.3.

5. TEMPORARY CONDITIONS

1. THE STRUCTURAL DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE.
2. THE CONTRACTOR SHALL SUPPLY ALL TEMPORARY BRACING AND SHORING THAT MAY BE NECESSARY TO ACCOMMODATE THE CONTRACTOR'S MEANS, METHODS, AND SEQUENCE OF CONSTRUCTION.

6. REQUESTS FOR INFORMATION

1. THE G.C. SHALL VERIFY THE FOLLOWING PRIOR TO SUBMITTING AN RFI:
   A. RFI DOES NOT INCLUDE SUBSTITUTION REQUESTS.
   B. RFI DOES NOT REQUEST VERIFICATION OF THE G.C.'S MEANS AND METHODS.
   C. RFI DOES NOT REQUEST CONFIRMATION THAT BDD'S SUBMITTAL COMMENTS ARE TO BE INCORPORATED INTO THE FIELD USE SHOP DRAWINGS.
   D. THE ANSWER IS NOT CONTAINED WITHIN THE CONTRACT DOCUMENTS.
   E. RFI IS BASED ON THE LATEST ISSUED DRAWINGS INCLUDING ANY PREVIOUS RFI RESPONSES AND PERTINENT COMMENTS FROM REVIEWED SUBMITTALS.
   F. RFI INCLUDES THE G.C.'S PROPOSED SOLUTION.
   G. RFI IDENTIFIES ANY COST AND/OR SCHEDULE IMPACT.
   H. RFI REFERENCES ANY RELEVANT DRAWINGS, SUBMITTALS, AND PREVIOUS RFIS.
   I. RFI PROVIDES ANY RELEVANT DIMENSIONS NECESSARY TO LOCATE AND DEFINE THE REQUEST.
   J. IF PHOTOS ARE PROVIDED, MARKUPS OR SKETCHES WITH PERTINENT INFORMATION SUCH AS DIMENSIONS AND GRID LABELS SPECIFICALLY LOCATING ITEMS RELATIVE TO THE PLANS AND DOCUMENTS SHALL ALSO BE PROVIDED.
2. ANY RFI RELATED TO THE REMEDIATION OF NON-CONFORMING WORK IS SUBJECT TO THE FOLLOWING:
   A. NON-CONFORMING WORK INCLUDING, BUT NOT LIMITED TO, MISPLACED OR UNPLACED EMBEDS, DOWELS, OR OPENINGS SHALL BE DOCUMENTED BY NON-CONFORMANCE REPORTS.
   B. ANY RFI ASSOCIATED WITH THE REMEDIATION OF NON-CONFORMING ITEMS SHALL REFERENCE THE ASSOCIATED NON-CONFORMANCE REPORT IN THE RFI.
   C. NON-CONFORMING ITEMS REQUIRING REMEDIATION SHALL BE SUBJECT TO ADDITIONAL SERVICES AT ANY POINT IN THE DURATION OF THE PROJECT. HOURS WILL BE TRACKED AND REPORTED ON ASSOCIATED NON-CONFORMING ITEMS.
   D. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF ANY ADDITIONAL SERVICES AND ENGINEERING FEES ASSOCIATED.
3. ANY REVISED RFI SHALL HAVE A NEW ORIGINATION DATE, NOT THE ORIGINATION DATE OF THE ORIGINAL RFI.
4. THE G.C. SHALL NOTIFY BDD OF ANY RFI RESPONSES FROM OTHER TRADES THAT CONFLICT WITH BDD'S RFI RESPONSE.
5. THE USE OF TEMPORARY CONSTRUCTION EQUIPMENT IS NOT RELATED TO CONTRACT DOCUMENTS, AND THEREFORE IS NOT APPROPRIATE TO BE SUBMITTED FOR REVIEW AS A RFI OR SUBMITTAL AND MAY BE SUBJECT TO ADDITIONAL SERVICES. DESIGN LIVE LOADS ARE PROVIDED FOR ALLOWABLE LOADINGS OF EQUIPMENT.

7. SUBMITTALS

1. THE G.C. SHALL SUBMIT A SCHEDULE OF ALL SUBMITTALS TO BE SENT, INCLUDING SUBMITTAL TITLES AND DATES. THE G.C. SHALL ADHERE TO THE SUBMITTAL SCHEDULE AS CLOSE AS POSSIBLE. WHEN SUBMITTALS ARE ADVANCED AHEAD OF SCHEDULE OR SUBMITTED IN SUCH A WAY THAT THE SCHEDULE IS COMPRESSED, THE REVIEW TIME OF SUBMITTALS IS SUBJECT TO EXPANSION BEYOND THE AGREED UPON REVIEW PERIOD.
2. THE G.C. SHALL PERFORM A THOROUGH REVIEW AND VERIFY THAT THE FOLLOWING ITEMS HAVE BEEN ADDRESSED PRIOR TO SUBMITTING TO THE ARCHITECT AND ENGINEER:
   A. SUBMITTAL IS REQUIRED BY THE PROJECT SPECIFICATIONS.
   B. SUBMITTAL DOES NOT INCLUDE SUBSTITUTION REQUESTS.
   C. SUBMITTAL COVERS INTENDED SCOPE.
   D. SUBMITTAL IS COORDINATED AMONG ALL CONSTRUCTION TRADES.
   E. SUBMITTAL IS BASED ON THE LATEST ISSUED DRAWINGS, INCLUDING ANY PREVIOUS RFI RESPONSES ASSOCIATED WITH INFORMATION CONTAINED WITHIN THE SUBMITTAL.
   F. BDD'S COMMENTS FROM ANY PREVIOUS SUBMITTALS ARE INCORPORATED.
   G. REVISIONS FROM PREVIOUS SUBMITTALS SHALL BE SPECIFICALLY IDENTIFIED BY CLOUDS. ONLY SHEETS CONTAINING REVISIONS ARE TO BE RESUBMITTED.
   H. SUBMITTAL SHALL INCLUDE A STAMP ON EACH SHEET INDICATING THE SPECIFICATION NUMBER, SUBMITTAL NUMBER, AND SUBMITTAL DESCRIPTION. THE STAMP IS LOCATED WHERE PERTINENT INFORMATION IS NOT OBSCURED.
   I. SUBMITTAL DOES NOT USE SHEETS, PLANS, OR DETAILS DIRECTLY FROM THE STRUCTURAL DRAWINGS.
   J. SUBMITTAL COMMENTS FROM THE DETAILER ARE VERIFIED FOR INFORMATION THAT IS PROVIDED IN THE CONTRACT DOCUMENTS, PREVIOUS RFI RESPONSES, OR PREVIOUS SUBMITTAL COMMENTS.
3. SUBMITTALS THAT DO NOT ADHERE TO THE ABOVE REQUIREMENTS ARE SUBJECT TO REJECTION BY BDD.
4. REVIEW OF REVISED SUBMITTALS IS LIMITED TO REVISED SCOPE, ALL COMMENTS FROM THE PREVIOUS REVIEW ARE STILL APPLICABLE UNLESS OTHERWISE NOTED.
5. THE G.C. SHALL BE RESPONSIBLE TO ENSURE THAT BDD'S SUBMITTAL COMMENTS ARE INCORPORATED INTO THE FIELD-USE DRAWINGS.
6. THE SUBMITTAL REVIEW PERIOD SHALL BEGIN UPON BDD'S RECEIPT OF THE SUBMITTAL.
7. PARTIAL SUBMITTALS WILL ONLY BE REVIEWED FOR ITEMS THAT ARE SPECIFIC TO THE SUBMITTAL TITLE.
8. IF ANY OF THE ABOVE SUBMITTAL NOTES ARE IN CONFLICT WITH THE CONTRACT, THE G.C. SHALL NOTIFY BDD PRIOR TO SUBMISSION OF THE FIRST SUBMITTAL.

8. DEFERRED SUBMITTALS

1. DEFERRED SUBMITTALS AS INDICATED IN THE SPECIFICATIONS ARE LISTED BELOW. REFER TO THE SPECIFICATIONS FOR SPECIFIC INFORMATION REQUIRED.
   A. SIGN AND CONNECTIONS TO STRUCTURAL FRAME

9. PRECONSTRUCTION MEETINGS

1. THE GENERAL CONTRACTOR SHALL CONDUCT PRECONSTRUCTION MEETINGS PRIOR TO EACH MAJOR STRUCTURAL ELEMENT INSTALLATION. THE MEETINGS SHALL INCLUDE:
   A. CONSTRUCTION ADMINISTRATION PROCEDURES
   B. STRUCTURAL STEEL
2. EACH MEETING SHALL BE ATTENDED BY THE ARCHITECT/STRUCTURAL ENGINEER. THE GENERAL CONTRACTOR WILL KEEP MEETING MINUTES AND DISTRIBUTE THEM TO THE ATTENDEES.

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STATE OF TEXAS
RYAN W. DONAHUE
92815
REGISTERED
PROFESSIONAL ENGINEER

Jan. 6, 2023

The seal appearing on this document was authorized by Ryan W. Donahue, P.E. on Jan. 6, 2023. Alteration of a sealed document without proper notification to the responsible engineer is an offense under the Texas Engineering Act.

TEXAS CAPITAL BANK
SIGN SUPPORT

DALLAS, TX

Revisions:

Date:
Jan. 6, 2023

Sheet Title
PLANS, DETAILS
& GENERAL NOTES

Sheet No.
S1.00

SPECIAL INSPECTION SCHEDULE NOTES

1. ALL NONDESTRUCTIVE TESTING SHALL BE DOCUMENTED PER AISC 360 SECTION N5.5G AND SHALL IDENTIFY THE TESTED WELD BY PIECE MARK, LOCATION IN THE ELEMENT, AND LOCATION IN THE BUILDING.
2. REDUCTION OF UT TESTING RATE MAY BE DONE IN ACCORDANCE WITH AISC 360 SECTION N5.5E.
3. INCREASE IN UT TESTING RATE SHALL BE DONE IN ACCORDANCE WITH AISC 360 SECTION N5.5F.
4. INSPECTION OF REINFORCMENT, INCLUDING PRESTRESING TENDON PLACEMENT SHALL OCCUR UPON COMPLETION OF THE REINFORCING AND PRESTRESING TENDON INSTALLATION. ANY ITEMS FOUND TO BE DEFICIENT SHALL BE REINSPECTED AFTER CORRECTIVE ACTIONS BY THE CONTRACTOR.
5. INSPECTION OF FORMWORK SHALL OCCUR UPON COMPLETION OF THE FORMWORK ACTIVITIES FOR A GIVEN CONCRETE PLACEMENT.
6. NOT REQUIRED FOR WOOD SHEAR WALLS, SHEAR PANELS AND DIAPHRAGMS WHERE THE SPECIFIED FASTENER SPACING OF THE SHEATHING IS MORE THAN 4 IN. ON CENTER.
7. NOT REQUIRED FOR COLD-FORMED STEEL LIGHT-FRAME SHEAR WALLS AND DIAPHRAGMS WHERE EITHER OF THE FOLLOWING APPLIES:
   - THE SHEATHING IS GYPSUM BOARD OR FIBERBOARD
   - THE SHEATHING IS WOOD STRUCTURAL PANEL OR STEEL SHEETS ON ONLY ONE SIDE OF THE ASSEMBLY AND THE FASTENER SPACING IS MORE THAN 4 IN. ON CENTER.
8. THE RATE OF UT IS PERMITTED TO BE REDUCED IN ACCORDANCE WITH SECTION J6.2G.
9. THE RATE OF MT IS PERMITTED TO BE REDUCED IN ACCORDANCE WITH SECTION J6.2H.
10. FOR ORDINARY MOMENT FRAMES IN STRUCTURES IN RISK CATEGORIES I OR II, UT AND MT OF CJP GROOVE WELDS ARE REQUIRED ONLY FOR DEMAND CRITICAL WELDS.

STATEMENT OF SPECIAL INSPECTIONS

1. SPECIAL INSPECTIONS SHALL BE PROVIDED BY AN INDEPENDENT AGENCY EMPLOYED BY THE OWNER AND APPROVED BY THE BUILDING OFFICIAL FOR THE ITEMS IN THE SPECIFICATIONS AND THE SCHEDULES OF SPECIAL INSPECTIONS.
   A. THE INSPECTION AND TESTING AGENT(S) SHALL BE ENGAGED BY THE OWNER OR THE OWNER'S AGENT, AND NOT BY THE CONTRACTOR OR SUBCONTRACTOR WHOSE WORK IS TO BE INSPECTED OR TESTED. ANY CONFLICT OF INTEREST MUST BE DISCLOSED TO THE BUILDING OFFICIAL PRIOR TO COMMENCING WORK.
2. THE NAME(S) AND QUALIFICATIONS OF THE INSPECTION AGENT(S) SHALL BE SUBMITTED TO THE BUILDING OFFICIAL FOR APPROVAL PRIOR TO THE START OF CONSTRUCTION.
3. THE PURPOSE OF THESE SPECIAL INSPECTIONS IS TO ASSURE THAT GOOD PRACTICES ARE FOLLOWED IN CONSTRUCTING THE PROJECT IN ACCORDANCE WITH THE DESIGN AND THE CONSTRUCTION DOCUMENTS IN ORDER TO ASSURE THE PUBLIC OF THE SAFE CONSTRUCTION AND SUBSEQUENT USE OF THE STRUCTURE.
4. THESE INSPECTIONS DO NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO DO THE WORK PROPERLY IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND DOES NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO CARRY OUT HIS QUALITY CONTROL, INSPECTIONS AND TESTING.
5. SPECIAL INSPECTOR'S RESPONSIBILITY:
   A. SPECIAL INSPECTOR SHALL HAVE ALL QUALIFICATIONS AS OUTLINED BY THE BUILDING OFFICIAL AND THESE QUALIFICATIONS MUST BE ACCEPTABLE TO THE BUILDING OFFICAL.
   B. SPECIAL INSPECTOR SHALL BE TOTALLY FAMILIAR WITH THE INTENT, THE CONTENT, AND THE PROVISIONS OF THE CONTRACT DOCUMENTS RELATING TO THE PART OF THE PROJECT UNDER HIS INSPECTION RESPONSIBILITY.
   C. SPECIAL INSPECTOR SHALL BE RESPONSIBLE TO THE BUILDING OFFICIAL.
6. CONTRACTOR'S RESPONSIBILITY:
   A. CONTRACTOR SHALL COOPERATE WITH THE SPECIAL INSPECTOR IN PERFORMING HIS INSPECTION DUTIES AS SPECIFIED.
      THE SPECIAL INSPECTOR SHALL HAVE FREE ACCESS TO THE PROJECT AT ALL TIMES.
      1. CONTRACTOR SHALL ADVISE THE SPECIAL INSPECTOR IN ADVANCE OF CONSTRUCTION SCHEDULES AND PLANNED OPERATIONS IN ORDER TO ASSURE TIMELY AND APPROPRIATE OBSERVATION AND INSPECTION OF SPECIFIED ITEMS.
      2. CONTRACTOR SHALL MAKE A SET OF APPROVED SHOP DRAWINGS AVAILABLE TO THE SPECIAL INSPECTOR AT THE JOBSITE.
      3. CONSTRUCTION OR WORK FOR WHICH SPECIAL INSPECTION OR TESTING IS REQUIRED SHALL REMAIN ACCESSIBLE AND EXPOSED UNTIL COMPLETION OF THE REQUIRED TASKS.
   B. CONTRACTOR SHALL SUBMIT A WRITTEN STATEMENT OF RESPONSIBILITY TO THE BUILDING OFFICIAL AND THE OWNER OR OWNER'S AUTHORIZED AGENT PRIOR TO COMMENCEMENT OF WORK. THE STATEMENT OF RESPONSIBILITY SHALL ACKNOWLEDGE AWARENESS OF THE SPECIAL REQUIREMENTS CONTAINED IN THE STATEMENT OF SPECIAL INSPECTIONS.
7. OWNER'S RESPONSIBILITY:
   A. COST OF EMPLOYING THE SPECIAL INSPECTOR SHALL BE THE RESPONSIBILITY OF THE OWNER.
   B. FINAL INTERPRETATION OF THE CONTRACT DOCUMENTS SHALL REST WITH THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE.
8. GENERAL DUTIES OF SPECIAL INSPECTOR:
   A. SPECIAL INSPECTOR SHALL COOPERATE WITH THE CONTRACTOR IN TIMELY OBSERVATIONS AND INSPECTIONS OF APPROPRIATE WORK OUTLINED IN THE SCHEDULE OF SPECIAL INSPECTIONS. HOWEVER, HE SHALL REFRAIN FROM SUPERVISING OR DIRECTING WORKMEN ON THE PROJECT FOR THE CONTRACTOR, AS THIS IS EXPRESSLY NOT PART OF THE SPECIAL INSPECTORS DUTIES OR INSPECTION FUNCTIONS.
   B. SPECIAL INSPECTOR SHALL IMMEDIATELY ALERT THE CONTRACTOR OF ALL DISCREPANCIES AND DEVIATIONS FROM THE CONTRACT DOCUMENTS AND THE APPROVED SHOP DRAWINGS.
   C. SPECIAL INSPECTION REPORTS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE BUILDING OFFICIAL, THE OWNER AND CONTRACTOR.
   D. UPON COMPLETION OF THE BUILDING, A SIGNED AND SEALED STATEMENT BY THE SPECIAL INSPECTOR SHALL BE SUBMITTED TO THE BUILDING OFFICIAL, STATING THAT THE PART OF THE PROJECT UNDER HIS INSPECTION RESPONSIBILITIES HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
9. DEFINITIONS:
   A. CONTINUOUS: THE SPECIAL INSPECTOR IS PRESENT CONTINUOUSLY WHEN AND WHERE THE WORK TO BE INSPECTED IS BEING PERFORMED.
      1. CONTINUOUS MEANS THAT A SPECIAL INSPECTOR HAS TO BE ON SITE ONLY IF ACTUAL CONSTRUCTION IS TAKING PLACE.
   B. PERIODIC: THE SPECIAL INSPECTOR IS INTERMITTENTLY PRESENT WHERE THE WORK TO BE INSPECTED HAS BEEN OR IS BEING PERFORMED.
   C. OBSERVE: THE INSPECTOR SHALL OBSERVE THESE ITEMS ON A RANDOM, DAILY BASIS. OPERATIONS NEED NOT BE DELAYED PENDING THESE INSPECTIONS.
   D. PERFORM: THESE TASKS SHALL BE PERFORMED FOR EACH ITEM (WELDED JOINT, MEMBER, BOLTED CONNECTION, OR ASSEMBLY).
   E. DOCUMENT: THE INSPECTOR SHALL PREPARE REPORTS INDICATING THAT THE WORK HAS BEEN PERFORMED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. WORK NOT IN COMPLIANCE WITH THE CONTRACT DOCUMENTS AND WHETHER THE NONCOMPLIANCE HAS BEEN SATISFACTORILY REPAIRED SHALL BE NOTED IN THE INSPECTION REPORT.

SCHEDULE OF SPECIAL INSPECTIONS

IBC SECTION 1705.1.1: SPECIAL CASES

IBC SECTION 1705.1.1: SPECIAL CASES

REQ'D	SPECIAL INSPECTION TASKS	FREQUENCY	NOTES
Y	CONSTRUCTION MATERIALS AND SYSTEMS THAT ARE ALTERNATIVES TO MATERIALS AND SYSTEMS PRESCRIBED BY THE IBC.	PERIODIC	
Y	UNUSUAL DESIGN APPLICATIONS OF MATERIALS DESCRIBED IN THE IBC.	PERIODIC	
Y	MATERIALS AND SYSTEMS REQUIRED TO BE INSTALLED IN ACCORDANCE WITH ADDITIONAL MANUFACTURER'S INSTRUCTIONS THAT PRESCRIBE REQUIREMENTS NOT CONTAINED IN THE IBC OR IN STANDARDS REFERENCED BY THE IBC.	PERIODIC/ CONTINUOUS PER ESR REPORT	
Y	EPOXY ADHESIVE: THE SPECIAL INSPECTOR MUST BE ON THE JOBSITE INITIALLY DURING ANCHOR OR POST-INSTALLED REINFORCING BAR INSTALLATION TO VERIFY: • ANCHOR OR POST-INSTALLED REINFORCING BAR TYPE • ANCHOR DIMENSIONS • CONCRETE TYPE • CONCRETE COMPRESSIVE STRENGTH • ADHESIVE IDENTIFICATION AND EXPIRATION DATE • HOLE DIMENSIONS • HOLE CLEANING PROCEDURES • SPACING • EDGE DISTANCES • CONCRETE THICKNESS • ANCHOR OR POST-INSTALLED REINFORCING BAR EMBEDMENT • TIGHTENING TORQUE • ADHERENCE TO THE MANUFACTURER'S PRINTED INSTALLATION INSTRUCTIONS. THE SPECIAL INSPECTOR MUST VERIFY THE INITIAL INSTALLATIONS OF EACH TYPE AND SIZE OF ADHESIVE ANCHOR OR POST-INSTALLED REINFORCING BAR BY CONSTRUCTION PERSONNEL ON SITE. SUBSEQUENT INSTALLATIONS OF THE SAME ANCHOR OR POST-INSTALLED REINFORCING BAR TYPE AND SIZE BY THE SAME CONSTRUCTION PERSONNEL ARE PERMITTED TO BE RERFORMED IN THE ABSENCE OF THE SPECIAL INSPECTOR. ANY CHANGE IN THE ANCHOR OR POST-INSTALLED REINFORCING BAR PRODUCT BEING INSTALLED OR THE PERSONNEL PERFORMING THE INSTALLATION REQUIRES AN INITIAL INSPECTION. FOR ONGOING INSTALLATIONS OVER AN EXTENDED PERIOD, THE SPECIAL INSPECTOR MUST MAKE REGULAR INSPECTIONS TO CONFIRM CORRECT HANDLING AND INSTALLATION OF THE PRODUCT.	INITIAL AND PERIODIC AS NOTED	
Y	EPOXY ADHESIVE: CONTINUOUS SPECIAL INSPECTION OF ADHESIVE ANCHORS OR POST-INSTALLED REINFORCING BAR INSTALLED IN HORIZONTAL OR UPWARDLY INCLINED ORIENTATIONS TO RESIST SUSTAINED TENSION LOADS SHALL BE PERFORMED IN ACCORDANCE WITH ACI 318.	CONTINUOUS	
Y	POST-INSTALLED MECHANICAL ANCHORS: INSPECTION DURING ANCHOR INSTALLATION SHALL VERIFY: • ANCHOR TYPE • ANCHOR DIMENSIONS • CONCRETE TYPE • CONCRETE COMPRESSIVE STRENGTH • HOLE DIMENSIONS • HOLE CLEANING PROCEDURES • ANCHOR SPACING • EDGE DISTANCES • CONCRETE THICKNESS • ANCHOR EMBEDMENT • INSTALLATION TORQUE • ADHERENCE TO THE MANUFACTURER'S PUBLISHED INSTALLATION INSTRUCTIONS	PERIODIC	

IBC SECTION 1705.2: STEEL CONSTRUCTION

AISC 360 TABLE N5.4-1: INSPECTION TASKS PRIOR TO WELDING

REQ'D	SPECIAL INSPECTION TASKS PRIOR TO WELDING	ACTION	NOTES
Y	WELDER QUALIFICATION RECORDS AND CONTINUITY RECORDS	OBSERVE	
Y	WELDING PROCEDURE SPECIFICATIONS (WPSS) AVAILABLE	PERFORM	
Y	MANUFACTURER CERTIFICATIONS FOR WELDING CONSUMABLES AVAILABLE	PERFORM	
Y	MATERIAL IDENTIFICATION (TYPE/GRADE)	OBSERVE	
Y	WELDER IDENTIFICATION SYSTEM: THE FABRICATOR OR ERECTOR, AS APPLICABLE, SHALL MAINTAIN A SYSTEM BY WHICH A WELDER WHO HAS WELDED A JOINT OR MEMBER CAN BE IDENTIFIED. STAMPS, IF USED, SHALL BE THE LOW-STRESS TYPE.	OBSERVE	
Y	CONFIGURATION AND FINISH OF ACCESS HOLES	OBSERVE	
Y	FIT-UP OF FILLET WELDS • DIMENSIONS (ALIGNMENT, GAPS AT ROOT) • CLEANLINESS (CONDITION OF STEEL SURFACES) • TACKING (TACK WELD QUALITY AND LOCATION)	OBSERVE	

AISC 360 TABLE N5.4-2: INSPECTION TASKS DURING WELDING

REQ'D	SPECIAL INSPECTION TASKS DURING WELDING	ACTION	NOTES
Y	CONTROL AND HANDLING OF WELDING CONSUMABLES • PACKAGING • EXPOSURE CONTROL	OBSERVE	
Y	NO WELDING OVER CRACKED TACK WELDS	OBSERVE	
Y	WPS FOLLOWED • SETTINGS ON WELDING EQUIPMENT • TRAVEL SPEED • SELECTED WELDING MATERIALS • SHIELDING GAS TYPE/FLOW RATE • PREHEAT APPLIED • INTERPASS TEMPERATURE MAINTAINED (MIN./MAX.) • PROPER POSITION (F, V, H, OH)	OBSERVE	
Y	WELDING TECHNIQUES • INTERPASS AND FINAL CLEANING • EACH PASS WITHIN PROFILE LIMITATIONS • EACH PASS MEETS QUALITY REQUIREMENTS	OBSERVE	

AISC 360 TABLE N5.4-3: INSPECTION TASKS AFTER WELDING

REQ'D	SPECIAL INSPECTION TASKS AFTER WELDING	ACTION	NOTES
Y	WELDS CLEANED	OBSERVE	
Y	SIZE, LENGTH AND LOCATION OF WELDS	PERFORM	
Y	WELDS MEET VISUAL ACCEPTANCE CRITERIA • CRACK PROHIBITION • WELD/BASE-METAL FUSION • CRATER CROSS SECTION • WELD PROFILES • WELD SIZE • UNDERCUT • POROSITY	PERFORM	
Y	ARC STRIKES	PERFORM	
Y	VISUALLY INSPECT *k*-AREA FOR CRACKS WITHIN 3 IN. OF WELDS.	PERFORM	
Y	WELD ACCESS HOLES IN ROLLED HEAVY SHAPES AND BUILT-UP HEAVY SHAPES VISUALLY INSPECTED FOR CRACKS	PERFORM	
Y	BACKING REMOVED AND WELD TABS REMOVED (IF REQUIRED)	PERFORM	
Y	REPAIR ACTIVITIES	PERFORM	
Y	DOCUMENT ACCEPTANCE OR REJECTION OF WELDED JOINT OR MEMBER	PERFORM	
Y	NO PROHIBITED WELDS HAVE BEEN ADDED WITHOUT THE APPROVAL OF THE E.O.R.	OBSERVE	

AISC 360 SECTION N5.5: NONDESTRUCTIVE TESTING

REQ'D	SPECIAL INSPECTION TASKS	ACTION	NOTES
Y	ULTRASONIC TESTING (UT) SHALL BE PERFORMED ON CJP GROOVE WELDS SUBJECT TO TRANSVERSELY APPLIED TENSION LOADING IN BUTT, T-, AND CORNER JOINTS IN MATERIALS 5/16 IN. THICK OR GREATER AT THE FOLLOWING RATES: • 10% OF WELDS IN RISK CATEGORY II • 100% OF WELDS IN RISK CATEGORY III AND IV	PERFORM AND DOCUMENT	1,2,3
Y	WELDED JOINTS SUBJECT TO FATIGUE AS REQUIRED BY TABLE A-3.1 OF AISC 360	PERFORM AND DOCUMENT	1

AISC 360 TABLE N5.6-1: INSPECTION TASKS PRIOR TO BOLTING

REQ'D	SPECIAL INSPECTION TASKS PRIOR TO BOLTING	ACTION	NOTES
Y	INSPECTION TASKS PRIOR TO BOLTING	PERFORM	
Y	MANUFACTURER'S CERTIFICATIONS AVAILABLE FOR FASTENER MATERIALS	OBSERVE	
Y	FASTENERS MARKED IN ACCORDANCE WITH ASTM REQUIREMENTS	OBSERVE	
Y	CORRECT FASTENERS SELECTED FOR THE JOINT DETAIL (GRADE, TYPE, BOLT LENGTH IF THREADS ARE TO BE EXCLUDED FROM SHEAR PLANE)	OBSERVE	
Y	CORRECT BOLTING PROCEDURE SELECTED FOR JOINT DETAIL	OBSERVE	
Y	CONNECTING ELEMENTS, INCLUDING THE APPROPRIATE FAYING SURFACE CONDITION AND HOLE PREPARATION, IF SPECIFIED, MEET APPLICABLE REQUIREMENTS	OBSERVE	
Y	PRE-INSTALLATION VERIFICATION TESTING BY INSTALLATION PERSONNEL OBSERVED AND DOCUMENTED FOR FASTENER ASSEMBLIES AND METHODS USED	OBSERVE	
Y	PROTECTED STORAGE PROVIDED FOR BOLTS, NUTS, WASHERS AND OTHER FASTENER COMPONENTS	OBSERVE	

AISC 360 TABLE N5.6-2: INSPECTION TASKS DURING BOLTING

REQ'D	SPECIAL INSPECTION TASKS DURING BOLTING	ACTION	NOTES
Y	FASTENER ASSEMBLIES PLACED IN ALL HOLES AND WASHERS (IF REQUIRED) ARE POSITIONED AS REQUIRED	OBSERVE	
Y	JOINT BROUGHT TO THE SNUG-TIGHT CONDITION PRIOR TO THE PRETENSIONING OPERATION	OBSERVE	
Y	FASTENER COMPONENT NOT TURNED BY THE WRENCH PREVENTED FROM ROTATING	OBSERVE	
Y	FASTENERS ARE PRETENSIONED IN ACCORDANCE WITH THE RCSC SPECIFICATION, PROGRESSING SYSTEMATICALLY FROM THE MOST RIGID POINT TOWARD THE FREE EDGES	OBSERVE	

AISC 360 TABLE N5.6-3: INSPECTION TASKS AFTER BOLTING

REQ'D	SPECIAL INSPECTION TASKS AFTER BOLTING	ACTION	NOTES
Y	DOCUMENT ACCEPTANCE OR REJECTION OF BOLTED CONNECTIONS	PERFORM	

AISC 360 SECTION N5.8: OTHER INSPECTION TASKS

REQ'D	SPECIAL INSPECTION TASKS	ACTION	NOTES
Y	PLACEMENT OF ANCHOR RODS AND OTHER EMBEDMENTS SUPPORTING STRUCTURAL STEEL: • DIAMETER • GRADE • TYPE • LENGTH • EMBEDMENT DEPTH INTO CONCRETE	PERFORM AND DOCUMENT	
Y	INSPECT THE FABRICATED STEEL OR ERECTED STEEL FRAME, AS APPLICABLE, TO VERIFY COMPLIANCE WITH THE DETAILS SHOWN ON THE CONSTRUCTION DOCUMENTS INCLUDING: • BRACES • STIFFENERS • MEMBER LOCATIONS • CORRECT APPLICATION OF JOINT DETAILS AT EACH CONNECTION	PERFORM AND DOCUMENT	

IBC SECTION 1705.3: CONCRETE CONSTRUCTION

IBC TABLE 1705.3: REQUIRED SPECIAL INSPECTION AND TESTS OF CONCRETE CONSTRUCTION

REQ'D	SPECIAL INSPECTION TASKS	FREQUENCY	NOTES
Y	1. INSPECT ANCHORS POST-INSTALLED IN HARDENED CONCRETE MEMBERS.	-	
Y	A. ADHESIVE ANCHORS INSTALLED IN HORIZONTALLY OR UPWARDLY INCLINED ORIENTATIONS TO RESIST SUSTAINED TENSION LOADS.	CONTINUOUS	
Y	B. MECHANICAL ANCHORS AND ADHESIVE ANCHORS NOT DEFINED IN 4.A.	PERIODIC	

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STATE OF TEXAS
RYAN W. DONAHUE
92815
REGISTERED
PROFESSIONAL ENGINEER

Jan. 6, 2023

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TEXAS CAPITAL BANK SIGN SUPPORT

DALLAS, TX

Revisions:

Date:
Jan. 6, 2023

Sheet Title
SPECIAL INSPECTION PLAN

Sheet No.
S1.01

Agenda Information Sheet

File #: 23-710 Item #: 21.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 96-square-foot non-illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southwest elevation).
Staff Recommendation: **Approval**.
Applicant: Patrick Riland of Petri Electric, Inc.
Owner: Union Investment Real Estate, GmbH
Planner: Jason Pool
Council District: 14
2301160003

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Planner: Jason Pool

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)

DOWNTOWN SPECIAL PROVISION SIGN DISTRICT

CASE NUMBER: 2301160003 **DATE FILED:** January 16, 2023
LOCATION: 2000 McKinney Avenue, Ste. 810 (southwest elevation) **SIZE OF REQUEST:** 96 sq. ft.

COUNCIL DISTRICT: 14 **ZONING:** PD 193, PDS 68

APPLICANT: Patrick Riland of Petri Electric, Inc.

OWNER: Union Investment Real Estate, GmbH

TENANT: Texas Capital Bank

REQUEST: An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 96-square-foot non-illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southwest elevation).

SUMMARY: The applicant proposes to install a 96-square-foot non-illuminated channel letter set, against the façade facing North Harwood Street, bearing the name Texas Capital, a logo, and Harwood Entrance.

STAFF RECOMMENDATION: **Approval**

SSDAC RECOMMENDATION: **Approval**

BACKGROUND:

- The subject site is located in Downtown SPSD within the Perimeter Subdistrict. This subdistrict follows base zoning. PDS 68 is a business zoning sign district.

  These regulations are established in: Sec. 51A-7.900 (Specific details included below).

- The applicant proposes to install a 96-square-foot non-illuminated channel letter set, against the façade facing North Harwood Street, bearing the name Texas Capital, a logo, and Harwood Entrance. All sign elements are constructed entirely of metal. The sign will consist of a three-inch-deep aluminum cabinet, painted to match TCB trade dress blue, with quarter-inch aluminum graphics. The star portion of the logo and all lettering will are painted white. The ring portion of the logo will be painted red. The overall horizontal projection of the sign is not exceed more than four-inches from the surface of the wall.

- This is the third of three applications under review by this body for this site. This sign is to be located on southwest elevation, and is submitted as Sign 004. This is to be the only sign for this tenant proposed on this façade. The remaining signs were approved under director procedure.

- Construction of the proposed sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per Sec. 51A-7.900.

51A-7.902 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 the downtown area while addressing the diversity of businesses and promoting the economy of downtown. The general objectives of this division include those listed in Section 51A-7.101 as well as aesthetic considerations to ensure that signs are appropriate to the architecture of the district, do not obscure significant architectural features of its buildings, and lend themselves to the developing retail and residential uses and the pedestrian character of the area. The district regulations are in large part inspired by the high level of pedestrian activity and the need to maximize effective orientation of signage toward the walking public. (Ord. Nos. 19455; 20167; 21404; 24606)

51A-7.305 ATTACHED SIGNS.

(b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.

(c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.

(e) Attached signs may project more than 18 inches from vertical building planes as follows:

(2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached.

The effective area of the proposed sign covers less than one-percent of the total façade area. The sign is composed of five words including Texas, Capital, a logo, Harwood, and Entrance. The projection on the finished sign is approximately 4-inches horizontally from the building surface.

51A-7.905 SPECIAL PROVISIONS FOR ATTACHED SIGNS.

(a) Except as provided in Sections 51A-7.908, 51A-7.914, and 51A-7.915, a person shall not alter, place, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city.

(b) The procedure for obtaining a sign permit is outlined in Section 51A-7.505 of this article. Section 51A-7.602 of this article does not apply to signs in this district.

(c) A person who violates Subsection (a) is guilty of a separate offense for each day or portion of a day during which the violation is continued. (Ord. Nos. 20167; 21404; 24606; 24925)

51A-7.505 PERMIT PROCEDURES FOR SPECIAL PROVISION SIGN DISTRICTS.

(B) **Factors the committee shall consider.** In reviewing an application, the committee shall first consider whether the applicant has submitted sufficient information for the committee to make an informed decision. If the committee finds the proposed sign to be consistent with the special character of the special provision sign district, the committee shall make a recommendation of approval to the city plan commission. The committee shall consider the proposed sign in terms of its appropriateness to the special provision sign district with particular attention to the effect of the proposed sign upon the economic structure of the special provision sign district and the effect of the sign upon adjacent and surrounding premises without regard to any consideration of the message conveyed by the sign. After consideration of these factors, the committee shall recommend approval or denial of the application and forward that recommendation to the city plan commission.

(6) Decision by the commission. Upon receipt of a recommendation by the committee, the commission shall hold a public hearing to consider the application. At least 10 days before the hearing, notice of the date, time, and place of the hearing, the name of the applicant, and the location of the proposed sign must be published in the official newspaper of the city and the building official shall serve, by hand-delivery or mail, a written notice to the applicant that contains a reference to this section, and the date, time, and location of this hearing. A notice sent by mail is served by depositing it properly addressed and postage paid in the United States mail. In addition, if the application is for a detached sign or for an attached sign that has more than 100 square feet of effective area, the applicant must post the required number of notification signs in accordance with Section 51A-1.106. In making its decision, the commission shall consider the same factors that were required to be considered by the committee in making its recommendation. If the commission approves the application, it shall forward a certificate of appropriateness to the building official within 15 days after its approval. If the commission denies the application, it shall so inform the building official in writing. Upon receipt of the written denial, the building official shall so advise the applicant within five working days of the date of receipt of the written notice.

Property Ownership
Union Investment Real Estate, GmbH
1330 6th Avenue, Ste. 800A
New York, NY 10019

Officer names: See Following Schedule

Tenant Ownership
Texas Capital Bank
2000 McKinney Ave, Ste. 810
Dallas, TX 75201

Officer names: See Following Schedule

Owner and Tenant for 2000 McKinney Signage Permit Submittal

Owner:

Union Investment Real Estate, GmbH
Diana Steinfurth-Schmidt
Ulrich Dischler.

Tenant:

Texas Capital Bank, a State Bank
Rob Holmes
John Cummings
Catherine R. Zalatoris

SSDAC Action:

February 14, 2023

MOTION: It was moved to **approve**:
An application for a Certificate of Appropriateness by Patrick Riland of Petri Electric, Inc., for a 96-square-foot non-illuminated attached sign at 2000 McKinney Avenue, Ste. 810 (southwest elevation).

Maker:	Hardin
Second:	Dumas
Result:	Carried: 3 to 0

For:	3	- Peadon, Hardin, and Dumas
Against:	0	- none
Absent:	2	- Haqq and Webster
Conflict:	0	- none

Speakers: Patrick Riland of Petri Electric
Kurt Monigle of Monigle
Catherine Zalatoris of Texas Capital

LEGEND

- Downtown
- West End
- Southside Entertainment
- Farmers Market
- Deep Ellum
- Arts District
- Arts District Extension
- Uptown
- McKinney Avenue
- West Village
- Jefferson Special Purpose District
- Parkland Hospital
- Southwestern Medical District
- West Commerce Street / Fort Worth Avenue
- Victory Sign District

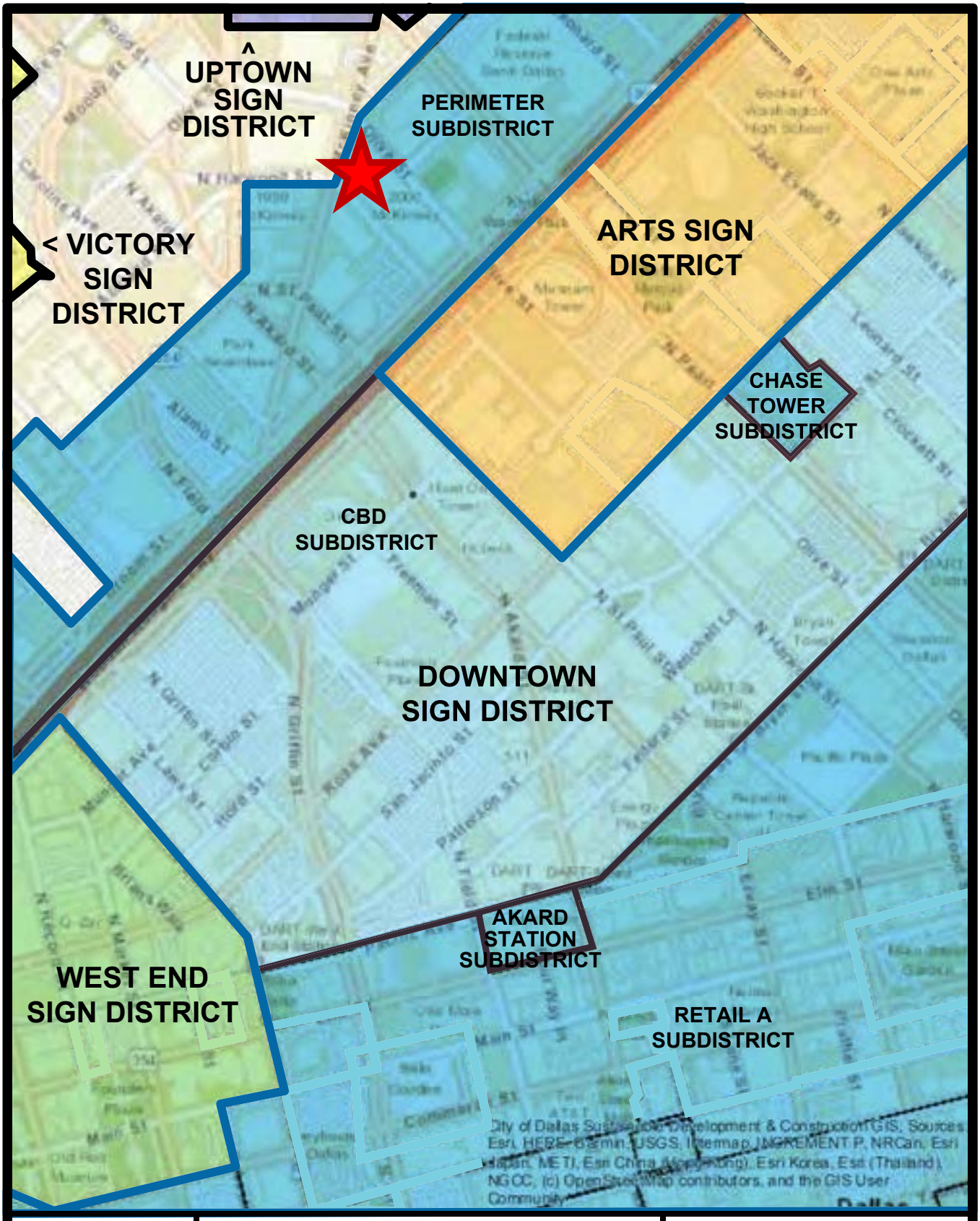
SPSD MAP

2000 McKinney Ave

Downtown Sign District - Perimeter

Case no: 2301160003

Date: 02/06/2023



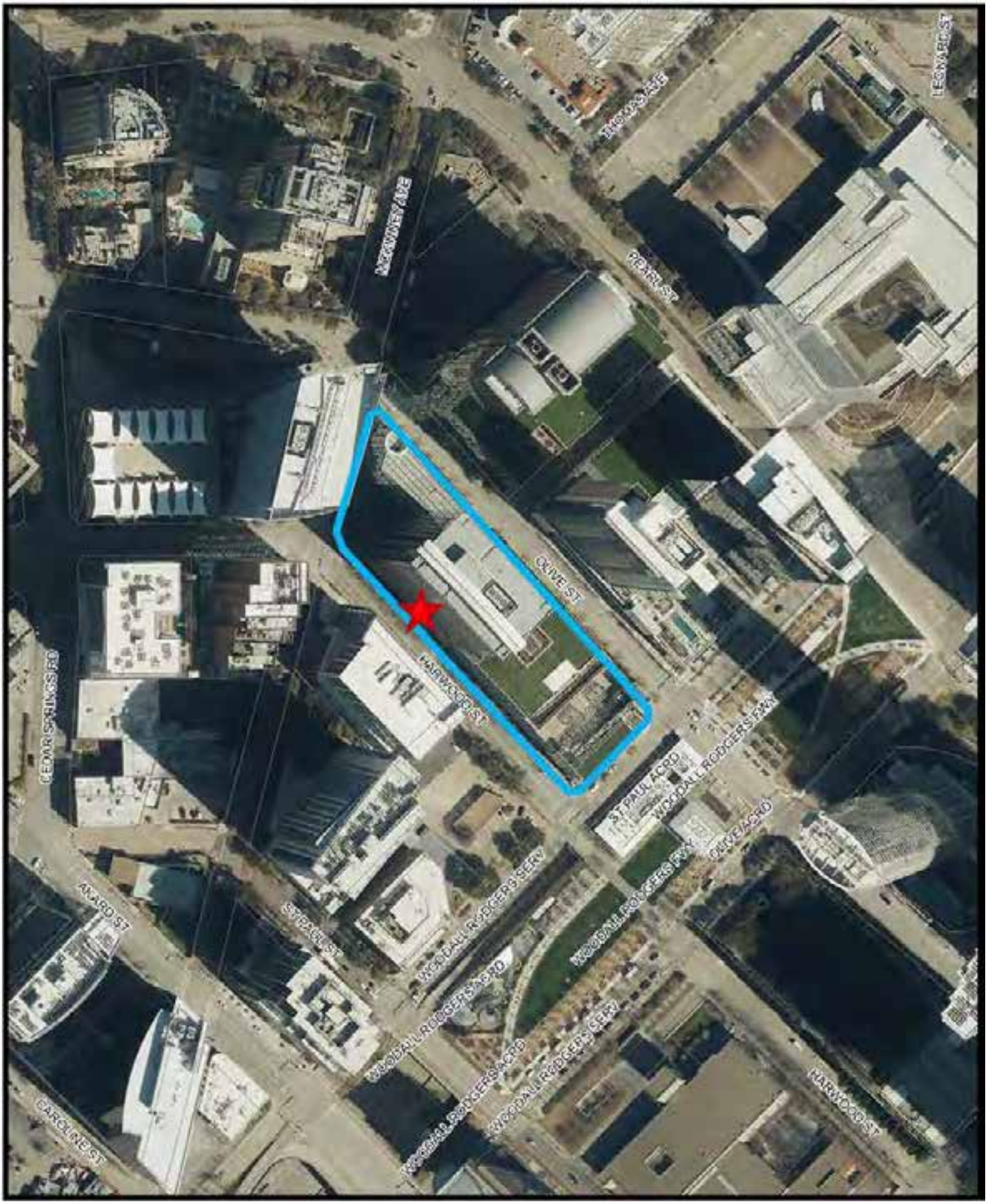
SPSD MAP

2000 McKinney Ave

Downtown Sign District - Perimeter

Case no: 2301160003

Date: 02/06/2023

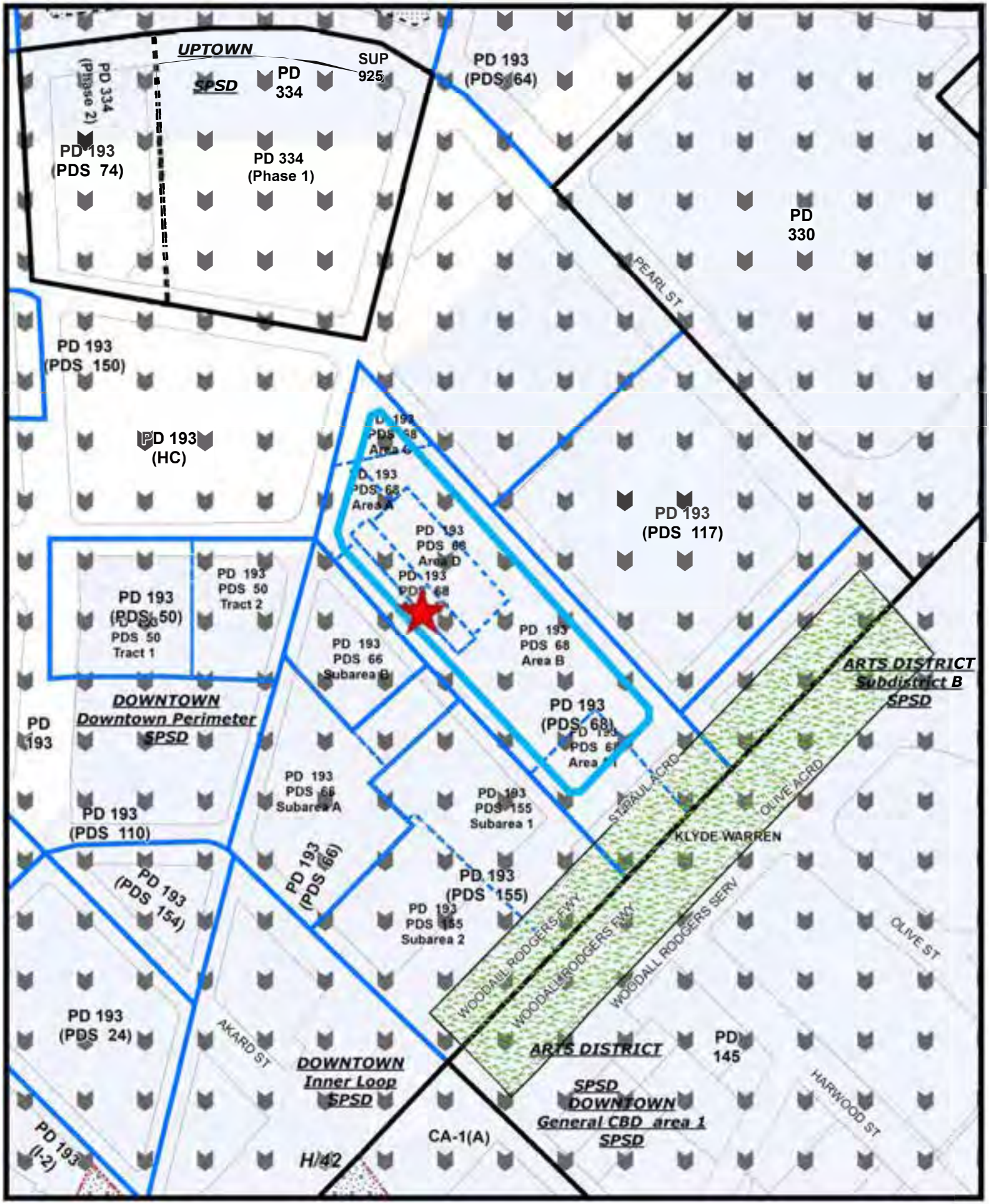


1:2,400

Aerial Map - 2000 McKinney Ave

21-10

Printed Date: 2/6/2023

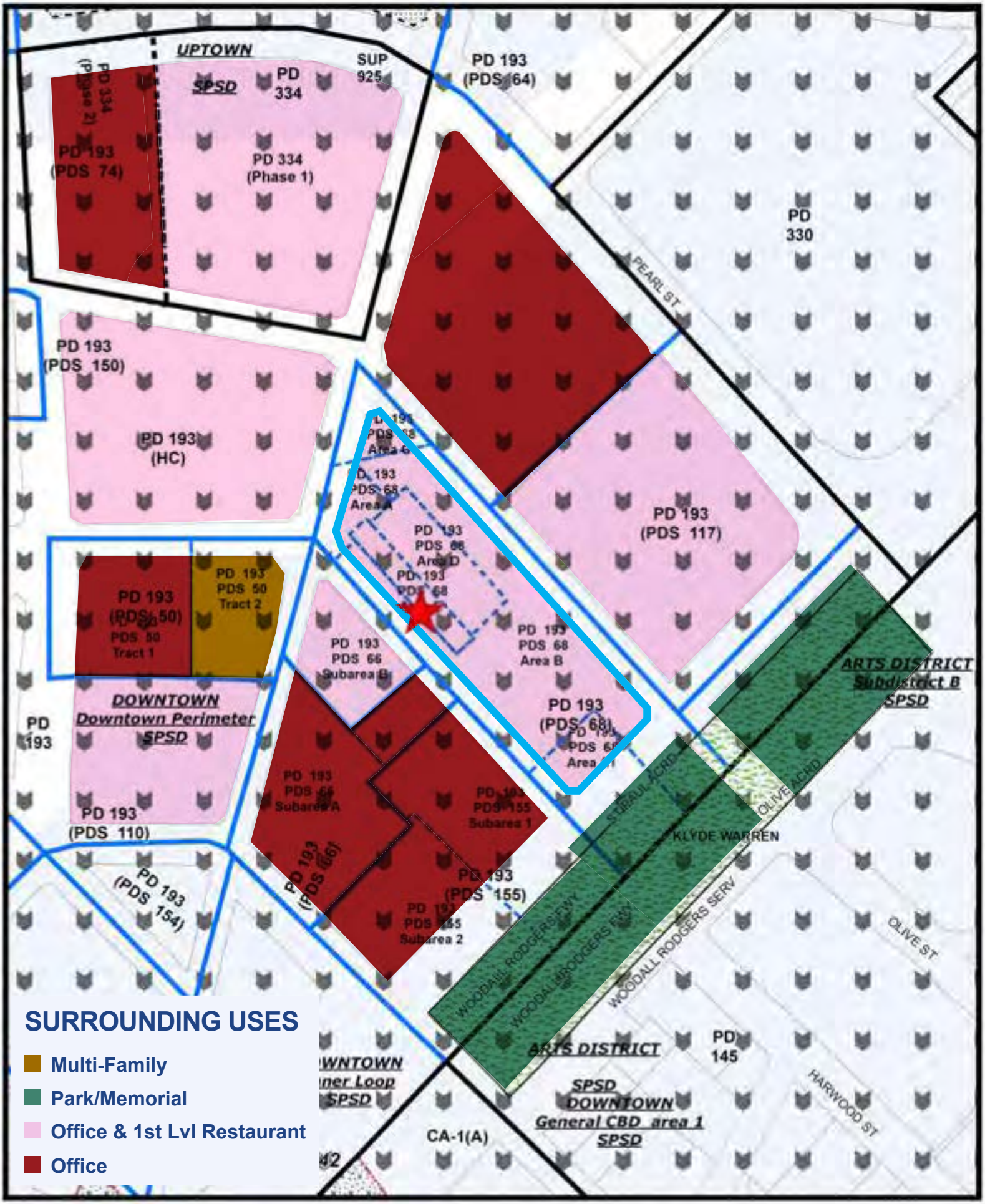


1:2,400

Zoning Map - 2000 McKinney Ave

21-11

Printed Date: 2/6/2023



1:2,400

Surrounding Uses - 2000 McKinney Ave

21-12

Printed Date: 2/6/2023

Job 175712031-002 (2301160003)

Job Edit

Miscellaneous Transaction

Job 175712031-002 (2301160003)

Electrical Sign (ES) ATTACHED - SIGN 004; SW ELV (A) New Construction

Status: Paid Created By: JPOOL Date Created: Jan 16, 2023

Date Completed: Jan 16, 2023

Parent Job: 175712031-001 (2301061064)

Specific Location: 2000 MCKINNEY - 96 SF NON-ILLUMINATED ATTACHED SIGN - SW ELV

Details

Customer
Riland, Patrick
907 N Bowser
Richardson, TX 75081
(214) 729-9115

Fee Amount

FeeType

Staff Email JASON.POOL@DALLAS.GOV

Details

Customer: Riland, Patrick
907 N Bowser
Richardson, TX 75081 (214) 729-9115

Fees (EXT): 2301160003 5BN - Special Provision Sign District fee $345.00
Adjusted:$0.00 Paid:$345.00 Owed:$0.00

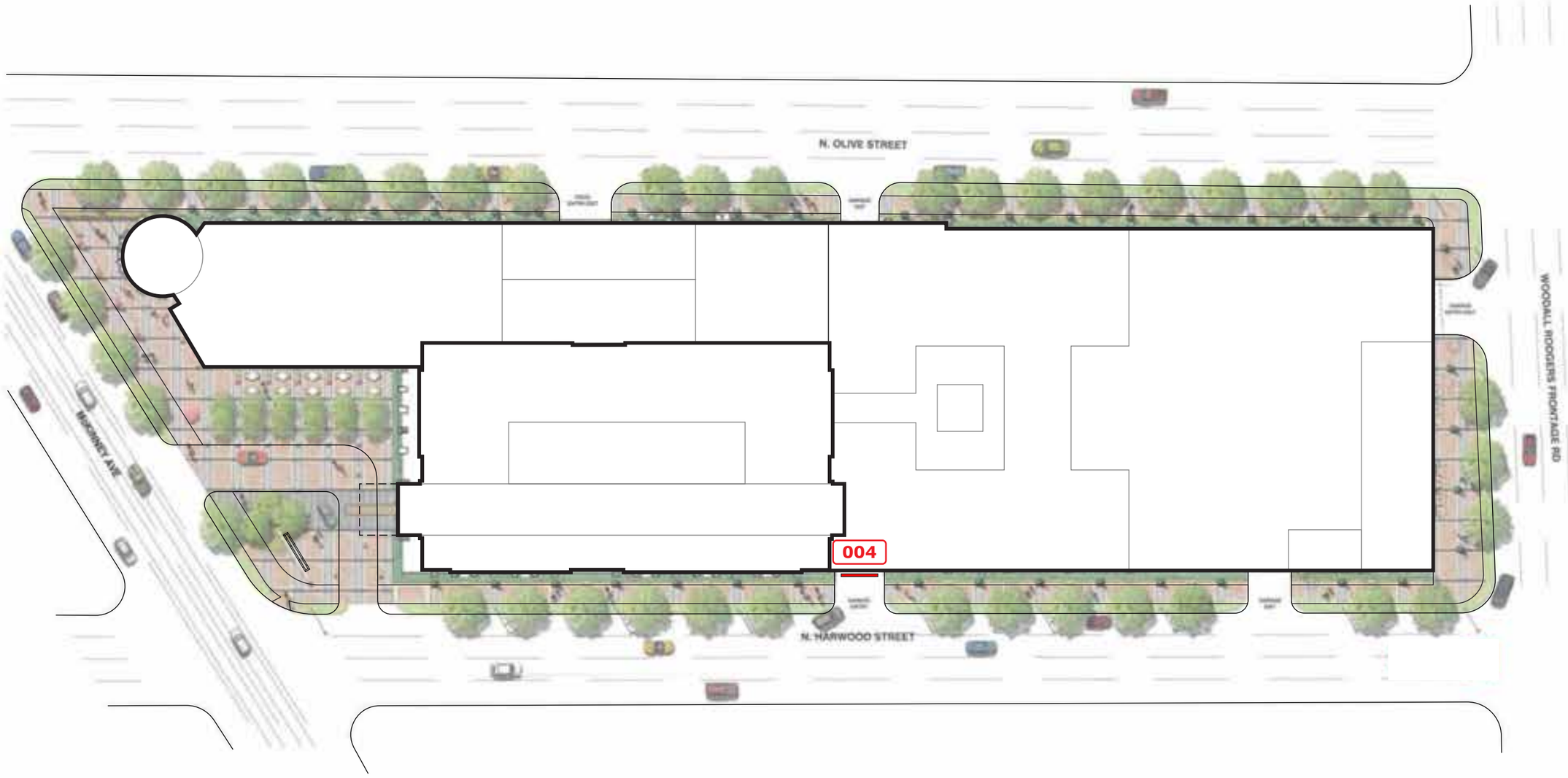
Fees

Description / Posted Date	Amount	Tax	Total	Balance
5BN - Special Provision Sign District fee				
	$345.00	$0.00	$345.00	$0.00
Receipt Number: 789778 $345.00				
	($345.00)	$0.00	($345.00)	
				$0.00

Processes

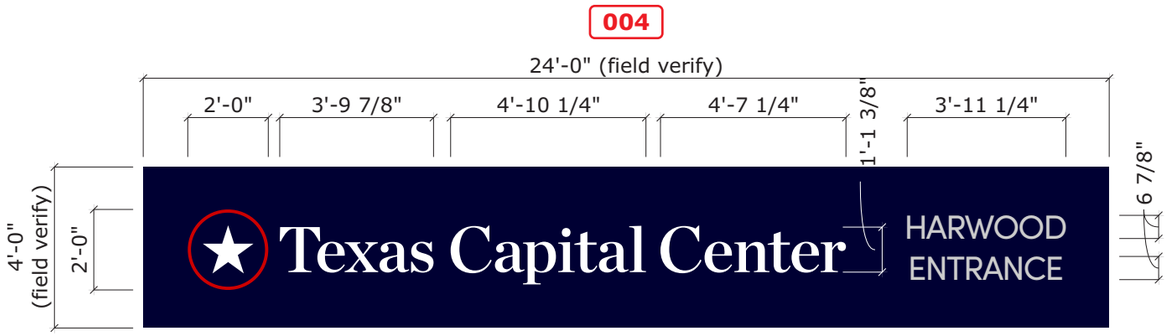
Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
System Fee Collection						
SICASHIERINTERFACE	Complete	Collected				Jan 16, 2023 10:41:41
Auto generated System Fee Collection						

Site plan


N. OLIVE STREET
WOODALL RODGERS FRONTAGE RD
MCKINNEY AVE
004
N. HARWOOD STREET

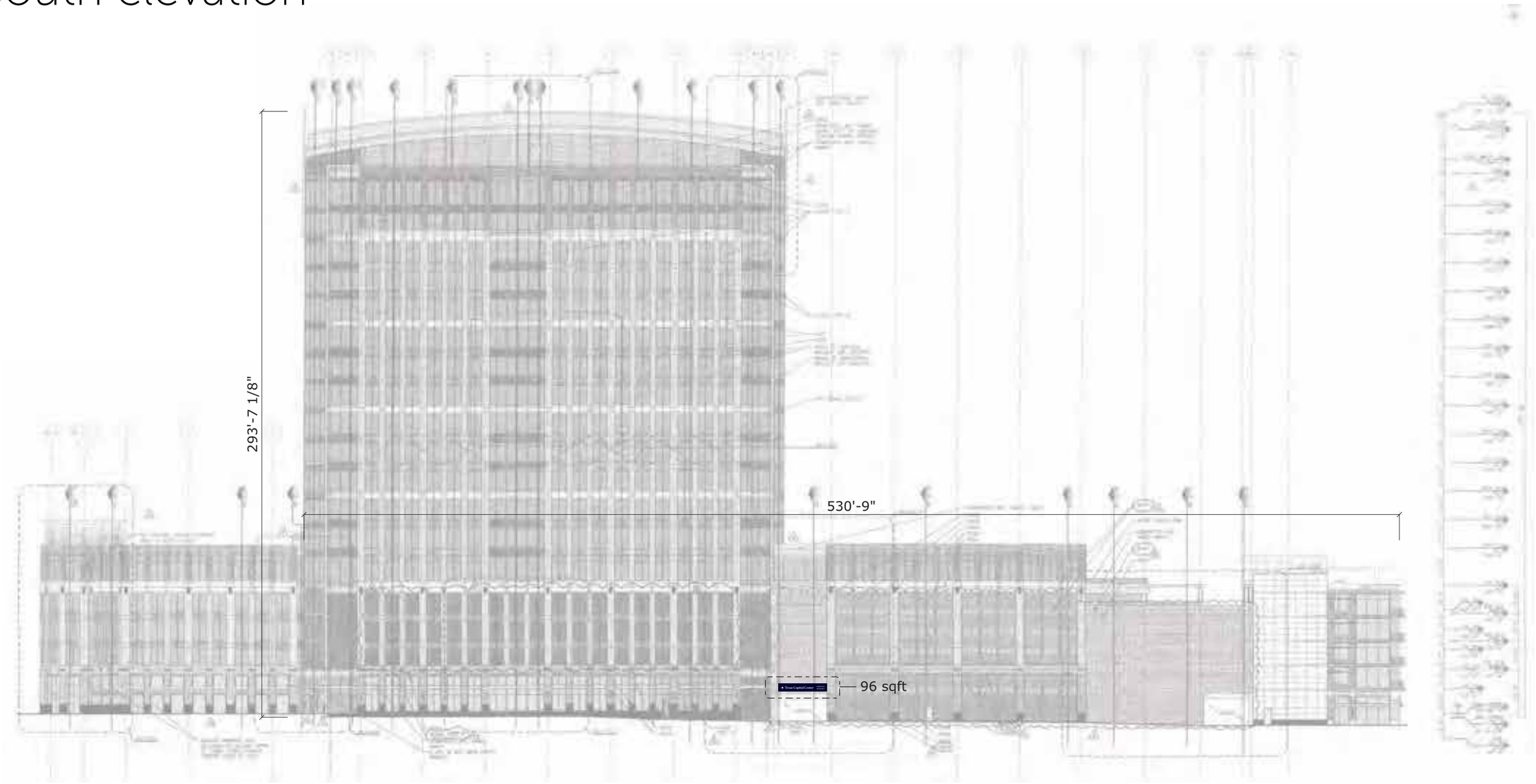
Garage Entrance / New panel with attached plate letters

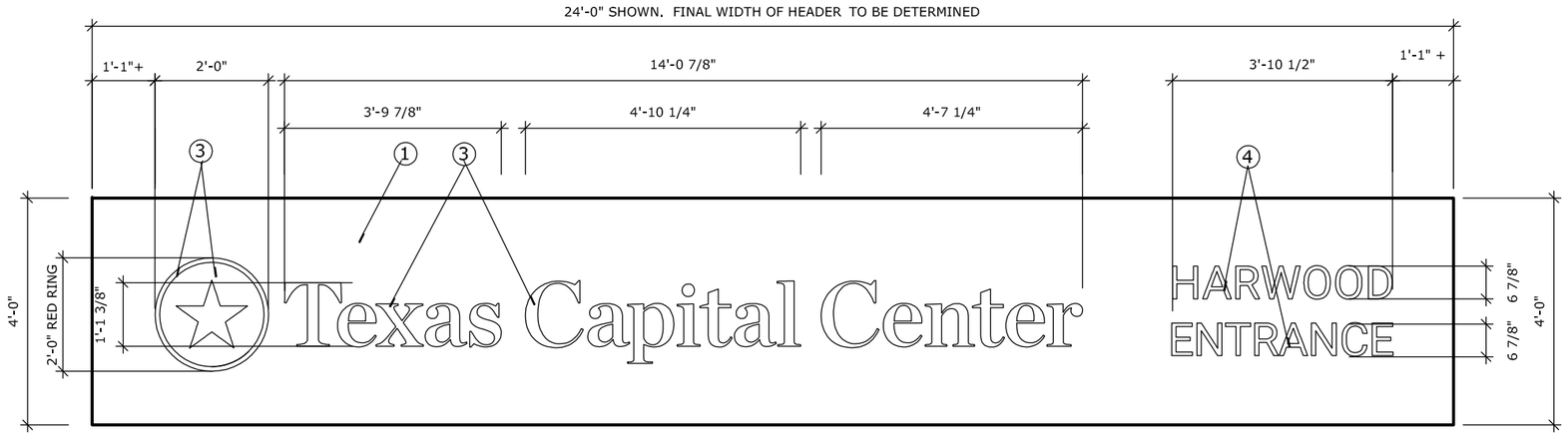
Proposed plate letters and blue backing panel



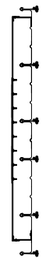
Estimated panel size

South elevation





① PLATE LETTERS ON BLUE BACKER PANEL 96 SF
NON ILLUMINATED SIGN
SCALE: 3/8"=1'-0"



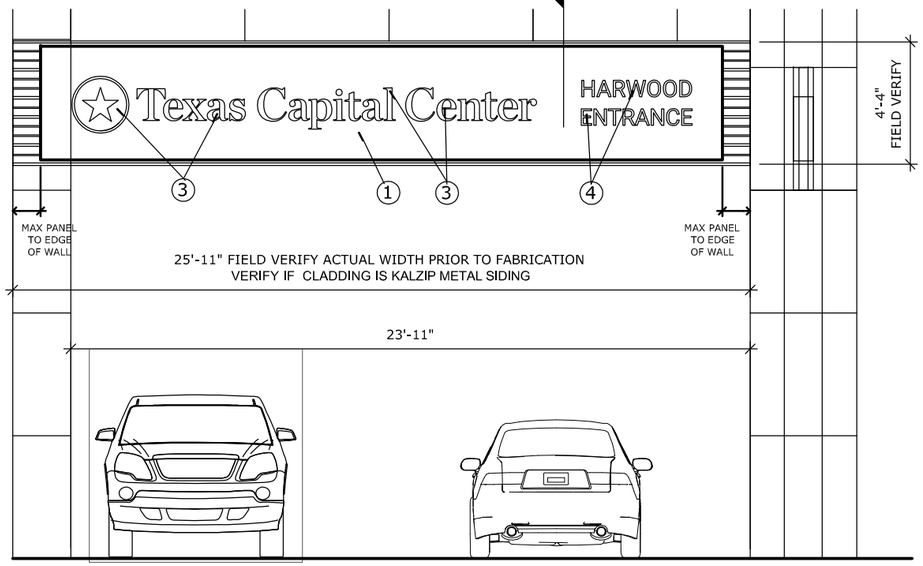
② SIDE VIEW
SCALE: 3/8"=1'-0"

NOTES FOR PARKING ENTRANCE SIGNAGE

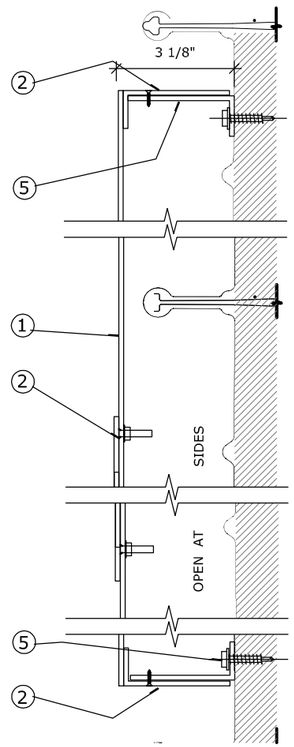
1. .125" ALUMINUM SIGN FACE. PAINT FINISH TCB BLUE. SEMI-GLOSS FINISH. CHEM WELD TO ALUMINUM ANGLE FRAME.
2. 3"X 1"X .125" ANGLE FACE FRAME. MITER CUT, WELD AND GRIND SMOOTH AT CORNERS. PAINT FINISH ALL EXPOSED SURFACES TCB BLUE. SEMI-GLOSS FINISH. MECHANICALLY ATTACH FACE FRAME TO MOUNTING ANGLES WIT COUNTERSUNK FLATHEAD STAINLESS STEEL SCREWS TOP AND BOTTOM. PAINT HEADS TO MATCH.
3. . 25" ALUMINUM PLATE LETTERS/LOGO. USE ARTWORK PROVIDED BY DESIGNER. DRILL AND TAP BACK OF LETTERS TO ACCEPT THREADED SUDS FOR THROUGH BOLT ATTACHMENT TO SIGN FACE. PAINT FINISH LETTERS AND "STAR" TCB WHITE. SEMI-GLOSS FINISH. PAINT FINISH RING TCB RED. SEMI-GLOSS FINISH.
4. "HARWOOD ENTRANCE" TO BE WHITE REFLECTIVE FILM 3M #680-10 WHITE. TYPEFACE TO BE ROBOTO REGULAR.
5. 3"X 1 ½"X .125" ALUMINUM MOUNTING ANGLES TOP AND BOTTOM. ATTACH TO EXISTING WALL AS REQUIRED.

SIGN# 004

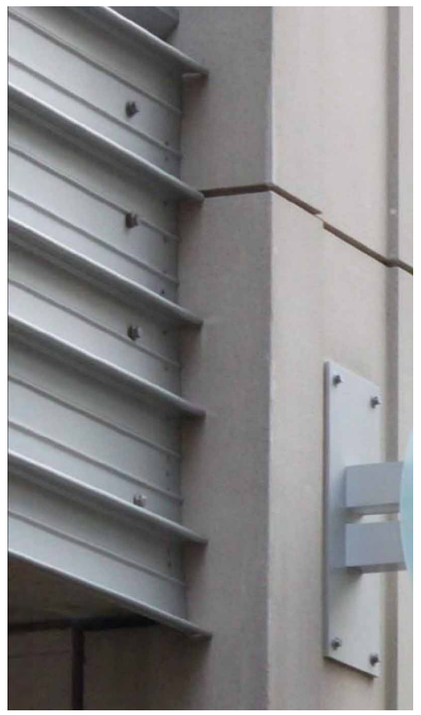
SEE PAGE 3
GARAGE ENTRANCE / NEW PANEL
w/ PLATE LETTERS
FOR FULLCOLOR SIGN ELEVATION



③ GARAGE ENTRANCE ELEVATION
SCALE: 3/16"=1'-0"



Ⓐ VERTICAL SECTION
SCALE: 3"=1'-0"



SIGN TO BE OPEN AT SIDES TO CLEAR FINS.

GARAGE ENTRANCE SIGN

These documents are for design intent and shall be used only as a guide to produce the finished sizes, appearances and functions shown. Nothing contained in these documents shall be construed as a design for any engineered element. The fabricator/contractor shall be responsible for all structural, electrical, mechanical and foundation engineering. See General Specifications for additional requirements. These documents were not produced under an architectural services agreement. These drawings are part of an original unpublished design by Monigle Associates, Inc. The detailing and information contained on these pages shall not be reproduced, copied or utilized except for the specific project for which they were created, without previous written authorization from Monigle Associates, Inc. © Monigle Associates, Inc. "All Rights Reserved" 150 Adams Street - Denver, Colorado 80206

Client:	Client	Checked By:		Rev No:	
Job Number:		Approval:		Rev No:	
Drawn By:		Scale:	As indicated	Rev No:	
Date:	00.00.00			Rev No:	

21-17

S05.1

monigle

Agenda Information Sheet

File #: 23-711 Item #: 22.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 3

DEPARTMENT: Development Services

SUBJECT

Consideration of an appeal to the director's apportionment determination associated with Plat No. S178-288 to improve Los Angeles Boulevard on the property located at Los Angeles Boulevard if extended south of Blue Ridge Boulevard with an approved all weather paving material to a width of 20 feet; dedication of an alley easement; construction of a detention pond that will serve the drainage needs of the development; and construction of new off-site water and wastewater extensions that are necessary to adequately serve the development.
UA From: February 16, 2023.
Council District: 3

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The Record

Appeal of Apportionment of Exaction - Shady Hollow Estates Paving, Drainage, & ROW Apportionment; S178-288 Plat.

City Plan Commission Hearing February 16, 2023

Index

Second Plan Review Comments----------Section 1
Appeal of Apportionment of Determination----------Section 2
Apportionment of Determination----------Section 3
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Certificate of No Action ----------Section 6
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Analysis Application Form----------Section 8
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Lim Engineer's Letter ---------- Section 11
3792 Wenatche ---------- Section 12
Dedicated Area ---------- Section 13
Grading Permit---------- Section 14
Storm Drainage Design ---------- Section 15
Full Size Tree Survey Needed ---------- Section 16
Tree Survey ---------- Section 17
S178-288 ---------- Section 18

Section 1
Second Plan Review Comments

From: Eskander, Mina
To: Jeremy Dixon
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments
Date: Wednesday, January 25, 2023 9:43:00 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png

Hey Jeremy,
If you are able, we need to expedite this as much as you can. I don't have a target date really. If you are able to push it up in queue a little bit, that would be greatly appreciated.
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Jeremy Dixon <Jeremy.Dixon@freese.com>
Sent: Wednesday, January 25, 2023 9:39 AM
To: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

Sure thing. Do you have a target date when you'd like to have this revised document?

Jeremy D. Dixon, P.E.*, CFM
North Texas Stormwater
214-217-2280 direct
jeremy.dixon@freese.com
*Licensed in TX

From: Eskander, Mina <mina.eskander@dallas.gov>
Sent: Wednesday, January 25, 2023 6:41 AM
To: Jeremy Dixon <Jeremy.Dixon@freese.com>
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

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Morning Jeremy,
The developer asked that we change the review comments to be based on the 2019 design manual.
After consulting with City Attorney's Office, they are saying that there shouldn't be an issue with that if the request is coming from them.
Could you please redo your report and comments based on the new design manual?
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Jeremy Dixon <Jeremy.Dixon@freese.com>
Sent: Friday, December 16, 2022 3:11 PM
To: Eskander, Mina <mina.eskander@dallas.gov>

Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

Yes, that is fine with me.

Jeremy D. Dixon, P.E.*, CFM
North Texas Stormwater
214-217-2280 direct
jeremy.dixon@freese.com
*Licensed in TX

From: Eskander, Mina <mina.eskander@dallas.gov>
Sent: Friday, December 16, 2022 2:34 PM
To: Jeremy Dixon <Jeremy.Dixon@freese.com>
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

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Thank you so much! This is perfect.
May I go ahead and send this out to the engineer?
Thanks,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Jeremy Dixon <Jeremy.Dixon@freese.com>
Sent: Friday, December 16, 2022 12:26 PM
To: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

Sam,

Please see attached for my comments. I have tied the review to the 1993 Drainage Design Manual. Let me know if this works for you.

Thanks

Jeremy D. Dixon, P.E.*, CFM
North Texas Stormwater
214-217-2280 direct
jeremy.dixon@freese.com
*Licensed in TX

From: Jeremy Dixon
Sent: Wednesday, December 14, 2022 3:08 PM
To: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

Sam,

I have evaluated the concept, and I have some significant concerns with the revised size of the detention pond in the November submittal. I am going to draft some formal comments and send to you by the end of the week.

Jeremy D. Dixon, P.E.*, CFM
North Texas Stormwater
214-217-2280 direct
jeremy.dixon@freese.com
*Licensed in TX

From: Jeremy Dixon
Sent: Friday, December 2, 2022 7:58 AM
To: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

Received, I will include this information in my review.

Thanks

Jeremy D. Dixon, P.E.*, CFM
North Texas Stormwater
214-217-2280 direct
jeremy.dixon@freese.com
*Licensed in TX

From: Eskander, Mina <mina.eskander@dallas.gov>
Sent: Thursday, December 1, 2022 8:06 PM

To: Jeremy Dixon <Jeremy.Dixon@freese.com>
Subject: FW: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. Please report all suspicious messages using the Report Message button in Outlook.

Hey Jeremy,
Here is their response regarding the US Army Corps of Engineers approval.
Thanks,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Thursday, December 1, 2022 5:11 PM
To: Eskander, Mina <mina.eskander@dallas.gov>; Martinez, Evodio <evodio.martinez@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Cc: limassoc@aol.com; Denman, Lloyd <lloyd.denman@dallas.gov>; Jim O'Brien <jobrien@obrieneng.com>
Subject: Re: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

Hi Sam, thank you for the updates.

We provided the attached letter regarding Waters of the US determination in response to the first submission. I believe this removes that item as a concern in accordance with Corps of Engineers requirements, and no further request was provided in response to that item. With this determination we do not need further approval of design based on Corps guidelines.

Also, our engineer confirmed that no adverse downstream on item 23 of the Engineer's response (attached), and the provided drainage plan is based on an upstream study and the provided

outflow conditions. I believe this meets all City code and 2019 Drainage Design Manual instructions as I understand them. Could you please clarify what further is needed in that regard?

Regards,
Adrian
214.918.4671

On Thu, Dec 1, 2022, at 4:50 PM, Eskander, Mina wrote:

> Adrian,
> As I mentioned to you last week, I had arranged for a meeting with the downstream engineer-of-record to better understand the calculations. We met yesterday. He provided a lot of great information. One thing that he mentioned was that the drainage channel on your lot is considered Waters of the US, and an approval is required from the US Army Core of Engineers. Did you or your engineer know about that? If you haven't done so already, please have your engineer reach out to them to receive their approval of your design.
>
> I also met with our 3rd party consulting firm who assists us with reviews this morning at 10am, and I hired them to assist us with analyzing the reports and drainage calculations for both the downstream development and your development. I'll keep in touch with you regarding their findings.
> I stated this before, and I will state it again, your engineer needs to provide a report and calculations to show that this development will have no adverse impacts to anyone upstream or downstream due to this development. This will assist us in completing our review quickly.
> Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Thursday, December 1, 2022 2:21 PM

To: Martinez, Evodio <evodio.martinez@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Cc: limassoc@aol.com
Subject: Re: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

Good afternoon,

I met with Evodio this afternoon to inquire on the review status of the project referenced below, and he indicated that he has a full workload and does not expect to complete a review of our submission soon. This submission was sent on November 1, and we paid an additional review fee on November 4th upon request.

We have exceeded the 15-day response required by Texas Local Government Code Sec. 212.0095 (a) (https://texas.public.law/statutes/tex._local_gov't_code_section_212.0095), which states:

A municipal authority or governing body that receives a response under Section 212.0093 (Approval Procedure: Applicant Response to Conditional Approval or Disapproval) shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plan or plat not later than the 15th day after the date the response was submitted.

Additionally, item (d) states:

A previously conditionally approved or disapproved plan or plat is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the municipal authority or governing body that received the response does not disapprove the plan or plat on or before the date required by Subsection (a) and in accordance with Section 212.0091 (Approval Procedure: Conditional Approval or Disapproval Requirements).

Finally, section 212.001 contains the following definitions:

(2) "Plan" means a subdivision development plan, including a subdivision plan, subdivision construction plan, site plan, land development application, and site development plan.

(3) "Plat" includes a preliminary plat, general plan, final plat, and replat.

The City of Dallas Development Code (https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-90986) also

requires the times listed above in accordance with state code.https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-90986https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-90986

On the basis of the code above, I request that this plan be considered approved and a letter stating such to be issued as soon as possible to allow this project to continue.

Regards,
Adrian Cole
Shady Hollow Development LLC
214.918.4671

On Mon, Nov 28, 2022, at 8:28 AM, Adrian Cole wrote:

> Good morning Evodio, would you please provide an update on the status of this review?
>
> Thank you,
> Adrian Cole
> 214.918.4671
>
> On Fri, Nov 4, 2022, at 8:33 AM, Morales, Norma wrote:
>
> > Good morning,
> > This will be third submittal and will require a $500 review fee. You will need to come in person to pay with a check or credit card. 320 E Jefferson Ste. 200 Dallas, Texas 75203.
> >
> > Thank you,
> >
> > Norma Morales
> > *Sr. Office Assistant-Paving/Drainage Engineering*
> > **City of Dallas | www.dallascityhall.com**
> > Development Services
> > 320 E.Jefferson Blvd.Room 200 Dallas, TX75203
> > O: (214) 948-4205
> > norma.morales1@dallas.gov
> >
> > **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.**
> > Please Take a Moment to Tell Us How We Are Doing.

From: Martinez, Evodio
Sent: Thursday, November 3, 2022 5:20 PM
To: Morales, Norma <norma.morales1@dallas.gov>
Subject: FW: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

Norma,

Can you add this to database, this is a 3rd Review, and a fee will need to be generated?

Thanks.

Evodio Martinez, EIT, CFM
Engineer Assistant – Paving/Drainage Engineering
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd, Rm 200, Dallas, TX 75203
O: (214) 948-4444 | evodio.martinez@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Tuesday, November 1, 2022 1:52 PM
To: Martinez, Evodio <evodio.martinez@dallas.gov>
Cc: Yi, Changho <changho.yi@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>; limassoc@aol.com
Subject: Re: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

Hi everyone, here are the updated plans, comments, and other items relevant to addressing the comments below and other subsequent discussions. I believe the street lighting

requirement has been addressed and cleared separately with a notification to Evodio.

Please let us know if we should provide anything else.

Regards,
Adrian Cole
214.918.4671

On Wed, Apr 27, 2022, at 5:11 PM, Martinez, Evodio wrote:

> Good afternoon,
>
> Please see the attached PDF for our 2nd review comments. If you have any questions, please feel free to email or give me a call.
>
> Regards,

Evodio Martinez, EIT, CFM
Engineer Assistant – Paving/Drainage Engineering
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd, Rm 200, Dallas, TX 75203
O: (214) 948-4444 | evodio.martinez@dallascityhall.com

Attachments:

- Traffic Engineering Review Checklist 02-11-22 Rev 3.xlsx
- 421Q-1859_5-6.tif
- 311T-10059_Shady Hollow Estates_2nd Plan Review.pdf

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Section 2
Appeal of Apportionment of Determination

From:	adrian@419builders.com
To:	Eskander, Mina
Cc:	Espinoza, Andres; Burgess, Casey; Ryan Starnes
Subject:	Re: Shady Hollow Estates - 311T-10059 / WW22-231
Date:	Thursday, December 22, 2022 1:20:01 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png Request for Hearing on Apportionment 12-22-2022.pdf

External Email!

Good afternoon,

Please see attached appeal of the apportionment determination for Shady Hollow Estates 311T-10059.

Regards,
Adrian Cole
214.918.4671

On Wed, Dec 21, 2022, at 4:59 PM, Eskander, Mina wrote:

> Adrian,
> Please see attached apportionment determination for Shady Hollow Estates - 311T-10059 / WW22-231.
> Sincerely,
>
> **Sam**
>
> **M. Samuell Eskander, PE, CFM, LEED AP BD+C**
> *Assistant Director*
> *Land Development Team*
> **City of Dallas |** www.dallascityhall.com
> Development Services
> 320 E. Jefferson Blvd., Room 115
> Dallas, TX 75203
> O: (214) 948-4029 | C: (469) 953-0103
> mina.eskander@dallas.gov

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Attachments:

- Apportionment Determination.pdf

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Shady Hollow Development LLC

2217 Yaupon Dr - Irving, TX 75063 - adrian@419builders.com - 214.918.4671

To: Andres Espinoza, Director
Sustainable Development and Construction, City of Dallas
CC: Sam Eskander

Re: Shady Hollow Estates Paving, Drainage and ROW Apportionment; S178-288

December 22, 2022

Per Section 51A-l.109(e)(2) of Dallas City Code, a developer may appeal the Director's apportionment determination to the City Plan Commission by filing written notice with the Director within 30 days after the date of the determination.

A completed application with the required documentation was sent via email on November 11, 2022. An apportionment determination was provided on December 22, 2022, after the 30 day period required by state law and city code.

This letter shall serve as the filing of a written notice of appeal of the apportionment determination provided to Shady Hollow Development LLC for exactions imposed in regard to the plat request S178-288, Shady Hollow Estates for paving, drainage, ROW, and other relevant items. Per City Code section 51A-1.109(e)(2), the city plan commission shall hear the appeal within 60 days after the filing of the appeal.

For the purpose of calculating the 60 days to hearing date, the date that the apportionment was due on December 11, 2022 shall serve as the date of this appeal.

Regards,

Adrian Cole
President, Shady Hollow Development LLC

Section 3
Apportionment of Determination

From:	Eskander, Mina
To:	adrian@419builders.com
Cc:	limassoc@aol.com; Espinoza, Andres; Burgess, Casey
Subject:	Shady Hollow Estates - 311T-10059 / WW22-231
Date:	Wednesday, December 21, 2022 4:59:33 PM
Attachments:	Apportionment Determination.pdf image001.png image002.png image003.png image004.png image005.png

---

Adrian,

Please see attached apportionment determination for Shady Hollow Estates - 311T-10059 / WW22-231.

Sincerely,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Apportionment Determination

CITY OF DALLAS

DATE December 21, 2022

TO Adrian Cole, Developer

SUBJECT **Shady Hollow Estates - 311T-10059 / WW22-231**

This letter is in response to your request for a determination of apportionment that was submitted on November 11, 2022.

Street apportionment:
Per Section 51A-8.604(b)(2) of the Dallas City Code ("Code"): "When a minor street is along the perimeter of the proposed plat and the street is not improved with an approved all weather paving material to a width of 20 feet, the owner must improve the street to that standard along the length of the proposed plat."

According to your November 1, 2022 engineering plan, eight lots will have their driveway approaches taking access off Los Angeles Boulevard, which is an existing unimproved street with no pavement. Building Los Angeles Boulevard is necessary to access eight lots in the development that otherwise would not have street frontage. Building the minimum pavement width for Los Angeles Boulevard is therefore roughly and completely proportionate to the impact of the property development project.

Per Fire Code, a fire truck requires a minimum of 20 feet of pavement for emergency access. As long as the fire marshal approves, your engineer may revise the design for Los Angeles Boulevard to reduce the pavement width along the length of this street. The developer is responsible for the full amount of construction of Los Angeles Boulevard, which is solely related to the needs created by the project to serve the proposed development.

Alley apportionment:
The surrounding alleys were dedicated by a previous plat. No further alley dedications are necessary as long as the proposed development will not take access from the alleys.

Drainage apportionment:
Your initial plat application was filed in 2018. You may submit engineering plans using the 1993 drainage design manual which was in place when you initially submitted your plat application. We analyzed your project under the drainage requirements that were in place at the time of your initial plat application and disagree with your statement that this project would likely have not required detention due to the adequate outfall condition of Blue Ridge under the older design standards. We believe that the increased runoff from your development would have still required some detention or other downstream

infrastructure improvements. However, we have no way of knowing without your engineer's drainage report and calculations.

Per Section 51A-8.611(a)(1) of the Code: "Drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Adequate provision must be made for the acceptance, collection, conveyance, detention, and discharge of storm water runoff drainage onto, through, and originating within the subdivision. No final plat release may be issued until proper provision has been made for drainage."

The engineer-of-record must show and prove that there will be no adverse impacts to any properties downstream due to this development. We believe that sizing the detention pond accordingly is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full construction cost of the detention pond which is needed to serve the proposed development.

The drainage infrastructure in Los Angeles Boulevard is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full amount of construction of the infrastructure which is solely needed to serve the proposed development.

A detention area is considered a dedicated area and not open space. Section 51A-8.201(17) of the Code defines detention area to mean an area which temporarily stores stormwater runoff and discharges that runoff at a reduced rate. Section 51A-8.611 of the Code, "Storm Drainage Design," states that drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Moreover, per section 51A-8.611(c)(2) of the Code, detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the city of Dallas.

Section 51A-2.102(101) of the Code defines open space to mean an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves. Chapter 51A, Article VIII of the Code goes further and defines improved open space to mean open space containing structures or improvements, including but not limited to hike and bike trails, and unimproved open space to mean open space containing no buildings, fences, or other structures above or below grade.

Because the detention area is used to temporarily store stormwater runoff and discharges that runoff, it appears that detention areas meet the definition and provisions of storm drainage facilities and not open space.

DATE December 21, 2022

SUBJECT **Shady Hollow Estates - 311T-10059 / WW22-231**

The platting process requirements in Section 51A-8.403(a)(1)(A)(xi) and (xii) of the Code require that the layout and dimensions of proposed storm drainage areas, storm drainage facilities, water and wastewater facilities be indicated on the preliminary plat. The Code makes a distinction between open space and dedications and does not lump open space with the provisions.

Furthermore, the dedications provision in Section 51A-8.602 of the Code states that the owner of the property to be platted must provide an easement or fee simple dedication of property needed for the construction of streets, sidewalks, storm drainage facilities, floodways, water mains, and any other property necessary to serve the plat and to implement the requirements of this article. The code requires that the detention area be a dedication.

Section 51A-8.101(29) of the Code defines infrastructure to mean all streets, alleys, sidewalks, storm drainage facilities, water and wastewater facilities, utilities, lighting, transportation, and any other facilities required by law to adequately serve and support development. If detention areas were to be considered open space, then the code would have included that in the definition of open space, but it was omitted and defined as infrastructure.

The engineer-of-record must submit a drainage report that shows that there will be no adverse impacts to any properties downstream due to this development. Sizing the detention pond accordingly is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full amount of construction of the detention pond which is solely needed to serve the proposed development.

Water and Wastewater Apportionment:

We believe that the offsite infrastructure improvements shown on your engineering design plans are necessary to serve your proposed development. Each developer is responsible for the necessary infrastructure that is needed to adequately serve their development. Pursuant to Section 49-62(c)(1), the developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a). Since the offsite infrastructure improvements are needed to serve your development, the infrastructure improvements are related to the needs created by the property development project and are roughly proportionate to the impact of the property development project. Pursuant to Section 49-62(i) of the Code, the proportional refundable city payment calculated by the City is approximately $95,170.00. The developer is responsible for the remaining cost of the infrastructure which is needed to serve the proposed development.

Upon further investigation of the water line improvement in Los Angeles Boulevard, between Juneau Avenue and Blue Ridge Boulevard, there could be an alternate solid standard size loop in Wenatche Drive down to Kimballdale Drive, which would require

upsizing the main from 6 inches to 8 inches. If this is an alternative solution that you would like to pursue, your engineer must submit a revision to the final WW22-231 engineering design plans.

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Development Services

c: Andrew Espinoza, CBO, MCP, CCEA, Director/Chief Building Official
Casey Burgess, Executive Assistant City Attorney
Guillermo R. Darce, PE, Engineer-of-Record, LIM & Associates, Inc.
Daniel Lim, PE, RPLS, CFM, LIM & Associates, Inc.

Section 4
Drainage Review

From:	Eskander, Mina
To:	limassoc@aol.com
Cc:	Martinez, Evodio; adrian@419builders.com
Subject:	RE: Shady Hollow Estates - 311T-10059
Date:	Friday, December 16, 2022 3:19:45 PM
Attachments:	311T-10059 Shady Hollow Estates 1st Submittal Comments.docx image001.png image002.png image003.png image004.png image005.png

Daniel/Guillermo,

Please see attached review comments from our 3rd party consultant.
We spent the last couple of weeks working on the apportionment letter with City Attorney's Office. We're not finished with it yet, but we should be completing it soon. While working with them, discussions about using the 1993 Drainage Design Manual were brought up and is a possibility, therefore we asked the 3rd party consultant to provide comments based on that manual.
Your responses to the comments and calculations will be provided back to the consultant for final review.
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
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mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Eskander, Mina
Sent: Monday, December 5, 2022 1:32 PM
To: Daniel Lim <limassoc@aol.com>
Cc: Martinez, Evodio <evodio.martinez@dallas.gov>; Adrian Cole <adrian@419builders.com>
Subject: Shady Hollow Estates - 311T-10059

Daniel/Guillermo,
See attached review comments. Several comments are repeated and have not been addressed. Let us know if we need to meet to discuss.
We had requested a drainage study on 4/27/22 but we can't find it in our files. Please provide a copy that shows/proves that there will be no adverse drainage impacts due to this development. See page 127 of the Drainage Design Manual for additional information. You may refer to the City website for a drainage report template: https://dallascityhall.com/departments/sustainabledevelopment/land-management/Pages/engineering-forms.aspx.
Please let us know if you have any questions.
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
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Dallas, TX 75203
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mina.eskander@dallas.gov

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MEMORANDUM

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TO: M. Samuell Eskander, PE, CFM, LEED AP BD+C

FROM: Jeremy D. Dixon, P.E., CFM

SUBJECT: 311T-10059 Shady Hollow Estates, 1st Review

DATE: 12/16/2022

PROJECT: DAL22104 - Dallas Drainage Reviews

Freese and Nichols, Inc. (FNI) has reviewed the first submittal of the Shady Hollow Estates Civil Engineering Plans by Lim and Associates, Inc. (LIM) dated November, 2022. The project is located near Cockrell Hill Road, Kiest Boulevard, Westmoreland Road, and Loop 12 and is located outside the mapped 100-year floodplain. In general, the project aims to develop a single-family residential subdivision with detention to mitigate the increase in runoff. FNI reviewed the November 2022 Plans, March 2022 Plans, Responses to comments on March 2022 Plans, and other correspondence from the City.

This review is not considered all-inclusive and does not relieve the Owner, Developer, Responsible Engineer and/or Surveyor from the due diligence necessary for completion of all aspects of the project according to the City's Ordinances, Regulations, Design and Construction Criteria, and Development Standards.

Review Summary

In general, the original plat submittal associated with the site development ties this to the 1993 Drainage Design Manual and criteria, which has been used to generate these comments. The design of proposed detention pond is poorly documented and likely substantially undersized. Please also address the comments below.

November 2022 Plans:

1. Sheet C08.02, Proposed Drainage Area Map does not show a revised delineation of area draining to the detention pond within area D1. Some of this area will drain directly into the detention pond and should be accounted as part of the pond design.
2. Related to **Comment 1**, it is unclear how the stormwater detention calculations are derived with incorrect hydrology in Sheet C09.04.
3. Sheet C09.04, Proposed Drainage Pond and Outlet, the detention pond calculations use a non-standard methodology that is not documented or justified anywhere in these plans. As part of this review, the standard methodology was used to evaluate the pond and have determined that storage is undersized by a factor of 2-3 when accounting for the hydrologic parameters presented on Sheet C08.01 and Sheet C08.02, and the previously approved existing conditions calculations of 311T-9437, S167-275 (Blue Ridge Estates). A sample of a compliant Modified Rational Method spreadsheet analysis of the 100-year storm is shown in **Figure 1**.

4. The use of the minimum 10 minutes for the existing condition on-site is inappropriate, will overestimate existing runoff, and will lead to undersized detention volume. Please compute an onsite time of concentration for use in establishing existing conditions and show the selected time of concentration of the drainage area map, with labels for sheet, shallow concentrated, and channelized flow.

MODIFIED RATIONAL METHOD SPREADSHEET
VARIABLE INTENSITY BY BDE EQUATION

Storm	**100-YR**								
Step	**b**	**d**	**e**	**Tc (min)**	**I (in/hr)**	**K**	**C**	**A (Acre)**	**Q (cfs)**
Pre-Project	98.16816	11.08957	0.760029	25.00	6.43	1	0.53	50.39	172.05
Post-Project	98.16816	11.08957	0.760029	10.00	9.67	1.15	0.68	50.39	381.24

Timestep	**5**	**min**							
Td (min)	**K**	**C**	**I (in/hr)**	**A (acre)**	**Q (cfs)**	**V_{in} (cf)**	**V_{out} (cf)**	**V_{req} (cf)**	**V_{req} (ac-ft)**
10.00	1.15	0.68	9.67	50.39	381.24	228743	103230	125512	2.881
15.00	1.15	0.68	8.23	50.39	324.32	291885	129038	162848	3.738
20.00	1.15	0.68	7.20	50.39	283.85	340625	154845	185780	4.265
25.00	1.15	0.68	6.43	50.39	253.44	380156	180653	199503	4.580
30.00	1.15	0.68	5.83	50.39	229.64	413348	206460	206887	4.749
35.00	1.15	0.68	5.34	50.39	210.45	441935	232268	209667	**4.813**
40.00	1.15	0.68	4.94	50.39	194.60	467041	258076	208965	4.797
45.00	1.15	0.68	4.60	50.39	181.27	489428	283883	205544	4.719
50.00	1.15	0.68	4.31	50.39	169.88	509636	309691	199946	4.590
55.00	1.15	0.68	4.06	50.39	160.02	528063	335498	192565	4.421
60.00	1.15	0.68	3.84	50.39	151.39	545007	361306	183701	4.217
65.00	1.15	0.68	3.65	50.39	143.77	560698	387113	173584	3.985
70.00	1.15	0.68	3.48	50.39	136.98	575316	412921	162395	3.728
75.00	1.15	0.68	3.32	50.39	130.89	589006	438728	150278	3.450
80.00	1.15	0.68	3.18	50.39	125.39	601886	464536	137350	3.153
85.00	1.15	0.68	3.06	50.39	120.40	614051	490344	123708	2.840
90.00	1.15	0.68	2.94	50.39	115.85	625582	516151	109431	2.512
95.00	1.15	0.68	2.83	50.39	111.67	636547	541959	94589	2.171
100.00	1.15	0.68	2.74	50.39	107.83	647003	567766	79236	1.819
								Maximum V_{req} (ac-ft)	**4.813**

Figure 1: Sample Modified Rational Method Spreadsheet Documentation

Responses to City Comments pertaining to drainage plan, detention, etc.

5. Comment E.23, where the City requested a drainage study to document no adverse effect on the downstream development and creek. The response of "No adverse effect downstream" is not satisfactory. Major issues relating to the downstream system and the assumptions used in the development have been raised, and other comment responses have disregarded the primary concern without addressing it specifically.
6. Comment E.25.e, where the City requested longitudinal and latitudinal cross sections of the detention pond, maximum grading slopes of the pond, 100-year water surface elevations, required volume in the 100-year storm, and volume provided in the 100-year storm. It is not clear what the columns in the "*Storm Water Detention Calculations*" table are meant to represent. There are 2 columns that could be interpreted as required volume, and none that indicate the actual proposed volume that is provided and corresponds to a specific water surface elevation. It is not clear that the methodology used in this design is consistent with the defined process in the 1993 Drainage Design Manual, Section IV – Appendix page 25. Please provide a similar presentation for the determination of controlling storm duration for each event.
7. Comments E.26 and F.27, relating to the back lots along Wenatche Drive, represented by the proposed drainage area F1, where the City requested confirmation that the existing drainage patterns would be matched and evaluation of the increased runoff relative to the alley capacity. A cross section of the alley was added to the grading plan, but the break points for lot drainage (generally mid-lot, approx. 60 ft off back property line) are inconsistent with the drainage areas identified on sheet C08.02 (approx. 30 ft off back property line). This means runoff from drainage area F1 is underestimated by approximately half (Q100=7.2cfs), and considering the equivalent existing conditions drainage area of A2 (Q100 = 5.0cfs), proposed flows in the alley will be increased. This is not allowed in the 1993 drainage design manual without a sealed acknowledgement of the increased runoff rates, statement of no adverse effects, and a letter of acceptance from the downstream property owner(s) – Section IV – Appendix: Checklist for Storm Drainage Plans #46.
8. Comment F.29, regarding a typo in the callout of STA 4+90.72 on the profile of Line A (sheet C09.01) was not addressed.
9. Comments F.30, F.31, and F.32, regarding the Modified Rational Method calculations and documenting the process used to determine the required mitigation. The revisions made to sheet C09.04, as discussed in the above **Comments on November 2022 Plans**, do not adequately address and document for posterity the design of the proposed detention pond. Please provide all elements requested.
10. Comment F.33, regarding evaluation of 100-year, 50-year, 10-year and 2-year storms. This request is based on the 2019 Drainage Design Manual and is rooted in the current standard of care for engineering design of detention ponds. It is recommended that the outflow structure be sized so that each of these events does not increase flow rates downstream but is not a requirement of the 1993 Drainage Design Manual, which governs. The 1993 Drainage Design Manual requires detention be evaluated for the 100-year fully developed condition and also the downstream storm drainage facility with less than 100-year capacity. In this case, consider the capacity of the existing 54" RCP in Blue Ridge Boulevard (File 421Q-1307) as the controlling criterion. The design of 311T-9437 considered this limitation in sizing on-site drainage and mitigation improvements.
11. Comment G.34, regarding labeling of existing storm drain systems. The revised plans do show references, but the references include typos, such as 411Q-1004, Sh.9 instead of 421Q-1004,

Sh.9. Please correct all reference typos so that record drawings can be appropriately identified from the vault in the future.

12. Comment G.35, regarding certification of an accurate drainage analysis that demonstrates no adverse impacts to downstream property based on the proposed drainage design. As discussed in the above **Comments on November 2022 Plans**, the simple response of Agree is not satisfactory.

Section 5
Demand Letter

From:	Espinoza, Andres
To:	Tori Hoffmeister; Caso, Chris; Burgess, Casey
Cc:	Ryan Starnes; Eskander, Mina; Young, Vernon
Subject:	RE: Demand Letter - Shady Hollow Estates
Date:	Thursday, December 15, 2022 7:50:04 AM
Attachments:	image002.png image005.jpg 2022-12-14 Demand to City of Dallas vf.pdf image001.jpg

Good day! Thank you Tori.

Would you kindly provide an address, permit or application number so we can research on our end? Many thanks.

With kindness.

Please Take a Moment to Tell Us How We Are Doing

Andrew Espinoza, CBO, MCP, CCEA
Director/Chief Building Official
City of Dallas | DallasCityNews.net
Development Services Department
320 E. Jefferson
Dallas, TX 75203
O: 214.671.9148 | C: 214.542.1227
andrew.espinoza@dallascityhall.com

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From: Tori Hoffmeister <thoffmeister@libbysparks.com>
Sent: Wednesday, December 14, 2022 5:44 PM
To: Espinoza, Andres <andres.espinoza@dallas.gov>; Caso, Chris <chris.caso@dallas.gov>; Burgess, Casey <casey.burgess@dallas.gov>
Cc: Ryan Starnes <rstarnes@libbysparks.com>
Subject: Demand Letter - Shady Hollow Estates

External Email!

Good Afternoon,

Please see attached correspondence from Ryan Starnes regarding Shady Hollow Estates.

Best,

TORI HOFFMEISTER | Legal Assistant
Libby Sparks Willis Starnes PLLC
214.390.2300
5950 Berkshire Lane // Suite 200 // Dallas, Texas 75225
thoffmeister@libbysparks.com

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LIBBY · SPARKS · WILLIS · STARNES

RYAN A. STARNES
Direct: (214) 390-4186
rstarnes@libbysparks.com

December 14, 2022

Andres Espinoza
City of Dallas
320 E. Jefferson Blvd., Room 200
Dallas, Texas 75203

Via U.S. Certified Mail, RRR
7017 3040 0000 2448 6420
Via Regular U.S.
Via electronic mail:
Andres.espinoza@dallas.gov
Chris.caso@dallas.gov
Casey.burgess@dallas.gov

Re: Application for Determination of Apportionment ("*Application*") for Shady Hollow Estates ("*Development*")

To Whom It May Concern:

The undersigned attorney and law firm have been retained to represent Shady Hollow Development LLC ("*SHD*") in connection with November 11, 2022, Application regarding the Development.

Pursuant to Tex. Loc. Gov. Code § 212.904(a) the City of Dallas ("*City*") was required to complete an apportionment determination within 30 days from the date of the application for determination. SHD submitted the Application on November 11, 2022. More than 30 have passed and SHD has received no response from the City.

Pursuant to Dallas City Code § 51A-1.109(e), the City was required to notify the SHD of any alleged deficiencies in the developer report within 15 days of the report being submitted. After initially providing the developer report on October 10, 2022, SHD was provided an additional application form on October 17, 2022, which was then completed and provided with additional requirements on November 11, 2022. The City did not provide any response to the report within 15 days. Thus, SHD's report was complete when submitted on November 11, 2022.

It is SHD's desire for the City to honor the timelines in the applicable codes and amicably work this matter to resolution. The City's continued efforts to ignore the statutory timelines, however, has caused, and will continue to cause, significant damages to SHD. Please be aware that Tex. Loc. Gov. Code § 212.904 provides SHD with remedies of recovering any costs and reasonable attorney's fees (including expert witness fees), in the successful prosecution of this matter in a court of law.

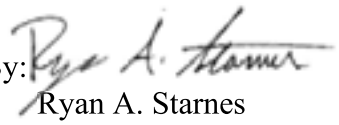
Accordingly, without waiving any rights SHD may have with a respect to an appeal of the City's determination or lack thereof, SHD respectfully requests that the City, pursuant to Dallas City Code § 51A-1.109(e)(4), notify SHD of the apportionment determination without any further delay.

Please be advised that this letter is not intended to and does not constitute a waiver of any rights or remedies, or appeals that SHD may have under Texas law. This letter is merely given as an accommodation to you. Any potential causes of action now existing or later occurring that are not

specifically mentioned in this letter will not be deemed waived by SHD. The description in this letter of the specific rights of SHD will not be deemed to limit or exclude any other rights to which SHD may be or become entitled to at law, in equity, or otherwise. SHD reserves all rights and remedies granted and available at law or in equity, all of which will be cumulative and may be pursued separately, successively, or concurrently at the sole discretion of SHD.

Very truly yours,

LIBBY SPARKS WILLIS STARNES PLLC

By: 
Ryan A. Starnes

Section 6
Certificate of No Action

From:	Eskander, Mina
To:	adrian@419builders.com
Cc:	limassoc@aol.com; Espinoza, Andres; Burgess, Casey
Subject:	RE: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments
Date:	Monday, December 12, 2022 12:54:29 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png Certificate of No Action.pdf

Adrian,
Please see the requested certificate attached.
Sincerely,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Friday, December 2, 2022 8:28 AM
To: Eskander, Mina <mina.eskander@dallas.gov>; Martinez, Evodio <evodio.martinez@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Cc: limassoc@aol.com; Denman, Lloyd <lloyd.denman@dallas.gov>
Subject: Re: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

External Email!

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Please note that we have complied with all code requirements and further determinations as we understand them, and provided a full re-submission of paving & drainage engineering plans on November 1, with payment on November 4. As we received no denial following the requirements of Texas Local Government Sec. 212.0091 on or before November 19, this plan is now approved.

Texas Local Government Code 212..009 (d):

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In accordance with the instruction above, please provide a certificate stating the date the plan was filed and that the authority failed to act on the plat within the period.

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Unfortunately I must suggest that at this point of the process that the delays and additional review we are experiencing are arbitrary, in violation of Texas Local Government Sec. 212.0091 (b) (2).

Please provide confirmation of the items above today.

Regards,
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214.918.4671

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I stated this before, and I will state it again, your engineer needs to provide a report and calculations to show that this development will have no adverse impacts to anyone upstream or downstream due to this development. This will assist us in completing our review quickly.

Thank you,

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Cc: limassoc@aol.com
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> > *Sr. Office Assistant-Paving/Drainage Engineering*
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> > Development Services
> > 320 E.Jefferson Blvd.Room 200 Dallas, TX75203
> > O: (214) 948-4205
> > norma.morales1@dallas.gov
> >
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> > Please Take a Moment to Tell Us How We Are Doing.
>
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> **Subject:** FW: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments
>
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Can you add this to database, this is a 3rd Review, and a fee will need to be generated?

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Evodio Martinez, EIT, CFM
Engineer Assistant – Paving/Drainage Engineering
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd, Rm 200, Dallas, TX 75203
O: (214) 948-4444 | evodio.martinez@dallas.gov

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Subject: Re: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

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Please let us know if we should provide anything else.

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>
> Please see the attached PDF for our 2nd review

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Engineer Assistant – Paving/Drainage Engineering
City of Dallas | www.dallascityhall.com
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O: (214) 948-4444 | evodio.martinez@dallascityhall.com

Attachments:

- Traffic Engineering Review Checklist 02-11-22 Rev 3.xlsx
- 421Q-1859_5-6.tif
- 311T-10059_Shady Hollow Estates_2nd Plan Review.pdf

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Certificate of No Action

CITY OF DALLAS

DATE December 12, 2022

TO Adrian Cole, Developer

SUBJECT **Shady Hollow Estates - 311T-10059**

The paving and drainage engineering plans for the Shady Hollow Estates development, engineering file number 311T-10059, were submitted on November 4, 2022. The City failed to act on the plan review within the required timeframe as specified by Chapter 212 of the Texas Local Government Code.

This certificate does not allow you to violate City Code or State Law. The Department does not assume any liability for the engineering design nor does this certificate release the design engineer from liability for correcting errors and omissions in the design, both during and after the construction.

This certificate is effective in place of the endorsement required by Section 212.009(c) of the Texas Local Government Code.

Sam Eskander

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Development Services

c: Andrew Espinoza, CBO, MCP, CCEA, Director/Chief Building Official
Casey Burgess, Executive Assistant City Attorney
Guillermo R. Darce, PE, Engineer-of-Record, LIM & Associates, Inc.
Daniel Lim, PE, RPLS, CFM, LIM & Associates, Inc.

Section 7
Plat Certificate

From: adrian@419builders.com
To: z.graceyd3cpc@gmail.com; Nelson, Paul; Caso, Chris; shididcpc5@gmail.com; Bordbar, Mohammad
Cc: limassoc@aol.com; Denman, Lloyd; Eskander, Mina; Martinez, Evodio; Espinoza, Andres
Subject: 311T-10059_Shady Hollow Estates S178-288 - Plat Certificate
Date: Monday, December 5, 2022 9:32:00 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png
311T-10059_Shady Hollow Estates_2nd Plan Review-RESPONSE-2022-1101-2.pdf
311T-10059-SHADY-HOLLOW-ESTATES-CIVIL-PLANS-2022-1101.pdf
311T-10059_Shady Hollow Estates_2nd Plan Review-3.pdf
CPC Letter S178-288 September 6 2018.pdf

External Email!

Good morning all,

As indicated below, the engineering review for this project has well exceeded the state-mandated and City of Dallas development code timelines for review regarding plat applications and plan reviews, and as a remedy the paving & drainage plan in question is now considered approved, according to Texas Local Government Code Sec. 212.009 and Sec 212.0091. (https://texas.public.law/statutes/tex._local_gov't_code_section_212.009). The state also requires a municipal authority responsible for approving a plat to issue a "certificate stating the date the plan or plat was filed and that the authority failed to act on the plan or plat within the period."

As listed below, I again request that a certificate be issued stating that the City of Dallas failed to issue an approval or denial of the submission below within the required period. Also as mentioned below, we submitted the plan response on November 1, paid a fee as requested on November 4, and after repeated status inquiries, on November 30 I was informed that the plan was not expected to be reviewed soon. The required review period is 15 days.

We have made every reasonable effort to accommodate all City requirements and instructions in regard to this plat approval, and the continued delays are unreasonable, arbitrary, and impact the viability of this project.

Please issue this certificate regarding the plan submission described below as soon as possible so we can continue with finalizing this plat.

Thank you,
Adrian Cole
214.918.4671
Shady Hollow Development LLC

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>
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Subject: Re: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

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Subject: FW: 311T-10059_Shady Hollow Estates - 2nd Plan Review Comments

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Engineer Assistant – Paving/Drainage Engineering
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Development Services
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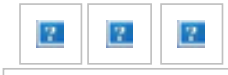
O: (214) 948-4444 | evodio.martinez@dallas.gov



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- 421Q-1859_5-6.tif
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City of Dallas

PRIVATE DEVELOPMENT COORDINATION PLAN REVIEW SHEET

Recipient: Guillermo R. Darce, P.E. **Email:** limassoc@aol.com
Date Emailed: 04/27/2022 **No. of Pages:** 5 (+ 2 attachments)

☐ **STORM WATER**
☒ **DRAINAGE**
☒ **PAVING**
☐ **PRELIMINARY**
☒ **REVISED (2nd)**
☐ **REVISED FINAL**
☐ **REVISION LETTER**
☐ **APPROVAL LETTER**

Project: Shady Hollow Estates
Date Received: 03/31/2022 **Copies Recd.:** 2
Engineer: Lim & Associates, Inc
Developer: Adrian Cole **Mapsco Grid:** 63-A
City Plan File No.: S178-288 **File No.:** 311T-10059
Reviewed By: Evodio Martinez, E.I.T., Changho Yi, P.E.

A. General Comments

1. Address all comments below and resubmit **each** of the following:
   a. **Comment response letter** signed and sealed by the Engineer of Record referencing the date of review comments, how each comment has been addressed, and the sheet number where the correction can be found; **and**
   b. A **PDF copy** of the entire resubmittal (may be emailed (if less than 15 MB) or on CD).
2. All paving and storm drainage work being done within public right-of-way and easements, including sidewalks, barrier-free ramps and drive approaches, must be constructed under a 3-way private development contract. Submit an itemized list of improvements and a cost estimate per number 8 on the Plan Review Check List.
3. Provide TWO (2) benchmarks on the plans per City of Dallas standards. You may use this link to locate benchmarks: http://dallascityhall.com/departments/waterutilities/Pages/dwu_design_standards.aspx
4. Engineering Plans must include a Street Lighting Plan (C13.01_STREET LIGHT.pdf) prepared by an electrical lighting design consultant showing photometric analysis to be reviewed and approved by the Transportation Department (Micheal Driggars and Daniel Silva, micheal.driggars@dallascityhall.com, daniel.silva1@dallascityhall.com). All street lights must be LED and the lighting design must comply with Section 6 of the Street Design Manual.
5. On all title blocks, update "SUSTAINABLE DEVELOPMENT & CONSTRUCTION" to "DEVELOPMENT SERVICES" and " SDC ENGINEERING TRACKING NOS" TO " DEV ENGINEERING TRACKING NOS"
6. The City of Dallas reserves the right to add additional comments as necessary.

B. Plat Comments

7. Dedicate 7.5' ROW from the established center line of all alleys. **Repeat. Dedication for alley must be by Fee Simple, please revise dedication on plat.**

C. Dimension Control and Paving Plan Comments

8. Clearly show and label all existing signs, utilities, signal poles, parking meters, bike racks, newspaper racks, advertising kiosks, DART benches/shelters, etc. located within the right-of-way. Please place the following note on the Cover Sheet: The property owner is liable to restore/replace any damaged city approved/controlled infrastructure in the public right-of-way. **Repeat. Please include the following note on the Cover Sheet: The property owner is liable to restore/replace any damaged city approved/controlled infrastructure in the public right-of-way.**

9. Per Dallas City Code Sec. 51A-8.606, sidewalks and barrier-free ramps are required on all street frontages. Clearly show and label all existing and proposed sidewalks along your development's frontage of all streets. Please note: A barrier-free ramp with detectable warning is required at all intersections, as well as at driveways with high traffic volume. **Repeat. Provide 5' sidewalk and 5' buffer per Figure 4.6 of the 2019 Street Design Manual.**
10. City of Dallas File 251D-1 does not have a detail for directional barrier-free ramp at drive approaches or street intersections. Please show and provide an ADA-compliant barrier-free ramp detail. You may reference attached TxDOT PED-18 ramp Type 7 or Type 10 as detail for proposed barrier-free ramps. Please be advised that Type 5 ramps are not encouraged by Transportation and Public Works staff. **Repeat. Proposed Type C BFR to be reviewed by the traffic engineer.**
11. All code-required frontage sidewalks must be located within City right-of-way or street easement/sidewalk & utility easement.
12. Confirm that all existing and proposed sidewalks and barrier-free ramps comply with Texas Accessibility Standards (TAS) and Americans with Disabilities Act (ADA). If existing barrier-free ramps at drive approaches do not meet TAS/ADA standards, they will need to be replaced. If both barrier-free ramps at a drive approach need to be replaced, the entire driveway ramp portion within public right-of-way will need to be rebuilt. **Repeat. Provide proposed spot elevations at all critical locations along all sidewalks, ramps and driveway and confirm ADA compliance.**
13. Specify subgrade preparation for the drive approach. In section V of the Paving Design Manual, starting on page V-2, subgrade requirements are provided based on street type and soil P.I. Please choose the option that complies with the requirements: compacted subgrade, lime treated subgrade, cement modified subgrade, or cement stabilized subgrade. In lieu of all options except for compacted subgrade, two additional inches of concrete must be added to the concrete thickness. **Repeat. Specify subgrade preparation for the drive approach. In Section 5.2.3.4 of the Street Design Manual, starting on page 153, subgrade requirements are provided based on street type and soil P.I (See Table 5.4 Minimum Street Pavement Design Sections). Please choose the option that complies with the requirements: compacted subgrade, lime treated subgrade, cement modified subgrade, or cement stabilized subgrade. In lieu of all options except for compacted subgrade, two additional inches of concrete must be added to the concrete thickness.**
14. Confirm that these design plans conform to the following requirements: **Repeat. Please look at profile for Charleston Ave., Sheet C06.05, please check the grades over 5%, will there be any ADA/TAS compliance issue?**
    a. The minimum longitudinal desirable grade for streets is five tenths (0.5) percent. The minimum acceptable grade is four tenths (0.4) percent where use of the minimum desirable grade is not practical.
    b. Where valley gutters are used for intersecting drainage, the minimum grade for valley gutters is four tenths (0.4) percent for concrete.
    c. The maximum longitudinal grade is 10%.
    d. Minimum crossfall for longitudinal paving grades equal to or exceeding 1%, minimum pavement crossfall is 1/8 inch per foot (1%). For longitudinal paving grades less than 1% and at storm drainage inlets, the minimum pavement crossfall is 1/4 inch per foot (2%).
    e. Maximum street pavement crossfall permitted is 1/2 inch per foot (4%) at any point in the roadway. Crossfalls should normally not exceed 1/4 inch per foot (2%).
    f. When two longitudinal street grades intersect at a point of vertical intersection (PVI) and the algebraic difference in the grades is greater than 1.0%, a vertical curve is required.

g. The minimum safe stopping sight distances for the City of Dallas street types and design speeds is 200'.
h. The minimum crest vertical curve K is 24'. The minimum sag vertical curve K is 20'.

15. Clearly show and label all visibility triangles at all drive approaches and street intersections. **Repeat. Visibility triangles not shown on plans, clearly show and label visibility triangles.**
16. A standard turnaround must be provided in the design of dead-end streets. Normally, the standard turnaround is circular. The minimum radius for the circular turnaround is 50 feet for the right-of-way and 43.5 feet for the pavement measured to the back of the curb. The alternate T-shaped turnaround may be provided when specifically approved by the Director of Public Works and Transportation.
17. Show and label removal of existing dead-end barricade on Shady Hollow Ln.
18. On sheet C06.03 you are referencing 251-D construction details, please include page number from latest 251-D.
19. Reference 251-D and page number form the dead-end barricade.
20. Provide a minimum 48' curb radius at turn arounds and obtain written approval from Ricky Butler, ricky.butler@dallascityhall.com, with Dallas Fire and Rescue.

D. Signage and Striping Plan Comments

21. These plans must be reviewed and approved by our division's Traffic Engineering review staff prior to our issuance of an approval letter. I will provide them one copy of the submitted plans and forward any comments they may have on to you once they are given to me. **Repeat. Please see Traffic Engineering Review Checklist, fill out the excel file and submit with your next submittal for our traffic engineers to review.**

E. Grading/Drainage Plan Comments

22. Provide typical cross sections for all retaining walls/screen walls and show the footings, utility crossings, wall heights, and distances to property lines. All walls, including footings, should be located entirely within private property. If any proposed walls encroach into City Right-of-Way or easements, a license agreement will be required. No buttresses, steps, projections, retaining walls or fences shall be constructed on any public property unless such construction is approved by the city council. If any walls cross property lines, easements will be required. **Repeat. Please provide a typical cross section of the proposed retaining walls. Will there be a need for a retaining wall maintenance agreement?**
23. There is a proposed residential subdivision being developed downstream of this site. Have you obtained a copy of the design plans for 311T-9437? Please prepare and submit a drainage study and show that there will be no adverse effect on the downstream development and creek.
24. The engineer of record should confirm if this project disturbs one acre or more of soil. If so, this project requires a storm water discharge permit from the Texas Commission on Environmental Quality (TCEQ). The requirements are outlined in TPDES General Permit Number TXR150000 (www.tceq.com). A completed copy of the **executed** (signed) Storm water Pollution Prevention Plan (scanned PDF on a CD) must be submitted to this office prior to the start of construction. Please notify your client to avoid unnecessary delays in the future. **Repeat. Pending submittal of SWPPP.**
25. Regarding detention ponds: **Repeat. See additional comments "f" and "g" regarding O&M Plan.**
    a. Security fencing shall encompass the basin area due to potential safety hazards created by prolonged storage of floodwater.

b. Access from an adjacent street will be constructed to the detention basin and the outlet structure for normal removal of debris and desiltation. The access will be of a level cross-section, 15 feet in width, maximum 6:1 grade, sloped to drain, and positioned outside of and at least 3 feet above the detention basin floor. If access is between platted lots, concrete paving (to City alley standards) will be required. Rock (e.g., mixed crushed rock less than 3 inch, or other suitable material) a minimum of 10 inch in depth may be compacted to form an all-weather driving surface. **Provide adequate turning space for the proposed access to the pond.**
c. Concrete paved low flow channels must be used to control meandering and minimize erosion. 3" weepholes are required and must be spaced 15' on center longitudinally. #4 bars are required at 12" on center longitudinally, and #4 traverse bars are required at 15" on center. 6" rock foundation is required on top of the 10 mil. film. *Refer to 251D-1 Standard Construction Details, page 2009*.
d. If slopes are flatter than 3:1, established vegetation should be used for slope protection. If steeper than 3:1, concrete or gabions should be used.
e. Provide latitudinal and longitudinal cross sections for the detention pond and show the maximum grade slopes, the 100-year water surface elevations, the required volume, and volume provided.
f. Per section 11 of the Drainage Design Manual, an operation and maintenance plan (O&M Plan) shall be provided for all detention facilities that will not be City owned and operated. O&M plans shall be filed with the Courthouse with the plat or deed records. Please upload an O&M Plan for the proposed detention facilities complying with Section 11.2 of Drainage Design Manual for review.
g. Provide the following note on the detention plan: "A copy of the O&M Plan shall be retained onsite or within reasonable access to the site, and shall be transferred with the property to the new owner. The O&M Plan shall be adjusted or revised at the end of the first year of use, if needed, as a result of inspection findings and recommendations by the City. Future land owners are required to adhere to the approved O&M Plan. Annual inspections shall be performed by a qualified engineer to ensure that facilities are operating as intended.

26. On sheet C08.02 shows rear of these lots draining to Wenatche Drive. Make sure drainage patter is consistent with the proposed grading.

F. Overall Drainage Area Map Comments

27. Grading plan show back half of the lots along Wenatche Dr draining to the alley. Make sure drainage patter is consistent. If draining to the alley, provide an alley cross-section including Q100, Qcap, velocity, slope, 100-year water depth.
28. On Sheet C09.01 and based on the proposed drainage area map, you are stating that drainage areas O1, O2, and O3 drain towards the proposed 4' x 4' Y Inlet, show proposed grading to ensure that offsite runoff will effectively be conveyed to the proposed Y inlets.
29. On Sta. 4+90.72 Line A, it appears there is a typo with a "4" INLET instead of "Y" INLET in both the plan and profile, please revise as needed.
30. On sheet C09.04, the detention calculations, justify the Q allowable of 353 cfs. Based on 311t-9437 plans, downstream system was designed for Q100 of approximately 220 cfs from this discharge location.
31. Provide required detention volume calculations using the Modified Rational Method.
32. Provide elevation vs. storage volume table for the detention volume provided.

33. Provide outflow rate calculation for each of the storm events (100-year, 50-year, 10-year and 2-year storm events) to demonstrate release rate control not exceeding capacity of downstream and predevelopment condition.

G. Storm Sewer Plan Comments

34. Does the drainage outfall have the capacity to convey the 100-yr flood? Per the Drainage Design Manual, investigation shall be made by the engineer to validate the adequacy of the storm drain outfall. Show the Q_{100} and Q_{CAP} for all downstream storm drain systems. Show that there is capacity downstream to convey the 100-year storm. **Repeat. Detention outflow should not exceed Q100 designed for downstream system.**
35. Clearly show and label all existing storm drain systems and label all existing inlet sizes, manhole sizes, storm pipe sizes, 421Q-# / 311T-#, etc…**Repeat. Please see attachment 421Q-1859_5-6, call out in your plans.**
36. The Engineer of record shall certify that the drainage analysis is accurate and that downstream conditions will not be adversely affected by the proposed drainage design.

ENGINEERS RESPONSE TO COMMENTS

Project: Shady Hollow Estates
File No.: 311T-10059
City Plan File NO.: S178-288
Engineer of Record : Guillermo R. Darce, P.E. (Lim & Associates).
Reviewer: Evodio Martinez, E.I.T., Changho Yi, P.E.
DATE OF RESPONSE: 10-03-2022

***Response is in blue writing**

A. General Comments

1. Address all comments below and resubmit **each** of the following:
   a. **Comment response letter** signed and sealed by the Engineer of Record referencing the date of review comments, how each comment has been addressed, and the sheet number where the correction can be found; **and**
   Response Letter will be provided.
   b. A **PDF copy** of the entire resubmittal (may be emailed (if less than 15 MB) or on CD).
   Response to comments provided in blue writing.

2. All paving and storm drainage work being done within public right-of-way and easements, including sidewalks, barrier-free ramps and drive approaches, must be constructed under a 3-way private development contract. Submit an itemized list of improvements and a cost estimate per number 8 on the Plan Review Check List.
   Contractor will provide itemized OPCC

3. Provide TWO (2) benchmarks on the plans per City of Dallas standards. You may use this link to locate benchmarks: http://dallascityhall.com/departments/waterutilities/Pages/dwu_design_standards.aspx
   We have added two benchamarks on plans.

4. Engineering Plans must include a Street Lighting Plan (C13.01_STREET LIGHT.pdf) prepared by an electrical lighting design consultant showing photometric analysis to be reviewed and approved by the Transportation Department (Micheal Driggars and Daniel Silva, micheal.driggars@dallascityhall.com, daniel.silva1@dallascityhall.com). All street lights must be LED and the lighting design must comply with Section 6 of the Street Design Manual.
   Street Lighting plan will be provided.

5. On all title blocks, update “SUSTAINABLE DEVELOPMENT & CONSTRUCTION” to “DEVELOPMENT SERVICES” and " SDC ENGINEERING TRACKING NOS" TO " DEV ENGINEERING TRACKING NOS"
   We have updated title block information

6. The City of Dallas reserves the right to add additional comments as necessary.
   Agree.

B. Plat Comments

7. Dedicate 7.5' ROW from the established center line of all alleys. **Repeat. Dedication for alley must be by Fee Simple, please revise dedication on plat.**
   Plat has been updated.

C. Dimension Control and Paving Plan Comments

8. Clearly show and label all existing signs, utilities, signal poles, parking meters, bike racks, newspaper racks, advertising kiosks, DART benches/shelters, etc. located within the right-of-way. Please place the following note on the Cover Sheet: The property owner is liable to restore/replace any damaged city approved/controlled infrastructure in the public right-of-way. **Repeat. Please include the following note on the Cover Sheet: The property owner is liable to restore/replace any damaged city approved/controlled infrastructure in the public right-of-way.**
   We have included the note on cover sheet and existing features have been labeled.

9. Per Dallas City Code Sec. 51A-8.606, sidewalks and barrier-free ramps are required on all street frontages. Clearly show and label all existing and proposed sidewalks along your development's frontage of all streets. Please note: A barrier-free ramp with detectable warning is required at all intersections, as well as at driveways with high traffic volume. **Repeat. Provide 5' sidewalk and 5' buffer per Figure 4.6 of the 2019 Street Design Manual.**
   We have added directional barrier-free ramp with detectable warning (TxDOT PED-18 Detail). Per 2019 Street Design Manual Figure 4.45, min. 4' sidewalk is allowed with 2' minimum buffer.

10. City of Dallas File 251D-1 does not have a detail for directional barrier-free ramp at drive approaches or street intersections. Please show and provide an ADA-compliant barrier-free ramp detail. You may reference attached TxDOT PED-18 ramp Type 7 or Type 10 as detail for proposed barrier-free ramps. Please be advised that Type 5 ramps are not encouraged by Transportation and Public Works staff. **Repeat. Proposed Type C BFR to be reviewed by the traffic engineer.**
    We have added directional barrier-free ramp with detectable warning (TxDOT PED-18 Detail).

11. All code-required frontage sidewalks must be located within City right-of-way or street easement/sidewalk & utility easement.
    All sidewalks contained within street right-of-ways.

12. Confirm that all existing and proposed sidewalks and barrier-free ramps comply with Texas Accessibility Standards (TAS) and Americans with Disabilities Act (ADA). If existing barrier-free ramps at drive approaches do not meet TAS/ADA standards, they will need to be replaced. If both barrier-free ramps at a drive approach need to be replaced, the entire driveway ramp portion within

public right-of-way will need to be rebuilt. **Repeat. Provide proposed spot elevations at all critical locations along all sidewalks, ramps and driveway and confirm ADA compliance.**
We have added spot elevations to all ramps on grading plan.

13. Specify subgrade preparation for the drive approach. In section V of the Paving Design Manual, starting on page V-2, subgrade requirements are provided based on street type and soil P.I. Please choose the option that complies with the requirements: compacted subgrade, lime treated subgrade, cement modified subgrade, or cement stabilized subgrade. In lieu of all options except for compacted subgrade, two additional inches of concrete must be added to the concrete thickness. **Repeat. Specify subgrade preparation for the drive approach. In Section 5.2.3.4 of the Street Design Manual, starting on page 153, subgrade requirements are provided based on street type and soil P.I (See Table 5.4 Minimum Street Pavement Design Sections). Please choose the option that complies with the requirements: compacted subgrade, lime treated subgrade, cement modified subgrade, or cement stabilized subgrade. In lieu of all options except for compacted subgrade, two additional inches of concrete must be added to the concrete thickness.**
Subgrade preparation will be per geotechnical report recommendations.

14. Confirm that these design plans conform to the following requirements: **Repeat. Please look at profile for Charleston Ave., Sheet C06.05, please check the grades over 5%, will there be any ADA/TAS compliance issue?**
    a. The minimum longitudinal desirable grade for streets is five tenths (0.5) percent. The minimum acceptable grade is four tenths (0.4) percent where use of the minimum desirable grade is not practical.
    b. Where valley gutters are used for intersecting drainage, the minimum grade for valley gutters is four tenths (0.4) percent for concrete.
    c. The maximum longitudinal grade is 10%.
    d. Minimum crossfall for longitudinal paving grades equal to or exceeding 1%, minimum pavement crossfall is 1/8 inch per foot (1%). For longitudinal paving grades less than 1% and at storm drainage inlets, the minimum pavement crossfall is 1/4 inch per foot (2%).
    e. Maximum street pavement crossfall permitted is 1/2 inch per foot (4%) at any point in the roadway. Crossfalls should normally not exceed 1/4 inch per foot (2%).
    f. When two longitudinal street grades intersect at a point of vertical intersection (PVI) and the algebraic difference in the grades is greater than 1.0%, a vertical curve is required.

    g. The minimum safe stopping sight distances for the City of Dallas street types and design speeds is 200'.
    h. The minimum crest vertical curve K is 24'. The minimum sag vertical curve K is 20'.

We have revised paving profiles to comply with ADA/TAS requirements.

15. Clearly show and label all visibility triangles at all drive approaches and street intersections. **Repeat. Visibility triangles not shown on plans, clearly show and label visibility triangles.**
We have added visibility triangles

16. A standard turnaround must be provided in the design of dead-end streets. Normally, the standard turnaround is circular. The minimum radius for the circular turnaround is 50 feet for the right-of-way and 43.5 feet for the pavement measured to the back of the curb. The alternate T-shaped

turnaround may be provided when specifically approved by the Director of Public Works and Transportation.
We have revised cul-de-sac turnaround pavement radius to 48' and radius for the R.O.W. to 58'

17. Show and label removal of existing dead-end barricade on Shady Hollow Ln.
We have added a note to remove dead-end-barricade.

18. On sheet C06.03 you are referencing 251-D construction details, please include page number from latest 251-D.
We have included the page number.

19. Reference 251-D and page number form the dead-end barricade.
We have included the 251D reference and page number.

20. Provide a minimum 48' curb radius at turn arounds and obtain written approval from Ricky Butler, ricky.butler@dallascityhall.com, with Dallas Fire and Rescue.
We have revised cul-de-sac turnaround pavement radius to 48' and radius for the R.O.W. to 58'

D. Signage and Striping Plan Comments

21. These plans must be reviewed and approved by our division's Traffic Engineering review staff prior to our issuance of an approval letter. I will provide them one copy of the submitted plans and forward any comments they may have on to you once they are given to me. **Repeat. Please see Traffic Engineering Review Checklist, fill out the excel file and submit with your next submittal for our traffic engineers to review.**
We have filled out the Traffic Engineering Checklist and is being submitted.

E. Grading/Drainage Plan Comments

22. Provide typical cross sections for all retaining walls/screen walls and show the footings, utility crossings, wall heights, and distances to property lines. All walls, including footings, should be located entirely within private property. If any proposed walls encroach into City Right-of-Way or easements, a license agreement will be required. No buttresses, steps, projections, retaining walls or fences shall be constructed on any public property unless such construction is approved by the city council. If any walls cross property lines, easements will be required. **Repeat. Please provide a typical cross section of the proposed retaining walls. Will there be a need for a retaining wall maintenance agreement?**
Typical wall section provided.

23. There is a proposed residential subdivision being developed downstream of this site. Have you obtained a copy of the design plans for 311T-9437? Please prepare and submit a drainage study and show that there will be no adverse effect on the downstream development and creek.
No adverse effect downstream.

24. The engineer of record should confirm if this project disturbs one acre or more of soil. If so, this project requires a storm water discharge permit from the Texas Commission on Environmental Quality (TCEQ). The requirements are outlined in TPDES General Permit Number TXR150000 (www.tceq.com). A completed copy of the **executed** (signed) Storm water Pollution Prevention Plan

(scanned PDF on a CD) must be submitted to this office prior to the start of construction. Please notify your client to avoid unnecessary delays in the future. **Repeat. Pending submittal of SWPPP.**
SWPP will be submitted by the developer.

25. Regarding detention ponds: **Repeat. See additional comments "f" and "g" regarding O&M Plan.**
    a. Security fencing shall encompass the basin area due to potential safety hazards created by prolonged storage of floodwater.
    Security fence provided around detention pond.

    b. Access from an adjacent street will be constructed to the detention basin and the outlet structure for normal removal of debris and desiltation. The access will be of a level cross-section, 15 feet in width, maximum 6:1 grade, sloped to drain, and positioned outside of and at least 3 feet above the detention basin floor. If access is between platted lots, concrete paving (to City alley standards) will be required. Rock (e.g., mixed crushed rock less than 3 inch, or other suitable material) a minimum of 10 inch in depth may be compacted to form an all-weather driving surface. **Provide adequate turning space for the proposed access to the pond.**

    This Item I believe this requirement has been waived for this project.

    c. Concrete paved low flow channels must be used to control meandering and minimize erosion. 3" weepholes are required and must be spaced 15' on center longitudinally. #4 bars are required at 12" on center longitudinally, and #4 traverse bars are required at 15" on center. 6" rock foundation is required on top of the 10 mil. film. *Refer to 251D-1 Standard Construction Details, page 2009*.
    No paved low flow channel being used.

    d. If slopes are flatter than 3:1, established vegetation should be used for slope protection. If steeper than 3:1, concrete or gabions should be used.
    Slope of 4:1 being used.

    e. Provide latitudinal and longitudinal cross sections for the detention pond and show the maximum grade slopes, the 100-year water surface elevations, the required volume, and volume provided.
    This information is provided in Pond Outlet Profile sheets.

    f. Per section 11 of the Drainage Design Manual, an operation and maintenance plan (O&M Plan) shall be provided for all detention facilities that will not be City owned and operated. O&M plans shall be filed with the Courthouse with the plat or deed records. Please upload an O&M Plan for the proposed detention facilities complying with Section 11.2 of Drainage Design Manual for review.
    O&M will be provided.

    g. Provide the following note on the detention plan: "A copy of the O&M Plan shall be retained onsite or within reasonable access to the site, and shall be transferred with the property to the new owner. The O&M Plan shall be adjusted or revised at the end of the first year of use, if needed, as a result of inspection findings and recommendations by the City. Future land owners are required to adhere to the approved O&M Plan. Annual inspections shall be performed by a qualified engineer to ensure that facilities are operating as intended.
    Note added to sheet C09.04

26. On sheet C08.02 shows rear of these lots draining to Wenatche Drive. Make sure drainage patter is consistent with the proposed grading.
We have adjusted grading plan to match drainage pattern.

F. Overall Drainage Area Map Comments

27. Grading plan show back half of the lots along Wenatche Dr draining to the alley. Make sure drainage patter is consistent. If draining to the alley, provide an alley cross-section including Q100, Qcap, velocity, slope, 100-year water depth.
We have added an alley cross-section on the grading plan sheet

28. On Sheet C09.01 and based on the proposed drainage area map, you are stating that drainage areas O1, O2, and O3 drain towards the proposed 4' x 4' Y Inlet, show proposed grading to ensure that offsite runoff will effectively be conveyed to the proposed Y inlets.
We have shown ditch lines.

29. On Sta. 4+90.72 Line A, it appears there is a typo with a "4" INLET instead of "Y" INLET in both the plan and profile, please revise as needed.
We hace revised the callout for Y-inlet

30. On sheet C09.04, the detention calculations, justify the Q allowable of 353 cfs. Based on 311t-9437 plans, downstream system was designed for Q100 of approximately 220 cfs from this discharge location.
See revised calculation on sheet C09.04.

31. Provide required detention volume calculations using the Modified Rational Method.
See revised calculation on sheet C09.04.

32. Provide elevation vs. storage volume table for the detention volume provided.
See revised calculation on sheet C09.04.

33. Provide outflow rate calculation for each of the storm events (100-year, 50-year, 10-year and 2-year storm events) to demonstrate release rate control not exceeding capacity of downstream and predevelopment condition.

See revised calculation on sheet C09.04.

G. Storm Sewer Plan Comments

34. Does the drainage outfall have the capacity to convey the 100-yr flood? Per the Drainage Design Manual, investigation shall be made by the engineer to validate the adequacy of the storm drain outfall. Show the Q_{100} and Q_{CAP} for all downstream storm drain systems. Show that there is capacity downstream to convey the 100-year storm. **Repeat. Detention outflow should not exceed Q100 designed for downstream system.**

See revised calculation on sheet C09.04.

34. Clearly show and label all existing storm drain systems and label all existing inlet sizes, manhole sizes, storm pipe sizes, 421Q-# / 311T-#, etc…**Repeat. Please see attachment 421Q-1859_5-6, call out in your plans.**

Existing Storm systems labeled.

35. The Engineer of record shall certify that the drainage analysis is accurate and that downstream conditions will not be adversely affected by the proposed drainage design.
Agree

LIM & ASSOCIATES, INC.
F-3232

11-01-2022

CIVIL ENGINEERING PLANS

SHADY HOLLOW ESTATES
CITY OF DALLAS, DALLAS COUNTY, TEXAS
BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES ID: 311T-10059
CITY PLAN FILE NO. S178-288

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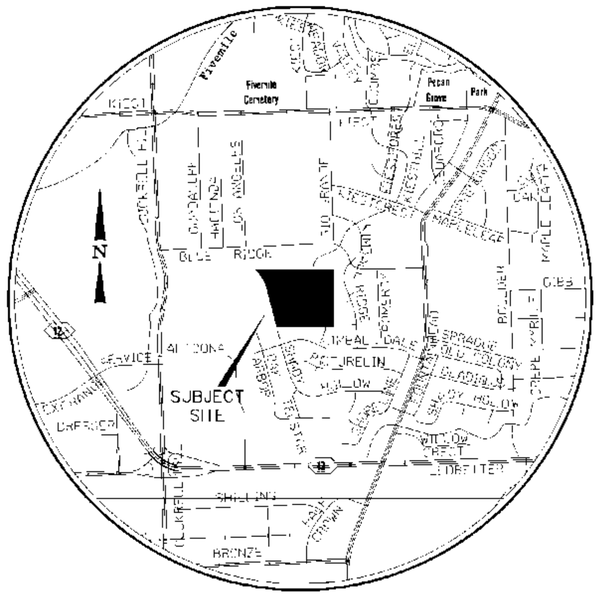
C12.01	Signage & Striping Plan
C12.50	Signage & Striping Details



VICINITY MAP
(DALLAS MAPSCO 63-A)
NOT TO SCALE

LIM PROJECT NO. 22105
NOVEMBER 2022

OWNER/DEVELOPER:

ADRIAN COLE
1600 SYLVAN AVE.
DALLAS, TEXAS 75208
(214) 918-4671

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Dallas, Texas 75201
Tel. (214) 942-1888 Fax (214) 942-1889
LimAssoc@att.com

THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

NOTES:

1. A Traffic Control Plan (TCP) must be submitted to the Department of Public Works for review and approval by Traffic Safety Coordinators prior to start of construction. No traffic lane or sidewalk along any public street or alley is to be closed without first obtaining the appropriate permit(s). Closure of any traffic lane must be restricted to the hours of 9:30 a.m. to 3:30 p.m. workdays (hours may differ in school zones). Contractor must call (214) 948-4290 to request approval of TCP and to obtain a right-of-way permit.
2. An approval from the chief arborist is required before any trees may be removed during demolition or construction.
3. All Traffic signs shall conform to the City of Dallas Traffic Signs Standards dated August 2018.
4. All parking, driveways, sidewalks and BFR shall be constructed to comply with the City of Dallas and ADA guidelines.
5. The property owner is liable to restore/replace any damaged city approved/controlled infrastructure in the public right of way.

PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and must not be used for construction, bidding or permit purposes.

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

COVER SHEET
SHADY HOLLOW ESTATES
BLOCK A-D/6960
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

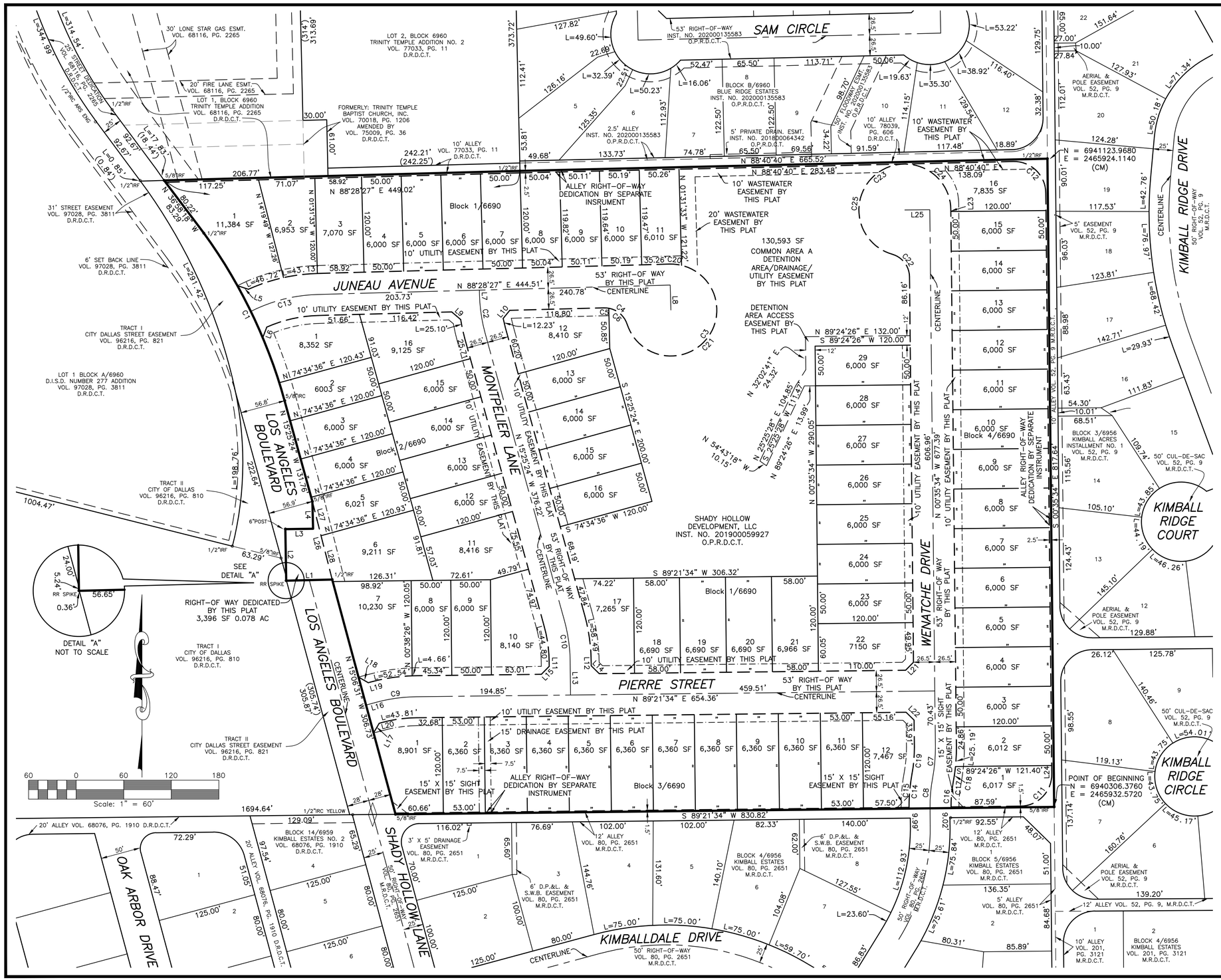
REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	XXX	XXXX	COI

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR

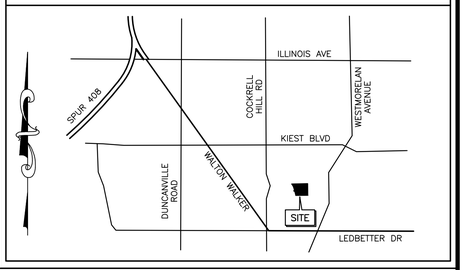
CONTRACT NO. _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

CONTRACT NO. _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____



VICINITY MAP

NOT TO SCALE



NUMBER	DIRECTION	DISTANCE
L1	S 88°37'01" W	58.01'
L2	N 00°55'29" W	64.98'
L3	N 89°10'41" E	35.01'
L4	N 01°33'22" W	34.41'
L5	S 72°01'02" E	14.55'
L6	S 20°47'24" W	14.39'
L7	S 01°19'39" E	6.00'
L8	S 01°31'33" E	23.50'
L9	S 49°40'02" E	14.90'
L10	N 39°22'12" E	13.09'
L11	S 00°37'42" E	5.91'
L12	N 00°37'42" W	5.90'
L13	N 00°37'42" W	42.41'
L14	N 45°38'04" W	14.14'

NUMBER	DIRECTION	DISTANCE
L15	S 44°21'56" W	14.14'
L16	N 74°53'29" E	13.73'
L17	N 29°53'29" E	14.14'
L18	N 60°06'31" W	14.14'
L19	S 74°53'29" W	3.73'
L20	S 74°53'29" W	3.73'
L21	N 44°23'00" E	14.15'
L22	S 45°37'00" E	14.14'
L23	N 00°35'34" W	2.53'
L24	S 00°35'34" E	10.84'
L25	S 89°24'26" W	31.50'
L26	N 14°13'44" W	101.59'
L27	N 14°13'44" W	44.58'
L28	N 14°13'44" W	57.01'

LEGEND

⊙ IRF	IRON ROD FOUND
⊙ IRC	IRON ROD FOUND WITH YELLOW CAP
(CM)	CONTROLLING MONUMENT
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
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FEET
AC	ACRES
◇	POINT OF STREET NAME CHANGE

PRE-FINAL PLAT
COMMUNITY UNIT DEVELOPMENT

SHADY HOLLOW ESTATES

Block 1/6960, Lots 1-29
Block 2/6960, Lots 1-16
Block 3/6960, Lots 1-12
Block 4/6960, Lots 1-16
1 Open Space, Common Area A
Being a 17.660 Acre Tract Situated in Block 6960
William Crow Survey, Abstract No. 298
City of Dallas, Dallas County, Texas

CITY PLAN FILE NO.: S178-288
CITY ENGINEER PLAN NO.: 311T-10059

SURVEYOR:
WEBB SURVEYING, INC.
3517 Darion Lane
Plano, TX 75093
Phone: 469-512-7380

OWNER:
Shady Hollow Development, LLC
Adrian Cole
2217 Yaupon Drive
Irving, TX 75063
PHONE: 214-918-4671

Date: 5/18/22 *SHEET 1 OF 2*

OWNER'S CERTIFICATE

STATE OF TEXAS}
COUNTY OF DALLAS}

WHEREAS, SHADY HOLLOW DEVELOPMENT, LLC, IS THE OWNER OF THAT CERTAIN TRACT OF LAND SITUATED IN THE CITY OF DALLAS, BLOCK 6960, DALLAS COUNTY, TEXAS, AND BEING OUT OF THE WILLIAM CROW SURVEY, ABSTRACT NO. 298, AND BEING OUT OF AND A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO SHADY HOLLOW DEVELOPMENT, LLC, BY GENERAL WARRANTY DEED DATED MARCH 8, 2019, AND RECORDED IN INSTRUMENT NO. 201900059927, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND IN THE WEST LINE OF BLOCK 3/6956, KIMBALL ACRES – INSTALLMENT NO. 1, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 52, PAGE 9, MAP RECORDS, DALLAS COUNTY, TEXAS, AT THE NORTHEAST CORNER OF BLOCK 4/6956, KIMBALL ESTATES, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 80, PAGE 2651, MAP RECORDS, DALLAS COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER HEREOF;

THENCE SOUTH 89°21'34" WEST, ALONG THE NORTH LINE OF SAID KIMBALL ESTATES, AND A 12' WIDE ALLEY RIGHT-OF-WAY AS DEDICATED BY VOLUME 80, PAGE 2651, MAP RECORDS, DALLAS COUNTY, TEXAS, A DISTANCE OF 830.82 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER HEREOF, SAID POINT BEING AT THE INTERSECTION OF THE NORTH LINE OF SAID ALLEY WITH THE EAST LINE OF LOS ANGELES BOULEVARD, AND BEING IN THE EAST LINE OF TRACT II AS DESCRIBED IN A STREET EASEMENT TO THE CITY OF DALLAS BY INSTRUMENT RECORDED IN VOLUME 96216, PAGE 821, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 15°06'31" WEST , ALONG THE EAST LINE OF SAID TRACT II, BEING THE WEST LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 306.73 FEET TO A 1/2" IRON ROD FOUND FOR AN EXTERIOR ELL CORNER OF HEREIN DESCRIBED TRACT AND BEING THE NORTHEAST CORNER OF SAID TRACT II;

THENCE SOUTH 88°37'01" WEST, ALONG THE NORTH LINE OF SAID TRACT II, AT 56.65' FEET, PASSING THE NORTHWEST CORNER OF SAID TRACT II AND CONTINUING FOR A TOTAL DISTANCE OF A DISTANCE OF 58.01 FEET TO A RAILROAD SPIKE FOUND FOR AN EXTERIOR ELL CORNER OF THE HEREIN DESCRIBED TRACT AND AN INTERIOR CORNER OF TRACT I, DESCRIBED IN A DEED TO THE CITY OF DALLAS RECORDED VOLUME 96216, PAGE 810, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 00°55'29" WEST, ALONG A WEST LINE OF THE HEREIN DESCRIBED TRACT AND AN EAST LINE OF SAID TRACT I, AT 5.24 FEET, PASSING AN ANGLE POINT THEREOF COMMON TO THE MOST SOUTHERN CORNER OF TRACT I, DESCRIBED IN SAID INSTRUMENT TO THE CITY OF DALLAS, RECORDED IN VOLUME 96216, PAGE 821, DEED RECORDS, DALLAS COUNTY, TEXAS, AND CONTINUING ALONG A COMMON WEST LINE OF THE HEREIN DESCRIBED TRACT AND THE EAST LINE OF SAID TRACT I, FOR A TOTAL DISTANCE OF 64.98 FEET, TO A 6" POST FOUND;

THENCE ALONG THE COMMON LINES OF SAID TRACT I AND THE HEREIN DESCRIBED TRACT THE FOLLOWING FIVE (5) COURSES:

1. NORTH 89°10'41" EAST, A DISTANCE OF 35.01 FEET TO A POINT;
2. NORTH 01°33'22" WEST, A DISTANCE OF 34.41 FEET TO A 5/8" IRON ROD FOUND FOR A SOUTHEASTERLY CORNER OF SAID TRACT 1, AND IN THE WEST LINE OF THE HEREIN DESCRIBED TRACT;
3. NORTH 15°25'24" WEST, ALONG A NORTHEAST LINE OF SAID TRACT I AND WITH A WEST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 131.76 FEET TO 5/8" IRON ROD FOUND WITH YELLOW CAP FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
4. ALONG SAID NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 657.47 FEET, THROUGH A CENTRAL ANGLE OF 20°35'27", AN ARC DISTANCE OF 235.92 FEET AND A CHORD WHICH BEARS NORTH 25°43'07" WEST, A DISTANCE OF 234.65 FEET TO A 1/2" IRON ROD FOUND;
5. NORTH 36°58'18" WEST, ALONG LAST MENTIONED COMMON LINES, A DISTANCE OF 83.29 FEET, TO A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 6960, TRINITY TEMPLE ADDITION, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 68116, PAGE 2265, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT I AND A NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 88°28'27" EAST, ALONG THE SOUTH LINE OF SAID TRINITY TEMPLE ADDITION, PASSING AT A DISTANCE OF 206.77 FEET THE EAST LINE OF SAID LOT 1 OF TRINITY TEMPLE ADDITION AND THE SOUTHWEST CORNER OF LOT 2, BLOCK 6960, TRINITY TEMPLE ADDITION NO. 2, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 77033, PAGE 11, DEED RECORDS, DALLAS COUNTY, TEXAS, AND CONTINUING ALONG THE SOUTH SIDE OF A 10' ALLEY BY SAID VOLUME 77033, PAGE 11, DEED RECORDS, DALLAS COUNTY, TEXAS, FOR A TOTAL DISTANCE OF 449.02 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID TRINITY TEMPLE ADDITION NO. 2, SAME BEING THE SOUTHWEST CORNER OF BLOCK B/6960, BLUE RIDGE ESTATES, AN ADDITION TO THE CITY OF DALLAS, RECORDED INSTRUMENT NO. 202000135583, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 88°40'40" EAST, ALONG THE SOUTH LINE OF A 12.5' ALLEY BY INSTRUMENT NO. 202000135583, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BY VOLUME 78039, PAGE 606, DEED RECORDS, DALLAS COUNTY, TEXAS, AND THE SOUTH LINE OF SAID BLOCK B/6960, A DISTANCE OF 665.52 FEET, TO A 1/2" IRON ROD FOUND FOR CORNER IN THE WEST LINE OF KIMBALL ACRES INSTALLMENT NO. 1, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 52, PAGE 9, MAP RECORDS, DALLAS COUNTY, TEXAS, SAME BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING IN THE WEST LINE OF A 10' WIDE ALLEY AS DEDICATED BY VOLUME 52, PAGE 9, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 00°35'34" EAST, ALONG THE WEST LINE OF SAID 10' ALLEY AND THE EAST LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 817.78 FEET, TO THE POINT OF BEGINNING AND CONTAINING 769,262 SQUARE FEET OR 17.660 ACRES OF LAND, MORE OR LESS.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SHADY HOLLOW DEVELOPMENT, LLC, ACTING BY AND THROUGH IT'S DULY AUTHORIZED AGENT, ADRIAN COLE, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS *SHADY HOLLOW ESTATES* 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 _____, 2022.

_____
BY: ADRIAN COLE, MANAGER
SHADY HOLLOW DEVELOPMENT, LLC

STATE OF TEXAS}
COUNTY OF DALLAS}

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ADRIAN COLE, 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 CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE_____DAY OF _____, 2022.

_____
NOTARY PUBLIC IN AND FOR
STATE OF TEXAS

SURVEYOR'S STATEMENT:

I, KURTIS R. WEBB, 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 _____, 2022.

_____
KURTIS R. WEBB
Texas Registered
Professional Land Surveyor No. 4125

STATE OF TEXAS}
COUNTY OF COLLIN}

BEFORE ME, the undersigned authority, on this day personally appeared Kurtis R. Webb, 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 consideration therein expressed, and in the capacity therein stated.

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

_____
Notary Public in and for State of Texas

LOT NUMBER	BLOCK NUMBER	SQUARE FEET
LOT 1	BLOCK 1/6960	11,384
LOT 1X	BLOCK 1/6960	130,593
LOT 2	BLOCK 1/6960	6,953
LOT 3	BLOCK 1/6960	7,070
LOT 4	BLOCK 1/6960	6,000
LOT 5	BLOCK 1/6960	6,000
LOT 6	BLOCK 1/6960	6,000
LOT 6	BLOCK 1/6960	6,000
LOT 7	BLOCK 1/6960	6,000
LOT 8	BLOCK 1/6960	6,000
LOT 10	BLOCK 1/6960	6,000
LOT 11	BLOCK 1/6960	6,010
LOT 12	BLOCK 1/6960	8,410
LOT 13	BLOCK 1/6960	6,000
LOT 14	BLOCK 1/6960	6,000
LOT 15	BLOCK 1/6960	6,000
LOT 16	BLOCK 1/6960	6,000
LOT 17	BLOCK 1/6960	7,265
LOT 18	BLOCK 1/6960	6,960
LOT 19	BLOCK 1/6960	6,960
LOT 20	BLOCK 1/6960	6,960
LOT 21	BLOCK 1/6960	6,966
LOT 22	BLOCK 1/6960	7,150
LOT 23	BLOCK 1/6960	6,000
LOT 24	BLOCK 1/6960	6,000
LOT 25	BLOCK 1/6960	6,000
LOT 26	BLOCK 1/6960	6,000
LOT 27	BLOCK 1/6960	6,000
LOT 28	BLOCK 1/6960	6,000
LOT 29	BLOCK 1/6960	6,000

LOT NUMBER	NAME	SQUARE FEET
LOT 1	BLOCK 2/6960	8,352
LOT 2	BLOCK 2/6960	6,003
LOT 3	BLOCK 2/6960	6,000
LOT 4	BLOCK 2/6960	6,000
LOT 5	BLOCK 2/6960	6,021
LOT 6	BLOCK 2/6960	9,211
LOT 7	BLOCK 2/6960	10,230
LOT 8	BLOCK 2/6960	6,000
LOT 9	BLOCK 2/6960	6,000
LOT 10	BLOCK 2/6960	8,140
LOT 11	BLOCK 2/6960	8,416
LOT 12	BLOCK 2/6960	6,000
LOT 13	BLOCK 2/6960	6,000
LOT 14	BLOCK 2/6960	6,000
LOT 15	BLOCK 2/6960	6,000
LOT 16	BLOCK 2/6960	9,125
LOT 1	BLOCK 3/6960	8,901
LOT 2	BLOCK 3/6960	6,360
LOT 3	BLOCK 3/6960	6,360
LOT 4	BLOCK 3/6960	6,360
LOT 5	BLOCK 3/6960	6,360
LOT 6	BLOCK 3/6960	6,360
LOT 7	BLOCK 3/6960	6,360
LOT 8	BLOCK 3/6960	6,360
LOT 9	BLOCK 3/6960	6,360
LOT 10	BLOCK 3/6960	6,360
LOT 11	BLOCK 3/6960	6,360
LOT 12	BLOCK 3/6960	7,467

LOT NUMBER	BLOCK NUMBER	SQUARE FEET
LOT 1	BLOCK 4/6960	6,017
LOT 2	BLOCK 4/6960	6,012
LOT 3	BLOCK 4/6960	6,000
LOT 4	BLOCK 4/6960	6,000
LOT 5	BLOCK 4/6960	6,000
LOT 6	BLOCK 4/6960	6,000
LOT 7	BLOCK 4/6960	6,000
LOT 8	BLOCK 4/6960	6,000
LOT 9	BLOCK 4/6960	6,000
LOT 10	BLOCK 4/6960	6,000
LOT 11	BLOCK 4/6960	6,000
LOT 12	BLOCK 4/6960	6,000
LOT 13	BLOCK 4/6960	6,000
LOT 14	BLOCK 4/6960	6,000
LOT 15	BLOCK 4/6960	6,000
LOT 16	BLOCK 4/6960	7,685

NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	20°35'27"	656.47	119.25	235.92	234.65	N 25°43'07" W
C2	14°05'45"	200.00	24.73	49.20	49.08	S 08°22'32" E
C3	253°29'44"	58.00	-77.68	256.61	92.95	S 35°13'19" W
C4	73°29'44"	30.00	22.40	38.48	35.90	N 54°46'41" W
C5	11°43'17"	30.00	3.08	6.14	6.13	S 85°39'54" E
C6	61°46'27"	30.00	17.95	32.34	30.80	S 48°55'02" E
C7	11°09'29"	200.00	19.54	38.95	38.89	S 04°59'11" W
C8	11°12'22"	200.00	19.62	39.12	39.05	S 04°57'45" W
C9	14°28'05"	200.00	25.39	50.50	50.37	N 82°07'31" E
C10	14°47'42"	200.00	25.97	51.64	51.50	S 08°01'33" E
C11	89°57'07"	40.00	39.97	62.80	56.54	S 44°23'00" W
C12	90°43'47"	40.00	40.51	63.34	56.93	S 45°57'27" E
C13	25°12'49"	200.00	44.73	88.01	87.30	N 75°52'03" E
C14	11°12'22"	226.50	22.22	44.30	44.23	N 04°57'45" E
C15	10°49'36"	226.50	21.46	42.80	42.74	N 05°09'08" E
C16	11°12'22"	173.50	17.02	33.93	33.88	N 04°57'45" E
C17	10°42'39"	173.50	16.26	32.43	32.39	N 05°12'36" E
C18	04°47'06"	226.50	9.46	18.92	18.91	N 08°10'23" E
C19	11°09'29"	173.50	16.95	33.79	33.74	N 04°59'11" E
C20	14°59'18"	58.00	7.63	15.17	15.13	N 84°01'54" W
C21	238°30'26"	58.00	-103.55	241.44	101.21	N 42°42'58" E
C22	73°29'44"	30.00	22.40	38.48	35.90	N 37°20'26" W
C23	253°29'44"	58.00	-77.68	256.61	92.95	N 52°39'34" E
C24	90°34'46"	58.00	58.59	91.69	82.44	N 45°52'57" W
C25	162°54'58"	58.00	386.15	164.92	114.71	S 07°22'11" W

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAT IS TO CREATE SEVENTY THREE LOTS.
2. NO BUILDING OR STRUCTURE SHALL CROSS ANY LOT LINES OR PROPERTY LINES.
3. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
4. BEARINGS SHOWN HEREON ARE BASED ON GRID BEARINGS, STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.
5. COORDINATES SHOWN ARE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011), GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
6. ALL LOT CORNERS ARE MONUMENTED WITH A 5/8" IRON ROD SET WITH PLASTIC CAP MARKED "WEBB 4125".
7. ALL LOT LINES ARE PERPENDICULAR TO STREET RIGHT-OF-WAY UNLESS OTHERWISE INDICATED.

PRE-FINAL PLAT
COMMUNITY UNIT DEVELOPMENT

SHADY HOLLOW ESTATES

Block 1/6960, Lots 1-29
Block 2/6960, Lots 1-16
Block 3/6960, Lots 1-12
Block 4/6960, Lots 1-16
1 Open Space, Common Area A
Being a 17.660 Acre Tract Situated in Block 6960
William Crow Survey, Abstract No. 298
City of Dallas, Dallas County, Texas

CITY PLAN FILE NO.: S178-288
CITY ENGINEER PLAN NO.: 311T-10059

SURVEYOR:
WEBB SURVEYING, INC.
3517 Darion Lane
Plano, TX 75093
Phone: 469-512-7380

OWNER:
Shady Hollow Development, LLC
Adrian Cole
2217 Yaupon Drive
Irving, TX 75063
PHONE: 214-918-4671

Date: 5/18/22

PRIVATE GENERAL NOTES

1. ALL MATERIAL AND CONSTRUCTION SHALL CONFORM TO THE CITY'S DESIGN STANDARDS. IF NO CITY STANDARD IS APPLICABLE, MATERIAL AND CONSTRUCTION SHALL CONFORM TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE TO FURNISH ALL MATERIALS AND LABOR TO CONSTRUCT THE FACILITY AS SHOWN AND DESCRIBED IN THE CONSTRUCTION DOCUMENTS IN ACCORDANCE WITH THE APPROPRIATE APPROVING AUTHORITIES, SPECIFICATIONS AND REQUIREMENTS. ALL WORK REQUIRED BY THESE PLANS SHALL BE CONDUCTED IN CONFORMANCE WITH CURRENT SAFETY CODES AND STANDARDS WITH JURISDICTION OVER THIS PROJECT.
3. THE CONTRACTOR SHALL CONTACT ALL FRANCHISE UTILITY COMPANIES TO HAVE THEM LOCATE EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE THE EXACT LOCATION AND DEPTH OF ALL FRANCHISE UTILITY SERVICES AND ANY REQUIRED RELOCATION AND/OR EXTENSIONS. SERVICES SHOWN ON THE PLANS, IF ANY, ARE CONCEPTUAL.
4. THE CONTRACTOR SHALL PROTECT ALL PUBLIC AND PRIVATE UTILITIES IN THE CONSTRUCTION OF THIS PROJECT. ALL MANHOLES, CLEANOUTS, VALVE BOXES, POWER POLES, SIGNS, FIRE HYDRANTS, ETC., MUST BE ADJUSTED TO PROPER GRADE BY THE CONTRACTOR PRIOR TO AND AFTER PLACING OF PERMANENT PAVING. UTILITIES MUST BE MAINTAINED TO PROPER LINE AND GRADE DURING CONSTRUCTION OF THE PAVING FOR THIS PROJECT.
5. BRACING OF UTILITY POLES MAY BE REQUIRED BY UTILITY COMPANIES WHEN TRENCHING OR EXCAVATION IS IN CLOSE PROXIMITY TO THE POLES. THE COST OF BRACING POLES WILL BE BORNE BY THE CONTRACTOR. THERE IS NO SEPARATE PAY ITEM FOR THIS WORK. THE COST IS INCIDENTAL TO THE VARIOUS PAY ITEMS FOR INSTALLATION OF PIPE.
6. THE LOCATIONS, ELEVATIONS, AND DIMENSIONS OF EXISTING UTILITIES SHOWN ON THE PLANS WERE OBTAINED FROM AVAILABLE RECORDS AND ARE CONSIDERED APPROXIMATE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY LOCATIONS, ELEVATIONS, AND DIMENSIONS OF ADJACENT AND/OR CONFLICTING UTILITIES SUFFICIENTLY IN ADVANCE OF CONSTRUCTION IN ORDER THAT ADJUSTMENTS CAN BE MADE TO PROVIDE ADEQUATE CLEARANCES. THE CONTRACTOR SHALL PRESERVE AND PROTECT PUBLIC UTILITIES AT ALL TIMES DURING CONSTRUCTION. ANY DAMAGE TO UTILITIES RESULTING FROM CONTRACTOR'S OPERATIONS SHALL BE RESTORED AT THE CONTRACTOR'S EXPENSE. THE ENGINEER SHALL BE NOTIFIED WHEN PROPOSED FACILITY GRADES CONFLICT WITH EXISTING UTILITY GRADES.
7. THE CONTRACTOR SHALL IMMEDIATELY REPAIR OR REPLACE ANY PHYSICAL DAMAGE TO PRIVATE PROPERTY, INCLUDING, BUT NOT LIMITED TO FENCES, WALLS, PAVEMENT, GRASS, TREES, AND LAWN SPRINKLER AND IRRIGATION SYSTEMS AT NO COST TO THE OWNER. THIS WORK SHALL BE SUBSIDIARY TO THE CONTRACT (UNLESS OTHERWISE NOTED) AND IS NOT A SEPARATE PAY ITEM.
8. THE CONTRACTOR SHALL REMOVE SURPLUS MATERIAL FROM THE PROJECT AREA. THIS WORK SHALL BE SUBSIDIARY TO THE CONTRACT AND IS NOT A SEPARATE PAY ITEM.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
10. THE CONTRACTOR SHALL HAVE AVAILABLE AT THE JOB SITE AT ALL TIMES A COPY OF THE CONTRACT DOCUMENTS INCLUDING PLANS, SPECIFICATIONS, AND SPECIAL CONDITIONS. COPIES OF ANY REQUIRED CONSTRUCTION PERMITS, EROSION CONTROL PLANS, SWPPP AND INSPECTION REPORTS.
11. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER BEFORE COMMENCING WORK. NO FIELD CHANGES OR DEVIATIONS FROM DESIGN SHALL BE MADE WITHOUT PRIOR APPROVAL OF THE OWNER AND NOTIFICATION TO THE ENGINEER. NO CONSIDERATION WILL BE GIVEN TO CHANGES FOR WHICH THE OWNER AND ENGINEER WERE NOT CONTACTED PRIOR TO CONSTRUCTION OF THE AFFECTED ITEM.
12. ALL COPIES OF COMPACTION, CONCRETE AND OTHER REQUIRED TEST RESULTS SHALL BE SENT TO THE ARCHITECT, CIVIL ENGINEER, CONTRACTOR AND OWNER DIRECTLY FROM THE TESTING AGENCY.
13. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES, JURISDICTIONAL AGENCIES AND/OR UTILITY SERVICE COMPANIES SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.
14. CONTRACTOR SHALL VERIFY BENCHMARKS AND DATUM PRIOR TO COMMENCING CONSTRUCTION OR STAKING OF IMPROVEMENTS.
15. CONTRACTOR SHALL THOROUGHLY CHECK COORDINATION OF CIVIL, LANDSCAPE, MEP, ARCHITECTURAL AND OTHER PLANS PRIOR TO COMMENCING CONSTRUCTION. OWNER AND ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCY PRIOR TO COMMENCING WITH CONSTRUCTION.
16. ALL HORIZONTAL DIMENSIONS GIVEN ARE TO FACE OF CURB AND TO PIPE CENTERLINES UNLESS OTHERWISE NOTED ON PLANS.
17. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING RELOCATION AND INSTALLATION OF FRANCHISE UTILITIES NECESSARY FOR ON AND OFF SITE CONSTRUCTION. PAYMENT FOR RELOCATION AND INSTALLATION WILL BE NEGOTIATED ONCE IDENTIFIED.
18. ALL CUT OR FILL SLOPES SHALL BE 3:1 OR FLATTER UNLESS OTHERWISE SHOWN.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTROL OF DUST AND DIRT RISING AND SCATTERING IN THE AIR DURING CONSTRUCTION AND SHALL PROVIDE WATER SPRINKLING OR OTHER SUITABLE METHODS OF CONTROL. THE CONTRACTOR SHALL COMPLY WITH ALL GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION.
20. UPON COMPLETION OF CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE THE CIVIL ENGINEER A COPY OF RECORD DRAWINGS IDENTIFYING ALL DEVIATIONS OR VARIATIONS FROM THE ORIGINAL PLANS.
21. CONTRACTOR SHALL GIVE NOTICE TO ALL AFFECTED PARTIES AND ALL AUTHORIZED INSPECTORS, SUPERINTENDENTS, OR PERSONS IN CHARGE OF PRIVATE AND PUBLIC UTILITIES OR RAILROADS AFFECTED BY HIS OPERATIONS, AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
22. ALL "RECORD" DIMENSIONS SHALL CONFORM TO THE DESIGN DIMENSIONS PLUS OR MINUS 0.02 FEET. ALL "RECORD" SLOPES SHALL CONFORM TO THE DESIGNED SLOPES PLUS OR MINUS 0.005 FOOT/FOOT.
23. CONTRACTOR SHALL CONTACT CITY BUILDING OFFICIAL TO LEARN OF ANY UNUSUAL CONSTRUCTION SEQUENCING REQUIREMENTS THAT THE CITY MAY REQUIRE. THE CONTRACTOR IS CAUTIONED THAT THIS AND PERHAPS OTHER SUCH REQUIREMENTS MAY EXIST AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO INVESTIGATE AND COMPLY WITH THEM.

PAVING AND STRIPING NOTES

1. TESTING OF MATERIALS REQUIRED BENEATH ALL PAVING IMPROVEMENTS SHALL BE PERFORMED BY AN AGENCY, APPROVED BY THE OWNER, FOR TESTING MATERIALS. PROCUREMENT OF THE TESTING LABORATORY AND THE PAVEMENT OF SUCH TESTING SERVICES SHALL BE MADE BY THE OWNER. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO ENSURE, BY THE STANDARD TESTING PROCEDURES, THAT THE WORK CONSTRUCTED MEETS THE REQUIREMENTS OF THE CITY AND PROJECTS SPECIFICATIONS.
2. ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE "TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" TO THE EXTENT NOTED OTHERWISE.
3. THE CONTRACTOR SHALL REVIEW LOCATION OF ALL TRAFFIC CONTROL DEVICES WITH THE OWNER PRIOR TO INSTALLATION.
4. SEE M.E.P. PLANS FOR LOCATION OF PROPOSED SLEEVING AND CONDUITS.
5. ALL HANDICAP RAMPING, STRIPING, AND PAVEMENT MARKINGS SHALL CONFORM TO THE MOST RECENT VERSION OF THE AMERICANS WITH DISABILITIES ACT OF 1994 AND THE TEXAS ARCHITECTURAL BARRIERS ACT OF 1994, AND ALL ADDENDUMS OR UPDATES.
6. CONTRACTOR SHALL SUBMIT A PAVEMENT JOINTING PLAN TO THE ENGINEER AND OWNER PRIOR TO THE BEGINNING OF ANY CONCRETE PAVING WORK.
7. ANY EXISTING CONCRETE OR ASPHALT SHOWN TO BE REMOVED SHALL BE PROPERLY DISPOSED OF BY THE CONTRACTOR OFF SITE. THIS WORK SHALL BE SUBSIDIARY TO THE CONTRACT AND IS NOT A SEPARATE PAY ITEM.
8. CONSTRUCTION JOINTS SHALL BE REQUIRED AT INTERRUPTIONS OF PAVING OPERATIONS SUCH AS THOSE OCCURRING AT THE END OF THE DAY OR DUE TO WEATHER OR EQUIPMENT BREAKDOWN. PLACE AT LONGITUDINAL CONSTRUCTION OR ISOLATION JOINT LOCATIONS.
9. CONTRACTOR TO INSTALL CONSTRUCTION JOINTS IN CONCRETE PAVEMENT AT ALL PC'S AND AS CONVENIENT TO PHASING OF WORK. CONCRETE PAVEMENT TO BE CONSTRUCTED WITH ISOLATION JOINTS AROUND THE PERIMETER OF ANY BLOCK OUT IN PAVEMENT AND SAWED DUMMY JOINTS EVERY 12' IN BOTH DIRECTIONS.
10. ALL JOINTS ARE TO CONTINUE THROUGH THE CURB.
11. RADIAL JOINTS SHALL BE NO SHORTER THAN 24".
12. ALL CONSTRUCTION JOINTS SHALL BE SAWED, CLEANED OF DEBRIS, BLOWN DRY AND IMMEDIATELY SEALED WITH HOT POURED RUBBER JOINT SEALING COMPOUND.
13. 72 HOURS PRIOR TO BEGINNING THE CONSTRUCTION OF SIDEWALK/BRW WHICH COULD IMPACT TRAFFIC SIGNAL EQUIPMENT, UNDERGROUND CONDUITS OR TRAFFIC SIGNAL LOOPS, THE CONTRACTOR SHALL CONTACT ALFRED LEMON (214-670-4812) WITH THE CITY OF DALLAS TRAFFIC SIGNAL OPERATION DIVISION. CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING SIGNAL CONDUIT AND TRAFFIC SIGNAL LOOP DETECTOR WIRING TO THE EXTENT POSSIBLE.

STORM SEWER NOTES

1. CONTRACTOR SHALL FIELD VERIFY THE VERTICAL AND HORIZONTAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND CONSTRUCTION MANAGER IMMEDIATELY IF A CONFLICT IS DISCOVERED.
2. CONTRACTOR SHALL VERIFY AND COORDINATE ALL DIMENSIONS SHOWN, INCLUDING THE HORIZONTAL AND VERTICAL LOCATION OF CURB INLETS, GRATE INLETS, AND ALL UTILITIES CROSSING THE STORM SEWER. FLOW LINES AND RIMS OF PROPOSED INLETS SHALL BE VERIFIED WITH THE PROPOSED GRADE PRIOR TO CONSTRUCTION.
3. THE END OF ALL STORM SEWER LATERALS THAT CONNECT TO WORK BY PLUMBER SHALL BE TIGHTLY PLUGGED OR CAPPED AND MARKED 5.0 FEET OUTSIDE THE BUILDING UNTIL FINAL CONNECTIONS ARE MADE BY PLUMBING CONTRACTOR.
4. THE SITE UTILITY CONTRACTOR SHALL PROVIDE ALL MATERIALS AND APPURTENANCES NECESSARY FOR COMPLETE INSTALLATION OF THE STORM SEWER.
5. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL CONSTRUCTION PERMITS.
6. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL VERIFY THE SUITABILITY OF ALL EXISTING AND PROPOSED SITE CONDITIONS INCLUDING GRADES AND DIMENSIONS BEFORE COMMENCEMENT OF CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES.
7. RAMPS AND TOPS AND ALL OTHER DRAINAGE FACILITIES SHALL BE ADJUSTED AS REQUIRED TO MATCH FINAL GRADES AS SHOWN ON GRADING PLAN. NO SEPARATE PAY ITEM.
8. ALL RCP SHALL BE CLASS 3 OR APPROVED EQUAL.
9. STEPS ARE REQUIRED IN ANY MANHOLE THAT IS AT LEAST 5' IN DEPTH. MANHOLE LID/RISER SHOULD BE LOCATED TOWARD THE SIDE OF THE STRUCTURE (OFFSET) SUCH THAT THE STEPS DESCENDING INTO THE STRUCTURE ARE ALIGNED VERTICALLY. THE FIRST STEP MUST NOT EXCEED 15" FROM TOP OF PAVEMENT. BASS & HAYES PLASTIC COATED STEEL, NEOPRENE COATED STEEL STEPS OR EQUAL SHALL BE PLACED SECURELY INTO VANIOLE WALLS ON 15" CENTERS VERTICALLY AND STAGGERED ON 12" CENTERS HORIZONTALLY, PER 2510-1 STANDARD CONSTRUCTION.
10. ALL STORM DRAIN LINES MUST BE VIDEOED BY THE CONTRACTOR AFTER THE PAVING WORK ABOVE THE PIPE IS COMPLETE.

STORM SEWER DISCHARGE AUTHORIZATION

1. IF THE TOTAL DISTURBED AREA EXCEEDS ONE (1) ACRE A NOTICE OF INTENT (NOI) SHALL BE SUBMITTED BY THE CONTRACTOR TO THE TCEQ NO LESS THAN 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
2. ALL CONTRACTORS AND SUBCONTRACTORS PROVIDING SERVICES RELATED TO THE SWPPP SHALL SIGN A CONTRACTOR CERTIFICATION STATEMENT ACKNOWLEDGING THEIR RESPONSIBILITIES AS SPECIFIED IN THE SWPPP.
3. A COPY OF THE SWPPP, INCLUDING CONTRACTOR CERTIFICATIONS AND ANY REVISIONS, SHALL BE SUBMITTED TO THE CITY AND FILED WITH THE CONSTRUCTION PLANS, AND SHALL BE RETAINED ONSITE DURING CONSTRUCTION.
4. A NOTICE OF TERMINATION (NOT) SHALL BE SUBMITTED TO THE TCEQ BY THE CONTRACTOR WHEN THE SITE HAS BEEN 100% OF THE DISTURBED AREAS STABILIZED AND THE SITE NO LONGER HAS STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES (CONSTRUCTION), OR THE NOT PERMITTEE OR CO PERMITTEE NO LONGER HOLDS OPERATIONAL CONTROL OF THE CONSTRUCTION.

WATER NOTES

1. EXISTING UTILITY DATA IS PROVIDED FOR INFORMATION ONLY. ALTHOUGH THIS DATA IS SHOWN AS ACCURATELY AS POSSIBLE, THE CONTRACTOR IS CAUTIONED THAT THE DEVELOPER AND THE ENGINEER NEITHER ASSUMES NOR IMPLIES ANY RESPONSIBILITY FOR THE ACCURACY OF THIS DATA.
2. THE CONTRACTOR IS TO VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
3. HORIZONTAL AND VERTICAL BLOCKING FOR WATER LINES HAS BEEN OMITTED FOR CLARITY. HOWEVER, BLOCKING SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY STANDARDS AND SPECIFICATIONS.
4. TRENCHES WHICH LAY OUTSIDE EXISTING OR FUTURE PAVEMENTS SHALL BE BACKFILLED ABOVE THE TOP OF THE EMBEDMENT WITH TYPE 'C' BACKFILL MATERIALS. WHEN TYPE 'C' BACKFILL MATERIAL IS NOT SUITABLE AND AT THE DIRECTION OF THE ENGINEER TYPE 'B' MATERIAL SHALL BE USED. ALL BACKFILL MATERIAL SHALL BE COMPACTED TO A MINIMUM OF 90% OF THE MAXIMUM DRY DENSITY BY MEANS OF TAMPING ONLY. TRENCHES WHICH CROSS UNDER EXISTING OR FUTURE PAVEMENT SHALL BE BACK FILLED PER FIGURE 'A' WITH 95% PROCTOR STANDARD DENSITY OF -2, +4 OF OPTIMUM MOISTURE CONTENT.
5. TOP OF WATER LINES SHALL BE A MINIMUM OF 42" BELOW TOP OF CURB EXCEPT WHERE SHOWN OTHERWISE IN THESE PLANS.
6. FIRE HYDRANTS SHALL BE A MINIMUM 3' BEHIND THE FACE OF THE CURB UNLESS OTHERWISE DIRECTED BY THE CITY. FIRE HYDRANTS AND VALVES AS SHOWN ON THESE PLANS ARE SYMBOLIC ONLY.
7. CORPORATION STOPS SHALL BE TESTED FOR FULL FLOW WHEN THE SYSTEM IS PRESSURIZED.
8. ALL NEW WATER MAINS SHALL BE FULLY PURGED.
9. ALL 6", 8", 10" & 12" WATER MAINS SHALL BE PVC AWWA C900, DR-14. ALL WATER MAINS USING PC.Y-WRAPPED DUCTILE IRON PIPE SHALL BE CLASS 51.
10. FITTINGS SHALL BE DUCTILE IRON AND MECHANICAL RETAINER GLAND TYPE, WITH "COR-BLUE" BOLTS AND SHALL BE CLASS 250.

SANITARY SEWER NOTES

1. EXISTING UTILITY DATA IS PROVIDED FOR INFORMATION ONLY. ALTHOUGH THIS DATA IS SHOWN AS ACCURATELY AS POSSIBLE, THE CONTRACTOR IS CAUTIONED THAT THE DEVELOPER AND THE ENGINEER NEITHER ASSUMES NOR IMPLIES ANY RESPONSIBILITY FOR THE ACCURACY OF THIS DATA.
2. THE CONTRACTOR IS TO VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
3. TRENCHES WHICH LIE OUTSIDE EXISTING PAVEMENTS SHALL BE BACKFILLED ABOVE THE TOP OF THE EMBEDMENT WITH TYPE 'C' BACKFILL MATERIAL. WHEN TYPE 'C' BACKFILL MATERIAL IS NOT SUITABLE AND AT THE DIRECTION OF THE ENGINEER, TYPE 'B' MATERIAL SHALL BE USED. ALL BACKFILL MATERIAL SHALL BE COMPACTED TO A MINIMUM OF 90% OF THE MAXIMUM DRY DENSITY BY MEANS OF TAMPING ONLY. TRENCHES WHICH CROSS UNDER EXISTING OR FUTURE PAVEMENT SHALL BE BACKFILLED AND COMPACTED TO A MINIMUM OF 95% OF THE MAXIMUM DRY DENSITY WITH MOISTURE CONTENT-2 AND +4% OF OPTIMUM MOISTURE CONTENT.
4. TYPICAL LOCATION OF SANITARY SEWER PIPE SHALL BE A MINIMUM OF 4' 0" BELOW TOP OF CURB EXCEPT WHERE SHOWN OTHERWISE IN THESE PLANS.
5. ALL FLEXIBLE SANITARY SEWER MAINS SHALL BE TESTED WITH STANDARD 5% DEFLECTION MANDREL.
6. ALL SANITARY SEWER LINES SHALL BE CAPPED WITH AN APPROPRIATE CAP AT THE END OF EACH WORKDAY.
7. WHEN EXISTING GRADES ARE LOWER THAN PROPOSED MAINS, THE FILL AREA OVER THE PIPE SHALL BE COMPACTED TO A MINIMUM OF 95% OF THE MAXIMUM DRY DENSITY TO THE PROPOSED FINISHED GRADE PRIOR TO INSTALLING ANY MAIN.
8. ALL SEWER SERVICES SHALL BE CONSTRUCTED OF SDR-35 PIPE.

TRAFFIC CONTROL NOTES

1. CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL PLANS TO THE OWNER, AT LEAST 48 HOURS PRIOR TO CONSTRUCTION ACTIVITY.
2. ALL TRAFFIC CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (TMUTCD), LATEST VERSION.
3. THE CONTRACTOR SHALL COVER EXISTING SIGNS AND OBLITERATE EXISTING PAVEMENT MARKINGS THAT CONFLICT WITH THE INTENT OF THESE TRAFFIC CONTROL PLANS TO AVOID CONFUSION TO THE TRAVELING PUBLIC.
4. THE CONTRACTOR SHALL UNCOVER EXISTING SIGNS AND REPLACE PAVEMENT MARKINGS IN-KIND AS ORIGINALLY CONFIGURED AT THE END OF CONSTRUCTION OPERATIONS AND PRIOR TO FINAL ACCEPTANCE BY THE OWNER.
5. ALL TEMPORARY SIGNS, BARRICADES, WARNING LIGHTS AND OTHER MISCELLANEOUS TRAFFIC CONTROL MEASURES SHALL BE REMOVED AND ORIGINAL TRAFFIC CONTROL MEASURES REPLACED AT THE END OF THE CONTRACTOR'S CONSTRUCTION OPERATIONS.
6. ANY TRAFFIC CONTROL PLAN (TCP) MUST BE SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS FOR REVIEW AND APPROVAL BY TRAFFIC SAFETY COORDINATORS PRIOR TO START OF CONSTRUCTION. NO TRAFFIC LANE OR SIDEWALK ALONG ANY PUBLIC STREET OR ALLEY IS TO BE CLOSED WITHOUT FIRST OBTAINING THE APPROPRIATE PERMIT(S). CLOSURE OF ANY TRAFFIC LANE MUST BE RESTRICTED TO THE HOURS OF 9:30 A.M. TO 3:30 P.M. WORKDAYS (HOURS MAY DIFFER IN SCHOOL ZONES). CONTRACTOR MUST CALL (214) 948-4280 TO REQUEST APPROVAL OF TCP AND TO OBTAIN A RIGHT-OF-WAY PERMIT.

EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL EROSION, CONSERVATION, AND SILTATION ORDINANCES. THE CONTRACTOR SHALL USE SEDIMENT FILTERS OR OTHER MEASURES APPROVED BY THE ENGINEER AND CONSTRUCTION MANAGER TO PREVENT SILT AND CONSTRUCTION DEBRIS FROM CLOGGING STORM SEWER PIPES OR PROPOSED OR EXISTING INLETS, OR FROM BEING TRANSPORTED TO ADJACENT PROPERTIES AND STREET RIGHT-OF-WAYS. ALL EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO SITE DISTURBANCE AND SHALL REMAIN IN PLACE UNTIL FINAL GRADING AND PAVING IS COMPLETE AND PERMANENT SOIL STABILIZATION IS ACHIEVED.
2. CONSTRUCT ON OPERATIONS SHALL BE MANAGED SO THAT AS MUCH OF THE SITE AS POSSIBLE IS LEFT COVERED WITH EXISTING TOPSOIL AND VEGETATION.
3. ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH. THE AREAS SHALL THEN BE SEEDED (OR SODDED), IRRIGATED, AND MAINTAINED UNTIL PERMANENT STAND OF GRASS IS ACHIEVED WITH A MINIMUM OF 70% COVERAGE. UNLESS OTHERWISE NOTED, PRIVATE LAWN AREAS AND PARKWAYS IN FRONT OF PRIVATE LAWN AREAS DISTURBED BY CONSTRUCTION SHALL BE REPLACED WITH BRICK SOD SIMILAR TO THAT EXISTING.
4. CONTRACTOR SHALL CONSTRUCT A STABILIZED CONSTRUCTION ENTRANCE AT ALL PRIMARY POINTS OF ACCESS. CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL CONSTRUCTION TRAFFIC UTILIZES THE STABILIZED ENTRANCE AT ALL TIMES FOR INGRESS/EGRESS TO THE SITE.
5. CONSTRUCT ON ENTRANCE:
   - MINIMUM SIZE STONE: 5-INCHES DIAMETER
   - THICKNESS: NOT LESS THAN 8 INCHES
   - LENGTH: AS SHOWN ON PLAN
   - WIDTH: NOT LESS THAN FULL WIDTH OF ALL POINTS OF INGRESS AND EGRESS.
   - MAINTENANCE REQUIREMENTS: AS NECESSARY TO PREVENT TRACKING OR FLOWING MUD INTO PUBLIC RIGHT-OF-WAY OR PARKING AREAS.
6. SITE ENTRY AND EXIT LOCATIONS SHALL BE MAINTAINED IN A CONDITION WHICH SHALL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADWAYS. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ON A PUBLIC ROADWAY SHALL BE REMOVED IMMEDIATELY. WHEN WASHING IS REQUIRED TO REMOVE SEDIMENT PRIOR TO ENTRANCE TO A PUBLIC ROADWAY, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT BASIN. ALL FINES IMPOSED FOR TRACKING ONTO PUBLIC ROADS SHALL BE PAID BY THE CONTRACTOR.
7. CONTRACTOR IS RESPONSIBLE FOR PROPER MAINTENANCE OF THE REQUIRED EROSION CONTROL DEVICES THROUGHOUT THE ENTIRE CONSTRUCTION PROCESS. EROSION CONTROLS SHALL BE REPAIRED OR REPLACED AS INSPECTION DEEMS NECESSARY, OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE. ACCUMULATED SILT IN ANY EROSION CONTROL DEVICE SHALL BE REMOVED AND SHALL BE DISPOSED ON SITE IN A MANNER NOT CONTRIBUTING TO ADDITIONAL SILTATION. THE CONTRACTOR IS RESPONSIBLE FOR RE-ESTABLISHING ANY EROSION CONTROL DEVICE WHICH IS DISTURBED.
8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SITE DRAINAGE DURING ALL PHASES OF CONSTRUCTION. THE CONTRACTOR SHALL USE FILTER BARRIER (OR OTHER METHOD APPROVED BY THE ENGINEER AND CITY) AS REQUIRED TO PREVENT ADVERSE OFF SITE IMPACTS OF STORM WATER QUALITY FROM SILT AND CONSTRUCTION DEBRIS FLOWING ONTO ADJACENT PROPERTIES AS REQUIRED BY THE CITY.
9. BEFORE ANY EARTHWORK IS DONE, THE CONTRACTOR SHALL STAKE OUT AND MARK THE LIMITS OF CONSTRUCTION AND OTHER ITEMS ESTABLISHED BY THE PLANS. THE CONTRACTOR SHALL PROTECT AND PRESERVE CONTROL POINTS AT ALL TIMES DURING THE COURSE OF THE PROJECT. THE GRADING CONTRACTOR SHALL PROVIDE ALL NECESSARY ENGINEERING AND SURVEYING FOR LINE AND GRADE CONTROL POINTS RELATED TO EARTHWORK.
10. CONTRACTOR STAGING AREA TO BE AGREED UPON BY OWNER PRIOR TO BEGINNING CONSTRUCTION.
11. THE CONTRACTOR MUST REVIEW AND MAINTAIN A COPY OF THE STORM WATER POLLUTION PREVENTION PLAN WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND PERMIT MODIFICATIONS IN GOOD CONDITION AT THE CONSTRUCTION SITE. THE COMPLETE PERMIT MUST BE AVAILABLE FOR REVIEW UPON REQUEST BY THE TCEQ OR THE GOVERNING CITY.

GRADING NOTES

1. IF A GRADING PERMIT IS REQUIRED FROM THE CITY PRIOR TO STARTING CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR OBTAINING PERMIT AND PAYING ALL ASSOCIATED FEES.
2. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING UTILITIES (SHOWN OR NOT SHOWN) WITHIN SCOPE OF CONSTRUCTION. IF ANY EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR SHALL REPLACE THEM AT HIS OWN EXPENSE.
3. ALL SPOT ELEVATIONS SHOWN ARE TO TOP OF PAVING SURFACE OR FINISHED EARTH GRADE UNLESS NOTED OTHERWISE.
4. CONTRACTOR TO ENSURE POSITIVE DRAINAGE FROM THE EXISTING AND PROPOSED BUILDINGS AND NO PONDING IN PAVED AREAS. CONTRACTOR ADJUSTMENTS TO SPOT GRADES TO MAINTAIN POSITIVE DRAINAGE IS ALLOWED WITH THE PRIOR APPROVAL OF THE ENGINEER. CONTRACTOR SHALL CONTACT THE ENGINEER PRIOR TO PAVING IF ANY AREAS OF POOR DRAINAGE ARE ENCOUNTERED.
5. THE CONTRACTOR SHALL PROTECT ALL MANHOLE COVERS, VALVE COVERS, VAULT LIDS, FIRE HYDRANTS, POWER POLES, GUY WIRES, AND TELEPHONE BOXES WHICH ARE TO REMAIN IN PLACE AND UNDISTURBED DURING CONSTRUCTION.
6. ALL EXISTING CONCRETE PAVING, CHANNELIMPROVEMENTS, SIDEWALK, STRUCTURES AND CURB DEMOLITION SHALL BE REMOVED IN THEIR ENTIRETY AND DISPOSED OF BY THE CONTRACTOR, OFFSITE UNLESS OTHERWISE DIRECTED BY THE OWNER OR ENGINEER.
7. ALL CLEARING, GRADING, COMPACTION AND SUBGRADE PREPARATION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.
8. GRADING CONTRACTOR TO COORDINATE WITH THE FRANCHISE UTILITY COMPANIES FOR ANY REQUIRED UTILITY ADJUSTMENTS AND/OR RELOCATIONS.
9. THE CONTRACTOR SHALL CALCULATE HIS OWN EARTHWORK QUANTITIES AND USE TO DETERMINE HIS BID ACCORDINGLY.
10. BEFORE PLACING PAVEMENT, CONTRACTOR SHALL VERIFY THAT SUITABLE HANDICAPPED ROUTES (PER A.D.A. & T.A.S.) EXIST TO AND FROM EVERY DOOR. IN NO CASE SHALL HANDICAP RAMP SLOPES EXCEED 1 VERTICAL TO 12 HORIZONTAL. IN NO CASE SHALL SIDEWALK CROSS SLOPES EXCEED 2.0 PERCENT. IN NO CASE SHALL LONGITUDINAL SIDEWALK SLOPES EXCEED 5.0 PERCENT. CONTRACTOR SHALL CONTACT ENGINEER PRIOR TO PAVING IF ANY EXCESSIVE SLOPES ARE ENCOUNTERED. NO CONTRACTOR CHANGE ORDERS WILL BE ACCEPTED FOR A.D.A. AND T.A.S. COMPLIANCE ISSUES.

GENERAL NOTES:

1. A BUILDING PERMIT IS REQUIRED FOR ALL RETAINING WALLS/SCREEN WALLS THAT ARE 4' IN HEIGHT OR TALLER. THE WALL HEIGHT IS THE VERTICAL DISTANCE MEASURED FROM THE BOTTOM OF THE FOOTING TO THE TOP OF THE WALL.
2. APPROVAL FROM THE CHIEF ARBORIST IS REQUIRED BEFORE ANY TREES MAY BE REMOVED DURING DEMOLITION OR CONSTRUCTION.

Contract No. _____ Date_____

Contractor: _____

(1" SPACE RESERVED - BLDG INSPECTION)

(1" SPACE RESERVED - ENGINEERING)

PRELIMINARY PLAN
For Review Only

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REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, Inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel: (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
3178-288	YYYYMMDDXXXX	WW22-231	311T-10059

GENERAL NOTES

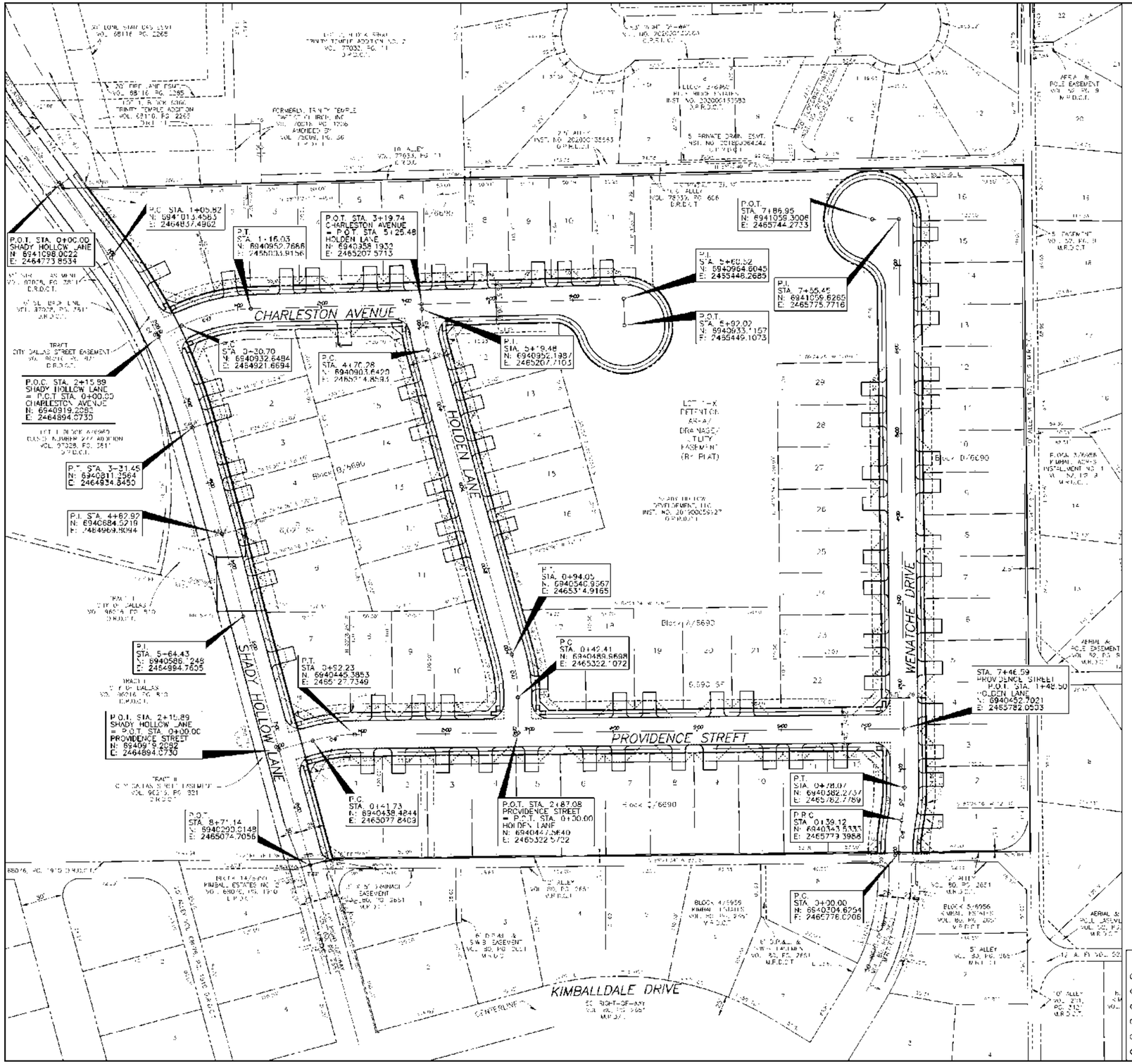
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	XXX	XXXX	C03.01


CHARLESTON AVENUE
HOLDEN LANE
SHADY HOLLOW LANE
WENATCHE DRIVE
PROVIDENCE STREET
KIMBALLDALE DRIVE
P.O.C. STA. 1+05.82
N: 6941013.4563
E: 2464857.4902
P.O.T. STA. 0+00.00
SHADY HOLLOW LANE
N: 6941098.0622
E: 2464773.8534
P.T. STA. 1+16.03
N: 6940952.7686
E: 2465033.9156
P.O.T. STA. 3+19.74
CHARLESTON AVENUE
= P.O.T. STA. 5+25.48
HOLDEN LANE
N: 6940358.1932
E: 2465207.5713
P.O.T. STA. 7+86.95
N: 6941059.3006
E: 2465744.2733
P.I. STA. 5+60.52
N: 6940964.6045
E: 2465448.2685
P.O.T. STA. 5+92.02
N: 6940933.1157
E: 2465449.1073
P.I. STA. 7+55.45
N: 6941058.6265
E: 2465775.7716
P.O.C. STA. 0+30.70
N: 6940932.6484
E: 2464921.6694
P.C. STA. 4+70.28
N: 6940901.6420
E: 2465274.4883
P.I. STA. 5+19.48
N: 6940952.1987
E: 2465267.7103
P.O.C. STA. 2+15.99
SHADY HOLLOW LANE
= P.O.T. STA. 0+00.00
CHARLESTON AVENUE
N: 6940919.2095
E: 2464894.0733
P.T. STA. 3+31.45
N: 6940811.3564
E: 2464934.8450
P.I. STA. 4+62.97
N: 6940684.5219
E: 2464969.8094
P.I. STA. 5+64.43
N: 6940586.7248
E: 2464984.7605
P.O.I. STA. 2+15.89
SHADY HOLLOW LANE
= P.O.T. STA. 0+00.00
PROVIDENCE STREET
N: 6940979.2082
E: 2464894.0730
P.O.T. STA. 8+71.14
N: 6940290.6148
E: 2465074.7056
P.T. STA. 0+94.05
N: 6940540.9567
E: 2465314.9165
P.C. STA. 0+42.41
N: 6940489.6698
E: 2465322.1072
P.T. STA. 0+52.23
N: 6940445.3853
E: 2465327.7349
P.C. STA. 0+41.73
N: 6940438.4844
E: 2465077.8403
P.O.T. STA. 2+87.08
PROVIDENCE STREET
= P.O.T. STA. 0+00.00
HOLDEN LANE
N: 6940447.3840
E: 2465322.5722
P.T. STA. 0+78.07
N: 6940382.2737
E: 2465782.7789
P.R.C. STA. 0+39.12
N: 6940343.5335
E: 2465773.3958
P.C. STA. 0+00.00
N: 6940304.6954
E: 2465776.0706
LOT 1-X DETENTION AREA/ DRAINAGE/ TURF EASEMENT (R. PLAT)
SCADS DIRECT DEVELOPMENT, LLC INST. NO. 20190005927 O.P.R.D.C.T.
BLOCK A/6960
BLOCK B/6690
BLOCK C/6690
BLOCK D/6690
BLOCK A/5690
BLOCK B/6956
BLOCK C/6956
BLOCK D/6956
TRINITY TEMPLE ADDITION VOL. 68110, PG. 2265 D.R.D.C.T.
FORMERLY, TRINITY TEMPLE BAPTIST CHURCH, INC. VOL. 76016, PG. 1706 AMENDED BY VOL. 78206, PG. 56 D.R.D.C.T.
TRINITY TEMPLE ADDITION VOL. 68110, PG. 2265 D.R.D.C.T.
KIMBALL ESTATES NO. 1 VOL. 80, PG. 2651 M.R.D.C.T.
KIMBALL ESTATES NO. 2 VOL. 80, PG. 2651 M.R.D.C.T.
KIMBALL ESTATES VOL. 80, PG. 2651 M.R.D.C.T.
TRACT I CITY OF DALLAS VOL. 96016, PG. 813 D.R.D.C.T.
TRACT II CITY DALLAS STREET EASEMENT VOL. 96016, PG. 821 D.R.D.C.T.
TRACT CITY DALLAS STREET EASEMENT VOL. 87028, PG. 2511 D.R.D.C.T.
LOT 1, BLOCK A/6960 SHADY HOLLOW ESTATES VOL. 97328, PG. 2511 D.R.D.C.T.
AERIAL & POLE EASEMENT VOL. 80, PG. 9 M.R.D.C.T.
AERIAL & POLE EASEMENT VOL. 80, PG. 9 M.R.D.C.T.
AERIAL & POLE EASEMENT VOL. 80, PG. 9 M.R.D.C.T.
AERIAL & POLE EASEMENT VOL. 80, PG. 9 M.R.D.C.T.
AERIAL & POLE EASEMENT VOL. 80, PG. 9 M.R.D.C.T.
AERIAL & POLE EASEMENT VOL. 80, PG. 9 M.R.D.C.T.
10' ALLEY VOL. 77033, PG. 1 D.R.D.C.T.
10' ALLEY VOL. 78033, PG. 606 D.R.D.C.T.
10' ALLEY VOL. 80, PG. 2651 M.R.D.C.T.
5' ALLEY VOL. 80, PG. 2651 M.R.D.C.T.
5' ALLEY VOL. 80, PG. 2651 M.R.D.C.T.
5' ALLEY VOL. 80, PG. 2651 M.R.D.C.T.
20

PAVING NOTES:

A. MACHINE FINISH CLASS - TEST STRENGTH IS 4,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.

B. CONCRETE BASE AND PAVEMENT WILL BE REQUIRED TO BE FINISHED MECHANICALLY WITH APPROVED POWER-DRIVEN MACHINES WHEN THE STREET IS WIDER THAN 27 FEET OR WHEN THE STREET IS 200"IN LENGTH OR LONGER. A VIBRATING SCREED IS NOT CONSIDERED A PAVING MACHINE.

C. HAND FINISH CLASS - TEST STRENGTH IS 4,500 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.

D. HAND FINISHING WILL BE PERMITTED ON PAVEMENT WIDENING, ON SECTIONS WHERE THE PAVEMENT WIDTH IS NOT UNIFORM, AT INTERSECTIONS, WHERE REQUIRED MONOLITHIC WIDTHS ARE GREATER THAN THAT OF AVAILABLE FINISHING MACHINES, ON STREETS LESS THAN 200 FEET IN LENGTH, ALLEY PAVING, AND ELSEWHERE WHERE MECHANICAL FINISHING IS NOT SPECIFIED OR REQUIRED BY CITY SPECIFICATIONS.

E. MINIMUM PAVEMENT DEPTH IS 8"".

F. #3 BARS ARE REQUIRED FOR CONCRETE THICKNESS LESS THAN 9"", SPACED ON 24""CENTERS. #4 BARS ARE REQUIRED FOR CONCRETE THICKNESS THAT IS 9""OR GREATER, SPACED ON 24""CENTERS.

G. SPECIFY SUBGRADE PREPARATION. IN SECTION V OF THE PAVING DESIGN MANUAL, STARTING ON PAGE V-2, SUBGRADE REQUIREMENTS ARE PROVIDED BASED ON STREET TYPE AND SOIL P.I. PLEASE CHOOSE THE OPTION THAT COMPLIES WITH THE REQUIREMENTS: COMPACTED SUBGRADE, LIME TREATED SUBGRADE, CEMENT MODIFIED SUBGRADE, OR CEMENT STABILIZED SUBGRADE.

H. STANDARD SUBGRADE COMPACTION UNDER STREET PAVEMENT IS 98% STANDARD PROCTOR DENSITY AT MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE TO THE DEPTH SPECIFIED.

I. 1""REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR WIDTH, OR EVERY 150 FEET, BEGINNING AT THE CURB RETURN.

J. AT ALL EXPANSION JOINTS, 24""LONG, #6 (1"") SMOOTH DOWEL IS REQUIRED EVERY 12""ON CENTER AND MUST BE GREASED AND CAPPED.

K. SAWED TRAVERSE DUMMY JOINTS SPACED 15 FEET. SAWED LONGITUDINAL DUMMY JOINTS ALONG CENTER LINE OF ALL SINGLE ROAD WAY SECTIONS EXCEPT PAVING LESS THAN 14 FEET WIDE. ADDITIONAL SIMILAR JOINTS ON 10 FOOT CENTERS EACH SIDE OF CENTER LINE FOR ROAD WAY SECTIONS WIDER THAN 30 FEET.

L. INTEGRAL CONCRETE CURB AND CURB & GUTTER SHALL BE OF THE SAME COMPRESSIVE STRENGTH AS THE PAVEMENT.

M. SAWCUT LINES SHOWN ON THE DESIGN PLANS FOR THE REMOVAL AND REPLACEMENT OF CONCRETE PAVEMENT, DRIVES, SLABS, SIDEWALKS, ETC. ARE FOR INFORMATIONAL PURPOSES ONLY. IF PAVEMENT IS MORE THAN 5 YEARS OLD, THE PAVEMENT CUT AND REPAIR STANDARDS MANUAL MUST BE FOLLOWED. IF PAVEMENT IS 5 YEARS OLD OR LESS, THE ENTIRE CONCRETE PANEL MUST BE REPLACED.

N. ANY TRAFFIC CONTROL PLAN (TCP) MUST BE SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS FOR REVIEW AND APPROVAL BY TRAFFIC SAFETY COORDINATORS PRIOR TO START OF CONSTRUCTION. NO TRAFFIC LANE OR SIDEWALK ALONG ANY PUBLIC STREET OR ALLEY IS TO BE CLOSED WITHOUT FIRST OBTAINING THE APPROPRIATE PERMIT(S). CLOSURE OF ANY TRAFFIC LANE MUST BE RESTRICTED TO THE HOURS OF 9:30 A.M. TO 3:30 P.M. WORKDAYS (HOURS MAY DIFFER IN SCHOOL ZONES). CONTRACTOR MUST CALL (214) 948-4290 TO REQUEST APPROVAL OF TCP AND TO OBTAIN A RIGHT-OF-WAY PERMIT

O. SAWCUT LINES SHOWN ON THE DESIGN PLANS FOR THE REMOVAL AND REPLACEMENT OF CONCRETE PAVEMENT, DRIVES, SLABS, SIDEWALKS, ETC. ARE FOR INFORMATIONAL PURPOSES ONLY. IF PAVEMENT IS MORE THAN 5 YEARS OLD, THE PAVEMENT CUT AND REPAIR STANDARDS MANUAL MUST BE

NOTES FOR SIDEWALKS, BARRIER-FREE RAMPS, AND CURB & GUTTER DETAIL(S):

A. CLASS TEST STRENGTH FOR SIDEWALK IS 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS CLASS TEST STRENGTH FOR SIDEWALK IS 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.

B. CLASS TEST STRENGTH FOR CURB AND GUTTER IS 4,500 PSI COMPRESSIVE STRENGTH AT 28 CLASS TEST STRENGTH FOR CURB AND GUTTER IS 4,500 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.

C. STANDARD SUBGRADE COMPACTION FOR SIDEWALKS IS MINIMUM 95% OF STANDARD PROCTOR STANDARD SUBGRADE COMPACTION FOR SIDEWALKS IS MINIMUM 95% OF STANDARD PROCTOR DENSITY WITHIN MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE CONTENT.

D. SIDEWALKS REQUIRE MINIMUM #3 BARS SPACED ON 24"CENTERS. SIDEWALKS REQUIRE MINIMUM #3 BARS SPACED ON 24"CENTERS. CENTERS.

E. ALL CURBS WITHIN CITY RIGHT-OF-WAY MUST BE REINFORCED WITH #4 BARS. ALL CURBS WITHIN CITY RIGHT-OF-WAY MUST BE REINFORCED WITH #4 BARS.

F. CURB AND GUTTER MUST BE DESIGNED AND CONSTRUCTED TO PROVIDE POSITIVE DRAINAGE. CURB AND GUTTER MUST BE DESIGNED AND CONSTRUCTED TO PROVIDE POSITIVE DRAINAGE.

G. SEPARATE CONCRETE CURB & GUTTER SHALL BE MARKED 3/8"DEEP WITH AN APPROVED SEPARATE CONCRETE CURB & GUTTER SHALL BE MARKED 3/8" DEEP WITH AN APPROVED DEEP WITH AN APPROVED TOOL (SAW CUT) IN 15 FOOT SECTIONS. INSTALL #4 "L-SHAPED"REBAR DOWELS (12"INTO L-SHAPED"REBAR DOWELS (12"INTO REBAR DOWELS (12"INTO INTO EXISTING PAVEMENT). EVERY 18", EPOXIED IN. , EPOXIED IN.

H. 1"REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR 1"REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR WIDTH, RADII POINTS, OR EVERY 80 FEET, BEGINNING AT THE CURB RETURN.

I. IF SIDEWALK IS LOCATED AT BACK-OF-CURB, REDWOOD JOINTS SHOULD MATCH WITH EXISTING IF SIDEWALK IS LOCATED AT BACK-OF-CURB, REDWOOD JOINTS SHOULD MATCH WITH EXISTING REDWOOD JOINTS IN THE STREET.

J. AT ALL EXPANSION JOINTS, 24"LONG, #6 (3/4") SMOOTH DOWEL IS REQUIRED EVERY 24"ON AT ALL EXPANSION JOINTS, 24"LONG, #6 (3/4") SMOOTH DOWEL IS REQUIRED EVERY 24"ON. LONG, #6 (3/4") SMOOTH DOWEL IS REQUIRED EVERY 24"ON) SMOOTH DOWEL IS REQUIRED EVERY 24"ON ON CENTER.

K. 1"FOOTINGS ARE REQUIRED AT ALL EXPANSION JOINTS AND THE PAVEMENT DEPTH TRANSITIONS FROM 4"TO 5"1"FOOTINGS ARE REQUIRED AT ALL EXPANSION JOINTS AND THE PAVEMENT DEPTH TRANSITIONS FROM 4"TO 5"FOOTINGS ARE REQUIRED AT ALL EXPANSION JOINTS AND THE PAVEMENT DEPTH TRANSITIONS FROM 4"TO 5"TO 5"THICK, OVER THE 24"LENGTH OF PAVEMENT. LENGTH OF PAVEMENT.

L. 8"FOOTING IS REQUIRED FOR SIDEWALKS LOCATED AT BACK-OF-CURB, WITH A 6"DOWEL. 8"FOOTING IS REQUIRED FOR SIDEWALKS LOCATED AT BACK-OF-CURB, WITH A 6" DOWEL. FOOTING IS REQUIRED FOR SIDEWALKS LOCATED AT BACK-OF-CURB, WITH A 6"DOWEL. DOWEL.

M. SIDEWALK MUST BE MINIMUM 5' WIDE IF LOCATED AT BACK-OF-CURB.SIDEWALK MUST BE MINIMUM 5' WIDE IF LOCATED AT BACK-OF-CURB.WIDE IF LOCATED AT BACK-OF-CURB.

DRIVE APPROACH NOTES:

A. MINIMUM PAVEMENT DEPTH IS 8"". DRIVE APPROACH PAVEMENT DEPTH SHOULD MATCH ONSITE PAVEMENT DEPTH IF ONSITE PAVEMENT IS THICKER THAN THE MINIMUM THICKNESS FOR APPROACHES.

B. HAND FINISH CLASS - TEST STRENGTH IS 4,500 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.

C. STANDARD SUBGRADE COMPACTION UNDER DRIVE APPROACHES IS 98% STANDARD PROCTOR DENSITY AT MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE TO THE DEPTH SPECIFIED.

D. #3 BARS ARE REQUIRED FOR CONCRETE THICKNESS LESS THAN 9"", SPACED ON 24""CENTERS. #4 BARS ARE REQUIRED FOR CONCRETE THICKNESS THAT IS 9""OR GREATER, SPACED ON 24""CENTERS.

E. 1""REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL PROPERTY LINES.

F. DOWEL PROPOSED DRIVE APPROACH INTO EXISTING PAVEMENT WITH 24""LONG, #4 BARS, AT 12""ON CENTER, EPOXIED IN.

G. FOR THE EXPANSION JOINT AT THE PROPERTY LINE, 24""LONG, #8 (1"") SMOOTH DOWEL IS REQUIRED FOR PAVING THICKNESS GREATER THAN 6"". ALL DOWELS REQUIRED EVERY 12""ON CENTER AND MUST BE GREASED AND CAPPED.

H. DRIVE APPROACHES REQUIRE A SAW JOINT AT THE CENTERLINE.

INFRASTRUCTURE NOTES:

A. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, LATEST EDITION, AND THE CITY OF DALLAS DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION ADDENDUM.

B. DURING THE CONSTRUCTION OF THESE IMPROVEMENTS, ANY INTERPRETATION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, AND ANY MATTER WHICH REQUIRES THE APPROVAL OF THE OWNER, MUST BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND TRANSPORTATION OR HIS DESIGNEE BEFORE ANY CONSTRUCTION INVOLVING THAT DECISION COMMENCES. ASSUMPTIONS ABOUT WHAT THESE DECISIONS MIGHT BE WHICH ORE MODE DURING THE BIDDING PHASE WILL HOVE NO BEARING ON THE DECISION.

C. FOR ADJUSTMENT OF DALLAS WATER UTILITIES APPURTENANCES OR TO VERIFY LOCATIONS OF EXISTING WATER AND WASTEWATER MAINS IN AREA. COLL (214) 670-1770 AT LEAST (3) THREE WORKING DAYS PRIOR TO CONSTRUCTION.

D. STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS, AND STORM DRAINAGE FACILITIES SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF DALLAS, STANDARD CONSTRUCTION DETAILS, FILE 2510- 1, LATEST EDITION.

E. ALL CONCRETE FOR PAVEMENT SHALL BE 4000 PSI FOR MACHINE FINISH AND 4500 PSI IF IT IS NECESSARY FOR HAND FINISH.

F. TRAFFIC BARRICADES WILL BE REQUIRED AT ALL PROPOSED PAVING AND STORM SEWER CONSTRUCTION IN STREET RIGHT - OF - WAY. BARRICADES SHALL CONFORM TO THE INSTALLATION SHOWN IN THE "1980 TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES " AS CURRENTLY AMENDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION.

G. CITY FORCES SHALL INSTALL ALL NEEDED SIGNS. PLEASE CONTACT DENNIS SCHIMKO AT (214)-670-3773 TO RELEASE THE SIGN WORK ORDER FOR THE SIGN INSTALLATION SIX WEEKS PRIOR TO CONSTRUCTION COMPLETION. THE CITY SHALL BE REIMBURSED THE COST OF THE STREET SIGNS.

H. THE CONTRACTOR SHALL INS TALL ALL PAVEMENT MARKINGS. THEY SHOULD BE THERMOPLASTIC PER PUBLIC WORKS AND TRANSPORTATION STANDARD CONSTRUCTION DETAILS, FILE 2510- 1, AND INSPECTED BY CITY FORCES.

"TH S SPACE RESERVED - BLDG INSPECTION"

"THIS SPACE RESERVED - ENGINEERING"

PRELIMINARY PLAN
For Review Only

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REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

PAVING NOTES

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

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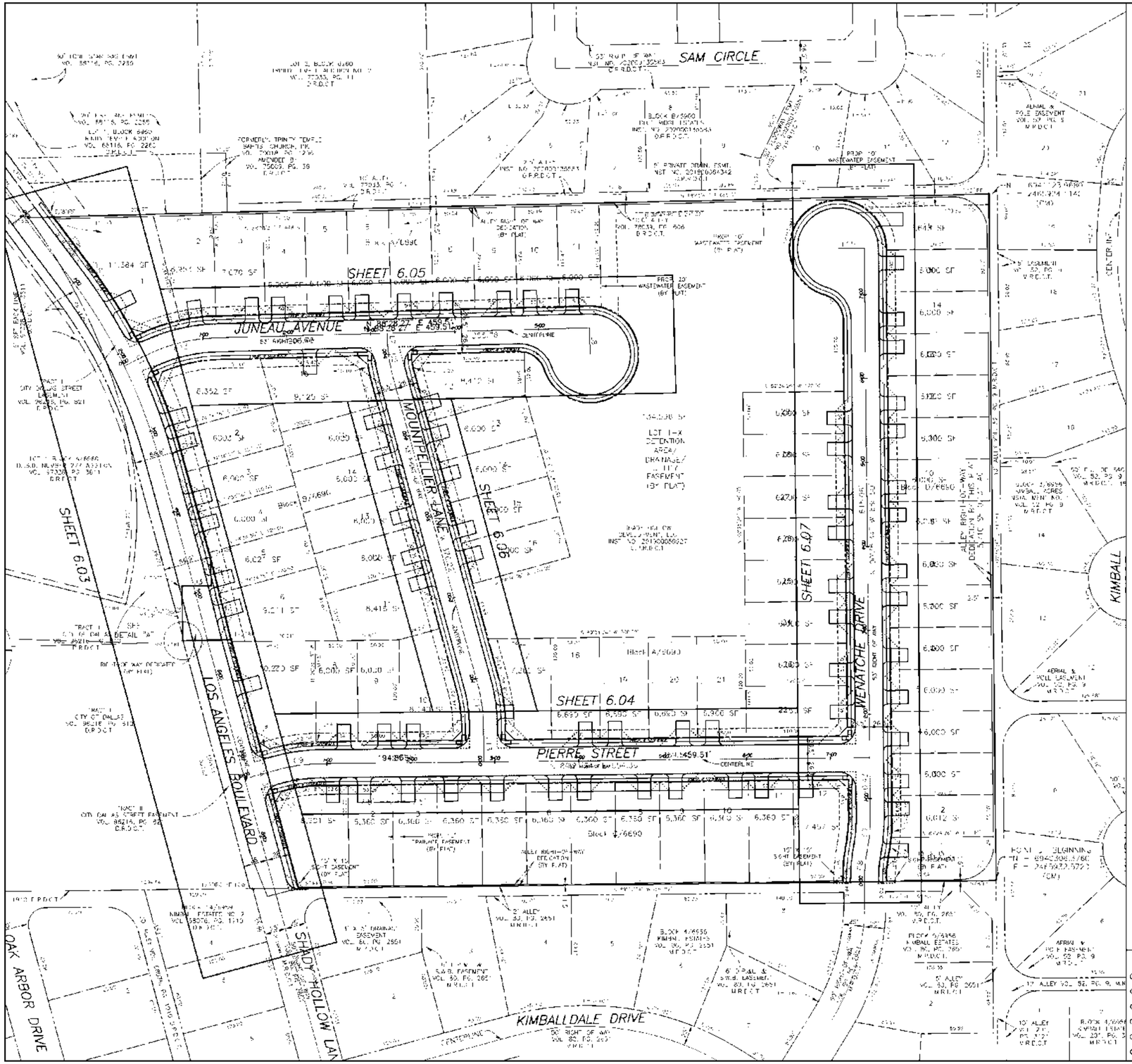

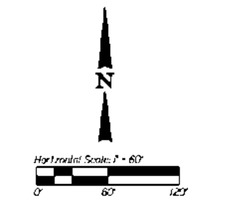

VICINITY MAP
(DALLAS MAPSCO 63-A)
NOT TO SCALE

THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

LEGEND

463 Exist Contour

Proposed Building

Proposed Swale

BENCHMARKS:

DWG BENCHMARK 1589 63 A1
SQUARE CUT IN TOP CURB CENTER OF RADIUS
NORTHEAST CORNER OF INTERSECTION OF
HACIENDA DRIVE AND RIDE PRIDE BLVD.
N: 6,945,287.32
E: 2,464,292.502
ELEV. 669.04

DWG BENCHMARK 0.94 SET-X-ZIS
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT
THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST
CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND
COOMBS CREEK DRIVE
N: 6,943,297.09
E: 2,466,411.480
ELEV. 617.98'

PRELIMINARY PLAN
For Review Only

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engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101235-00
tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
3178-288	YYYYMMDDXXXX	WW22-231	3117-10059

OVERALL PAVING PLAN

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR

CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR

CONTRACT NO _____ DATE _____
(IF APPLICABLE)
CONTRACTOR

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
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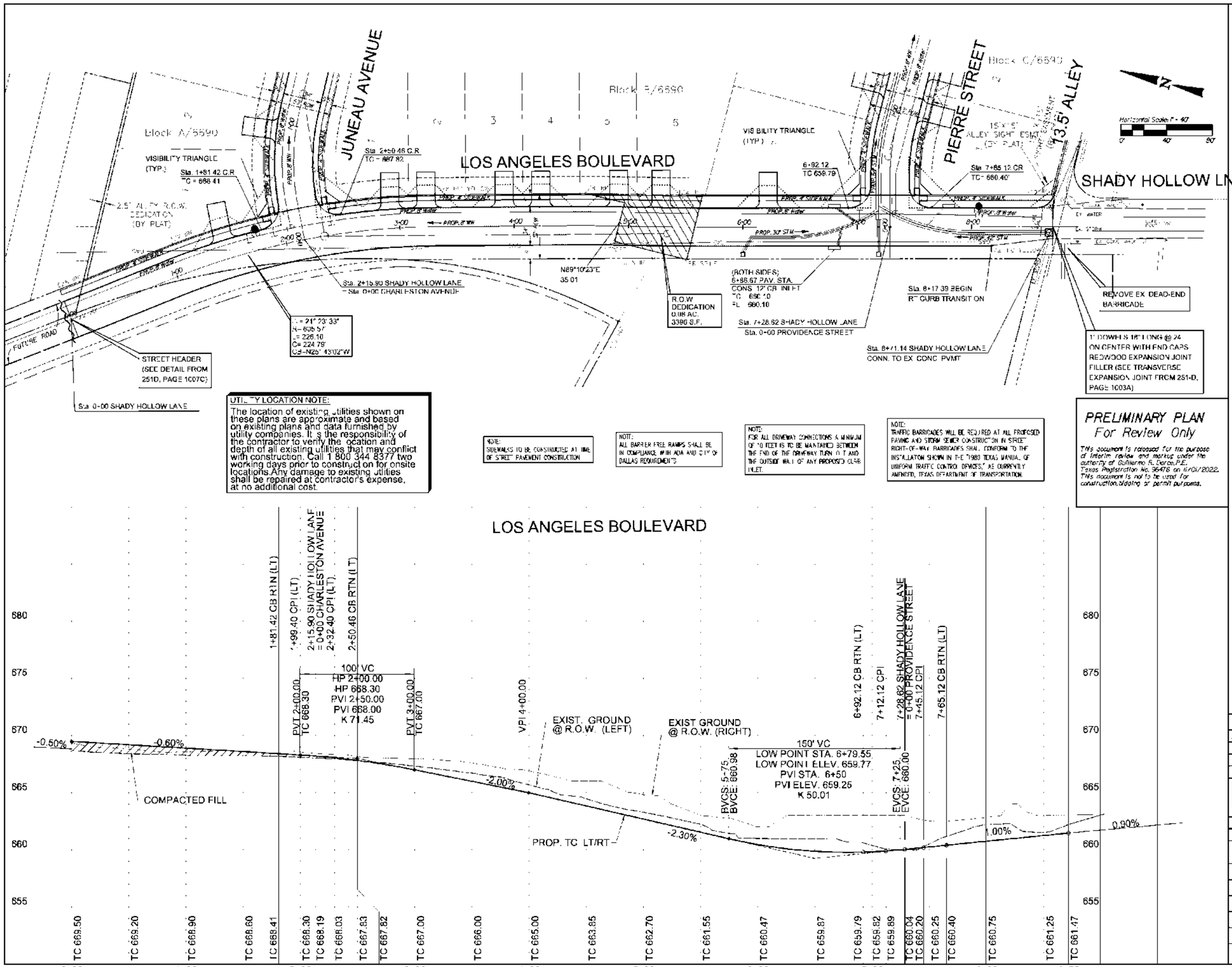

UTILITY LOCATION NOTE:
The location of existing utilities shown on these plans are approximate and based on existing plans and data furnished by utility companies. It is the responsibility of the contractor to verify the location and depth of all existing utilities that may conflict with construction. Call 1 800 344 8377 two working days prior to construction for onsite locations. Any damage to existing utilities shall be repaired at contractor's expense, at no additional cost.

NOTE:
SIDEWALKS TO BE CONSTRUCTED AT TIME OF STREET PAVEMENT CONSTRUCTION

NOTE:
ALL BARRIER FREE RAMPS SHALL BE IN COMPLIANCE WITH ADA AND CITY OF DALLAS REQUIREMENTS

NOTE:
FOR ALL DRIVEWAY CONNECTIONS A MINIMUM OF 10 FEET IS TO BE MAINTAINED BETWEEN THE END OF THE DRIVEWAY TURN OUT AND THE OUTSIDE WALL OF ANY PROPOSED CURB INLET.

NOTE:
TRAFFIC BARRICADES WILL BE REQUIRED AT ALL PROPOSED PAVING AND STORM SEWER CONSTRUCTION IN STREET RIGHT-OF-WAY. BARRICADES SHALL CONFORM TO THE INSTALLATION SHOWN IN THE "1980 TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES," AS CURRENTLY AMENDED, TEXAS DEPARTMENT OF TRANSPORTATION.

PRELIMINARY PLAN
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EXISTING LEGEND

	EXIST. LOT LINE
	EXIST. RIGHT- OF- WAY
	EXIST. ASPHALT PAVEMENT
	EXIST. STORM SEWER

RECONSTRUCTION LEGEND

	PROP. CONC. PAVEMENT
	PROP. CONC. DRIVEWAY
	PROP. CONC. SIDEWALK
	CONCRETE REMOVAL
	PROP. ASPHALT TRANSITION (2 FT UNLESS OTHERWISE NOTED)
	PROP. GRAVEL SURFACE (3 FT UNLESS OTHERWISE NOTED)

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS MUST BE GIVEN 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST. STOP CALL
Texas One Call System
1-800-DIG-TESS

BENCHMARKS:

DWU BENCHMARK 1989 63-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUFF DALE BLVD.
N: 6,941,528.732
E: 2,464,292.507
ELEV. 668.04'

DWU BENCHMARK "554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.460
ELEV. 617.98'

REVISIONS

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S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

LOS ANGELES BOULEVARD PLAN/PROFILE

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

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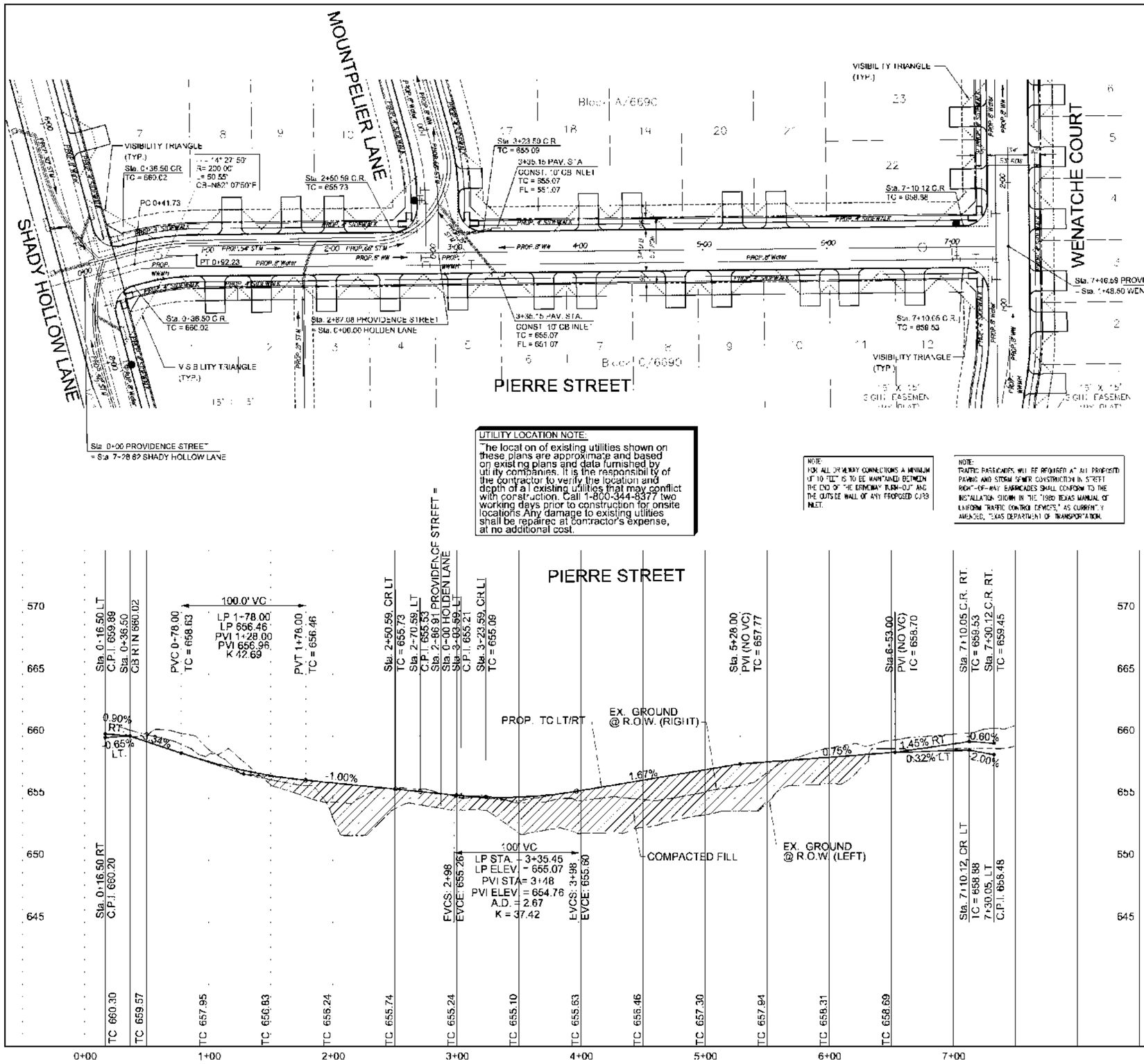

NOTE:
ALL BARRIER FREE RAMPS SHALL BE IN COMPLIANCE WITH ADA AND CITY OF DALLAS REQUIRMENTS.

NOTE:
SIDEWALKS TO BE CONSTRUCTED AT TIME OF STREET PAVEMENT CONSTRUCTION.

UTILITY LOCATION NOTE:
"The locat on of existing utilities shown on these plans are approximate and based on existng plans and data furnished by utility companies. It is the responsibil ty of the contractor to verify the location and depth of a l existing utilities that may conflict with construction. Call 1-800-344-8377 two working days prior to construction for onsite locations. Any damage to existing utilities shall be repairec at contractor's expense, at no additional cost.

NOTE:
FOR ALL DRIVEWAY CONNECTIONS A MINIMUM OF 10 "TEE" IS TO BE MAINTAINED BETWEEN THE END OF THE DRIVEWAY PUSH-OUT AND THE OUTSIDE WALL OF ANY PROPOSED CURB INLET.

NOTE:
TRAFFIC BARRICADES WILL BE REQUIRED AT ALL PROPOSED PAVING AND STORM SEWER CONSTRUCTION IN STREET RIGHT-OF-WAY. BARRICADES SHALL CONFORM TO THE INSTALLATION SHOWN IN THE "1980 TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES," AS CURRENTLY AMENDED, TEXAS DEPARTMENT OF TRANSPORTATION.

PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and markup under the authority of Guillermo R. Perez, P.E., Texas Registration No. 96478 on 11/01/2022. This document is not to be used for construction, bidding or permit purposes.

THIS SPACE RESERVED FOR BLDG INSPECTION

EXISTING LEGEND

- EXIST. LOT LINE
- EXIST. RIGHT- OF- WAY
- EXIST. ASPHALT PAVEMENT
- EXIST. STORM SEWER

RECONSTRUCTION LEGEND

- PROP. CONC. PAVEMENT
- PROP. CONC. DRIVEWAY
- PROP. CONC. SIDEWALK
- CONCRETE REMOVAL
- PROP. ASPHALT TRANSITION (2 FT UNLESS OTHERWISE NOTED)
- PROP. GRAVEL SURFACE (3 FT UNLESS OTHERWISE NOTED)

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS TO LIST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST. STOP CALL
Texas One Call System
1-800-DIG-TESS

BENCHMARKS:

DWU BENCHMARK 1989 63-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,4[illegible].480
ELEV. 617.98'

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

PIERRE STREET PLAN/PROFILE

SHADY HOLLOW ESTATES
BLOCKS A/6960, B/6960, C/6960, D/6960
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C06.04

UTILITY LOCATION NOTE:

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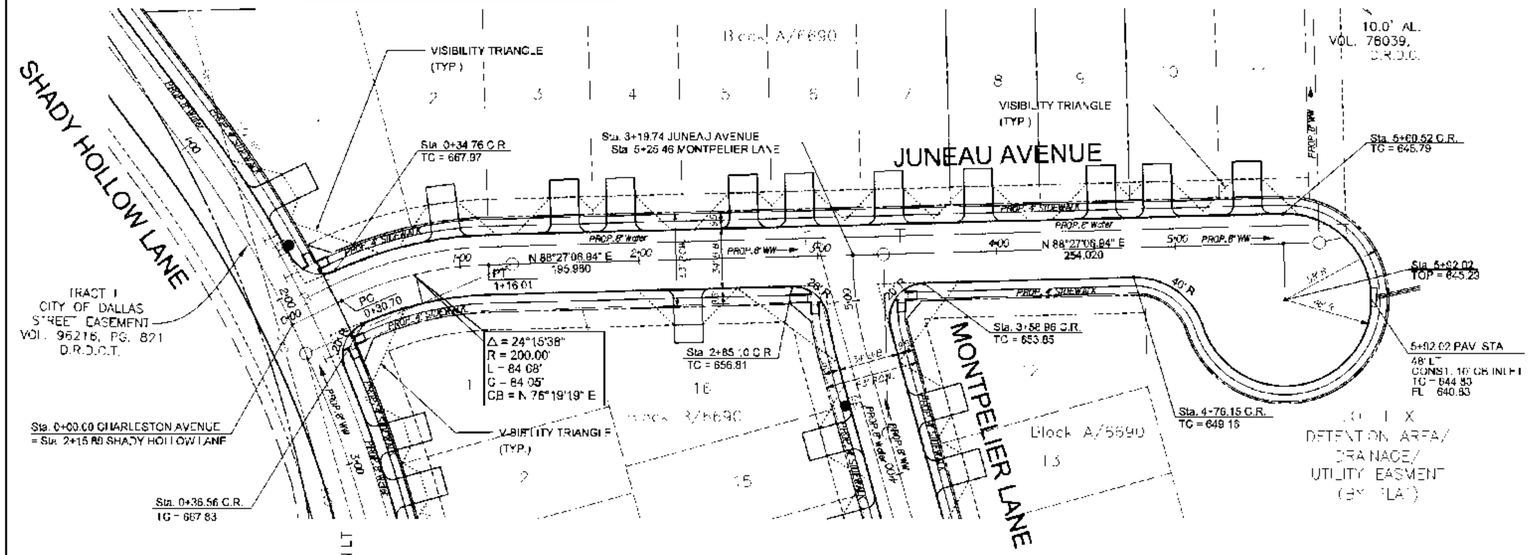

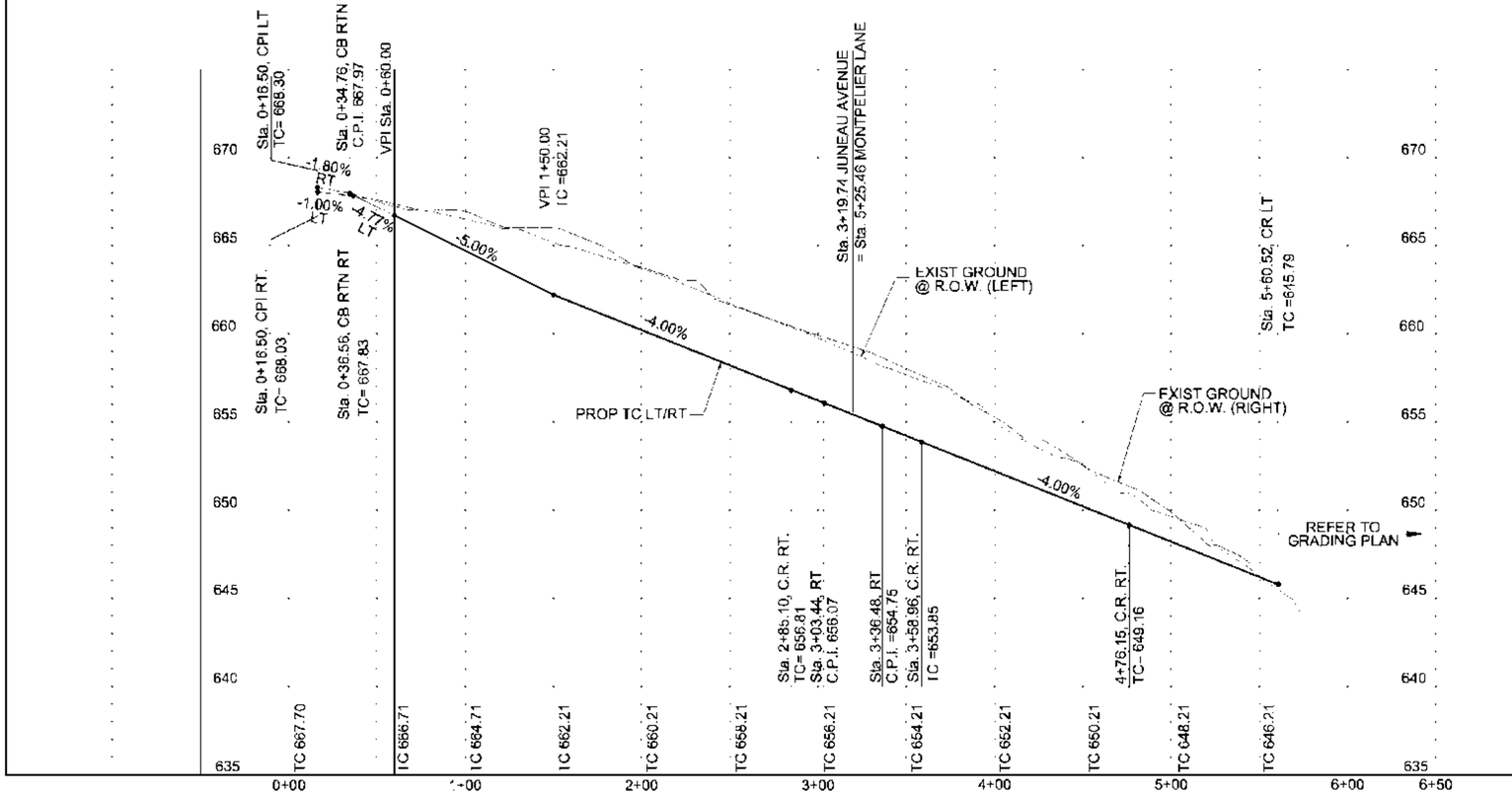

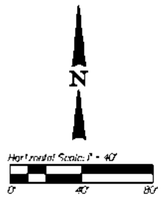

NOT
[illegible]

NOTE
[illegible]

NOT
[illegible]

[illegible]

THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEER'S

EXISTING LEGEND

- EXIST. LOT LINE
- EXIST. RIGHT-OF-WAY
- EXIST. ASPHALT PAVEMENT
- EXIST. STORM SEWER

RECONSTRUCTION LEGEND

- PROP. CONC. PAVEMENT
- PROP. CONC. DRIVEWAY
- PROP. CONC. SIDEWALK
- CONCRETE REMOVAL
- PROP. ASPHALT TRANSITION (2 FT UNLESS OTHERWISE NOTED)
- PROP. GRAVEL SURFACE (3 FT UNLESS OTHERWISE NOTED)

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Texas One Call System
1-800-DIG-TESS

BENCHMARKS:

DWU BENCHMARK 1989 63 A
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,687.093
E: 2,466,411.480
ELEV. 677.98'

PRELIMINARY PLAN
For Review Only

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REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

JUNEAU AVENUE PLAN/PROFILE

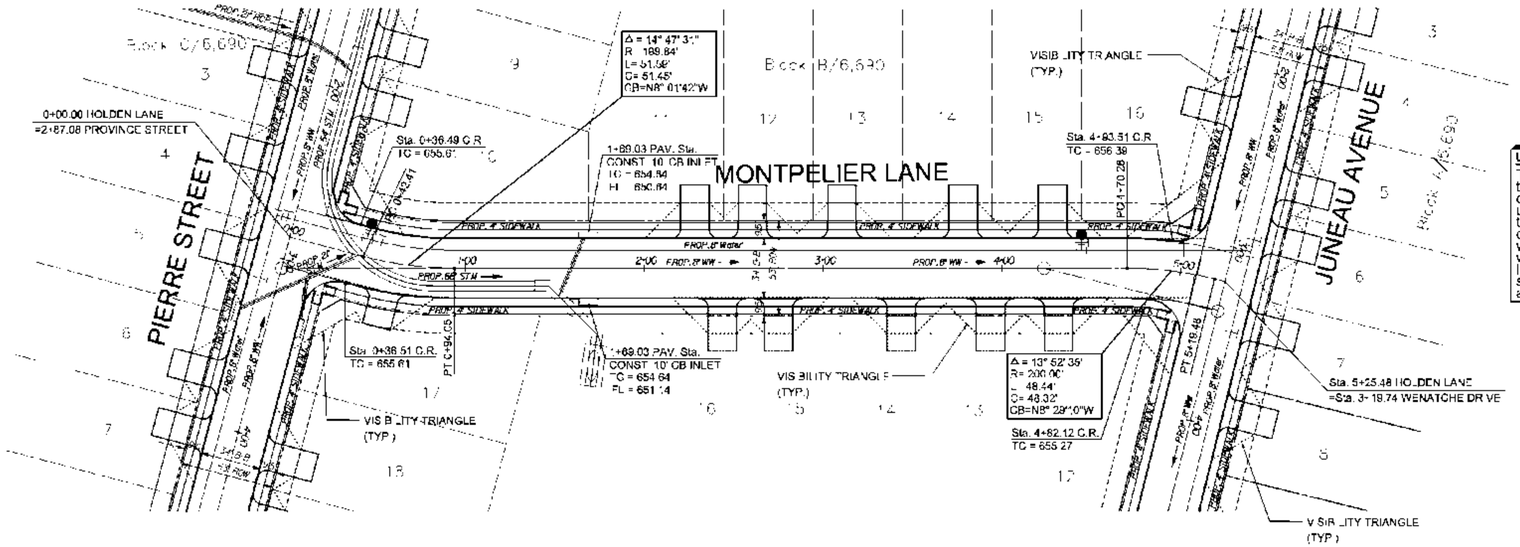
SHADY HOLLOW ESTATES

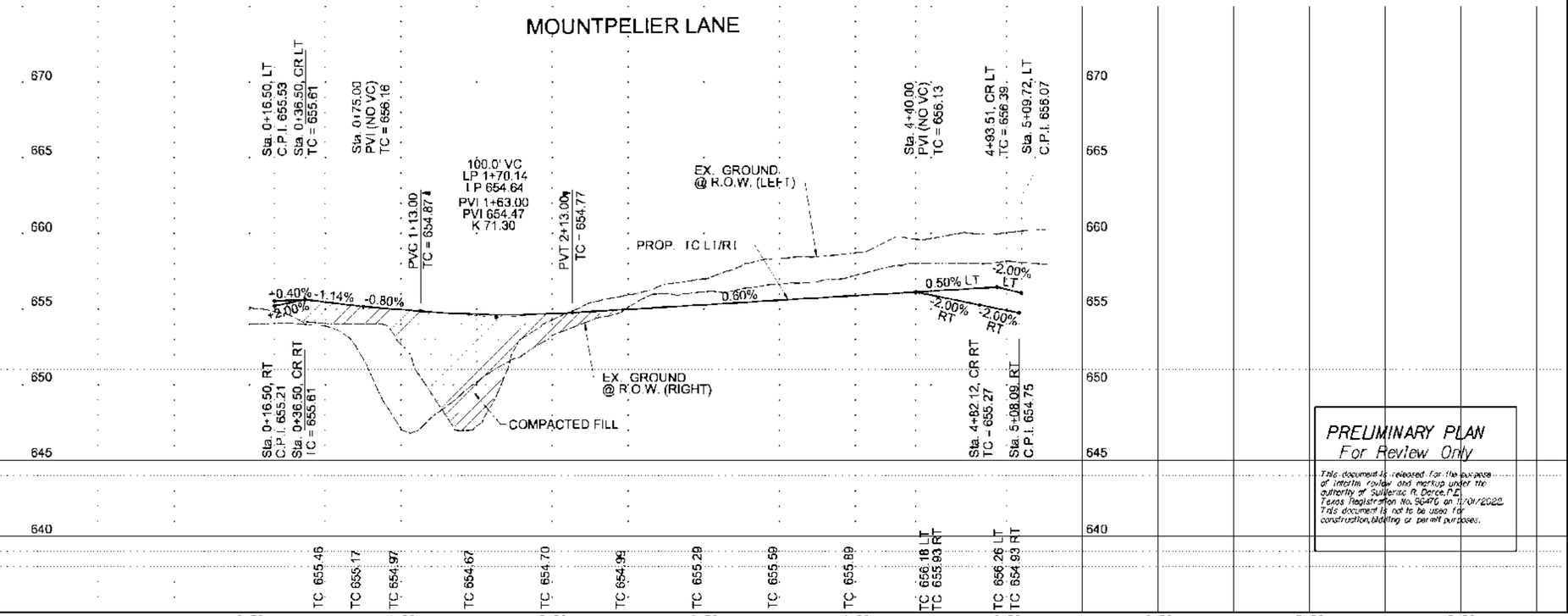
BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C06.05





Horizontal Scale: 1" = 40'
0' 40' 80'

NOTE:
TRAFFIC BARRICADES WILL BE REQUIRED AT ALL PROPOSED PAVING AND STORM SEWER CONSTRUCTION IN STREET RIGHT-OF-WAY. BARRICADES SHALL CONFORM TO THE INSTALLATION SHOWN IN THE "1988 TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES," AS CURRENTLY AMENDED, TEXAS DEPARTMENT OF TRANSPORTATION.

UTILITY LOCATION NOTE:
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NOTE:
FOR ALL DRIVEWAY CONNECTIONS A MINIMUM OF 10 FEET IS TO BE MAINTAINED BETWEEN THE END OF THE DRIVEWAY TURN-OUT AND THE OUTSIDE WAL. OF ANY PROPOSED CURB INLET.

NOTE:
ALL BARRIER FREE RAMPS SHALL BE IN COMPLIANCE WITH ADA AND CITY OF DALLAS REQUIREMENTS.

NOTE:
SIDEWALKS TO BE CONSTRUCTED AT TIME OF STREET PAVEMENT CONSTRUCTION.

THIS SPACE RESERVED B.DG INSPECTION

THIS SPACE RESERVED ENGINEERING

EXISTING LEGEND
- EXIS". LOT LINE
- EXIST. RIGHT- OF- WAY
- EXIST ASPHALT PAVEMENT
- EXIS". STORM SEWER

RECONSTRUCTION LEGEND
- PROP. CONC. PAVEMENT
- PROP. CONC. DRIVEWAY
- PROP. CONC. SIDEWALK
- CONCRETE REMOVAL
- PROP. ASPHALT TRANSITION (2 FT UNLESS OTHERWISE NOTED)
- PROP. GRAVEL SURFACE (3 FT UNLESS OTHERWISE NOTED)

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Texas One Call System
1-800-DIG-TESS

BENCHMARKS

DWU BENCHMARK 1989 63-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DR VE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPO NT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 61/.98'

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, Inc.
Engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel. (214) 942-1888

PRELIMINARY PLAN
For Review Only
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PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
5178-288	YYYYMMDDXXXX	WW22-231	311T-10059

MOUNTPELIER LANE PAVING PLAN & PROFILE

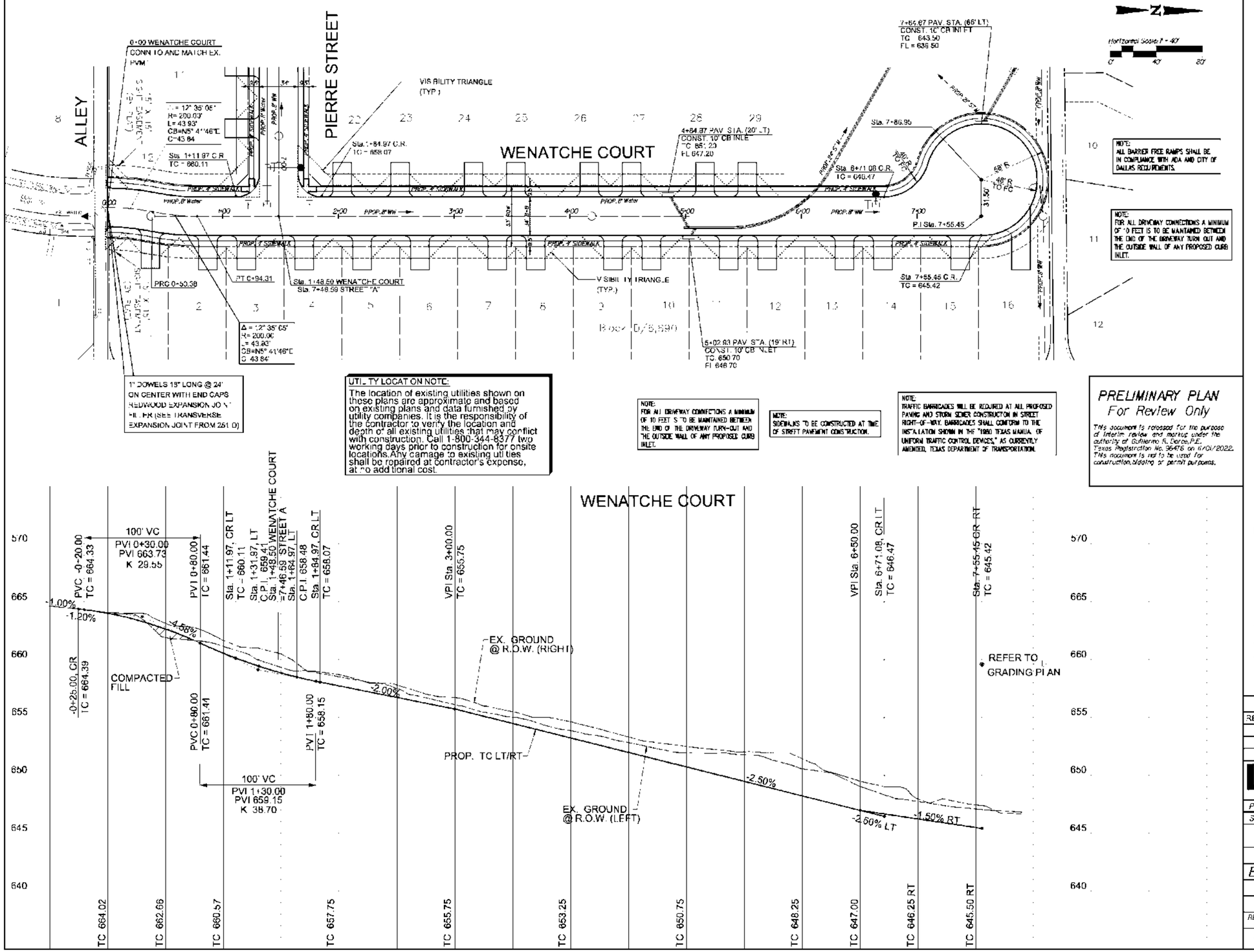
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C0605



1" DOWELS 18" LONG @ 24' ON CENTER WITH END CAPS REDWOOD EXPANSION JOINT FILLER (SEE TRANSVERSE EXPANSION JOINT FROM 251.D)

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THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

EXISTING LEGEND

- EXIST. LOT LINE
- EXIST. RIGHT- OF- WAY
- EXIST. ASPHALT PAVEMENT
- EXIST. STORM SEWER

RECONSTRUCTION LEGEND

- PROP. CONC. PAVEMENT
- PROP. CONC. DRIVEWAY
- PROP. CONC. SIDEWALK
- CONCRETE REMOVAL
- PROP. ASPHALT TRANSITION (2 FT UNLESS OTHERWISE NOTED)
- PROP. GRAVEL SURFACE (3 FT UNLESS OTHERWISE NOTED)

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS EXIST 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST. STOP CALL
Texas One Call System
1-800-DIG-TESS

BENCHMARKS:

DWU BENCHMARK 1989 63-A-2
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 617.98'

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

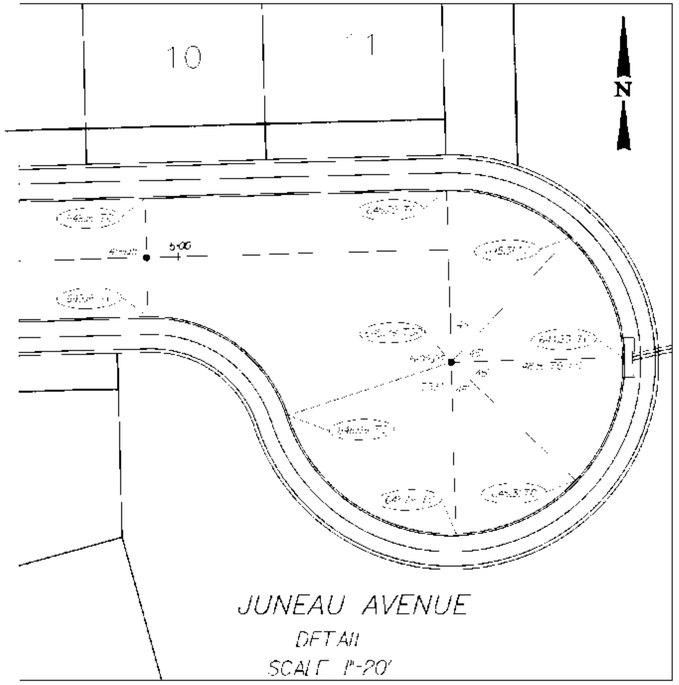
LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

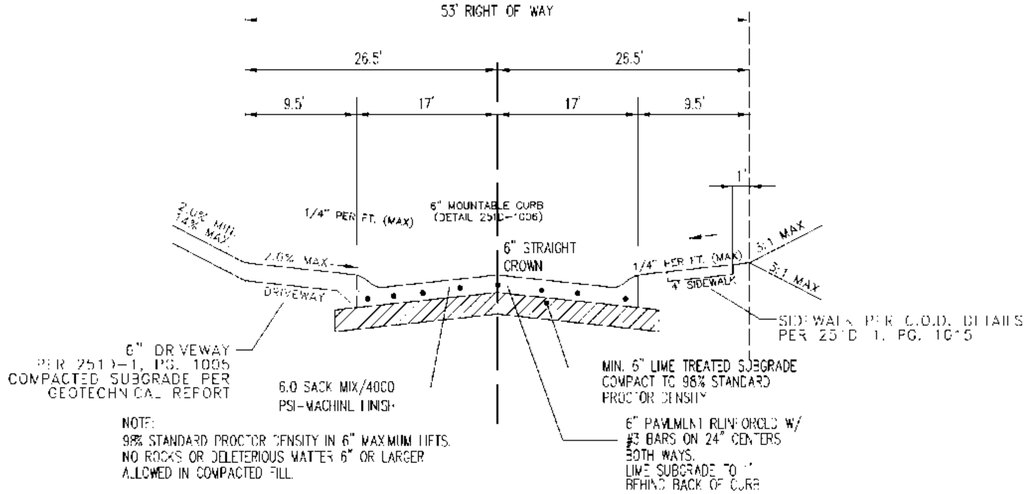
WENATCHE COURT PLAN/PROFILE

SHADY HOLLOW ESTATES
BLOCKS A/6960, B/6960, C/6960, D/6960
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C06.07

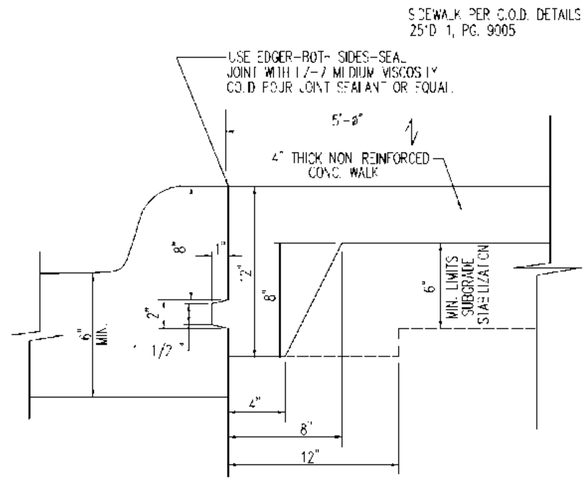


DETAIL
SCALE 1"-20'

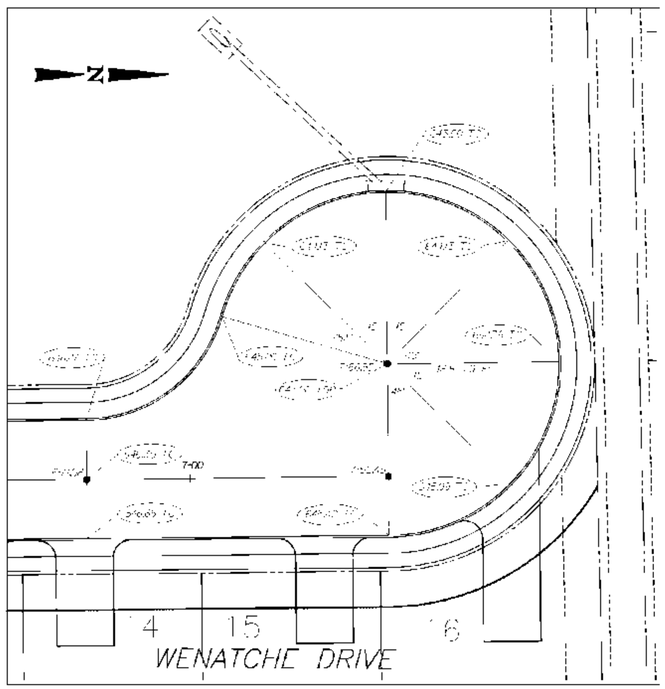


NOTE:
98% STANDARD PROCTOR DENSITY IN 6" MAXIMUM LIFTS.
NO ROCKS OR DELETERIOUS MATTER 6" OR LARGER
ALLOWED IN COMPACTED FILL.

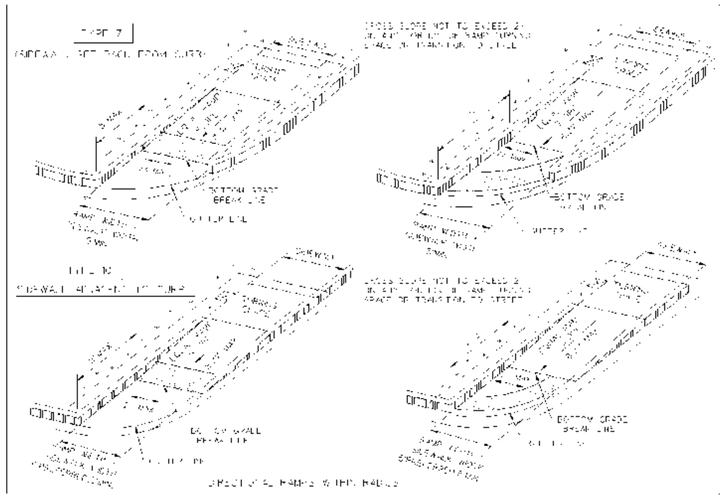
TYPICAL PAVING SECTION
N. T. S.



JOINT DETAIL FOR SIDEWALK
ADJACENT TO CURB
N. T. S.



DETAIL
SCALE 1"-20'



PRELIMINARY PLAN
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REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel: (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

PAVING DETAILS

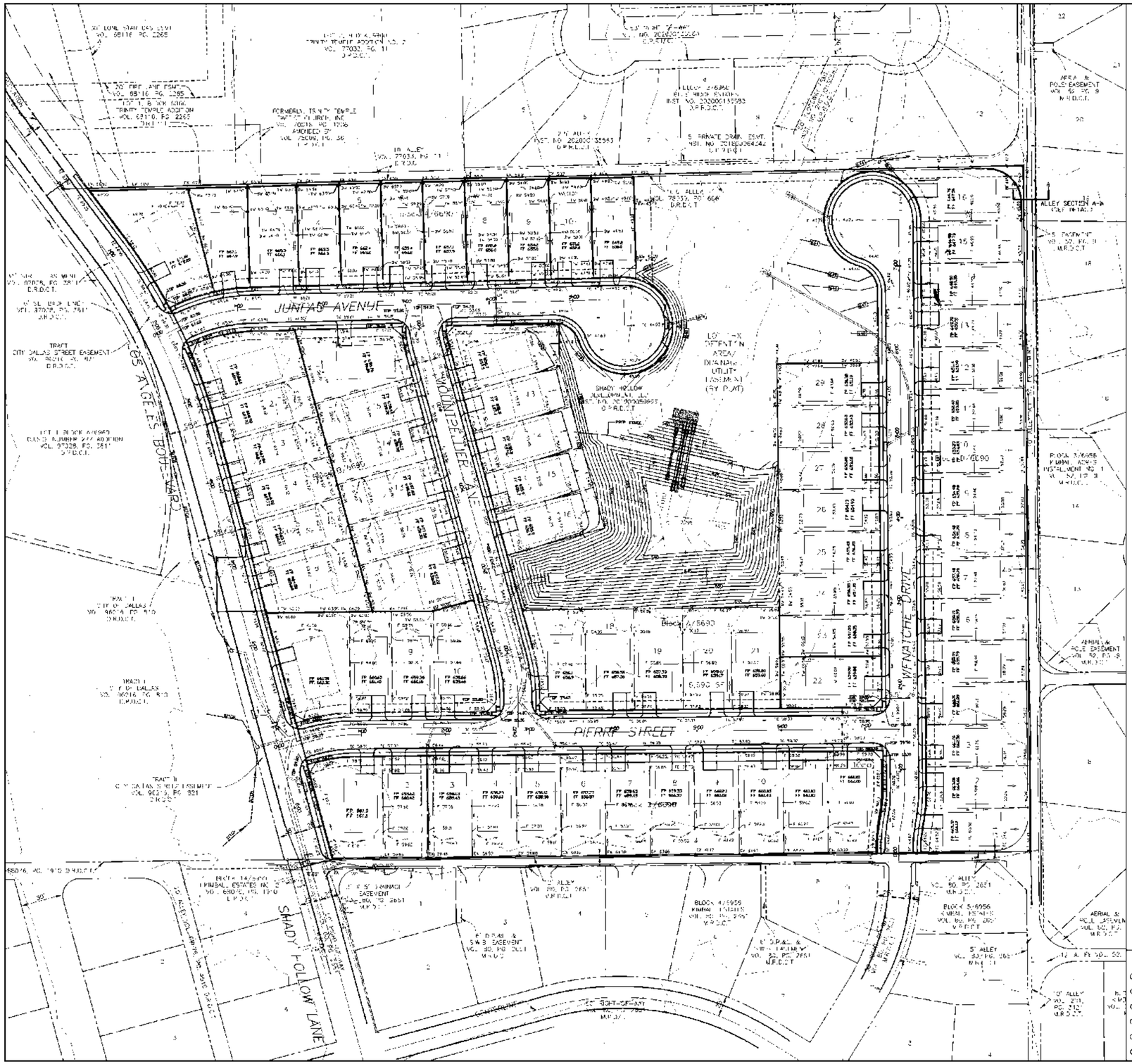
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV. 2022	311T	10059	C06.50



N

Horizontal Scale: 1" = 60'

0' 60' 120'

" SPACE RESERVED BLDG INSPECTION "

" THIS SPACE RESERVED ENGINEERING "

VICINITY MAP

(DALLAS MAPSCO 63-A)

NOT TO SCALE

LEGEND

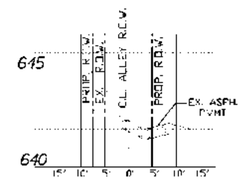
463 Exist Contour

Proposed Building

Proposed Swale

GENERAL NOTES

1. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY OF DALLAS STANDARD CONSTRUCTION DETAILS P.W.P. 2540, AND SPECIFICATIONS EXCEPT AS NOTED HEREIN OR APPROVED BY THE CITY.
2. THE LOCATIONS OF ALL UTILITIES INDICATED ON THESE PLANS ARE TAKEN FROM EXISTING PUBLIC RECORDS. THE LENGTH, LOCATION AND ELEVATION OF ALL PUBLIC UTILITIES MUST BE DETERMINED BY THE CONTRACTOR. IT SHALL BE THE DUTY OF THE CONTRACTOR TO ASCERTAIN WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING TRENCH SAFETY REQUIREMENTS IN ACCORDANCE WITH CITY STANDARDS FOR ALL EXCAVATION IN EXCESS OF FIVE FEET IN DEPTH.
4. CONTRACTOR SHALL PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT. IT SHALL BE THE DUTY OF THE CONTRACTOR TO DETERMINE WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THESE PLANS MAY BE PRESENT PRIOR TO BEGIN CONSTRUCTION. ANY DAMAGE TO EXISTING PUBLIC UTILITIES DUE TO CONTRACTORS NEGLIGENCE SHALL BE RESTORED BY THE CONTRACTOR AT NO COST TO THE OWNER. LIM & ASSOCIATES IS NOT RESPONSIBLE FOR KNOWING ALL EXISTING UTILITIES.
5. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL REQUIRED PERMIT PRIOR TO BEGINNING CONSTRUCTION.



ALLEY SECTION A-A

RISE = 3.60

Dcap=8.92

V = 7.23

Slope 6.90%

100YR WATER DEPTH = 0.25'

BENCHMARKS:

DWU BENCHMARK 1989 63 A1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,236.502
ELEV. 568.04'

DWU BENCHMARK 1554 53-X-25
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST SUNNYLAKE AND COWART DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 617.98'

PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and markup under the authority of Suzanne N. Garcia, P.E., Texas Registration No. 56476 on 11/01/2022. This document is not to be used for construction, bidding or permit purposes.

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____

CONTRACTOR

CONTRACT NO _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

CONTRACT NO _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
1611 (214) 942-1988

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	3117-10059

GRADING PLAN

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	3117	10059	C07.01

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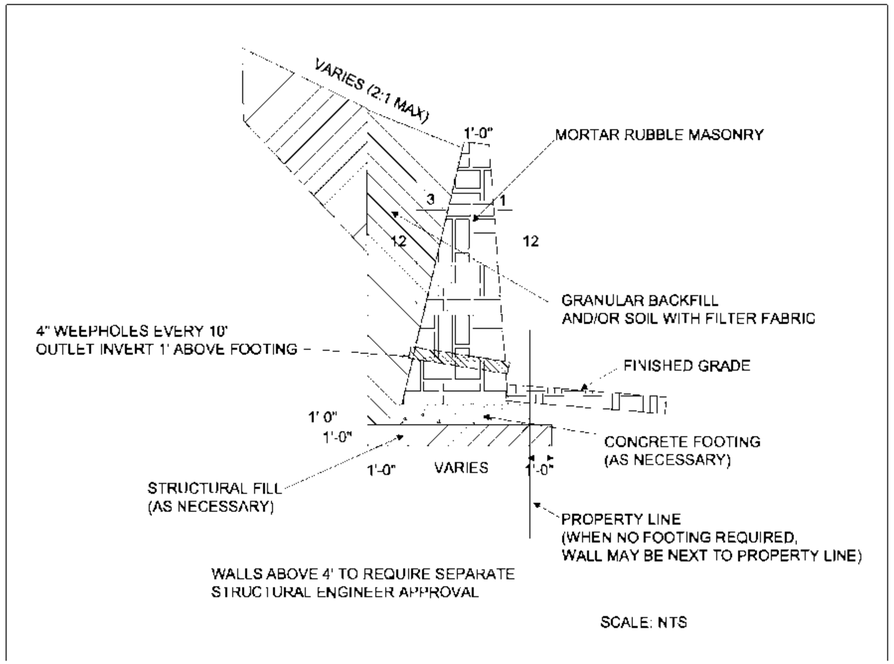
THIS SPACE RESERVED FOR ENGINEERING



SCALE: NTS

PRELIMINARY PLAN
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REV NO.	DATE	DESCRIPTION	BY
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LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
tel. (214) 342-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
3178-288	YYYYMMDDXXXX	WW22-231	311T-10059

RETAING WALL DETAIL

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

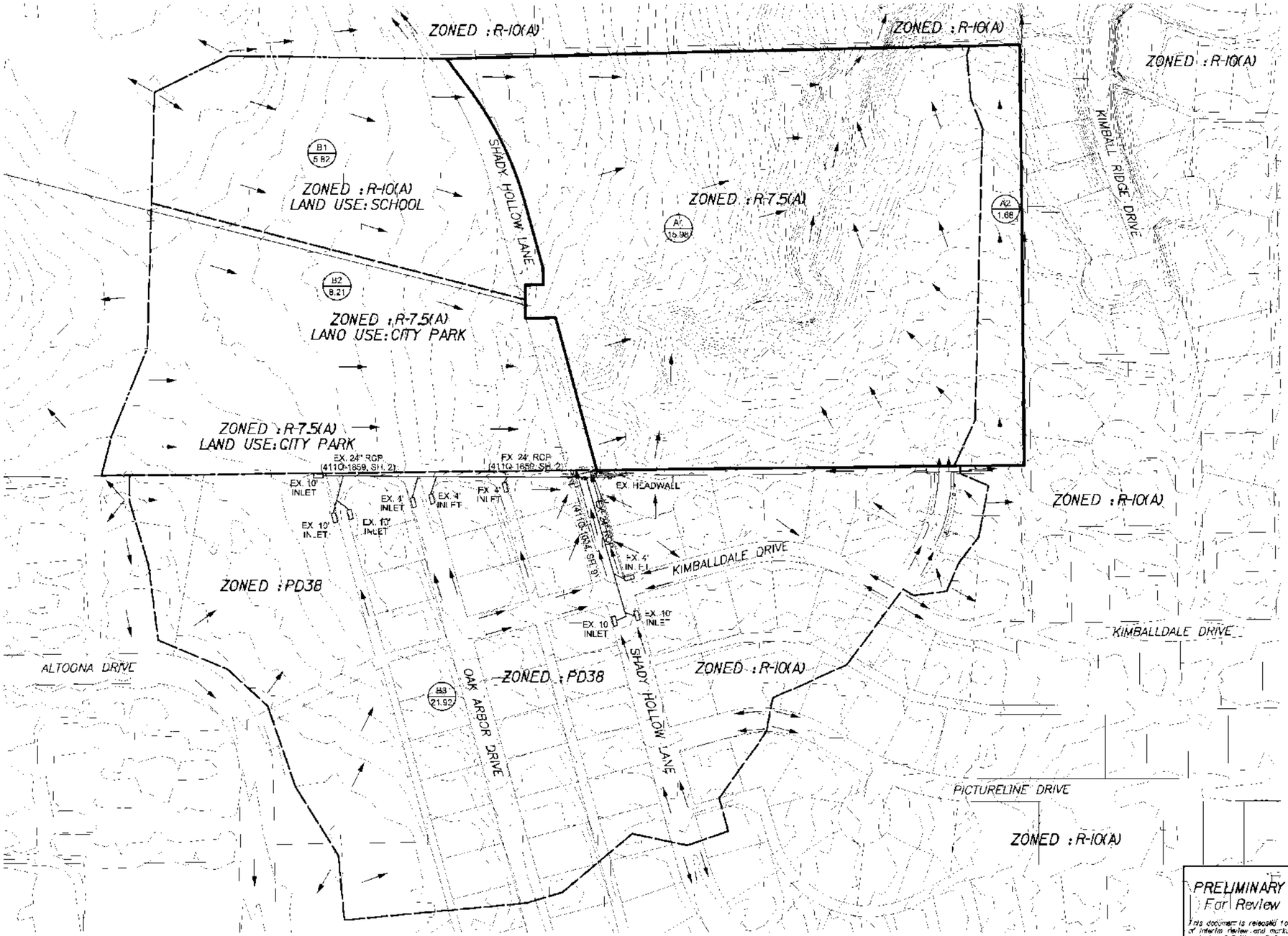
CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR

CONTRACT NO _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

CONTRACT NO _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C07.50



THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

N

Horizontal Scale 1" = 100'

0' 100' 200'

DRAINAGE CALCULATIONS RAINFALL FREQUENCY 100YR						
No.	AREA (acres)	C	tc (min.)	I100 (in/hr)	Q100 (cfs)	COMMENTS
A	15.98	0.51	10.30	8.02	47.5	TO CREEK
A2	1.66	0.51	10.30	8.02	5.0	TO EX ALLEY
B1	5.82	0.71	10.30	8.02	33.1	TO CREEK
B2	8.21	0.67	10.30	8.02	47.5	TO CREEK
B3	21.92	0.65	10.30	8.02	141.5	TO CREEK

BENCHMARKS:

DWU BENCHMARK 1989 63-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS
NORTHEAST CORNER OF INTERSECTION OF
HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK
IS SET AT THE MIDPOINT OF A CONCRETE CURB
AT THE NORTHWEST CORNER OF THE
INTERSECTION OF KIEST BOULEVARD AND
COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 617.98'

LEGEND

- EXISTING CONTOUR
- 609 PROPOSED CONTOUR
- 638.50 PROPOSED SPOT ELEVATION
- 455.62 EXISTING SPOT ELEVATION
- MAJOR DRAINAGE DIVIDE
- ZONING DIVIDE
- A1 / 0.99 DRAINAGE AREA NO. / DRAINAGE AREA (ACRES)
- FLOW DIRECTION

PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and markup under the authority of Guillermo R. Lerma, P.E. Texas Registration No. 96475 on 11/01/2022. This document is not to be used for construction, bidding or permit purposes.

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY

LIM & ASSOCIATES, Inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel: 469-964-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

EXIST. DRAINAGE AREA MAP

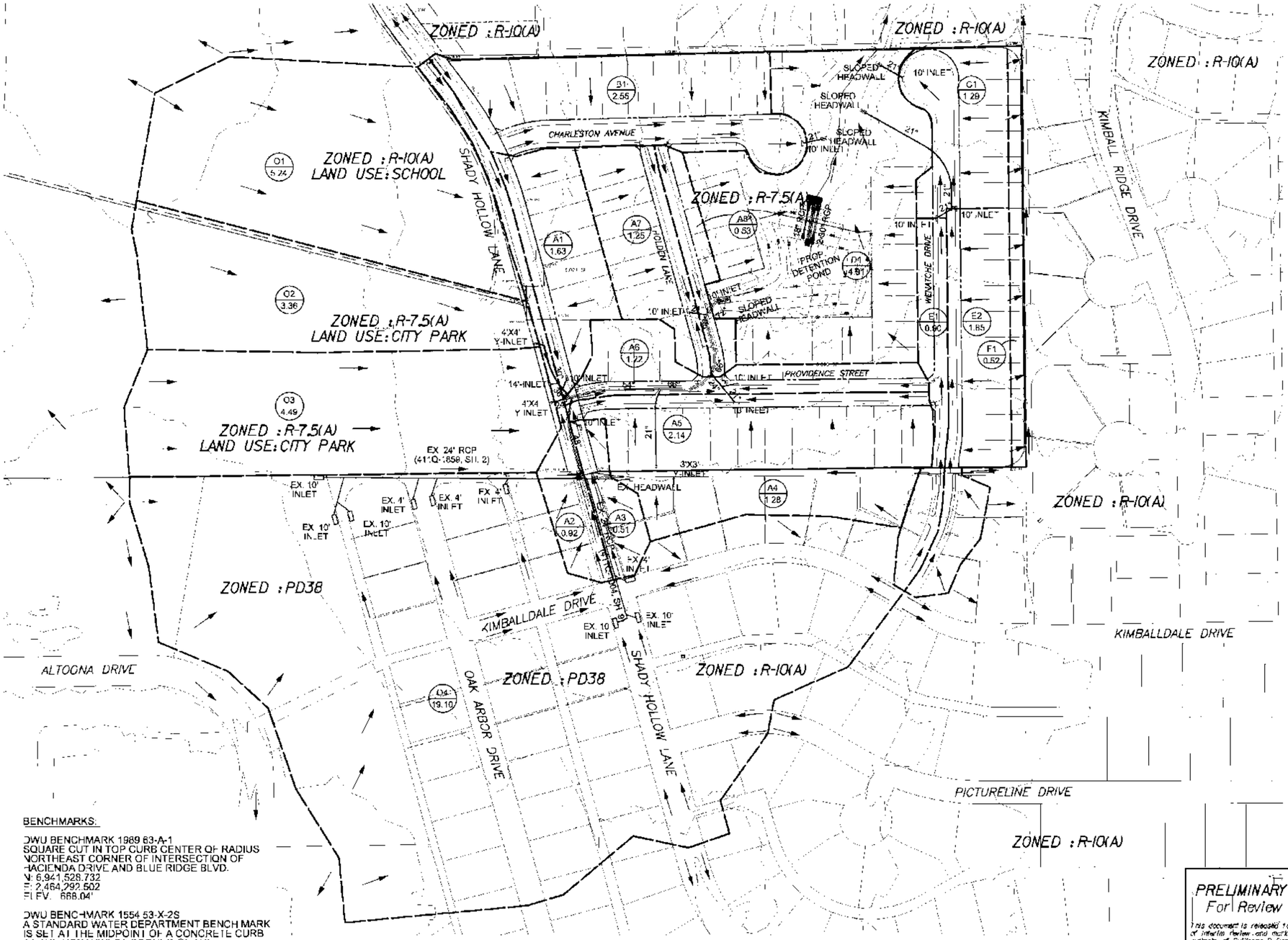
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C8.01



THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

N

Horizontal Scale 1" = 100'

0' 100' 200'

BENCHMARKS:

DWU BENCHMARK 1989 83-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 617.98'

DRAINAGE CALCULATIONS
RAINFALL FREQUENCY 100YR

No	AREA (acres)	C	tc (min.)	I100 (in/hr)	Q100 (cfs)	COMMENTS
A1	1.63	0.73	10.00	9.92	9.6	TO 1" INLET (sag)
A2	0.92	0.73	10.00	9.92	6.6	TO 1" INLET (sag)
A3	0.51	0.73	10.00	9.92	3.6	TO 1" INLET
A4	1.28	0.65	10.00	9.92	8.2	TO 3'X3' "Y" INLET
A5	2.20	0.73	10.00	9.92	15.3	TO 1" INLET (sag)
A6	1.18	0.73	10.00	9.92	8.2	TO 1" INLET (sag)
A7	1.33	0.73	10.00	9.92	9.2	TO 1" INLET (sag)
A8	0.53	0.73	10.00	9.92	3.7	TO 1" INLET (sag)
B1	3.02	0.73	10.00	9.92	14.9	TO 1" INLET (sag)
C1	1.29	0.73	10.00	9.92	8.9	TO 1" INLET (sag)
D1	4.90	0.73	10.00	9.92	33.1	TO EX. CREEK
E1	0.81	0.73	10.00	9.92	5.9	TO 1" INLET
E2	1.85	0.73	10.00	9.92	13.9	TO 1" INLET
F1	0.52	0.73	10.00	9.92	3.6	TO ALLEY
O1	5.21	0.73	10.00	9.92	35.4	TO 4'X4' "Y" INLET
O2	3.36	0.63	10.00	9.92	19.3	TO 4'X4' "Y" INLET
O3	4.49	0.63	10.00	9.92	17.8	TO 4'X4' "Y" INLET
O4	19.10	0.65	10.00	9.92	123.2	TO 48" RCP

LEGEND

- EXISTING CONTOUR
- 609 PROPOSED CONTOUR
- 638.50 PROPOSED SPOT ELEVATION
- + 485.62 EXISTING SPOT ELEVATION
- MAJOR DRAINAGE DIVIDE
- ZONING DIVIDE
- A1 / 0.99 DRAINAGE AREA NO. / DRAINAGE AREA (ACRES)
- FLOW DIRECTION

PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and markup under the authority of Guillermo R. Ibarra, P.E. Texas Registration No. 95475 on 11/01/2022. This document is not to be used for construction, bidding or permit purposes.

REVISIONS

REV NO.	DATE	DESCRIPTION	BY

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	3117-10059

PROP. DRAINAGE AREA MAP

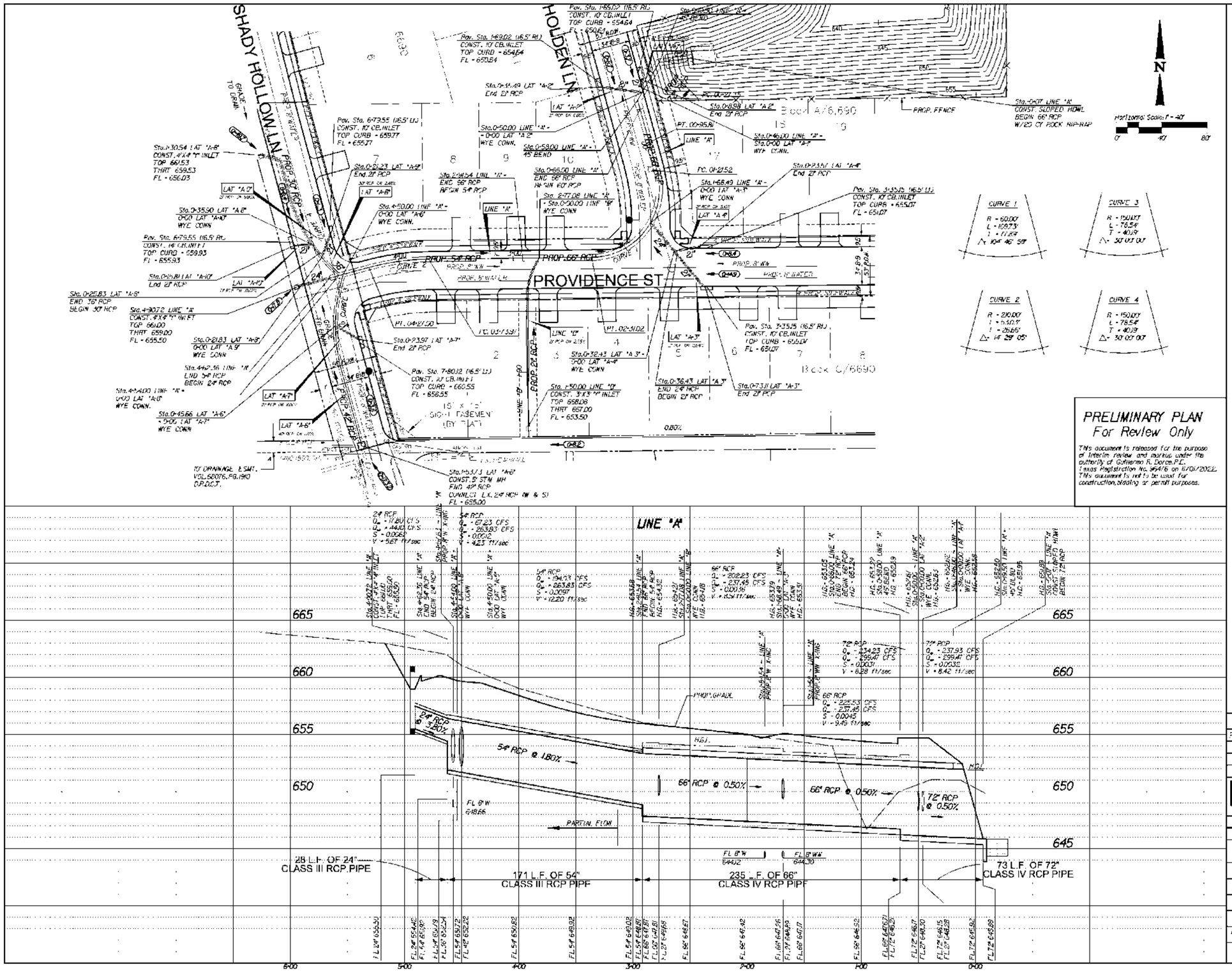
SHADY HOLLOW ESTATES

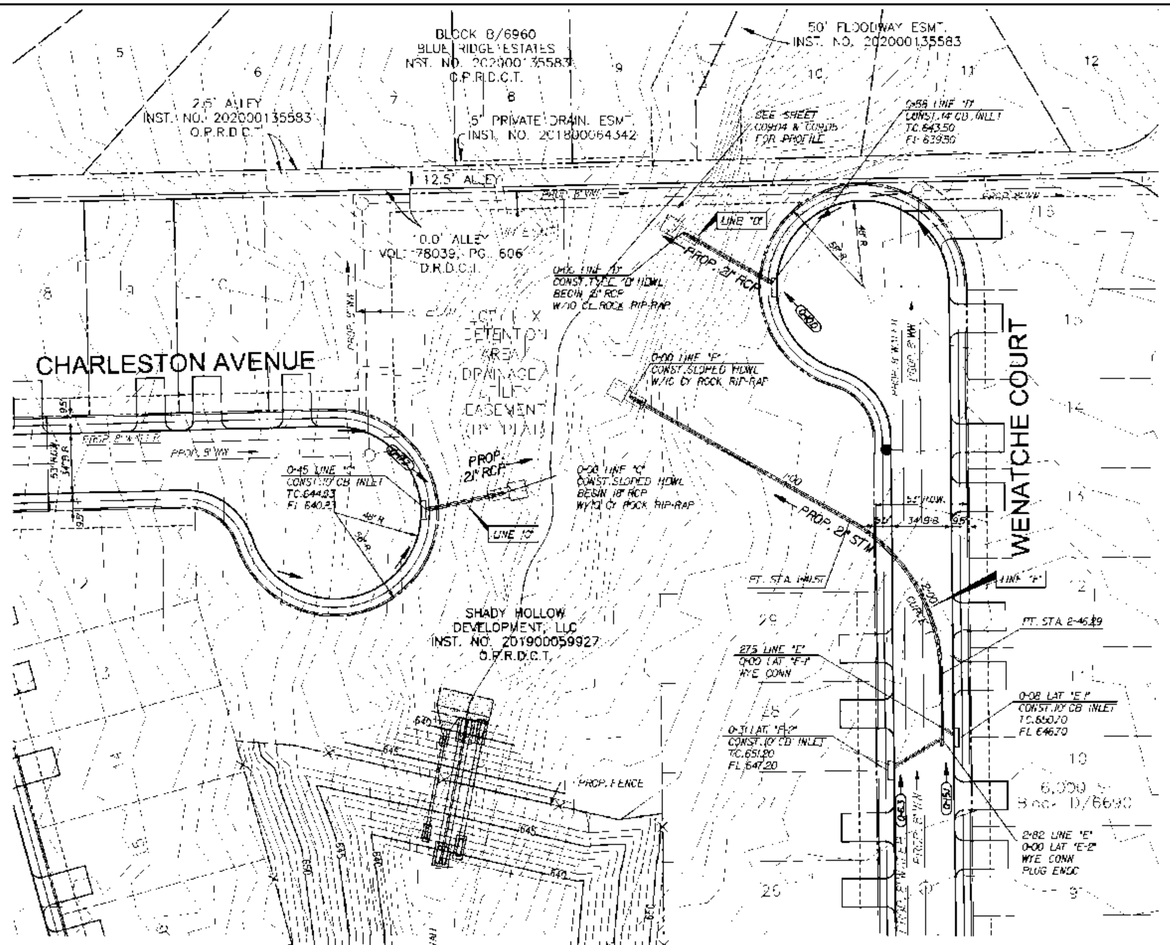
BLOCKS A/6960, B/6960, C/6960, D/6960

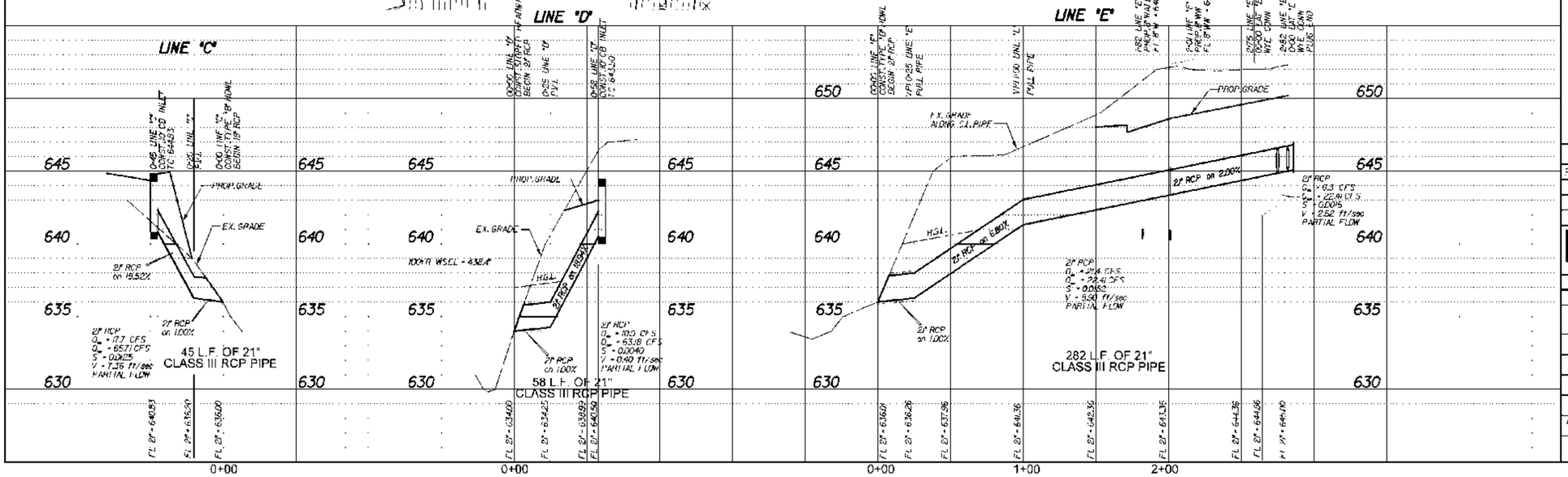
DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	3117	10059	C08D2


SHADY HOLLOW LN.
HOLDEN LN.
PROVIDENCE ST
PROP. 30' RCP
PROP. 54" RCP
PROP. 66" RCP
PROP. 24" RCP
PROP. 8' W.W.
PROP. 8" W.M.
PROP. GRADE
EX. 8" W.M.
EX. 8" S.S.M.H.
EX. 8" W.M.
EX. 12" W.M.
EX. 6" W.M.
EX. 8" S.S.M.H.
EX. 8" W.M.
EX. 8





PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and pursuant under the authority of Guillermo R. Parce, P.E. Texas Registration No. 96476 on 11/01/2022. This document is not to be used for construction, bidding or permit purposes.

THIS SPACE RESERVED B.DG INSPECTION

THIS SPACE RESERVED ENGINEERING

EXISTING LEGEND

	EX ST. LOT LINE
	EXIST. RIGHT-OF-WAY
	EXIST. ASPHALT PAVEMENT
	EXIST. STORM SEWER

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS REQUIRE 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST - STOP CALL
Texas One Call System
1-800-DIG-TESS

UTILITY LOCATION NOTE:
The location of existing utilities shown on these plans are approximate and based on existing plans and data furnished by utility companies. It is the responsibility of the contractor to verify the location and depth of all existing utilities that may conflict with construction. Call 1-800-344-8377 two working days prior to construction for onsite locations. Any damage to existing utilities shall be repaired at contractor's expense, at no additional cost.

BENCHMARKS:

DWU BENCHMARK 1989 63-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.460
ELEV. 617.98'

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Survey Firm 101236-00
Tel. (214) 342-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	3111 10059

STORM LINES "C", "D", & "E"

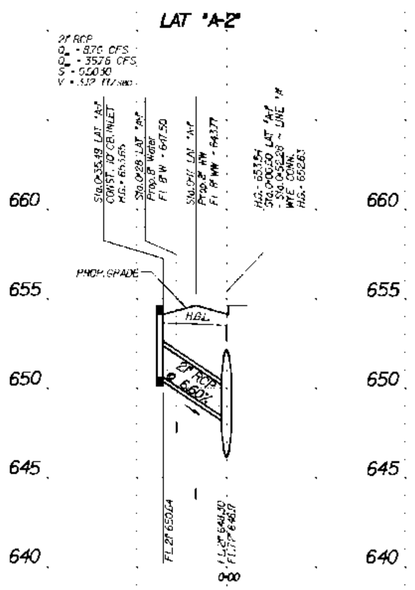
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

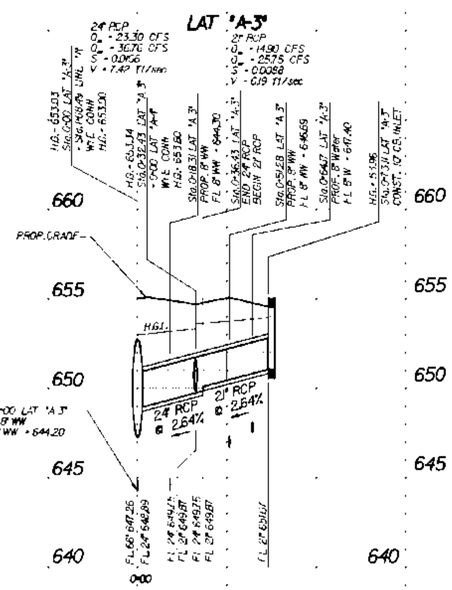
DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

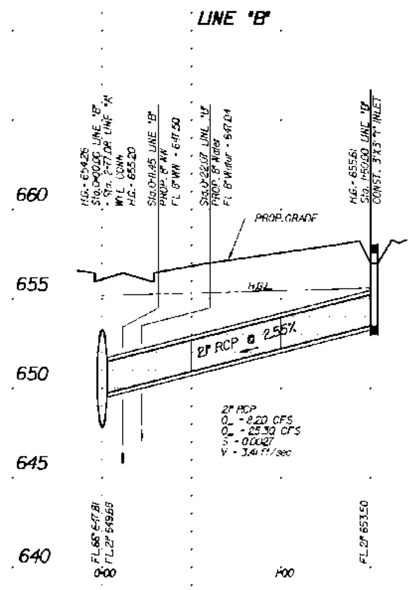
REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	3IIT	10059	C0902



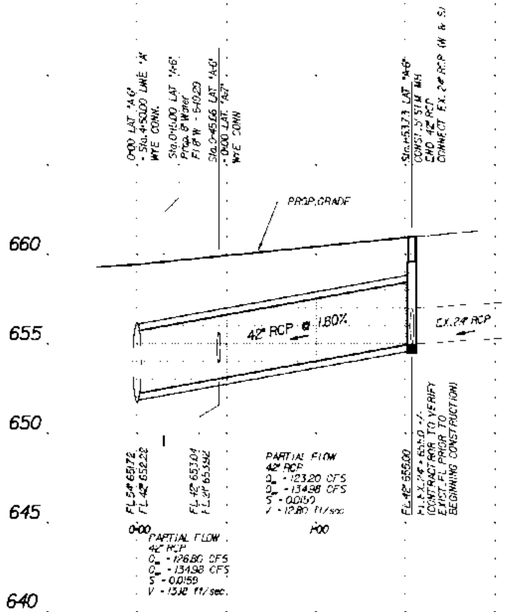
46 L.F. OF 21"
CLASS III RCP PIPE



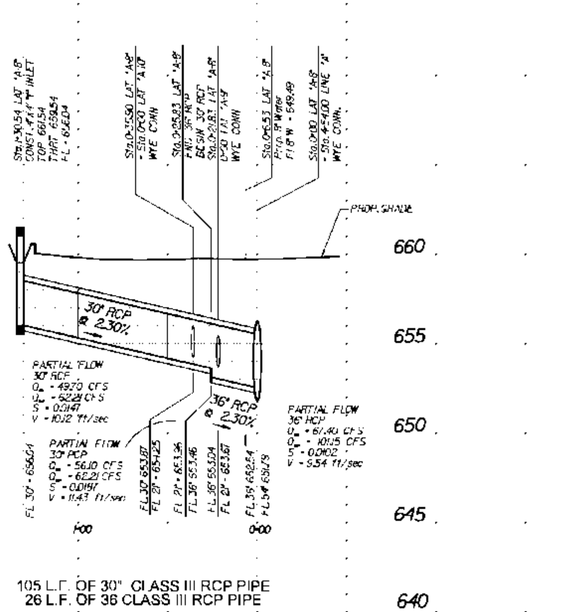
36 L.F. OF 24" CLASS III RCP PIPE
37 L.F. OF 21" CLASS III RCP PIPE



150 L.F. OF 21"
CLASS III RCP PIPE



154 L.F. OF 42"
CLASS III RCP PIPE



105 L.F. OF 30" CLASS III RCP PIPE
26 L.F. OF 36 CLASS III RCP PIPE

0+00 1+00 2+00 3+00 4+00 5+00 6+00 7+00 8+00

THIS SPACE RESERVED BLDG INSPECTION

THIS SPACE RESERVED ENGINEERING

EXISTING LEGEND

- EXIS. LOT LINE
- EXIST. RIGHT- OF- WAY
- EXIST. ASPHALT PAVEMENT
- EXIS. STORM SEWER

RECONSTRUCTION LEGEND

- PROP. CONC. PAVEMENT
- PROP. CONC. DRIVEWAY
- PROP. CONC. SIDEWALK
- CONCRETE REMOVAL
- PROP. ASPHALT TRANSITION (2 FT UNLESS OTHERWISE NOTED)
- PROP. GRAVEL SURFACE (3 FT UNLESS OTHERWISE NOTED)

CALL BEFORE YOU DIG!
TEXAS ONE CALL PARTICIPANTS TO SURVEY 48 HOURS NOTICE BEFORE YOU DIG, DRILL, OR BLAST STOP CALL
Texas One Call System
1-800-DIG-TESS

BENCHMARKS:

DWU BENCHMARK 1989 63-A-1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
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DWU BENCHMARK 1554 53-X-2S
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 617.98'

PRELIMINARY PLAN
For Review Only

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REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, Inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Survey Firm 101236-00
Tel: 469-942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
3178-288	YYYYMMDDXXXX	WW22-231	311T-10059

STORM SEWER PROFILES

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

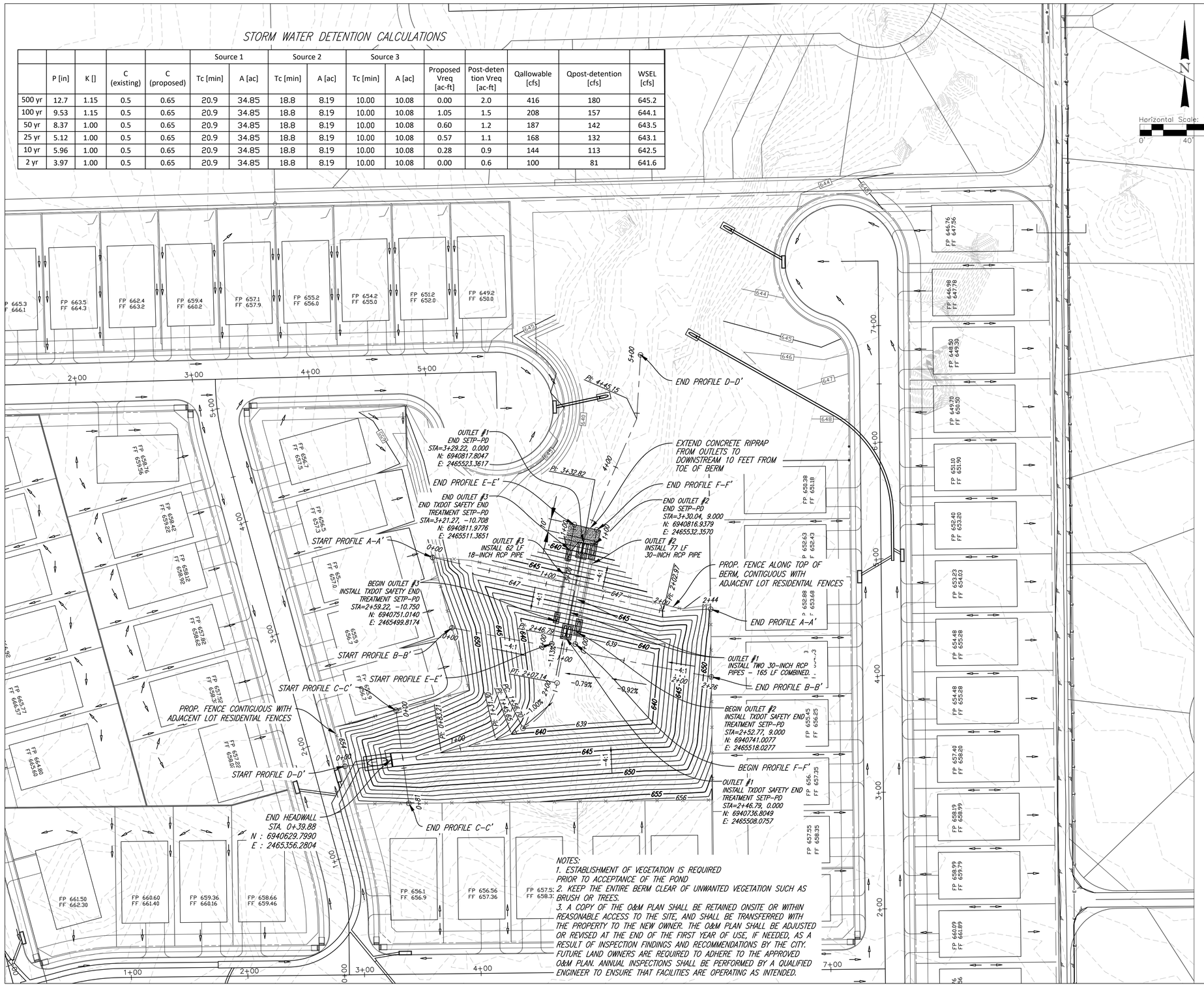
DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

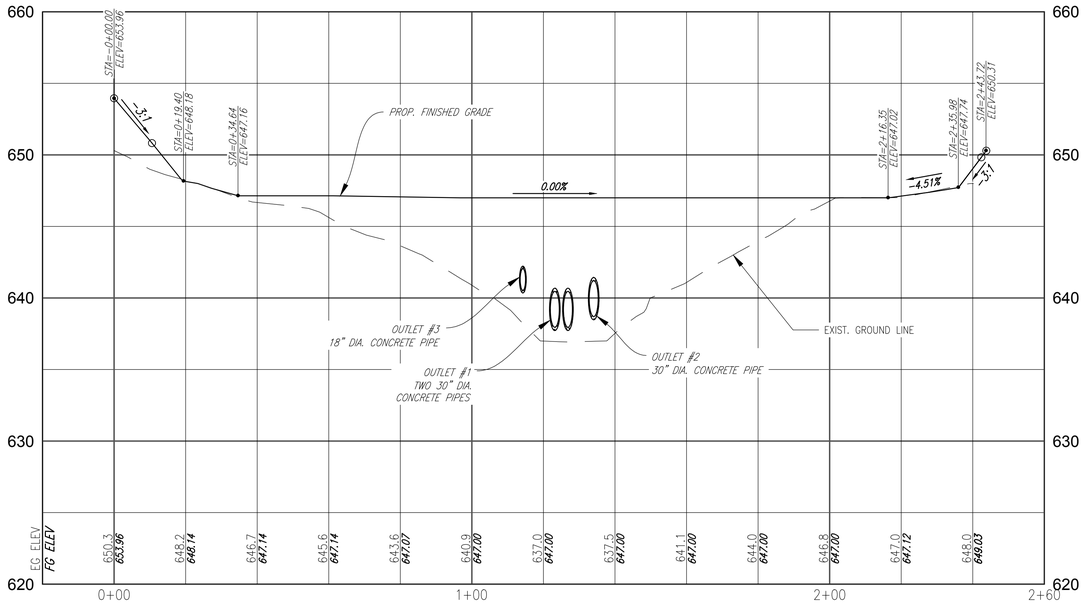
REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C09.03

STORM WATER DETENTION CALCULATIONS

					Source 1		Source 2		Source 3						
	P [in]	K []	C (existing)	C (proposed)	Tc [min]	A [ac]	Tc [min]	A [ac]	Tc [min]	A [ac]	Proposed Vreq [ac-ft]	Post-detention Vreq [ac-ft]	Qallowable [cfs]	Qpost-detention [cfs]	WSEL [cfs]
500 yr	12.7	1.15	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.00	2.0	416	180	645.2
100 yr	9.53	1.15	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	1.05	1.5	208	157	644.1
50 yr	8.37	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.60	1.2	187	142	643.5
25 yr	5.12	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.57	1.1	168	132	643.1
10 yr	5.96	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.28	0.9	144	113	642.5
2 yr	3.97	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.00	0.6	100	81	641.6


N
Horizontal Scale: 1" = 40'
0' 40' 80'
THIS SPACE RESERVED - BLDG INSPECTION
THIS SPACE RESERVED - ENGINEERING
END PROFILE D–D'
EXTEND CONCRETE RIPRAP FROM OUTLETS TO DOWNSTREAM 10 FEET FROM TOE OF BERM
END PROFILE F–F'
END PROFILE A–A'
END PROFILE B–B'
BEGIN PROFILE F–F'
END PROFILE C–C'
OUTLET #1 END SETP–PD STA=3+29.22, 0.000 N: 6940817.8047 E: 2465523.3617
END OUTLET #3 END TXDOT SAFETY END TREATMENT SETP–PD STA=3+21.27, –10.708 N: 6940811.9776 E: 2465511.3651
OUTLET #3 INSTALL 62 LF 18–INCH RCP PIPE
BEGIN OUTLET #3 INSTALL TXDOT SAFETY END TREATMENT SETP–PD STA=2+59.22, –10.750 N: 6940751.0140 E: 2465499.8174
OUTLET #2 INSTALL 77 LF 30–INCH RCP PIPE
END OUTLET #2 END SETP–PD STA=3+30.04, 9.000 N: 6940816.9379 E: 2465532.3570
OUTLET #1 INSTALL TWO 30–INCH RCP PIPES – 165 LF COMBINED.
BEGIN OUTLET #2 INSTALL TXDOT SAFETY END TREATMENT SETP–PD STA=2+52.77, 9.000 N: 6940741.0077 E: 2465518.0277
OUTLET #1 INSTALL TXDOT SAFETY END TREATMENT SETP–PD STA=2+46.79, 0.000 N: 6940736.8049 E: 2465508.0757
START PROFILE A–A'
START PROFILE B–B'
START PROFILE C–C'
START PROFILE D–D'
START PROFILE E–E'
PROP. FENCE ALONG TOP OF BERM, CONTIGUOUS WITH ADJACENT LOT RESIDENTIAL FENCES
PROP. FENCE CONTIGUOUS WITH ADJACENT LOT RESIDENTIAL FENCES
END HEADWALL STA. 0+39.88 N : 6940629.7990 E : 2465356.2804
PI: 4+45.15
PI: 3+32.82
PI: 2+46.78
PI: 2+07.14
PI: 1+36.70
PI: 1+13.27
PI: 0+46.63
PI: 2+20.87
-0.79%
-0.92%
-1.00%
-1.13%
-1.20%
-1.33%
-1.40%
-1.47%
-1.54%
-1.61%
-1.68%
-1.75%
-1.82%
-1.89%
-1.96%
-2.03%
-2.10%
-2.17%
-2.24%
-2.31%
-2.38%
-2.45%
-2.52%
-2.59%
-2.66%
-2.73%
-2.80%
-2.87%
-2.94%
-3.01%
-3.08%
-3.15%
-3.22%
-3.29%
-3.36%
-3.43%
-3.50%
-3.57%
-3.64%
-3.71%
-3.78%
-3.85%
-3.92%
-3.99%
-4.06%

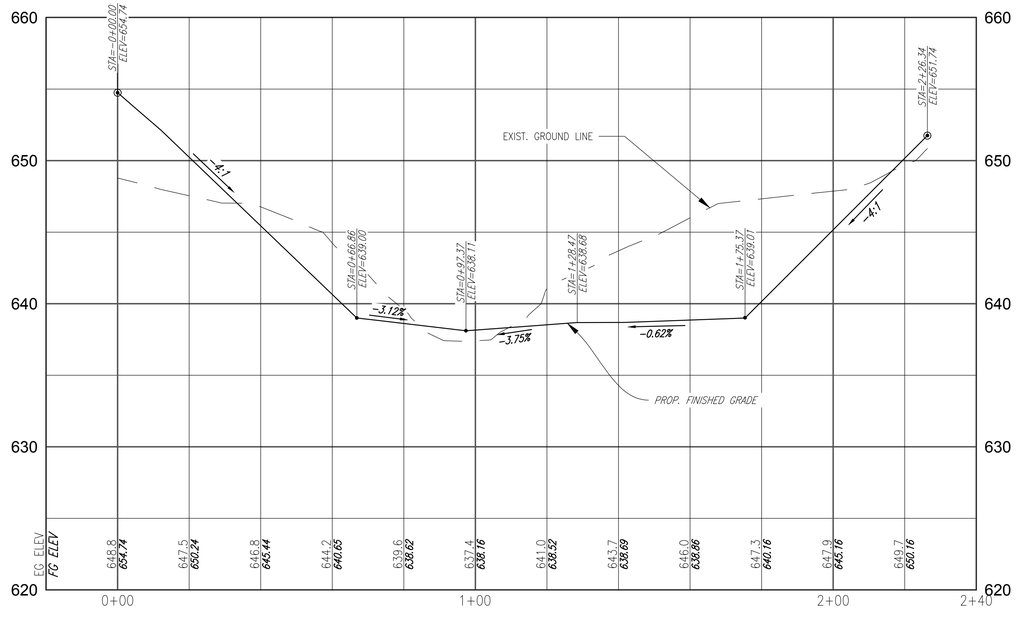
PROFILE A-A'



THIS SPACE RESERVED - BLDG INSPECTION

THIS SPACE RESERVED - ENGINEERING

PROFILE B-B'



THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

GARRY D. KRAUS
TEXAS P.E. NO. 38,784
DATE: 28 OCT. 2022

O'BrienEngineering, Inc.
2340 East Trinity Mills Rd., Suite 220, Carrollton, Texas, 75006
Phone: 972.233.2288 Fax: 972.233.2818 www.OBrienEng.com
Texas Registered Engineering Firm F-3758

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Survey Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

DRAINAGE POND PROFILES

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

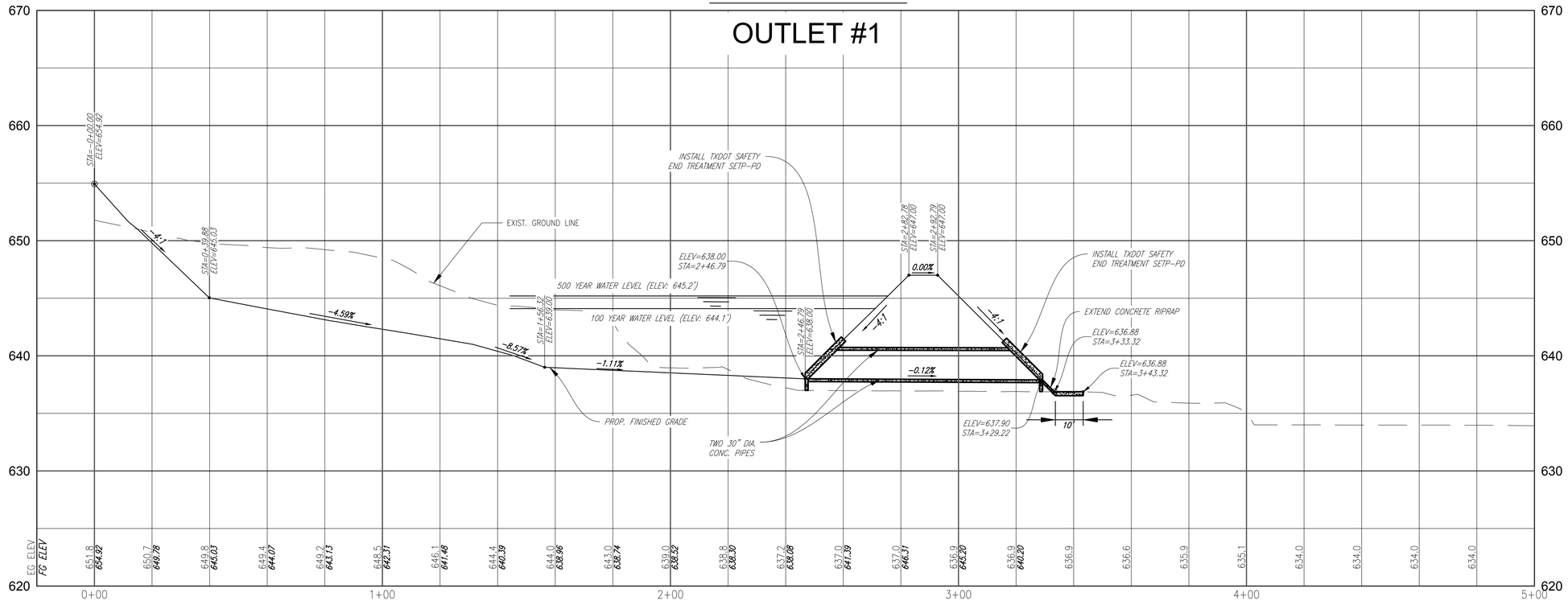
DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	ERB	OCT 2022	311T	10059	C09.05

PROFILE D-D'

OUTLET #1



THIS SPACE RESERVED - BLDG INSPECTION

THIS SPACE RESERVED - ENGINEERING

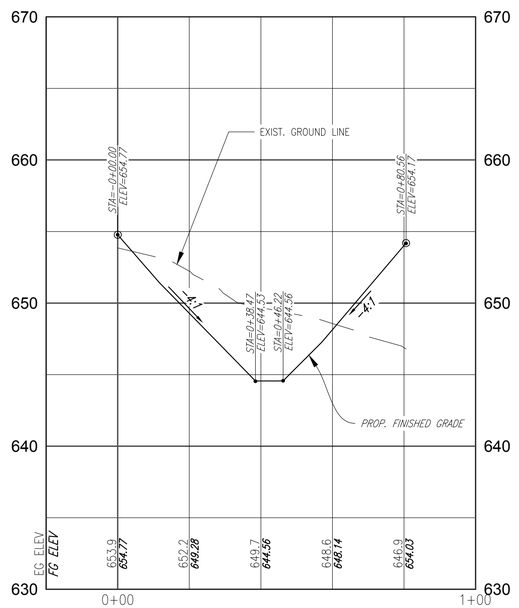
HORIZONTAL SCALE IN FEET

0 20 40 60

VERTICAL SCALE IN FEET

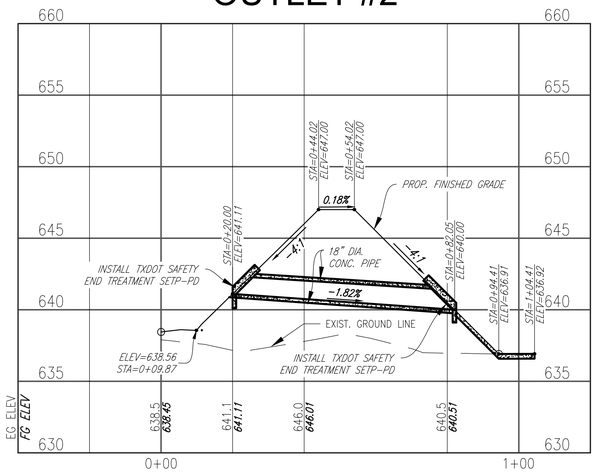
0 5 10 15

PROFILE C-C'



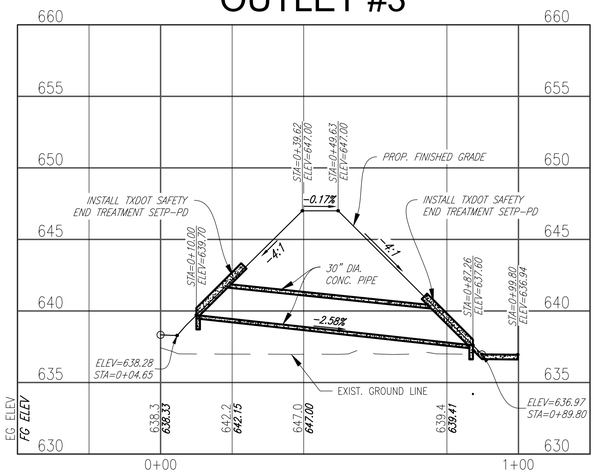
PROFILE E-E'

OUTLET #2



PROFILE F-F'

OUTLET #3



THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

GARRY D. KRAUS
TEXAS P.E. NO. 38,784
DATE: 28 OCT. 2022

O'BrienEngineering, Inc.
2340 East Trinity Mills Rd., Suite 220, Carrollton, Texas, 75006
Phone: 972.233.2288 Fax: 972.233.2818 www.OBrienEng.com
Texas Registered Engineering Firm F-3758

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Survey Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

DRAINAGE POND OUTLET PROFILES

SHADY HOLLOW ESTATES

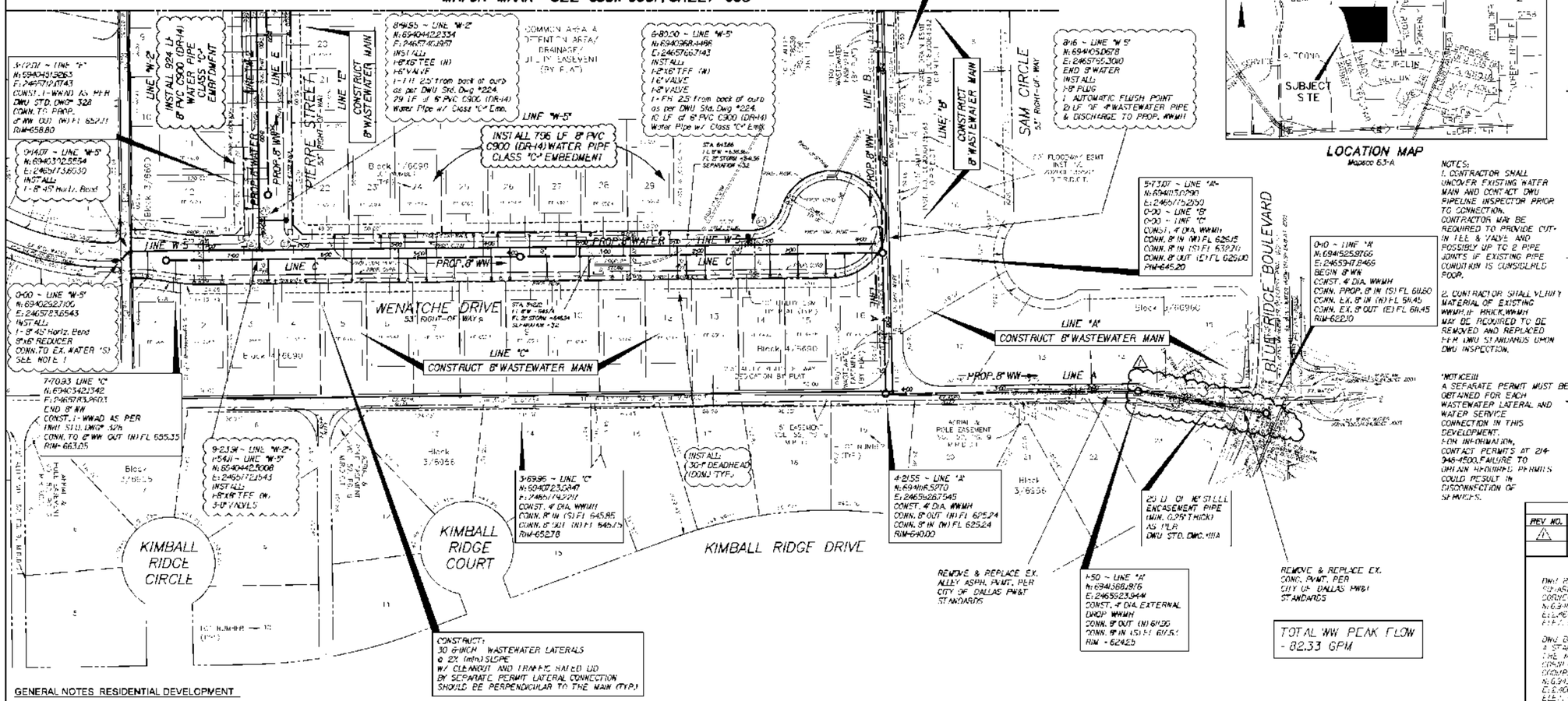
BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	ERB	OCT. 2022	311T	10059	C09.06

MATCH MARK - SEE 685W-0357, SHEET 035



NOTES:
1. CONTRACTOR SHALL UNCOVER EXISTING WATER MAIN AND CONTACT DWU PIPELINE INSPECTOR PRIOR TO CONNECTION. CONTRACTOR MAY BE REQUIRED TO PROVIDE CUT-IN TEE & VALVE AND POSSIBLY UP TO 2 PIPE JOINTS IF EXISTING PIPE CONDITION IS CONSIDERED POOR.

2. CONTRACTOR SHALL VERIFY MATERIAL OF EXISTING WWMH IF BRICK, WWMH MAY BE REQUIRED TO BE REMOVED AND REPLACED FROM DWU STANDARDS UNDER DWU INSPECTION.

*NOTICE!!!
A SEPARATE PERMIT MUST BE OBTAINED FOR EACH WASTEWATER LATERAL AND WATER SERVICE CONNECTION IN THIS DEVELOPMENT. FOR INFORMATION, CONTACT PERMITS AT 214-948-4500. FAILURE TO OBTAIN REQUIRED PERMITS COULD RESULT IN DISCONNECTION OF SERVICES.

NOTE:
CONTACT THE CITY SERVICES DISPATCH AT 3-1-1 WHEN DIALING FROM INSIDE THE CITY LIMITS.

CAUTION!!!
EXISTING GAS MAINS, TELEPHONE & ELECTRIC CABLES IN CONSTRUCTION AREA
CALL TEXAS ONECALL 1-800-245-4545 FOR ON-SITE LINE LOCATION
AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION

REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
1	10-17-2022	CHANGED WW MAIN ALIGNMENT	GD

BENCHMARKS

DWU BENCHMARK 3886 (USGS)
SQUARE CUT IN TOP CURB CENTER OF RADIUS, NORTHEAST CORNER OF INTERSECTION OF MADRONA DRIVE AND BLUE RIDGE BLVD.
N: 6,940,529.732
E: 2,466,762.302
ELEV.: 484.04

DWU BENCHMARK 3884 (USGS)
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF SHADY HOLLOW AND ROARK'S CREEK DRIVE
N: 6,943,530.295
E: 2,466,440.480
ELEV.: 517.95

GENERAL NOTES RESIDENTIAL DEVELOPMENT

1. Prior to any field changes to proposed water alignment or design, contractor shall coordinate with DWU Pipeline Inspection and the engineer of record. Field changes require revised plan review and approval by the City review engineer and is to be coordinated through the DWU Pipeline Inspector and Engineer of Record.
2. All water mains shall be AWWA C900 (DR-14) PVC or Class 52 Ductile Iron (in Central Business District and other areas described in the DWU standards), with poly wrap and full body fittings.
3. Water and wastewater easements shall also include additional area of working space for construction and maintenance of system.
4. All water deadheads shall be type-K copper, installed per DWU Standard Drawings, and Water deadheads referenced as follows "a-c" "aa-cc" "3b-3c" "4b-4c" "5a-5m". Total 73-1" (Domestic) Water meter cans and meters shall be installed by separate permit, along with the connection to private plumbing.
5. Water meters/services shall be located:
   a. No less than 2 ft beyond proposed curb or as shown,
   b. No closer than 3 ft (for ≤1") or 4 ft (for >1") in spacing between meters
   c. Within public sidewalk, where present
   d. Not be installed in driveways nor any vehicular paths
6. All wastewater laterals shall be 6", located as shown, and referenced as follows: "a-x", "pp-xx", "3b-3x", "4p-4x", "5p-5x", "6p-6x", "7p-7x", "8p-8x", "9p" Total 73-6". Clean-outs shall be cast iron only, placed within the proposed sidewalk limits, and installed by the contractor. The connection to private plumbing shall be installed by permit.
7. All 8" through 15" wastewater mains where PVC is used shall be ASTM D3034 / (SDR-35) (Unless noted otherwise). ⚠
8. The maximum trench width is 32" for all pipes diameters equal to or smaller than 12"
9. Sidewalk shall be 4' wide, located 1' off property line or 4.5' off curb line.
10. The Certificate of Acceptance (COA) will not be issued until all the following items have been completed:
    e. All water and wastewater appurtenances have been adjusted to their final position and a final inspection for the P-Contract has been successfully completed.
    f. The final plat has been filed with the County (if applicable).
    g. All fees owed to the City have been paid
    h. A pay affidavit sent to Private Development stating that the contractor has been paid in full
11. Fire hydrants shall be constructed per DWU Standards Drawings Manual pg. 224. Hydrants shall be a minimum of 2.5' and a maximum of 7.5' from the back of curb with 36" of clearance from all obstructions. All fire hydrants shall be installed in accordance with DWU standards prior to the main being placed in service and the hydrants painted by DWU. Any delays will be the responsibility of the contractor if the hydrant has not been installed per DWU standards. It is recommended that existing curbs, sidewalks, final ground elevations, and other features be staked by the contractor as needed to ensure compliance with DWU standards and avoid additional adjustments or relocations that may delay approvals
12. Embedment for Water Mains shall be per DWU Standard Drawings Manual pg. 235
13. Water mains sized 12" and under shall be a minimum of 4' ft under improved surfaces and 6' ft under unimproved surfaces
14. Street and Alley cuts will follow the latest edition of City of Dallas Department of Public Works and Transportation "Pavement and Repair Standards Manual". All water and wastewater service cuts in pavement shall have the ditch line filled to pavement base line with low strength fast flowable fill.
15. Construction specifications and appurtenances will be covered by the current editions (as of the time of construction commencement) of the following manuals: Dallas Water Utilities "Standard Drawings for Water and Wastewater Construction", "Standard Specifications for Public Works Construction Standards", the "City of Dallas Addendum to the North Central Texas Council of Governments Public Works Construction Standards".
16. Contractor will remove existing water meters not used for proposed development. Remove meters and meter lids in a way as to not damage the meter nor lid and deliver salvaged meters to 2881 Municipal Street. Contact Alex Lend (214-670-8213) 48-hours prior to meter delivery. Contractor shall kill existing deadhead service for removed meters at the main line.
17. Prior to the start of installation work, approved Right of Way Permit, approved Traffic Control Plan, and cut-sheets for water and wastewater installation should be submitted to DWU Pipeline Inspection.
18. The City of Dallas Department of Public Works will approve and/or determine the traffic control plan and working hours. Contact (214) 948-4290 to coordinate the submittal, review and approval.
19. Contractor may only lay pipe when temperature is 36 degrees F and rising. Any special methodology or procedures for laying pipe at less than 36 degrees requires the approval of DWU Pipeline Inspection Superintendent.
20. Low Strength Flowable fill shall be used as backfill material around new manholes located with in existing or new pavement.
21. All new manholes or existing manholes affected by construction of this contract shall have interior coated with RAVEN 405 or approved equal. Coating must be applied by certified applicator and spray, brush or roller applied in a single application to a 200-mil thickness.
22. Contractor shall replace all lead-covered water pipe fittings encountered with new DWU approved fittings/appurtenances.
23. It is the responsibility of the Contractor to have all required fittings/couplings in a timely manner. Any delay due to shut down and connection issues during water main tie-ins are considered incidental work and shall be borne by the contractor. Any specialized fitting/couplings shall be installed by qualified personnel with that specific skill.
24. All fire hydrants shall be installed in accordance with DWU standards prior to the main being placed in service and the hydrants painted by DWU. Any delays will be the responsibility of the contractor if the hydrant has not been installed per DWU standards. It is recommended that existing curbs, sidewalks, final ground elevations, and other features be staked by the contractor as needed to ensure compliance with DWU standards and avoid additional adjustments or relocations that may delay approvals
25. Water valves should be accessible and ready for permanent accessibility before water main can be placed in service and tie-ins completed. Valves should be properly backfilled and placed to grade and not covered by plates, backfill, or other construction materials. PVC valve stacks are not allowed.

CONTRACT INFORMATION

CONTRACT NO 22-3713372-P DATE 07 20 2022

CONTRACTOR Site 19 Build LLC

Horizontal Scale: 1" = 60'
0 60' 120'
Vertical Scale: 1" = 6'
0' 6' 12'

REFERENCES
WATER
52-W, 53-W
WASTEWATER
52-WS, 53-WS

LIM & ASSOCIATES, INC.
F-3232
STATE OF TEXAS 86478 LICENSED GUILLERMO R. DAROCA
10 17 2022

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S178 288	N/A	WW22 231	3111 16059

WATER & WASTEWATER PLAN I

SHADY HOLLOW ESTATES

4000 SHADY HOLLOW LANE, DALLAS, TX 75233

BLOCKS A/6960, B/6960, C/6960, D/6960

SUSTAINABLE DEVELOPMENT & CONSTRUCTION

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	OCT 2022	685W	0357	034

13+28.26 ~ LINE "B"
N: 6941661.3175
E: 2464961.3003
END 8" WW
CONST. 1 - WWAD AS PER DWU STD. DWG* 328
CONN. TO 8"WW CUT (N) FL 647.21
RIM=661.93

13+31.66 ~ LINE "W-1"
0+00 ~ LINE "W-2"
N: 6940425.6564
E: 2465049.5090
INSTALL:
1-8"X8" TEE (E)
3-8" VALVES

0+60.06 ~ LINE "W-1"
N: 6940306.2325
E: 2465067.3639
INSTALL:
1-8"X6" TEE (E)
1-6" VALVE
1-FH 2.5' from back of curb as per DWU Std. Dwg *224.
9 LF of 6" PVC C900 (DR-14) Water Pipe w/ Class "C" Emb.

P.I. 0+35.43
~ LINE "W-2"
N: 6940434.8925
E: 2465063.7764
Δ= 155° 31' 55"

0+00 ~ LINE "W-1"
N: 6940296.8910
E: 2465081.3665
CONN. TO EX. 8"WATER (S)
SEE NOTE 1

2+54.11 ~ LINE "W-2"
0+00 ~ LINE "W-1"
N: 6940437.4528
E: 2465212.0825
INSTALL:
1-8"X8" TEE (N)
2-8" VALVES

INSTALL 43.9' DEADHEAD (DDM-W1.1PJ)

5+26.27 LINE "D"
0+00 ~ LINE "F"
N: 6940957.9880
E: 2465199.8659
CONST. 4' DIA. EXTERNAL DROP WWMH
CONN. 8" IN (W) FL 644.40
CONN. 8" IN (E) FL 644.47
CONN. 8" OUT (N) FL 644.40
RIM= 655.24

CONSTRUCT:
43 6-INCH WASTEWATER LATERALS
@ 2% (MIN) SLOPE
W/ CLEANOUT AND TRAFFIC RATED LID
BY SEPARATE PERMIT LATERAL CONNECTION
SHOULD BE PERPENDICULAR TO THE MAIN (TYP.)

PLAT BOUNDARY DATA

NUMBER	DIRECTION	DISTANCE
L1	S 89°37'09" W	58.01'
L2	N 00°55'29" W	641.38'
L3	N 89°04'41" E	35.01'

10+28.65 ~ LINE "B"
N: 6940953.3375
E: 2464950.8202
CONST. 4' DIA. WWMH
CONN. 8" IN (S) FL 655.64
CONN. 8" OUT (E) FL 655.48
RIM=668.00
Δ= 92°09'07" LT.

INSTALL 133' LF 8" PVC C900 (DR-14) WATER PIPE CLASS "C" EMBEDMENT

6+62.71 ~ LINE "W-1"
0+00 ~ LINE "W-3"
N: 6940933.5104
E: 2464900.6010
INSTALL:
1-8"X8" TEE (E)
3-8" VALVES

4+51.98 ~ LINE "W-4"
N: 6940876.2031
E: 2465092.0944
INSTALL:
1-8"X8" TEE (E)
1-8" VALVE
1-FH 2.5' from back of curb as per DWU Std. Dwg *224.
9 LF of 6" PVC C900 (DR-14) Water Pipe w/ Class "C" Emb.

7+70.27 ~ LINE "D"
N: 6940445.0375
E: 2465096.6388
END 8" WW
CONST. WWAD
CONST. 1 - WWAD AS PER DWU STD. DWG* 328
CONN. TO 8"WW CUT (E) FL 647.51
RIM=659.00

INSTALL 924 LF 8" PVC C900 (DR-14) WATER PIPE CLASS "C" EMBEDMENT

INSTALL 547 LF 8" PVC C900 (DR-14) WATER PIPE CLASS "C" EMBEDMENT

INSTALL 588 LF 8" PVC C900 (DR-14) WATER PIPE CLASS "C" EMBEDMENT

CONSTRUCT 8" WASTEWATER MAIN

9+02.93 ~ LINE "B"
N: 6940953.3166
E: 2465095.9800
CONST. 4' DIA. WWMH
CONN. 8" IN (W) FL 650.13
CONN. 8" OUT (E) FL 649.93
RIM=663.23
Δ= 11°53'52" LT.

6+93.28 ~ LINE "W-1"
N: 6940960.4440
E: 2464896.2092
INSTALL:
1-8"X8" TEE (E)
1-8" VALVE
1-6" VALVE
1-FH 2.5' from back of curb as per DWU Std. Dwg *224.
1 LF of 6" PVC C900 (DR-14) Water Pipe w/ Class "C" Emb.

2+46.14 ~ LINE "W-3"
3+46.23 ~ LINE "W-4"
N: 6941967.6790
E: 2465087.5767
INSTALL:
1-8"X8" TEE (S)
3-8" VALVES
1 11.25° Horiz. Bend

6+95.24 ~ LINE "B"
0+00 ~ LINE "D"
N: 6940952.6468
E: 2465224.5997
CONST. 4' DIA. WWMH
CONN. 8" IN (S) FL 642.39
CONN. 8" IN (W) FL 641.54
CONN. 8" OUT (E) FL 641.34
RIM=653.73

3+10.77 ~ LINE "B"
N: 6941025.8870
E: 2465464.5132
CONST. 4' DIA. EXTERNAL DROP WWMH
CONN. 8" IN (S) FL 634.28
CONN. 8" OUT (E) FL 627.75
RIM=643.50

POI ~ LINE "D"
N: 6940850.6848
E: 2465207.2694
CONST. 4' DIA. WWMH
CONN. 8" IN (S) FL 642.72
CONN. 8" OUT (N, E) FL 642.77
RIM=656.05

4+51.55 ~ LINE "B"
N: 6940965.5371
E: 2465468.2045
CONST. 4' DIA. WWMH
CONN. 8" OUT (W) FL 634.97
CONN. 8" IN (W) FL 535.09
RIM=645.18

3+52.25 ~ LINE "W-4"
N: 6940499.7002
E: 2465351.2632
INSTALL:
1-8"X6" TEE (W)
1-8" VALVE
1-6" VALVE
1-FH 2.5' from back of curb as per DWU Std. Dwg *224.
9 LF of 6" PVC C900 (DR-14) Water Pipe w/ Class "C" Emb.

5+91.46 ~ LINE "W-3"
N: 6940945.5251
E: 2465497.9765
END 8" WATER
INSTALL
1-8" PLUG
1-AUTOMATIC FLUSH POINT
15 LF OF 4" WASTEWATER PIPE & DISCHARGE TO PROP. WWMH

13+31.00 ~ LINE "W-1"
N: 6941525.6514
E: 2464626.3380
INSTALL:
1-8"X8" CUT-IN TEE (N)
2-8" VALVES
CONN. TO EX. 8" WATER (E & W)
SEE NOTE 1

REMOVE & REPLACE EX. CONC. PVMT. PER CITY OF DALLAS PW&T STANDARDS

T= SPACE RESERVED BLDG INSPECTION

N

WATER & WASTEWATER SERVICE TABLE

BLOCK 1/6690 LOT NO	1" WATER DEADHEAD NO	6" WW SERVICE NO
1	a	b
2	b	c
3	c	d
4	d	e
5	e	f
6	f	g
7	g	h
8	h	w
9	i	x
10	j	pp
11	k	qq
12	l	rr
14	m	ss
15	n	tt
16	o	uu
17	aa	vv
18	bb	ww
19	cc	xx
20	dd	3p
21	ee	3q
22	ff	3r
23	gg	3s
24	hh	3t
25	ii	3u
26	jj	3v
27	kk	3w
28	ll	3x
29	mm	3p
30	nn	4q

BLOCK 2/6690 LOT NO	1" WATER (MANHOLE) NO	6" WW SERVICE NO
1	00	4r
2	3e	4s
3	3h	4t
4	3c	4u
5	3d	4v
6	3e	4w
7	3f	4x
8	3g	5p
9	3h	5q
10	3i	5r
11	3j	5s
12	3k	5t
13	3l	5u
14	3m	5v
15	3n	5w
16	3o	5x
BLOCK 3/6690		
1	4a	6u
2	4b	6q
3	4c	6r
4	4d	6s
5	4e	6t
6	4f	6u
7	4g	6v
8	4h	6w
9	4i	6x
10	4j	7p
11	4k	7q
12	4l	7r

BLOCK 3/6690 LOT NO	1" WATER DEADHEAD NO	6" WW SERVICE NO
1	4m	7s
2	4n	7t
3	4o	7u
4	5p	7v
5	5q	7w
6	5r	7x
7	5s	8p
8	5t	8q
9	5u	8r
10	5g	8s
11	5n	8t
12	5o	8u
13	5p	8v
14	5k	8w
15	5l	8x
16	5m	9p

THE SPACE RESERVED ENGINEERING

CURVE DATA TABLE

	CURVE 1	CURVE 2	CURVE 3	CURVE 4
RADIUS	5,730.44'	640.47'	210.50'	200.00'
LENGTH	243.40'	230.17'	89.58'	51.64'
TANGENT	121.48'	116.34'	45.48'	25.97'
DELTA	2° 26' 10"	20° 35' 26"	24° 26' 23"	14° 47' 42"

TOTAL WATER DEMAND = 175.2 GPM

NOTES:

1. CONTRACTOR SHALL UNCOVER EXISTING WATER MAIN AND CONTACT DWU PIPELINE INSPECTOR PRIOR TO CONNECTION. CONTRACTOR MAY BE REQUIRED TO PROVIDE CUT-IN TEE & VALVE AND POSSIBLY UP TO 2 PIPE JOINTS IF EXISTING PIPE CONDITION IS CONSIDERED POOR.

2. CONTRACTOR SHALL VERIFY MATERIAL OF EXISTING WWMH. IF BRICK, WWMH MAY BE REQUIRED TO BE REMOVED AND REPLACED PER DWU STANDARDS UPON DWU INSPECTION.

*NOTICE!!!
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NOTE:
CONTACT THE CITY SERVICES DISPATCH AT 311 WHEN DIALING FROM INSIDE THE CITY LIMITS.

CAUTION!!!
EXISTING GAS MAINS, TELEPHONE & ELECTRIC CABLES IN CONSTRUCTION AREA. CALL TEXAS ONECALL 1-800-245-4545 FOR ON-SITE LINE LOCATION AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION

MATCH MARK
SEE 685W-0357, SHEET 034

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
1	10-17-2022	CHANGED WW MAIN ALIGNMENT	GD

BENCHMARKS

DWU BENCHMARK 3986 (1994)
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF MADONNA DRIVE AND BLUE RIDGE BLVD.
N: 6941529.732
E: 2466126.4302
ELEV.: 684.94

DWU BENCHMARK 1551 53 K 25
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE INTERSECT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF SHADY HOLLOW ROAD AND SHADY GLEN DRIVE
N: 6943.837.295
E: 2466.841.480
ELEV.: 671.85

Horizontal Scale: 1" = 60'
0' 60' 120'
Vertical Scale: 1" = 6'
0' 6' 12'

REFERENCES	
WATER	52-16W, 53-16W
WASTEWATER	52-16S, 53-16S

LIM & ASSOCIATES, INC.
F-3233
STATE OF TEXAS
GUILLERMO R. DARCE
86478
LICENSED
CIVIL ENGINEER
10-17-2022

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPE I.S Engineering Firm F-3233
TBPELS Surveying Firm 101256-00
Tel. (214) 942-1688

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S176 288	N/A	WW22 231	311 f 16059

WATER & WASTEWATER PLAN 2

SHADY HOLLOW ESTATES

4000 SHADY HOLLOW LANE, DALLAS, TX 75233

BLOCKS A/6960, B/6960, C/6960, D/6960

SUSTAINABLE DEVELOPMENT & CONSTRUCTION

DALLAS COUNTY, TEXAS

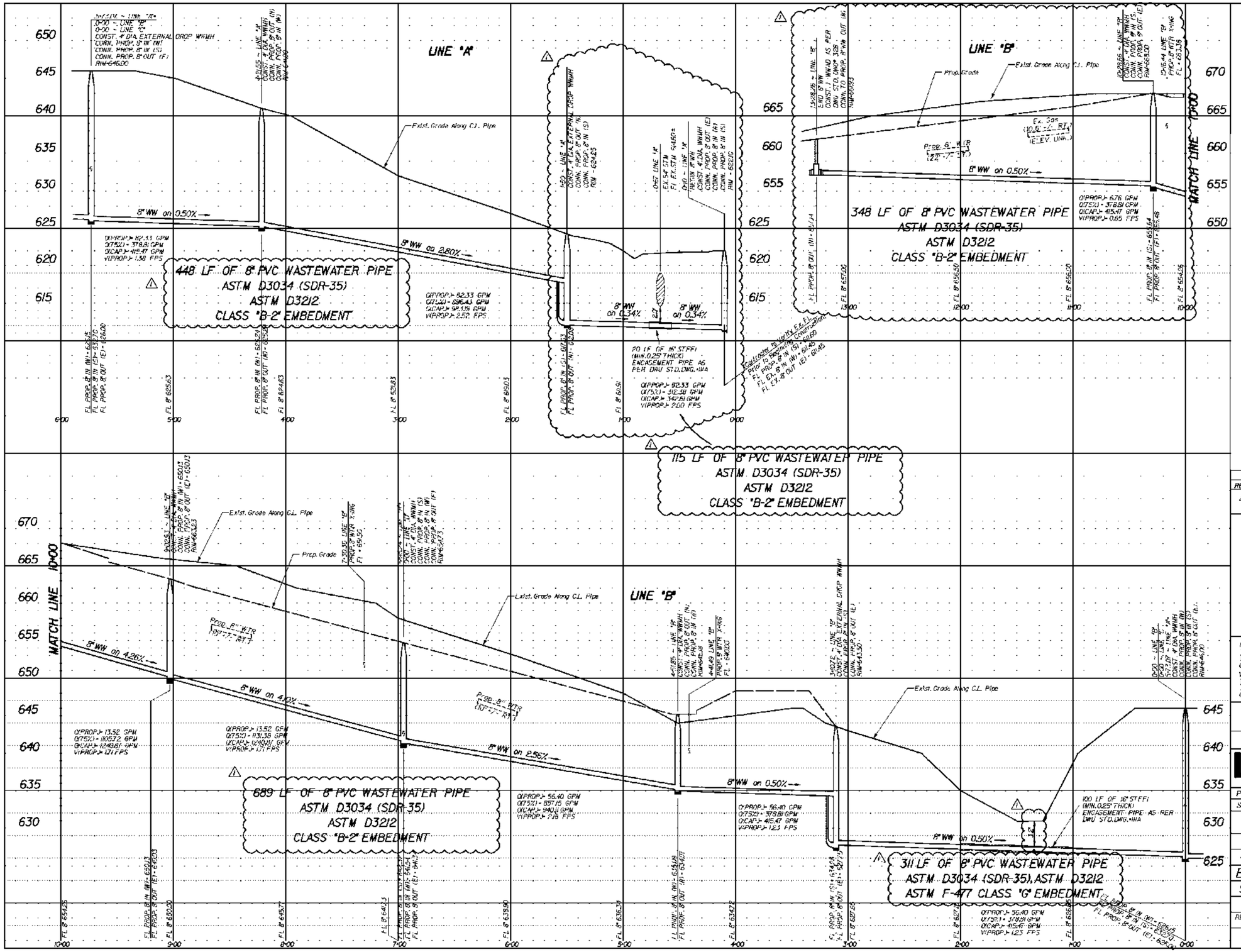
CONTRACT INFORMATION

CONTRACT NO. 22-31178P DATE 07-20-2022

CONTRACTOR S to 19 Build I LC

REVIEW BY	DRAWN BY	DATE	FILE	NUMBER	SHEET
LM	LM	OCT 2022	685W	0357	C.50

092



CONTRACT INFORMATION

CONTRACT NO 22-371372-P DATE 07-20-2022

CONTRACTOR Sita 18 Build LLC

REVISIONS

REV. NO.	DATE	DESCRIPTION	BY
1	10-17-2022	CHANGED PIPE MATERIAL TO SDR 35. FINISH GRADE LINE AND WW LINE ALIGNMENT UPDATED	GC

BENCHMARKS

DWU BENCHMARK 1955 63-AA

SQUARE CUT IN TOP AND CENTER OF PADMS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6941,502.732
E: 2,760,429.206
ELEV.: 660.04

DWU BENCHMARK 1954 53-Y-20

A STANDARD WATER DEPARTMENT BRASS MARK IS SET IN THE MONUMENT TO CONTROL CORNER AT THE INTERSECTION OF KIEST BOULEVARD AND COSMOS GREEN DRIVE
N: 6941,547.023
E: 2,760,441.487
ELEV.: 617.97

Horizontal Scale: 1" = 40'
0 40' 80'
Vertical Scale: 1" = 6'
0' 6' 12'

REFERENCES
WATER
52-HW, 53-HW
WASTEWATER
52-HS, 53-HS

LIM & ASSOCIATES, INC.
T-3232

STATE OF TEXAS
GUILLERMO R. DARDE
86678
LICENSED PROFESSIONAL ENGINEER
10-17-2022

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Survey Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S17H 288	N/A	WW22 231	3111 10059

WASTEWATER PROFILE 1

SHADY HOLLOW ESTATES

4000 SHADY HOLLOW LANE, DALLAS, TX 75233

BLOCKS A/6960, B/6960, C/6960, D/6960

SUSTAINABLE DEVELOPMENT & CONSTRUCTION

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	OCT 2022	685W	0351	036

LINE "E"

LINE "C"

LINE "D"

372 LF OF 8" PVC WASTEWATER PIPE
ASTM D3034 (SDR-35)
ASTM D3212
CLASS "B-1" EMBEDMENT

381 LF OF 8" PVC WASTEWATER PIPE
ASTM D3034 (SDR-35)
ASTM D3212
CLASS "B-1" EMBEDMENT

390 LF OF 8" PVC WASTEWATER PIPE
ASTM D3034 (SDR-35)
ASTM D3212
CLASS "B-2" EMBEDMENT

771 LF OF 8" PVC WASTEWATER PIPE
ASTM D3034 (SDR-35)
ASTM D3212
CLASS "B-2" EMBEDMENT

THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

REVISIONS

REV. NO.	DATE	DESCRIPTION	BY
1	10-17-2022	CHANGED PIPE MATERIAL TO SDR 35 ADJUSTED STORM CROSSING	GD

BENCHMARKS

DWU CONTROL MARK (SEE 53-XX)
SQUARE CUT IN TOP STEP 0.1' NORTH OF NORTHEAST CORNER OF INLET OPENING OF RINCONADA DRIVE AND BLUE RIDGE BLVD.
N: 6,946,593.30
E: 2,484,282.69
ELEV.: 669.54

DWU BENCHMARK (SEE 53-XX)
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE WALL AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST PEMBROOK AND COLEMAN CREEK DRIVE
N: 6,943,587.93
E: 2,485,410.03
ELEV.: 671.38

Horizontal Scale: 1" = 40'
0' 40' 80'
Vertical Scale: 1" = 6'
0' 6' 12'

REFERENCES

WATER
52-16W, 53-16W

WASTEWATER
52-16S, 53-16S

LIM & ASSOCIATES, INC.
F-3233

STATE OF TEXAS
GUILLERMO R. DARGE
86478
LICENSED
PROFESSIONAL ENGINEER
10-17-2022

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPE I.S Engineering Firm F-3233
TBPELS Surveying Firm 101256-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S178 288	N/A	WW22 231	3111 16059

WASTEWATER PROFILE 2

SHADY HOLLOW ESTATES

4000 SHADY HOLLOW LANE, DALLAS, TX 75233

BLOCKS A/6960, B/6960, C/6960, D/6960

SUSTAINABLE DEVELOPMENT & CONSTRUCTION

DALLAS COUNTY, TEXAS

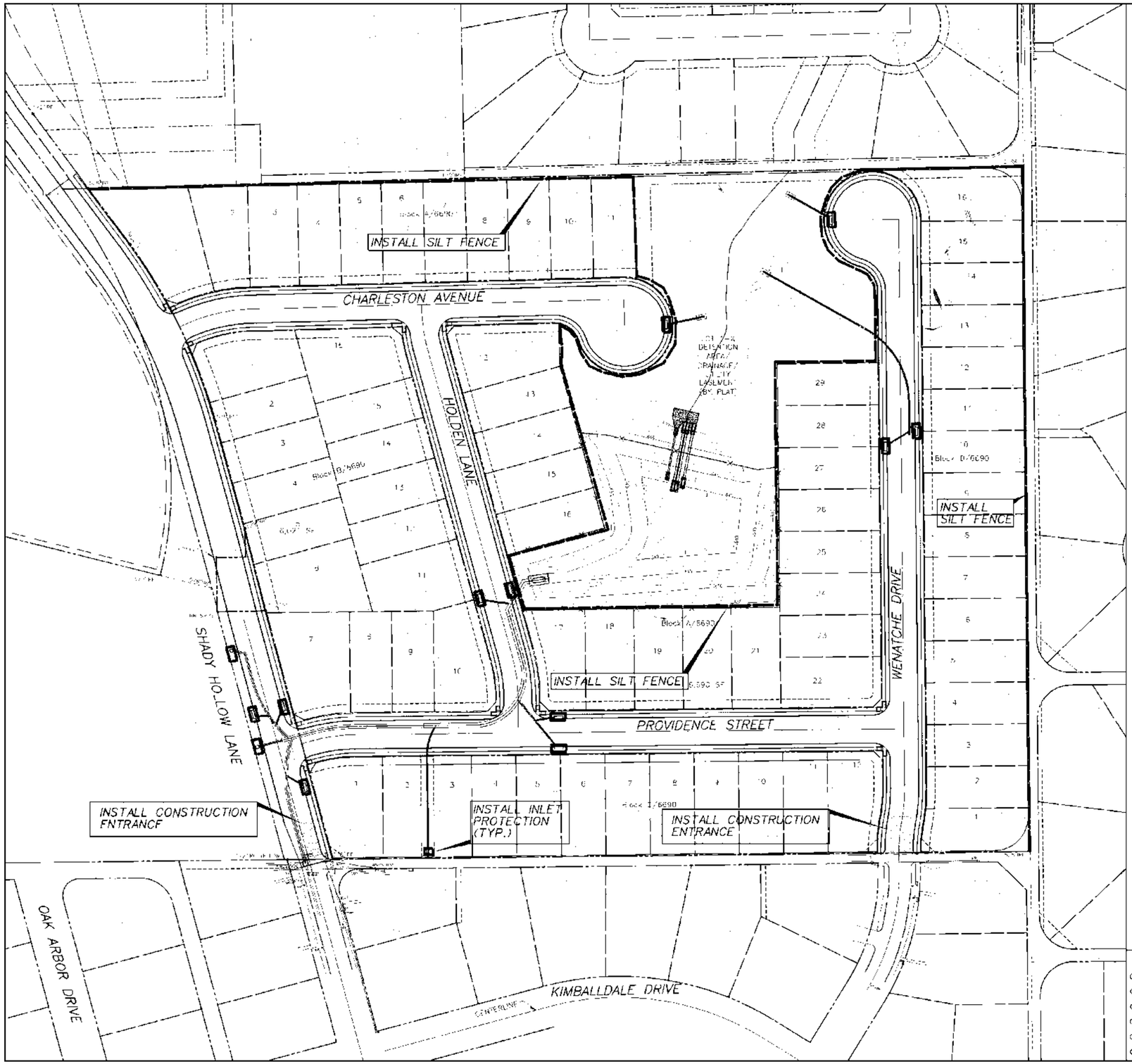
CONTRACT INFORMATION

CONTRACT NO. 22 371372 P DATE 3/23/2022

CONTRACTOR S & B Build LLC

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	OCT 2022	585W	0357	037

094

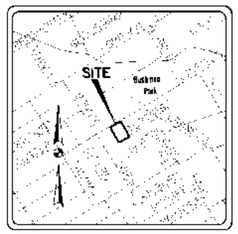


N

Horizontal Scale: 1" = 60'

0' 60' 120'

THIS SPACE RESERVED B.DG. INSPECTION



VICINITY MAP

(DALLAS MAPSCO 56-W)

NOT TO SCALE

THIS SPACE RESERVED ENGINEERING

EROSION CONTROL NOTES

ACREAGE
SITE: 18 Ac.

Post-Construction Erosion Control
1. Seed Parkways & Ditches

LEGEND

- 463 — Exist Contour
- 463 — Proposed Contour
- Proposed Swale
- Silt Fence
- Inlet Protection

BENCHMARKS:

DWU BENCHMARK 1989 63-A1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,944,827.32
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1564 63-X-ES
A STANDARD WATER DEPARTMENT BENCH MARK IS SET IN THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST BOULEVARD AND COOMBS CREEK DRIVE
N: 6,943,597.091
E: 2,465,411.425
ELEV. 617.98'

PRELIMINARY PLAN
For Review Only

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CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR

CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR

CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101238-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW19-133	311T-10059

EROSION CONTROL PLAN

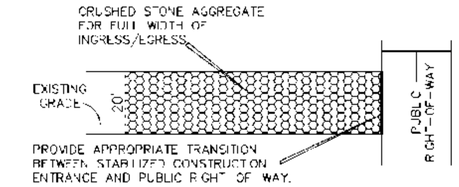
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	C1.01

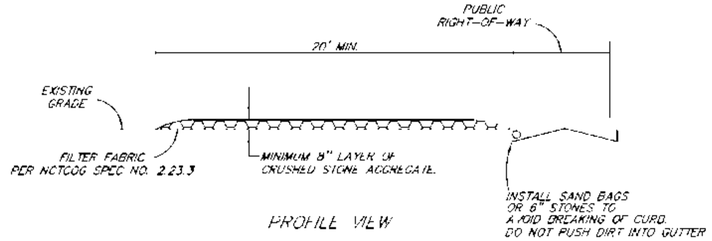


PLAN VIEW

STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. MAINTENANCE MAY BE REQUIRED PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND.

STABILIZED CONSTRUCTION ENTRANCE

N.T.S.



PROFILE VIEW

CONSTRUCTION ENTRANCE

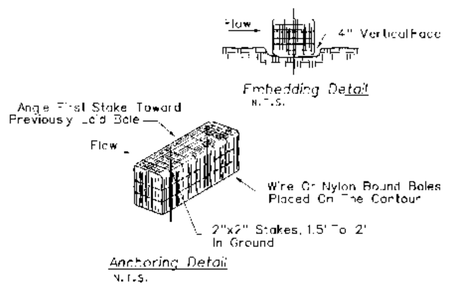
N.T.S.

THIS SPACE RESERVED BLDG INSPECTION

THIS SPACE RESERVED ENGINEERING

CONSTRUCTION NOTES - HAYBALES

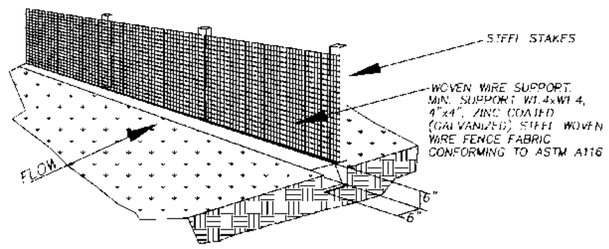
1. Bales shall be placed in a row with ends tightly abutting the adjacent bales.
2. Each bale shall be embedded in the soil a minimum of 4" where possible.
3. Bales shall be securely anchored in place by stakes or re bars driven through the bales. The first stake in each bale shall be angled toward previously laid bale to force bales together.
4. Inspection shall be frequent and repair or replacement shall be made promptly as needed by contractor.
5. On curb inlets, after paving has been completed place hay bales along throat of inlet to keep trash & silt from entering inlet.
6. Bales shall be removed when they have served their usefulness so as not to block or impede storm flow or drainage.
7. Accumulated silt shall be removed when it reaches a depth of six inches.



TEMPORARY HAYBALE BARRIER DETAIL

N.T.S.

1. SET THE STAKES.
2. EXCAVATE A 6" X 6" TRENCH UPSLOPE OF THE STAKES.
3. FASTEN FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.
4. BACKFILL AND COMPACT THE EXCAVATED SOIL.



SILT FENCE FILTER BARRIER

N.T.S.

PRELIMINARY PLAN
For Review Only

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REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101235-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
3178-288	YYYYMMDDXXXX	WW22-231	311T-10059

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR
CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR
CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR

EROSION CONTROL DETAILS

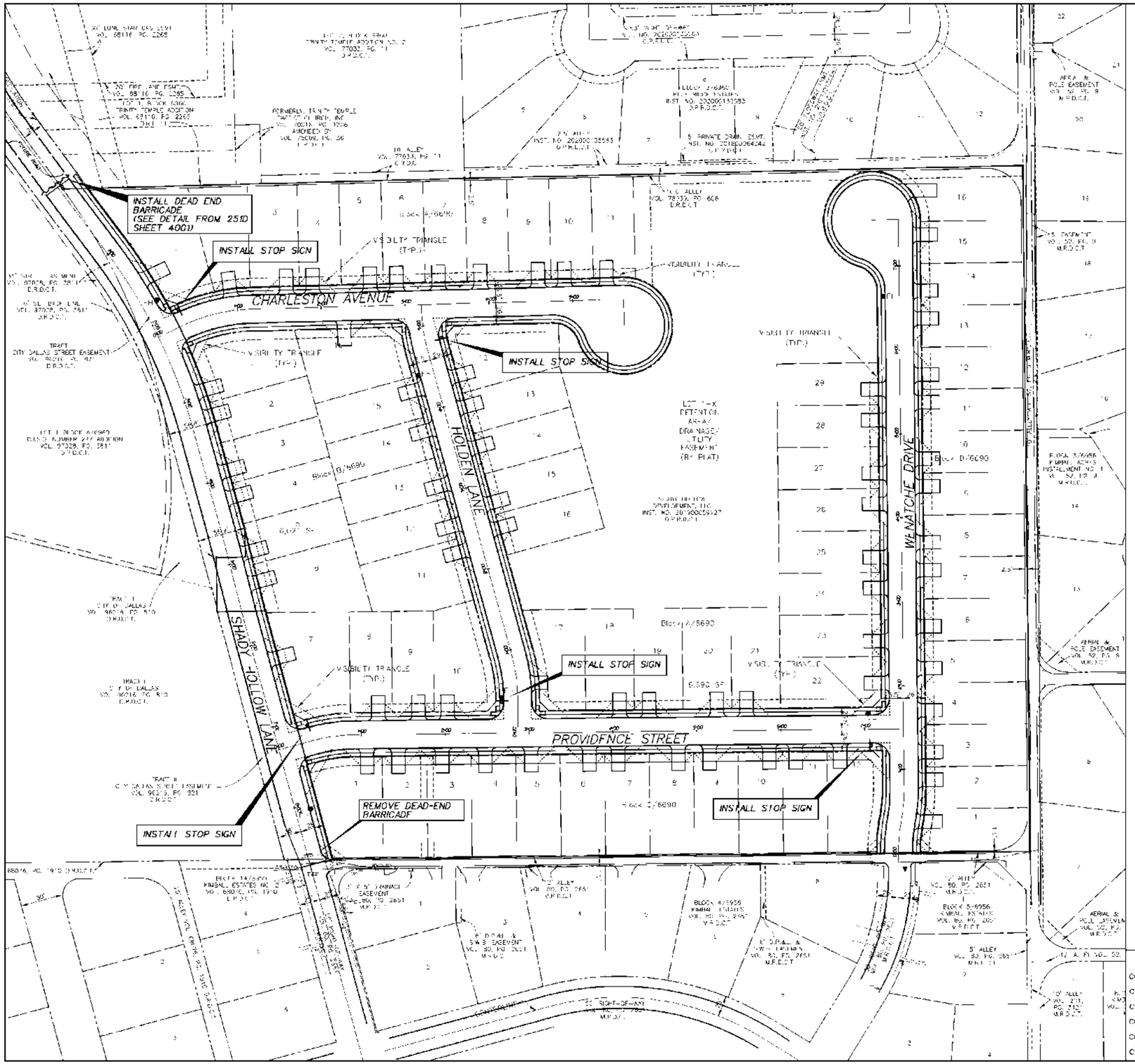
SHADY HOLLOW ESTATES

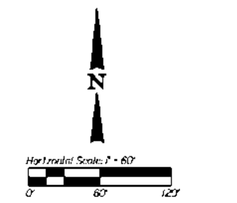
BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	09.50





VICINITY MAP

(DALLAS MAPSCO 63-A)

NOT TO SCALE

LEGEND

463 — Exist Contour

Proposed Building

Proposed Swale

GENERAL NOTES

1. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY OF DALLAS STANDARD CONSTRUCTION DETAILS FILE 25-D, AND SPECIFICATIONS EXCEPT AS NOTED HEREIN OR APPROVED BY THE CITY.
2. THE LOCATIONS OF ALL UTILITIES INDICATED ON THESE PLANS ARE TAKEN FROM EXISTING PUBLIC RECORDS. THE EXACT LOCATION AND ELEVATION OF ALL PUBLIC UTILITIES MUST BE DETERMINED BY THE CONTRACTOR. IT SHALL BE THE DUTY OF THE CONTRACTOR TO ASCERTAIN WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING TRENCH SAFETY REQUIREMENTS IN ACCORDANCE WITH CITY STANDARDS FOR ALL EXCAVATION IN EXCESS OF FIVE FEET IN DEPTH.
4. CONTRACTOR SHALL PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT. IT SHALL BE THE DUTY OF THE CONTRACTOR TO DETERMINE WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THESE PLANS MAY BE PRESENT PRIOR TO BEGIN CONSTRUCTION. ANY DAMAGE TO EXISTING PUBLIC UTILITIES DUE TO CONTRACTORS NEGLIGENCE SHALL BE RESTORED BY THE CONTRACTOR AT NO COST TO THE OWNER. LIM & ASSOCIATES IS NOT RESPONSIBLE FOR KNOWING ALL EXISTING UTILITIES.
5. CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN ALL REQUIRED PERMIT PRIOR TO BEGINNING CONSTRUCTION.

BENCHMARKS:

DWU BENCHMARK 1589 63-A1
SQUARE CUT IN TOP CURB CENTER OF RADIUS NORTHEAST CORNER OF INTERSECTION OF HACIENDA DRIVE AND BLUE RIDGE BLVD.
N: 6,941,528.732
E: 2,464,292.502
ELEV. 668.04'

DWU BENCHMARK 1554 53-X-25
A STANDARD WATER DEPARTMENT BENCH MARK IS SET AT THE MIDPOINT OF A CONCRETE CURB AT THE NORTHWEST CORNER OF THE INTERSECTION OF KIEST BOULEVARD AND DARIES CREEK DRIVE
N: 6,943,587.093
E: 2,466,411.480
ELEV. 617.36'

PRELIMINARY PLAN
For Review Only

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REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPE/LS Engineering Firm F-3232
TBPELS Surveying Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

SIGNAGE & STRIPING PLAN

SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR

CONTRACT NO. _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

CONTRACT NO. _____ DATE _____
(IF APPLICABLE)
CONTRACTOR _____

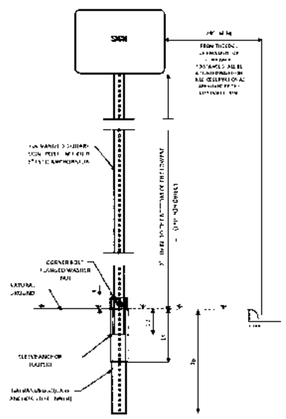
REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV. 2022	311T	10059	S12.01

097

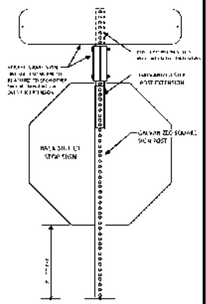
GENERAL NOTES

1. THE EXISTING CONDITIONS AS STATED ON PLAN OF CONSTRUCTION SITE ARE THE PROPERTY OF THE CITY OF DALLAS THROUGHOUT THE PERIOD OF THIS CONTRACT, THE CONTRACTOR SHALL PROTECT THESE CONDITIONS FROM DAMAGE OR DESTRUCTION AT HIS OWN EXPENSE UNLESS DIRECTED OTHERWISE BY THE CITY OF DALLAS REPRESENTATIVE IN THE FIELD. ANY DAMAGE TO THESE CONDITIONS DURING THE PERIOD OF CONSTRUCTION SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT NO EXPENSE TO THE CITY OF DALLAS.
2. PRIOR TO THE START OF CONSTRUCTION, ALL EXISTING SIGNS WITHIN THE LIMITS OF CONSTRUCTION SHALL BE REMOVED AND STORED AT THE CONTRACTOR'S YARD OR AS DIRECTED BY THE CITY REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THESE SIGNS WHILE IN STORAGE. SIGNS SHALL BE REINSTALLED AT THE LOCATIONS AS SHOWN ON THE PLANS OR AS DIRECTED BY THE CITY REPRESENTATIVE. ALL SIGNS NOT REINSTALLED SHALL BE DISPOSED OF BY THE CONTRACTOR AT NO EXPENSE TO THE CITY OF DALLAS.
3. ALL SIGNS WITHIN THE LIMITS OF CONSTRUCTION SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR AT NO EXPENSE TO THE CITY OF DALLAS.
4. ALL SIGN BLANKS TO BE ALUMINUM, 0.080" THICK, 5052-H38 ALLOY.
5. THE THICKNESS OF ALL SIGN BLANKS SHOWN ON THE CITY OF DALLAS STREET NAME BLADE SHEET SHALL BE 0.080".
6. ALL HOLES SHALL BE PUNCHED BEFORE APPLICATION OF REFLECTIVE SHEETING (UNLESS OTHERWISE NOTED ON INDIVIDUAL SIGN BLADES).
7. ALL SIGN FACE MATERIALS SHALL BE A HIGH INTENSITY TYPE SHEETING OR EQUAL AS APPROVED BY THE CITY OF DALLAS TRAFFIC ENGINEER.
8. ALL STREET NAME SIGNS SHALL HAVE THE LETTERS AND NUMBERS CENTERED AND SPACED PER STANDARD.
9. SIGN BLANKS AND SIGN POSTS TO BE POWDER COATED BLACK.
10. ALL SIGN BLANKS TO BE ETCHED, DIE CUT OR SILKSCREENED WITH PRIOR TO APPLICATION OF LEGENDS.
11. ALL SIGNS SHALL BE MANUFACTURED AND INSTALLED IN COMPLIANCE TO THE LATEST EDITION OF DALLAS STANDARDS.
12. ALL U-CHANNEL POSTS SHALL BE PUNCHED WITH 9/16" HOLES AT 1" CENTERS TO MATCH THE SIGN POSTS.
13. ALL ASPHALT PATCHES SHALL BE PLACED AND COMPACTED PRIOR TO INSTALLATION OF SIGN POSTS.
14. ALL SCHOOL ZONE WARNING SIGNS SHALL HAVE FLUORESCENT YELLOW-GREEN BACKGROUNDS.
15. IF A TRAFFIC SIGN IS NOT SHOWN, REFER TO STANDARD SIGN DESIGNS FOR TEXAS AVAILABLE AT http://www.txdot.gov/business/resources/traffic-sign-standards.html OR CONTACT TRANSPORTATION PROJECT COORDINATOR AT 214-671-8051 OR CALL 811.
16. ALL STANDARDS NOT TO SCALE.

TYPICAL GROUND SIGN INSTALLATION PERFORATED SQUARE METAL TUBING



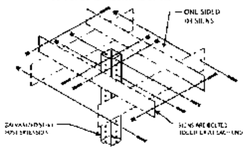
TYPICAL STOP SIGN AND STREET NAME SIGN INSTALLATION



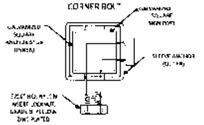
SLEEVE DETAILS

GALVANIZED SQUARE SIGN POST EXTENSION (PERFORATED)	1 1/2" x 1 1/2" 14 GAUGE
GALVANIZED SQUARE SIGN POST (PERFORATED)	2 1/4" x 2 1/4" 14 GAUGE
GALVANIZED SQUARE SIGN POST (PERFORATED, SHIELD)	3" x 3" 14 GAUGE
GALVANIZED SQUARE SIGN POST (PERFORATED, DOUBLE)	2 1/4" x 2 1/4" x 0.08" 13 GAUGE

DS SIGN GROUND MOUNTING DETAIL



CORNER BOLT



CITY OF DALLAS
DEPARTMENT OF TRANSPORTATION

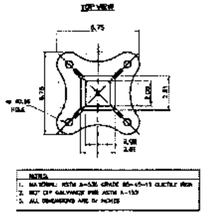
GENERAL NOTES & TYPICAL SIGN MOUNTING DETAILS

APPROVED BY: GHASSAN KHANKARLI, P.E.	EFF DATE: June 2021	SHEET 3

TYPICAL HARD SURFACE INSTALLATION GALVANIZED SIGN BASE

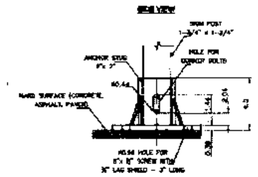
USED ONLY WHEN UNDERGROUND CONDITIONS PREVENT USE OF STANDARD ANCHORS, REVIEW – APPROVAL FROM TRANSPORTATION OPERATIONS STAFF NEEDED PRIOR TO USE)

TOP VIEW

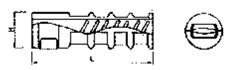


NOTES:
1. ALL STEEL: ASTM A-36, GRADE 65=45=12 DUCTILE IRON
2. HOT DIP GALVANIZE PER ASTM A-153
3. ALL DIMENSIONS ARE IN INCHES

SIDE VIEW

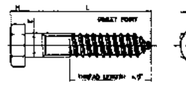


ANCHOR LAG SHIELD - ZINC ALLOY



DIA	L	H
LAG THREAD ROD	LENGTH	SHIELD HEX SIZE
3/4"	6"	1"

5/8" HEX LAG SCREWS, HOT DIPPED GALVANIZED



DIAMETER	BODY DIAMETER	E HEXAGON ACROSS FLATS		F WIDTH ACROSS CORNERS		H HEIGHT		L LENGTH
		MAX.	MIN.	MAX.	MIN.	MAX.	MIN.	
1/2	0.500	0.866	0.850	0.982	0.937	0.324	0.278	6

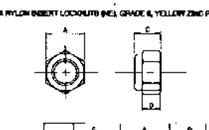
MATERIAL: PER ASTM GRADE A
COATING: HOT DIP ZINC PER ASTM F1833 OR IN ACCORDANCE WITH CLASS C OF ASTM A153 AND CLASS D FOR 3/8" DIAMETER AND LESS

5/8" FLAT WASHERS, LOW CARBON, BAE, ZINC PLATED

SAE FLAT WASHERS								
SIZE	ID			OD			THICKNESS - TH	
	BASIC	TOLERANCE PLUS	TOLERANCE MINUS	BASIC	TOLERANCE PLUS	TOLERANCE MINUS	BASIC	PLUS	MINUS
1/2	0.531	0.012	0.000	1.063	0.000	0.062	0.109	0.121	0.074

DIMENSIONS: ANSI B18.21.1, TYPE A PLAIN WASHERS
MATERIAL: CARBON STEEL
FINISH: PLAIN PER ASTM F1941

HEX NYLON INSERT LOCKNUTS (NE), GRADE 6, YELLOW ZINC PLATED



SIZE	C		A		D
	THICKNESS		WIDTH ACROSS FLATS		HEX HEIGHT
	MAX	MIN	MAX	MIN	Min
5/8-11	0.609	0.580	0.866	0.850	0.390

DIMENSIONS: ASME B18.16.6
MATERIAL: CARBON STEEL, GRADE 6 PER ASME B18.16.6, NYLON 6/6
THREAD REQUIREMENTS: ASME B1.1 2A OR UNF CLASS 2B

CITY OF DALLAS
DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGN BASE DETAILS
APPROVED BY: GHASSAN KHANKARLI, P.E. — EFF DATE: JUNE 2021 — SHEET 2

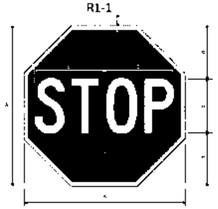
THIS SPACE RESERVED FOR BLDG INSPECTION

THIS SPACE RESERVED FOR ENGINEERING

DIMENSIONS- REGULATORY SIGNS

ALL DIMENSIONS ARE IN INCHES
IF THE DIMENSION HAS A LETTER OUTSIDE, IT INDICATES THE HIGH-WAY FONT SERIES

R1-1

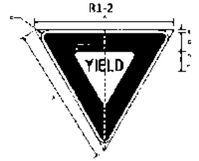


A	A (EXP.)	C	D	F
36	(EXP.)	10	12C	15

R1-3P

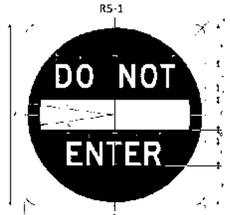
A	B	C	D	E	F	G
18	9	5	15	12C	7	15

R1-2



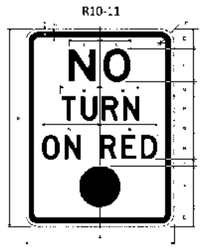
A	B	C	D	L	I	G
36	15	5	2	32	1.26	2

R5-1



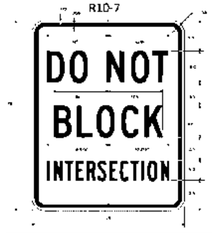
A	B	C	D	E	F	G	H	J	K	L	M	N	P
24	(EXP.)	10	12C	15	15	2	4C	12	5	48(S)	4.97	9.29	13

R10-11



A	B	C	D	E	F	G	H	J	K	L	M	N	P
24	30	2.5	6.25	3.75	12	2	4C	12	5	48(S)	4.97	9.29	13

R10-7



CITY OF DALLAS
DEPARTMENT OF TRANSPORTATION

TRAFFIC SIGN DIMENSIONS

APPROVED BY: GHASSAN KHANKARLI, P.E.	EFF DATE: June 2021	SHEET 4

PRELIMINARY PLAN
For Review Only

This document is released for the purpose of interim review and must not be relied upon for the authority of Guillermo R. Barca, P.E. Texas Registration No. 96475 on 11/01/2022. It is not to be used for construction, bidding or permit purposes.

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, Inc.
Engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Surveying Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

SIGNAGE & STRIPING DETAILS

SHADY HOLLOW ESTATES
BLOCKS A/6960, B/6960, C/6960, D/6960
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	LIM	NOV 2022	311T	10059	S12.01

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____
CONTRACTOR
CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR
CONTRACT NO (IF APPLICABLE) _____ DATE _____
CONTRACTOR

CITY PLAN COMMISSION **THURSDAY, SEPTEMBNER 6, 2018**

FILE NUMBER: S178-288 **SUBDIVISION ADMINISTRATOR:** Paul Nelson

LOCATION: Los Angeles Boulevard if extended, south of Blue Ridge Boulevard

DATE FILED: August 10, 2017 **ZONING:** R-7.5 (A)

CITY COUNCIL DISTRICT: 3 **SIZE OF REQUEST:** 17.858-Acres **MAPSCO:** 63A

APPLICANT/OWNER: Centro Cristiano Para La Familia

REQUEST: An application to create 73 single family residential lots and 2 common area with lots ranging in size from 6,000-square feet to 11,637-square feet from a 17.858-acre tract of land in City Block 6960 as a Community Unit Development on property located on Los Angeles Boulevard if extended, south of Blue Ridge Boulevard.

SUBDIVISION HISTORY:

1. S167-275 was a request north of the present to replat a 5.695-acre tract of land containing all of Lot 3 in City Block 6960 to create 20 lots and one common area as a Community Unit Development on property located on Blue Ridge Boulevard west of Westmoreland. The request was approved September 2, 2017 and has not been recorded.

STAFF RECOMMENDATION: Section 51A-8.503(a) indicates 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 streets…". The adjoining subdivisions to the east are developed with lots that are similar in size. The present request is creating the "established lot pattern for this 24-lot development".

The following chart provides the data for compliance with the Community Unit Development regulations for the proposed subdivision:

Total number of lots:	73
Total Lot Area	777,894 sq. ft.
Lot Area needed for 25% reduction	194,473 sq. ft.
Lot area reduction allowed [1,875 sq. ft./lot; (25%)]	78,660 sq. ft.
Open space provided	138,520 sq. ft.
R-7.5(A) lot area required:	7,500 sq. ft.
Allowed lot area reduction (25%) per lot	-1,875 sq. ft.
Minimum lot area allowed	6,000 sq. ft.
Smallest lots	6,000 sq. ft.

The proposed subdivision complies with the requirements of the community unit development regulations (51A-8.510) for the 25% lot size reduction, Section 51A-8.503, and the requirements of the R-7.5(A) Single Family District; therefore, staff recommends approval subject to compliance with the following 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 Sustainable Development and Construction, 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 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. The number of lots permitted by this plat is 24 and one common area.
11. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).
14. On the final plat, dedicate 28-feet of Right-of-Way (via Fee Simple) from the established center line of Los Angeles Boulevard. 51A 8.602(c)

15. On the final plat, dedicate 7.5-feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of all alleys. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).

16. On the final plat, dedicate a 10-feet by 10-feet corner clip (VIA Fee Simple or Street Easement) at Los Angeles Boulevard and all internal intersections. 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 Los Angeles Boulevard 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 Wenatche Court and the alley. Section 51A-8.602(e),

19. Provide a turn-around per the City of Dallas Standards at the end of alley to the north. Section 51A-8.506(b).

20. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.

21. 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. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

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, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.

27. O the final plat, label original abstract line.

28. 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).

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.

30. 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.

31. Prior to final plat, provide conformation if easement area conveyed from CPI Pipe and Steel Inc. to Centro Cristiano Para La Familia in Instrument No. 200900300707 was ever abandoned by City of Dallas and provide copy of abandonment ordinance and recorded instruments. Real Estate release is required prior to recordation of plat.

32. On the final plat, specify if open space is unimproved, otherwise must comply with open space distance required. Development must comply with Section 51A-8.510

33. On the final plat, identify the property as Lots various and Common area "A" and "B" in City Block 1-4/6960. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

34. On the final plat, change "Wenatche Dr. and Wenatche Ct." to "Wenatche Drive". Section 51A-8.403(a)(1)(A)(xii)

35. On the final plat, change "Los Angles Blvd" to "Los Angles Boulevard". Section 51A-8.403(a)(1)(A)(xii)

36. On the final plat, label "Kimball Ridge Court" and "Kimball Ridge Circle". Section. 51A-8.403. (a) (1) (A) (xii)

37. On the final plat, add enough street labels to show what will end up as "Los Angles Boulevard". Section. 51A-8.403. (a) (1) (A) (xii)

HACIENDA DR
LOS ANGELES BLVD
R-10(A)
BLUE RIDGE BLVD
SUP 601
LAMAR AVE
LA PLAYA DR
RIO GRANDE AVE
RIO GRANDE CIR
SUP 541
S167-275
SUP 1248
S178-288
R-7.5(A)
KIMBALL RIDGE PL
KIMBALL RIDGE CIR
KIMBALL RIDGE DR
WINSTONE DR
KIMBALLDALE DR
PICTURELINE CIR
PICTURELINE DR
PD 38
ALTOONA DR
SHADY HOLLOW LN
ZONING MAP
Area of Request
Recent History
1:3,600
Case no: S178-288
Date: 8/20/2018

AERIAL MAP
Area of Request
Recent History
1:3,600
Case no: S178-288
Date: 8/20/2018

Project Site
Vicinity Map
"THIS DOCUMENT SHALL NOT BE RECORDED"
THE PURPOSE OF THE PRELIMINARY PLAT IS TO CREATE RESIDENTIAL LOTS OUT OF THE 17.638 AC. OF LAND.
City File Plan No. 3179.068
Preliminary Plat
COMMUNITY UNIT DEVELOPMENT
Shady Hollow Estates
Block A/6962, Lots 1-28
Block B/6962, Lots 1-15
Block C/6962, Lots 1-12
Block D/6962, Lots 1-15
2 Open Spaces, Lot 1-X, 2-X
Being a 17.638 Acre Tract in the 4Rd Block out of the William Crow Survey, Abstract No. 295 in the City of Dallas, Dallas County, Texas
KPA

Section 8
Analysis Application Form

From:	adrian@419builders.com
To:	Eskander, Mina
Cc:	limassoc@aol.com
Subject:	Re: Shady Hollow Development - Analysis Application Form
Date:	Monday, November 21, 2022 4:16:00 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png

---

External Email!

Good afternoon Sam,

Following up on our conversation this morning, here is some additional information which you can hopefully use to expedite the apportionment determination for this project.

Background

First, I understand that you review many projects and have a lot of responsibilities in the development department, so here is a summary of our progress in the engineering review on this project.

- We were informed on June 13 that our plan for detention conflicted with a determination of required open space for our project
- We requested further consideration of the requirement that detention does not count as open space, and had an in-person meeting on July 18 in which we specifically requested flexibility to allow for detention in the required open space as well as to use the 1993 Drainage Design Manual which was in place at the time of the preliminary plat approval and under which the Sam Circle project was designed. Both requests were denied at this meeting.
- We requested a board of adjustment hearing for further review on these items, which was denied on the basis that no building permit had been applied for.

On the basis of clear direction from the City to use the 2019 Drainage Design Manual, and with the clear requirement that we provide adequate open space in addition to any required detention, we asked our engineering partners to work on a plan which met both of these requirements. While the calculations allowed under the 1993 Drainage Design Manual would have allowed this project to be developed without detention, multiple aspects of the Sam Circle development limit the allowable outflow from this project and effect a detention requirement.

Having exhausted all of our options for a different interpretation of these guidelines or any flexibility in application, the process to resolve these constraints has required a lot of engineering investment in order to create a reasonable detention plan that meets all of the current requirements. It has also delayed our project by many months. The plans we have submitted on November 1, 2022 meet the requirements we have been given, but also require a large amount of land area and construction cost which I believe to be unavoidable based on our constraints.

Current Objective
While operating in good faith to meet all City requirements and at considerable cost to our project, we have determined that the resulting plan disproportionately requires us to provide land and other costs which are not caused by this project and which are not relative to the needs created by this project.

As a result, this project now clearly qualifies for an apportionment to compensate for these additional costs. Sec 51A-1.109 is clear in our right to have our project reviewed by a professional engineer retained by the City to make the determination of costs. On this requirement, as well as our good faith efforts to comply with all City guidelines and create community value with this project, please complete this determination as soon as you can.

On the subject of cost liability, I believe there are several ways to justify this cost in addition to the clear legal requirement for payment.

- **Los Angeles Blvd street and storm drain construction ($305,994)** - I estimate that the 73 new houses to be constructed will result in approximately $200,000 per year in new property taxes to the City of Dallas. Existing houses in the area which will benefit from this construction generate an additional large amount. This street will benefit park access and is easily classified as an investment which will facilitate economical park development.
- **Alley dedications ($67,870)** - The City of Dallas collects approximately $300,000,000 in franchise fees from utility and communication providers annually to compensate for the use of streets and alleys for these services. Using very limited information, I estimate that the new houses to be constructed in this development will generate approximately $36,000 annually in new revenue, and the existing houses which use these alleys generate approximately $21,000 annually in existing revenue.
- **Detention land use and construction cost ($583,496)** - The City of Dallas collects approximately $70,000,000 in stormwater management fees annually. I estimate the the new houses to be constructed will generate $8,000 annually in new revenue, and that the existing properties to benefit from this (both upstream and downstream) generate approximately $25,000 annually towards this. It is also quite clear that this investment resolves issues with park, school, and other potential property development and should be viewed as a catalyst to continued investment in the area.

Using the City's projections of 5% increases in revenue for these categories, I estimate that the **10 year total of new revenue to the City of Dallas from the proposed 73 houses is $3.8M**, without any consideration of existing revenue as outlined above. This is a clear economic positive for the City of Dallas and entirely justifies any participation required to apportion the costs accurately.

Summary
Once again, please support us in this project by making the requested apportionment determination as required by city and state laws. While I strongly believe that the

directives here are clear and that this project is easy to justify, I am willing to make this case and explain this perspective further if this can help expedite the process. I'm sure I have made clear how important this is to us, and I hope you can see how everyone benefits from quickly processing our request.

Regards,
Adrian Cole
214.918.4671

On Fri, Nov 18, 2022, at 10:05 AM, Adrian Cole wrote:

> Good morning,
>
> Would you please confirm receipt of this submission and let me know if I can provide anything else to help with the process?
>
> Thank you,
> Adrian Cole
> 214.918.4671
>
> On Fri, Nov 11, 2022, at 11:49 AM, Adrian Cole wrote:
>
> > Good morning all,
> >
> > Attached is a completed Analysis Application form, 4 project bids, and apportionment request detail document.
> >
> > Please confirm request of this submission and if any other information is needed. Thank you for your assistance.
> >
> > Regards,
> > Adrian Cole
> > 214.918.4671
> >
> > On Mon, Oct 17, 2022, at 5:33 PM, Garza, Maricela wrote:
> >
> > > Good afternoon Mr. Cole,
> > >
> > > Per your hand delivered request (1st attachment) to the Director of Engineering, please find attached (2nd attachment) the Analysis Application form.
> > >
> > > Thank you,

Maricela S. Garza
Administrative Specialist II
City of Dallas | DallasCityNews.net

Development Services
Engineering Division
320 E. Jefferson Blvd., Room 200
Dallas, TX 75203
O: 214-948-4063
Maricela.garza@dallas.gov

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.

Please Take a Moment to Tell Us How We Are Doing

Attachments:

- Application Form Request .pdf
- Application for Determination of Apportionment.pdf

Attachments:

- Application for Determination of Apportionment.pdf

- Shady Hollow Estates Paving Proposal.pdf
- Shady Hollow Estates Proposal.pdf
- 22-1724; 221102; E-MAILED P Prop; Shady Hollow Estates.pdf
- Shady Hollow Estates - Site 19 Build Estimate.pdf
- Shady Hollow Estates - Development Apportionment Detail 2022-11-11.pdf

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

Section 9
Analysis Application Form with Attachments

From:	adrian@419builders.com
To:	Garza, Maricela
Cc:	limassoc@aol.com; Eskander, Mina
Subject:	Re: Shady Hollow Development - Analysis Application Form
Date:	Friday, November 11, 2022 11:53:07 AM
Attachments:	image001.png image002.png image003.png image004.png image005.png Application for Determination of Apportionment.pdf Shady Hollow Estates Paving Proposal.pdf Shady Hollow Estates Proposal.pdf 22-1724; 221102; E-MAILED P Prop; Shady Hollow Estates.pdf Shady Hollow Estates - Site 19 Build Estimate.pdf Shady Hollow Estates - Development Apportionment Detail 2022-11-11.pdf

---

External Email!

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Attached is a completed Analysis Application form, 4 project bids, and apportionment request detail document.

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214.918.4671

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> Good afternoon Mr. Cole,
>
> Per your hand delivered request (1st attachment) to the Director of Engineering, please find attached (2nd attachment) the Analysis Application form.
>
> Thank you,
>
> ***Maricela S. Garza***
> *Administrative Specialist II*
> **City of Dallas | DallasCityNews.net**

Development Services
Engineering Division
320 E. Jefferson Blvd., Room 200
Dallas, TX 75203
O: 214-948-4063
Maricela.garza@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

Attachments:

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CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

RPM xConstruction, LLC.
5208 TENNYSON PKWY STE 130
PLANO, TEXAS 75024
SENIOR ESTIMATOR: JOSH VARILEK jvarilek@rpmxconstruction.com
CELL: 469-929-1953 OR 214-577-2159

PROJECT: SHADY HOLLOW ESTATES
LOCATION: DALLAS, TX
BID DATE: November 2, 2022

PROPOSAL TO BE VALID FOR 30 DAYS

BASE PROPOSAL - PAVING SCOPE

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
	PAVING SCOPE - SHADY HOLLOW ESTATES				
1	6" CONCRETE PAVEMENT (#3'S @ 24" OCEW)	14,245	SY	$ 70.50	$ 1,004,272.50
2	6" PROCESS & GRADE EXISTING SUBGRADE (NO FLEXBASE OR LIME STABILIZATION)	15,762	SY	$ 3.75	$ 59,107.50
3	16' DRIVE APPROACH	73	EA	$ -	**NO BID**
4	4' CONCRETE SIDEWALK (4")	5,400	LF	$ 28.50	$ 153,900.00
5	STREET SIGN POLES	5	EA	$ 250.00	$ 1,250.00
6	STOP SIGNS	5	EA	$ 85.00	$ 425.00
7	STREET SIGNS	5	EA	$ 110.00	$ 550.00
8	BARRIER FREE RAMPS	12	EA	$ 2,400.00	$ 28,800.00
	SUBTOTAL PAVING - SHADY HOLLOW ESTATES =				**$ 1,248,305.00**
	ADDITIONAL PAVING SCOPE				
1	CONCRETE HEADER	34	LF	$ 35.00	$ 1,190.00
2	TYPE III BARRICADE	1	EA	$ 3,250.00	$ 3,250.00
3	REMOVE BARRICADE & CONNECT TO EXISTING	2	EA	$ 1,600.00	$ 3,200.00
4	MAINTENANCE BONDS	1	LS	$ 25,000.00	$ 25,000.00
	SUBTOTAL ADDITIONAL PAVING SCOPE =				**$ 32,640.00**
	PAVING PROPOSAL TOTAL (SHADY HOLLOW ESTATES)				**$ 1,280,945.00**

SUBSTANTIAL COMPLETION: **25 WORKING DAYS**

FINAL COMPLETION: **15 WORKING DAYS**

CLARIFICATIONS:

- **ANY ITEMS NOT SPECIFICALLY MENTIONED ABOVE ARE UNDERSTOOD TO BE EXCLUDED**
- **PROPOSAL BASED ON PAVING PROJECT AT ONE TIME WITH ONE MOBILIZATION (NO MULTIPLE MOBILIZATIONS OR PHASING OF PAVING CREWS AND/OR BATCH PLANT)**
- **THIS PROPOSAL IS BASED ON CURRENT FUEL RATES, IF FUEL COSTS INCREASE $0.50 WE RESERVE THE RIGHT TO RENEGOTIATE**
- **NO PERMITS, CITY FEES, IMPACT FEES OR FEES OF ANY KIND**
- **PAVEMENT SUBGRADE TO BE PROCESSED WITH RPM STABILIZER EQUIPMENT WITH ONE PASS. NO LIME STABILIZATION OR FLEXBASE AT PAVEMENT SUBGRADE**
- **PAVEMENT SUBGRADE TO BE +/- 0.1' BY OTHERS PRIOR TO RPM MOBILIZATION**
- **CONCRETE POURING OF INLET THROATS BY OTHERS**
- **PAVEMENT STEEL REINFORCEMENT TO BE #3'S @ 24 C-C**
- **CONCRETE SIDEWALK IS CONSIDERED TO BE 4" THICK**
- **NO MAINTENANCE OR REMOVAL OF EROSION CONTROL ITEMS**
- **NO INLET PROTECTIONS**
- **NO STREET LIGHTING OR CONDUITS**
- **NO CONSTRUCTION STAKING**
- **NO BRICK PAVERS**
- **NO STAMPED OR STAINED CONCRETE**
- **NO PAVEMENT STRIPING**
- **NO MATERIAL TESTING**
- **NO TAXES ON PERMANENT MATERIALS**
- **EXCLUDES REMOVAL OF CONTAMINATED OR HAZARDOUS MATERIAL**
- **NO ASPHALT TRANSITION PAVEMENT**
- **NO GRAVEL TRANSITION PAVEMENT**
- **NO SOD SEEDING, CURLEX, HYDROMULCH OR WATERING**

CIVIL PLANS: SHADY HOLLOW ESTATES BY LIM & ASSOCIATES DATED OCTOBER 2022
GEOTECH: NA
ADDENDUM(S): NA

Staff Use – Date Received _____

City of Dallas
APPLICATION FOR DETERMINATION OF APPORTIONMENT
(reference City of Dallas Code 51A-1.109)

1. Name of Project: Shady Hollow Estates
2. Plat No: S178-288 Building Permit Application No. _____
3. Paving/Drainage Project No. 311T-10059 Water/Wastewater Project No. WW22-231
4. Project Description: Plat 73 single family lots on undeveloped tract
5. Project Location (w/Lot & Blk): 3792 Wenatche Dr DCAD Mapsco No. 63-A
6. Owner/Developer: Shady Hollow Development LLC
   Mailing Address: 2217 Yaupon Dr
   City: Irving State: TX Zip: 75063 Telephone: (214) 918-4671
   Contact Person: Adrian Cole Email: adrian@419builders.com
6. Engineering Firm: Lim & Associates, Inc.
   Mailing Address: 1112 N. Zang Boulevard Suite 200
   City: Dallas State: TX Zip: 75203 Telephone: (214) 942-1888
   Contact Person: Daniel Lim Email: limassoc@aol.com
7. Reason for Request (describe the perceived exaction): You may attach a supplemental document if more space is needed.
   See attached documents
8. Submittals **REQUIRED**: (*incomplete submittals will be rejected.*)

   ☑ Developer's Report (signed and sealed by active Licensed Civil Engineer);
   Report should include items expressed in 51A-1.109, as well as, but is not limited to:
   - ☑ Preliminary Plat (existing recorded plat if no proposed plat); **and**
   - ☑ 24" x 36" set of most current Engineering Design plans; **and**
   - ☑ Project specific bid packages received from the contractors with itemized cost estimates of proposed project (total cost and public improvements costs) (min. of 3 bid estimates)

I certify that all information submitted are accurate and project specific. I have read Section 51A-1.109 of the City of Dallas code in its entirety and understand required deliverables and subsequent schedule upon a complete submittal.

DEVELOPER'S SIGNATURE: DATE: 11-11-2022

Project Background

- September 6, 2018, City Plan Commission approves plat S178-288 with conditions:

  The following chart provides the data for compliance Development regulations for the proposed
  Subdivision with the Community Unit Development Regulations for the proposed subdivision:

  Total number of lots: 73
  Total Lot Area 777,894 sq.ft
  Lot Area needed for 25% reduction 194,473 sq. ft.
  Lot area reduction allowed [1,875 sq. ft.flat; (25%)] 78,660 sq. ft.
  Open space provided 138,520 sq. ft.
  R-7.5(A) lot area required: 7,500 sq. ft
  Allowed lot area reduction (25%) per lot 1,875 sq. ft.
  Minimum lot area allowed 6,000 sq. ft.
  Smallest lots 6,000 sq ft.

- **Condition 12 of CPC approval:**

Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).

Apportionment Basis - SEC. 51A-1.109.

(a) Exactions must be related and proportionate.
(1) No exactions may be imposed unless the exactions are:
(A) related to the needs created by the property development project; and
(B) roughly proportionate to the impact of the property development project.
(2) No precise mathematical calculation is required, but the city must make an individualized determination that the required exaction is related both in nature and extent to the impact of the property development.

Street apportionment

- Internal Streets
  - Wenatche Dr, Pierre St, Juneau Ave and Montpellier Ln area construction and dedication are roughly proportionate to needs created by development.
- External street Los Angeles Blvd
  - SEC. 51A-8.603 requires construction of a minor street and storm drainage along the perimeter of the proposed plat.
  - City did not require street construction and drainage during platting of school and church properties or creation of park, which places an unequal burden on the development of Shady Hollow Estates to resolve drainage & other issues

    - City uses unimproved Los Angeles Blvd ROW for access to Doris Berry park and identifies park for access at Blue Ridge Blvd in the Los Angeles Blvd ROW. Park address with Dallas County Assessment District is on Cockrell Hill Rd, but no reasonable access is provided on Cockrell Hill Rd, with steep overgrown terrain and barbed wire fencing. Park was established in 1996. Dallas park master plan includes over $1M in proposed improvements for park.
    - The Five Mile Creek Urban Greenbelt plan created in partnership with the City of Dallas Park and Recreation Department proposes to use the Los Angles Blvd ROW frontage of Doris Berry Park to provide access to the Kiest greenbelt.
    - Park area has not been platted, but includes minor improvements and exists in a condition that uses Los Angeles Blvd ROW for drainage and access, with future use options likely to primarily use Los Angeles Blvd upon improvement, which will provide a large public benefit.
    - This street as designed partially benefits proposed development, but is outside platted area, and largely benefits City of Dallas park land access and future development. Proposed street area is approximately 31,310SF.
    - Proposed plat has been designed to incorporate this street to gain some benefit, but required construction largely benefits other properties. Construction of Los Angeles Blvd is further required due to no street connectivity provided by Blue Ridge Estates development to continue Wenatche Dr to the north and serve the development from multiple points
    - *Stafford Estates*, 135 S.W.3d at 631-34 has found that a general requirement to construct an abutting street as a general rule does not meet the rough proportionality requirement of apportionment rule, and City did not require this for other land fronting Los Angeles Blvd.
    - Shady Hollow Estates benefits at a minor level from street construction and does not have a reasonable option to avoid construction as other properties have/had due to code requirement and zoning limitations of double frontage and setbacks..
    - Construction of Los Angeles Blvd on City property also creates increased drainage requirements which should not be counted against any drainage needs created by the development, as the street is not part of the plat. The construction of this street in part also requires additional costs to facilitate drainage requirements at current standards to resolve issues left unresolved by other parcel development places an unequal burden and unequal requirement on construction of this street by Shady Hollow Estates.
    - Shady Hollow Estates will benefit from Los Angeles Blvd street construction by fronting 6 lots onto this street. The construction of the internal street Wenatche Blvd at a similar length allows for the service of 24 lots. As such Shady Hollow Estates benefits from street frontage area at 25% of typical internal street benefit.
    - Traffic usage for the street will predominantly serve outside traffic upon eventual completion of street improvement to Blue Ridge Blvd. Shady Hollow Estates will contribute less than 10% of traffic usage to street at eventual completion.
- Alleys

    - City agreed to remove requirement to provide alley turn-around condition of plat approval item 18 due to loss of property flag portion at north-west corner of property due to improper conveyance at purchase.
    - Code sections cited on CPC letter for approval item 15 (Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611 (e).) refer to minor streets, not alleys.
    - City code SEC. 51A-8.507 (a) indicates alleys are only required based on street width and zoning. This plat does not require alleys due to wider street provisions internally.
- Dedication required to alley way at north of project of 3142sf is not required for proposed street type internal to project; required dedication is not related and proportionate to the impact of the plat.
- Dedication required to alley way at east of project of approximately 2044sf are not required for existing use or proposed use of platted property; required dedication is not related and proportional to the impact of the plat.
- Dedication required to alley way at south of project of approximately 1601sf is not required for existing use or proposed use of platted property; required dedication is not related and proportionate to the impact of the plat.
- Overall existing alleys were dedicated by previous platting and intended or required for use of other properties. Updated City of Dallas requirements for wide alley dedications are not created by this project and should be compensated accordingly due to loss of project land area.
- If previous platting had used different street and utility planning without alleys, additional dedication would not be required by this project. Required dedications are not proportionate to proposed plat and usage.
- Proposed project includes driveways and utilities at front of lots, with all resident and service traffic on internal streets. No effective addition to alley usage or traffic allows for current alley width to adequately serve reduced requirements. Proposed development does not create a need for additional alley width and dedication requirement is not proportional to needs of development.

Drainage apportionment

- In 2018, City of Dallas approved Blue Ridge Estates plat and engineering which provided for detention in open space. Blue Ridge Estates drainage plans allowed for built-out runoff of Shady Hollow Estates.

- In 2019, City of Dallas adopted the 2019 Drainage Design Manual. Updated manual requires increased runoff calculations which make downstream development to the north out of compliance with new drainage calculations both for existing and proposed conditions

- Compliance with new drainage calculations requires detention to be provided for in Shady Hollow Estates due to large amount of off-site rainfall which new regulations calculate to have greater flow requirements

- On July 20, 2022, Director of Engineering informs Shady Hollow Development that detention cannot be part of open space, and requires separate land area, which reduces development options for number and size of lots

- Effect of 2019 Drainage Plan and determination of Director of Engineering effect a reduction in land use potential and is a taking as described by case law. Under 1991 Drainage Design Manual in place at time on platting, this project would likely not have required detention due to adequate outfall condition. Blue Ridge Estates project to the north was developed after plat approval for Shady Hollow Estates and created a limited out-flow condition as calculated by current guidelines.

- Under the 2019 Drainage Design Manual, the existing conditions and outflow are not in compliance with updated runoff coefficient numbers. The City of Dallas is requiring Shady Hollow Estates to resolve existing outflow restrictions in Blue Ridge Estates which are insufficient for undeveloped or developed flow under current rainfall models, as well as to resolve increased runoff volume calculations for off-site rainfall.

City code regarding requirements of detention:

(c) Detention.

(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two-percent, 10 percent, and 50 percent annual chance storm events. Detention must be provided in the following instances:

(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.200 of this chapter.

(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Detention will not be required if:

(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;

(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or

(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.

(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity.

The City of Dallas approved the Blue Ridge Estates development and paid for the drainage infrastructure, which created an out-flow limit to the Shady Hollow Estates project, and subsequently adopted a new Drainage Design Manual requiring further detention based on

flows originating off-site and now created by the development. The requirement for detention on Shady Hollow Estates has been created by City actions and off-site conditions. The resulting requirement for detention provides primary benefit to off-site properties by bringing them into compliance with current drainage requirements in exchange for reduced development area and development quality in Shady Hollow Estates.

The City of Dallas approved plats of Zion Apostolic Church and Thomas A. Tolbert elementary school without construction of Los Angeles Blvd. along the plats. Construction of this street would likely have reduced drainage requirements on Shady Hollow Estates and provided additional options to facilitate runoff originating from park, school and other developed properties.

The City of Dallas approved a site plan for Thomas A Tolbert elementary school which allowed for drainage flow to cross onto the tract now proposed to be Shady Hollow Estates across the Los Angeles Blvd ROW. Drainage flow could have or should have been redirected north to Blue Ridge Blvd through the Los Angeles Blvd ROW, especially if this street had been constructed at that time.

The resulting conditions and requirements for remediation require much larger inlets and pipe to accept flow which generates from off-site areas. Much of the required inlets and conveyance resolve existing conditions on City of Dallas property, bringing it into compliance with new requirements.

The net impact of this development on existing drainage patterns is a small increase in drainage flows which could likely be provided for without detention or by utilizing other dedicated portions of the project to avoid the loss of land area that current requirements necessitate, especially if a reduced out-flow condition was not created by the development of Blue Ridge Estates.

The requirements of detention and higher-capacity storm drain infrastructure in order to complete the plat as originally approved in 2018 amount to an apportionment that is not related or proportionate, as it is caused by downstream development limitations, offsite runoff generation, and increased requirements by the City of Dallas. The following costs should be compensated:

- Storm drain inlets and underground pipe to convey off-site drainage across site
- Construction of detention area and outflow facilities
- Loss of land area required to be used exclusively by detention which cannot be considered open space, approximately 46,000SF of land area

Additionally, the City has determined that the land area required for detention on this project must be provided separately to the proposed open space to be dedicated on the plat. The loss of land area is unexpected and caused directly by City actions and determinations. This land could have been used for lots or natural space if the outside drainage conditions were separately resolved or if the City allowed regulations in place at the time of platting to be used in detention requirement determination. The result is an uncompensated taking by the City via

requirements for zoned development, which also negatively affects the desirability of the resulting development.

The land required to be used for detention requires grading and removal of existing trees, along with a prohibition of planting new trees. The City detention guidelines also require fencing, maintenance, and liability for the developer and future property owners. The resulting detention area reduces the value of surrounding properties significantly, and also reduces the community access to the remaining open space.

The imposed drainage and detention costs in addition to loss of land area for the benefit of other properties and the City amounts to the imposition of a burden on this property to benefit other landowners that is neither proportional or equally applied, and must be remediated through compensation for loss of land, reduced value of proposed lots, and development costs.

Surrounding lots recently valued by DCAD show lot values of $100,000 for lots with a minimum size of 10,000SF. The lost land required by City dedications and detention could be used to create more lots or increase the size of the proposed lots under current zoning. The loss of land for detention and alleys should be valued at $10/sf, or $460,000..

Water and Wastewater Apportionment

SEC. 51A-1.109 (e) (5):

> *Cost sharing of municipal infrastructure additions or improvements between the developer and the city shall be documented in a cost sharing contract pursuant to Section 51A-8.614.*

SEC. 51A-8.614 (a)

> *Generally. All funding requests for city cost sharing participation in municipal infrastructure additions or improvements must be approved by the city council. City participation is generally limited to items that benefit a broad population segment. The developer's apportioned share of any exaction pursuant to Section 51A-1.109 is the responsibility of the developer unless the developer, as documented in a cost sharing contract, volunteers to pay a greater proportion. If the developer volunteers to pay a greater proportion, the city has no obligation for the amount volunteered. All city participation is subject to the availability of funds. City participation must comply with Subchapter C of Chapter 212 and Chapter 252 of the Texas Local Government Code. (Ord. Nos. 20092; 20730; 21186; 23384; 25047; 26530)*

SEC. 51A-8.612 (a)

> *"...Private development contracts for water and wastewater improvements, if needed, must comply with Chapter 49 of the Dallas City Code. …"*

SEC. 49-62. RULES REGARDING THE CONSTRUCTION AND COST OF NEW MAINS IN A DEVELOPMENT.

(a) Oversize mains. The city will participate in the cost of any oversize main the developer is required to construct, by purchasing the excess capacity in the main at the oversize cost of the main. The director's determination of the size of main necessary to adequately serve the subdivision, and the necessary degree of oversizing, is final. Oversize cost will be based upon the evaluated cost tables of Section 49-18.11 and will be paid after acceptance of the oversize main by the city.

(b) On-site extensions. The developer must construct all new on-site extensions necessary to adequately serve the development, subject to applicable city payments for participation in oversize cost under Subsection (a). Construction of an on-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended.

(c) Off-site extensions. The following rules govern the installation of and city participation in off- site extensions required to be constructed by a developer in order to adequately serve the development:

(1) The developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a).

(2) Construction of an off-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended. The off-site extension construction may be included as a part of any private development contract for construction of on-site extensions or other infrastructure within the development, provided the rules of this article are complied with. The city will participate in the cost of the off-site extension by purchasing the extension, after completion and acceptance by the city, for the total evaluated cost of the extension. City payment will be made in the manner provided in this subsection.

(3) The city will make payment for purchase of the off-site extension based upon new connections to the extension, at the applicable rate stated in Section 49-18.15(a). The developer or other person entitled to payment under Subsection (c)(5) must request payment in writing, and provide addresses and lot and block numbers for new connections, on a semi-annual basis or on such other basis as prescribed by the director in order to better facilitate proper payment. However, if the development requiring the off-site extension and the surrounding property through which the extension is constructed are, at completion of construction, fully developed in a manner consistent with its zoning so that all or substantially all of the new connections to the extension capable of being made are actually made and no additional new connections are expected or required, the full amount of city payment owed to the developer will be made upon acceptance of the extension instead of the rated payment method described above.

The developer requests that full payment for off-site construction costs as requested, due to conditions created by other development which necessitate off-site construction and the fully developed area in which no new connections are expected.

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Chapter 49 does not appear to allow for an apportionment process on off-site mains in a cost-sharing contract, or determines those through the code above. The private development contract for these mains has been approved and the developer requests compensation under the off-site main purchase process at full construction value after completion and acceptance of mains, including those in Los Angeles Blvd.

City of Dallas Development and Design Procedure and Policy Manual, Section 4.2:

When water and/or wastewater mains are to be constructed, they shall extend the entire length of the property to be platted or developed regardless of the location of the water and/or wastewater services. This will ensure the neighboring properties can extend these mains when required. The only exception will be if surrounding property cannot be served by the extension of these mains, then the mains can end after the services. This will be determined by the Sustainable Development and Construction Water / Wastewater Coordinator.

Summary of actions which result in extra costs to develop land

- Blue Ridge Estates did not provide adequate drainage outfall to meet current drainage outfall calculations
- Blue Ridge Estates did not provide water or wastewater extensions to site, and did not provide easements to allow any connection through property as required by the 2015 City of Dallas Development Design Procedure and Policy Manual in section 4.2.
- City of Dallas adopted 2019 Drainage Design Manual under which current undeveloped conditions exceed outfall capacity of existing infrastructure, and existing land surrounding property is not compliant with new requirements, causing an unequal burden to be placed on the development of Shady Hollow Estates
- City of Dallas did not require Los Angeles Blvd to be constructed at time of platting for church or school or provide water, wastewater or drainage improvements
- City of Dallas did not require drainage redirection from school property away from Shady Hollow Estates at time of platting and/or construction
- City of Dallas did not provide for drainage accommodation at time of park planning, dedication, or construction
- City of Dallas determined that required detention cannot be part of open space, and must be provided for by taking from land which could otherwise be used for lot area

Compensation Summary

The Shady Hollow Estates development has approval conditioned on several improvement requirements. Shady Hollow Development LLC requests compensation for improvements outside the platted area as follows:

Los Angeles Blvd - Paving and Drainage

- 65% of paving and grading costs for Los Angeles Blvd along west boundary of plat (25% for lot access of 6 lots and 10% for site traffic utilization):
    - 34,240SF of grading and road base preparation: 3,806SY at $5/SY - $19,030
    - 30,310SF of paving: 3,367SY at $70/SF - $235,690
    - Total: 65% of $254,720 = **$165,560**
- 100% of storm drain costs for Los Angeles Blvd:
    - Installation of 1 5ft storm manhole: $8,120
    - Installation of 1 14ft storm drain inlet: $9,120
    - Installation of 2 10ft storm drain inlets: $7980/ea - $15,960
    - Installation of 1 4x4 “Y” inlet: $6,890/ea - $6,890
    - Installation of 62LF of 21in RCP: $131/LF - $8,122
    - Installation of 29LF of 24in RCP: $160/LF - $4,650
    - Installation of 105LF of 30in RCP: $182/LF - $19,110
    - Installation of 26LF of 36in RCP: $302/LF - $7,852
    - Installation of 154LF of 42in RCP: $329/LF - $50,666
    - Installation of 22LF of 54in RCP: $452/LF - $9,944
    - Total: **$140,434**

Water and Wastewater

Los Angeles Blvd - Water and Wastewater

- 1181LF of 8in DR14 water line in Los Angeles Blvd (subtract 25ft for each of 6 lots fronting onto Los Angeles Blvd from total length of 1331LF): $43/LF - $50,783
- Connect to existing water main in Blue Ridge: $8,000
- 271LF of 8in SDR26 wastewater line in Los Angeles Blvd (subtract 25ft for each of 6 lots fronting onto Los Angeles Blvd from total length of 421LF): $33.50/LF - $9,078
- 1 4ft wastewater manhole: $4,500

Alley - Wastewater

- 571LF of 8in SDR26 wastewater line: $33.50/LF - $19,128.50
- 2 4ft manholes: $4,500/ea - $9,000.00
- Connect to existing manhole: $3,000.00
- Remove and replace pavement: $15,000

- Total: **$118,489**

In addition to the improvements above outside the platted area, the following requirements for dedications and construction inside the platted area are not proportional to the needs created by the development:

Alleys - Dedication

- Dedication of 6,787SF of alleys at $10/sf, **$67,870**

Detention - Loss of Lot Area and Construction

- Loss of lot area to detention space of 46,000SF at $10/sf, $460,000
- Construction of detention area:
    - Tree removal: $5,000
    - Grading: $20,000
    - 62LF of 18in RCP: $108/LF - $6,696
    - 2 TXDOT safety end treatment 18in: $3,160/ea - $6,320
    - 242LF of 30in RCP: $182/lf - $44,040
    - 6 TXDOT safety end treatments 30in: $4,780/ea - $28,680
    - 308LF of fencing: $22/LF - $6,760
    - Vegetation: $5,000
    - Total: $123,496
- **Total Detention Dedication and Construction: $583,496**

Site 19 Build LLC - Project Estimate

Site 19 Build LLC has prepared the following bid for paving and drainage construction of the Shady Hollow Estates project on 11-10-2022 based on plans from Lim & Associates dated 10-15-2022. This bid is valid for 30 days and subject to adjustment based on additional information provided.

Item	Quantity	Unit Cost	Total Cost
6" 4,000PSI Reinf. conc. pvmnt (#3x24" OCEW) w/ Curb (SY)	14280	$70.00	$999,600
Grade preparation (SY)	16380	$5.00	$81,900
16' Drive approach	73	$1,700.00	$124,100
4ft sidewalk (LF)	5400	$24.00	$129,600
Street Sign Poles	5	$300.00	$1,500
Stop Signs	5	$120.00	$600
Street Signs	5	$120.00	$600
Barrier Free Ramp	12	$2,260.00	$27,120
Bonding	1	$30,000.00	$30,000
			$1,395,020
5ft Storm Manhole	1	$8,120.00	$8,120
72in RCP Storm Drain	73	$782.00	$57,086
66in RCP Storm Drain	236	$681.00	$160,716
54in RCP Storm Drain	171	$452.00	$77,292
42in RCP Storm Drain	154	$329.00	$50,666
36in RCP Storm Drain	26	$302.00	$7,852
30in RCP Storm Drain	347	$182.00	$63,154
24in RCP Storm Drain	65	$160.00	$10,400
21in RCP Storm Drain	700	$131.00	$91,700
18in RCP Storm Drain	62	$108.00	$6,696
Grouted Rip-Rap SY	42	$100.00	$4,200
14ft Inlet	2	$9,120.00	$18,240
10ft Inlet	9	$7,980.00	$71,820
4ft x 4ft "Y" Inlet	3	$6,980.00	$20,940

21in Type B Headwall	3	$4,160.00	$12,480
72in Type B Headwall	1	$14,360.00	$14,360
TXDot Safety End Treatment, 18in	2	$3,160.00	$6,320
TXDOT Safety End Treatment, 30in	6	$4,780.00	$28,680
Trench Safety LF	1600	$2.00	$3,200
Inspection & Testing	1600	$2.00	$3,200
Bonding	1	20000	$20,000
			$729,002
Detention tree clearing	1	$5,000.00	$5,000
Detention excavation/grading	2000	$10.00	$20,000
Vegetation	1	$5,000.00	$5,000
Inspection & Testing	1	$5,000.00	$5,000

Adrian Cole
Shady Hollow Development LLC
1600 Sylvan Ave.
Sdallas, TX 75208
adrian@419builders.com

EXHIBIT "A"

PROPOSAL

PROJECT: Shady Hollow Estates Paving

DATE: 11/10/22

LOCATION: Dallas, TX

PROPOSAL NO: 20-22.11.10-01

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project.
All bid items and quantities included in the scope of work were based on plans dated, 10/1/22 , by LIM & Associates, Inc

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
01	Bonds	1	LS	24,988.00	$ 24,988.00
02	Site Facilities	1	LS	1,250.00	$ 1,250.00
03	6" Thick, 4,000PSI Reinforced Concrete Pavement (#3's @ 24" OCEW) w/ Curb & 7% Lime Treatment @ 6" Depth	13,768	SY	97.00	$ 1,335,496.00
04	16' Drive Approach	73	EA	1,725.00	$ 125,925.00
05	4'-0" Width Concrete Sidewalk (5,400 LF)	23,984	SF	6.50	$ 155,896.00
06	Barrier Free ADA Ramps	20	EA	2,188.00	$ 43,760.00
	TAX EXEMPT (No taxes required) Dallas, TX	8.25%	%		
				TOTAL	$ 1,687,315.00

TERMS AND CONDITIONS

THIS PROPOSAL IS VALID FOR **THIRTY (30) DAYS** FROM THE DATE OF THIS PROPOSAL. THIS PROPOSAL AND ITS TERMS AND CONDITIONS OR ANY OTHER SPECIAL CONDITIONS (EXHIBIT "B") SHALL BECOME PART OF THE CONTRACT AS EXHIBIT "A". A CONTRACT SHALL BE PROVIDED BY THE OWNER, GENERAL CONTRACTOR, OR RATLIFF HARDSCAPE, LTD. AND EXECUTED PRIOR TO COMMENCEMENT OF ANY WORK. THE ABOVE QUANTITES HAVE BEEN ESTIMATED; HOWEVER, THIS PROPOSAL IS A **UNIT PRICE** BASIS WITH PAYMENTS TO BE MADE BY THE HIRING OWNER OR GENERAL CONTRACTOR BY USING FIELD MEASURED QUANTITIES OF WORK COMPLETED. RATLIFF HARDSCAPE, LTD. SHALL SUBMIT BY THE **25th OF EACH MONTH**, PARTIAL ESTIMATES, TO THE OWNER OR GENERAL CONTRACTOR WHICH INCLUDE ALL OF THE COMPLETED WORK PLUS ANY MATERIAL ON HAND FOR THE UNCOMPLETED PORTION. THE RETAINAGE AMOUNT TO BE WITHHELD FROM EACH MONTHLY INVOICE SHALL BE SPECIFIED BY THE HIRING OWNER OR GENERAL CONTRACTOR. IF NOT SPECIFIED, NO RETAINAGE WILL BE WITHHELD. PAYMENT TERMS ARE **NET FIFTEEN (15) DAYS** FROM THE DATE OF THE INVOICE. ALL INVOICES NOT RECEIVED IN FULL BY THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE UNTIL THE DATE FULL PAYMENT IS RECEIVED AT RATE OF **15% PER ANNUM**. SALES TAX MUST BE APPLIED UNLESS MATERIAL USED FOR REALTY IMPROVEMENTS OF A TAX EXEMPT ENTITY OR BY RECEIPT OF A **"SALES TAX EXEMPT"** CERTIFICATE. **PLEASE REVIEW ALL THE SPECIAL CONDITIONS PROVIDED HEREIN AS EXHIBIT "B".**

PLEASE SIGN THIS PROPOSAL AND RETURN ONE (1) ORIGINAL TO OUR OFFICE. YOUR ACCEPTANCE OF THIS PROPOSAL SHALL CONSTITUTE THE INTENT TO ENGAGE INTO A CONTRACT WITH RATLIFF HARDSCAPE, LTD. TO PERFORM THE ABOVE REFERENCED WORK.

ACCEPTED:

(OWNER / GENERAL CONTRACTOR)

By: _____
Signature

_____
Print Name

Its': _____
Title

RESPECTFULLY SUBMITTED:
Ratliff Hardscape, Ltd.
(CONTRACTOR / SUB-CONTRACTOR)

By: _____
Signature

Booder McWhorter
Print Name

Its': President & C.O.O.
Title

Adrian Cole
Shady Hollow Development LLC
1600 Sylvan Ave.
Sdallas, TX 75208
adrian@419builders.com

EXHIBIT "B"

SPECIAL CONDITIONS

PROJECT: **Shady Hollow Estates Paving** **DATE:** **11/10/22**

LOCATION: Dallas, TX **PROPOSAL NO:** 20-22.11.10-01

THIS FOLLOWING SPECIAL CONDITIONS PROVIDED BY RATLIFF HARDSCAPE, LTD. ARE SET FORTH TO ENSURE OUR SCOPE OF WORK HAS BEEN PROPERLY COMMUNICATED AND UNDERSTOOD BY THE OWNER, GENERAL CONTRACTOR, OTHER SUB-CONTRACTORS, ENGINEERS, MUNICIPALITY, OR OTHER GOVERNMENT ENTITIES. IT IS OUR FULL INTENT TO PROVIDE QUALITY WORKMANSHIP, JOB-SITE SAFETY, AND A LONG-LASTING WORKING RELATIONSHIP THROUGHOUT THE PROJECT. PLEASE REVIEW IN ITS' ENTIRETY ALL CONDITIONS SO THAT ANY DISCREPANCIES MAY BE RESOLVED PRIOR TO COMMENCEMENT OF WORK. IF THE "YES" BOX IS CHECKED THEN THE CONDITION DESCRIBED IS INCLUDED IN THE SCOPE OF WORK. IF CHECKED "NO", THEN THE CONDITION IS NOT INCLUDED IN THE SCOPE OF WORK. INTIAL BELOW THAT YOU HAVE READ AND FULLY UNDERSTAND THESE CONDITIONS.

	YES	NO	
01		x	STAKING (BY OWNER)
02		x	GEOTECHNICAL MATERIALS TESTING (BY OWNER)
03		x	IMPACT FEES, CONNECTION FEES, METER FEES OR DEPOSITS
04		x	STRUCTURAL ENGINEERING (FOR HARDSCAPE ONLY)
05		x	ENGINEERING (BY OWNER)
06		x	PERMIT FEES (FOR HARDSCAPE ONLY)
07		x	PAYMENT & PERFORMANCE BOND
08		x	MAINTENANCE BONDS
09		x	INSPECTION FEES
10		x	SALES TAX
11	x		INSURANCE REQUIREMENTS
12		x	TRAFFIC CONTROL
13	x		MOBILIZATION (1 TIME ONLY)
14		x	SWPPP DESIGN
15		x	SWPPP INSPECTIONS
16		x	BUFF MORTAR (HARDSCAPE SCREENWALLS, COLUMN, & MONUMENTS)
17		x	BUFF MORTAR (RETAINING WALLS)
18		x	TREE REMOVAL; ALL TREES TO BE TAGGED AND MARKED BY OWNER & CITY (CHIPPED AND HAULED OFFSITE)
19		x	ROCK & BOULDER REMOVAL
20		x	SEEDING, SODDING, OR HYDROMULCH
21		x	EROSION CONTROL AS NOTED IN PLANS
22	x		STAGING AREA (TO BE PROVIDED BY OWNER ON OR CONTIGUOUS TO SITE)
23	x		BACKFILL (ALL SCOPE OF WORK)
24		x	HAUL OFF OF EXISTING TRASH OR DEBRIS FOUND BURIED OR OTHERWISE HIDDEN FROM SITE OR NOT IN PLANS
25		x	HAUL OFF OF ANY UNSUITABLE MATERIAL
26		x	UNDERCUTTING, SELECT FILL, MOISTURE CONDITIONING
27		x	UNDERGROUND UTILITY CONFLICTS (TO BE RELOCATED BY OTHERS)
28		x	UTILITY INSTALLATION (BASED ON UTILITY WORK INSTALLED PRIOR TO GAS, ELECTRIC, PHONE, CABLE, OR OTHERS)
29	x		SPOILS TO BE STOCKED ON-SITE (APPROVED BY OWNER)
30		x	ROADWAY SUB-GRADE MUST BE +/- 0.20 FEET PRIOR TO UTILITY CONSTRUCTION AND WILL BE RETURNED TO GRADE
31		x	PAVING & PAD SUBGRADE SHALL NOT EXCEED +/- 0.10 FEET. FINE GRADING OR TRIMMING BY PAVING CREW
32		x	EXPORT OF ANY DIRT ON-SITE
33		x	DEWATERING OF SCOPE OF WORK
34		x	IF VACUUM TRUCK IS NEEDED FOR PIERS; ADD $1500 PER PIER
35		x	ELECTRICAL POWER SOURCE FOR ENTRY LIGHTING
36		x	ELECTRICAL POWER SOURCE FOR IRRIGATION
37	x		FINAL CLEANUP
38	x		SUBJECT TO RATLIFF'S LIMITED WARRANTY (ATTACHED AS EXHIBIT "C")

NOTES:

01 Proposal excludes any excavation, moving and/or grinding of rock for all work.
02
03
04

IF THIS IS A REPAIR BID PROPOSAL OF WHICH RATLIFF DID NOT PERFORM THE CONCRETE UNDERGROUND PIER OR FOOTINGS, RATLIFF WILL NOT BE RESPONSIBLE FOR ANY SURFACE CRACKING AND WILL PROVIDE A ONE (1) YEAR LIMITED WARRANTY FROM THE COMPLETION DATE. SEE ATTACHED EXHIBIT "C".

I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS: _____ Initials _____ Initials

EXHIBIT "C"

RATLIFF HARDSCAPE, LTD. ONE YEAR LIMITED WARRANTY

RATLIFF HARDSCAPE, LTD.'S WARRANTY OBLIGATIONS ARE LIMITED TO THE TERMS SET FORTH BELOW

THIS LIMITED WARRANTY: This Ratliff Hardscape, Ltd. One Year Limited Warranty shall be referred to as the "**Limited Warranty**" in this document.

WHAT IS COVERED: Ratliff Hardscape, Ltd.'s ("**Ratliff**") Work. "**Work**" shall mean that certain work and those services further described between Ratliff and Owner (the "**Agreement**") and this Limited Warranty is an exhibit to such Agreement.

WARRANTY: Ratliff warrants that the Work furnished will: (i) be provided in a professional manner; (ii) be performed by appropriately knowledgeable and skilled personnel; (iii) conform to the requirements of the Agreement; (iv) conform to standards generally observed in the industry for similar services and work; and (v) will meet all applicable municipal or other jurisdictional requirements and other applicable laws pertaining to the Work.

Ratliff warrants that except for any Shrink Cracks, any cracking, in excess of one-quarter inch and longer than 20% of all the joints and edges of the concrete flatwork, occurring during the curing process and resulting from poor workmanship or use of substandard materials shall be repaired or replaced, at the sole election of Ratliff. Ratliff makes no claim that hairline cracks might not develop, but insures that reasonable precautions are taken to minimize their occurrences by using industry tested methods and quality materials. It is acknowledged that color differences may result for repairs. Please see the section entitled "Shrink Cracks and Control Joints" for a further explanation of shrink crack and control joints.

EXCLUSIONS FROM COVERAGE: Ratliff's Limited Warranty for the Work excludes loss, damages and defects caused by any of the following:

1. Any work performed, services provided or material supplied in accordance with any plans or specifications supplied, prepared or requested by the Owner, or by anyone on behalf of the Owner other than Ratliff, or Ratliff's employees, agents, contractors or subcontractors acting under Ratliff's direction (collectively "**Ratliff's Employees**").

2. Any defects caused or made worse by the negligence, gross negligence, willful conduct, abusive use, improper maintenance, lack of regular maintenance or other action of anyone other than Ratliff, or Ratliff's Employees.

3. Defects in driveways, walkways, patios, boundary walls, retaining walls, bulkheads, fences, landscaping, including without limitation sodding, seeding, shrubs, trees and plantings, off-site improvements, or any other improvements not part of the Work itself.

4. Any damage to the extent it is caused or made worse by failure of the Owner or by anyone other than Ratliff's Employees, to comply with the warranty requirements, including without limitation the Manufacturer Warranties, of manufacturers of items used in accordance with the Work; or failure by the Owner to give notice to Ratliff of any defects within a reasonable time; or changes of the grading of the ground by anyone other than Ratliff, or Ratliff's Employees; or changes, alterations or additions made to the Work by anyone after the Effective Date; dryness, cracking, dampness, condensation or soil movements, due to the failure of the Owner to maintain adequate irrigation; seepage of water; or insect damage.

5. Loss or damage which the Owner has not taken timely action to minimize.

6. Any defect in, caused by, or resulting from, materials or work supplied by anyone other than Ratliff or Ratliff's Employees, including without limitations defects covered under any of the Manufacturer Warranties.

7. Normal wear and tear or normal deterioration.

8. Loss or damage not specifically covered under this Limited Warranty.

9. Loss or damage not caused by a defect in the Work completed by Ratliff or Ratliff's Employees.

10. Loss or damage caused by, or resulting from, accidents, riot and civil commotion, fire, explosion, smoke, water escape, falling objects, aircraft, vehicles, acts of God, adverse environmental conditions, lightning, windstorms, hail, flood, mudslide, earthquake, wind-driven water and changes in the underground water table which were not reasonably foreseeable.

11. Defects, which are the result of characteristics common to the materials used (such as but not limited to fading and minor cracking).

12. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage related to any Shrink Cracks.

13. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage caused directly or indirectly by any underground movement, including without limitation any surface cracking, unless Ratliff performed repairs to the concrete underground pier or footings as part of the Work.

14. Loss or damage caused or made worse pursuant to the provisions specified in the section entitled "Notice of Claim".

15. Loss or damage to any third party manufactured products.

TERM: The terms of the coverage of this Limited Warranty begin on the date of substantial completion of the Work (the "**Effective Date**") and continue until the one (1) year anniversary of the Effective Date (the "**Expiration Date**"). The Effective Date of the warranty period for all incomplete punch list items identified in writing as "punch list items" as of the date of substantial completion of the Work shall begin when the Owner and Ratliff have mutually and reasonably agreed that such incomplete punch list items are 100% complete, in which case the Expiration Date for the warranty period for such incomplete punch list items shall be one (1) year following the Effective Date assigned to such incomplete punch list items.

MANUFACTURERS' WARRANTIES: Ratliff assigns and passes through to Owner the manufacturers' warranties on all manufactured products (including, but not limited to, bricks, cinder blocks, and manufactured stone) and equipment (collectively, the "**Manufacturer Warranties**").

RATLIFF DOES NOT WARRANTY ANY THIRD PARTY MANUFACTURED PRODUCTS.

LIMITATIONS ON WARRANTY: RATLIFF'S LIABILITY TO THE OWNER OR ANY OTHER THIRD PARTY, FOR A CLAIM OF ANY KIND ARISING AS A RESULT OF, OR RELATED TO THE GOODS OR SERVICES PROVIDED HEREUNDER, WHETHER IN CONTRACT, IN TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), UNDER ANY WARRANTY, OR OTHERWISE, SHALL BE LIMITED TO MONETARY DAMAGES AND THE AGGREGATE AMOUNT THEREOF FOR ALL CLAIMS SHALL IN NO EVENT EXCEED AN AMOUNT EQUAL TO THE AMOUNT PAID OR PAYABLE BY THE OWNER TO RATLIFF UNDER THE AGREEMENT. UNDER NO CIRCUMSTANCES SHALL RATLIFF BE LIABLE TO THE OWNER OR ANY THIRD PARTY FOR INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING

LOST PROFITS), EVEN IF OWNER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, OR FOR WARRANTIES GRANTED BY THE OWNER TO ANY THIRD PARTY. THE OWNER ACKNOWLEDGES AND AGREES THAT THESE LIMITATIONS SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY. NO ACTION, REGARDLESS OF FORM, ARISING UNDER THE AGREEMENT OR THIS LIMITED WARRANTY MAY BE BROUGHT BY THE OWNER AFTER THE EXPIRATION DATE.

DISCLAIMER OF WARRANTIES

EXCEPT AS EXPRESSLY SET FORTH IN THIS LIMITED WARRANTY AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THE WARRANTY AND REMEDIES SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, REMEDIES AND CONDITIONS, WHETHER ORAL OR WRITTEN, EXPRESS OR IMPLIED AND RATLIFF EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, CONDITIONS OR REPRESENTATIONS, EXPRESS OR IMPLIED, STATUTORY OR OTHERWISE, REGARDING THE GOODS OR OTHER SERVICES PROVIDED BY RATLIFF HEREUNDER, INCLUDING ANY IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, SATISFACTORY OR MERCHANTABLE QUALITY OR MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFAULTS OR COMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT), FITNESS FOR A PARTICULAR PURPOSE, OR THOSE ARISING FROM A COURSE OF DEALING OR USAGE OF TRADE OR ANY OTHER MATTER AFFECTING THE WORK.

WARRANTY CLAIMS

NOTICE OF CLAIM: If the Owner believes a defect in the Work that is covered by this Limited Warranty arises, then Owner shall provide written notice to Ratliff, and Ratliff must receive such written notice, at Ratliff's current address of record, and such written notice shall include a detailed description of such defect (the "**Defect Notice**"). Ratliff must receive the Defect Notice on or before the ***earlier of*** the Expiration Date or thirty (30) days after the date Owner or any of Owner's shareholders, members, partners, owners, directors, managers, officers, employees, contractors, agents, or representatives discover the defect specified in such Defect Notice. Ratliff is not responsible for any loss or damage covered by this Limited Warranty if such loss or damage is caused or made worse by failure to give written notice to Ratliff of such defect within the time periods required pursuant to this paragraph.

RATLIFF'S PERFORMANCE: If a defect occurs in an item which is covered by this Limited Warranty, Ratliff, within 60 days after receipt of the related Defect Notice, will repair, replace, or pay Owner the reasonable cost of repairing or replacing the defective item. Ratliff's total liability under this Limited Warranty is limited pursuant to the provisions of the section entitled "Limitations on Warranty". Ratliff, in Ratliff's sole and absolute discretion, may choose among the repair, replacement or payment options specified in this paragraph. Steps taken by Ratliff to correct defects shall not act to extend the terms of this Limited Warranty.

INSURANCE: If Ratliff repairs, replaces, or pays the cost of repairing, any defect covered by this Limited Warranty for which Owner is covered by insurance, Owner must, upon request by Ratliff,

assign the proceeds of such insurance to Ratliff to the extent of the cost to Ratliff of such repair or replacement.

SETTLEMENT OF DISPUTES: All disputes between the parties may be resolved by litigation, in a court of competent jurisdiction, except that Ratliff may, at its sole option, require that any dispute be submitted to binding arbitration pursuant to the Construction Industry Rules of the American Arbitration Association. Each arbitrator selected by the American Arbitration Association shall be a licensed construction attorney with at least seven (7) years of experience. If the dispute is arbitrated, the award rendered by the arbitrator(s) shall be final, and the judgment may be entered upon it in accordance with the application law in any court having jurisdiction thereof. The arbitration election by Ratliff shall be made no later than thirty (30) days following receipt of service of process of any litigation from Owner or, if the claim is asserted by Ratliff, shall be made upon the filing of demand for arbitration by Ratliff. Notwithstanding the above, Ratliff shall not be deemed to have waived any right it may have to arbitrate its dispute with Owner by the filing of litigation against Owner and its surety. The demand for arbitration in no event shall be made after the date within institution of legal or equitable proceedings based upon such claim, dispute or other matter in question would be barred by the applicable statute of limitations. In the event of litigation or arbitration of any dispute between Ratliff and Owner, Ratliff (if it prevails in prosecution or defense) shall be awarded attorneys' fees, costs of court and such other damages as may be permitted by this Limited Warranty and applicable law. In the event of litigation or arbitration of any claim brought by Owner against Ratliff, the Owner (if it prevails) shall be awarded attorneys' fees and costs of court. Except as specifically provided in this Limited Warranty, Owner shall have no claim against Ratliff for any cause related to any defect in the Work whatsoever.

MISCELLANEOUS

GENERAL PROVISIONS: Should any provision of this Limited Warranty be deemed by a court of competent jurisdiction to be unenforceable, that determination will not affect the enforceability of the remaining provisions. Use of one gender in this Limited Warranty includes all other genders, and use of the plural includes the singular, all as may be appropriate. The section and subsection headings contained in this Limited Warranty are for reference purposes only and shall not effect in any way the meaning or interpretation of this Limited Warranty. This Limited Warranty is to be governed by and construed in accordance with the laws of the State of Texas. Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

No Ratliff Employee is authorized to make any modification, extension, or addition to this Limited Warranty.

SHRINK CRACKS AND CONTROL JOINTS: Newly placed concrete can be expected to crack within the first few days of placement during the curing process. These cracks are often referred to as "**Shrink Cracks**". Shrink Cracks are, typically, narrow stress cracks in the surface of the concrete. Reinforcing steel and/or fiber will minimize the number and width of Shrink Cracks. "**Control Joints**" are saw cut or hand grooved joints in the concrete. Control Joints encourage the concrete to crack (there by relieving the natural stress of the curing process) along these predetermined cuts and grooves. Control Joints do not prevent Shrink Crack; however, they may assist in reducing and/or hiding the crack when they occur.

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DDM CONSTRUCTION PROPOSAL

DDM Construction Corp.

4006 Belltline Rd. #230

Addison, TX 75001

Contact: **Shane Roberts**

Phone: **214-789-8816**

Email: **estimators@ddmcc.net**

Quote To:	Shady Hollow Development LLC	Job Name:	Shady Hollow Estates - Paving & Drainag
Contact:	Adrian Cole	Date of Plans:	October 2022
Phone:	214-918-4671	Revision Date:	November 2022
Email:	adrian@419builders.com		
Fax:			

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	6" 4,000PSI REINF. CONC. PVMNT (#3X24" OCEW) W/ CU	12,640.00	SY	70.00	884,800.00
20	16' DRIVE APPROACH	73.00	EA	5,052.00	368,796.00
30	4FT SIDEWALK LF	5,400.00	LF	37.00	199,800.00
40	STREET SIGN POLES	5.00	EA	266.00	1,330.00
50	STOP SIGNS	5.00	EA	89.00	445.00
60	STREET SIGNS	5.00	EA	112.00	560.00
70	BARRIER FREE RAMP	12.00	EA	2,746.00	32,952.00
80	72IN RCP STORM DRAIN	30.00	LF	844.00	25,320.00
90	66IN RCP STORM DRAIN	248.00	LF	699.00	173,352.00
100	54IN RCP STORM DRAIN	176.00	LF	481.00	84,656.00
110	42IN RCP STORM DRAIN	240.00	LF	349.00	83,760.00
120	30IN RCP STORM DRAIN	308.00	LF	194.00	59,752.00
130	24IN RCP STORM DRAIN	49.00	LF	171.00	8,379.00
140	21IN RCP STORM DRAIN	324.00	LF	139.00	45,036.00
150	5FT STORM MANHOLE	1.00	EA	8,091.00	8,091.00
160	GROUTED RIP-RAP SY	172.00	SY	234.00	40,248.00
170	14FT INLET	1.00	EA	10,842.00	10,842.00
180	12FT INLET	1.00	EA	9,536.00	9,536.00
190	10FT INLET	9.00	EA	8,641.00	77,769.00
200	4FT X 4FT "Y" INLET	3.00	EA	7,167.00	21,501.00
210	21IN TYPE B HEADWALL	3.00	EA	4,408.00	13,224.00
220	42IN TYPE B HEADWALL	2.00	EA	9,007.00	18,014.00
230	72IN TYPE B HEADWALL	1.00	EA	20,432.00	20,432.00
240	TXDOT SAFETY END TREATMENT, 30IN	8.00	EA	5,291.00	42,328.00
260	TRENCH SAFETY LF	1,600.00	LF	2.00	3,200.00
270	INSPECTION & TESTING	1.00	LS	50,000.00	50,000.00
280	BONDING	1.00	LS	30,000.00	30,000.00
290	GRADE DETENTION POND & OUTFLOW	1.00	LS	114,000.00	114,000.00
300	TV INSPECTION FOR RCP	1,375.00		1.50	2,062.50

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
GRAND TOTAL					**$2,430,185.50**

NOTES:

CLARIFICATION

-Final grading (crushing/processing base with reclaimer and compacting) for concrete placement NOT inlcuded in pricing
-Detention pond is bid assuming all fill material will be on site
-Includes 1 mobilization, additional mobilzations will be $10,000
-Items and quantites are based on bid sheet provided.
-All material excavated will be stockpiled on site
-All grading to be completed withing tolerance (+/- 1/10') before concrete scope begins
-Concrete test and density test are only tests being provided
-Firm,flat,compacted subgrade 3' behind curb or edge of pavement will be required for slipform paver trackline
-DDM is not responsible for excessive yield loss due to subgrade issue (out of tolerance)
-Quote includes sawing and sealing of concrete
-DDM must have a 4 weeks notice prior to commencement of operation
-This quote is valid for 60 days from the bid date

EXCLUSIONS

-Permits and fees
-Traffic control
-SWPPP (Storm Water Pollution Protection Plan)
-Erosion Control
-Handling existing contaminated dirt/water
-Street sweeping caused by others
-Existing utility relocation
-Landscaping
-Pavement markings
-Temporary signs
-Backfilling curb
-Street Headers
-2nd year maintenance bond
-Sales Tax
-Any items not explicitly detailed/ stated in the civil drawing packages
-Damage to existing unknown utilities not shown on the plans
-Removal of any unforeseen existing structures or buried pipes

Section 10
Traffic Study

From:	Khankarli, Ghassan
To:	Avatapalli, Shailaja; Nevarez, David
Cc:	Eskander, Mina
Subject:	RE: 3792 Wenatche (311T-10059 Shade Hollow)
Date:	Tuesday, October 18, 2022 1:55:27 PM
Attachments:	image001.png image002.png image003.png image004.png image005.jpg image006.png image007.png image008.png image009.png image010.png image011.png image012.png image013.png

---

I need a traffic study to specifically address ingress and egress from the site. In particular impact to the intersections to get them to the collector and main arterials.
Please note existing roadways are narrow with on street parking allowed in the neighborhood street. Also, need this policy revised to not only consider the generation of the trip volumes but existing infrastructure accommodation

---

From: Avatapalli, Shailaja <s.avatapalli@dallas.gov>
Sent: Thursday, October 13, 2022 7:30 AM
To: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>; Nevarez, David <david.nevarez@dallas.gov>
Cc: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 3792 Wenatche (311T-10059 Shade Hollow)

Gus,
Please see attached trip generation form. Traffic Impact Analysis (TIA) is typically requested when any proposed development generates more than 1,000 vehicle trip ends per day. A single family residential dwelling unit has base rate of 10 trips, and this development is proposing 73 dwelling units, so 730 trips < 1000 trips. Unless there are specific concerns on the traffic impact unique to a development, we do not ask for traffic studies.

Thank you,
Shaila

Shailaja T. Avatapalli, P.E., PTOE, CFM
Transportation Development Services
City of Dallas | Department of Transportation | s.avatapalli@dallas.gov (new email); 214-671-7823

From: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>
Sent: Thursday, October 13, 2022 7:20 AM
To: Avatapalli, Shailaja <s.avatapalli@dallas.gov>; Nevarez, David <david.nevarez@dallas.gov>
Cc: Eskander, Mina <mina.eskander@dallas.gov>

Subject: RE: 3792 Wenatche (311T-10059 Shade Hollow)

Please send me the written standard or criteria by which the decision is made about the trigger point on size

---

From: Avatapalli, Shailaja <s.avatapalli@dallas.gov>
Sent: Thursday, October 13, 2022 7:16 AM
To: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>; Nevarez, David <david.nevarez@dallas.gov>
Cc: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 3792 Wenatche (311T-10059 Shade Hollow)

It is not huge development which will have major impact on roadway system. There are only 73 dwelling units.

Thank you,
Shaila

Shailaja T. Avatapalli, P.E., PTOE, CFM
Transportation Development Services
City of Dallas | Department of Transportation | s.avatapalli@dallas.gov (new email); 214-671-7823

From: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>
Sent: Thursday, October 13, 2022 6:48 AM
To: Avatapalli, Shailaja <s.avatapalli@dallas.gov>; Nevarez, David <david.nevarez@dallas.gov>
Cc: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 3792 Wenatche (311T-10059 Shade Hollow)

Why was a traffic study not requested?

From: Avatapalli, Shailaja <s.avatapalli@dallas.gov>
Sent: Wednesday, October 12, 2022 4:43 PM
To: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>; Nevarez, David <david.nevarez@dallas.gov>
Cc: Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 3792 Wenatche (311T-10059 Shade Hollow)

Gus,
This project is extending Shady Hollow Ln though the plat boundary and providing access to this 73 unit development. I have attached the site plan.
Please see attached two emails, one with my comments for this project and second where we did not ask for traffic study.

If Shady Hollow is extended to Blue Ridge Blvd, it will help with traffic concerns but I am not

sure how city can force them to connect to the north or deny this development.

Thank you,
Shaila

Shailaja T. Avatapalli, P.E., PTOE, CFM
Transportation Development Services
City of Dallas | Department of Transportation | s.avatapalli@dallas.gov (new email); 214-671-7823

From: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>
Sent: Wednesday, October 12, 2022 3:19 PM
To: Nevarez, David <david.nevarez@dallas.gov>; Avatapalli, Shailaja <s.avatapalli@dallas.gov>
Subject: RE: 3792 Wenatche

Need any background you have including request for traffic impacts etc.

From: Nevarez, David <david.nevarez@dallas.gov>
Sent: Wednesday, October 12, 2022 2:35 PM
To: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>; Avatapalli, Shailaja <s.avatapalli@dallas.gov>
Subject: RE: 3792 Wenatche

Greetings Gus,

Is this related to Shady Hollow Estates? See attached plat for 311T-10059.

The City Arborist had a neighborhood meeting last week and there were plenty of questions about traffic for the proposed residential subdivision.

Let us know if there is any information we should consider as part of our review.

David Nevarez, P.E., PTOE, CFM
Transportation Development Services
City of Dallas | (214) 671.5115

From: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>
Sent: Wednesday, October 12, 2022 1:43 PM
To: Nevarez, David <david.nevarez@dallas.gov>; Avatapalli, Shailaja <s.avatapalli@dallas.gov>
Subject: FW: 3792 Wenatche

Do we have a role in this?
Background on it?

Had an extended discussion with CM about this

From: Udrea, Andreea <andreea.udrea@dallas.gov>
Sent: Wednesday, October 12, 2022 12:23 PM
To: Wimer, Megan <megan.wimer@dallas.gov>; Soto, Richard <richard.soto@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Cc: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 3792 Wenatche

Dear Chris,

Adding @Espinoza, Andres here as I think this was for him and not me.

Thank you,
Andreea

Andreea Udrea, PhD, AICP
Assistant Director
City of Dallas | DallasCityNews.net
Planning and Urban Design
1500 Marilla Street, Room 5BN
Dallas, TX 75201
M: 214.288.9343
O: 214.671.8911
andreea.udrea@dallas.gov

How am I doing? Please contact my supervisor at julia.ryan@dallas.gov

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From: Wimer, Megan <megan.wimer@dallas.gov>
Sent: Wednesday, October 12, 2022 12:21 PM
To: Soto, Richard <richard.soto@dallas.gov>; Udrea, Andreea <andreea.udrea@dallas.gov>
Cc: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>
Subject: RE: 3792 Wenatche

Hi, Chris. I am no longer with Development Services. I am copying Sam so that he can provide an update.

Megan

Megan Wimer, AICP, CBO
Chief Planner
City of Dallas | DallasCityNews.net
Planning and Urban Design
1500 Marilla Street, 1FN
Dallas, TX 75201
214-671-5150
megan.wimer@dallas.gov

How am I doing? Please contact my supervisor at andrea.gilles@dallas.gov

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.

From: Soto, Richard <richard.soto@dallas.gov>
Sent: Wednesday, October 12, 2022 12:12 PM
To: Wimer, Megan <megan.wimer@dallas.gov>; Udrea, Andreea <andreea.udrea@dallas.gov>
Cc: Khankarli, Ghassan <ghassan.khankarli@dallas.gov>
Subject: RE: 3792 Wenatche
Importance: High

Good afternoon Megan and Andreea,

Councilmember Thomas is requesting a detailed update on this case. He would like to know what is the current status of the project? Will Development Services be involved in the review process regarding any traffic management issues? Will this case be coming before the city council at any time?

Thank you,

Chris Soto
Council Liaison
Office of Councilmember Casey Thomas, II
Council District 3
1500 Marilla Street, 5F-North
Dallas, TX 75201
O: 214-670-0777
richard.soto@dallas.gov

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From: Wimer, Megan <megan.wimer@dallas.gov>
Sent: Friday, August 26, 2022 2:01 PM
To: Adrian Cole <adrian@419builders.com>
Cc: Eskander, Mina <mina.eskander@dallas.gov>; Barkume, Diana <diana.barkume@dallas.gov>; Thomas II, Casey <casey.thomas@dallas.gov>; Soto, Richard <richard.soto@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Subject: RE: 3792 Wenatche

The grading-only is for the whole site and was issued with a "gentlemen's agreement" that you would not work in the open space area until this issue has been resolved. We have given you the option. Denial of a permit is an appealable action that will get you to the Board.

Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Boulevard, Room 200
Dallas, TX 75203
O: 214-948-4501
C: 945-542-2283
megan.wimer@dallas.gov

Please Take a Moment to Tell Us How We Are Doing.

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.

From: Adrian Cole <adrian@419builders.com>
Sent: Friday, August 26, 2022 1:49 PM
To: Wimer, Megan <megan.wimer@dallas.gov>
Cc: Eskander, Mina <mina.eskander@dallas.gov>; Barkume, Diana <diana.barkume@dallas.gov>; Thomas II, Casey <casey.thomas@dallas.gov>; Soto, Richard <richard.soto@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Subject: Re: 3792 Wenatche

External Email!

The grading permit I applied for was for the non-open space sections of the site, so I don't think it's relevant to what I would like to contest. Can you explain what option I have in taking the open space determination to the board? That is what I am trying to do.

On Fri, Aug 26, 2022, at 1:44 PM, Wimer, Megan wrote:

> To start any construction, you will need a permit, which we cannot grant because your proposal does not comply with the open space requirements that were a condition of your preliminary plat. We could have denied the grading-only permit but were trying to help you by being facilitative since you already had folks on the site who needed to work (and who had already begun working without permits, for the record). If you chose to take the Board path rather than redesign, we have provided that as an option.

Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Boulevard, Room 200
Dallas, TX 75203
O: 214-948-4501
C: 945-542-2283
megan.wimer@dallas.gov

Please Take a Moment to Tell Us How We Are Doing.

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Cc: Eskander, Mina <mina.eskander@dallas.gov>; Barkume, Diana <diana.barkume@dallas.gov>; Thomas II, Casey <casey.thomas@dallas.gov>; Soto, Richard <richard.soto@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
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In my reading, the zoning ordinance of the City includes the entire section of 51A, including articles I-XIII. I am requesting a hearing regarding the application of Article VIII, Plat Regulations, and subsection 600, Infrastructure Design and Construction. Sam Eskander has indicated the collective decision of the city that the plat and engineering plans we provided in March do not comply with the zoning code, and issued a final decision. I wish to have a public hearing on this matter, especially due to the fact that the referenced issue of detention and open space was applied differently on a neighboring project.

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Mr. Thomas, I'm sorry to bother you again, but as you may see above we are at a disagreement on the filing of an appeal to the board of adjustments on the interpretation of a definition of Open Space, which was applied differently on another project that you were involved with. I have attached the background document as well. I would appreciate any assistance you can offer in helping me get a public hearing on this case if possible. Thank you.

Adrian Cole
214.918.4671

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Section 11
Lim Engineer's Letter

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPE Firm F-3232 • TBPLS Firm 10123600
1112 N. Zang Boulevard, Suite 200, Dallas, Texas 75203 -1310
Tel. (214) 942-1888 • Fax (214) 942-9881 • E-mail: LimAssoc@aol.com

Civil Engineering
Municipal Engineering
Site Development
Land Surveying

To: City of Dallas Director of Engineering

From: Daniel S. Lim, PE, RPLS, CFM

Date: October 10, 2022

Re: Apportionment Determination as specified in SEC. 51A-1.109.

Background
Guillermo Darce, PE has analyzed the existing infrastructure surrounding the proposed development project Shady Hollow Estates at the street address of 4000 Shady Hollow Ln. Guillermo has also designed infrastructure improvements to facilitate the platting of this property into 73 residential lots under the approval and conditions of plat S178-288.

The developer of this project is Shady Hollow Development LLC. The developer has commissioned this report to request an apportionment determination of infrastructure improvements and land dedications required by the City of Dallas to approve this project.

Streets
The existing improved streets serving this project are adequate for traffic volume and have been extended to the site in accordance with City of Dallas development guidelines. The streets at the south of this project, Wenatche Dr and Shady Hollow Ln are in acceptable condition and size to serve this project.

The proposed design requires improvement of existing right-of-way of Los Angeles Blvd to the west of the project, extending from where Shady Hollow Lane ends to the south. This street improvement will also benefit future development and access to the park and school properties to the west, as well as benefit property to the north in the event of increased development density as allowed by current zoning.

The internal street designs and the improvement of Los Angeles utilize the L-2- (A) specification with 53’ right-of-way and 33’ pavement with sufficient access to the proposed lots from the improved streets, according to street design.

The developments to the south and east primarily utilize the L-2-U(B) specification with 50’ right-of-way and 26’ pavement streets with primary access via alleys.

The required alley dedications of 1.5’ to the north, east, and south as determined by the City of Dallas will primarily benefit existing development and are not required to meet zoning and development requirements for the proposed plat.

Water
The existing water line stubs near the property in Wenatche Dr is 6-inch and in Shady Hollow Lane is 8-inch and appear to be in adequate condition, and were extended to the property in accordance with the City of Dallas development guidelines.
There are no accessible water lines to the north of the project, as the recent development of Blue Ridge Estates did not extend service to this property as required by the City of Dallas development guidelines. The nearest line to the north is in Blue Ridge Blvd, and is of relatively recent construction with adequate capacity to serve this project.

The proposed lines on the internal streets for this plat will be used primarily by the created lots.

The proposed water line in Los Angeles Blvd from Blue Ridge Blvd to Shady Hollow Ln will partially benefit the proposed project, and will also benefit potential development options of the properties to the west and north. This line will primarily benefit other properties and improve the function and resilience of water services in all surrounding areas.

Wastewater
There are no usable wastewater services near this property at an acceptable elevation to facilitate direct connection. The natural topography of this area requires wastewater service to flow downhill to the north. The recent development of Blue Ridge Estates did not extend service to this property as required by the City of Dallas development guidelines. The proposed wastewater service connection is in Blue Ridge Blvd.

The proposed lines on the internal streets for this plat will be used primarily by the created lots.

The proposed wastewater line in Los Angeles Blvd along the length of the property will also benefit future development of properties to the west and allow for economical re-development of those allowed by current zoning. The proposed wastewater line in the unimproved alley area to the north is unnecessary for service to this project, and only of possible benefit to the property to northwest. The proposed lines along the north of the property and extending through the alley to Blue Ridge Blvd do not directly serve this

project, but are required to remedy the lack of service provision due to inadequate connectivity options due to the development of Blue Ridge Estates.

Storm Drainage
The developed areas to the south and west drain onto the project and flow through the site to the recent Blue Ridge Estates development. The Blue Ridge Estates development used drainage calculations to facilitate development of the subject site using rainfall coefficients in line with the current zoning of R7.5 in a built-out condition. Under the 1991 Drainage Design Manual in use at the time, it is expected that the flow rates accepted by this site would not require reduced flow and/or detention.

Under the 2019 Drainage Design Manual now in place, higher rainfall coefficients require increased capacity to contain flow originating from offsite to the downstream outflow. This requires increased storm pipe capacity, larger inlets, and probable detention to reduce flows calculated under these conditions to the limits of the outflow capacity calculated under prior guidelines.

Most of the required storm drain improvements and all of the required detention will benefit surrounding properties to the south, west, and north. The improvements will be of particular value to properties on the west along Los Angeles Blvd, as well as many properties in the downstream area which will have lessened rainfall conditions and increased development potential under the 2019 Drainage Design Manual.

Fire Hydrants
The proposed development includes the installation of 7 new fire hydrants. 5 of these will primarily serve the lots in this project. The 2 fire hydrants proposed in Los Angeles Blvd will also provide benefit to the properties to the west as well as facilitate any future development with increased density allowed by zoning of these properties and the property to the north-west.

Respectfully,

Shady Hollow Development LLC

2217 Yaupon Dr
Irving, TX 75063
adrian@419builders.com
214.918.4671

October 10, 2022

To City of Dallas Director of Engineering

Regarding plat S178-288, we have engaged Lim & Associates, Inc. to perform an analysis of existing infrastructure around this project as provided by Sec. 51A-1.109 of the Dallas Development Code.

This section references an application form, which we have been unable to locate. Please provide this form if available, as well as any updates on the process at the contact below.

Regards,

Adrian Cole
214.918.4671
adrian@419builders.com

Section 12
3792 Wenatche

From: adrian@419builders.com <adrian@419builders.com>
Sent: Thursday, September 8, 2022 7:23 AM
To: Caso, Chris <chris.caso@dallas.gov>
Cc: Palomino, Tammy <Tammy.Palomino@dallas.gov>; Burgess, Casey <casey.burgess@dallas.gov>; Vandenberg, Bertram <bert.vandenberg@dallas.gov>; Wimer, Megan <megan.wimer@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>; Barkume, Diana <diana.barkume@dallas.gov>; Soto, Richard <richard.soto@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>
Subject: Re: 3792 Wenatche

External Email!
Good morning Mr Caso,

Could you please confirm for me what additional requirements (if any) are needed to process the request for a hearing with the Board of Adjustment that I have submitted? As outlined below, I do not see a reasonable basis to require a building permit application to process this. Would you let me know for sure if that is required or if we could proceed with the current application?

Thank you,
Adrian Cole
214.918.4671

On Wed, Aug 31, 2022, at 9:01 AM, Caso, Chris wrote:
Yes.

From: Thomas II, Casey <mailto:casey.thomas@dallas.gov>
Sent: Wednesday, August 31, 2022 8:17 AM
To: Adrian Cole <mailto:adrian@419builders.com>
Cc: Caso, Chris <mailto:chris.caso@dallas.gov>; Palomino, Tammy <mailto:Tammy.Palomino@dallas.gov>; Burgess, Casey <mailto:casey.burgess@dallas.gov>; Vandenberg, Bertram <mailto:bert.vandenberg@dallas.gov>; Wimer, Megan <mailto:megan.wimer@dallas.gov>; Eskander, Mina <mailto:mina.eskander@dallas.gov>; Barkume, Diana <mailto:diana.barkume@dallas.gov>; Soto, Richard <mailto:richard.soto@dallas.gov>; Espinoza, Andres <mailto:andres.espinoza@dallas.gov>
Subject: Re: 3792 Wenatche

Can you take me out of this email thread? Sent from my iPhone

On Aug 31, 2022, at 8:04 AM, Adrian Cole <mailto:adrian@419builders.com> wrote:

External Email!
Good morning,

Can someone provide an update on this issue, regarding what is required to apply for a review with the Board of Adjustment regarding the decision of a building official relating to the zoning code, and why the filed application cannot be processed?

Thank you,
Adrian Cole
214.918.4671

On Fri, Aug 26, 2022, at 3:29 PM, Caso, Chris wrote:
Councilmember Thomas, we will review and provide a response.

From: Thomas II, Casey <mailto:casey.thomas@dallas.gov>
Sent: Friday, August 26, 2022 3:14 PM
To: Adrian Cole <mailto:adrian@419builders.com>
Cc: Wimer, Megan <mailto:megan.wimer@dallas.gov>; Eskander, Mina <mailto:mina.eskander@dallas.gov>; Barkume, Diana <mailto:diana.barkume@dallas.gov>; Soto, Richard <mailto:richard.soto@dallas.gov>; Espinoza, Andres <mailto:andres.espinoza@dallas.gov>; Caso, Chris <mailto:chris.caso@dallas.gov>
Subject: Re: 3792 Wenatche

Thanks for your request.
City Attorney Caso,
Can you share with us my options regarding a public hearing? Sent from my iPhone

On Aug 26, 2022, at 2:52 PM, Adrian Cole <mailto:adrian@419builders.com> wrote:

External Email!
Sorry to bother you Casey, I am have submitted an appeal to the Board of Adjustment regarding a decision by a building official, but I am being told that the application cannot be processed due to an unpublished requirement. I would appreciate if you could direct me to someone who could help bring this case to visibility in a public hearing somehow, as I think that is appropriate and necessary to the issue. Thank you for your time.

Adrian Cole
214.918.4671

On Fri, Aug 26, 2022, at 2:47 PM, Thomas II, Casey wrote:
Can someone tell me why i was copied on this email thread?

Sent from my iPhone

On Aug 26, 2022, at 2:00 PM, Wimer, Megan <mailto:megan.wimer@dallas.gov> wrote:

The grading-only is for the whole site and was issued with a “gentlemen’s agreement” that you would not work in the open space area until this issue has been resolved. We have given you the option. Denial of a permit is an appealable action that will get you to the Board.

Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
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C: 945-542-2283
mailto:megan.wimer@dallas.gov

https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapp.keysurvey.com%2Ff%2F41624269%2F1521%2F&data=05%7C01%7Cmina.eskander%40dallas.gov%7C33f3fdb6181244a3f19308da9194f141%7C2935709ec10c4809a302852d369f8700%7C0%7C0%7C637982366151130673%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=zCj4TbsHey4rn3LbsoRY0%2BXWItyz2idoZMyg%2FPqXIwo%3D&reserved=0.

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- image015.png
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Section 13
Dedicated Area

From: Eskander, Mina <mina.eskander@dallas.gov>
Sent: Thursday, July 21, 2022 7:32 PM
To: adrian@419builders.com
Cc: Miller, Yolanda <yolanda.miller@dallas.gov>; Bordbar, Mohammad <mohammad.bordbar@dallas.gov>; Nelson, Paul <paul.nelson@dallas.gov>; Young, Vernon <vernon.young@dallas.gov>; Yumet, Carolina <carolina.yumet@dallas.gov>; Yi, Changho <changho.yi@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>; Wimer, Megan <megan.wimer@dallas.gov>
Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

Adrian,

A detention area is considered a dedicated area and not open space.
Section 51A-8.201(17) defines detention area to mean an area which temporarily stores stormwater runoff and discharges that runoff at a reduced rate. Section 51A-8.611, "Storm Drainage Design," states that drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Moreover, detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the city of Dallas (51A-8.611(c)(2)).
The general definition of open space means an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves (51A-2.102(101)). Article VIII goes further and defines improved open space to mean open space containing structures or improvements, including but not limited to hike and bike trails, and unimproved open space to mean open space containing no buildings, fences, or other structures above or below grade. Because the detention area is used to temporarily store stormwater runoff and discharges that runoff, it appears that detention areas meet the definition and provisions of storm drainage facilities and not open space.
The platting process requirements in Section 51A-8.403(a)(1)(A)(xi) and (xii) require that the layout and dimensions of proposed storm drainage areas, storm drainage facilities, water and wastewater facilities be indicated on the preliminary plat. Moreover, Romanette (xxv) of this section requires the preliminary plat to show the location of any open space required pursuant to Article XIII. The code makes a distinction between open space and dedications and does not lump open space with the dedications provisions.
Furthermore, the dedications provision in Section 51A-8.602 states that the owner of the property to be platted must provide an easement or fee simple dedication of property needed for the construction of streets, sidewalks, storm drainage facilities, floodways, water mains, and any other property necessary to serve the plat and to implement the requirements of this article. The code requires that the detention area be a dedication.
Lastly, the code defines infrastructure to mean all streets, alleys, sidewalks, storm drainage facilities, water and wastewater facilities, utilities, lighting, transportation, and any other facilities required by law to adequately serve and support development. (51A-8.201(29)) If detention areas were to be considered open space, then the code would have included that in the definition of open space, but it was omitted and defined as infrastructure.

Regarding the Blue Ridge Estates project (311T-9437):
- Attached is the 311T-9437 original approval letter dated 04/19/2018.
- Private Development Contract was executed on 11/14/2018 (see attached).

- Several revisions were approved after the private development contract was executed:
o RTF1 – 01/17/2019
o RTF2 – 09/16/2019
o RTF3 – 11/19/2019
Section 51A-8.601(c) states: If the infrastructure construction is not included in a city-approved private development contract within two years from the preliminary plat approval date, then the infrastructure must be redesigned using the most current criteria.
Since the private development contract was executed prior to 10/01/2019 (effective date of 2019 Drainage Design Manual), this project did not have to follow the new manual which didn't exist at the time.

Please let us know if you have any additional questions.
Have a good evening,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Land Development Team
City of Dallas | http://www.dallascityhall.com/
Development Services
320 E. Jefferson Blvd., Room 200
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From: Eskander, Mina
Sent: Thursday, July 21, 2022 2:54 PM
To: Adrian Cole <mailto:adrian@419builders.com>
Cc: Miller, Yolanda <mailto:yolanda.miller@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Nelson, Paul <mailto:paul.nelson@dallas.gov>; Young, Vernon <mailto:vernon.young@dallas.gov>; Yumet, Carolina <mailto:carolina.yumet@dallas.gov>; Yi, Changho <mailto:changho.yi@dallas.gov>; Espinoza, Andres <mailto:andres.espinoza@dallas.gov>; Wimer, Megan <mailto:megan.wimer@dallas.gov>
Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

Adrian,
We received your email and will provide a response shortly.
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Land Development Team
City of Dallas | http://www.dallascityhall.com/
Development Services
320 E. Jefferson Blvd., Room 200
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From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Monday, July 18, 2022 12:58 PM
To: Eskander, Mina <mailto:mina.eskander@dallas.gov>
Cc: Miller, Yolanda <mailto:yolanda.miller@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Nelson, Paul <mailto:paul.nelson@dallas.gov>; Young, Vernon <mailto:vernon.young@dallas.gov>; Yumet, Carolina <mailto:carolina.yumet@dallas.gov>; Yi, Changho <mailto:changho.yi@dallas.gov>; Espinoza, Andres <mailto:andres.espinoza@dallas.gov>; Wimer, Megan <mailto:megan.wimer@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!
Thank you all for your time today. This was a productive meeting to help us understand our options.

As a followup, would you please provide a written response describing the City's determination of whether detention is allowed in open space?

Also, would you please comment on the following?
• S167-275, Blue Ridge Estates preliminary plat was approved on September 28, 2017
• 311T-9437 3rd addendum engineering plans are dated November 13, 2019
• Is there an explanation for why this project was not required to be re-designed to the 2019 Drainage Design Manual? I don't have the visibility you all do, but I don't believe the city council approved the public contracts for this project until sometime in 2020.

Thank you,
Adrian
214.918.4671

On Wed, Jul 6, 2022, at 4:43 PM, Adrian Cole wrote:
Thank you for the update and for expediting the approval of the grading permit.

I understand the City has taken the position that the development to the north of our project should not have been approved, and that detention areas cannot be considered open space. I would like to submit additional information to be considered in that continuing discussion:

SEC. 51A-2.102. DEFINITIONS.
(101) OPEN SPACE means an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves.

SEC. 51A-8.611. STORM DRAINAGE DESIGN.
(E) Common areas, such as in a CUD, may be located within floodway easements. Before the release of a final plat, access to the common area must be shown on the plat and a permanent maintenance plan must be approved as to form by the city for a common area within a floodway easement. Owners of a common area within a floodway easement are jointly and severally liable for the floodway easement common area maintenance in compliance with this subsection, taxes, and all other standard property owner liabilities.
(F) For purposes of this subsection, "maintenance" means removing any object or condition that, as determined by the director of water utilities, impedes the free flow of water. Maintenance includes:
(i) keeping the floodway easement free from any structures;
(ii) removing debris;
(iii) desilting lakes, ponds, and detention areas; and
(iv) controlling the growth of vegetation.

I do not understand how this can be interpreted to say that detention areas are not open space; detention is specifically mentioned under the definition of CUD in the storm drainage design section.

I would appreciate you all providing what information you have to support your position so that we can analyze it prior to the proposed meeting.

Also, I would appreciate confirmation that this project falls under the previous Drainage Design Manual, as design was started prior to October 1, 2019, and that we may use rainfall, runoff, and detention requirements under the previous manual.
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Regards,
Adrian

On Wed, Jul 6, 2022, at 4:26 PM, Wimer, Megan wrote:
Thanks for taking our call. We are working on scheduling a meeting, as discussed. We'll talk to you soon.
Megan

Megan Wimer, AICP, CBO

Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Boulevard, Room 115
Dallas, TX 75203
214-948-4501 mailto:megan.wimer@dallascityhall.com

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From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Wednesday, July 6, 2022 3:34 PM
To: Wimer, Megan <mailto:megan.wimer@dallas.gov>
Cc: Miller, Yolanda <mailto:yolanda.miller@dallas.gov>; Soto, Richard <mailto:richard.soto@dallas.gov>; Erwin, Philip <mailto:philip.erwin@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Nelson, Paul <mailto:paul.nelson@dallas.gov>; Martinez, Evodio <mailto:evodio.martinez@dallas.gov>; Young, Vernon <mailto:vernon.young@dallas.gov>; Yumet, Carolina <mailto:carolina.yumet@dallas.gov>; Thomas II, Casey <mailto:casey.thomas@dallas.gov>; Eskander, Mina <mailto:mina.eskander@dallas.gov>; Yi, Changho <mailto:changho.yi@dallas.gov>; Espinoza, Andres <mailto:andres.espinoza@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!
Hi Megan, thank you for the update. I am available today whenever is convenient for you.

Adrian
214.918.4671

On Wed, Jul 6, 2022, at 3:31 PM, Wimer, Megan wrote:
Hi Adrian. Once Engineering approves the grading only permit, it will be routed back to Zoning for final sign-off. We are willing to issue the permit with the understanding that no grading will take place in the area identified as open space on the preliminary plat.

We have looped in our Director and have gotten an opinion from the CAO regarding the open space issue. Are you available this afternoon for a quick phone call with Changho and me?

Megan

Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services

320 E. Jefferson Boulevard, Room 115
Dallas, TX 75203
214-948-4501 mailto:megan.wimer@dallascityhall.com

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From: Yi, Changho <mailto:changho.yi@dallas.gov>
Sent: Wednesday, July 6, 2022 2:08 PM
To: Adrian Cole <mailto:adrian@419builders.com>
Cc: Miller, Yolanda <mailto:yolanda.miller@dallas.gov>; Soto, Richard <mailto:richard.soto@dallas.gov>; Erwin, Philip <mailto:philip.erwin@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Nelson, Paul <mailto:paul.nelson@dallas.gov>; Wimer, Megan <mailto:megan.wimer@dallas.gov>; Martinez, Evodio <mailto:evodio.martinez@dallas.gov>; Young, Vernon <mailto:vernon.young@dallas.gov>; Yumet, Carolina <mailto:carolina.yumet@dallas.gov>; Thomas II, Casey <mailto:casey.thomas@dallas.gov>; Eskander, Mina <mailto:mina.eskander@dallas.gov>
Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

Hi Adrian,

Evodio is working on providing Engineering approval of the grading only permit (#2206031148). He will update us once he has provided Engineering approval.

Thank you,

Changho Yi, P.E., CFM
Interim Engineering Program Administrator
Paving/Drainage Engineering
City of Dallas |
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Development Services
320 E. Jefferson Blvd, Rm 200, Dallas, TX 75203
O: (214) 948-4665 | mailto:changho.yi@dallas.gov (New Email Address)

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Links: https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdallascityhall.com%2Fdepartments%2Fsustainabledevelopment%2Fbuildinginspection%2FDCH%2520documents%2Fpdf%2F2021%2520Dallas%2520Development

%2520Guide%252004.09.2021.pdf&data=05%7C01%7Cmina.eskander%40dallas.gov%7C8354365f658b4f03537208da68e749ab%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C637937639834885481%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=N%2F5fVrON17zi3DrPURsN5J0bKY%2BI67i%2Fz7iei6DebQE%3D&reserved=0 https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fdallascityhall.com%2Fdepartments%2Fsustainabledevelopment%2FEngineering%2FPages%2Fengineering-forms.aspx&data=05%7C01%7Cmina.eskander%40dallas.gov%7C8354365f658b4f03537208da68e749ab%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C637937639834885481%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=wlJzcPQyykg0gVFWeT2UPyJ7KirgOy3XzMdUkuCoOkQ%3D&reserved=0 https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fdallascityhall.com%2Fdepartments%2Fwaterutilities%2FPages%2Fdwu_design_standards.aspx&data=05%7C01%7Cmina.eskander%40dallas.gov%7C8354365f658b4f03537208da68e749ab%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C637937639834885481%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=7yKYYhDoIe5cHzHGst9vjJ5QDOqTq80LT8e0SUrLhA0%3D&reserved=0

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From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Wednesday, July 6, 2022 1:10 PM
To: Eskander, Mina <mailto:mina.eskander@dallas.gov>
Cc: Yi, Changho <mailto:changho.yi@dallas.gov>; Miller, Yolanda <mailto:yolanda.miller@dallas.gov>; Soto, Richard <mailto:richard.soto@dallas.gov>; Erwin, Philip <mailto:philip.erwin@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Nelson, Paul <mailto:paul.nelson@dallas.gov>; Wimer, Megan <mailto:megan.wimer@dallas.gov>; Martinez, Evodio <mailto:evodio.martinez@dallas.gov>; Young, Vernon <mailto:vernon.young@dallas.gov>; Yumet, Carolina <mailto:carolina.yumet@dallas.gov>; Thomas II, Casey <mailto:casey.thomas@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!
Thank you Sam. I'm sorry to bother you while you are out of office but certainly appreciate your assistance to resolve this.

For reference, I have been told that the grading permit was released by zoning and it is my understanding that Phil has approved the tree plan at this point, at least in support of grading. Changho has indicated that he is waiting on your approval, so perhaps with your direction this could be released today.

Adrian

On Wed, Jul 6, 2022, at 12:52 PM, Eskander, Mina wrote:
Adrian,
Zoning, Engineering, and Arborists are looking into this today to see if we can help you proceed with grading work.
We've had some communications with City Attorney's Office regarding the open space interpretations. We're hoping to finalize those discussions this week.
We will keep in touch with you.
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Engineering Division
City of Dallas |
https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.dallascityhall.com%2F&data=05%7C01%7Cmina.eskander%40dallas.gov%7C8354365f658b4f03537208da68e749ab%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C637937639834885481%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=IfJu3SpREZ5mUaujW3A5XPofgxTY3wd8LtcNB%2B%2B3Wbo%3D&reserved=0
Development Services
320 E. Jefferson Blvd., Room 200
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From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Tuesday, July 5, 2022 4:33 PM
To: Thomas II, Casey <mailto:casey.thomas@dallas.gov>
Cc: Eskander, Mina <mailto:mina.eskander@dallas.gov>; Yi, Changho <mailto:changho.yi@dallas.gov>; Miller, Yolanda <mailto:yolanda.miller@dallas.gov>; Soto, Richard <mailto:richard.soto@dallas.gov>; Erwin, Philip <mailto:philip.erwin@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Nelson, Paul <mailto:paul.nelson@dallas.gov>; Wimer, Megan <mailto:megan.wimer@dallas.gov>; Martinez, Evodio <mailto:evodio.martinez@dallas.gov>; Young, Vernon <mailto:vernon.young@dallas.gov>; Yumet, Carolina <mailto:carolina.yumet@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!
Thanks again for your attention.

Chris, please let me know if you might be available for a phone call about this item.

Regards,
Adrian
214.918.4671

On Tue, Jul 5, 2022, at 4:20 PM, Thomas II, Casey wrote:
My assistant Chris is copied on this email and he is available.

Sent from my iPhone

On Jul 5, 2022, at 4:14 PM, Adrian Cole <mailto:adrian@419builders.com> wrote:

External Email!
Thank you for your attention. I reached out to your office a few weeks ago regarding this issue. I understand that you are on recess currently.

I can't speak to the details on this final project yet as the market continues to evolve, but I hope that this will be an asset to the area and to Dallas. If there is anything that can be done to help expedite the engineering approval (and specifically grading permit release) that would certainly increase our options to make this project the best it can be.

Feel free to reach out with any questions you may have.

Adrian

On Tue, Jul 5, 2022, at 3:54 PM, Thomas II, Casey wrote:
Hello.
I am the city council member for the district where this development is taking place.

Sent from my iPhone

On Jul 5, 2022, at 3:21 PM, Adrian Cole <mailto:adrian@419builders.com> wrote:

External Email!
Hi Casey, I represent the developer on this project, Shady Hollow Development LLC, and am the primary partner in that group currently. I am coordinating the engineering approval on this project in coordination with 2 civil engineering groups.

Adrian

On Tue, Jul 5, 2022, at 2:38 PM, Thomas II, Casey wrote:
Adrian,
What role do you play in the project?

Sent from my iPhone

On Jul 5, 2022, at 12:41 PM, Adrian Cole <mailto:adrian@419builders.com> wrote:

External Email!
Good afternoon everyone,

Due to the increasing delay on this project review and specifically the release of the requested grading permit, I am providing a re-cap of this item and a request for immediate review and release.

In response to the suggestion that this project requires further review due to the definitions of "improved open space" and "unimproved open space," I believe that the City code clearly allows for the detention of this project to qualify as unimproved open space. Please see 3 reasons below:
1. Floodway easements and floodway managements areas are specifically noted as qualifying (SEC. 51A-8.510). Note that the project to the north (S167-275, see attached) used a floodway easement and detention area in the required common space with extensive grading, retaining walls, fencing, and underground drainage infrastructure. This clearly provides a precedent to fully approve our detention proposal(s).
2. Improved open space requires a structure. Our proposals clearly have minimal structures and well exceed all open space area requirements. (SEC. 51A-8.201) Merely grading or using area for water detention does not create improved open space.
3. The definition of CUD outlines intention to provide flexibility for creative lot layouts to facilitate challenging sites by allowing smaller lots in exchange for increased open space. The suggestion that simple detention is improved open space requiring further approval is at odds with this definition as floodways and floodway management areas area specifically included in unimproved open space definition.
Additionally, this plat was approved in September of 2018, and it is my understanding that initial engineering plans were submitted in late 2018 or 2019. The current Drainage Manual was released in 2019, which requires increased rainfall and runoff calculations. Under previous guidelines, this project would not require any detention as the downstream project accounted for built-out runoff under the previous guidelines.

As a result, we are having a more strict runoff calculation applied and consequently requiring detention to meet updated guidelines which were not in place at the time of platting. The opposing goals of open space and improved runoff calculations have left us with limited options while trying to objectively meet all requirements.

I request immediate response with all necessary escalation and one of the following decisions:

1. Allow this project to proceed with pre-2019 runoff calculations under which additional detention is unnecessary
2. Allow this project with proposed detention to proceed without further discussion of improved/unimproved open space regarding detention area
Finally, I request that the grading permit under review be immediately released, with all necessary escalations. I have agreed in writing and in several conversations to limit current work to streets and lots, and received verbal and written approval from all required reviewers. The continued delay of this request is causing significant financial harm. I have provided prompt responses and thorough research to all concerns on this project, as well as agreed to assume risk for further changes which may be required. The 3 months we have been waiting on this are quite challenging and in opposition to the City Council's stated objectives to increase housing supply in Dallas.

Please provide immediate response to the requests above and escalate as necessary. Thank you for your attention.

Regards,
Adrian Cole
214.918.4671

On Thu, Jun 30, 2022, at 10:53 AM, Adrian Cole wrote:
Thanks Sam, I know you are busy.

Could you please provide me an update on whether the grading permit has been released from review? I cannot see a reasonable basis for further delay of that and I would appreciate explanation of the current status if it has not been approved.

Adrian

On Mon, Jun 27, 2022, at 10:03 PM, Eskander, Mina wrote:
Adrian,
We received your email.
Please allow us some time to research and get back to you.
Thanks,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Engineering Division
City of Dallas |
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Development Services
320 E. Jefferson Blvd., Room 200
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mailto:mina.eskander@dallascityhall.com

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From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Friday, June 24, 2022 6:51 AM
To: Eskander, Mina <mailto:mina.eskander@dallas.gov>; Yi, Changho <mailto:changho.yi@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!
Good morning Sam and Changho,

I'm following up on the items below, and I have 2 more questions that I'd appreciate a response on soon if possible.

First, I was looking at the Sam Circle development to the north of our project, specifically in regards to their use of open space required under the community unit development section that we have been discussing. Using rough numbers, it appears that the lot sizes were reduced by approximately 18,900SF, and they provided a common area of 21,574SF. It also appears that most of the common area is used by detention, in which there are retaining walls, fencing, underground drainage, etc. Do you know if this was considered improved open space and required special approval? If not, it seems to be a strong precedent that the concerns raised on this issue in our plans are unnecessary. I think the plans we have proposed are much more practical in any sense of open space use than what was constructed in that development.

Secondly, would you please let me know if your engineering team has approved the grading permit for our project? This has taken quite a bit of time to review, and I'm concerned that it is being held up by unnecessary delays. I hope you will agree that I have been accommodating of all issues raised and made every effort to provide additional information to address them. I would very much appreciate an update on this status today if possible.

Regards,
Adrian
214.918.4671

On Fri, Jun 17, 2022, at 2:17 PM, Adrian Cole wrote:
Hi Sam, thanks again. I have been more carefully reviewing the development code requirements in light of our discussions to understand the issue that has been raised, and of course make sure we are evaluating any alternative options which may be needed. I noticed something that I would like your input on regarding detention. The subsection of SEC. 51A-8.611- STORM DRAINAGE DESIGN lists instances where detention is required. My comments in red:

(c) Detention.

(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two-percent, 10 percent, and 50 percent annual chance storm events. Detention must be provided in the following instances:
(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division
https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcodelibrary.amlegal.com%2Fcodes%2Fdallas%2Flatest%2Fdallas_tx%2F0-0-0-37362%23JD_51A-5.200&data=05%7C01%7Cmina.eskander%40dallas.gov%7C8354365f658b4f03537208da68e749ab%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C637937639834885481%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=i8SZ%2Bs15eM3ZOJ927B4MlwTfE7XdW%2FCS69OYTZQFVOQ%3D&reserved=0 of this chapter. Does not apply
(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Property has not been re-zoned Detention will not be required if:
(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;
(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or
(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.
(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the

storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity. The owner of the downstream development has (or should have) provided outfall carrying capacity and easements.

(D) The property to be platted contributes to the storm drainage of a neighboring municipality having detention requirements, provided there are written agreements with the neighboring municipalities. Does not apply

My apologies if I am missing something, but this leads me to believe that the downstream systems should have been designed to convey the built-out runoff coefficient for the current zoning, and as we are following current zoning guidelines for platting, perhaps should not be required to provide detention under this paragraph.

Would you please offer your comment on this section and direct me if I am misunderstanding it?

Regards,
Adrian
214.918.4671

On Thu, Jun 16, 2022, at 3:04 PM, Eskander, Mina wrote:
Received, thank you. We will get with City Attorney's Office and get back to you.
Thanks,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Engineering Division
City of Dallas |
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From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Thursday, June 16, 2022 2:06 PM
To: Eskander, Mina <mailto:mina.eskander@dallas.gov>; Yi, Changho <mailto:changho.yi@dallas.gov>
Cc: Nelson, Paul <mailto:paul.nelson@dallas.gov>; Bordbar, Mohammad <mailto:mohammad.bordbar@dallas.gov>; Daniel Lim <mailto:limassoc@aol.com>
Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!
Good afternoon Sam and Changho,

To summarize our conversations today, I'm providing this overview and background, along with a request to specifically determine the viability of our currently proposed development plans based on these discussions.

We have a preliminary plat approved to develop 73 lots at the property referred to as Shady Hollow Estates, plat S178-288. This preliminary plat was approved in September of 2018. The plat allowed for reduced lot sizes below the zoning minimum of 7500SF, and in exchange approximately 130,500SF of open space is planned for the center of this project, where typical development is difficult. It is currently calculated that we need approximately 81,000SF of open space to compensate for reduced lot sizes, far less than provided.

Community Unit Development
SEC. 51A-8.510. of the Dallas development code specifies methodology for calculating open space, primarily specifying that lots reduced below the minimum zoning size require than an equal amount of open space be provided so that the total project area is not less than would be allowed under the zoning without an open space dedication.

(g) Open space provided in a CUD must be approved as appropriate for its intended purpose by the director and the chief planning officer. The open space area must be within 1320 feet, measured radially, of any residential lot that is reduced in size in accordance with Subsection (c) of this section.

(1) Unimproved open space:
(A) may extend into floodway easements or floodway management areas;
(B) must be indicated on the plat with a prohibition of structures and parking areas; and
(C) must have a minimum of 10,000 square feet.
(2) Improved open space:
(A) must not extend into floodway easements or floodway management areas unless the proposed improvements are in compliance with Division
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(B) must be developed in accordance with a site plan approved by the city council after recommendation by the commission. The site plan must include the location and dimensions of all improvements and structures planned for the open space.

Our discussions center around the definition of Unimproved open space, and whether our detention area qualifies as unimproved open space. Here are further relevant items to help with this review.

Open Space
Subsequent to our discussion, I have observed the following definitions in the code:

SEC. 51A-8.201. DEFINITIONS.
(34) OPEN SPACE, IMPROVED means open space containing structures or improvements, including but not limited to hike and bike trails.
(35) OPEN SPACE, UNIMPROVED means open space containing no buildings, fences, or other structures above or below grade.

Further definition is provided elsewhere:

SEC. 51A-13.303. Open Space
(a) Definitions.
(1) NET LAND AREA means gross land area minus street right-of-way.
(2) OFF-SITE OPEN SPACE means open space that is not located on the building site but is within a quarter of a mile walking distance of the property. Off-site open space may consist of parks, wildlife preserves, or any form of open space lot as described in this article.
(3) ON-SITE OPEN SPACE means the portion of a building site that is accessible to all occupants of that building site (or to the general public if dedicated as public open space) and principally open to the sky but allows for architectural elements such as colonnades, pergolas, and gazebos. The space must be a contiguous open area of not less than 10 feet in width or length.
(4) OPEN SPACE means off-site and on-site open space.
(b) Open Space Required.
At least eight percent of the net land area of a building site in a form district must be provided as open space. Compliance with this requirement must be demonstrated at the time of application for a building permit.
(c) Options For Compliance.
(1) In General.
Open space may be provided as a dedication of land to the city, as private open space, or as a combination thereof. Subject to the limitations of this section, open space may be located on-site, off-site, or both, and need not be contiguous.
(2) On-site Open Space.
(A) On-site open space may be provided at or below grade or above-ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. No more than 50 percent of the required on-site open space may be provided as door yards, colonnades, or landscaped medians. Except for emergency vehicles, on-site open space cannot be parked or driven upon.

Floodway
Subsequent to our discussions, I have observed the following definition of floodway:

SEC. 51A-8.201. DEFINITIONS.
(26) FLOODWAY means a drainage area designated on a plat to accommodate the design flood as defined in https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcodelibrary.amlegal.com%2Fcodes%2Fdallas%2Flatest%2Fdallas_tx%2F0-0-0-37087%23JD_Ch.51AArt.V&data=05%7C01%7Cmina.eskander%40dallas.gov%7C8354365f658b4f03537208da68e749ab%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C637937639834885481%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=WTDtHBUCyI4UlEPnXiAI0GoeGifnOIwPA6bWPOPgfR0%3D&reserved=0 of this chapter.

I do not believe the above definition specifically excludes our project as a floodway and specifically identifies accommodation of drainage area. An additional floodway definition is provided as a subset of the Drainage section of SEC. 51A-8.611, from which it appears that there is some relation between the terms drainage and floodway.

Summary
It is my opinion that a large portion of the proposed detention area broadly qualifies as unimproved open space as defined in SEC. 51A-8.201. I further suggest that this plan meets the goal of the Community Unit Development flexibility by providing more open space than required. I also suggest that varying definitions of Open Space, Improved, Unimproved, and Floodway in the development code support the determination of this area as exceeding the minimum open space requirements in the unimproved category, and also do not allow for the disqualification of this area under that term, especially given the large amount of space with which it exceeds the open space requirement both inside and outside the detention area.

It is my further understanding that grading of open space does not automatically change open space from unimproved to improved, but requires the creation of a structure according to the development code.

I appreciate your assistance and attention in resolving this matter to date. I further request your review of this summary, and if necessary you forward this on for further official review and determination of this issue at your earliest convenience. I will make myself available to assist in any discussion as needed.

Regards,
Adrian Cole
214.918.4671

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egards,

AdrianCole

214.918.4671

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CITY OF DALLAS

April 19, 2018

DDC, Inc
Mr. S.I. Abed
503 Wade Court
Euless, Texas 76039

Re: Blue Ridge Estates
311T-9437 – S167-275

Gentleman:

Your submitted engineering plans for the proposed addition have been reviewed by this department and are approved **subject to the filing of the existing floodway easement abandonment and submittal to this department, and obtaining a building permit for any proposed retaining wall exceeding 4 feet in height from Building Officials.** Changes or corrections in the design or right-of-way requirements or resubmission of the infrastructure plans for review and approval may be necessary before final release if the chief engineer determines that information provided on the private development checklists or on the infrastructure plans is incorrect. Additional fees for each subsequent submission may be required. The review of these plans by this department is cursory in nature. By approving these plans, the Department does not assume any liability for the engineering design nor does this approval release the design engineer from liability for correcting errors and omissions in the design, both during and after the construction.

Approval of these plans will automatically terminate under the following conditions:

1.) The final plat for this addition has not been filed for record within twelve months from the date of this letter.
2.) The paving work has not begun within twelve months from the date of this letter.
3.) The drainage work has not begun within twelve months from the date of this letter.

Please furnish to Engineering Division, the electronic copy on a CD, and two complete bound sets of final plans and updated plat to 320 E. Jefferson, Room 200.

A Private Development Contract for construction should be prepared by the Contractor and reviewed by the Developer's engineer when work is needed within the public Right-of-Way or easement.

Please note that all construction activities must comply with TPDES General Permit TxR150000. Please contact Texas Commission on Environmental Quality (TCEQ) for all requirements (www.TCEQ.com). Prior to any construction, a completed electronic copy of the Storm Water Pollution Prevention Plan (SWPPP) must be submitted to this office.

The City performs periodic construction inspection. However, the City does not perform the necessary construction inspection or the materials testing for the construction of the improvements and proposed infrastructures. These services will need to be contracted privately. Please include a description of the work to be performed within the public Right-of-Way and easements along with the price breakdown of various items with the contract package. An inspection fee must also be paid in advance of the execution of the private development contract. The amount of this inspection fee is based on the amount of the private development contract.

Upon the approval of your contract package, a pre-construction meeting will be scheduled for a mutually agreeable date with construction inspector: Mr. Cecil Oliver at (214) 948-4218 for all projects south of I-30, or Mr. Chris Combs at (214) 948-4207 and Mr. Eric D'Llaggio at: (214) 948-4610 for all projects north of I-30. It will be the Developer's responsibility to see that the Developer's Engineer, the Materials Testing representative, the Construction Inspector, and the General Contractor will be in attendance at the pre-construction meeting to discuss the materials testing, construction inspection and project finishing guidelines. The electronic copy of the SWPPP must be submitted prior to this pre-construction meeting.

The Contractor and Developer/Owner will receive a contract approval letter following the pre-construction meeting. You should not proceed with any construction work until the contract package is fully executed. When a Dallas Water Utilities release is required, the Contractor may not proceed with work on the paving contract prior to release.

Please note that the developer's engineer or his representative must perform the utility coordination process with all utilities, and obtain utility sign-off from all utilities prior to any construction.

Furthermore, Building Inspection will place a hold on the final plat or the final inspection until the developer's professional engineer (licensed in the state of Texas) provides a letter to the Engineering Division certifying that all drainage infrastructures are built according to the approved plans.

Sincerely,

Lloyd Denman, P.E., CFM, Assistant Director
Engineering Division
Department of Sustainable Development and Construction

ABS/311T-9437 – S167-275

c: Mr. Hassan Naser,1910 Pacific Ave, Dallas Texas 75201
Cecil Oliver / Chris Combs / Eric D'Llaggio, Construction Inspector

City of Dallas

November 14, 2018

Dallas Underground, LLC
Attn. Jeff Dean
PO Box 1117
Ennis, Texas 75120

Re: Blue Ridge Estates - Drainage
File No: 311T - 9437D

Gentlemen:

We have approved and are returning one (1) copy of your contract with AAA Pro Services for the drainage improvements for the subject project.

A pre-construction conference for this project was held Wednesday, November 14, 2018, at 10:00 a.m. This meeting took place at the Oak Cliff Municipal Center (OCMC), 320 East Jefferson Boulevard, Dallas, Texas 75203, in Room 202. All the appropriate principals before the start of construction attended this meeting.

Traffic barricades are required and shall conform to the requirements of the 1980 "Texas Manual of Uniform Traffic Control Devices" as currently amended. Construction must be performed in accordance with our file 251D-1 Standard Construction Details, North Central Texas Standard Specifications, and the current up-to-date City of Dallas addendum to the North Central Texas Standard Specifications. Copies are available for purchase in the Public Works Department, Room 307, 320 East Jefferson Boulevard.

311T Contract construction within City right-of-way requires a Right of Way Management Permit issued by Public Works Cut Control. They are located at 320 East Jefferson Boulevard, Room 312. It is the contractor's responsibility to secure the necessary permit and to contact the public and private utility companies to avoid conflict in this construction.

Construction inspection and construction materials testing will be performed by GeoScience Engineering and Testing. The contact person is Syed Afsar at 972-488-3500. Final inspection and acceptance of the work will be coordinated by Cecil Oliver, Construction Inspector, of the Engineering Division of the Department of Sustainable Development and Construction.

You will need to notify Cecil Oliver, Construction Inspector, at (214) 948-4218 to schedule the final inspection.

Sincerely,

Lloyd Denman, P.E., Assistant Director
Engineering Division
Department of Sustainable Development and Construction

311T-9437D

Attachment

c: AAA Pro Services
320 Decker Ave
Irving, Texas 75062

Geoscience Engineering and Testing
2712 Satsuma Drive, Suite 400
Dallas, Texas 75229

Cecil Oliver, Construction Inspector

City of Dallas

November 14, 2018

Rich & Burns Utilities, LLC
Attn: Steve Salsbury
5208 Tennyson Parkway #140
Plano, Texas 75024

Re: Blue Ridge Estates - Paving
File No: 311T – 943/P

Gentlemen:

We have approved and are returning one (1) copy of your contract with AAA Pro Services for the paving improvements for the subject project.

A pre-construction conference for this project was held Wednesday, November 14, 2018, at 10:00 a.m. This meeting took place at the Oak Cliff Municipal Center (OCMC), 320 East Jefferson Boulevard, Dallas, Texas 75203, in Room 202. All the appropriate principals before the start of construction attended this meeting.

Traffic barricades are required and shall conform to the requirements of the 1980 "Texas Manual of Uniform Traffic Control Devices" as currently amended. Construction must be performed in accordance with our file 251D 1 Standard Construction Details, North Central Texas Standard Specifications, and the current up-to-date City of Dallas addendum to the North Central Texas Standard Specifications. Copies are available for purchase in the Public Works Department, Room 307, 320 East Jefferson Boulevard.

311T Contract construction within City right-of-way requires a Right of Way Management Permit issued by Public Works Cut Control. They are located at 320 East Jefferson Boulevard, Room 312. It is the contractor's responsibility to secure the necessary permit and to contact the public and private utility companies to avoid conflict in this construction.

Construction inspection and construction materials testing will be performed by GeoScience Engineering and Testing. The contact person is Syed Afsar at 972-488-3500. Final inspection and acceptance of the work will be coordinated by Cecil Oliver, Construction Inspector, of the Engineering Division of the Department of Sustainable Development and Construction.

You will need to notify Cecil Oliver, Construction Inspector, at (214) 948-4218 to schedule the final inspection.

Sincerely,

Lloyd Denman, P.E., Assistant Director
Engineering Division
Department of Sustainable Development and Construction

311T-9437P

Attachment

c: AAA Pro Services
320 Decker Ave
Irving, Texas 75062

Geoscience Engineering and Testing
2512 Sesame Drive, Suite 400
Dallas, Texas 75235

Cecil Oliver, Construction Inspector

Section 14
Grading Permit

From:	adrian@419builders.com
To:	Eskander, Mina; Yi, Changho
Cc:	Miller, Yolanda; Soto, Richard; Thomas II, Casey; Erwin, Philip; Bordbar, Mohammad; Nelson, Paul; Wimer, Megan; Martinez, Evodio; Young, Vernon; Yumet, Carolina
Subject:	Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)
Date:	Tuesday, July 5, 2022 12:41:30 PM
Attachments:	image001.png image002.png image003.png image004.png 02-016011-PLAT-PRE-FINAL-1.pdf 06-016011-GRAPLAN.pdf

External Email!

Good afternoon everyone,

Due to the increasing delay on this project review and specifically the release of the requested grading permit, I am providing a re-cap of this item and a request for immediate review and release.

In response to the suggestion that this project requires further review due to the definitions of "improved open space" and "unimproved open space," I believe that the City code clearly allows for the detention of this project to qualify as unimproved open space. Please see 3 reasons below:

1. Floodway easements and floodway managements areas are specifically noted as qualifying (SEC. 51A-8.510). Note that the project to the north (S167-275, see attached) used a floodway easement and detention area in the required common space with extensive grading, retaining walls, fencing, and underground drainage infrastructure. This clearly provides a precedent to fully approve our detention proposal(s).
2. Improved open space requires a structure. Our proposals clearly have minimal structures and well exceed all open space area requirements. (SEC. 51A-8.201) Merely grading or using area for water detention does not create improved open space.
3. The definition of CUD outlines intention to provide flexibility for creative lot layouts to facilitate challenging sites by allowing smaller lots in exchange for increased open space. The suggestion that simple detention is improved open space requiring further approval is at odds with this definition as floodways and floodway management areas area specifically included in unimproved open space definition.

Additionally, this plat was approved in September of 2018, and it is my understanding that initial engineering plans were submitted in late 2018 or 2019. The current Drainage Manual was released in 2019, which requires increased rainfall and runoff calculations. Under previous guidelines, this project would not require any detention as the downstream project accounted for built-out runoff under the previous guidelines.

As a result, we are having a more strict runoff calculation applied and consequently requiring detention to meet updated guidelines which were not in place at the time of platting. The opposing goals of open space and improved runoff calculations have left us with limited options while trying to objectively meet all requirements.

I request immediate response with all necessary escalation and one of the following decisions:

1. **Allow this project to proceed with pre-2019 runoff calculations under which**

additional detention is unnecessary

2. **Allow this project with proposed detention to proceed without further discussion of improved/unimproved open space regarding detention area**

Finally, I request that the grading permit under review be immediately released, with all necessary escalations. I have agreed in writing and in several conversations to limit current work to streets and lots, and received verbal and written approval from all required reviewers. The continued delay of this request is causing significant financial harm. I have provided prompt responses and thorough research to all concerns on this project, as well as agreed to assume risk for further changes which may be required. The 3 months we have been waiting on this are quite challenging and in opposition to the City Council's stated objectives to increase housing supply in Dallas.

Please provide immediate response to the requests above and escalate as necessary. Thank you for your attention.

Regards,
Adrian Cole
214.918.4671

On Thu, Jun 30, 2022, at 10:53 AM, Adrian Cole wrote:

> Thanks Sam, I know you are busy.
>
> Could you please provide me an update on whether the grading permit has been released from review? I cannot see a reasonable basis for further delay of that and I would appreciate explanation of the current status if it has not been approved.
>
> Adrian
>
> On Mon, Jun 27, 2022, at 10:03 PM, Eskander, Mina wrote:
>
> > Adrian,
> > We received your email.
> > Please allow us some time to research and get back to you.
> > Thanks,
> >
> > **Sam**
> >
> > **M. Samuell Eskander, PE, CFM, LEED AP BD+C**
> > *Assistant Director (Interim)*
> > *Engineering Division*
> > **City of Dallas |** www.dallascityhall.com
> > Development Services
> > 320 E. Jefferson Blvd., Room 200
> > Dallas, TX 75203
> > O: (214) 948-4029 | C: (469) 953-0103
> > mina.eskander@dallas.gov

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Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Friday, June 24, 2022 6:51 AM
To: Eskander, Mina <mina.eskander@dallas.gov>; Yi, Changho <changho.yi@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!

Good morning Sam and Changho,

I'm following up on the items below, and I have 2 more questions that I'd appreciate a response on soon if possible.

First, I was looking at the Sam Circle development to the north of our project, specifically in regards to their use of open space required under the community unit development section that we have been discussing. Using rough numbers, it appears that the lot sizes were reduced by approximately 18,900SF, and they provided a common area of 21,574SF. It also appears that most of the common area is used by detention, in which there are retaining walls, fencing, underground drainage, etc. Do you know if this was considered improved open space and required special approval? If not, it seems to be a strong precedent that the concerns raised on this issue in our plans are unnecessary. I think the plans we have proposed are much more practical in any sense of open space use than what was constructed in that development.

Secondly, would you please let me know if your engineering team has approved the grading permit for our project? This has taken quite a bit of time to review, and I'm concerned that it is being held up by unnecessary delays. I hope you will agree that I have been accommodating of all issues raised and made every effort to provide additional information to address

them. I would very much appreciate an update on this status today if possible.

Regards,
Adrian
214.918.4671

On Fri, Jun 17, 2022, at 2:17 PM, Adrian Cole wrote:

> Hi Sam, thanks again. I have been more carefully reviewing the development code requirements in light of our discussions to understand the issue that has been raised, and of course make sure we are evaluating any alternative options which may be needed. I noticed something that I would like your input on regarding detention. The subsection of SEC. 51A-8.611- STORM DRAINAGE DESIGN lists instances where detention is required. My comments in red:
>
> *(c) Detention.*
>
> *(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two-percent, 10 percent, and 50 percent annual chance storm events. Detention must be provided in the following instances:*
>
> *(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.200 of this chapter.* Does not apply
>
> *(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density.* Property has not been re-zoned *Detention will not be required if:*
>
> *(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;*
>
> *(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or*
>
> *(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.*
>
> *(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity.* The owner of the downstream development has (or should have) provided outfall carrying capacity and easements.

(D) The property to be platted contributes to the storm drainage of a neighboring municipality having detention requirements, provided there are written agreements with the neighboring municipalities. Does not apply

My apologies if I am missing something, but this leads me to believe that the downstream systems should have been designed to convey the built-out runoff coefficient for the current zoning, and as we are following current zoning guidelines for platting, perhaps should not be required to provide detention under this paragraph.

Would you please offer your comment on this section and direct me if I am misunderstanding it?

Regards,
Adrian
214.918.4671

On Thu, Jun 16, 2022, at 3:04 PM, Eskander, Mina wrote:

> Received, thank you. We will get with City Attorney's Office and get back to you.
> Thanks,
>
> **Sam**
>
> **M. Samuell Eskander, PE, CFM, LEED AP BD+C**
> *Assistant Director (Interim)*
> *Engineering Division*
> **City of Dallas |** www.dallascityhall.com
> Development Services
> 320 E. Jefferson Blvd., Room 200
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> mina.eskander@dallas.gov
>
> ***PLEASE NOTE THAT OUR EMAIL HAS CHANGED TO @DALLAS.GOV***
>
> ***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.***

Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Thursday, June 16, 2022 2:06 PM
To: Eskander, Mina <mina.eskander@dallas.gov>; Yi, Changho <changho.yi@dallas.gov>
Cc: Nelson, Paul <paul.nelson@dallas.gov>; Bordbar, Mohammad <mohammad.bordbar@dallas.gov>; Daniel Lim <limassoc@aol.com>
Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!

Good afternoon Sam and Changho,

To summarize our conversations today, I'm providing this overview and background, along with a request to specifically determine the viability of our currently proposed development plans based on these discussions.

We have a preliminary plat approved to develop 73 lots at the property referred to as Shady Hollow Estates, plat S178-288. This preliminary plat was approved in September of 2018. The plat allowed for reduced lot sizes below the zoning minimum of 7500SF, and in exchange approximately 130,500SF of open space is planned for the center of this project, where typical development is difficult. It is currently calculated that we need approximately 81,000SF of open space to compensate for reduced lot sizes, far less than provided.

Community Unit Development
SEC. 51A-8.510. of the Dallas development code specifies methodology for calculating open space, primarily specifying that lots reduced below the

minimum zoning size require than an equal amount of open space be provided so that the total project area is not less than would be allowed under the zoning without an open space dedication.

(g) Open space provided in a CUD must be approved as appropriate for its intended purpose by the director and the chief planning officer. The open space area must be within 1320 feet, measured radially, of any residential lot that is reduced in size in accordance with Subsection (c) of this section.

(1) Unimproved open space:

(A) may extend into floodway easements or floodway management areas;

(B) must be indicated on the plat with a prohibition of structures and parking areas; and

(C) must have a minimum of 10,000 square feet.

(2) Improved open space:

(A) must not extend into floodway easements or floodway management areas unless the proposed improvements are in compliance with Division 51A-5.100 of this chapter; and

(B) must be developed in accordance with a site plan approved by the city council after recommendation by the commission. The site plan must include the location and dimensions of all improvements and structures planned for the open space.

Our discussions center around the definition of Unimproved open space, and whether our detention area qualifies as unimproved open space. Here are further relevant items to help with this review.

Open Space

Subsequent to our discussion, I have observed the following definitions in the code:

SEC. 51A-8.201. DEFINITIONS.

(34) OPEN SPACE, IMPROVED means open space containing structures or improvements, including but not limited to hike and bike trails.

(35) OPEN SPACE, UNIMPROVED means open space containing no buildings, fences, or other structures above or below grade.

Further definition is provided elsewhere:

SEC. 51A-13.303. Open Space

(a) Definitions.

(1) NET LAND AREA means gross land area minus street right-of-way.

(2) OFF-SITE OPEN SPACE means open space that is not located on the building site but is within a quarter of a mile walking distance of the property. Off-site open space may consist of parks, wildlife preserves, or any form of open space lot as described in this article.

(3) ON-SITE OPEN SPACE means the portion of a building site that is accessible to all occupants of that building site (or to the general public if dedicated as public open space) and principally open to the sky but allows for architectural elements such as colonnades, pergolas, and gazebos. The space must be a contiguous open area of not less than 10 feet in width or length.

(4) OPEN SPACE means off-site and on-site open space.

(b) Open Space Required.

At least eight percent of the net land area of a building site in a form district must be provided as open space. Compliance with this requirement must be demonstrated at the time of application for a building permit.

(c) Options For Compliance.

(1) In General.

Open space may be provided as a dedication of land to the city, as private open space, or as a combination thereof. Subject to the limitations of this section, open space may be located on-site, off-site, or both, and need not be contiguous.

(2) On-site Open Space.

(A) On-site open space may be provided at or below grade or above-ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. No more than 50 percent of the required on-site open space may be provided as door yards, colonnades, or landscaped medians. Except for emergency vehicles, on-site open space cannot be parked or driven upon.

Floodway

Subsequent to our discussions, I have observed the following definition of floodway:

SEC. 51A-8.201. DEFINITIONS.

(26) FLOODWAY means a drainage area designated on a plat to accommodate the design flood as defined in Article V of this chapter.

I do not believe the above definition specifically excludes our project as a floodway and specifically identifies accommodation of drainage area. An additional floodway definition is provided as a subset of the Drainage section of SEC. 51A-8.611, from which it appears that there is some relation between the terms drainage and floodway.

Summary

It is my opinion that a large portion of the proposed detention area broadly qualifies as unimproved open space as defined in SEC. 51A-8.201. I further suggest that this plan meets the goal of the Community Unit Development flexibility by providing more open space than required. I also suggest that varying definitions of Open Space, Improved, Unimproved, and Floodway in the development code support the determination of this area as exceeding the minimum open space requirements in the unimproved category, and also do not allow for the disqualification of this area under that term, especially given the large amount of space with which it exceeds the open space requirement both inside and outside the detention area.

It is my further understanding that grading of open space does not automatically change open space from unimproved to improved, but requires the creation of a structure according to the development code.

I appreciate your assistance and attention in resolving this matter to date. I further request your review of this summary, and if necessary you forward this on for further official review and determination of this issue at your earliest convenience. I will make myself available to assist in any discussion as needed.

Regards,
Adrian Cole
214.918.4671

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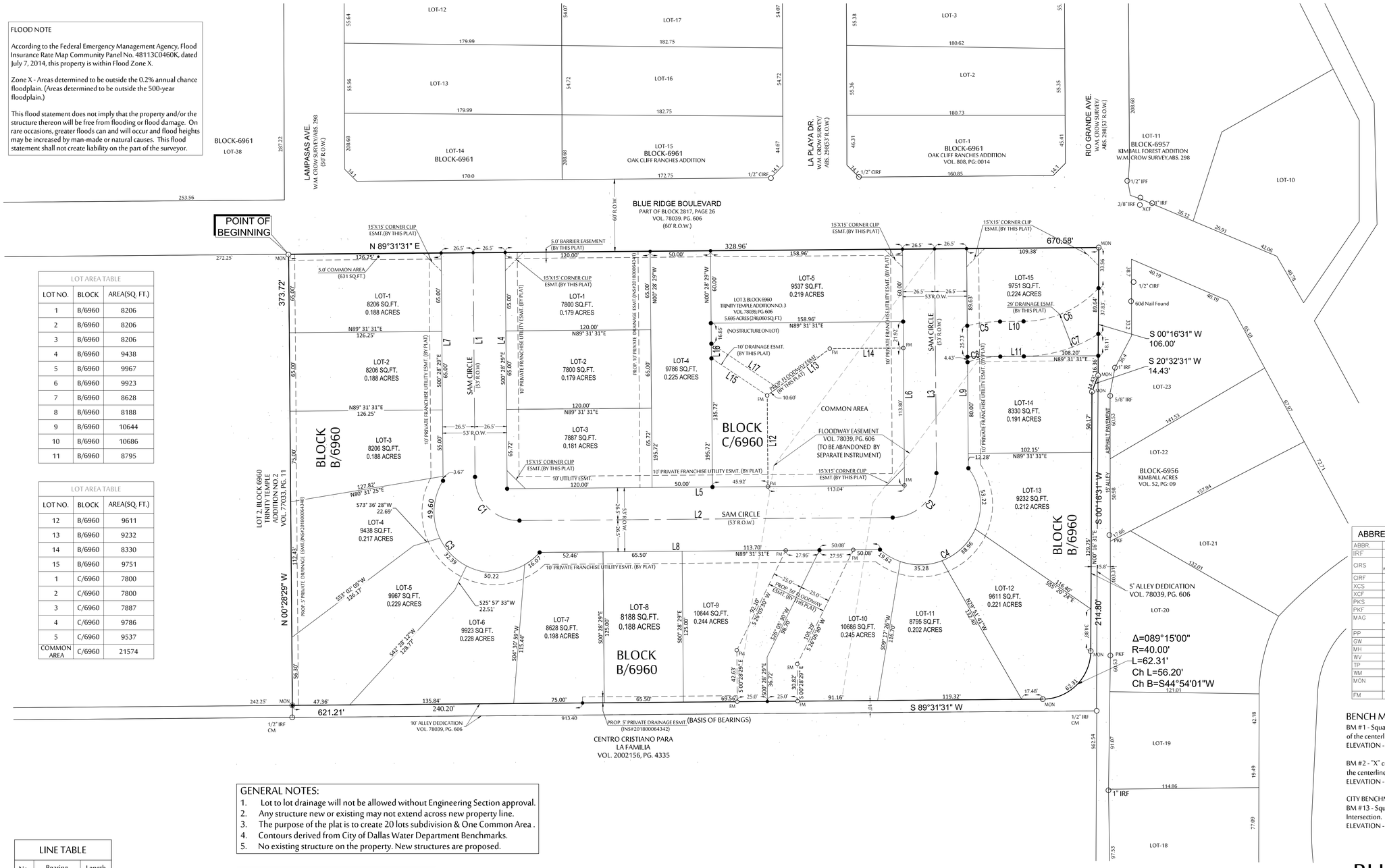
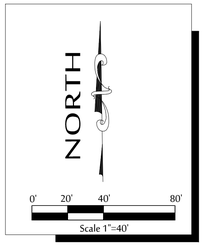
FLOOD NOTE

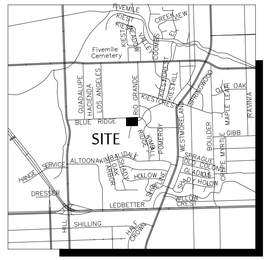
According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48113C0460K, dated July 7, 2014, this property is within Flood Zone X.

Zone X - Areas determined to be outside the 0.2% annual chance floodplain. (Areas determined to be outside the 500-year floodplain.)

This flood statement does not imply that the property and/or the structure 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.







SITE MAP (N.T.S)

LOT AREA TABLE		
LOT NO.	BLOCK	AREA(SQ. FT.)
1	B/6960	8206
2	B/6960	8206
3	B/6960	8206
4	B/6960	9438
5	B/6960	9967
6	B/6960	9923
7	B/6960	8628
8	B/6960	8188
9	B/6960	10644
10	B/6960	10686
11	B/6960	8795

LOT AREA TABLE		
LOT NO.	BLOCK	AREA(SQ. FT.)
12	B/6960	9611
13	B/6960	9232
14	B/6960	8330
15	B/6960	9751
1	C/6960	7800
2	C/6960	7800
3	C/6960	7887
4	C/6960	9786
5	C/6960	9537
COMMON AREA	C/6960	21574

TOTAL NUMBER OF LOTS	20 RESIDENTIAL + 1 COMMON AREA
TOTAL LOT AREA	248,060 SQ.FT.
COMMON AREA	21,574 SQ.FT.
R-10 LOT AREA REQUIRED	10,000 SQ.FT.
ALLOWED LOT AREA REDUCTION (25%) PER LOT	2,500 SQ.FT.
MINIMUM LOT AREA ALLOWED	7,500 SQ.FT.
SMALLEST LOTS	7,800 SQ.FT.
TOTAL REDUCTION ALLOWED	18,192 SQ.FT.<21,574

ABBREVIATION LEGEND		ABBREVIATION LEGEND	
ABBR.	DEFINITION	FH	FIRE HYDRANT
IRF	IRON ROD FOUND	SN	SIGN
CIRS	IRON ROD SET w/CAP STAMPED "WAI 5714"	SS	SANITARY SEWER
		SW	STORM SEWER
CIRF	IRON ROD FOUND w/CAP	TPAD	TRANSFORMER PAD
XCS	"X" CUT IN CONCRETE SET	GM	GAS METER
XCF	"X" CUT IN CONCRETE FOUND	TSN	TRAFFIC SIGN
PKS	PK NAIL SET	UGC	UNDERGROUND CABLE MARKER
PKF	PK NAIL FOUND	EB	ELECTRIC BOX
MAG	MAG NAIL WITH SHINER SET "WAI 5714"	LP	LIGHT POLE
PP	POWER POLE	PM	PAINT MARK
GW	GUY WIRE	PF	PIN FLAG
MH	MANHOLE	WP	WOOD POST
WV	WATER VALVE	MP	METAL POST
TP	TELEPHONE PEDESTAL	CM	CONTROLLING MONUMENT
WM	WATER METER		
MON	SET 3-1/4" ALUMINUM DISK STAMPED "BLUE RIDGE ESTATES– WINKELMANN & ASSOCIATES 5714"		
FM	CITY OF DALLAS FLOODWAY MARKER		

BENCH MARKS:

BM #1 - Square cut in top of concrete curb, south curb line of Blue Ridge Boulevard, ±13.6 feet west of the centerline of Lampasas Avenue.
ELEVATION - 655.89 feet

BM #2 - "X" cut in center of concrete sidewalk, south side of Blue Ridge Boulevard, ±35.5 feet west of the centerline of La Playa Drive and ±21.6 feet south of the centerline of Blue Ridge Boulevard.
ELEVATION - 639.19 feet

CITY BENCHMARK:

BM #13 - Square cut in Top Curb of Radius Northeast Corner of Hacienda Dr. & Blue Ridge Blvd. Intersection.
ELEVATION - 668.04 feet

N:6,941,528.732
E:2,464,292.502

LINE TABLE		
No.	Bearing	Length
L1	S0°28'29"E	185.72'
L2	N89°31'31"E	308.96'
L3	N0°28'29"W	185.72'
L4	S0°28'29"E	195.72'
L5	N89°31'31"E	328.96'
L6	N0°28'29"W	195.72'
L7	S0°28'29"E	188.67'
L8	N89°31'31"E	281.74'
L9	N0°28'29"W	181.91'
L10	N89°31'31"E	19.48'

LINE TABLE		
No.	Bearing	Length
L11	S89°31'31"W	19.48'
L12	N0°28'29"W	75.44'
L13	N53°11'50"E	64.75'
L14	N89°31'31"E	60.87'
L15	N56°10'31"W	55.58'
L16	N0°28'29"W	12.10'
L17	S56°10'31"E	65.92'

CURVE TABLE					
No.	Delta	Radius	Length	CH. L	CH. B
C1	90°00'00"	36.50'	57.33'	51.62'	S45°28'29"E
C2	90°00'00"	36.50'	57.33'	51.62'	N44°31'31"E
C3	169°55'17"	50.00'	148.28'	99.61'	S53°24'10"E
C4	168°32'43"	50.00'	147.08'	99.50'	N47°20'45"E
C5	13°43'11"	114.50'	27.42'	27.35'	N82°39'56"E
C6	46°46'11"	85.50'	69.79'	67.87'	N66°08'26"E
C7	32°39'58"	114.50'	65.28'	64.40'	S73°11'32"W
C8	18°31'08"	85.50'	27.63'	27.51'	S80°15'57"W

GENERAL NOTES:

1. Lot to lot drainage will not be allowed without Engineering Section approval.
2. Any structure new or existing may not extend across new property line.
3. The purpose of the plat is to create 20 lots subdivision & One Common Area .
4. Contours derived from City of Dallas Water Department Benchmarks.
5. No existing structure on the property. New structures are proposed.

NOTES :

1. No concentrated stormwater flow greater that 10 cfs will be allowed to enter the right of way at any location.
2. No lot to lot stormwater drainage will be allowed.
3. All garage door set-backs to be min.30 ft. from front yard property lines.
4. 5' private retaining wall maintenance easement is dedicated on lots on the non retained side.
5. All common area lots to be permanently owned and maintained by a homeowners association established prior to construction of the first lot.
6. Prior to issuance of each and every building permit, a grading plan shall be submitted that demonstrates conformance with the site grading for this subdivision.
7. All new utilities will be installed under-ground.
8. All commercial dumpsters shall be constructed, placed,screened and maintained in accordance with chapter 33 of the code of ordinance.
9. Any plan to use water Injection or any other chemical injections for any purpose shall be reviewed and approved by the CIP/Engineering Department prior to any application at the Site.

PURPOSE OF PLAT : DIVIDE THE LAND INTO 20 SINGLE FAMILY LOTS & ONE COMMON AREA

Developer:
AAA Pro Services
4102 Crest Ridge Dr.
Irving, TX-75061
(491) 422-5944
aaaproservices@hotmail.com

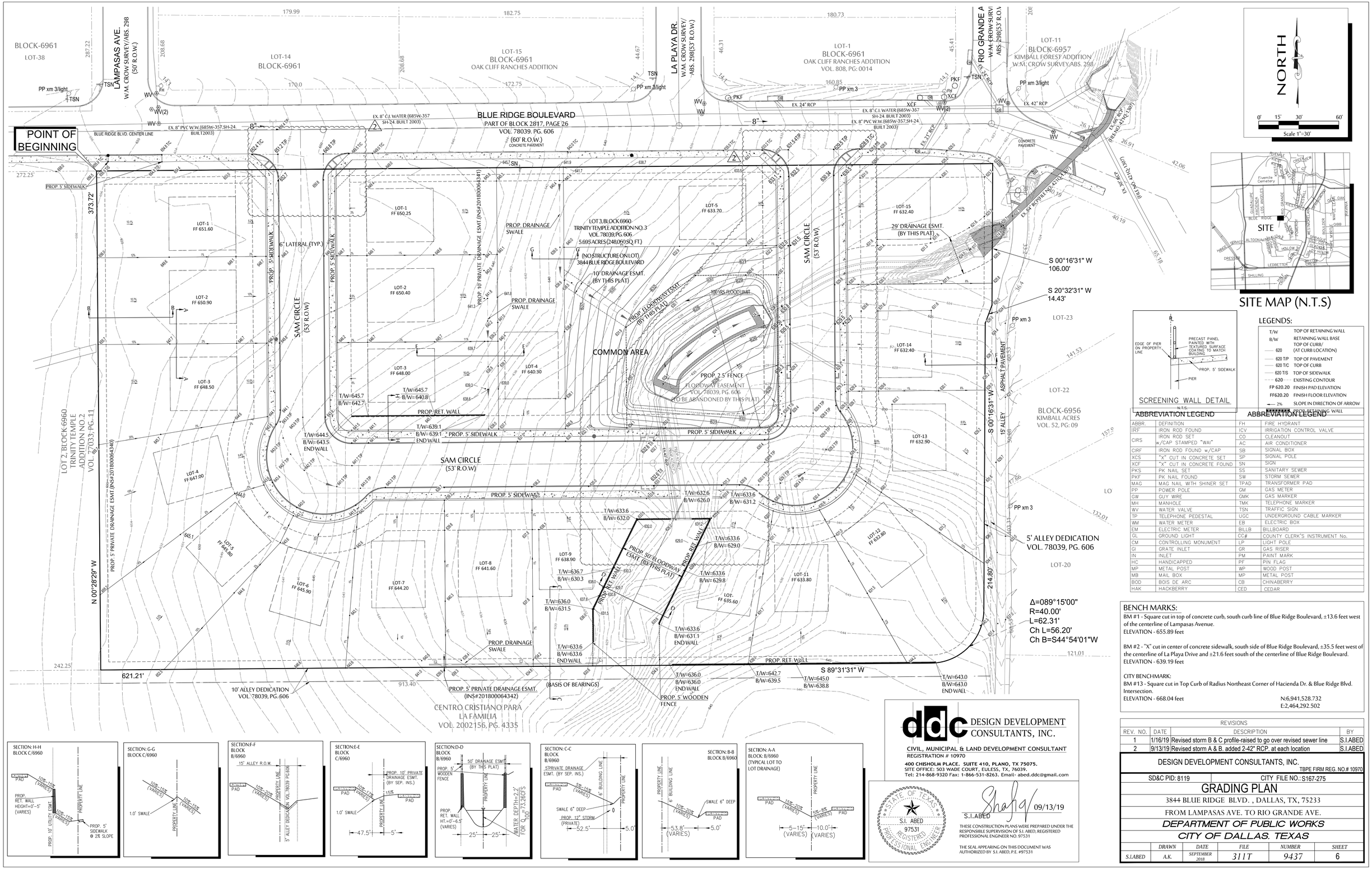
Engineer: S.I.Abed
Principal, DDC, INC.
Tel: 214-868-9320
Fax: 1-866-531-8263
Email: abed.ddc@gmail.com
abed@ddc-engineering.com
FIRM REGISTRATION: 10790

Leonard J. Lueker R.P.L.S
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas, 75230 TEL: 972-490-7090
l.lueker@winkelmann.com
FIRM REGISTRATION: 10086600

FINAL PLAT

BLUE RIDGE ESTATES

BLOCK B/6960 LOTS 1-15
BLOCK C/6960 LOTS 1-5
A COMMUNITY UNIT DEVELOPMENT
5.695 ACRES IN THE W. M. CROW SURVEY, ABSTRACT NO. 298
CITY OF DALLAS, DALLAS COUNTY,TEXAS.
CITY PLAT FILE NO. S167-275



SCREENING WALL DETAIL
N.T.S

LEGENDS:

T/W	TOP OF RETAINING WALL
B/W	RETAINING WALL BASE
620	TOP OF CURB/ (AT CURB LOCATION)
620 T/P	TOP OF PAVEMENT
620 T/C	TOP OF CURB
620 T/S	TOP OF SIDEWALK
620	EXISTING CONTOUR
FP 620.20	FINISH PAD ELEVATION
FF620.20	FINISH FLOOR ELEVATION
2%	SLOPE IN DIRECTION OF ARROW
	PROP.RETAINING WALL

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
CIRS	IRON ROD SET w/CAP STAMPED "WAI"
CIRF	IRON ROD FOUND w/CAP
XCS	"X" CUT IN CONCRETE SET
XCF	"X" CUT IN CONCRETE FOUND
PKS	PK NAIL SET
PKF	PK NAIL FOUND
MAG	MAG NAIL WITH SHINER SET
PP	POWER POLE
GW	GUY WIRE
MH	MANHOLE
WV	WATER VALVE
TP	TELEPHONE PEDESTAL
WM	WATER METER
EM	ELECTRIC METER
GL	GROUND LIGHT
CM	CONTROLLING MONUMENT
GI	GRATE INLET
IN	INLET
HC	HANDICAPPED
MP	METAL POST
MB	MAIL BOX
BOD	BOIS DE ARC
HAK	HACKBERRY

ABBREVIATION LEGEND

ABBR.	DEFINITION
FH	FIRE HYDRANT
ICV	IRRIGATION CONTROL VALVE
CO	CLEANOUT
AC	AIR CONDITIONER
SB	SIGNAL BOX
SP	SIGNAL POLE
SN	SIGN
SS	SANITARY SEWER
SW	STORM SEWER
TPAD	TRANSFORMER PAD
GM	GAS METER
GMK	GAS MARKER
TMK	TELEPHONE MARKER
TSN	TRAFFIC SIGN
UGC	UNDERGROUND CABLE MARKER
EB	ELECTRIC BOX
BILLB	BILLBOARD
CC#	COUNTY CLERK'S INSTRUMENT No.
LP	LIGHT POLE
GR	GAS RISER
PM	PAINT MARK
PF	PIN FLAG
WP	WOOD POST
MP	METAL POST
CB	CHINABERRY
CED	CEDAR

BENCH MARKS:

BM #1 - Square cut in top of concrete curb, south curb line of Blue Ridge Boulevard, ±13.6 feet west of the centerline of Lampasas Avenue.
ELEVATION - 655.89 feet

BM #2 - "X" cut in center of concrete sidewalk, south side of Blue Ridge Boulevard, ±35.5 feet west of the centerline of La Playa Drive and ±21.6 feet south of the centerline of Blue Ridge Boulevard.
ELEVATION - 639.19 feet

CITY BENCHMARK:
BM #13 - Square cut in Top Curb of Radius Northeast Corner of Hacienda Dr. & Blue Ridge Blvd. Intersection.
ELEVATION - 668.04 feet
N:6,941,528.732
E:2,464,292.502

DESIGN DEVELOPMENT CONSULTANTS, INC.
CIVIL, MUNICIPAL & LAND DEVELOPMENT CONSULTANT
REGISTRATION # 10970
400 CHISHOLM PLACE, SUITE 410, PLANO, TX 75075.
SITE OFFICE: 503 WADE COURT, EULESS, TX, 76039.
Tel: 214-868-9320 Fax: 1-866-531-8263. Email- abed.ddc@gmail.com

STATE OF TEXAS
S.I. ABED
97531
REGISTERED
PROFESSIONAL ENGINEER

S.I. ABED 09/13/19
S.I.ABED

THESE CONSTRUCTION PLANS WERE PREPARED UNDER THE RESPONSIBLE SUPERVISION OF S.I. ABED, REGISTERED PROFESSIONAL ENGINEER NO. 97531

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY S.I. ABED, P.E. #97531

REVISIONS

REV. NO.	DATE	DESCRIPTION	BY
1	1/16/19	Revised storm B & C profile-raised to go over revised sewer line	S.I.ABED
2	9/13/19	Revised storm A & B. added 2-42" RCP. at each location	S.I.ABED

DESIGN DEVELOPMENT CONSULTANTS, INC.
TBPE FIRM REG. NO.# 10970

SD&C PID: 8119 | CITY FILE NO.: S167-275

GRADING PLAN

3844 BLUE RIDGE BLVD. , DALLAS, TX, 75233

FROM LAMPASAS AVE. TO RIO GRANDE AVE.

DEPARTMENT OF PUBLIC WORKS

CITY OF DALLAS. TEXAS

DRAWN	DATE	FILE	NUMBER	SHEET
S.I.ABED	A.K.	SEPTEMBER 2018	311T	9437	6

Section 15
Storm Drainage Design

From:	adrian@419builders.com
To:	Eskander, Mina; Yi, Changho
Subject:	Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)
Date:	Friday, June 17, 2022 2:18:29 PM
Attachments:	image001.png image002.png image003.png image004.png

External Email!

Hi Sam, thanks again. I have been more carefully reviewing the development code requirements in light of our discussions to understand the issue that has been raised, and of course make sure we are evaluating any alternative options which may be needed. I noticed something that I would like your input on regarding detention. The subsection of SEC. 51A-8.611- STORM DRAINAGE DESIGN lists instances where detention is required. My comments in red:

(c) Detention.

(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two-percent, 10 percent, and 50 percent annual chance storm events. Detention must be provided in the following instances:

(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.200 of this chapter. Does not apply

(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Property has not been re-zoned *Detention will not be required if:*

(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;

(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or

(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.

(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity. The owner of the downstream development has (or should have) provided outfall carrying capacity and easements.

(D) The property to be platted contributes to the storm drainage of a neighboring municipality having detention requirements, provided there are written agreements with the neighboring municipalities. Does not apply

My apologies if I am missing something, but this leads me to believe that the downstream systems should have been designed to convey the built-out runoff coefficient for the current zoning, and as we are following current zoning guidelines for platting, perhaps should not be required to provide detention under this paragraph.

Would you please offer your comment on this section and direct me if I am misunderstanding it?

Regards,
Adrian
214.918.4671

On Thu, Jun 16, 2022, at 3:04 PM, Eskander, Mina wrote:

> Received, thank you. We will get with City Attorney's Office and get back to you. Thanks,
>
> **Sam**
>
> **M. Samuell Eskander, PE, CFM, LEED AP BD+C**
> *Assistant Director (Interim)*
> *Engineering Division*
> **City of Dallas |** www.dallascityhall.com
> Development Services
> 320 E. Jefferson Blvd., Room 200
> Dallas, TX 75203
> O: (214) 948-4029 | C: (469) 953-0103
> mina.eskander@dallas.gov
>
> ***PLEASE NOTE THAT OUR EMAIL HAS CHANGED TO @DALLAS.GOV***
>
> ***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.***
>
> Please Take a Moment to Tell Us How We Are Doing
>
> ---
>
> **From:** Adrian Cole <adrian@419builders.com>
> **Sent:** Thursday, June 16, 2022 2:06 PM
> **To:** Eskander, Mina <mina.eskander@dallas.gov>; Yi, Changho <changho.yi@dallas.gov>
> **Cc:** Nelson, Paul <paul.nelson@dallas.gov>; Bordbar, Mohammad <mohammad.bordbar@dallas.gov>; Daniel Lim <limassoc@aol.com>
> **Subject:** RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!

Good afternoon Sam and Changho,

To summarize our conversations today, I'm providing this overview and background, along with a request to specifically determine the viability of our currently proposed development plans based on these discussions.

We have a preliminary plat approved to develop 73 lots at the property referred to as Shady Hollow Estates, plat S178-288. This preliminary plat was approved in September of 2018. The plat allowed for reduced lot sizes below the zoning minimum of 7500SF, and in exchange approximately 130,500SF of open space is planned for the center of this project, where typical development is difficult. It is currently calculated that we need approximately 81,000SF of open space to compensate for reduced lot sizes, far less than provided.

Community Unit Development

SEC. 51A-8.510. of the Dallas development code specifies methodology for calculating open space, primarily specifying that lots reduced below the minimum zoning size require than an equal amount of open space be provided so that the total project area is not less than would be allowed under the zoning without an open space dedication.

(g) Open space provided in a CUD must be approved as appropriate for its intended purpose by the director and the chief planning officer. The open space area must be within 1320 feet, measured radially, of any residential lot that is reduced in size in accordance with Subsection (c) of this section.

(1) Unimproved open space:

(A) may extend into floodway easements or floodway management areas;

(B) must be indicated on the plat with a prohibition of structures and parking areas; and

(C) must have a minimum of 10,000 square feet.

(2) Improved open space:

(A) must not extend into floodway easements or floodway management areas unless the proposed improvements are in compliance with Division 51A-5.100 of this chapter; and

(B) must be developed in accordance with a site plan approved by the city council after recommendation by the commission. The site plan must include the location and dimensions of all improvements and structures planned for the open space.

Our discussions center around the definition of Unimproved open space, and whether our detention area qualifies as unimproved open space. Here are further relevant items to help with this review.

Open Space

Subsequent to our discussion, I have observed the following definitions in the code:

SEC. 51A-8.201. DEFINITIONS.

(34) OPEN SPACE, IMPROVED means open space containing structures or improvements, including but not limited to hike and bike trails.

(35) OPEN SPACE, UNIMPROVED means open space containing no buildings, fences, or other structures above or below grade.

Further definition is provided elsewhere:

SEC. 51A-13.303. Open Space

(a) Definitions.

(1) NET LAND AREA means gross land area minus street right-of-way.

(2) OFF-SITE OPEN SPACE means open space that is not located on the building site but is within a quarter of a mile walking distance of the property. Off-site open space may consist of parks, wildlife preserves, or any form of open space lot as described in this article.

(3) ON-SITE OPEN SPACE means the portion of a building site that is accessible to all occupants of that building site (or to the general public if dedicated as public open space) and principally open to the sky but allows for architectural elements such as colonnades, pergolas, and gazebos. The space must be a contiguous open area of not less than 10 feet in width or length.

(4) OPEN SPACE means off-site and on-site open space.

(b) Open Space Required.

At least eight percent of the net land area of a building site in a form district must be provided as open space. Compliance with this requirement must be demonstrated at the time of application for a building permit.

(c) Options For Compliance.

(1) In General.

Open space may be provided as a dedication of land to the city, as private open space, or as a combination thereof. Subject to the limitations of this section, open space may be located on-site, off-site, or both, and need not be contiguous.

(2) On-site Open Space.

(A) On-site open space may be provided at or below grade or above-ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of

outside common area. No more than 50 percent of the required on-site open space may be provided as door yards, colonnades, or landscaped medians. Except for emergency vehicles, on-site open space cannot be parked or driven upon.

Floodway
Subsequent to our discussions, I have observed the following definition of floodway:

SEC. 51A-8.201. DEFINITIONS.
(26) FLOODWAY means a drainage area designated on a plat to accommodate the design flood as defined in Article V of this chapter.

I do not believe the above definition specifically excludes our project as a floodway and specifically identifies accommodation of drainage area. An additional floodway definition is provided as a subset of the Drainage section of SEC. 51A-8.611, from which it appears that there is some relation between the terms drainage and floodway.

Summary
It is my opinion that a large portion of the proposed detention area broadly qualifies as unimproved open space as defined in SEC. 51A-8.201. I further suggest that this plan meets the goal of the Community Unit Development flexibility by providing more open space than required. I also suggest that varying definitions of Open Space, Improved, Unimproved, and Floodway in the development code support the determination of this area as exceeding the minimum open space requirements in the unimproved category, and also do not allow for the disqualification of this area under that term, especially given the large amount of space with which it exceeds the open space requirement both inside and outside the detention area.

It is my further understanding that grading of open space does not automatically change open space from unimproved to improved, but requires the creation of a structure according to the development code.

I appreciate your assistance and attention in resolving this matter to date. I further request your review of this summary, and if necessary you forward this on for further official review and determination of this issue at your earliest convenience. I will make myself available to assist in any discussion as needed.

Regards,
Adrian Cole
214.918.4671

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Section 16
Full Size Tree Survey Needed

From: Yi, Changho
To: Erwin, Philip
Cc: Wimer, Megan; Young, Vernon; Eskander, Mina; Martinez, Evodio
Subject: RE: Shady Hollow Estates - Full size Tree Survey needed
Date: Wednesday, June 8, 2022 5:30:52 PM
Attachments: image009.png
image010.png
image011.png
image012.png
image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
image019.png
image020.png

Phil,

This is new to me as well. I don't know how they plan to preserve the trees on the northern area and still propose to excavate the area for detention. How will the grading operation impact the trees if they are planning to keep the trees within the proposed detention pond area? How will the trees impact the detention storage volume? Or is he able to provide adequate storage volume that he needs outside of the "Preservation Area"? He will need to be able to answer these questions for us to consider this option.

Thank you,

Changho Yi, P.E., CFM
Senior Program Manager (Interim) – Paving/Drainage Engineering
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd, Rm 200, Dallas, TX 75203
O: (214) 948-4665 | changho.yi@dallas.gov (New Email Address)

Please note that our email address has been changed from @dallascityhall.com to @dallas.gov domain

helpful Links: Development Guide Engineering Forms DWU Standards

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Please Take a Moment to Tell Us How We Are Doing

From: Erwin, Philip <philip.erwin@dallas.gov>
Sent: Wednesday, June 8, 2022 2:17 PM
To: Yi, Changho <changho.yi@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>
Cc: Wimer, Megan <megan.wimer@dallas.gov>; Young, Vernon <vernon.young@dallas.gov>

Subject: FW: Shady Hollow Estates - Full size Tree Survey needed

Changho,

This is new as of this afternoon. They're suggesting they will be protecting the area on the north. Is this going to be another option for them to consider on Monday?

We will need to know the status of this plan before I can speak to them about tree mitigation concerns regarding the space.

Thanks.

Philip Erwin
Chief Arborist
ISA Certified Arborist (TX-1284-A)
City of Dallas | DallasCityNews.net
Development Services Department
320 E Jefferson Boulevard, Room 105
Dallas, TX 75203
O: 214-948-4117 C: 945-542-2333
philip.erwin@dallas.gov

Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Wednesday, June 8, 2022 12:26 PM
To: Walker, Warren <clay.walker@dallas.gov>
Cc: Erwin, Philip <philip.erwin@dallas.gov>
Subject: Re: Shady Hollow Estates - Full size Tree Survey needed

External Email!

HI Clay, I have a little more information to hopefully wrap this up. We are reducing the central open area by about 60% for detention, as shown in the updated attachment. We did a count of the trees in the remaining area and see about 270 trees that are 4-7in in diameter. Using an average of 6in per tree and a classification of 0.7 we should gain about 1134 classified in of credits from this area.

I think that combined with the additional preserved unprotected trees and what we will plant that we are in excess of what is being removed. What else do you need to confirm that and authorize the permit?

Adrian

On Tue, Jun 7, 2022, at 9:33 AM, Adrian Cole wrote:

> Clay, I did a little more research and I have an update to the email below. First, I did not know what a post oak looks like, but I don't think we have any on the property. I've changed all the oaks smaller than 24" to a 0.7 value. Second, the surveyor measured trees much closer to the root than the City of Dallas standard. This means all of the 8" trees should be classified as 6", so I have removed them from the protected list of removed trees, which makes the numbers a lot more realistic.
>
> The updated numbers are as follows:
>
> - Total inches of protected trees to be removed: 2144, with a replacement value of $413,792
> - Total classified inches of trees to be preserved: 1385
>
> We expect to add an average of 3 trees per lot when finished, or 648 inches (some lots more and some less depending on trees preserved)
>
> I expect with some additional contribution from the open space area we will be close to break-even.
>
> Adrian
>
> On Mon, Jun 6, 2022, at 4:44 PM, Adrian Cole wrote:
>
> > Hi Clay,
> >
> > 1. Please see the attached spreadsheet with multipliers - if I misinterpreted the classifications please let me know.
> > 2. I think the total classified inches of the protected trees in the lot areas for removal would be 3329. The replacement value would be approximately $642,497.
> >
> >   1. The classified inches of trees to be preserved in the lot areas is 1524, with a replacement value of approximately $294,132
> >
> > 3. The green shaded area will be reduced by approximately half in the current plan for detention. We have cleared more of

this area by hand and can see more of what trees are in this area, but do not have a survey yet. I hope to get a lot of trees in the non-detention area to contribute to the replacement value deficit, but we cannot make an exact calculation at this time, as I think it makes sense to finalize the detention area prior to the survey.

We also intend to add more trees to the lots after house construction to help reach the required tree replacement value.

Would it be possible to issue the permit for lot clearing based on this information, with the understanding that we have a deficit which has to be solved either through open space area and/or tree replacement in the finished project?

(as a side note, in further evaluation of the tree survey, the trees were measured much closer to the roots than the City standard, which may overstate preservation requirements, but also likely overstates trees used for credit, although probably to our disadvantage overall. Also, the 2x and 3x trees are often smaller groups of trees would would be unprotected and I have removed some of those from the list.)

On Mon, Jun 6, 2022, at 3:54 PM, Walker, Warren wrote:

> Adrian:
>
> So, what I need now (in order to approve a forthcoming *Tree Removal Permit*) is this: a spreadsheet that:
>
> 1. Calculates the *classified* mitigation inches for <u>all</u> trees on your *Plant Schedule* list—regardless of whether being removed or not. There are 5 classes of trees, but most commonly , trees are *Class 2, Class 3,* or *Significant Trees*. Their diameter classified multipliers are (respectively): 0.7, 0.4 and 1.5. (See the attached for more info.
> 2. Total the *classified* mitigation inches for proposed tree removal and give a valuation.
> 3. The green shaded *Preservation Area* is unclear. All trees within that area should be identified:
>   a. If truly set aside for a preservation area, then no tree removal should be allowed and the spreadsheet should indicate such, however:
>   b. If this is going to be an engineering reviewed *detention pond*, those trees located within should be exempted from mitigation. Again, the spreadsheet should indicate this.

c. If the trees are already removed, you need to let us know why (corresponding to either a or b, above)

Let me know if you have any additional questions.

Thanks,

Clay Walker
Arborist – Southwest District
City of Dallas | DallasCityNews.net
Development Services
Building Inspection
320 E Jefferson Blvd, Room 105
Dallas, TX 75203
O: (214) 948-4471
C: (945) 542-2331
clay.walker@dallas.gov

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From: Adrian Cole <adrian@419builders.com>
Sent: Tuesday, May 31, 2022 11:59 AM
To: Walker, Warren <clay.walker@dallas.gov>
Subject: Re: Shady Hollow Estates - Full size Tree Survey needed

External Email!

Hi Clay, I can bring you a full-size copy tomorrow morning. Let me know if we can do anything else to assist.

Regards,
Adrian
214.918.4671

On Tue, May 31, 2022, at 11:40 AM, Walker, Warren wrote:

> Adrian:
>
> I have been tasked with verifying the accuracy of the tree survey submitted to our department with plat file S178-288. However, I will need a full size hard copy of the survey sent directly to me for use in the field. We are not able to print off the files at anything larger than 11 x 17, and the print is too tiny to read at that scale.
>
> Thanks,

Clay Walker
Arborist – Southwest District
City of Dallas | DallasCityNews.net
Development Services
Building Inspection
320 E Jefferson Blvd, Room 105
Dallas, TX 75203
O: (214) 948-4471
clay.walker@dallas.gov

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Attachments:

- BI_Tree Mitigation Standards.pdf

Attachments:

- Tree list.xlsx

Attachments:

- Tree list.xlsx

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Section 17
Tree Survey

From: adrian@419builders.com <adrian@419builders.com>
Sent: Thursday, December 2, 2021 1:26 PM
To: Erwin, Philip <philip.erwin@dallas.gov>
Cc: Walker, Warren <clay.walker@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>
Subject: Re: Shady Hollow Estates Tree Survey

External Email!
Thanks Phil - I greatly appreciate your assistance here, and I don't mean to cause you extra effort. This is my first time working through this, and we are trying to clean up a mess that I had been told was finalized by a consultant.

It seems that I have misunderstood the purpose of a tree mitigation plan, I was thinking that this could be finalized in advance of or separately from the engineering process. We have the preliminary plat approval and the 1st engineering submission; we are working on addressing & reworking in response to the comments for a 2nd submission, hopefully in the next few weeks, but that continues to take longer than expected.

From what you are saying, it sounds like we will not be able to continue any tree work without further engineering progress, so we will look for other projects to work on. Thanks again for your consideration.

Adrian
214.918.4671

On Thu, Dec 2, 2021, at 7:19 AM, Erwin, Philip wrote:
Adrian,

As much as I wish to help your situation, our procedures need to follow with the plan review process. Can you inform for me what cycle of review you are in with Engineering? If we have the means of the support of a grading permit, we can look to a means of approving clearing. The assessment for the area for conservation can be delayed at this point as long as it is protected from any construction. Try to determine if an early release through Subdivision can be attained which would allow for the process for a grading only permit. I am not inclined to release on a tree removal permit without confirmation by the city of the plan for development.

Phil Erwin

From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Wednesday, December 1, 2021 9:37 AM
To: Erwin, Philip <mailto:philip.erwin@dallascityhall.com>
Cc: Walker, Warren <mailto:clay.walker@dallascityhall.com>; Eskander, Mina
<mailto:mina.eskander@dallascityhall.com>
Subject: Re: Shady Hollow Estates Tree Survey

External Email!

Hi Phil,

Thanks again for your assistance with this, and I'm sorry to follow up again so soon. We have had some challenges in our business, and I need to keep people busy starting in the next few weeks. Is there a possibility we might have the tree mitigation plan approved soon and the stop work order removed? I would like to continue some tree clearing activities here if at all possible. I understand grading work would need to be approved separately. (We have SWPPP in place with inspections currently.)

Please let me know if I can do anything to help expedite the process. I apologize again for the rush request.

Regards,
Adrian
214.918.4671

On Wed, Nov 24, 2021, at 1:46 PM, Adrian Cole wrote:
Hi Phil, thanks for the response. Attached is the spreadsheet that lists all of the trees by ID.

We are looking to use the conservation area as credit towards the mitigation requirements. It's pretty dense with undergrowth, so it's not easy to get an accurate count. With an area of about 3 acres, I propose that this can be assessed to have about 600 non-protected trees with an average size of 5 inches, with 3000 inches of mitigation value. I don't see a practical way to get an accurate survey for that without doing a lot of clearing work, which doesn't help the conservation aspect. Is there a way you could have someone look at this to see if you agree with my assessment?

Adrian
214.918.4671

On Tue, Nov 23, 2021, at 1:34 PM, Erwin, Philip wrote:
Adrian,

We will attempt to be ready when you can begin to get authorizations from Engineering and attain a grading permit for the project. A grading permit through Building Inspection does require Zoning and Arborist authorization along with Engineering.

At this point, it would be most helpful to have the full spreadsheet on your tree survey for us to review the development impact area.

Are you seeking some form of tree mitigation reduction with the conservation area in the center of the development? We are looking to determine if we need to consider tree survey information for that area.

Phil Erwin

From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Tuesday, November 23, 2021 9:39 AM
To: Erwin, Philip <mailto:philip.erwin@dallascityhall.com>
Subject: Re: Shady Hollow Estates Tree Survey

External Email!
Good morning Phil, we are making some progress with the engineering submission. Is there anything else we need to provide on this to help with your review?

Thanks,
Adrian Cole
214.918.4671

On Wed, Oct 27, 2021, at 4:39 PM, Adrian Cole wrote:
Hi Phil, I'm sure you all need some time to review this, I just thought I'd check back to see if you had any feedback, and if I can do anything to help. Thanks.

Adrian Cole
214.918.4671

On Fri, Oct 15, 2021, at 12:29 PM, Adrian Cole wrote:
Good afternoon Phil,

Thanks again for your time in reviewing this project. Since our previous consultant did not seem to make much progress in this area, I have reviewed the data and attached a proposed plan to address the mitigation requirements of Article X.

I took the previous survey that we sent you, and re-labeled all of the trees to show our intended plan. I removed trees from the list which fall into the planned ROW or are unprotected trees that we plan to remove so that the list of data is more accurate.

As you can see in the attached survey/overview and listing of tree data, we propose to remove a total of 4294in of protected trees. This includes trees that could remain on the lots, but that would need to be removed for house building in the future. We would like to remove those trees during the lot construction period to reduce costs later. If it can be considered, I estimate that 5-10% of these trees would not meet typical preservation standards due to decay, leaning, etc.

We also plan to preserve 1556in of protected trees in the lot areas which are listed. The trees to be preserved are in areas of minimal or no grading required. We will likely also attempt to preserve additional trees marked for removal, but will not likely meet the standards of preservation activities in relation to grading, so only trees we definitely plan to preserve are included in this list.

The central area of this project is densely covered with trees, surrounding a natural drainage path. It's not practical to survey this area due to the cover, but based on a review from the edges, I think it's practical to say that this area contains approximately 600 4 or 6in trees. With an average size of 5in, I propose that this area provide 3000in of tree mitigation value.

Secondly, the property border areas to the east and south contain several 4 and 6in trees that we do not plan to remove, and which require no grading. I estimate that these areas contain at least 200 trees with an average size of 5in, for a mitigation value of 1000in. These areas also have dense undergrowth, but can be observed pretty well from both sides.

Would you please review my proposal at your convenience, and let me know if this is a viable approach to addressing City regulations, or provide feedback to adjust? I understand that we will need engineering approval to proceed, but they also need your approval, so perhaps you can help with that while we are working on that side.

Regards,
Adrian Cole
214.918.4671

On Tue, Oct 12, 2021, at 1:09 PM, Erwin, Philip wrote:
Adrian,

The development of the subdivision will determine if the single family/duplex unrestricted zones would apply. The grading permit (with the tree removal permit) establishes the mitigation to be applied to the Property. If you are referencing the single family/duplex exception, that only applies to existing SF/Du structures on lots less than 2 acres in residential districts. The future homeowners in Shady Hollow will enjoy this right after completion of those homes. However, the future required landscape trees will be required on the home site under the landscaping division and the general maintenance requirements in Article X.

The unrestricted zone only applies to an issued residential building permit and the conditions in place at the time of that permit. If the trees were removed under the grading operation, the mitigation applies. If the healthy and protected trees are on a platted residential lot at the time of the building permit being issued following the approval of the development, the unrestricted zone may then be applied to that property under the residential building permit. This condition rarely applies except on infill developments or in subdivisions where no extensive grading is to occur. You are encouraged to retain trees on the lot when feasible.

If there are circumstances where an unrestricted zone may be applied to one or more lots, we will know at the time of building permit for construction for each individual lot. It's imperative that any qualified tree to be considered is fully protected from grading and clearing operations during the development of the subdivision. At the time of the building permit, you can make decisions regarding those individual trees on a lot to lot basis. But if the tree was irreparably damaged during the development operations, we would require the removal and mitigation.

Phil

From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Tuesday, October 12, 2021 11:59 AM
To: Erwin, Philip <mailto:philip.erwin@dallascityhall.com>
Cc: Lam, David <mailto:david.lam@dallascityhall.com>; Eskander, Mina <mailto:mina.eskander@dallascityhall.com>
Subject: Re: Shady Hollow Estates Tree Survey

External Email!
Okay, thank you for responding. I'll work on further planning items. One more question on that, as I am laying out proposed house footprint locations, would you be able to consider protected trees to be removed for house construction to be exempt from mitigation at this time, or would those have to be considered as part of the building permit process? (My understanding is that protected trees under a proposed house site do not require mitigation.)

We have had to go a different direction with our engineering team, so that is still pending a further update.

If there is anything I can do to assist in the site verification, please let me know.

Regards,
Adrian
214.918.4671

On Tue, Oct 12, 2021, at 11:27 AM, Erwin, Philip wrote:
Adrian,

Thank you for the tree survey. We will begin to field verify the tree survey as rapidly as we can manage to do so.

Regarding the stop work order and commencing grading activity, I need to see that you have approval from Engineering to begin or continue grading or excavation work on the property. You would be limited to the areas of work authorized by the contracts and permits.

As for tree preservation, you should commence with providing tree protection as required under Section 51A-10.136 in the development code. We will need to see these protections erected and inspected before any work can commence around the standing trees in the development impact area (construction zone).

All work is subject to permit and engineering authorization. Until those are provided, I must retain the SWO on the site.

Phil Erwin

From: Adrian Cole <mailto:adrian@419builders.com>
Sent: Friday, October 8, 2021 11:44 AM
To: Erwin, Philip <mailto:philip.erwin@dallascityhall.com>
Subject: Shady Hollow Estates Tree Survey

External Email!

Hi Phil,

I spoke with you several weeks ago regarding tree review for this project. Attached is a current survey of the property, except for the primary open area, which is quite dense with trees. As you can see, we have primarily removed trees from the proposed right-of-way, as well as mostly smaller cedar from the lot areas (with some remaining to be removed).

You had issued a stop-work citation related to this project. With agreement that we will not remove any protected trees on the lot areas without further discussion, would you consider removing the stop-work notice so that we could continue to do selective grading, street and utility work as permitted by the engineering department?

I am working on a plan to preserve some of the larger specimen trees on the lots where it makes sense, even moving the houses away from the setback lines in some cases. I hope you can see from this survey that we are taking care to follow the rules as well as achieve an unusual amount of retained trees around the houses. I'm certain that whatever additional trees that need to be removed will be in the footprint of proposed houses, or mitigated by the large number of non-protected trees we are trying to preserve. It will be some time before we have that plan ready for review, and I would like to keep doing some selective work on the site with your permission. Please feel free to call with any questions.

Thank you,

Adrian Cole
214.918.4671
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Attachments:
• Shady Hollow.pdf

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

Attachments:
• Shady Hollow Development - Tree Mitigation List.pdf • Shady Hollow Tree Details.pdf

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

Attachments:
• Tree list.xlsx

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

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Section 18
S178-288

CITY PLAN COMMISSION **THURSDAY, SEPTEMBNER 6, 2018**

FILE NUMBER: S178-288 **SUBDIVISION ADMINISTRATOR:** Paul Nelson

LOCATION: Los Angeles Boulevard if extended, south of Blue Ridge Boulevard

DATE FILED: August 10, 2017 **ZONING:** R-7.5 (A)

CITY COUNCIL DISTRICT: 3 **SIZE OF REQUEST:** 17.858-Acres **MAPSCO:** 63A

APPLICANT/OWNER: Centro Cristiano Para La Familia

REQUEST: An application to create 73 single family residential lots and 2 common area with lots ranging in size from 6,000-square feet to 11,637-square feet from a 17.858-acre tract of land in City Block 6960 as a Community Unit Development on property located on Los Angeles Boulevard if extended, south of Blue Ridge Boulevard.

SUBDIVISION HISTORY:

1. S167-275 was a request north of the present to replat a 5.695-acre tract of land containing all of Lot 3 in City Block 6960 to create 20 lots and one common area as a Community Unit Development on property located on Blue Ridge Boulevard west of Westmoreland. The request was approved September 2, 2017 and has not been recorded.

STAFF RECOMMENDATION: Section 51A-8.503(a) indicates 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 streets…". The adjoining subdivisions to the east are developed with lots that are similar in size. The present request is creating the "established lot pattern for this 24-lot development".

The following chart provides the data for compliance with the Community Unit Development regulations for the proposed subdivision:

Total number of lots:	73
Total Lot Area	777,894 sq. ft.
Lot Area needed for 25% reduction	194,473 sq. ft.
Lot area reduction allowed [1,875 sq. ft./lot; (25%)]	78,660 sq. ft.
Open space provided	138,520 sq. ft.
R-7.5(A) lot area required:	7,500 sq. ft.
Allowed lot area reduction (25%) per lot	-1,875 sq. ft.
Minimum lot area allowed	6,000 sq. ft.
Smallest lots	6,000 sq. ft.

The proposed subdivision complies with the requirements of the community unit development regulations (51A-8.510) for the 25% lot size reduction, Section 51A-8.503, and the requirements of the R-7.5(A) Single Family District; therefore, staff recommends approval subject to compliance with the following 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 Sustainable Development and Construction, 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 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. The number of lots permitted by this plat is 24 and one common area.
11. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).
14. On the final plat, dedicate 28-feet of Right-of-Way (via Fee Simple) from the established center line of Los Angeles Boulevard. 51A 8.602(c)

15. On the final plat, dedicate 7.5-feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of all alleys. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).

16. On the final plat, dedicate a 10-feet by 10-feet corner clip (VIA Fee Simple or Street Easement) at Los Angeles Boulevard and all internal intersections. 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 Los Angeles Boulevard 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 Wenatche Court and the alley. Section 51A-8.602(e),

19. Provide a turn-around per the City of Dallas Standards at the end of alley to the north. Section 51A-8.506(b).

20. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.

21. 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. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

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, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.

27. O the final plat, label original abstract line.

28. 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).

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.

30. 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.

31. Prior to final plat, provide conformation if easement area conveyed from CPI Pipe and Steel Inc. to Centro Cristiano Para La Familia in Instrument No. 200900300707 was ever abandoned by City of Dallas and provide copy of abandonment ordinance and recorded instruments. Real Estate release is required prior to recordation of plat.

32. On the final plat, specify if open space is unimproved, otherwise must comply with open space distance required. Development must comply with Section 51A-8.510

33. On the final plat, identify the property as Lots various and Common area “A” and “B” in City Block 1-4/6960. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

34. On the final plat, change “Wenatche Dr. and Wenatche Ct.” to “Wenatche Drive”. Section 51A-8.403(a)(1)(A)(xii)

35. On the final plat, change “Los Angles Blvd” to “Los Angles Boulevard”. Section 51A-8.403(a)(1)(A)(xii)

36. On the final plat, label “Kimball Ridge Court” and “Kimball Ridge Circle”. Section. 51A-8.403. (a) (1) (A) (xii)

37. On the final plat, add enough street labels to show what will end up as “Los Angles Boulevard”. Section. 51A-8.403. (a) (1) (A) (xii)

HACIENDA DR
LOS ANGELES BLVD
R-10(A)
BLUE RIDGE BLVD
LAMAGAS AVE
SUP 601
LA PLAYA DR
RIO GRANDE AVE
RIO GRANDE CIR
SUP 541
S167-275
SUP 1248
S178-288
R-7.5(A)
KIMBALL RIDGE PL
KIMBALL RIDGE CIR
KIMBALL RIDGE DR
KIMBALLDALE DR
WEMATCHE DR
PICTURELINE CIR
PICTURELINE DR
PD 38
ALTOONA DR
SHADY HOLLOW LN
ZONING MAP
Area of Request
Recent History
1:3,600
Case no: S178-288
Date: 8/20/2018

AERIAL MAP
Area of Request
Recent History
1:3,600
Case no: S178-288
Date: 8/20/2018

Project Site
THIS DOCUMENT SHALL NOT BE RECORDED
THE PURPOSE OF THIS PRELIMINARY PLAT IS TO CREATE 73 RESIDENTIAL LOTS OUT OF THE 17.538 AC. OF LAND
City File Plan No. 2179-266
Preliminary Plat
COMMUNITY UNIT DEVELOPMENT
Shady Hollow Estates
Block A (SFR) Lots 1-28
Block B (SFR) Lots 1-16
Block C (SFR) Lots 1-13
Block D (SFR) Lots 1-16
2 Open Space Lot 1-X, 2-X
Being a 17.538 Acre Tract In the Old Block out of the William Crow Survey, Abstract No. 248 In the City of Dallas, Dallas County, Texas
KPA

N

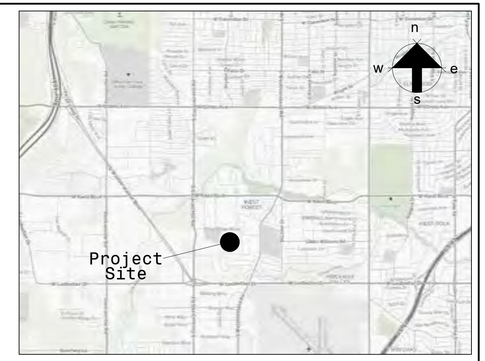
60 0 60 120

SCALE IN FEET
1" = 60'

BOUNDARY CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHD BEAR	CHRD
CV1	235.92	656.47	20°35'26"	N25°43'25"W	234.65

C.L. CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHD BEAR	CHRD
CV2	93.72	200.00	26°50'52"	S75°08'10"W	92.86
CV3	48.12	200.00	13°47'10"	S08°13'14"E	48.01
CV4	50.55	200.00	14°28'52"	N07°52'23"W	50.41
CV5	57.27	200.00	16°24'25"	S81°09'50"W	57.08
CV6	41.71	200.00	11°57'01"	S05°58'31"W	41.64
CV7	43.80	200.00	12°32'53"	N05°40'35"E	43.71

LEGEND	
IRS	1/2" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
IRF	IRON ROD FOUND
CM	CONTROL MONUMENT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING LINE
INST. NO.	INSTRUMENT NUMBER
DOC. NO.	DOCUMENT NUMBER
DRDCT	DEED RECORDS, DALLAS COUNTY, TEXAS
MRDCT	MAP RECORDS, DALLAS COUNTY, TEXAS



Vicinity Map
n. t. s.

(Future Blue Ridge Estates)

Shayman Mahdi
Inst. No. 201600196111196166, D.R.D.C.T.

Block 6960, Lot 3
Trinity Temple Addn. No. 3
Vol. 78039, Pg. 606, D.R.D.C.T.

Block 6960, Lot 1
Trinity Temple Addn. No. 2
Vol. 68116, Pg. 2265, D.R.D.C.T.

Block 6960, Lot 2
Trinity Temple Addn. No. 2
Vol. 77033, Pg. 11, D.R.D.C.T.

Vol. 68116, Pg. 2265 D.R.D.C.T.
Vol. 97026, Pg. 03811 D.R.D.C.T.

LOT 2-X
OPEN SPACE
0.20 Ac.

Ex. Esmt from CPI Pipe & Steel Inc to Centro Cristiano Para La Familia Inst. No. 20090300707 D.R.D.C.T.

Ex. 10' Alley

Ex. Floodway Esmt. (Vol. 73089, Pg. 404)

Block A/6960

STREET "B" (53' R.O.W.)

LOT 1-X
OPEN SPACE
3.18 Ac.

Block 3/6956
Kimball Acres - Install. No. 1
Vol. 52, Pg. 9, M.R.D.C.T.

Dallas I.S.D.
Vol. 4495, Pg. 106, D.R.D.C.T.

Lot 1, Block 6960

F.D.I.C. to ROBERT LOAR Inst. No. 19950176531 Vol. 96216, Pg. 821 D.R.D.C.T.

Los Angeles Blvd.

D.I.S.D. No. 177 Addition
Vol. 97028, Pg. 03811, D.R.D.C.T.

Block B/6960

STREET "C" (53' R.O.W.)

WENATCHE CT. (53' R.O.W.)

Block D/6960

Ex. 01 Alley

Ex. 30' United Gas Esmt.

City of Dallas
Tract III
Inst. No. 199602160248
D.R.D.C.T.

R.O.W. DEDICATION
0.08 Ac.
3396 S.F.

City of Dallas
Tract I
Inst. No. 199602160248
D.R.D.C.T.

STREET "A" (53' R.O.W.)

Block C/6960

Ex. 12' Alley

Block 14/6959
Kimball Estates Ph. 2
Vol. 68076, Pg. 1910, D.R.D.C.T.

Shady Hollow Lane (Ex. 50' R.O.W.)

Block 4/6956
Kimball Estates
Vol. 80, Pg. 2651 M.R.D.C.T.

Wenatche Dr. (Ex. 50' R.O.W.)

Kimballdale Dr. (Ex. 50' R.O.W.)

NOTES:

1. BASIS OF BEARING - SUBJECT TRACT
2. NO LOT-TO-LOT DRAINAGE WILL BE ALLOWED WITHOUT ENGINEERING DEPARTMENT APPROVAL
3. YARD SETBACKS:
   FRONT - 20'
   REAR - 10'
   SIDE - 5'
   SIDE - CORNER LOT - 15'
4. H.O.A. TO OWN AND MAINTAIN OPEN SPACE
5. NO IMPROVEMENTS ON SITE
6. A 20% LOT REDUCTION IS REQUESTED IN THIS C.U.D. OPEN SPACE AREA "LOT 1-X" WILL BE USED AS A PERMANENT OPEN SPACE TO OFFSET THE LOT REDUCTIONS IN ACCORDANCE WITH THE C.U.D. REQUIREMENTS

THE SUBJECT PROPERTY IS WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500 YR. FLOODPLAIN) AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT FLOOD MAPS. SEE PANEL 48113 C 0460 K, DATED JULT 7, 2014.

TOTAL NUMBER OF LOTS	73 S-F & 1 O.S. LOT
TOTAL AREA	17.858 Ac.
COMMON AREA	3.18 Ac.
R-7.5 AREA REQUIRED	7500 SF
ALLOWED LOT AREA REDUCTION (20%) PER LOT	1500 SF
MINIMUM LOT AREA ALLOWED	6000 SF
SMALLEST LOTS	6000 SF

"THIS DOCUMNENT SHALL NOT BE RECORDED"

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO CREATE 73 RESIDENTIAL LOTS OUT OF THE 17.858 AC. OF LAND

City File Plan No. S178-288

Preliminary Plat

COMMUNITY UNIT DEVELOPMENT

Shady Hollow Estates

Block A/6960, Lots 1-29
Block B/6960, Lots 1-16
Block C/6960, Lots 1-12
Block D/6960, Lots 1-16
2 Open Space, Lot 1-X, 2-X

Being a 17.858 Acre Tract in the 6960 Block out of the William Crow Survey, Abstract No. 298 in the City of Dallas, Dallas County, Texas

Owner:
CENTRO CRISTIANO PARA LA FAMILIA
2719 S. Hampton Rd.
Dallas, Texas 75224
214.215.1875

Surveyor:
R.C. Meyers Surveying. LLC
488 Arroyo Ct.
Sunnyvale, Texas 75182
214.532.0636
Firm No. 10192300

Developer:
ADRIAN COLE
1600 Sylvan Ave.
Dallas, Texas 75208
214.918.4671

Applicant:
KPA CONSULTING INC.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

August 9, 2018 Scale:1" = 60' Sht 1 of 2

Property Description

All that certain tract or parcel of land, being 17.858 acres situated in the City of Dallas Block 6960, Dallas County, Texas, and being out of the William Crow Survey, Abstract No. 298, and being all of that certain called 16.584 acre Tract I and all of that certain called 0.667 acre Tract II as conveyed to Centro Cristiano Para La Familia according to a deed recorded in County Clerk's Instrument Number 200201944051, Deed Records of Dallas County, Texas, also being a remainder of that certain called 0.680 acre Tract 1 and all of that certain called Tract 1A conveyed to Centro Cristiano Para La Familia according to a deed recorded in County Clerk's Instrument Number 200900300707, Deed Records of Dallas County, Texas, said 17.858 acres being more particularly described as follows, to-wit;

BEGINNING at a 3/4-inch iron rod (found) at the southeast corner of the above mentioned 16.584 acre Central Cristiano Para La Familia Tract I, same being the northeast corner of Block 4/6956, Kimball Estates, as recorded in Volume 80, Page 2651, Map Records, Dallas County, Texas, and being in the west line of Block 3/6956, Kimball Acres - Installment No. 1, as recorded in Volume 52, Page 9, Map Records, Dallas County, Texas;

THENCE South 89 degrees 22 minutes 03 seconds West, with the north boundary line of the above mentioned Block 4/6956, Kimball Estates, a distance of 830.89 feet to a 5/8-inch iron rod (found) at the southwest corner of said 16.584 acre Centro Cristiano Para La Familia Tract I, same being the southeast corner of a remainder of that certain called 36.344 acre Tract I conveyed to Robert L. Loar according to a deed recorded in County Clerk's Instrument Number 199501765331, Deed Records, Dallas County, Texas;

THENCE North 15 degrees 06 minutes 49 seconds West, along the most southerly west line of said 16.584 acre Centro Cristiano Para La Familia Tract I and the east line of said Robert L. Loar remainder, a distance of 306.73 feet to a 5/8-inch iron rod with cap stamped "Pioneer Mapping" (set) in the south line of the above mentioned remainder of Tract 1 (called 0.680 acre);

THENCE South 88 degrees 36 minutes 43 seconds West, along the south boundary line of the remainder of said Tract 1 (called 0,680 acre), a distance of 58.01 feet to an 8-inch steel fence post (found) at the southwest corner of said Tract 1, same being in the east boundary line of that certain called 18.086 acre Tract I as conveyed to the City of Dallas according to a deed recorded in County Clerk's Instrument Number 199602160248, Deed Records, Dallas County, Texas;

THENCE North 00 degrees 55 minutes 47 seconds West, along the most southerly west line of the remainder of said Tract 1 (called 0.680 acre), at a distance of 4.78 feet passing a 5/8-inch iron rod (found) in the east boundary line of the above mentioned 18.086 acre City of Dallas tract, same being the most southerly corner of a remainder of that certain called 36.344 acre Tract I conveyed to Robert L. Loar according to a deed recorded in County Clerk's Instrument Number 199501765331, Deed Records, Dallas County, Texas, and continuing a total distance of 64.98 feet to an 8-inch steel fence post (found) at the most southerly northwest corner of the remainder of said Tract 1 (0.680 acre);

THENCE North 89 degrees 10 minutes 23 seconds East, a distance of 35,01 feet to an 8-inch steel fence post (found) at an interior ell corner of the remainder of said Tract 1 (0.680 acre);

THENCE North 01 degree 33 minutes 40 seconds West, with the most northerly west line of the remainder of said Tract 1 (0,680 acre), a distance of 34.41 feet to a 5/8-inch iron rod with cap stamped "Pioneer Mapping" (set) at the most southerly point of the above mentioned 0.667 acre Tract II, from which a 5/8-inch iron rod (found) bears South 15 degrees 25 minutes 42 seconds East, a distance of 2.40 feet;

THENCE North 15 degrees 25 minutes 42 seconds West, along the south line of said 0.667 acre Tract II, a distance of 131.76 feet to a 5/8 inch iron rod with cap (found) at the beginning of a curve to the left, having a radius of 656.47 feet;

THENCE North 88 degrees 28 minutes 10 seconds East, a distance of 175.66 feet to a 5/8-inch iron rod with cap stamped "Pioneer Mapping" (set) at the northeast corner of said 0.667 acre Tract II, same being the northwest corner of the remainder of said Tract 1 (0.680 acre), the southeast corner of said Lot 1, Trinity Temple Addition, and the most southerly west corner of the above mentioned Tract 1A;

THENCE North 01 degrees 31 minutes 50 seconds West, along the east line of said Lot 1, Trinity Temple Addition, a distance of 41.00 feet to a 5/8-inch iron rod with cap stamped "Pioneer Mapping" (set) for an interior ell corner of said Tract 1A;

THENCE South 88 degrees 28 minutes 10 seconds West, crossing said Lot 1, Trinity Temple Addition, a distance of 203.85 feet to a P.K. nail (set) for the most westerly south corner of said Tract 1A, being in the east line of Las Vegas Boulevard;

THENCE North 36 degrees 47 minutes 28 seconds West, along the east line of Las Vegas Boulevard, a distance of 36.74 feet to a P. K. nail (set) for the northwest corner of said Tract 1A;

THENCE North 88 degrees 28 minutes 10 seconds East, at a distance of 225,03 feet crossing the east line of said Lot 1, Trinity Temple Addition, same being the most westerly south corner of Lot 2, Trinity Temple Addition No. 2, as shown on a plat recorded in Volume 77033, Page 11, Deed Records, Dallas County, Texas, and continuing a total distance of 255.06 feet to a 5/8-inch iron rod with cap stamped "Pioneer Mapping" (set) for the northeast corner of said Tract 1A, same being an interior ell corner of the above mentioned Lot 2, Trinity Temple Addition No. 2;

THENCE South 01 degrees 31 minutes 50 seconds East, a distance of 71.00 feet, to a 5/8-inch iron rod with cap stamped "Pioneer Mapping" (set) for the southeast corner of said Tract 1A, same being the most southerly west corner of said Lot 2, Trinity Temple Addition No. 2, the northwest corner of said 16.584 acre Tract I, and the northeast corner of the remainder of said Tract 1 (0.680 acre);

THENCE North 88 degrees 28 minutes 10 seconds East, along the north line of said 16.584 acre Tract I and the south line of said Lot 2, Trinity Temple Addition No. 2, a distance of 243.16 feet to a 1/2-inch iron rod (found) at the southeast corner of said Lot 2, same being the southwest corner of that certain called Lot 3, Trinity Temple Addition No. 3, as shown on a plat recorded in Volume 78039, Page 606, Deed Records, Dallas County, Texas;

THENCE North 88 degrees 40 minutes 21 seconds East, along the north line of said 16.584 acre Tract I and the south line of the above mentioned Lot 3, Trinity Temple Addition No. 3, a distance of 665.54 feet to a 1/2-inch iron rod (found) at the northeast corner of said 16.584 acre tract, same being the southeast corner of said Lot 3, and being in the west line of said Block 3/6956, Kimball Acres - Installment No. 1;

THENCE South 00 degrees 35 minutes 52 seconds East, with the east boundary line of said 16.584 acre Tract I and the west boundary line of said Block 3/6956, Kimball Acres - Installment No. 1, a distance of 817.78 feet, to the POINT OF BEGINNING of the herein described tract, containing 17.858 acres of land.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CENTRO CRISTIANO PARA LA FAMILIA does hereby adopt this plat, designating the herein above described property as SHADY HOLLOW ESTATES, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate and convey, in fee simple, to public use forever, the streets and alleys as shown hereon. The easements shown thereon are hereby reserved for the purposes indicated. The easements and fire lanes 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 easements and fire lanes is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements, obstructions, or growths shall be constructed, reconstructed or placed upon, over or across the easements and fire lanes as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. The City of Dallas shall have the right to remove and keep removed from fire lanes, all or parts of any building, fences, trees, shrubs, or other improvements, obstructions, or growths which in any way may endanger or interfere with access of fire units to fire protection facilities or equipment. 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).

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 _____, 2018.

CENTRO CRISTIANO PARA LA FAMILIA

By: _____
Name

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, a Notary Public in and for Dallas County, Texas, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that he and she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____ ,2018.

_____
Notary Public in and for Dallas County, Texas
My commission expires:

SURVEYOR'S STATEMENT:

I, ROBERT C. MYERS, 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 _____, 2019.

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. This document was released 8/9/18 for the City of Dallas' preliminary plat review process.

ROBERT C. MYERS
STATE OF TEXAS NO. 3963

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 ROBERT C. MYERS 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_____ 2018.

_____
Notary Public in and for the State of Texas
My commission expires:

LOT REDUCTION TABLE

BLOCK NO	LOT NO.	REQ'D. SF	ACTUAL SF	SF REDUCTION	REDUCTION %
A/6960	1	7500	11,637	–	–
"	2	7500	7965	–	–
"	3	7500	6000	1500	20%
"	4	7500	6000	1500	20%
"	5	7500	6000	1500	20%
"	6	7500	6000	1500	20%
"	7	7500	6000	1500	20%
"	8	7500	6000	1500	20%
"	9	7500	6000	1500	20%
"	10	7500	6000	1500	20%
"	11	7500	6000	1500	20%
"	12	7500	8794	–	–
"	13	7500	6000	1500	20%
"	14	7500	6000	1500	20%
"	15	7500	6000	1500	20%
"	16	7500	6000	1500	20%
"	17	7500	7834	–	–
"	18	7500	6960	540	7%
"	19	7500	6960	540	7%
"	20	7500	6960	540	7%
"	21	7500	6960	540	7%
"	22	7500	7200	300	4%
"	23	7500	6000	1500	20%
"	24	7500	6000	1500	20%
"	25	7500	6000	1500	20%
"	26	7500	6000	1500	20%
"	27	7500	6000	1500	20%
"	28	7500	6000	1500	20%
"	29	7500	6000	1500	20%
B/6960	1	7500	8547	–	–
"	2	7500	6000	1500	20%
"	3	7500	6000	1500	20%
"	4	7500	6000	1500	20%
"	5	7500	6000	1500	20%
"	6	7500	9554	–	–
"	7	7500	8932	–	–
"	8	7500	6600	900	12%
"	9	7500	6600	900	12%
"	10	7500	7977	–	–
"	11	7500	8607	–	–
"	12	7500	6000	1500	20%
"	13	7500	6000	1500	20%
"	14	7500	6000	1500	20%
"	15	7500	6000	1500	20%
"	16	7500	9437	–	–
C/6960	1	7500	8931	–	–
"	2	7500	6360	1140	15%
"	3	7500	6360	1140	15%
"	4	7500	6360	1140	15%
"	5	7500	6360	1140	15%
"	6	7500	6360	1140	15%
"	7	7500	6360	1140	15%
"	8	7500	6360	1140	15%
"	9	7500	6360	1140	15%
"	10	7500	6360	1140	15%
"	11	7500	6360	1140	15%
"	12	7500	7675	–	–
D/6960	1	7500	6504	996	13%
"	2	7500	6000	1500	20%
"	3	7500	6000	1500	20%
"	4	7500	6000	1500	20%
"	5	7500	6000	1500	20%
"	6	7500	6000	1500	20%
"	7	7500	6000	1500	20%
"	8	7500	6000	1500	20%
"	9	7500	6000	1500	20%
"	10	7500	6000	1500	20%
"	11	7500	6000	1500	20%
"	12	7500	6000	1500	20%
"	13	7500	6000	1500	20%
"	14	7500	6000	1500	20%
"	15	7500	6000	1500	20%
"	16	7500	8598	–	–
TOTAL	73	547,500	470,431	78660	14%

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO CREATE 73 RESIDENTIAL LOTS OUT OF THE 17.858 AC. OF LAND

City File Plan No. S178-288

Preliminary Plat

COMMUNITY UNIT DEVELOPMENT

Shady Hollow Estates

Block A/6960, Lots 1-29
Block B/6960, Lots 1-16
Block C/6960, Lots 1-12
Block D/6960, Lots 1-16
2 Open Space, Lot 1-X, 2-X

Being a 17.858 Acre Tract in the 6960 Block out of the William Crow Survey, Abstract No. 298 in the City of Dallas, Dallas County, Texas

Owner:
CENTRO CRISTIANO PARA LA FAMILIA
2719 S. Hampton Rd.
Dallas, Texas 75224
214.215.1875

Surveyor:
R.C. Meyers Surveying. LLC
488 Arroyo Ct.
Sunnyvale, Texas 75182
214.532.0636
Firm No. 10192300

Developer:
ADRIAN COLE
1600 Sylvan Ave.
Dallas, Texas 75208
214.918.4671

Applicant:
KPA consulting, inc.
3076 Hays Lane
Rockwall, Texas 75087
972.388.6383
Contact: Pat Atkins

August 9, 2018 Scale:1" = 60' Sht 2 of 2

City of Dallas

September 7, 2018

Centro Cristiano Para La Familia
2719 S. Hampton Road
Dallas, TX 75244-2327

RE: S178-288

The City Plan Commission on Thursday, September 6, 2018, approved the preliminary plat of "Shady Hollow Estates Addition", subject to the following 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 Sustainable Development and Construction, 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 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. The number of lots permitted by this plat is 24 and one common area.

11. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).

12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).

13. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).

14. On the final plat, dedicate 28-feet of Right-of-Way (via Fee Simple) from the established center line of Los Angeles Boulevard. 51A 8.602(c)

15. On the final plat, dedicate 7.5-feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of all alleys. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).

16. On the final plat, dedicate a 10-feet by 10-feet corner clip (VIA Fee Simple or Street Easement) at Los Angeles Boulevard and all internal intersections. 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 Los Angeles Boulevard 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 Wenatche Court and the alley. Section 51A-8.602(e).

19. Provide a turn-around per the City of Dallas Standards at the end of alley to the north. Section 51A-8.506(b)

20. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.

21. 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. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

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, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.

27. O the final plat, label original abstract line.

28. 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).

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.

30. 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.

31. Prior to final plat, provide conformation if easement area conveyed from CPI Pipe and Steel Inc. to Centro Cristiano Para La Familia in Instrument No. 200900300707 was ever abandoned by City of Dallas and provide copy of abandonment ordinance and recorded instruments. Real Estate release is required prior to recordation of plat.

32. On the final plat, specify if open space is unimproved, otherwise must comply with open space distance required. Development must comply with Section 51A-8.510.

33. On the final plat, identify the property as Lots various and Common area "A" and "B" in City Block 1-4/6960. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)

34. On the final plat, change "Wenatche Dr. and Wenatche Ct." to "Wenatche Drive" Section 51A-8.403(a)(1)(A)(xii)

35. On the final plat, change "Los Angles Blvd" to "Los Angles Boulevard". Section 51A-8.403(a)(1)(A)(xii)

36. On the final plat, label "Kimball Ridge Court" and "Kimball Ridge Circle" Section. 51A-8.403. (a) (1) (A) (xii)

37. On the final plat, add enough street labels to show what will end up as "Los Angles Boulevard". Section. 51A-8.403. (a) (1) (A) (xii)

If you have any questions concerning the action of the City Plan Commission, please contact me at (214) 948-4452.

Sincerely,

Paul Nelson

Paul Nelson, Subdivision Administrator
Subdivision Section, Current Planning Division
Sustainable Development and Construction Department
320 E. Jefferson Blvd., Room 101
Dallas, TX 75203

cc: RCM Surveying
Attn: Calvin Meyers
488 Arroyo Court
Sunnyvale, Texas 75182

Emails: Calvin Meyers, Clayton Buehrle, Jasmine Chacko, Julio Delgado, Mina Eskander, Maricela Garza, Donna Kirwan-Smithson, David Lam, Laura Morrison, Anel Rodriguez, David Scott, John Stepp, Ursula Walker, Nina Williams

DALLAS CITY PLAN COMMISSION

IN THE MATTER OF THE APPORTIONMENT OF EXACTIONS APPEAL
BY SHADY HOLLOW DEVELOPMENT LLC

BRIEF OF APPELLANT

TO THE HONORABLE CITY PLAN COMMISSION:

Shady Hollow Development LLC (hereafter, "SHD") submits this brief to assist the Dallas City Plan Commission in reviewing SHD's appeal of the City of Dallas' (hereafter "City") apportionment determination of exactions regarding the Shady Hollow Estates development issued on December 22, 2022, and would show the Commission as follows:

I. INTRODUCTION

The preliminary plat for Shady Hollow Estates was approved by the Commission on September 6, 2018, to create 73 single-family residential lots with open space provision to allow for reduced size minimums. The Commission approval letter contained 37 conditions for approval.[1] The required conditions included a directive to dedicate a floodway easement or floodway management area; dedicate area to the existing surrounding alleys; construct required streets according to City standards; and construct water and wastewater mains according to City standards.

The improvements and dedications required for plat approval, which are not related to the needs created by the development and which benefit other property owners and the City, are exactions as defined by City code and state law.

In compliance with Dallas City Code Sec. 51A-1.109, SHD requested Lim & Associates, Inc. to provide an apportionment review of the project. Daniel Lim, P.E., and Guillermo Darce,

[1] Attached as document SHD001-SHD007

P.E., issued a letter on October 10, 2022.[2] SHD provided this letter to the City on October 10, 2022, and requested an application form, which is not publicly available.[3] The apportionment application form was provided on October 17, 2022.[4] To comply with the additional conditions listed on the form, SHD solicited construction bids, delaying the official complete apportionment application to November 11, 2022.[5] The City issued an apportionment determination on December 22, 2022, more than 30 days after the complete application was provided.[6] SHD has appealed the apportionment determination.[7]

II. FACTS

This appeal involves the property located at 4000 Shady Hollow Ln (hereafter, "Property"), which is located north of the current termination of Shady Hollow Ln and Wenatche Dr. The Property is currently owned by SHD. The area where the Property is located is primarily single-family neighborhoods, with a church, a school, and a park surrounding the Property.

A. Alley right-of-way dedications.

SHD followed the requirements of the City Plan Commission in items 15-18 to dedicate additional right-of-way and corner clips along the existing alleys bordering the Property on three sides, by instructing the surveyor to update the plat, and engineers to create engineering plans showing these dedications.[8]

To follow the requirements of the City Plan commission, SHD is required to dedicate 6,787SF of land area to the City to the existing alley right of way. The lots created by the Shady

[2] Attached as document SHD0008-SHD0010
[3] Attached as document SHD0011
[4] Attached as document SHD0012
[5] Attached as document SHD0013-SHD0035
[6] Attached as document SHD0036-SHD0039
[7] Attached as document SHD0040
[8] Attached as document SHD0041

Hollow Estates plat provide additional internal street width to comply with the Street Design Manual standard L-2-U (A), which do not require alley access. The land area to be dedicated to the alley right-of-way benefits property owners outside the plat and the City through the further facilitation of franchise fees and service provision.

The lot bordering this Property at 3818 Wenatche Dr is 10,000SF, and Dallas County Appraisal District values this lot at $100,000, which implies a lot value of $10 per square foot. In dedicating area, which would otherwise be lot area, to the alley right of way, SHD is entitled to an apportionment payment of $67,787 in compensation for the exaction of alley right-of-way dedication.

B. <u>Perimeter street construction of Los Angeles Boulevard.</u>

SHD also followed the requirements of the City Plan Commission approval letter in item 14 to dedicate additional area to the unimproved Los Angeles Boulevard right-of-way bordering the Property to the west, by instructing the surveyor to update the plat, and subsequently by instructing engineers to prepare plans to construct this street in the right-of-way bordering the Property. In preparing this plan, SHD's engineers followed the directive of Dallas City Code Sec. 51A-8.602 (c)(D), which provides, in pertinent part, as follows:

> (c) Streets.
>
> > (D) When substandard right-of-way exists based on this article for a perimeter minor street, sufficient right-of-way must be dedicated to meet one-half of the entire right-of-way width requirement.

Dallas, Tex., Code §51A-8.602 (c)(D)

SHD's engineers also followed the directive of Dallas City Code Sec. 51A-8.604 (c), which provides, in pertinent part, as follows:

> (c) Minor street criteria. If additional right-of-way for a minor street has been waived by the commission in accordance with section 51A-8.602 (c)(3), the amount of street construction required for the streets on which the requirements have been waived is determined by the director of development services. Additional street construction may be required, if necessary, based on the existing condition or width of the streets, and if warranted by the expected traffic volumes, property access requirements, or truck, bus, and taxi loading. **If additional right-of-way has not been waived, minor streets must be designed and constructed to meet criteria given in the Street Design Manual of the city of Dallas.**

Dallas, Tex., Code § 51A-8.604 (c) (emphasis added)

SHD's engineers designed street plans for the unimproved portion of Los Angeles Boulevard bordering the project according to the Design Criteria of the Street Design Manual.[9] This design requires subgrade preparation, stormwater inlet and round concrete pipe installation to accommodate off-site flows according to the volume calculations prescribed in the 2019 Drainage Design Manual.[10]

SHD solicited construction bids for construction to comply with the Apportionment Application form required by the City. The portion of the bids related to the construction of Los Angeles Boulevard includes 34,240SF of grading and road base preparation and 30,310SF of concrete pavement installation, which together are estimated to cost $254,720.[11]

SHD benefits partially from the construction of Los Angeles Boulevard along the perimeter of the Property by creating six lots with frontage onto this street. A similar street internal to the project would create approximately twenty-four lots, on which basis SHD should pay 25% of the street construction cost. SHD also proposes that 10% of the traffic to use this street will be generated by the Shady Hollow Estates development, and that 90% of the traffic to use this street on eventual completion will be for uses related to the existing park, school, and

[9] Attached as document SHD0042
[10] Attached as document SHD0043
[11] This calculation is detailed on document SHD0023

houses. SHD's portion of the street construction cost for Los Angeles Boulevard is 35%, and the City's portion is 65% of $254,720, which is $165,560.

The construction of Los Angeles Boulevard also requires stormwater drainage to comply with the 2019 Drainage Design Manual. This drainage infrastructure primarily accommodates stormwater runoff from the existing park, school, houses and undeveloped properties. The construction of the drainage infrastructure in Los Angeles Boulevard provides a public benefit to the surrounding property owners, and remediates conditions which are non-compliant with current design guidelines. The drainage infrastructure required to construct Los Angeles Boulevard is estimated to cost $140,434.[12] The entire drainage infrastructure construction cost to facilitate the construction of Los Angeles Boulevard is an exaction which is not created by the needs of the project and primarily benefits surrounding property owners and the City. In total, SHD is entitled to an apportionment payment of $305,994 for Los Angeles Boulevard street and drainage construction.

C. Stormwater drainage design and detention.

1. Background.

In a meeting on July 18, 2022, at City offices, attended by City representatives and a SHD representative,[13] City representatives concluded several weeks of emails and discussions, and stated that the Shady Hollow Estates project must use the 2019 Drainage Design Manual, and could no longer use the 1993 Drainage Design Manual in use at the time of preliminary plat approval. In this meeting, City representatives presented Dallas City Code Sec. 51A-8.601 (c), which states:

[12] This calculation is detailed on document SHD0023
[13] Attached as document SHD0044

> (c) If the infrastructure construction is not included in a city-approved private development contract within two years from the preliminary plat approval date, then the infrastructure must be redesigned using the most current criteria.

Dallas, Tex., Code § 51A-8.601 (c)

In the July 18, 2022, meeting, an SHD representative identified specific site challenges in complying with this directive, as the surrounding areas were not designed with this criteria, and the requirements of the 2019 Drainage Design Manual required greatly increased runoff calculations which presented particular challenges for this project. City representatives repeated the decision that the project must use the 2019 Drainage Design Manual and could not use the 1993 Drainage Design Manual. This was also confirmed in an email on July 21, 2022.[14]

Also in the July 18, 2022, meeting, City representatives issued a final decision that the project could not use a floodway easement, which is in conflict with condition 21 of the preliminary plat approval letter. This condition required a detention area to be provided separately from the required unimproved open space, which created further challenges to the project engineering, and restricted the potential lot area and usability of the site. This decision was provided in written form on July 21, 2022.[15]

2. <u>Stormwater detention.</u>

The stormwater flowing through the Shady Hollow Estates project mostly flows from surrounding properties onto the Shady Hollow Estates project. Using the calculations required in the 2019 Drainage Design Manual, a map of undeveloped site runoff conditions shows that of the approximately 267 total cubic feet per second ("CFS") in peak outfall flow of Shady Hollow Estates in a 1% annual chance storm event,[16] approximately 219 CFS is from rain falling on

[14] Attached as document SHD0045-SHD0047
[15] Attached as document SHD0045-SHD0047
[16] Calculated as the Q100 sum of areas A1, B1, B2 and B3 on attached document SHD0048

other sites and flowing onto the property.[17] Using these calculations, approximately 82% of the peak outfall flow in a 1% annual chance storm originates off site.

The development of Sam Circle Estates to the north of Shady Hollow Estates was designed to accept approximately 208 CFS of peak outfall flow of a 1% annual chance storm event from Shady Hollow Estates with a developed runoff coefficient.[18] This project was designed under the requirements of the 1993 Drainage Design Manual. The 1993 Drainage Design Manual required Sam Circle Estates to design a drainage plan to include the estimated peak outfall flow of a 1% annual chance storm event from the fully developed site of Shady Hollow Estates.[19] If this requirement was fully followed and Shady Hollow Estates was also designed under the 1993 Drainage Design Manual, it is likely that no detention would be required in the Shady Hollow Estates project.

In order to follow the requirements of the 2019 Drainage Design Manual, SHD's engineers designed a plan which restricted the peak outfall flow of a 1% annual chance storm event to the stated allowable limit of the Sam Circle Estates project. This requires the construction of a large detention area on the Shady Hollow Estates site to reduce the peak flow rate of outfall from Shady Hollow Estates onto Sam Circle Estates.[20] The detention required on the site is necessary to slow stormwater originating off-site, to remediate the limited outfall condition created by the development of Sam Circle Estates, and to accommodate the increased runoff calculations required under the 2019 Drainage Design Plan. The construction of the detention area and the loss of use for other purposes is an exaction which primarily benefits other property owners and the public, and is required by City conditions for plat approval.

[17] Calculated as the Q100 sum of areas B1, B2 and B3 on document SHD0048
[18] Calculated as the Q,100 years (cfs) Developed sum of areas Off-1, Off-6, and Off-7 on document SHD0049
[19] 1993 Drainage Design Manual, sec. 2.2.2
[20] Attached as SHD0050

The detention area plan for Shady Hollow Estates requires a land area of 46,000SF and the construction is estimated to cost $123,496.[21] This exaction is not created by the needs of this project, and primarily benefits other property owners. SHD is entitled to an apportionment payment of $583,496 for the loss of land area use and construction costs of the detention area.

D. Off-site water and wastewater mains.

Condition 28 of the preliminary plat approval letter for Shady Hollow Estates requires the developer to provide plans for water and wastewater main construction. The City instructed SHD's engineers to design a plan which connects to two existing water mains of at least 8in in size. The existing water main in Shady Hollow Lane extends to the property and is 8in. The other water main extending to the site in Wenatche Dr is 6in. Because only one 8in or larger water main extends to the site, SHD's engineers were instructed by City representatives to connect the new water mains to a second 8in line in Blue Ridge Boulevard.

The preliminary plat of the neighboring development Sam Circle Estates was approved by the Commission on September 28, 2017, to create 20 lots. Subsequently, water and wastewater mains were constructed to serve the created lots on Sam Circle. Section 4.2 of the Development and Design Procedure and Policy Manual, titled "General Procedural Requirements - Preliminary Plat" specifies several development requirements for plats in the City. This section states (emphasis added) "When water and/or wastewater mains are to be constructed, **they shall extend the entire length of the property to be platted or developed regardless of the location of the water and/or wastewater services. This will ensure the neighboring properties can extend these mains when required.** The only exception will be if

[21] This calculation is detailed on document SHD0024

surrounding property cannot be served by the extension of these mains, then the mains can end after the services."

The City approved water and wastewater plans for Sam Circle Estates which did not extend the entire length of the property as required.[22] Furthermore, the plat for Sam Circle Estates did not provide a water and wastewater utility easement in the floodway easement which extends to Shady Hollow Estates, which could have been used to access these mains.[23]

Section 5.2 of the Development and Design Procedure and Policy Manual, titled "Off-site Extension" describes the procedure for reimbursement of water and sewer mains, and provides the following description (emphasis added): "**Offsite extensions are water or wastewater mains that reach outside the platted property's boundary**."

Additionally, Dallas City Code Sec. 49-62 (c) provides in pertinent part, as follows:

> (c) Off-site extensions. The following rules govern the installation of and city participation in off- site extensions required to be constructed by a developer in order to adequately serve the development:
>
> > (1) **The developer shall construct any new off-site extension necessary to adequately serve the development**, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a)
> >
> > (2) Construction of an off-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended. The off-site extension construction may be included as a part of any private development contract for construction of on-site extensions or other infrastructure within the development, provided the rules of this article are complied with. **The city will participate in the cost of the off-site extension by purchasing the extension, after completion and acceptance by the city, for the total evaluated cost of the extension.**

[22] Attached as document SHD0051
[23] Attached as document SHD0052

Dallas, Tex., Code § 49-62 (c) (emphasis added)

As a result of the City not requiring the water and wastewater mains constructed in Sam Circle Estates to extend to Shady Hollow Estates, and failure to require an easement facilitating water and wastewater connections to Sam Circle Estates, SHD is required to connect the mains from Shady Hollow Estates directly to mains in Blue Ridge Boulevard. This requires SHD to construct 571LF of wastewater line and three manholes in the alley from Shady Hollow Estates to Blue Ridge Boulevard,[24] and also requires SHD to construct 1331LF of water line in Los Angeles Boulevard from the termination of Shady Hollow Lane to the intersection of Los Angeles Boulevard and Blue Ridge Boulevard, outside the platted area boundary.[25]

The wastewater line in Los Angeles Boulevard is also outside the platted area. This line is 421LF and requires a wastewater access device and a manhole. This line will partially benefit Shady Hollow Estates, and also provides economical future access options to the park and school properties.

The full amount of water and wastewater line construction off-site, and including the redundant line from the end of Wenatche Drive to the alley towards Blue Ridge Boulevard, is 1331LF of water main and 842LF of wastewater main. SHD benefits from required water and wastewater mains in Los Angeles Boulevard by servicing six lots from these lines. A typical water and wastewater line internal to the development serves one lot for every 25LF of length. SHD's portion of the water line in Los Angeles Boulevard is 150LF, and SHD's portion of the wastewater line in Los Angeles Boulevard is 150LF. The remaining exaction to construct 1181LF of water line and 842LF of wastewater line is not solely caused by the needs of the project, primarily benefits other property owners, and remediates non-compliant conditions

[24] Attached as document SHD0053
[25] Attached as document SHD0054

caused and/or allowed by the City. SHD is entitled to an apportionment payment of $118,489.[26]

E. Apportionment determination.

The City issued a Certificate of No Action regarding the Shady Hollow Estates on December 12, 2022.[27] The City failed to respond to engineering plans submitted on November 4, 2022 within 15 days as required by City code Sec. 51A-8.404 and Tex. Loc. Gov't Code Ann. § 212.0091. The certificate serves as official notice that the plans are approved and that the City has forfeited the right to additional plan reviews regarding this plat.

1. Los Angeles Boulevard street construction apportionment determination.

In the apportionment determination provided on December 22, 2022, the City stated that the construction of Los Angeles Boulevard along the perimeter of the site to the standards of the Street Design Manual is no longer required, and cited City code section 51A-8.604 (b)(2), which does not apply according to condition 14 of the plat approval letter, which states: "On the final plat, dedicate 28-feet of Right-of-Way (via Fee Simple) from the established center line of Los Angeles Boulevard. 51A 8.602(c)"

. The City issued the directive that Lost Angeles Boulevard does not need to be constructed to the standards of the Street Design Manual after previously requiring all streets to be constructed to the standards of the Street Design Manual on official engineering review comments provided under the directive of Tex. Loc. Gov't Code Ann. § 212.0091. The City determined that no apportionment payment for the construction of Los Angeles Boulevard is required. The attempted removal of these construction requirements in the apportionment

[26] This calculation is detailed on document SHD0023
[27] Attached as document SHD0055

determination were only made after SHD had submitted a full application for apportionment with cost determinations for the related exactions.

2. <u>Alley right-of-way dedication apportionment determination.</u>

In the apportionment determination provided on December 22, 2022, the City stated that no alley dedications are required, which does not follow the plat conditions 15-18, after previously also requiring this condition on official engineering review comments provided under the directive of Tex. Loc. Gov't Code Ann. § 212.0091. The City determined that no apportionment payment for alley right of way dedication is required. The attempted removal of these dedication requirements in the apportionment determination were only made after SHD had submitted a full application for apportionment with cost determinations for the related exactions.

3. <u>Stormwater detention apportionment determination.</u>

In the apportionment determination provided on December 22, 2022, the City stated that the 2019 Drainage Design Manual no longer applies to this project, after previously instructing SHD to follow this requirement in meetings and other official communication provided under the directive of Tex. Loc. Gov't Code Ann. § 212.0091, and after denying an application to review this directive with the Board of Adjustment.[28] The City determined that no apportionment payment for detention loss of land area use and construction is required. The attempted removal of these requirements in the apportionment determination were only made after SHD had submitted a full application for apportionment with cost determinations for the related exactions.

4. <u>Off-site water and wastewater mains apportionment determination.</u>

[28] Attached as document SHD0058

In the apportionment determination provided on December 22, 2022, the City stated that SHD may replace the existing 6in water line in Wenatche Drive currently extending to the site instead of connecting to the 8in line in Blue Ridge Boulevard, after previously instructing engineers to design the project to connect to the line in Los Angeles Boulevard.The City determined that an apportionment payment of $95,170 is required upon completion of the water and wastewater mains construction. The City did not provide detail on how this cost is calculated and what portions of the water and wastewater mains are included in this amount.

The statements above were made after the City approved water and wastewater engineering plans, after approving a construction contract, after construction had started, and after a Certificate of No Action was issued. The attempted removal of these construction requirements in the apportionment determination were only made after SHD had submitted a full application for apportionment with cost determinations for the related exactions.

III. ARGUMENTS AND AUTHORITIES

A. Plans have been created based on conditions issued by the City and are considered approved.

The first determination this Commission must make is whether the City erred in the apportionment determination issued on December 22, 2022, by the attempted removal of conditions of platting which were imposed by the City prior to this date. SHD complied with the conditions issued on the preliminary plat approval, with additional conditions issued in engineering comment response letters, and in other directives issued by City representatives in meetings and emails. SHD objected to some of these requirements during the plan reviews, but the City refused to offer alternatives despite several requests.

The Texas Legislature enacted Sec. 212.0091 of the Texas Local Government Code which established procedures for conditional approval of a plan or plat. This statute requires that plans and plats be reviewed according to established code, and that written statements be provided on conditional approvals including a citation to the applicable law, statute, or municipal ordinance.

Section 212.0091 APPROVAL PROCEDURE: CONDITIONAL APPROVAL OR DISAPPROVAL REQUIREMENTS

(a) A municipal authority or governing body that conditionally approves or disapproves a plan or plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

(b) Each condition or reason specified in the written statement:

(1) Must:

(a) be directly related to the requirements under this subchapter; and

(b) include a citation to the law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval, if applicable; and

(2) may not be arbitrary.

Tex. Loc. Gov't Code Ann. § 212.0091. (emphasis added)

The preliminary plat approval issued on September 6, 2018, was a conditional approval of the plat to create Shady Hollow Estates. The conditions issued in the approval letter include citations to the municipal ordinance on which they are based. The attempt to remove these conditions upon a request for apportionment after the plans are approved does not follow Tex. Loc. Gov't Code Ann. § 212.0091. Furthermore, the attempted removal of these conditions, in the apportionment determination issued on December 22, 2022, is arbitrary.

The Texas Legislature enacted Sec. 212.905 of the Texas Local Government Code which established the procedures for approving or disapproving a response to a plan or plat.

Sec. 212.0095 Approval Procedure: Approval or Disapproval of Response

(a) A municipal authority or governing body that receives a response under Section 212.0093 (Approval Procedure: Applicant Response to Conditional Approval or Disapproval) **shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plan or plat not later than the 15th day after the date the response was submitted.**

(b) A municipal authority or governing body that conditionally approves or disapproves a plan or plat following the submission of a response under Section 212.0093 (Approval Procedure: Applicant Response to Conditional Approval or Disapproval):

(1) must comply with Section 212.0091 (Approval Procedure: Conditional Approval or Disapproval Requirements); and

(2) may disapprove the plan or plat only for a specific condition or reason provided to the applicant under Section 212.0091 (Approval Procedure: Conditional Approval or Disapproval Requirements).

(c) A municipal authority or governing body that receives a response under Section 212.0093 (Approval Procedure: Applicant Response to Conditional Approval or Disapproval) shall approve a previously conditionally approved or disapproved plan or plat if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(d) **A previously conditionally approved or disapproved plan or plat is approved if:**

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) **the municipal authority or governing body that received the response does not disapprove the plan or plat on or before the date required by Subsection (a) and in accordance with Section 212.0091** (Approval Procedure: Conditional Approval or Disapproval Requirements).

Tex. Loc. Gov't Code Ann. § 212.905.[29] (emphasis added)

[29] Section 51A-8.404 of the Dallas City Code codifies this provision into the Dallas City Code.

The City did not approve or disapprove the plans submitted on November 4, 2022, before the end of the 15th day after the plans were submitted. These plans are approved according to this statute. The City issued a Certificate of No Action on December 12, 2022, confirming this approval.

The attempt to remove previously issued conditions and requirements for the approved plans in the apportionment determination issued on December 22, 2022, does not follow this statute. The City's instruction in the apportion determination to create new plans with reduced or changed requirements also does not follow this statute.

B. <u>The City did not follow the instructions of the Texas Local Government Code Sec. 202.904 in the apportionment determination.</u>

The Texas Legislature enacted Sec. 212.904 of the Texas Local Government Code which established the procedures for evaluating the portion of costs to be borne by the developer and the portion to be borne by the municipality. Sec. 212.904 (a) provides as follows:

> **Sec. 212.904.(a) APPORTIONMENT OF MUNICIPAL INFRASTRUCTURE COSTS.**
> (a) If a municipality requires, including under an agreement under Chapter 242 (Authority of Municipality and County to Regulate Subdivisions in and Outside Municipality's Extraterritorial Jurisdiction), **as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development** as approved by a professional engineer who holds a license issued under Chapter 1001 (Texas Board of Professional Engineers and Land Surveyors), Occupations Code, and is retained by the municipality. The municipality's determination shall be completed within thirty days following the submission of the developer's application for determination under this subsection.

Tex. Loc. Gov't Code Ann. § 212.904.(a)[30] (emphasis added)

[30] Section 51A-1.109 of the Dallas City Code codifies this provision into the Dallas City Code.

The City has not followed the requirements of this statute by failing to have a professional engineer approve the costs, on the basis of the plans created to meet requirements provided by the City as a condition of the property development project. The City also failed to follow the requirement to provide the apportionment determination within thirty days of submission of the developer's application for apportionment. Instead, the City representative who is a Texas registered professional engineer has attempted to remove requirements and conditions which require that the City pay a portion of the cost, in violation of Texas Local Government Code Sec. 212.0091.

C. <u>The Texas Constitution.</u>

The Texas Constitution is clear that no property may be taken without adequate compensation.

Sec. 17. TAKING PROPERTY FOR PUBLIC USE; SPECIAL PRIVILEGES AND IMMUNITIES; CONTROL OF PRIVILEGES AND FRANCHISES.

(a) **No person's property shall be taken**, damaged, or destroyed for **or applied to public use without adequate compensation being made**, unless by the consent of such person, and only if the taking, damage, or destruction is for:

(1) the ownership, use, and enjoyment of the property, notwithstanding an incidental use, by:

(A) the State, a political subdivision of the State, or the public at large; or

(B) an entity granted the power of eminent domain under law; or

(2) the elimination of urban blight on a particular parcel of property.

Tex. Const. art. I, § 17 (a)

For an exaction to be compensable, the Texas Supreme Court in Stafford Estates said it must be a cost that, in fairness and justice, should be borne by the public instead of the individual. To apply this sense of fairness and justice, the Texas Supreme Court has adopted a "rough proportionality" test to determine whether an exaction constitutes a compensable taking:

> [C]onditioning government approval of a development of property on some exaction is a compensable taking unless the condition (1) bears an essential nexus to the substantial advancement of some legitimate government interest and (2) is roughly proportional to the projected impact of the proposed development.

Stafford Estates, 135 S.W.3d at 634.

The second determination this Commission must make is whether the exactions are roughly proportionate to the projected impact of the proposed development. The conditions and requirements imposed on SHD of alley right-of-way dedication, street construction and related drainage requirements of Los Angeles Boulevard, detention provision to follow the requirements of the 2019 Drainage Design Manual, and construction of off-site water and wastewater mains, in order to approve the development of Shady Hollow Estates, are not proportional to the impact of the proposed development.

D. <u>Rough proportionality standard.</u>

The rough proportionality test requires this Commission to determine whether the conditions imposed are proportionate to the impact of the development. When discussing whether a development's impact can be assessed in relation to all of the streets within the town, the Texas Supreme Court in Town of Flower Mound stated,

"We agree that the Town can take the development's full impact into account

> and is not limited to considering the impact on Simmons Road. But in so doing, the Town is nonetheless required to measure that impact in a meaningful, though not precisely mathematical, way, and must show how the impact, thus measured, is roughly proportional in nature and extent to the Required improvements."
> 135 S.W.3d 620, 644 (Tex. 2004).

The conditions imposed by the Plan Commission in order to develop Shady Hollow Estates of dedicating additional alley right-of-way, constructing the perimeter minor street Los Angeles Boulevard to the standards of the Street Design Manual and providing stormwater drainage for off-site properties in Los Angeles Boulevard, constructing a detention area, and the construction of off-site water and wastewater mains are all remediating existing deficiencies which are not proportionate to the impact of the development.

The apportionment determination of $95,170 for water and wastewater exactions, and $0 for alley right-of-way, street construction, and detention loss-of-use and construction are not roughly proportionate to the impact of the development. The City has admitted that the conditions required for plat approval primarily benefit other property owners, by attempting to remove these conditions, after the plans and plat are approved, after construction has started, and after the City has issued a Certificate of No Action forfeiting the right to additional plan reviews.

The City's apportionment determination acknowledges that these costs are not proportionate to the impact of the development by attempting to remove these conditions in violation of state law and City code. SHD is only asking the City to pay the portion of exactions which are not related to the needs of the development and which benefit the City and other property owners directly, following the guidelines of City code and state law.

E. The City will collect revenue to pay the required apportionment payments.

In a phone call on November 21, 2022, with Adrian Cole, President of SHD, the City representative, who is a Texas registered professional engineer, and who issued the apportionment determination, stated: "the City does not have money to pay for [the right-of-way dedications, street construction, and detention] items." This conversation was summarized in an email sent to the City representative on the same day.[31]

The City collects revenue from several sources towards municipal improvements and maintenance, including property taxes, franchise fees, water and wastewater fees, and stormwater management fees.

SHD estimates that after houses are constructed on the 73 lots to be created by this project, the City will collect new revenue annually of approximately $200,000 in property taxes,[32] $61,000 in water and wastewater service fees,[33] $18,000 in franchise fees,[34] and $8,000 in stormwater management fees.[35] Using an annual revenue increase projection of 5%, the fees listed above are estimated to generate approximately $3,600,000 in new revenue to the City over the first 10 years after houses are constructed.

In addition to the new revenue to be created by this project, the City currently collects property taxes, water and wastewater service fees, franchise fees, and stormwater management fees from property owners in the immediate vicinity of the Shady Hollow Estates. These fees compensate the City for services provided, and the City invests a portion of these fees in municipal improvements similar to the non-proportionate exactions imposed on SHD. The City has an obligation to facilitate required improvements which benefit the public. The existing

[31] Attached as document SHD0056-SHD0057
[32] Estimated as $370,000 property value multiplied by City tax rate of $0.7458 per $100 in value
[33] Estimated as $70.19 per lot monthly; Source: City of Dallas FY 2023 Adopted Budget, Page 84
[34] Estimated as $21.09 per lot monthly
[35] Estimated as $9.22 per lot monthly; Source: City of Dallas FY 2023 Adopted Budget, Page 83

revenues collected in this area, and future revenue to be created by this project clearly exceed the City's required apportionment payment.

F. Summary of non-proportionate exactions

The following table summarizes the City's portion of the exactions to develop Shady Hollow Estates:

Exaction Item - City's Portion	**Cost**
Dedication of alley area	$67,787.00
Construction of Los Angeles Boulevard Street	$165,560.00
Construction of Los Angeles Boulevard Drainage	$140,434.00
Detention loss-of-use and construction	$583,496.00
Off-site water main	$72,361.00
Off-site wastewater main	$46,128.00
Total apportionment amount	**$1,075,766.00**

IV. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, SHD respectfully requests the Dallas City Plan Commission issue an apportionment determination regarding plat S178-288 Shady Hollow Estates finding that the City's portion of the exactions required for development require an apportionment payment of $1,075,766.

Respectfully submitted,

Shady Hollow Development LLC
Adrian M. Cole
President

/s/ Adrian M. Cole
Adrian M. Cole
adrian@fastmail.com
214.918.4671

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Irving, Texas 75063

CERTIFICATE OF SERVICE

This is to certify that on this the 6th day of February, 2023, a true and correct copy of the above and foregoing was served upon the secretary of the City Plan Commission via e-mail.

/s/ Adrian M. Cole

Adrian M. Cole

CITY PLAN COMMISSION **THURSDAY, SEPTEMBNER 6, 2018**

FILE NUMBER: S178-288 **SUBDIVISION ADMINISTRATOR:** Paul Nelson

LOCATION: Los Angeles Boulevard if extended, south of Blue Ridge Boulevard

DATE FILED: August 10, 2017 **ZONING:** R-7.5 (A)

CITY COUNCIL DISTRICT: 3 **SIZE OF REQUEST:** 17.858-Acres **MAPSCO:** 63A

APPLICANT/OWNER: Centro Cristiano Para La Familia

REQUEST: An application to create 73 single family residential lots and 2 common area with lots ranging in size from 6,000-square feet to 11,637-square feet from a 17.858-acre tract of land in City Block 6960 as a Community Unit Development on property located on Los Angeles Boulevard if extended, south of Blue Ridge Boulevard.

SUBDIVISION HISTORY:

1. S167-275 was a request north of the present to replat a 5.695-acre tract of land containing all of Lot 3 in City Block 6960 to create 20 lots and one common area as a Community Unit Development on property located on Blue Ridge Boulevard west of Westmoreland. The request was approved September 2, 2017 and has not been recorded.

STAFF RECOMMENDATION: Section 51A-8.503(a) indicates 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 streets…". The adjoining subdivisions to the east are developed with lots that are similar in size. The present request is creating the "established lot pattern for this 24-lot development".

The following chart provides the data for compliance with the Community Unit Development regulations for the proposed subdivision:

Total number of lots:	73
Total Lot Area	777,894 sq. ft.
Lot Area needed for 25% reduction	194,473 sq. ft.
Lot area reduction allowed [1,875 sq. ft./lot; (25%)]	78,660 sq. ft.
Open space provided	138,520 sq. ft.
R-7.5(A) lot area required:	7,500 sq. ft.
Allowed lot area reduction (25%) per lot	-1,875 sq. ft.
Minimum lot area allowed	6,000 sq. ft.
Smallest lots	6,000 sq. ft.

The proposed subdivision complies with the requirements of the community unit development regulations (51A-8.510) for the 25% lot size reduction, Section 51A-8.503, and the requirements of the R-7.5(A) Single Family District; therefore, staff recommends approval subject to compliance with the following 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 Sustainable Development and Construction, 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 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. The number of lots permitted by this plat is 24 and one common area.
11. Submit a full set of Civil Engineering plans, prepared per City Standards by a licensed (TX) Professional Engineer, to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).
12. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).
13. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).
14. On the final plat, dedicate 28-feet of Right-of-Way (via Fee Simple) from the established center line of Los Angeles Boulevard. 51A 8.602(c)

15. On the final plat, dedicate 7.5-feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of all alleys. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).

16. On the final plat, dedicate a 10-feet by 10-feet corner clip (VIA Fee Simple or Street Easement) at Los Angeles Boulevard and all internal intersections. 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 Los Angeles Boulevard 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 Wenatche Court and the alley. Section 51A-8.602(e),

19. Provide a turn-around per the City of Dallas Standards at the end of alley to the north. Section 51A-8.506(b).

20. On the final plat, determine the 100-year water surface elevation across the plat. Section 51A-8.611(d) and Trinity Watershed Management.

21. 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. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

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, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.

27. O the final plat, label original abstract line.

28. 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).

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.

30. 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.

31. Prior to final plat, provide conformation if easement area conveyed from CPI Pipe and Steel Inc. to Centro Cristiano Para La Familia in Instrument No. 200900300707 was ever abandoned by City of Dallas and provide copy of abandonment ordinance and recorded instruments. Real Estate release is required prior to recordation of plat.

32. On the final plat, specify if open space is unimproved, otherwise must comply with open space distance required. Development must comply with Section 51A-8.510

33. On the final plat, identify the property as Lots various and Common area "A" and "B" in City Block 1-4/6960. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

34. On the final plat, change "Wenatche Dr. and Wenatche Ct." to "Wenatche Drive". Section 51A-8.403(a)(1)(A)(xii)

35. On the final plat, change "Los Angles Blvd" to "Los Angles Boulevard". Section 51A-8.403(a)(1)(A)(xii)

36. On the final plat, label "Kimball Ridge Court" and "Kimball Ridge Circle". Section. 51A-8.403. (a) (1) (A) (xii)

37. On the final plat, add enough street labels to show what will end up as "Los Angles Boulevard". Section. 51A-8.403. (a) (1) (A) (xii)

HACIENDA DR
LOS ANGELES BLVD
R-10(A)
BLUE RIDGE BLVD
SUP 601
LAMAR AVE
LA PLAYA DR
RIO GRANDE AVE
RIO GRANDE CIR
SUP 541
S167-275
SUP 1248
S178-288
R-7.5(A)
KIMBALL RIDGE PL
KIMBALL RIDGE CIR
KIMBALL RIDGE DR
WINSTONE DR
KIMBALLDALE DR
PICTURELINE CIR
PICTURELINE DR
PD 38
ALTOONA DR
SHADY HOLLOW LN
ZONING MAP
Area of Request
Recent History
1:3,600
Case no: S178-288
Date: 8/20/2018

AERIAL MAP
Area of Request
Recent History
1:3,600
Case no: S178-288
Date: 8/20/2018

Project Site
Vicinity Map
"THIS DOCUMENT SHALL NOT BE RECORDED"
THE PURPOSE OF THIS PRELIMINARY PLAT IS TO CREATE FIVE RESIDENTIAL LOTS OUT OF THE 17.638 AC. OF LAND.
City File Plan No. 3179.068
Preliminary Plat
COMMUNITY UNIT DEVELOPMENT
Shady Hollow Estates
Block A/6962, Lots 1-28
Block B/6962, Lots 1-15
Block C/6962, Lots 1-12
Block D/6962, Lots 1-15
2 Open Spaces, Lot 1-X, 2-X
Being a 17.638 Acre Tract in the 4Rd Block out of the William Crow Survey, Abstract No. 295 in the City of Dallas, Dallas County, Texas
KPA

SHD0007

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPE Firm F-3232 • TBPLS Firm 10123600
1112 N. Zang Boulevard, Suite 200, Dallas, Texas 75203 -1310
Tel. (214) 942-1888 • Fax (214) 942-9881 • E-mail: LimAssoc@aol.com

Civil Engineering
Municipal Engineering
Site Development
Land Surveying

To: City of Dallas Director of Engineering

From: Daniel S. Lim, PE, RPLS, CFM

Date: October 10, 2022

Re: Apportionment Determination as specified in SEC. 51A-1.109.

Background
Guillermo Darce, PE has analyzed the existing infrastructure surrounding the proposed development project Shady Hollow Estates at the street address of 4000 Shady Hollow Ln. Guillermo has also designed infrastructure improvements to facilitate the platting of this property into 73 residential lots under the approval and conditions of plat S178-288.

The developer of this project is Shady Hollow Development LLC. The developer has commissioned this report to request an apportionment determination of infrastructure improvements and land dedications required by the City of Dallas to approve this project.

Streets
The existing improved streets serving this project are adequate for traffic volume and have been extended to the site in accordance with City of Dallas development guidelines. The streets at the south of this project, Wenatche Dr and Shady Hollow Ln are in acceptable condition and size to serve this project.

The proposed design requires improvement of existing right-of-way of Los Angeles Blvd to the west of the project, extending from where Shady Hollow Lane ends to the south. This street improvement will also benefit future development and access to the park and school properties to the west, as well as benefit property to the north in the event of increased development density as allowed by current zoning.

The internal street designs and the improvement of Los Angeles utilize the L-2- (A) specification with 53’ right-of-way and 33’ pavement with sufficient access to the proposed lots from the improved streets, according to street design.

The developments to the south and east primarily utilize the L-2-U(B) specification with 50’ right-of-way and 26’ pavement streets with primary access via alleys.

The required alley dedications of 1.5’ to the north, east, and south as determined by the City of Dallas will primarily benefit existing development and are not required to meet zoning and development requirements for the proposed plat.

Water

The existing water line stubs near the property in Wenatche Dr is 6-inch and in Shady Hollow Lane is 8-inch and appear to be in adequate condition, and were extended to the property in accordance with the City of Dallas development guidelines.
There are no accessible water lines to the north of the project, as the recent development of Blue Ridge Estates did not extend service to this property as required by the City of Dallas development guidelines. The nearest line to the north is in Blue Ridge Blvd, and is of relatively recent construction with adequate capacity to serve this project.

The proposed lines on the internal streets for this plat will be used primarily by the created lots.

The proposed water line in Los Angeles Blvd from Blue Ridge Blvd to Shady Hollow Ln will partially benefit the proposed project, and will also benefit potential development options of the properties to the west and north. This line will primarily benefit other properties and improve the function and resilience of water services in all surrounding areas.

Wastewater

There are no usable wastewater services near this property at an acceptable elevation to facilitate direct connection. The natural topography of this area requires wastewater service to flow downhill to the north. The recent development of Blue Ridge Estates did not extend service to this property as required by the City of Dallas development guidelines. The proposed wastewater service connection is in Blue Ridge Blvd.

The proposed lines on the internal streets for this plat will be used primarily by the created lots.

The proposed wastewater line in Los Angeles Blvd along the length of the property will also benefit future development of properties to the west and allow for economical re-development of those allowed by current zoning. The proposed wastewater line in the unimproved alley area to the north is unnecessary for service to this project, and only of possible benefit to the property to northwest. The proposed lines along the north of the property and extending through the alley to Blue Ridge Blvd do not directly serve this

project, but are required to remedy the lack of service provision due to inadequate connectivity options due to the development of Blue Ridge Estates.

Storm Drainage

The developed areas to the south and west drain onto the project and flow through the site to the recent Blue Ridge Estates development. The Blue Ridge Estates development used drainage calculations to facilitate development of the subject site using rainfall coefficients in line with the current zoning of R7.5 in a built-out condition. Under the 1991 Drainage Design Manual in use at the time, it is expected that the flow rates accepted by this site would not require reduced flow and/or detention.

Under the 2019 Drainage Design Manual now in place, higher rainfall coefficients require increased capacity to contain flow originating from offsite to the downstream outflow. This requires increased storm pipe capacity, larger inlets, and probable detention to reduce flows calculated under these conditions to the limits of the outflow capacity calculated under prior guidelines.

Most of the required storm drain improvements and all of the required detention will benefit surrounding properties to the south, west, and north. The improvements will be of particular value to properties on the west along Los Angeles Blvd, as well as many properties in the downstream area which will have lessened rainfall conditions and increased development potential under the 2019 Drainage Design Manual.

Fire Hydrants

The proposed development includes the installation of 7 new fire hydrants. 5 of these will primarily serve the lots in this project. The 2 fire hydrants proposed in Los Angeles Blvd will also provide benefit to the properties to the west as well as facilitate any future development with increased density allowed by zoning of these properties and the property to the north-west.

Respectfully,

Shady Hollow Development LLC

2217 Yaupon Dr
Irving, TX 75063
adrian@419builders.com
214.918.4671

October 10, 2022

To City of Dallas Director of Engineering

Regarding plat S178-288, we have engaged Lim & Associates, Inc. to perform an analysis of existing infrastructure around this project as provided by Sec. 51A-1.109 of the Dallas Development Code.

This section references an application form, which we have been unable to locate. Please provide this form if available, as well as any updates on the process at the contact below.

Regards,

Adrian Cole
214.918.4671
adrian@419builders.com

Shady Hollow Development - Analysis Application Form

From: Garza, Maricela <maricela.garza@dallas.gov>
To: adrian@419builders.com <adrian@419builders.com>
Cc: limassoc@aol.com <limassoc@aol.com>, Eskander, Mina <mina.eskander@dallas.gov>
Subject: Shady Hollow Development - Analysis Application Form
Date: Monday, October 17, 2022 5:33 PM
Size: 196 KB

Good afternoon Mr. Cole,

Per your hand delivered request (1st attachment) to the Director of Engineering, please find attached (2nd attachment) the Analysis Application form.

Thank you,

Maricela S. Garza
Administrative Specialist II
City of Dallas | DallasCityNews.net

Development Services
Engineering Division
320 E. Jefferson Blvd., Room 200
Dallas, TX 75203
O: 214-948-4063
Maricela.garza@dallas.gov

****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.****

Please Take a Moment to Tell Us How We Are Doing

Application Form Request .pdf 30 KB Application for Determination of Apportionment.pdf 22 KB

Shady Hollow Development - Analysis Application Form

From: Adrian Cole <adrian@419builders.com>
To: Garza, Maricela <maricela.garza@dallas.gov>
Cc: Daniel Lim <limassoc@aol.com>, Eskander, Mina <mina.eskander@dallas.gov>
Subject: Re: Shady Hollow Development - Analysis Application Form
Date: Friday, November 11, 2022 11:49 AM
Size: 6.3 MB

Good morning all,

Attached is a completed Analysis Application form, 4 project bids, and apportionment request detail document.

Please confirm request of this submission and if any other information is needed. Thank you for your assistance.

Regards,
Adrian Cole
214.918.4671

Application for Determination of Apportionment.pdf 1.1 MB

Shady Hollow Estates Paving Proposal.pdf 2.8 MB **Shady Hollow Estates Proposal.pdf** 297 KB

22-1724; 221102; E-MAILED P Prop; Shady Hollow Estates.pdf 96 KB

Shady Hollow Estates - Site 19 Build Estimate.pdf 53 KB

Shady Hollow Estates - Development Apportionment Detail 2022-11-11.pdf 137 KB

Staff Use – Date Received _____

City of Dallas
APPLICATION FOR DETERMINATION OF APPORTIONMENT
(reference City of Dallas Code 51A-1.109)

1. Name of Project: Shady Hollow Estates
2. Plat No: S178-288 Building Permit Application No. _____
3. Paving/Drainage Project No. 311T-10059 Water/Wastewater Project No. WW22-231
4. Project Description: Plat 73 single family lots on undeveloped tract
5. Project Location (w/Lot & Blk): 3792 Wenatche Dr DCAD Mapsco No. 63-A
6. Owner/Developer: Shady Hollow Development LLC
   Mailing Address: 2217 Yaupon Dr
   City: Irving State: TX Zip: 75063 Telephone: (214) 918-4671
   Contact Person: Adrian Cole Email: adrian@419builders.com
6. Engineering Firm: Lim & Associates, Inc.
   Mailing Address: 1112 N. Zang Boulevard Suite 200
   City: Dallas State: TX Zip: 75203 Telephone: (214) 942-1888
   Contact Person: Daniel Lim Email: limassoc@aol.com
7. Reason for Request (describe the perceived exaction): You may attach a supplemental document if more space is needed.
   See attached documents
8. Submittals **REQUIRED**: (*incomplete submittals will be rejected.*)

   ☑ Developer's Report (signed and sealed by active Licensed Civil Engineer);
   Report should include items expressed in 51A-1.109, as well as, but is not limited to:
   - ☑ Preliminary Plat (existing recorded plat if no proposed plat); **and**
   - ☑ 24" x 36" set of most current Engineering Design plans; **and**
   - ☑ Project specific bid packages received from the contractors with itemized cost estimates of proposed project (total cost and public improvements costs) (min. of 3 bid estimates)

I certify that all information submitted are accurate and project specific. I have read Section 51A-1.109 of the City of Dallas code in its entirety and understand required deliverables and subsequent schedule upon a complete submittal.

DEVELOPER'S SIGNATURE: DATE: 11-11-2022

Project Background

- September 6, 2018, City Plan Commission approves plat S178-288 with conditions:

  The following chart provides the data for compliance Development regulations for the proposed
  Subdivision with the Community Unit Development Regulations for the proposed subdivision:

  Total number of lots: 73
  Total Lot Area 777,894 sq.ft
  Lot Area needed for 25% reduction 194,473 sq. ft.
  Lot area reduction allowed [1,875 sq. ft.flat; (25%)] 78,660 sq. ft.
  Open space provided 138,520 sq. ft.
  R-7.5(A) lot area required: 7,500 sq. ft
  Allowed lot area reduction (25%) per lot 1,875 sq. ft.
  Minimum lot area allowed 6,000 sq. ft.
  Smallest lots 6,000 sq ft.

- **Condition 12 of CPC approval:**

Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(e).

Apportionment Basis - SEC. 51A-1.109.

(a) Exactions must be related and proportionate.
(1) No exactions may be imposed unless the exactions are:
(A) related to the needs created by the property development project; and
(B) roughly proportionate to the impact of the property development project.
(2) No precise mathematical calculation is required, but the city must make an individualized determination that the required exaction is related both in nature and extent to the impact of the property development.

Street apportionment

- Internal Streets
  - Wenatche Dr, Pierre St, Juneau Ave and Montpellier Ln area construction and dedication are roughly proportionate to needs created by development.
- External street Los Angeles Blvd
  - SEC. 51A-8.603 requires construction of a minor street and storm drainage along the perimeter of the proposed plat.
  - City did not require street construction and drainage during platting of school and church properties or creation of park, which places an unequal burden on the development of Shady Hollow Estates to resolve drainage & other issues

- City uses unimproved Los Angeles Blvd ROW for access to Doris Berry park and identifies park for access at Blue Ridge Blvd in the Los Angeles Blvd ROW. Park address with Dallas County Assessment District is on Cockrell Hill Rd, but no reasonable access is provided on Cockrell Hill Rd, with steep overgrown terrain and barbed wire fencing. Park was established in 1996. Dallas park master plan includes over $1M in proposed improvements for park.
- The Five Mile Creek Urban Greenbelt plan created in partnership with the City of Dallas Park and Recreation Department proposes to use the Los Angles Blvd ROW frontage of Doris Berry Park to provide access to the Kiest greenbelt.
- Park area has not been platted, but includes minor improvements and exists in a condition that uses Los Angeles Blvd ROW for drainage and access, with future use options likely to primarily use Los Angeles Blvd upon improvement, which will provide a large public benefit.
- This street as designed partially benefits proposed development, but is outside platted area, and largely benefits City of Dallas park land access and future development. Proposed street area is approximately 31,310SF.
- Proposed plat has been designed to incorporate this street to gain some benefit, but required construction largely benefits other properties. Construction of Los Angeles Blvd is further required due to no street connectivity provided by Blue Ridge Estates development to continue Wenatche Dr to the north and serve the development from multiple points
- *Stafford Estates*, 135 S.W.3d at 631-34 has found that a general requirement to construct an abutting street as a general rule does not meet the rough proportionality requirement of apportionment rule, and City did not require this for other land fronting Los Angeles Blvd.
- Shady Hollow Estates benefits at a minor level from street construction and does not have a reasonable option to avoid construction as other properties have/had due to code requirement and zoning limitations of double frontage and setbacks..
- Construction of Los Angeles Blvd on City property also creates increased drainage requirements which should not be counted against any drainage needs created by the development, as the street is not part of the plat. The construction of this street in part also requires additional costs to facilitate drainage requirements at current standards to resolve issues left unresolved by other parcel development places an unequal burden and unequal requirement on construction of this street by Shady Hollow Estates.
- Shady Hollow Estates will benefit from Los Angeles Blvd street construction by fronting 6 lots onto this street. The construction of the internal street Wenatche Blvd at a similar length allows for the service of 24 lots. As such Shady Hollow Estates benefits from street frontage area at 25% of typical internal street benefit.
- Traffic usage for the street will predominantly serve outside traffic upon eventual completion of street improvement to Blue Ridge Blvd. Shady Hollow Estates will contribute less than 10% of traffic usage to street at eventual completion.

- Alleys

    - City agreed to remove requirement to provide alley turn-around condition of plat approval item 18 due to loss of property flag portion at north-west corner of property due to improper conveyance at purchase.
    - Code sections cited on CPC letter for approval item 15 (Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611 (e).) refer to minor streets, not alleys.
    - City code SEC. 51A-8.507 (a) indicates alleys are only required based on street width and zoning. This plat does not require alleys due to wider street provisions internally.
- Dedication required to alley way at north of project of 3142sf is not required for proposed street type internal to project; required dedication is not related and proportionate to the impact of the plat.
- Dedication required to alley way at east of project of approximately 2044sf are not required for existing use or proposed use of platted property; required dedication is not related and proportional to the impact of the plat.
- Dedication required to alley way at south of project of approximately 1601sf is not required for existing use or proposed use of platted property; required dedication is not related and proportionate to the impact of the plat.
- Overall existing alleys were dedicated by previous platting and intended or required for use of other properties. Updated City of Dallas requirements for wide alley dedications are not created by this project and should be compensated accordingly due to loss of project land area.
- If previous platting had used different street and utility planning without alleys, additional dedication would not be required by this project. Required dedications are not proportionate to proposed plat and usage.
- Proposed project includes driveways and utilities at front of lots, with all resident and service traffic on internal streets. No effective addition to alley usage or traffic allows for current alley width to adequately serve reduced requirements. Proposed development does not create a need for additional alley width and dedication requirement is not proportional to needs of development.

Drainage apportionment

- In 2018, City of Dallas approved Blue Ridge Estates plat and engineering which provided for detention in open space. Blue Ridge Estates drainage plans allowed for built-out runoff of Shady Hollow Estates.

- In 2019, City of Dallas adopted the 2019 Drainage Design Manual. Updated manual requires increased runoff calculations which make downstream development to the north out of compliance with new drainage calculations both for existing and proposed conditions

- Compliance with new drainage calculations requires detention to be provided for in Shady Hollow Estates due to large amount of off-site rainfall which new regulations calculate to have greater flow requirements

- On July 20, 2022, Director of Engineering informs Shady Hollow Development that detention cannot be part of open space, and requires separate land area, which reduces development options for number and size of lots

- Effect of 2019 Drainage Plan and determination of Director of Engineering effect a reduction in land use potential and is a taking as described by case law. Under 1991 Drainage Design Manual in place at time on platting, this project would likely not have required detention due to adequate outfall condition. Blue Ridge Estates project to the north was developed after plat approval for Shady Hollow Estates and created a limited out-flow condition as calculated by current guidelines.

- Under the 2019 Drainage Design Manual, the existing conditions and outflow are not in compliance with updated runoff coefficient numbers. The City of Dallas is requiring Shady Hollow Estates to resolve existing outflow restrictions in Blue Ridge Estates which are insufficient for undeveloped or developed flow under current rainfall models, as well as to resolve increased runoff volume calculations for off-site rainfall.

City code regarding requirements of detention:

(c) Detention.

(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two-percent, 10 percent, and 50 percent annual chance storm events. Detention must be provided in the following instances:

(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.200 of this chapter.

(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Detention will not be required if:

(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;

(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or

(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.

(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity.

The City of Dallas approved the Blue Ridge Estates development and paid for the drainage infrastructure, which created an out-flow limit to the Shady Hollow Estates project, and subsequently adopted a new Drainage Design Manual requiring further detention based on

flows originating off-site and now created by the development. The requirement for detention on Shady Hollow Estates has been created by City actions and off-site conditions. The resulting requirement for detention provides primary benefit to off-site properties by bringing them into compliance with current drainage requirements in exchange for reduced development area and development quality in Shady Hollow Estates.

The City of Dallas approved plats of Zion Apostolic Church and Thomas A. Tolbert elementary school without construction of Los Angeles Blvd. along the plats. Construction of this street would likely have reduced drainage requirements on Shady Hollow Estates and provided additional options to facilitate runoff originating from park, school and other developed properties.

The City of Dallas approved a site plan for Thomas A Tolbert elementary school which allowed for drainage flow to cross onto the tract now proposed to be Shady Hollow Estates across the Los Angeles Blvd ROW. Drainage flow could have or should have been redirected north to Blue Ridge Blvd through the Los Angeles Blvd ROW, especially if this street had been constructed at that time.

The resulting conditions and requirements for remediation require much larger inlets and pipe to accept flow which generates from off-site areas. Much of the required inlets and conveyance resolve existing conditions on City of Dallas property, bringing it into compliance with new requirements.

The net impact of this development on existing drainage patterns is a small increase in drainage flows which could likely be provided for without detention or by utilizing other dedicated portions of the project to avoid the loss of land area that current requirements necessitate, especially if a reduced out-flow condition was not created by the development of Blue Ridge Estates.

The requirements of detention and higher-capacity storm drain infrastructure in order to complete the plat as originally approved in 2018 amount to an apportionment that is not related or proportionate, as it is caused by downstream development limitations, offsite runoff generation, and increased requirements by the City of Dallas. The following costs should be compensated:

- Storm drain inlets and underground pipe to convey off-site drainage across site
- Construction of detention area and outflow facilities
- Loss of land area required to be used exclusively by detention which cannot be considered open space, approximately 46,000SF of land area

Additionally, the City has determined that the land area required for detention on this project must be provided separately to the proposed open space to be dedicated on the plat. The loss of land area is unexpected and caused directly by City actions and determinations. This land could have been used for lots or natural space if the outside drainage conditions were separately resolved or if the City allowed regulations in place at the time of platting to be used in detention requirement determination. The result is an uncompensated taking by the City via

requirements for zoned development, which also negatively affects the desirability of the resulting development.

The land required to be used for detention requires grading and removal of existing trees, along with a prohibition of planting new trees. The City detention guidelines also require fencing, maintenance, and liability for the developer and future property owners. The resulting detention area reduces the value of surrounding properties significantly, and also reduces the community access to the remaining open space.

The imposed drainage and detention costs in addition to loss of land area for the benefit of other properties and the City amounts to the imposition of a burden on this property to benefit other landowners that is neither proportional or equally applied, and must be remediated through compensation for loss of land, reduced value of proposed lots, and development costs.

Surrounding lots recently valued by DCAD show lot values of $100,000 for lots with a minimum size of 10,000SF. The lost land required by City dedications and detention could be used to create more lots or increase the size of the proposed lots under current zoning. The loss of land for detention and alleys should be valued at $10/sf, or $460,000..

Water and Wastewater Apportionment

SEC. 51A-1.109 (e) (5):

> *Cost sharing of municipal infrastructure additions or improvements between the developer and the city shall be documented in a cost sharing contract pursuant to Section 51A-8.614.*

SEC. 51A-8.614 (a)

> *Generally. All funding requests for city cost sharing participation in municipal infrastructure additions or improvements must be approved by the city council. City participation is generally limited to items that benefit a broad population segment. The developer's apportioned share of any exaction pursuant to Section 51A-1.109 is the responsibility of the developer unless the developer, as documented in a cost sharing contract, volunteers to pay a greater proportion. If the developer volunteers to pay a greater proportion, the city has no obligation for the amount volunteered. All city participation is subject to the availability of funds. City participation must comply with Subchapter C of Chapter 212 and Chapter 252 of the Texas Local Government Code. (Ord. Nos. 20092; 20730; 21186; 23384; 25047; 26530)*

SEC. 51A-8.612 (a)

> *"...Private development contracts for water and wastewater improvements, if needed, must comply with Chapter 49 of the Dallas City Code. …"*

SEC. 49-62. RULES REGARDING THE CONSTRUCTION AND COST OF NEW MAINS IN A DEVELOPMENT.

(a) Oversize mains. The city will participate in the cost of any oversize main the developer is required to construct, by purchasing the excess capacity in the main at the oversize cost of the main. The director's determination of the size of main necessary to adequately serve the subdivision, and the necessary degree of oversizing, is final. Oversize cost will be based upon the evaluated cost tables of Section 49-18.11 and will be paid after acceptance of the oversize main by the city.

(b) On-site extensions. The developer must construct all new on-site extensions necessary to adequately serve the development, subject to applicable city payments for participation in oversize cost under Subsection (a). Construction of an on-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended.

(c) Off-site extensions. The following rules govern the installation of and city participation in off- site extensions required to be constructed by a developer in order to adequately serve the development:

(1) The developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a).

(2) Construction of an off-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended. The off-site extension construction may be included as a part of any private development contract for construction of on-site extensions or other infrastructure within the development, provided the rules of this article are complied with. The city will participate in the cost of the off-site extension by purchasing the extension, after completion and acceptance by the city, for the total evaluated cost of the extension. City payment will be made in the manner provided in this subsection.

(3) The city will make payment for purchase of the off-site extension based upon new connections to the extension, at the applicable rate stated in Section 49-18.15(a). The developer or other person entitled to payment under Subsection (c)(5) must request payment in writing, and provide addresses and lot and block numbers for new connections, on a semi-annual basis or on such other basis as prescribed by the director in order to better facilitate proper payment. However, if the development requiring the off-site extension and the surrounding property through which the extension is constructed are, at completion of construction, fully developed in a manner consistent with its zoning so that all or substantially all of the new connections to the extension capable of being made are actually made and no additional new connections are expected or required, the full amount of city payment owed to the developer will be made upon acceptance of the extension instead of the rated payment method described above.

The developer requests that full payment for off-site construction costs as requested, due to conditions created by other development which necessitate off-site construction and the fully developed area in which no new connections are expected.

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Chapter 49 does not appear to allow for an apportionment process on off-site mains in a cost-sharing contract, or determines those through the code above. The private development contract for these mains has been approved and the developer requests compensation under the off-site main purchase process at full construction value after completion and acceptance of mains, including those in Los Angeles Blvd.

City of Dallas Development and Design Procedure and Policy Manual, Section 4.2:

When water and/or wastewater mains are to be constructed, they shall extend the entire length of the property to be platted or developed regardless of the location of the water and/or wastewater services. This will ensure the neighboring properties can extend these mains when required. The only exception will be if surrounding property cannot be served by the extension of these mains, then the mains can end after the services. This will be determined by the Sustainable Development and Construction Water / Wastewater Coordinator.

Summary of actions which result in extra costs to develop land

- Blue Ridge Estates did not provide adequate drainage outfall to meet current drainage outfall calculations
- Blue Ridge Estates did not provide water or wastewater extensions to site, and did not provide easements to allow any connection through property as required by the 2015 City of Dallas Development Design Procedure and Policy Manual in section 4.2.
- City of Dallas adopted 2019 Drainage Design Manual under which current undeveloped conditions exceed outfall capacity of existing infrastructure, and existing land surrounding property is not compliant with new requirements, causing an unequal burden to be placed on the development of Shady Hollow Estates
- City of Dallas did not require Los Angeles Blvd to be constructed at time of platting for church or school or provide water, wastewater or drainage improvements
- City of Dallas did not require drainage redirection from school property away from Shady Hollow Estates at time of platting and/or construction
- City of Dallas did not provide for drainage accommodation at time of park planning, dedication, or construction
- City of Dallas determined that required detention cannot be part of open space, and must be provided for by taking from land which could otherwise be used for lot area

Compensation Summary

The Shady Hollow Estates development has approval conditioned on several improvement requirements. Shady Hollow Development LLC requests compensation for improvements outside the platted area as follows:

Los Angeles Blvd - Paving and Drainage

- 65% of paving and grading costs for Los Angeles Blvd along west boundary of plat (25% for lot access of 6 lots and 10% for site traffic utilization):
    - 34,240SF of grading and road base preparation: 3,806SY at $5/SY - $19,030
    - 30,310SF of paving: 3,367SY at $70/SF - $235,690
    - Total: 65% of $254,720 = **$165,560**
- 100% of storm drain costs for Los Angeles Blvd:
    - Installation of 1 5ft storm manhole: $8,120
    - Installation of 1 14ft storm drain inlet: $9,120
    - Installation of 2 10ft storm drain inlets: $7980/ea - $15,960
    - Installation of 1 4x4 “Y” inlet: $6,890/ea - $6,890
    - Installation of 62LF of 21in RCP: $131/LF - $8,122
    - Installation of 29LF of 24in RCP: $160/LF - $4,650
    - Installation of 105LF of 30in RCP: $182/LF - $19,110
    - Installation of 26LF of 36in RCP: $302/LF - $7,852
    - Installation of 154LF of 42in RCP: $329/LF - $50,666
    - Installation of 22LF of 54in RCP: $452/LF - $9,944
    - Total: **$140,434**

Water and Wastewater

Los Angeles Blvd - Water and Wastewater

- 1181LF of 8in DR14 water line in Los Angeles Blvd (subtract 25ft for each of 6 lots fronting onto Los Angeles Blvd from total length of 1331LF): $43/LF - $50,783
- Connect to existing water main in Blue Ridge: $8,000
- 271LF of 8in SDR26 wastewater line in Los Angeles Blvd (subtract 25ft for each of 6 lots fronting onto Los Angeles Blvd from total length of 421LF): $33.50/LF - $9,078
- 1 4ft wastewater manhole: $4,500

Alley - Wastewater

- 571LF of 8in SDR26 wastewater line: $33.50/LF - $19,128.50
- 2 4ft manholes: $4,500/ea - $9,000.00
- Connect to existing manhole: $3,000.00
- Remove and replace pavement: $15,000

- Total: **$118,489**

In addition to the improvements above outside the platted area, the following requirements for dedications and construction inside the platted area are not proportional to the needs created by the development:

Alleys - Dedication

- Dedication of 6,787SF of alleys at $10/sf, **$67,870**

Detention - Loss of Lot Area and Construction

- Loss of lot area to detention space of 46,000SF at $10/sf, $460,000
- Construction of detention area:
    - Tree removal: $5,000
    - Grading: $20,000
    - 62LF of 18in RCP: $108/LF - $6,696
    - 2 TXDOT safety end treatment 18in: $3,160/ea - $6,320
    - 242LF of 30in RCP: $182/lf - $44,040
    - 6 TXDOT safety end treatments 30in: $4,780/ea - $28,680
    - 308LF of fencing: $22/LF - $6,760
    - Vegetation: $5,000
    - Total: $123,496
- **Total Detention Dedication and Construction: $583,496**

RPM xConstruction, LLC.
5208 TENNYSON PKWY STE 130
PLANO, TEXAS 75024
SENIOR ESTIMATOR: JOSH VARILEK jvarilek@rpmxconstruction.com
CELL: 469-929-1953 OR 214-577-2159

PROJECT: SHADY HOLLOW ESTATES
LOCATION: DALLAS, TX
BID DATE: November 2, 2022

PROPOSAL TO BE VALID FOR 30 DAYS

BASE PROPOSAL - PAVING SCOPE

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
	PAVING SCOPE - SHADY HOLLOW ESTATES				
1	6" CONCRETE PAVEMENT (#3'S @ 24" OCEW)	14,245	SY	$ 70.50	$ 1,004,272.50
2	6" PROCESS & GRADE EXISTING SUBGRADE (NO FLEXBASE OR LIME STABILIZATION)	15,762	SY	$ 3.75	$ 59,107.50
3	16' DRIVE APPROACH	73	EA	$ -	**NO BID**
4	4' CONCRETE SIDEWALK (4")	5,400	LF	$ 28.50	$ 153,900.00
5	STREET SIGN POLES	5	EA	$ 250.00	$ 1,250.00
6	STOP SIGNS	5	EA	$ 85.00	$ 425.00
7	STREET SIGNS	5	EA	$ 110.00	$ 550.00
8	BARRIER FREE RAMPS	12	EA	$ 2,400.00	$ 28,800.00
	SUBTOTAL PAVING - SHADY HOLLOW ESTATES =				**$ 1,248,305.00**
	ADDITIONAL PAVING SCOPE				
1	CONCRETE HEADER	34	LF	$ 35.00	$ 1,190.00
2	TYPE III BARRICADE	1	EA	$ 3,250.00	$ 3,250.00
3	REMOVE BARRICADE & CONNECT TO EXISTING	2	EA	$ 1,600.00	$ 3,200.00
4	MAINTENANCE BONDS	1	LS	$ 25,000.00	$ 25,000.00
	SUBTOTAL ADDITIONAL PAVING SCOPE =				**$ 32,640.00**
	PAVING PROPOSAL TOTAL (SHADY HOLLOW ESTATES)				**$ 1,280,945.00**

SUBSTANTIAL COMPLETION: **25 WORKING DAYS**

FINAL COMPLETION: **15 WORKING DAYS**

CLARIFICATIONS:

- **ANY ITEMS NOT SPECIFICALLY MENTIONED ABOVE ARE UNDERSTOOD TO BE EXCLUDED**
- **PROPOSAL BASED ON PAVING PROJECT AT ONE TIME WITH ONE MOBILIZATION (NO MULTIPLE MOBILIZATIONS OR PHASING OF PAVING CREWS AND/OR BATCH PLANT)**
- **THIS PROPOSAL IS BASED ON CURRENT FUEL RATES, IF FUEL COSTS INCREASE $0.50 WE RESERVE THE RIGHT TO RENEGOTIATE**
- **NO PERMITS, CITY FEES, IMPACT FEES OR FEES OF ANY KIND**
- **PAVEMENT SUBGRADE TO BE PROCESSED WITH RPM STABILIZER EQUIPMENT WITH ONE PASS. NO LIME STABILIZATION OR FLEXBASE AT PAVEMENT SUBGRADE**
- **PAVEMENT SUBGRADE TO BE +/- 0.1' BY OTHERS PRIOR TO RPM MOBILIZATION**
- **CONCRETE POURING OF INLET THROATS BY OTHERS**
- **PAVEMENT STEEL REINFORCEMENT TO BE #3'S @ 24 C-C**
- **CONCRETE SIDEWALK IS CONSIDERED TO BE 4" THICK**
- **NO MAINTENANCE OR REMOVAL OF EROSION CONTROL ITEMS**
- **NO INLET PROTECTIONS**
- **NO STREET LIGHTING OR CONDUITS**
- **NO CONSTRUCTION STAKING**
- **NO BRICK PAVERS**
- **NO STAMPED OR STAINED CONCRETE**
- **NO PAVEMENT STRIPING**
- **NO MATERIAL TESTING**
- **NO TAXES ON PERMANENT MATERIALS**
- **EXCLUDES REMOVAL OF CONTAMINATED OR HAZARDOUS MATERIAL**
- **NO ASPHALT TRANSITION PAVEMENT**
- **NO GRAVEL TRANSITION PAVEMENT**
- **NO SOD SEEDING, CURLEX, HYDROMULCH OR WATERING**

CIVIL PLANS: SHADY HOLLOW ESTATES BY LIM & ASSOCIATES DATED OCTOBER 2022
GEOTECH: NA
ADDENDUM(S): NA

Site 19 Build LLC - Project Estimate

Site 19 Build LLC has prepared the following bid for paving and drainage construction of the Shady Hollow Estates project on 11-10-2022 based on plans from Lim & Associates dated 10-15-2022. This bid is valid for 30 days and subject to adjustment based on additional information provided.

Item	Quantity	Unit Cost	Total Cost
6" 4,000PSI Reinf. conc. pvmnt (#3x24" OCEW) w/ Curb (SY)	14280	$70.00	$999,600
Grade preparation (SY)	16380	$5.00	$81,900
16' Drive approach	73	$1,700.00	$124,100
4ft sidewalk (LF)	5400	$24.00	$129,600
Street Sign Poles	5	$300.00	$1,500
Stop Signs	5	$120.00	$600
Street Signs	5	$120.00	$600
Barrier Free Ramp	12	$2,260.00	$27,120
Bonding	1	$30,000.00	$30,000
			$1,395,020
5ft Storm Manhole	1	$8,120.00	$8,120
72in RCP Storm Drain	73	$782.00	$57,086
66in RCP Storm Drain	236	$681.00	$160,716
54in RCP Storm Drain	171	$452.00	$77,292
42in RCP Storm Drain	154	$329.00	$50,666
36in RCP Storm Drain	26	$302.00	$7,852
30in RCP Storm Drain	347	$182.00	$63,154
24in RCP Storm Drain	65	$160.00	$10,400
21in RCP Storm Drain	700	$131.00	$91,700
18in RCP Storm Drain	62	$108.00	$6,696
Grouted Rip-Rap SY	42	$100.00	$4,200
14ft Inlet	2	$9,120.00	$18,240
10ft Inlet	9	$7,980.00	$71,820
4ft x 4ft "Y" Inlet	3	$6,980.00	$20,940

21in Type B Headwall	3	$4,160.00	$12,480
72in Type B Headwall	1	$14,360.00	$14,360
TXDot Safety End Treatment, 18in	2	$3,160.00	$6,320
TXDOT Safety End Treatment, 30in	6	$4,780.00	$28,680
Trench Safety LF	1600	$2.00	$3,200
Inspection & Testing	1600	$2.00	$3,200
Bonding	1	20000	$20,000
			$729,002
Detention tree clearing	1	$5,000.00	$5,000
Detention excavation/grading	2000	$10.00	$20,000
Vegetation	1	$5,000.00	$5,000
Inspection & Testing	1	$5,000.00	$5,000

Adrian Cole
Shady Hollow Development LLC
1600 Sylvan Ave.
Sdallas, TX 75208
adrian@419builders.com

EXHIBIT "A"

PROPOSAL

PROJECT: Shady Hollow Estates Paving

DATE: 11/10/22

LOCATION: Dallas, TX

PROPOSAL NO: 20-22.11.10-01

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project.
All bid items and quantities included in the scope of work were based on plans dated, 10/1/22 , by LIM & Associates, Inc

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
01	Bonds	1	LS	24,988.00	$ 24,988.00
02	Site Facilities	1	LS	1,250.00	$ 1,250.00
03	6" Thick, 4,000PSI Reinforced Concrete Pavement (#3's @ 24" OCEW) w/ Curb & 7% Lime Treatment @ 6" Depth	13,768	SY	97.00	$ 1,335,496.00
04	16' Drive Approach	73	EA	1,725.00	$ 125,925.00
05	4'-0" Width Concrete Sidewalk (5,400 LF)	23,984	SF	6.50	$ 155,896.00
06	Barrier Free ADA Ramps	20	EA	2,188.00	$ 43,760.00
	TAX EXEMPT (No taxes required) Dallas, TX	8.25%	%		
				TOTAL	$ 1,687,315.00

TERMS AND CONDITIONS

THIS PROPOSAL IS VALID FOR **THIRTY (30) DAYS** FROM THE DATE OF THIS PROPOSAL. THIS PROPOSAL AND ITS TERMS AND CONDITIONS OR ANY OTHER SPECIAL CONDITIONS (EXHIBIT "B") SHALL BECOME PART OF THE CONTRACT AS EXHIBIT "A". A CONTRACT SHALL BE PROVIDED BY THE OWNER, GENERAL CONTRACTOR, OR RATLIFF HARDSCAPE, LTD. AND EXECUTED PRIOR TO COMMENCEMENT OF ANY WORK. THE ABOVE QUANTITES HAVE BEEN ESTIMATED; HOWEVER, THIS PROPOSAL IS A **UNIT PRICE** BASIS WITH PAYMENTS TO BE MADE BY THE HIRING OWNER OR GENERAL CONTRACTOR BY USING FIELD MEASURED QUANTITIES OF WORK COMPLETED. RATLIFF HARDSCAPE, LTD. SHALL SUBMIT BY THE **25th OF EACH MONTH**, PARTIAL ESTIMATES, TO THE OWNER OR GENERAL CONTRACTOR WHICH INCLUDE ALL OF THE COMPLETED WORK PLUS ANY MATERIAL ON HAND FOR THE UNCOMPLETED PORTION. THE RETAINAGE AMOUNT TO BE WITHHELD FROM EACH MONTHLY INVOICE SHALL BE SPECIFIED BY THE HIRING OWNER OR GENERAL CONTRACTOR. IF NOT SPECIFIED, NO RETAINAGE WILL BE WITHHELD. PAYMENT TERMS ARE **NET FIFTEEN (15) DAYS** FROM THE DATE OF THE INVOICE. ALL INVOICES NOT RECEIVED IN FULL BY THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE UNTIL THE DATE FULL PAYMENT IS RECEIVED AT RATE OF **15% PER ANNUM**. SALES TAX MUST BE APPLIED UNLESS MATERIAL USED FOR REALTY IMPROVEMENTS OF A TAX EXEMPT ENTITY OR BY RECEIPT OF A **"SALES TAX EXEMPT"** CERTIFICATE. **PLEASE REVIEW ALL THE SPECIAL CONDITIONS PROVIDED HEREIN AS EXHIBIT "B".**

PLEASE SIGN THIS PROPOSAL AND RETURN ONE (1) ORIGINAL TO OUR OFFICE. YOUR ACCEPTANCE OF THIS PROPOSAL SHALL CONSTITUTE THE INTENT TO ENGAGE INTO A CONTRACT WITH RATLIFF HARDSCAPE, LTD. TO PERFORM THE ABOVE REFERENCED WORK.

ACCEPTED:

(OWNER / GENERAL CONTRACTOR)

By: _____
Signature

_____
Print Name

Its': _____
Title

RESPECTFULLY SUBMITTED:
Ratliff Hardscape, Ltd.
(CONTRACTOR / SUB-CONTRACTOR)

By: _____
Signature

Booder McWhorter
Print Name

Its': President & C.O.O.
Title

Adrian Cole
Shady Hollow Development LLC
1600 Sylvan Ave.
Sdallas, TX 75208
adrian@419builders.com

RATLIFF HARDSCAPE

EXHIBIT "B"

SPECIAL CONDITIONS

PROJECT: **Shady Hollow Estates Paving** **DATE:** **11/10/22**

LOCATION: Dallas, TX **PROPOSAL NO:** 20-22.11.10-01

THIS FOLLOWING SPECIAL CONDITIONS PROVIDED BY RATLIFF HARDSCAPE, LTD. ARE SET FORTH TO ENSURE OUR SCOPE OF WORK HAS BEEN PROPERLY COMMUNICATED AND UNDERSTOOD BY THE OWNER, GENERAL CONTRACTOR, OTHER SUB-CONTRACTORS, ENGINEERS, MUNICIPALITY, OR OTHER GOVERNMENT ENTITIES. IT IS OUR FULL INTENT TO PROVIDE QUALITY WORKMANSHIP, JOB-SITE SAFETY, AND A LONG-LASTING WORKING RELATIONSHIP THROUGHOUT THE PROJECT. PLEASE REVIEW IN ITS' ENTIRETY ALL CONDITIONS SO THAT ANY DISCREPANCIES MAY BE RESOLVED PRIOR TO COMMENCEMENT OF WORK. IF THE "YES" BOX IS CHECKED THEN THE CONDITION DESCRIBED IS INCLUDED IN THE SCOPE OF WORK. IF CHECKED "NO", THEN THE CONDITION IS NOT INCLUDED IN THE SCOPE OF WORK. INTIAL BELOW THAT YOU HAVE READ AND FULLY UNDERSTAND THESE CONDITIONS.

	YES	NO	
01		x	STAKING (BY OWNER)
02		x	GEOTECHNICAL MATERIALS TESTING (BY OWNER)
03		x	IMPACT FEES, CONNECTION FEES, METER FEES OR DEPOSITS
04		x	STRUCTURAL ENGINEERING (FOR HARDSCAPE ONLY)
05		x	ENGINEERING (BY OWNER)
06		x	PERMIT FEES (FOR HARDSCAPE ONLY)
07		x	PAYMENT & PERFORMANCE BOND
08		x	MAINTENANCE BONDS
09		x	INSPECTION FEES
10		x	SALES TAX
11	x		INSURANCE REQUIREMENTS
12		x	TRAFFIC CONTROL
13	x		MOBILIZATION (1 TIME ONLY)
14		x	SWPPP DESIGN
15		x	SWPPP INSPECTIONS
16		x	BUFF MORTAR (HARDSCAPE SCREENWALLS, COLUMN, & MONUMENTS)
17		x	BUFF MORTAR (RETAINING WALLS)
18		x	TREE REMOVAL; ALL TREES TO BE TAGGED AND MARKED BY OWNER & CITY (CHIPPED AND HAULED OFFSITE)
19		x	ROCK & BOULDER REMOVAL
20		x	SEEDING, SODDING, OR HYDROMULCH
21		x	EROSION CONTROL AS NOTED IN PLANS
22	x		STAGING AREA (TO BE PROVIDED BY OWNER ON OR CONTIGUOUS TO SITE)
23	x		BACKFILL (ALL SCOPE OF WORK)
24		x	HAUL OFF OF EXISTING TRASH OR DEBRIS FOUND BURIED OR OTHERWISE HIDDEN FROM SITE OR NOT IN PLANS
25		x	HAUL OFF OF ANY UNSUITABLE MATERIAL
26		x	UNDERCUTTING, SELECT FILL, MOISTURE CONDITIONING
27		x	UNDERGROUND UTILITY CONFLICTS (TO BE RELOCATED BY OTHERS)
28		x	UTILITY INSTALLATION (BASED ON UTILITY WORK INSTALLED PRIOR TO GAS, ELECTRIC, PHONE, CABLE, OR OTHERS)
29	x		SPOILS TO BE STOCKED ON-SITE (APPROVED BY OWNER)
30		x	ROADWAY SUB-GRADE MUST BE +/- 0.20 FEET PRIOR TO UTILITY CONSTRUCTION AND WILL BE RETURNED TO GRADE
31		x	PAVING & PAD SUBGRADE SHALL NOT EXCEED +/- 0.10 FEET. FINE GRADING OR TRIMMING BY PAVING CREW
32		x	EXPORT OF ANY DIRT ON-SITE
33		x	DEWATERING OF SCOPE OF WORK
34		x	IF VACUUM TRUCK IS NEEDED FOR PIERS; ADD $1500 PER PIER
35		x	ELECTRICAL POWER SOURCE FOR ENTRY LIGHTING
36		x	ELECTRICAL POWER SOURCE FOR IRRIGATION
37	x		FINAL CLEANUP
38	x		SUBJECT TO RATLIFF'S LIMITED WARRANTY (ATTACHED AS EXHIBIT "C")

NOTES:

01 Proposal excludes any excavation, moving and/or grinding of rock for all work.
02
03
04

IF THIS IS A REPAIR BID PROPOSAL OF WHICH RATLIFF DID NOT PERFORM THE CONCRETE UNDERGROUND PIER OR FOOTINGS, RATLIFF WILL NOT BE RESPONSIBLE FOR ANY SURFACE CRACKING AND WILL PROVIDE A ONE (1) YEAR LIMITED WARRANTY FROM THE COMPLETION DATE. SEE ATTACHED EXHIBIT "C".

I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS: _____ Initials _____ Initials

EXHIBIT "C"

RATLIFF HARDSCAPE, LTD. ONE YEAR LIMITED WARRANTY

RATLIFF HARDSCAPE, LTD.'S WARRANTY OBLIGATIONS ARE LIMITED TO THE TERMS SET FORTH BELOW

THIS LIMITED WARRANTY: This Ratliff Hardscape, Ltd. One Year Limited Warranty shall be referred to as the "**Limited Warranty**" in this document.

WHAT IS COVERED: Ratliff Hardscape, Ltd.'s ("**Ratliff**") Work. "**Work**" shall mean that certain work and those services further described between Ratliff and Owner (the "**Agreement**") and this Limited Warranty is an exhibit to such Agreement.

WARRANTY: Ratliff warrants that the Work furnished will: (i) be provided in a professional manner; (ii) be performed by appropriately knowledgeable and skilled personnel; (iii) conform to the requirements of the Agreement; (iv) conform to standards generally observed in the industry for similar services and work; and (v) will meet all applicable municipal or other jurisdictional requirements and other applicable laws pertaining to the Work.

Ratliff warrants that except for any Shrink Cracks, any cracking, in excess of one-quarter inch and longer than 20% of all the joints and edges of the concrete flatwork, occurring during the curing process and resulting from poor workmanship or use of substandard materials shall be repaired or replaced, at the sole election of Ratliff. Ratliff makes no claim that hairline cracks might not develop, but insures that reasonable precautions are taken to minimize their occurrences by using industry tested methods and quality materials. It is acknowledged that color differences may result for repairs. Please see the section entitled "Shrink Cracks and Control Joints" for a further explanation of shrink crack and control joints.

EXCLUSIONS FROM COVERAGE: Ratliff's Limited Warranty for the Work excludes loss, damages and defects caused by any of the following:

1. Any work performed, services provided or material supplied in accordance with any plans or specifications supplied, prepared or requested by the Owner, or by anyone on behalf of the Owner other than Ratliff, or Ratliff's employees, agents, contractors or subcontractors acting under Ratliff's direction (collectively "**Ratliff's Employees**").

2. Any defects caused or made worse by the negligence, gross negligence, willful conduct, abusive use, improper maintenance, lack of regular maintenance or other action of anyone other than Ratliff, or Ratliff's Employees.

3. Defects in driveways, walkways, patios, boundary walls, retaining walls, bulkheads, fences, landscaping, including without limitation sodding, seeding, shrubs, trees and plantings, off-site improvements, or any other improvements not part of the Work itself.

4. Any damage to the extent it is caused or made worse by failure of the Owner or by anyone other than Ratliff's Employees, to comply with the warranty requirements, including without limitation the Manufacturer Warranties, of manufacturers of items used in accordance with the Work; or failure by the Owner to give notice to Ratliff of any defects within a reasonable time; or changes of the grading of the ground by anyone other than Ratliff, or Ratliff's Employees; or changes, alterations or additions made to the Work by anyone after the Effective Date; dryness, cracking, dampness, condensation or soil movements, due to the failure of the Owner to maintain adequate irrigation; seepage of water; or insect damage.

5. Loss or damage which the Owner has not taken timely action to minimize.

6. Any defect in, caused by, or resulting from, materials or work supplied by anyone other than Ratliff or Ratliff's Employees, including without limitations defects covered under any of the Manufacturer Warranties.

7. Normal wear and tear or normal deterioration.

8. Loss or damage not specifically covered under this Limited Warranty.

9. Loss or damage not caused by a defect in the Work completed by Ratliff or Ratliff's Employees.

10. Loss or damage caused by, or resulting from, accidents, riot and civil commotion, fire, explosion, smoke, water escape, falling objects, aircraft, vehicles, acts of God, adverse environmental conditions, lightning, windstorms, hail, flood, mudslide, earthquake, wind-driven water and changes in the underground water table which were not reasonably foreseeable.

11. Defects, which are the result of characteristics common to the materials used (such as but not limited to fading and minor cracking).

12. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage related to any Shrink Cracks.

13. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage caused directly or indirectly by any underground movement, including without limitation any surface cracking, unless Ratliff performed repairs to the concrete underground pier or footings as part of the Work.

14. Loss or damage caused or made worse pursuant to the provisions specified in the section entitled "Notice of Claim".

15. Loss or damage to any third party manufactured products.

TERM: The terms of the coverage of this Limited Warranty begin on the date of substantial completion of the Work (the "**Effective Date**") and continue until the one (1) year anniversary of the Effective Date (the "**Expiration Date**"). The Effective Date of the warranty period for all incomplete punch list items identified in writing as "punch list items" as of the date of substantial completion of the Work shall begin when the Owner and Ratliff have mutually and reasonably agreed that such incomplete punch list items are 100% complete, in which case the Expiration Date for the warranty period for such incomplete punch list items shall be one (1) year following the Effective Date assigned to such incomplete punch list items.

MANUFACTURERS' WARRANTIES: Ratliff assigns and passes through to Owner the manufacturers' warranties on all manufactured products (including, but not limited to, bricks, cinder blocks, and manufactured stone) and equipment (collectively, the "**Manufacturer Warranties**").

RATLIFF DOES NOT WARRANTY ANY THIRD PARTY MANUFACTURED PRODUCTS.

LIMITATIONS ON WARRANTY: RATLIFF'S LIABILITY TO THE OWNER OR ANY OTHER THIRD PARTY, FOR A CLAIM OF ANY KIND ARISING AS A RESULT OF, OR RELATED TO THE GOODS OR SERVICES PROVIDED HEREUNDER, WHETHER IN CONTRACT, IN TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), UNDER ANY WARRANTY, OR OTHERWISE, SHALL BE LIMITED TO MONETARY DAMAGES AND THE AGGREGATE AMOUNT THEREOF FOR ALL CLAIMS SHALL IN NO EVENT EXCEED AN AMOUNT EQUAL TO THE AMOUNT PAID OR PAYABLE BY THE OWNER TO RATLIFF UNDER THE AGREEMENT. UNDER NO CIRCUMSTANCES SHALL RATLIFF BE LIABLE TO THE OWNER OR ANY THIRD PARTY FOR INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING

LOST PROFITS), EVEN IF OWNER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, OR FOR WARRANTIES GRANTED BY THE OWNER TO ANY THIRD PARTY. THE OWNER ACKNOWLEDGES AND AGREES THAT THESE LIMITATIONS SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY. NO ACTION, REGARDLESS OF FORM, ARISING UNDER THE AGREEMENT OR THIS LIMITED WARRANTY MAY BE BROUGHT BY THE OWNER AFTER THE EXPIRATION DATE.

DISCLAIMER OF WARRANTIES

EXCEPT AS EXPRESSLY SET FORTH IN THIS LIMITED WARRANTY AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THE WARRANTY AND REMEDIES SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, REMEDIES AND CONDITIONS, WHETHER ORAL OR WRITTEN, EXPRESS OR IMPLIED AND RATLIFF EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, CONDITIONS OR REPRESENTATIONS, EXPRESS OR IMPLIED, STATUTORY OR OTHERWISE, REGARDING THE GOODS OR OTHER SERVICES PROVIDED BY RATLIFF HEREUNDER, INCLUDING ANY IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, SATISFACTORY OR MERCHANTABLE QUALITY OR MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFAULTS OR COMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT), FITNESS FOR A PARTICULAR PURPOSE, OR THOSE ARISING FROM A COURSE OF DEALING OR USAGE OF TRADE OR ANY OTHER MATTER AFFECTING THE WORK.

WARRANTY CLAIMS

NOTICE OF CLAIM: If the Owner believes a defect in the Work that is covered by this Limited Warranty arises, then Owner shall provide written notice to Ratliff, and Ratliff must receive such written notice, at Ratliff's current address of record, and such written notice shall include a detailed description of such defect (the "**Defect Notice**"). Ratliff must receive the Defect Notice on or before the ***earlier of*** the Expiration Date or thirty (30) days after the date Owner or any of Owner's shareholders, members, partners, owners, directors, managers, officers, employees, contractors, agents, or representatives discover the defect specified in such Defect Notice. Ratliff is not responsible for any loss or damage covered by this Limited Warranty if such loss or damage is caused or made worse by failure to give written notice to Ratliff of such defect within the time periods required pursuant to this paragraph.

RATLIFF'S PERFORMANCE: If a defect occurs in an item which is covered by this Limited Warranty, Ratliff, within 60 days after receipt of the related Defect Notice, will repair, replace, or pay Owner the reasonable cost of repairing or replacing the defective item. Ratliff's total liability under this Limited Warranty is limited pursuant to the provisions of the section entitled "Limitations on Warranty". Ratliff, in Ratliff's sole and absolute discretion, may choose among the repair, replacement or payment options specified in this paragraph. Steps taken by Ratliff to correct defects shall not act to extend the terms of this Limited Warranty.

INSURANCE: If Ratliff repairs, replaces, or pays the cost of repairing, any defect covered by this Limited Warranty for which Owner is covered by insurance, Owner must, upon request by Ratliff,

assign the proceeds of such insurance to Ratliff to the extent of the cost to Ratliff of such repair or replacement.

SETTLEMENT OF DISPUTES: All disputes between the parties may be resolved by litigation, in a court of competent jurisdiction, except that Ratliff may, at its sole option, require that any dispute be submitted to binding arbitration pursuant to the Construction Industry Rules of the American Arbitration Association. Each arbitrator selected by the American Arbitration Association shall be a licensed construction attorney with at least seven (7) years of experience. If the dispute is arbitrated, the award rendered by the arbitrator(s) shall be final, and the judgment may be entered upon it in accordance with the application law in any court having jurisdiction thereof. The arbitration election by Ratliff shall be made no later than thirty (30) days following receipt of service of process of any litigation from Owner or, if the claim is asserted by Ratliff, shall be made upon the filing of demand for arbitration by Ratliff. Notwithstanding the above, Ratliff shall not be deemed to have waived any right it may have to arbitrate its dispute with Owner by the filing of litigation against Owner and its surety. The demand for arbitration in no event shall be made after the date within institution of legal or equitable proceedings based upon such claim, dispute or other matter in question would be barred by the applicable statute of limitations. In the event of litigation or arbitration of any dispute between Ratliff and Owner, Ratliff (if it prevails in prosecution or defense) shall be awarded attorneys' fees, costs of court and such other damages as may be permitted by this Limited Warranty and applicable law. In the event of litigation or arbitration of any claim brought by Owner against Ratliff, the Owner (if it prevails) shall be awarded attorneys' fees and costs of court. Except as specifically provided in this Limited Warranty, Owner shall have no claim against Ratliff for any cause related to any defect in the Work whatsoever.

MISCELLANEOUS

GENERAL PROVISIONS: Should any provision of this Limited Warranty be deemed by a court of competent jurisdiction to be unenforceable, that determination will not affect the enforceability of the remaining provisions. Use of one gender in this Limited Warranty includes all other genders, and use of the plural includes the singular, all as may be appropriate. The section and subsection headings contained in this Limited Warranty are for reference purposes only and shall not effect in any way the meaning or interpretation of this Limited Warranty. This Limited Warranty is to be governed by and construed in accordance with the laws of the State of Texas. Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

No Ratliff Employee is authorized to make any modification, extension, or addition to this Limited Warranty.

SHRINK CRACKS AND CONTROL JOINTS: Newly placed concrete can be expected to crack within the first few days of placement during the curing process. These cracks are often referred to as "**Shrink Cracks**". Shrink Cracks are, typically, narrow stress cracks in the surface of the concrete. Reinforcing steel and/or fiber will minimize the number and width of Shrink Cracks. "**Control Joints**" are saw cut or hand grooved joints in the concrete. Control Joints encourage the concrete to crack (there by relieving the natural stress of the curing process) along these predetermined cuts and grooves. Control Joints do not prevent Shrink Crack; however, they may assist in reducing and/or hiding the crack when they occur.

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DDM CONSTRUCTION PROPOSAL

DDM Construction Corp.

4006 Belltline Rd. #230

Addison, TX 75001

Contact: **Shane Roberts**

Phone: **214-789-8816**

Email: **estimators@ddmcc.net**

Quote To:	Shady Hollow Development LLC	Job Name:	Shady Hollow Estates - Paving & Drainag
Contact:	Adrian Cole	Date of Plans:	October 2022
Phone:	214-918-4671	Revision Date:	November 2022
Email:	adrian@419builders.com		
Fax:			

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	6" 4,000PSI REINF. CONC. PVMNT (#3X24" OCEW) W/ CU	12,640.00	SY	70.00	884,800.00
20	16' DRIVE APPROACH	73.00	EA	5,052.00	368,796.00
30	4FT SIDEWALK LF	5,400.00	LF	37.00	199,800.00
40	STREET SIGN POLES	5.00	EA	266.00	1,330.00
50	STOP SIGNS	5.00	EA	89.00	445.00
60	STREET SIGNS	5.00	EA	112.00	560.00
70	BARRIER FREE RAMP	12.00	EA	2,746.00	32,952.00
80	72IN RCP STORM DRAIN	30.00	LF	844.00	25,320.00
90	66IN RCP STORM DRAIN	248.00	LF	699.00	173,352.00
100	54IN RCP STORM DRAIN	176.00	LF	481.00	84,656.00
110	42IN RCP STORM DRAIN	240.00	LF	349.00	83,760.00
120	30IN RCP STORM DRAIN	308.00	LF	194.00	59,752.00
130	24IN RCP STORM DRAIN	49.00	LF	171.00	8,379.00
140	21IN RCP STORM DRAIN	324.00	LF	139.00	45,036.00
150	5FT STORM MANHOLE	1.00	EA	8,091.00	8,091.00
160	GROUTED RIP-RAP SY	172.00	SY	234.00	40,248.00
170	14FT INLET	1.00	EA	10,842.00	10,842.00
180	12FT INLET	1.00	EA	9,536.00	9,536.00
190	10FT INLET	9.00	EA	8,641.00	77,769.00
200	4FT X 4FT "Y" INLET	3.00	EA	7,167.00	21,501.00
210	21IN TYPE B HEADWALL	3.00	EA	4,408.00	13,224.00
220	42IN TYPE B HEADWALL	2.00	EA	9,007.00	18,014.00
230	72IN TYPE B HEADWALL	1.00	EA	20,432.00	20,432.00
240	TXDOT SAFETY END TREATMENT, 30IN	8.00	EA	5,291.00	42,328.00
260	TRENCH SAFETY LF	1,600.00	LF	2.00	3,200.00
270	INSPECTION & TESTING	1.00	LS	50,000.00	50,000.00
280	BONDING	1.00	LS	30,000.00	30,000.00
290	GRADE DETENTION POND & OUTFLOW	1.00	LS	114,000.00	114,000.00
300	TV INSPECTION FOR RCP	1,375.00		1.50	2,062.50

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
GRAND TOTAL					**$2,430,185.50**

NOTES:

CLARIFICATION

-Final grading (crushing/processing base with reclaimer and compacting) for concrete placement NOT inlcuded in pricing
-Detention pond is bid assuming all fill material will be on site
-Includes 1 mobilization, additional mobilzations will be $10,000
-Items and quantites are based on bid sheet provided.
-All material excavated will be stockpiled on site
-All grading to be completed withing tolerance (+/- 1/10') before concrete scope begins
-Concrete test and density test are only tests being provided
-Firm,flat,compacted subgrade 3' behind curb or edge of pavement will be required for slipform paver trackline
-DDM is not responsible for excessive yield loss due to subgrade issue (out of tolerance)
-Quote includes sawing and sealing of concrete
-DDM must have a 4 weeks notice prior to commencement of operation
-This quote is valid for 60 days from the bid date

EXCLUSIONS

-Permits and fees
-Traffic control
-SWPPP (Storm Water Pollution Protection Plan)
-Erosion Control
-Handling existing contaminated dirt/water
-Street sweeping caused by others
-Existing utility relocation
-Landscaping
-Pavement markings
-Temporary signs
-Backfilling curb
-Street Headers
-2nd year maintenance bond
-Sales Tax
-Any items not explicitly detailed/ stated in the civil drawing packages
-Damage to existing unknown utilities not shown on the plans
-Removal of any unforeseen existing structures or buried pipes

Apportionment Determination

CITY OF DALLAS

DATE December 21, 2022

TO Adrian Cole, Developer

SUBJECT **Shady Hollow Estates - 311T-10059 / WW22-231**

This letter is in response to your request for a determination of apportionment that was submitted on November 11, 2022.

Street apportionment:
Per Section 51A-8.604(b)(2) of the Dallas City Code ("Code"): "When a minor street is along the perimeter of the proposed plat and the street is not improved with an approved all weather paving material to a width of 20 feet, the owner must improve the street to that standard along the length of the proposed plat."

According to your November 1, 2022 engineering plan, eight lots will have their driveway approaches taking access off Los Angeles Boulevard, which is an existing unimproved street with no pavement. Building Los Angeles Boulevard is necessary to access eight lots in the development that otherwise would not have street frontage. Building the minimum pavement width for Los Angeles Boulevard is therefore roughly and completely proportionate to the impact of the property development project.

Per Fire Code, a fire truck requires a minimum of 20 feet of pavement for emergency access. As long as the fire marshal approves, your engineer may revise the design for Los Angeles Boulevard to reduce the pavement width along the length of this street. The developer is responsible for the full amount of construction of Los Angeles Boulevard, which is solely related to the needs created by the project to serve the proposed development.

Alley apportionment:
The surrounding alleys were dedicated by a previous plat. No further alley dedications are necessary as long as the proposed development will not take access from the alleys.

Drainage apportionment:
Your initial plat application was filed in 2018. You may submit engineering plans using the 1993 drainage design manual which was in place when you initially submitted your plat application. We analyzed your project under the drainage requirements that were in place at the time of your initial plat application and disagree with your statement that this project would likely have not required detention due to the adequate outfall condition of Blue Ridge under the older design standards. We believe that the increased runoff from your development would have still required some detention or other downstream

infrastructure improvements. However, we have no way of knowing without your engineer's drainage report and calculations.

Per Section 51A-8.611(a)(1) of the Code: "Drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Adequate provision must be made for the acceptance, collection, conveyance, detention, and discharge of storm water runoff drainage onto, through, and originating within the subdivision. No final plat release may be issued until proper provision has been made for drainage."

The engineer-of-record must show and prove that there will be no adverse impacts to any properties downstream due to this development. We believe that sizing the detention pond accordingly is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full construction cost of the detention pond which is needed to serve the proposed development.

The drainage infrastructure in Los Angeles Boulevard is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full amount of construction of the infrastructure which is solely needed to serve the proposed development.

A detention area is considered a dedicated area and not open space. Section 51A-8.201(17) of the Code defines detention area to mean an area which temporarily stores stormwater runoff and discharges that runoff at a reduced rate. Section 51A-8.611 of the Code, "Storm Drainage Design," states that drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Moreover, per section 51A-8.611(c)(2) of the Code, detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the city of Dallas.

Section 51A-2.102(101) of the Code defines open space to mean an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves. Chapter 51A, Article VIII of the Code goes further and defines improved open space to mean open space containing structures or improvements, including but not limited to hike and bike trails, and unimproved open space to mean open space containing no buildings, fences, or other structures above or below grade.

Because the detention area is used to temporarily store stormwater runoff and discharges that runoff, it appears that detention areas meet the definition and provisions of storm drainage facilities and not open space.

DATE December 21, 2022

SUBJECT **Shady Hollow Estates - 311T-10059 / WW22-231**

The platting process requirements in Section 51A-8.403(a)(1)(A)(xi) and (xii) of the Code require that the layout and dimensions of proposed storm drainage areas, storm drainage facilities, water and wastewater facilities be indicated on the preliminary plat. The Code makes a distinction between open space and dedications and does not lump open space with the provisions.

Furthermore, the dedications provision in Section 51A-8.602 of the Code states that the owner of the property to be platted must provide an easement or fee simple dedication of property needed for the construction of streets, sidewalks, storm drainage facilities, floodways, water mains, and any other property necessary to serve the plat and to implement the requirements of this article. The code requires that the detention area be a dedication.

Section 51A-8.101(29) of the Code defines infrastructure to mean all streets, alleys, sidewalks, storm drainage facilities, water and wastewater facilities, utilities, lighting, transportation, and any other facilities required by law to adequately serve and support development. If detention areas were to be considered open space, then the code would have included that in the definition of open space, but it was omitted and defined as infrastructure.

The engineer-of-record must submit a drainage report that shows that there will be no adverse impacts to any properties downstream due to this development. Sizing the detention pond accordingly is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full amount of construction of the detention pond which is solely needed to serve the proposed development.

Water and Wastewater Apportionment:

We believe that the offsite infrastructure improvements shown on your engineering design plans are necessary to serve your proposed development. Each developer is responsible for the necessary infrastructure that is needed to adequately serve their development. Pursuant to Section 49-62(c)(1), the developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a). Since the offsite infrastructure improvements are needed to serve your development, the infrastructure improvements are related to the needs created by the property development project and are roughly proportionate to the impact of the property development project. Pursuant to Section 49-62(i) of the Code, the proportional refundable city payment calculated by the City is approximately $95,170.00. The developer is responsible for the remaining cost of the infrastructure which is needed to serve the proposed development.

Upon further investigation of the water line improvement in Los Angeles Boulevard, between Juneau Avenue and Blue Ridge Boulevard, there could be an alternate solid standard size loop in Wenatche Drive down to Kimballdale Drive, which would require

upsizing the main from 6 inches to 8 inches. If this is an alternative solution that you would like to pursue, your engineer must submit a revision to the final WW22-231 engineering design plans.

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Development Services

c: Andrew Espinoza, CBO, MCP, CCEA, Director/Chief Building Official
Casey Burgess, Executive Assistant City Attorney
Guillermo R. Darce, PE, Engineer-of-Record, LIM & Associates, Inc.
Daniel Lim, PE, RPLS, CFM, LIM & Associates, Inc.

Shady Hollow Development LLC

2217 Yaupon Dr - Irving, TX 75063 - adrian@419builders.com - 214.918.4671

To: Andres Espinoza, Director
Sustainable Development and Construction, City of Dallas
CC: Sam Eskander

Re: Shady Hollow Estates Paving, Drainage and ROW Apportionment; S178-288

December 22, 2022

Per Section 51A-I.109(e)(2) of Dallas City Code, a developer may appeal the Director's apportionment determination to the City Plan Commission by filing written notice with the Director within 30 days after the date of the determination.

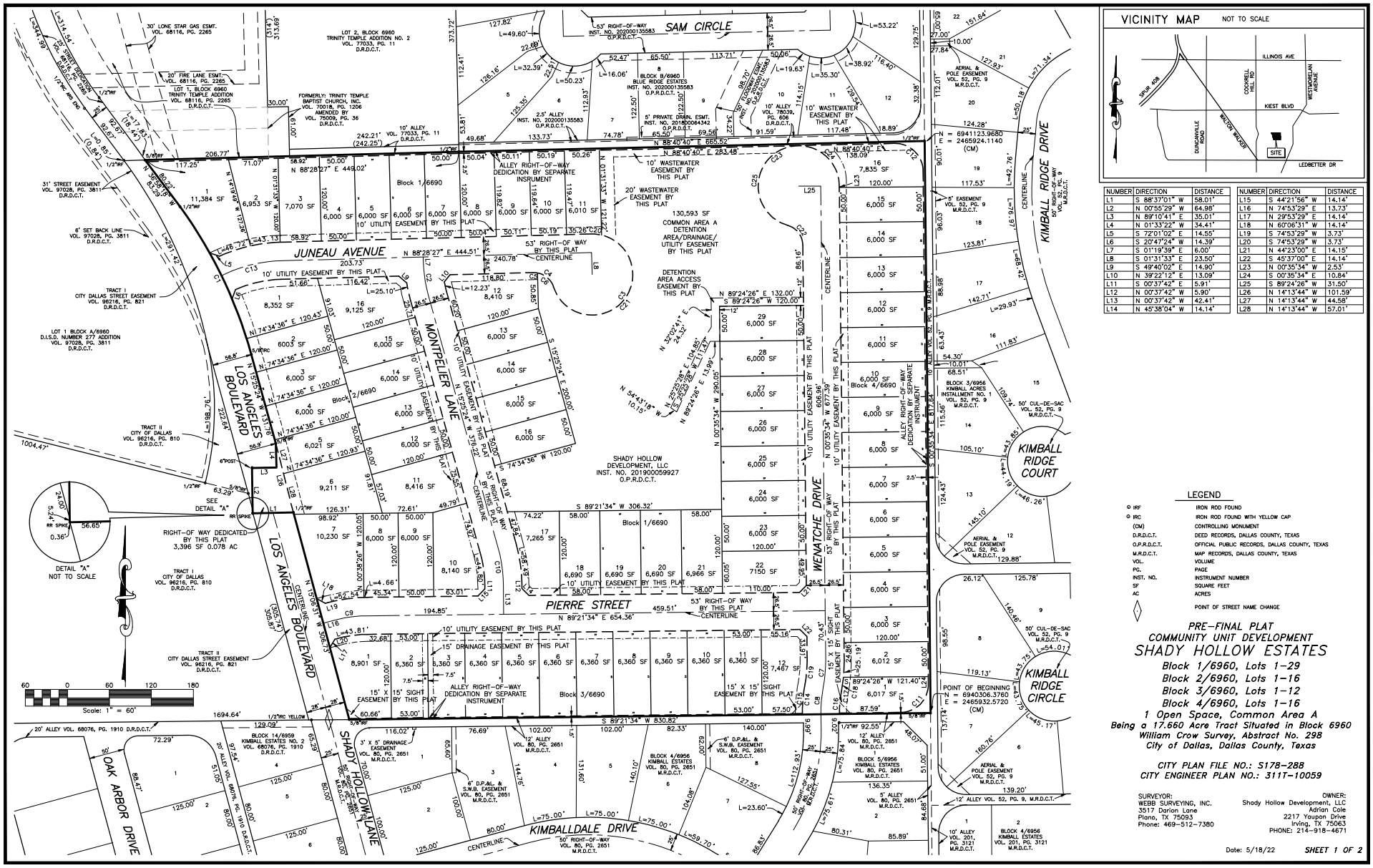
A completed application with the required documentation was sent via email on November 11, 2022. An apportionment determination was provided on December 22, 2022, after the 30 day period required by state law and city code.

This letter shall serve as the filing of a written notice of appeal of the apportionment determination provided to Shady Hollow Development LLC for exactions imposed in regard to the plat request S178-288, Shady Hollow Estates for paving, drainage, ROW, and other relevant items. Per City Code section 51A-1.109(e)(2), the city plan commission shall hear the appeal within 60 days after the filing of the appeal.

For the purpose of calculating the 60 days to hearing date, the date that the apportionment was due on December 11, 2022 shall serve as the date of this appeal.

Regards,

Adrian Cole
President, Shady Hollow Development LLC



VICINITY MAP

NOT TO SCALE

NUMBER	DIRECTION	DISTANCE
L1	S 88°37'01" W	58.01'
L2	N 00°55'29" W	64.96'
L3	N 89°10'41" E	35.01'
L4	N 01°33'22" W	34.41'
L5	S 72°01'02" E	14.55'
L6	S 20°47'24" W	14.39'
L7	S 01°19'39" E	6.00'
L8	S 01°31'33" E	23.50'
L9	S 49°40'02" E	14.90'
L10	N 39°22'12" E	13.09'
L11	S 00°37'42" E	5.91'
L12	N 00°37'42" W	5.90'
L13	N 00°37'42" W	42.41'
L14	N 45°38'04" W	14.14'

NUMBER	DIRECTION	DISTANCE
L15	S 44°21'56" W	14.14'
L16	N 74°53'29" E	13.73'
L17	N 29°53'29" E	14.14'
L18	N 60°06'31" W	14.14'
L19	S 74°53'29" W	3.73'
L20	S 74°53'29" W	3.73'
L21	N 44°23'00" E	14.15'
L22	S 45°37'00" E	14.14'
L23	N 00°35'34" W	2.53'
L24	S 00°35'34" E	10.84'
L25	S 89°24'26" W	31.50'
L26	N 14°13'44" W	101.59'
L27	N 14°13'44" W	44.58'
L28	N 14°13'44" W	57.01'

LEGEND

⊙ IRF	IRON ROD FOUND
⊙ IRC	IRON ROD FOUND WITH YELLOW CAP
(CM)	CONTROLLING MONUMENT
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
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FEET
AC	ACRES
◇	POINT OF STREET NAME CHANGE

PRE-FINAL PLAT
COMMUNITY UNIT DEVELOPMENT

SHADY HOLLOW ESTATES

Block 1/6960, Lots 1–29
Block 2/6960, Lots 1–16
Block 3/6960, Lots 1–12
Block 4/6960, Lots 1–16
1 Open Space, Common Area A
Being a 17.660 Acre Tract Situated in Block 6960
William Crow Survey, Abstract No. 298
City of Dallas, Dallas County, Texas

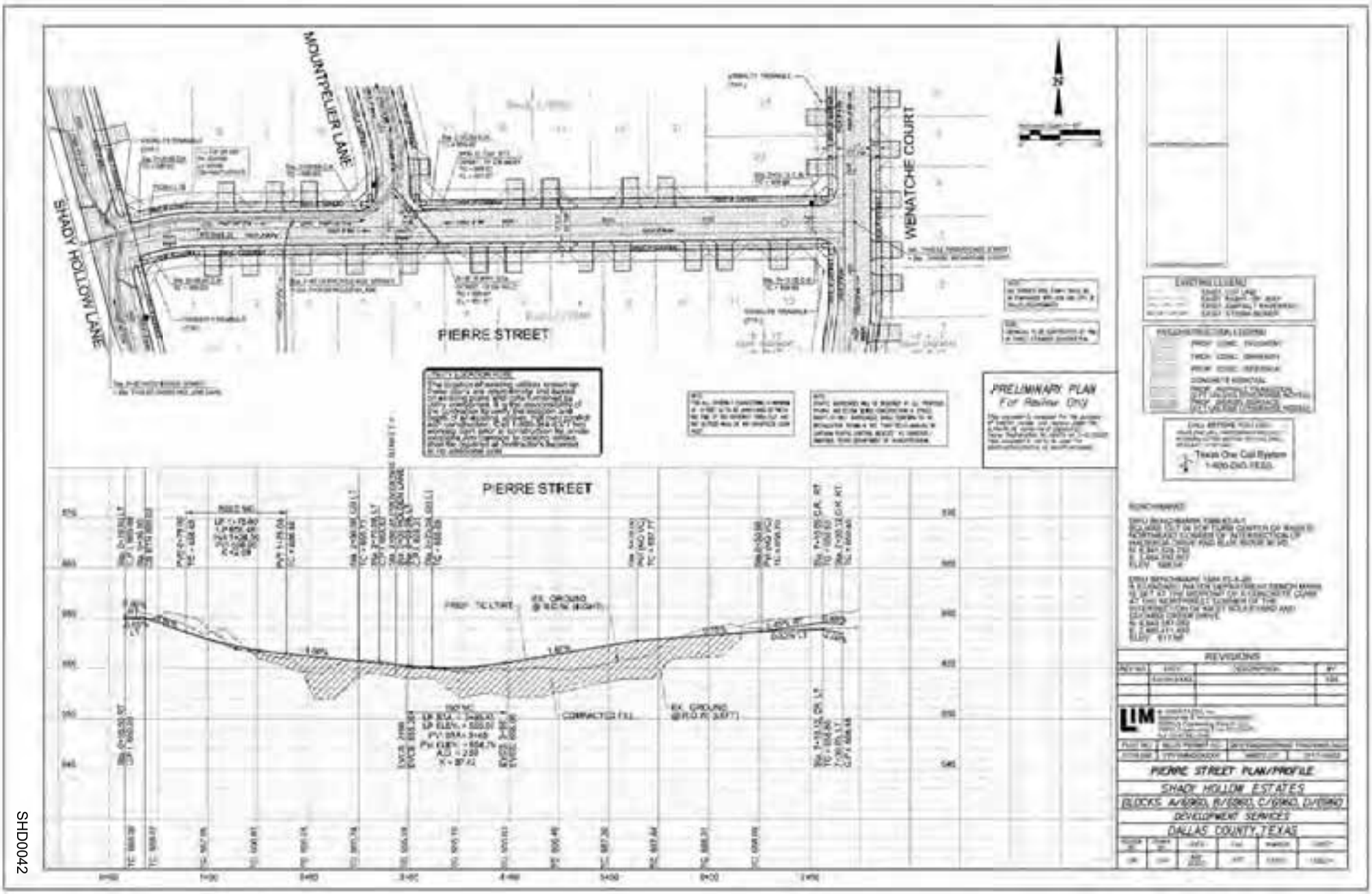
CITY PLAN FILE NO.: S178-288
CITY ENGINEER PLAN NO.: 311T-10059

SURVEYOR:
WEBB SURVEYING, INC.
3517 Darion Lane
Plano, TX 75093
Phone: 469-512-7380

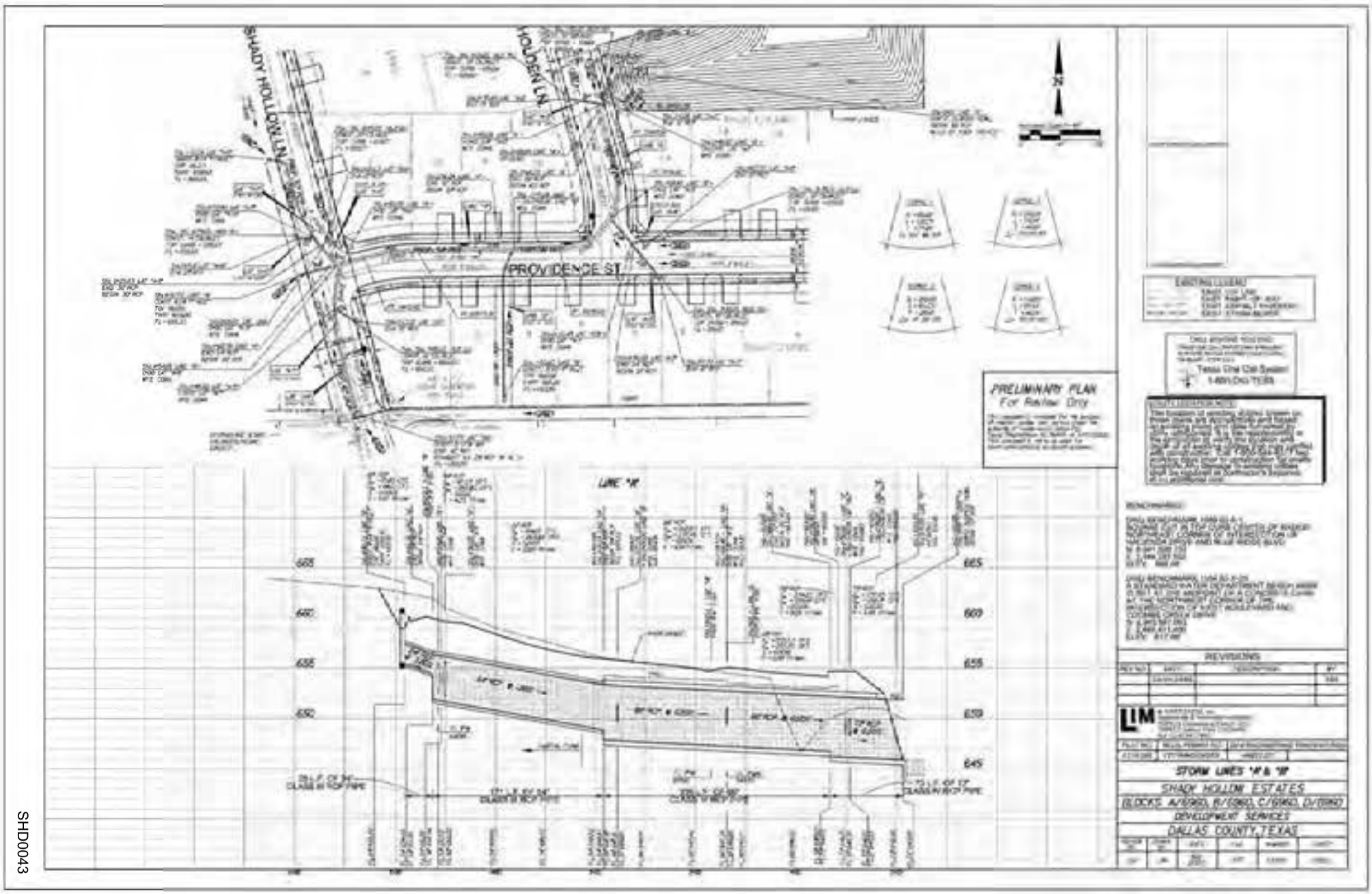
OWNER:
Shady Hollow Development, LLC
Adrian Cole
2217 Youpon Drive
Irving, TX 75063
PHONE: 214-918-4671

Date: 5/18/22 *SHEET 1 OF 2*

SHD0041


MOUNTPELIER LANE
SHADY HOLLOW LANE
WENATCHE COURT
PIERRE STREET
PIERRE STREET
PRELIMINARY PLAN
For Review Only
Texas One Call System
1-800-DIG-TESS
REVISIONS
PIERRE STREET PLAN/PROFILE
SHADY HOLLOW ESTATES
BLOCKS A/6990, B/6990, C/6990, D/6990
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

SHD0042


SHADY HOLLOW LN
HOLDEN LN
PROVIDENCE ST
LINE "A"
PRELIMINARY PLAN
For Review Only
STORM LINES "A" & "B"
SHADY HOLLOW ESTATES
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

SHD0043

311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

From: Garza, Maricela <maricela.garza@dallas.gov>

To: adrian@419builders.com <adrian@419builders.com>, Espinoza, Andres <andres.espinoza@dallas.gov>, Wimer, Megan <megan.wimer@dallas.gov>, Erwin, Philip <philip.erwin@dallas.gov>, Yi, Changho <changho.yi@dallas.gov>, Martinez, Evodio <evodio.martinez@dallas.gov>, Bordbar, Mohammad <mohammad.bordbar@dallas.gov>, Nelson, Paul <paul.nelson@dallas.gov>, Young, Vernon <vernon.young@dallas.gov>, Yumet, Carolina <carolina.yumet@dallas.gov>

Subject: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

Date: Thursday, July 07, 2022 3:04 PM

Size: 78 KB

Eskander, Mina invited you to this event.

311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

When **Monday, July 18, 2022**
10:30 AM – 11:30 AM CDT (1 hour)

Where **320 E. Jefferson Blvd., Dallas, Texas 75203 - Room 200 - Conference Room**

Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

From: Eskander, Mina <mina.eskander@dallas.gov>

To: Adrian Cole <adrian@419builders.com>

Cc: Miller, Yolanda <yolanda.miller@dallas.gov>, Bordbar, Mohammad <mohammad.bordbar@dallas.gov>, Nelson, Paul <paul.nelson@dallas.gov>, Young, Vernon <vernon.young@dallas.gov>, Yumet, Carolina <carolina.yumet@dallas.gov>, Yi, Changho <changho.yi@dallas.gov>, Espinoza, Andres <andres.espinoza@dallas.gov>, Wimer, Megan <megan.wimer@dallas.gov>

Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

Date: Thursday, July 21, 2022 7:31 PM

Size: 658 KB

Adrian,

A detention area is considered a dedicated area and not open space.
Section 51A-8.201(17) defines detention area to mean an area which temporarily stores stormwater runoff and discharges that runoff at a reduced rate. Section 51A-8.611, “Storm Drainage Design,” states that drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Moreover, detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the city of Dallas (51A-8.611(c)(2)).
The general definition of open space means an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves (51A-2.102(101)). Article VIII goes further and defines improved open space to mean open space containing structures or improvements, including but not limited to hike and bike trails, and unimproved open space to mean open space containing no buildings, fences, or other structures above or below grade.
Because the detention area is used to temporarily store stormwater runoff and discharges that runoff, it appears that detention areas meet the definition and provisions of storm drainage facilities and not open space.
The platting process requirements in Section 51A-8.403(a)(1)(A)(xi) and (xii) require that the layout and dimensions of proposed storm drainage areas, storm drainage facilities, water and wastewater facilities be indicated on the preliminary plat. Moreover, Romanette (xxv) of this section requires the preliminary plat to show the location of any open space required pursuant to Article XIII. The code makes a distinction between open space and dedications and does not lump open space with the dedications provisions.
Furthermore, the dedications provision in Section 51A-8.602 states that the owner of the property to be platted must provide an easement or fee simple dedication of property needed for the construction of streets, sidewalks, storm drainage facilities, floodways, water mains, and any other property necessary to serve the plat and to implement the requirements of this article. The code requires that the detention area be a dedication.
Lastly, the code defines infrastructure to mean all streets, alleys, sidewalks, storm drainage facilities, water and wastewater facilities, utilities, lighting, transportation, and any other facilities required by law to adequately serve and support development. (51A-8.201(29)) If detention areas were to be considered open space, then the code would have included that in the definition of open space, but it was omitted and defined as infrastructure.

Regarding the Blue Ridge Estates project (311T-9437):

- Attached is the 311T-9437 original approval letter dated 04/19/2018.
- Private Development Contract was executed on 11/14/2018 (see attached).

- Several revisions were approved after the private development contract was executed:
  - RTF1 – 01/17/2019
  - RTF2 – 09/16/2019
  - RTF3 – 11/19/2019

Section 51A-8.601(c) states: If the infrastructure construction is not included in a city-approved private development contract within two years from the preliminary plat approval date, then the infrastructure must be redesigned using the most current criteria.
Since the private development contract was executed prior to 10/01/2019 (effective date of 2019 Drainage Design Manual), this project did not have to follow the new manual which didn't exist at the time.

Please let us know if you have any additional questions.
Have a good evening,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 200
Dallas, TX 75203
O: (214) 948-4029 | C: (469) 953-0103
mina.eskander@dallas.gov

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.

Please Take a Moment to Tell Us How We Are Doing

From: Eskander, Mina
Sent: Thursday, July 21, 2022 2:54 PM
To: Adrian Cole <adrian@419builders.com>
Cc: Miller, Yolanda <yolanda.miller@dallas.gov>; Bordbar, Mohammad <mohammad.bordbar@dallas.gov>; Nelson, Paul <paul.nelson@dallas.gov>; Young, Vernon <vernon.young@dallas.gov>; Yumet, Carolina <carolina.yumet@dallas.gov>; Yi, Changho <changho.yi@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>; Wimer, Megan <megan.wimer@dallas.gov>
Subject: RE: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

Adrian,
We received your email and will provide a response shortly.
Thank you,

Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director (Interim)
Land Development Team
City of Dallas | www.dallascityhall.com
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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.

Please Take a Moment to Tell Us How We Are Doing

From: Adrian Cole <adrian@419builders.com>
Sent: Monday, July 18, 2022 12:58 PM
To: Eskander, Mina <mina.eskander@dallas.gov>
Cc: Miller, Yolanda <yolanda.miller@dallas.gov>; Bordbar, Mohammad <mohammad.bordbar@dallas.gov>; Nelson, Paul <paul.nelson@dallas.gov>; Young, Vernon <vernon.young@dallas.gov>; Yumet, Carolina <carolina.yumet@dallas.gov>; Yi, Changho <changho.yi@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>; Wimer, Megan <megan.wimer@dallas.gov>
Subject: Re: 311T-10059/S178-288 - Shady Hollow Estates (4000 Shady Hollow)

External Email!

Thank you all for your time today. This was a productive meeting to help us understand our options.

As a followup, would you please provide a written response describing the City's determination of whether detention is allowed in open space?

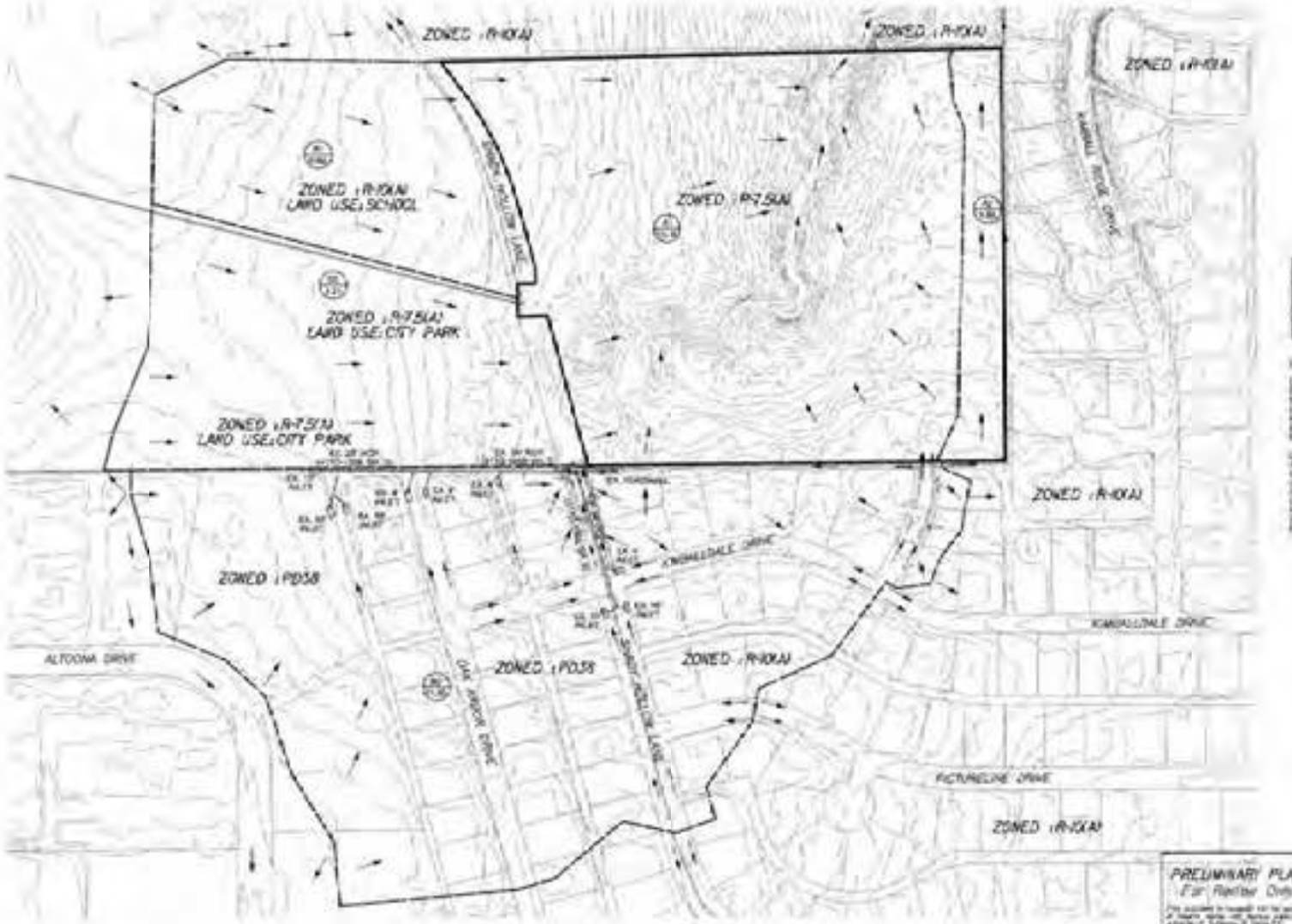
Also, would you please comment on the following?

- S167-275, Blue Ridge Estates preliminary plat was approved on September 28, 2017
- 311T-9437 3rd addendum engineering plans are dated November 13, 2019
- Is there an explanation for why this project was not required to be re-designed to the 2019 Drainage Design Manual? I don't have the visibility you all do, but I don't believe the city council approved the public contracts for this project until sometime in 2020.

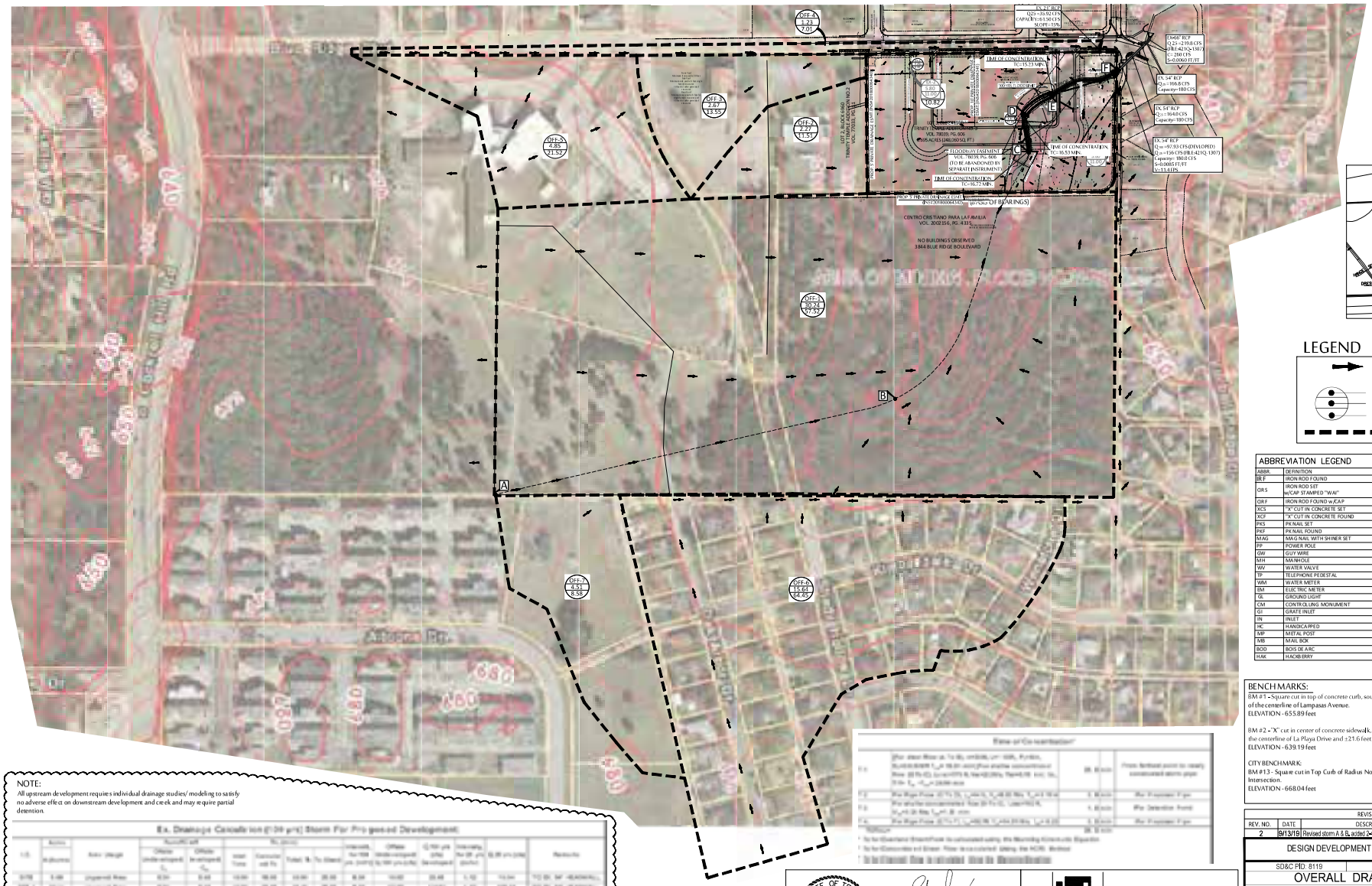
Thank you,
Adrian
214.918.4671

On Wed, Jul 6, 2022, at 4:43 PM, Adrian Cole wrote:

> Thank you for the update and for expediting the approval of the grading permit.


ZONED : R-10(A)
ZONED : R-10(A)
ZONED : R-10(A)
ZONED : R-10(A)
ZONED : R-7.5(A)
LAND USE: SCHOOL
ZONED : R-7.5(A)
LAND USE: CITY PARK
ZONED : R-7.5(A)
LAND USE: CITY PARK
ZONED : R-10(A)
ZONED : PD 58
ZONED : PD 58
ZONED : R-10(A)
ZONED : R-10(A)
SHADY HOLLOW LANE
KENDALLDALE DRIVE
KENDALLDALE DRIVE
ALTOONA DRIVE
OAK ARBOR DRIVE
SHADY HOLLOW LANE
PICTURELINE DRIVE
KENDALL RIDGE DRIVE
N
LEGEND
PRELIMINARY PLAN
For Review Only
LIM
EXIST. DRAINAGE AREA MAP
SHADY HOLLOW ESTATES
BLOCKS A/6990, B/6990, C/6990, D/6990
DEVELOPMENT SERVICES
DALLAS COUNTY, TEXAS

SHD0048



LEGEND

- FLOW PATH
- AREA NO.
- AREA ACREAGE
- FLOW, Q FOR 100 YEARS
- OFFSITE DRAINAGE DIVIDE

ABBREVIATION LEGEND		ABBREVIATION LEGEND	
ABBR.	DEFINITION	FH	FIRE HYDRANT
IRF	IRON ROD FOUND	ICV	IRRIGATION CONTROL VALVE
IRS	IRON ROD SET	CO	CLEANOUT
	w/CAP STAMPED "WAI"	AC	AIR CONDITIONER
CIRF	IRON ROD FOUND w/CAP	SB	SIGNAL BOX
XCS	"X" CUT IN CONCRETE SET	SP	SIGNAL POLE
XCF	"X" CUT IN CONCRETE FOUND	SN	SIGN
PKS	PK NAIL SET	SS	SANITARY SEWER
PKF	PK NAIL FOUND	SW	STORM SEWER
MAG	MAG NAIL WITH SHINER SET	TPAD	TRANSFORMER PAD
PP	POWER POLE	GM	GAS METER
GW	GUY WIRE	GMK	GAS MARKER
MH	MANHOLE	TMK	TELEPHONE MARKER
WV	WATER VALVE	TSN	TRAFFIC SIGN
TP	TELEPHONE PEDESTAL	UGC	UNDERGROUND CABLE MARKER
WM	WATER METER	EB	ELECTRIC BOX
EM	ELECTRIC METER	BILLB	BILL BOARD
GL	GROUND LIGHT	CCH	COUNTY CLERK'S INSTRUMENT No.
CM	CONTROLLING MONUMENT	LP	LIGHT POLE
GI	GRATE INLET	GR	GAS RISER
IN	INLET	PM	PAINT MARK
HC	HANDICAPPED	PF	PIN FLAG
MP	METAL POST	WP	WOOD POST
MB	MAIL BOX	MP	METAL POST
BOD	BOS DE ARC	CB	CHINABERRY
MK	MACKBERRY	CED	CEDAR

BENCH MARKS:

BM #1 - Square cut in top of concrete curb, south curb line of Blue Ridge Boulevard, ±13.6 feet west of the centerline of Lampasas Avenue.
ELEVATION - 655.89 feet

BM #2 - "X" cut in center of concrete sidewalk, south side of Blue Ridge Boulevard, ±35.5 feet west of the centerline of La Playa Drive and ±21.6 feet south of the centerline of Blue Ridge Boulevard.
ELEVATION - 639.19 feet

CITY BENCHMARK:
BM #13 - Square cut in Top Curb of Radius Northeast Corner of Hacienda Dr. & Blue Ridge Blvd. Intersection.
ELEVATION - 668.04 feet
N:6,941,528.732
E:2,464,292.502

NOTE:
All upstream development requires individual drainage studies/ modeling to satisfy no adverse effect on downstream development and creek and may require partial detention.

Ex. Drainage Capacity (Q 25 yr) Storm For Proposed Development

I.D.	Acres (Sub-area)	Runoff Coefficient (Developed)	Tc (min)	Intensity (in/hr)	Peak Flow (cfs)	Q 100 yr (cfs)	Ex. Storm Drain Capacity (cfs)	Remarks
A	5.88	0.54	15.00	7.00	22.26	33.39	180.00	TO EX. 54" HEADWALL
B	10.24	0.54	15.00	7.00	38.76	58.14	180.00	TO EX. 54" HEADWALL
C	1.23	0.90	10.00	8.00	8.86	13.29	180.00	TO EX. 54" HEADWALL
D	2.67	0.90	10.00	8.00	19.22	28.83	180.00	TO EX. 54" HEADWALL
E	2.27	0.90	10.00	8.00	16.34	24.51	180.00	TO EX. 54" HEADWALL
F	4.85	0.90	10.00	8.00	34.92	52.38	180.00	TO EX. 54" HEADWALL
G	13.61	0.54	15.00	7.00	51.49	77.24	180.00	TO EX. 54" HEADWALL
H	4.51	0.54	15.00	7.00	17.06	25.59	180.00	TO EX. 54" HEADWALL
I	1.30	0.90	10.00	8.00	9.36	14.04	180.00	TO EX. 54" HEADWALL

SHEET 4 OF 9

2

STATE OF TEXAS
S.I. ABED
97531
REGISTERED
PROFESSIONAL ENGINEER

09/13/19
S.I.ABED

I HEREBY CERTIFY THAT THESE CONSTRUCTION PLANS WERE PREPARED UNDER THE RESPONSIBLE SUPERVISION OF S.I. ABED, REGISTERED PROFESSIONAL ENGINEER NO. 97531

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY S.I. ABED, P.E. #97531

DESIGN DEVELOPMENT CONSULTANTS, INC.
CIVIL, MUNICIPAL & LAND DEVELOPMENT CONSULTANT
REGISTRATION # 10970
400 CHISHOLM PLACE, SUITE 410, PLANO, TX 75075.
SITE OFFICE: 503 WADE COURT, EULESS, TX, 76039.
Tel: 214-868-9320 Fax: 1-866-531-8263. Email- abed.ddc@gmail.com

REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
2	9/13/19	Revised storm A & B, added 2-42" RCP, at each location/Revised drainage calculation	S.I.ABED

DESIGN DEVELOPMENT CONSULTANTS, INC.
TBPE FIRM REG. NO.# 10970

SD&C PID: 8119 | CITY FILE NO.: S167-275

OVERALL DRAINAGE AREA MAP

3844 BLUE RIDGE BLVD. , DALLAS, TX, 75233

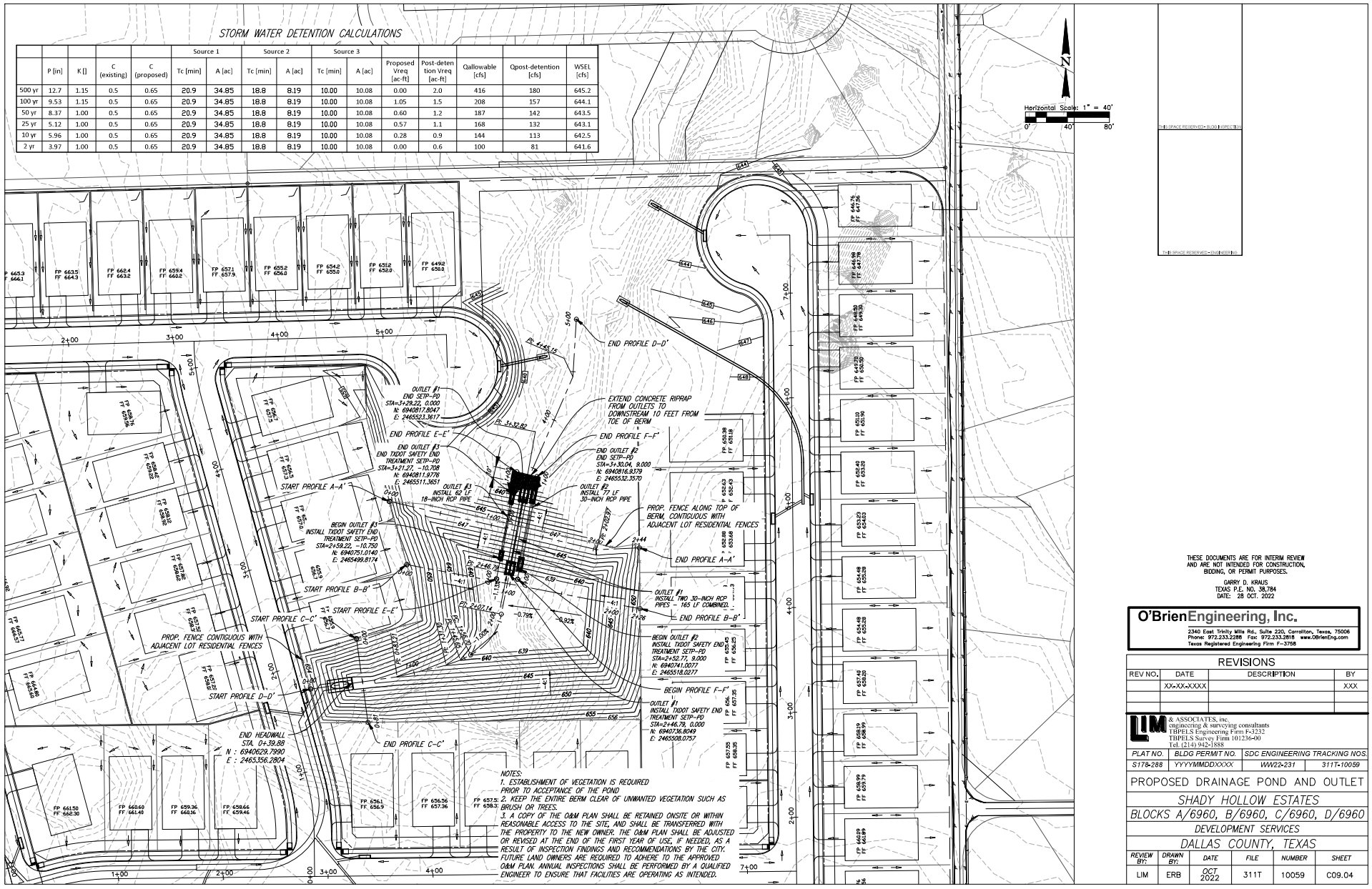
FROM LAMPASAS AVE. TO RIO GRANDE AVE.

DEPARTMENT OF PUBLIC WORKS
CITY OF DALLAS. TEXAS

DRAWN	DATE	FILE	NUMBER	SHEET
S.I.ABED	A.K.	SEPTEMBER 2019	311T	9437	7-C

STORM WATER DETENTION CALCULATIONS

					Source 1		Source 2		Source 3						
	P [in]	K []	C (existing)	C (proposed)	Tc [min]	A [ac]	Tc [min]	A [ac]	Tc [min]	A [ac]	Proposed Vreq [ac-ft]	Post-detention Vreq [ac-ft]	Qallowable [cfs]	Qpost-detention [cfs]	WSEL [cfs]
500 yr	12.7	1.15	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.00	2.0	416	180	645.2
100 yr	9.53	1.15	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	1.05	1.5	208	157	644.1
50 yr	8.37	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.60	1.2	187	142	643.5
25 yr	5.12	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.57	1.1	168	132	643.1
10 yr	5.96	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.28	0.9	144	113	642.5
2 yr	3.97	1.00	0.5	0.65	20.9	34.85	18.8	8.19	10.00	10.08	0.00	0.6	100	81	641.6



SHID0050

THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

GARRY D. KRAUS
TEXAS P.E. NO. 38,784
DATE: 28 OCT. 2022

O'Brien Engineering, Inc.
2340 East Trinity Mills Rd., Suite 220, Carrollton, Texas, 75006
Phone: 972.233.2288 Fax: 972.233.2818 www.OBrienEng.com
Texas Registered Engineering Firm F-3758

REVISIONS

REV NO.	DATE	DESCRIPTION	BY
	XX-XX-XXXX		XXX

LIM & ASSOCIATES, inc.
engineering & surveying consultants
TBPELS Engineering Firm F-3232
TBPELS Survey Firm 101236-00
Tel. (214) 942-1888

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S178-288	YYYYMMDDXXXX	WW22-231	311T-10059

PROPOSED DRAINAGE POND AND OUTLET

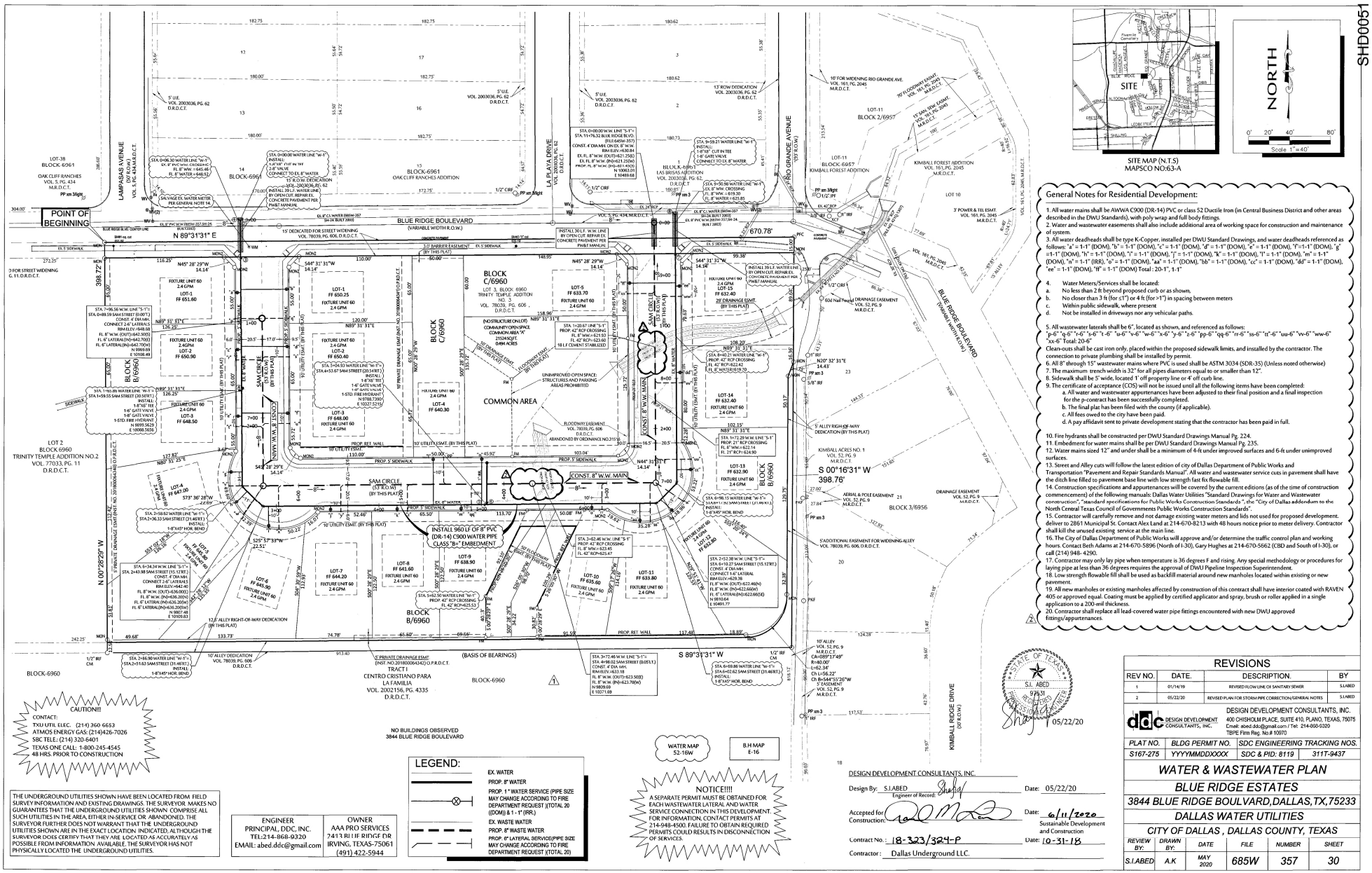
SHADY HOLLOW ESTATES

BLOCKS A/6960, B/6960, C/6960, D/6960

DEVELOPMENT SERVICES

DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
LIM	ERB	OCT 2022	311T	10059	C09.04



General Notes for Residential Development:

1. All water mains shall be AWWA C900 (DR-14) PVC or class 52 Ductile Iron (in Central Business District and other areas described in the DWU Standards), with poly wrap and full body fittings.
2. Water and wastewater easements shall also include additional area of working space for construction and maintenance of system.
3. All water deadheads shall be type K-Copper, installed per DWU Standard Drawings, and water deadheads referenced as follows: "a" = 1-1" (DOM), "b" = 1-1" (DOM), "c" = 1-1" (DOM), "d" = 1-1" (DOM), "e" = 1-1" (DOM), "f" =1-1" (DOM), "g" =1-1" (DOM), "h" = 1-1" (DOM), "i" = 1-1" (DOM), "j" = 1-1" (DOM), "k" = 1-1" (DOM), "l" = 1-1" (DOM), "m" = 1-1" (DOM), "n" = 1-1" (IRR), "o" = 1-1" (DOM), "aa" = 1-1" (DOM), "bb" = 1-1" (DOM), "cc" = 1-1" (DOM), "dd" = 1-1" (DOM), "ee" = 1-1" (DOM), "ff" = 1-1" (DOM) Total : 20-1", 1-1"
4. Water Meters/Services shall be located:
   a. No less than 2 ft beyond proposed curb or as shown,
   b. No closer than 3 ft (for ≤1") or 4 ft (for >1") in spacing between meters
   c. Within public sidewalk, where present
   d. Not be installed in driveways nor any vehicular paths.
5. All wastewater laterals shall be 6", located as shown, and referenced as follows: "p-6" "q-6" "r-6" "s-6" "t-6" "uu-6" "vv-6" "ww-6" "xx-6" Total: 20-6"
   Clean-outs shall be cast iron only, placed within the proposed sidewalk limits, and installed by the contractor. The connection to private plumbing shall be installed by permit.
6. All 8" through 15" wastewater mains where PVC is used shall be ASTM 3034 (SDR-35) (Unless noted otherwise)
7. The maximum trench width is 32" for all pipes diameters equal to or smaller than 12".
8. Sidewalk shall be 5' wide, located 1' off property line or 4' off curb line.
9. The certificate of acceptance (COS) will not be issued until all the following items have been completed:
   a. All water and wastewater appurtenances have been adjusted to their final position and a final inspection for the p-contract has been successfully completed.
   b. The final plat has been filed with the county (if applicable).
   c. All fees owed to the city have been paid.
   d. A pay affidavit sent to private development stating that the contractor has been paid in full.
10. Fire hydrants shall be constructed per DWU Standard Drawings Manual Pg. 224.
11. Embedment for water mains shall be per DWU Standard Drawings Manual Pg. 235.
12. Water mains sized 12" and under shall be a minimum of 4-ft under improved surfaces and 6-ft under unimproved surfaces.
13. Street and Alley cuts will follow the latest edition of city of Dallas Department of Public Works and Transportation "Pavement and Repair Standards Manual". All water and wastewater service cuts in pavement shall have the ditch line filled to pavement base line with low strength fast fix flowable fill.
14. Construction specifications and appurtenances will be covered by the current editions (as of the time of construction commencement) of the following manuals: Dallas Water Utilities "Standard Drawings for Water and Wastewater construction", "standard specifications for Public Works Construction Standards ", the "City of Dallas addendum to the North Central Texas Council of Governments Public Works Construction Standards".
15. Contractor will carefully remove and not damage existing water meters and lids not used for proposed development. deliver to 2861 Municipal St. Contact Alex Land at 214-670-8213 with 48 hours notice prior to meter delivery. Contractor shall kill the unused existing service at the main line.
16. The City of Dallas Department of Public Works will approve and/or determine the traffic control plan and working hours. Contact Beth Adams at 214-670-5896 (North of I-30), Gary Hughes at 214-670-5662 (CBD and South of I-30), or call (214) 948- 4290.
17. Contractor may only lay pipe when temperature is 36 degrees F and rising. Any special methodology or procedures for laying pipe at less than 36 degrees requires the approval of DWU Pipeline Inspection Superintendent.
18. Low strength flowable fill shall be used as backfill material around new manholes located within existing or new pavement.
19. All new manholes or existing manholes affected by construction of this contract shall have interior coated with RAVEN 405 or approved equal. Coating must be applied by certified applicator and spray, brush or roller applied in a single application to a 200-mil thickness.
20. Contractor shall replace all lead-covered water pipe fittings encountered with new DWU approved fittings/appurtenances.

CAUTION!!!
CONTACT:
TXU UTIL ELEC. (214) 360 6653
ATMOS ENERGY GAS: (214)426-7026
SBC TELE.: (214) 320-6401
TEXAS ONE CALL: 1-800-245-4545
48 HRS. PRIOR TO CONSTRUCTION

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

ENGINEER	OWNER
PRINCIPAL, DDC, INC.	AAA PRO SERVICES
TEL:214-868-9320	7413 BLUE RIDGE DR
EMAIL: abed.ddc@gmail.com	IRVING, TEXAS-75061
	(491) 422-5944

NO BUILDINGS OBSERVED
3844 BLUE RIDGE BOULEVARD

LEGEND:
- EX. WATER
- PROP. 8" WATER
- PROP. 1 " WATER SERVICE (PIPE SIZE MAY CHANGE ACCORDING TO FIRE DEPARTMENT REQUEST)(TOTAL 20 ((DOM)) & 1 - 1" (IRR.)
- EX. WASTE WATER
- PROP. 8" WASTE WATER
- PROP. 6" LATERAL SERVICE(PIPE SIZE MAY CHANGE ACCORDING TO FIRE DEPARTMENT REQUEST)(TOTAL 20)

WATER MAP 52-16W

B.H MAP E-16

NOTICE!!!
A SEPARATE PERMIT MUST BE OBTAINED FOR EACH WASTEWATER LATERAL AND WATER SERVICE CONNECTION IN THIS DEVELOPMENT. FOR INFORMATION, CONTACT PERMITS AT 214-948-4500. FAILURE TO OBTAIN REQUIRED PERMITS COULD RESULTS IN DISCONNECTION OF SERVICES.

STATE OF TEXAS
S.I. ABED
97531
REGISTERED PROFESSIONAL ENGINEER
05/22/20

DESIGN DEVELOPMENT CONSULTANTS, INC.
Design By: S.I.ABED — Engineer of Record — Date: 05/22/20
Accepted for Construction: — Sustainable Development and Construction — Date: 6/11/2020
Contract No.: 18-323/324-P — Date: 10-31-18
Contractor: Dallas Underground LLC.

REVISIONS

REV NO.	DATE.	DESCRIPTION.	BY
1	01/14/19	REVISED FLOW LINE OF SANITARY SEWER	S.I.ABED
2	05/22/20	REVISED PLAN FOR STORM PIPE CORRECTION/GENERAL NOTES	S.I.ABED

DESIGN DEVELOPMENT CONSULTANTS, INC.
400 CHISHOLM PLACE, SUITE #10, PLANO, TEXAS, 75075
Email: abed.ddc@gmail.com / Tel: 214-880-9320
TBPE Firm Reg. No.# 10970

PLAT NO.	BLDG PERMIT NO.	SDC ENGINEERING TRACKING NOS.	
S167-275	YYYYMMDDXXXX	SDC & PID: 8119	311T-9437

WATER & WASTEWATER PLAN

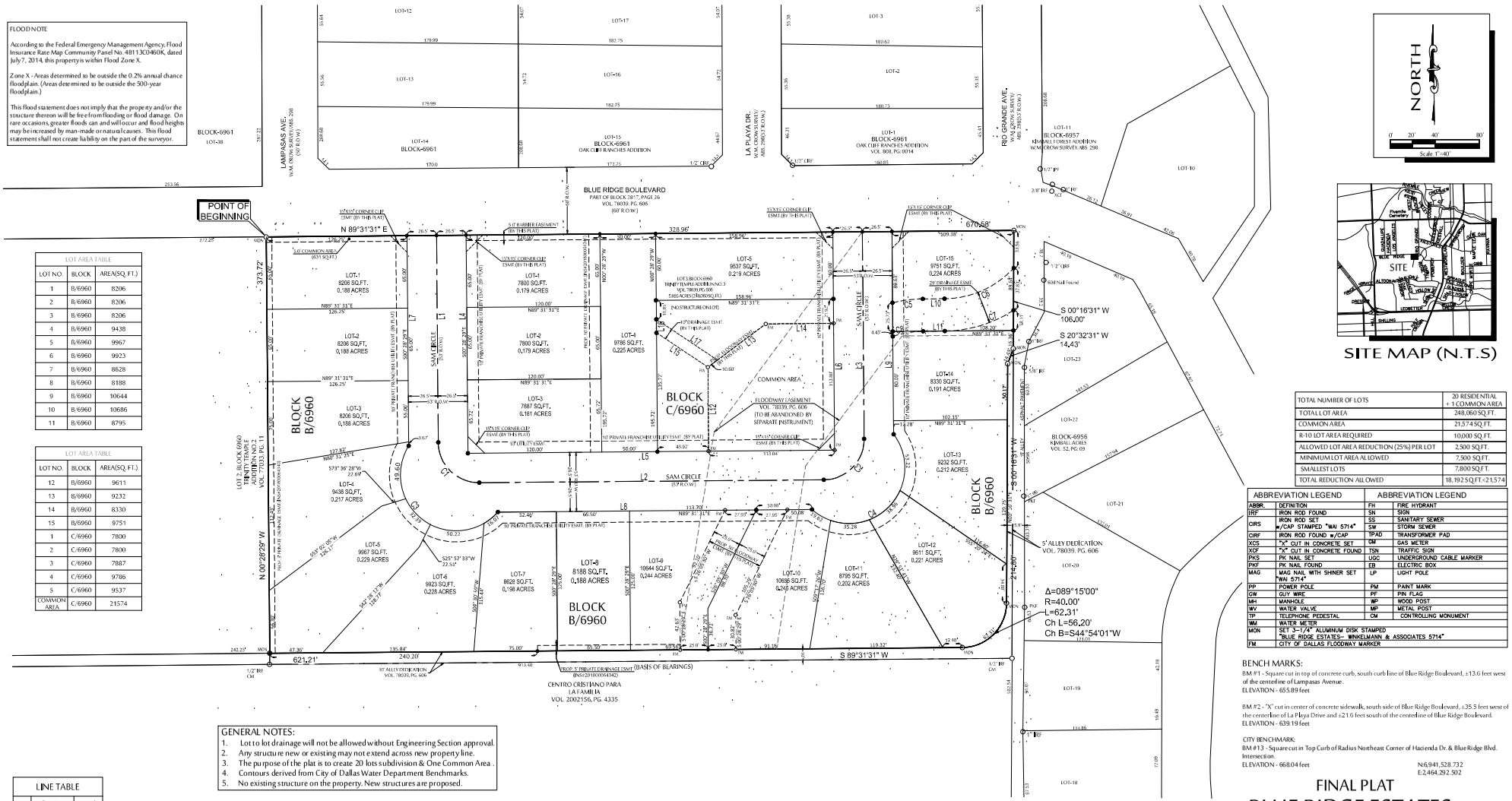
BLUE RIDGE ESTATES

3844 BLUE RIDGE BOULVARD, DALLAS, TX, 75233

DALLAS WATER UTILITIES

CITY OF DALLAS , DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
S.I.ABED	A.K	MAY 2020	685W	357	30



SITE MAP (N.T.S)

LOT AREA TABLE		
LOT NO.	BLOCK	AREA(SQ.FT.)
1	B/6960	8206
2	B/6960	8206
3	B/6960	8206
4	B/6960	9438
5	B/6960	9967
6	B/6960	9923
7	B/6960	8628
8	B/6960	8188
9	B/6960	10644
10	B/6960	10686
11	B/6960	8795

LOT AREA TABLE		
LOT NO.	BLOCK	AREA(SQ.FT.)
12	B/6960	9611
13	B/6960	9232
14	B/6960	8330
15	B/6960	9751
1	C/6960	7800
2	C/6960	7800
3	C/6960	7887
4	C/6960	9786
5	C/6960	9537
COMMON AREA	C/6960	21574

TOTAL NUMBER OF LOTS	20 RESIDENTIAL + 1 COMMON AREA
TOTAL LOT AREA	248,060 SQ.FT.
COMMON AREA	21,574 SQ.FT.
R-10 LOT AREA REQUIRED	10,000 SQ.FT.
ALLOWED LOT AREA REDUCTION (25%) PER LOT	2,500 SQ.FT.
MINIMUM LOT AREA ALLOWED	7,500 SQ.FT.
SMALLEST LOTS	7,800 SQ.FT.
TOTAL REDUCTION ALLOWED	18,192 SQ.FT.<21,574

ABBREVIATION LEGEND		ABBREVIATION LEGEND	
ABBR.	DEFINITION	FH	FIRE HYDRANT
IRF	IRON ROD FOUND	SN	SIGN
CIRS	IRON ROD SET w/CAP STAMPED "WAI 5714"	SS	SANITARY SEWER
		SW	STORM SEWER
CIRF	IRON ROD FOUND w/CAP	TPAD	TRANSFORMER PAD
XCS	"X" CUT IN CONCRETE SET	GM	GAS METER
XCF	"X" CUT IN CONCRETE FOUND	TSN	TRAFFIC SIGN
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PKF	PK NAIL FOUND	EB	ELECTRIC BOX
MAG	MAG NAIL WITH SHINER SET "WAI 5714"	LP	LIGHT POLE
PP	POWER POLE	PM	PAINT MARK
GW	GUY WIRE	PF	PIN FLAG
MH	MANHOLE	WP	WOOD POST
WV	WATER VALVE	MP	METAL POST
TP	TELEPHONE PEDESTAL	CM	CONTROLLING MONUMENT
WM	WATER METER		
MON	SET 3-1/4" ALUMINUM DISK STAMPED "BLUE RIDGE ESTATES- WINKELMANN & ASSOCIATES 5714"		
FM	CITY OF DALLAS FLOODWAY MARKER		

BENCH MARKS:

BM #1 - Square cut in top of concrete curb, south curb line of Blue Ridge Boulevard, ±13.6 feet west of the centerline of Lampasas Avenue.
ELEVATION - 655.89 feet

BM #2 - "X" cut in center of concrete sidewalk, south side of Blue Ridge Boulevard, ±35.5 feet west of the centerline of La Playa Drive and ±21.6 feet south of the centerline of Blue Ridge Boulevard.
ELEVATION - 639.19 feet

CITY BENCHMARK:
BM #13 - Square cut in Top Curb of Radius Northeast Corner of Hacienda Dr. & Blue Ridge Blvd. Intersection.
ELEVATION - 668.04 feet
N:6,941,528.732
E:2,464,292.502

LINE TABLE		
No.	Bearing	Length
L1	S0°28'29"E	185.72'
L2	N89°31'31"E	308.96'
L3	N0°28'29"W	185.72'
L4	S0°28'29"E	195.72'
L5	N89°31'31"E	328.96'
L6	N0°28'29"W	195.72'
L7	S0°28'29"E	188.67'
L8	N89°31'31"E	281.74'
L9	N0°28'29"W	181.91'
L10	N89°31'31"E	19.48'

LINE TABLE		
No.	Bearing	Length
L11	S89°31'31"W	19.48'
L12	N0°28'29"W	75.44'
L13	N53°11'50"E	64.75'
L14	N89°31'31"E	60.87'
L15	N56°10'31"W	55.58'
L16	N0°28'29"W	12.10'
L17	S56°10'31"E	65.92'

CURVE TABLE					
No.	Delta	Radius	Length	CH. L	CH. B
C1	90°00'00"	36.50'	57.33'	51.62'	S45°28'29"E
C2	90°00'00"	36.50'	57.33'	51.62'	N44°31'31"E
C3	169°55'17"	50.00'	148.28'	99.61'	S53°24'10"E
C4	168°32'43"	50.00'	147.08'	99.50'	N47°20'45"E
C5	13°43'11"	114.50'	27.42'	27.35'	N82°39'56"E
C6	46°46'11"	85.50'	69.79'	67.87'	N66°08'26"E
C7	32°39'58"	114.50'	65.28'	64.40'	S73°11'32"W
C8	18°31'08"	85.50'	27.63'	27.51'	S80°15'57"W

GENERAL NOTES:
1. Lot to lot drainage will not be allowed without Engineering Section approval.
2. Any structure new or existing may not extend across new property line.
3. The purpose of the plat is to create 20 lots subdivision & One Common Area .
4. Contours derived from City of Dallas Water Department Benchmarks.
5. No existing structure on the property. New structures are proposed.

NOTES :
1. No concentrated stormwater flow greater that 10 cfs will be allowed to enter the right of way at any location.
2. No lot to lot stormwater drainage will be allowed.
3. All garage door set-backs to be min.20 ft. from front yard property lines.
4. 5' private retaining wall maintenance easement is dedicated on lots on the non retained side.
5. All common area lots to be permanently owned and maintained by a homeowners association established prior to construction of the first lot.
6. Prior to issuance of each and every building permit, a grading plan shall be submitted that demonstrates conformance with the site grading for this subdivision.
7. All new utilities will be installed under-ground.
8. All commercial dumpsters shall be constructed, placed, screened and maintained in accordance with chapter 33 of the code of ordinance.
9. Any plan to use water Injection or any other chemical injections for any purpose shall be reviewed and approved by the CIP/Engineering Department prior to any application at the Site.

PURPOSE OF PLAT : DIVIDE THE LAND INTO 20 SINGLE FAMILY LOTS & ONE COMMON AREA

Developer:
AAA Pro Services
4102 Crest Ridge Dr.
Irving, TX-75061
(491) 422-5944
aaaproservices@hotmail.com

Engineer: S.I.Abed
Principal, DDC, INC.
Tel: 214-868-9320
Fax: 1-866-531-8263
Email: abed.ddc@gmail.com
abed@ddc-engineering.com
FIRM REGISTRATION: 10790

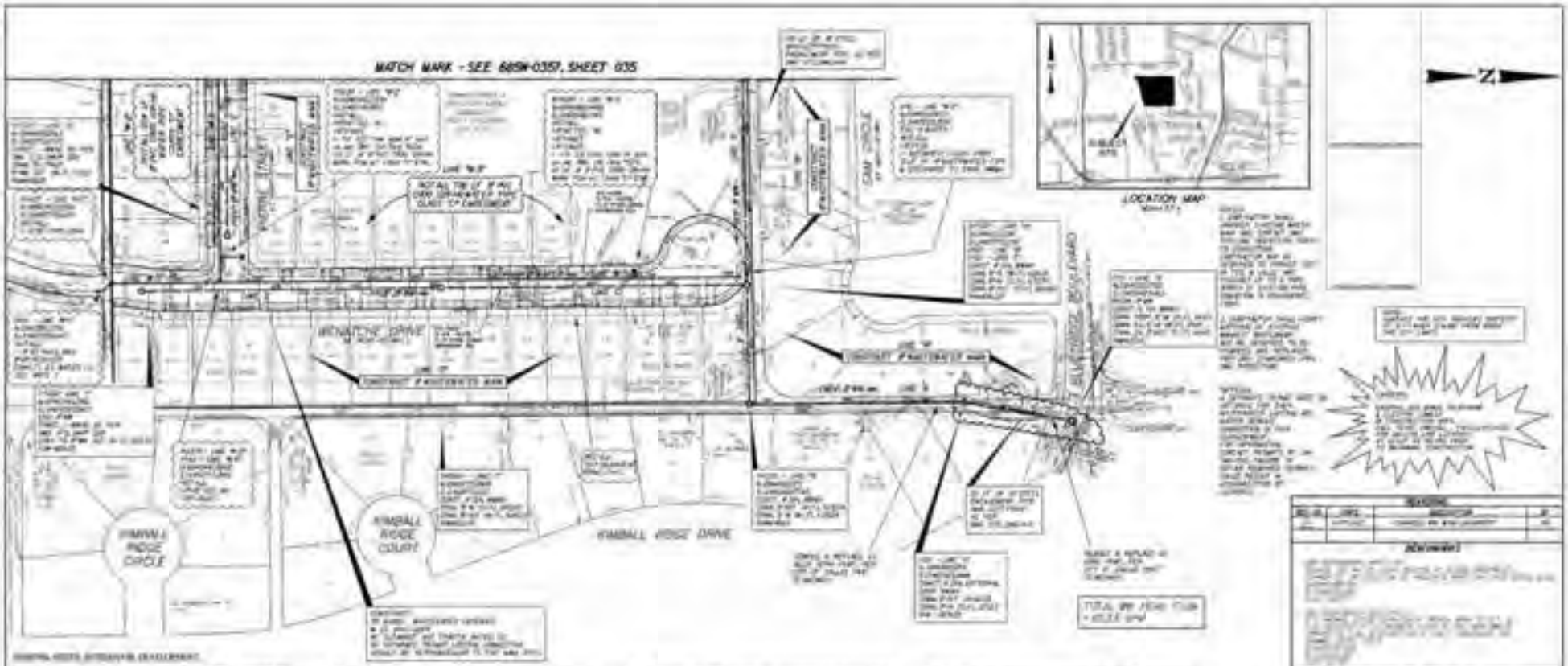
Leonard J. Lueker R.P.L.S
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas, 75230 TEL: 972-490-7090
l.lueker@winkelmann.com
FIRM REGISTRATION: 10086600

FINAL PLAT

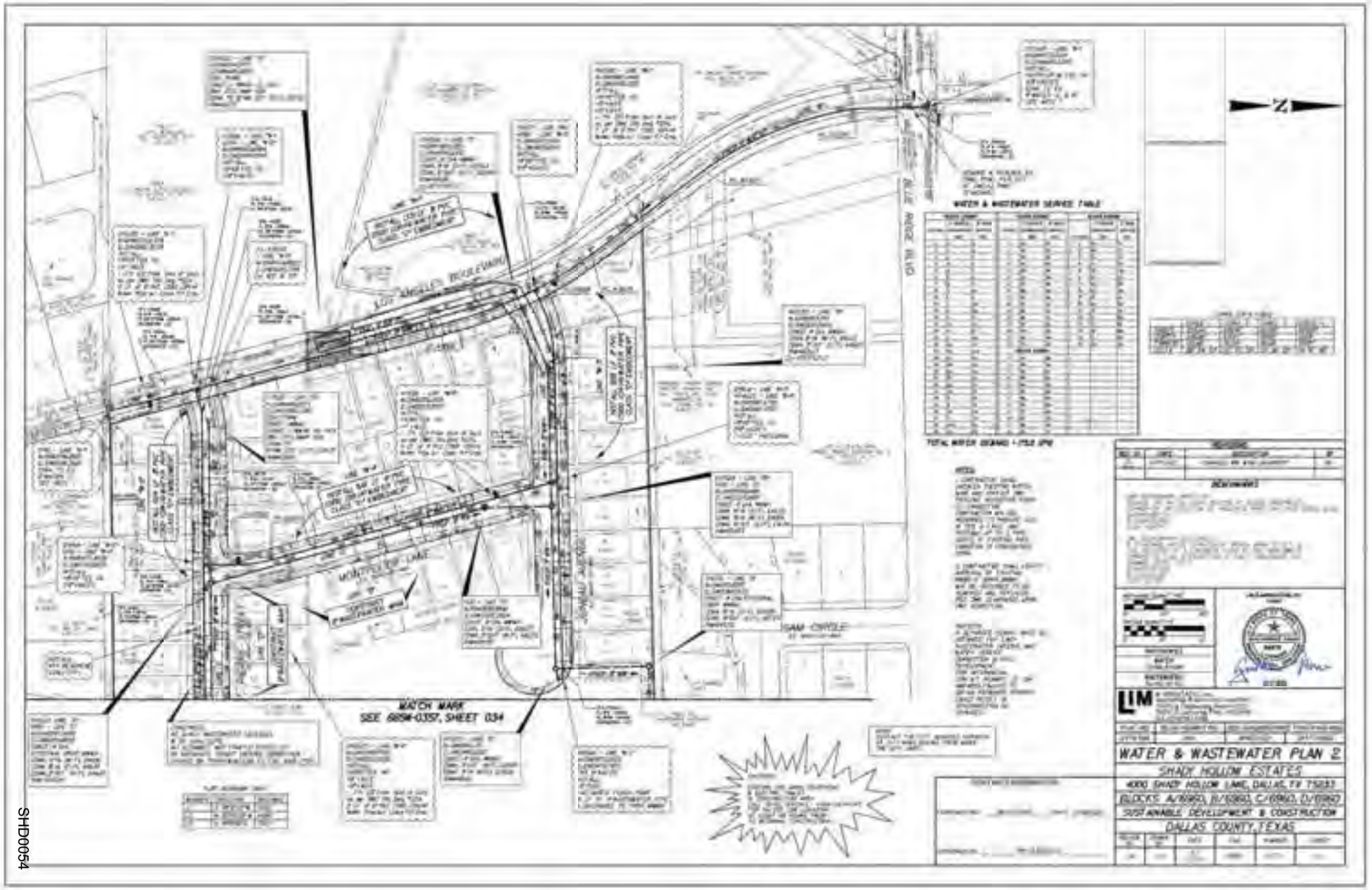
BLUE RIDGE ESTATES

BLOCK B/6960 LOTS 1-15
BLOCK C/6960 LOTS 1-5
A COMMUNITY UNIT DEVELOPMENT
5.695 ACRES IN THE W. M. CROW SURVEY, ABSTRACT NO. 298
CITY OF DALLAS, DALLAS COUNTY, TEXAS.
CITY PLAT FILE NO. S167-275 1 OF 2

S167-275


MATCH MARK - SEE 685W-0357, SHEET 035
LOCATION MAP
KIMBALL RIDGE DRIVE
KIMBALL RIDGE COURT
KIMBALL RIDGE CIRCLE
CAM CIRCLE
WATER & WASTEWATER PLAN I
SHADY HOLLOW ESTATES
4000 SHADY HOLLOW LANE, DALLAS, TX 75253
BLOCKS A/5990, B/5990, C/5990, D/5990
SUSTAINABLE DEVELOPMENT & CONSTRUCTION
DALLAS COUNTY, TEXAS

SHD0053


WATER & WASTEWATER SERVICE TABLE
MATCH MARK
SEE 6854-0357, SHEET 034
WATER & WASTEWATER PLAN 2
SHADY HOLLOW ESTATES
4000 SHADY HOLLOW LANE, DALLAS, TX 75233
BLOCKS A/6990, B/6990, C/6990, D/6990
SUSTAINABLE DEVELOPMENT & CONSTRUCTION
DALLAS COUNTY, TEXAS

SHD0054

Certificate of No Action

CITY OF DALLAS

DATE December 12, 2022

TO Adrian Cole, Developer

SUBJECT **Shady Hollow Estates - 311T-10059**

The paving and drainage engineering plans for the Shady Hollow Estates development, engineering file number 311T-10059, were submitted on November 4, 2022. The City failed to act on the plan review within the required timeframe as specified by Chapter 212 of the Texas Local Government Code.

This certificate does not allow you to violate City Code or State Law. The Department does not assume any liability for the engineering design nor does this certificate release the design engineer from liability for correcting errors and omissions in the design, both during and after the construction.

This certificate is effective in place of the endorsement required by Section 212.009(c) of the Texas Local Government Code.

Sam Eskander

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Development Services

c: Andrew Espinoza, CBO, MCP, CCEA, Director/Chief Building Official
Casey Burgess, Executive Assistant City Attorney
Guillermo R. Darce, PE, Engineer-of-Record, LIM & Associates, Inc.
Daniel Lim, PE, RPLS, CFM, LIM & Associates, Inc.

Shady Hollow Development - Analysis Application Form

From: Adrian Cole <adrian@419builders.com>
To: Eskander, Mina <mina.eskander@dallas.gov>
Cc: Daniel Lim <limassoc@aol.com>
Bcc: [redacted]
Subject: Re: Shady Hollow Development - Analysis Application Form
Date: Monday, November 21, 2022 4:14 PM
Size: 133 KB

Good afternoon Sam,

Following up on our conversation this morning, here is some additional information which you can hopefully use to expedite the apportionment determination for this project.

Background
First, I understand that you review many projects and have a lot of responsibilities in the development department, so here is a summary of our progress in the engineering review on this project.

- We were informed on June 13 that our plan for detention conflicted with a determination of required open space for our project
- We requested further consideration of the requirement that detention does not count as open space, and had an in-person meeting on July 18 in which we specifically requested flexibility to allow for detention in the required open space as well as to use the 1993 Drainage Design Manual which was in place at the time of the preliminary plat approval and under which the Sam Circle project was designed. Both requests were denied at this meeting.
- We requested a board of adjustment hearing for further review on these items, which was denied on the basis that no building permit had been applied for.

On the basis of clear direction from the City to use the 2019 Drainage Design Manual, and with the clear requirement that we provide adequate open space in addition to any required detention, we asked our engineering partners to work on a plan which met both of these requirements. While the calculations allowed under the 1993 Drainage Design Manual would have allowed this project to be developed without detention, multiple aspects of the Sam Circle development limit the allowable outflow from this project and effect a detention requirement.

Having exhausted all of our options for a different interpretation of these guidelines or any flexibility in application, the process to resolve these constraints has required a lot of engineering investment in order to create a reasonable detention plan that meets all of the current requirements. It has also delayed our project by many months. The plans we have submitted on November 1, 2022 meet the requirements we have been given, but also require a large amount of land area and construction cost which I believe to be unavoidable based on our constraints.

Current Objective
While operating in good faith to meet all City requirements and at considerable cost to our project, we have determined that the resulting plan disproportionately requires us to provide land and other costs which are not caused by this project and which are not relative to the needs created by this

project.

As a result, this project now clearly qualifies for an apportionment to compensate for these additional costs. Sec 51A-1.109 is clear in our right to have our project reviewed by a professional engineer retained by the City to make the determination of costs. On this requirement, as well as our good faith efforts to comply with all City guidelines and create community value with this project, please complete this determination as soon as you can.

On the subject of cost liability, I believe there are several ways to justify this cost in addition to the clear legal requirement for payment.

- **Los Angeles Blvd street and storm drain construction ($305,994)** - I estimate that the 73 new houses to be constructed will result in approximately $200,000 per year in new property taxes to the City of Dallas. Existing houses in the area which will benefit from this construction generate an additional large amount. This street will benefit park access and is easily classified as an investment which will facilitate economical park development.
- **Alley dedications ($67,870)** - The City of Dallas collects approximately $300,000,000 in franchise fees from utility and communication providers annually to compensate for the use of streets and alleys for these services. Using very limited information, I estimate that the new houses to be constructed in this development will generate approximately $36,000 annually in new revenue, and the existing houses which use these alleys generate approximately $21,000 annually in existing revenue.
- **Detention land use and construction cost ($583,496)** - The City of Dallas collects approximately $70,000,000 in stormwater management fees annually. I estimate the the new houses to be constructed will generate $8,000 annually in new revenue, and that the existing properties to benefit from this (both upstream and downstream) generate approximately $25,000 annually towards this. It is also quite clear that this investment resolves issues with park, school, and other potential property development and should be viewed as a catalyst to continued investment in the area.

Using the City's projections of 5% increases in revenue for these categories, I estimate that the **10 year total of new revenue to the City of Dallas from the proposed 73 houses is $3.8M**, without any consideration of existing revenue as outlined above. This is a clear economic positive for the City of Dallas and entirely justifies any participation required to apportion the costs accurately.

Summary
Once again, please support us in this project by making the requested apportionment determination as required by city and state laws. While I strongly believe that the directives here are clear and that this project is easy to justify, I am willing to make this case and explain this perspective further if this can help expedite the process. I'm sure I have made clear how important this is to us, and I hope you can see how everyone benefits from quickly processing our request.

Regards,
Adrian Cole
214.918.4671

3792 Wenatche

From: Morrison, Laura <laura.morrison@dallas.gov>
To: adrian@419builders.com <adrian@419builders.com>
Subject: 3792 Wenatche
Date: Thursday, September 08, 2022 12:15 PM
Size: 51 KB

Good morning, Mr. Cole.

Chris Caso asked me to reach out to you about appealing decisions of the building official to the board of adjustment. Our office has been in contact with the assistant building official. In order to be able to appeal the building official's decision about the open space requirement, you must first apply for a building permit and have that permit denied on the basis of not mee ng the open space requirement. Then you may appeal that denial to the board of adjustment. Without an official denial from the building official, there is nothing to appeal.

Please let me know if you have any further ques ons.

Laura Morrison
Assistant City Attorney
Municipal Regulatory
Deputy Chief
City of Dallas
Dallas City A orney's Office
1500 Marilla St., 7DN
Dallas, TX 75201
O: 214-670-5477
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laura.morrison@dallas.gov

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APPEAL OF APPORTIONMENT DETERMINATION TO THE CITY PLAN COMMISSION

Plat S178-288 **Preliminary Plat Approval (September 6, 2018)** **Pre-Final Plat Approval (April 21, 2022)**	§ § § § § § § §	**City of Dallas** **Date: February 6, 2023**

CITY OF DALLAS'S POSITION STATEMENT
WITH SUPPORTING EVIDENCE AND AUTHORITY

To the Honorable City Plan Commission ("CPC"):

The City of Dallas ("City") submits this position statement, together with the attached evidence and the included authority, for consideration by the CPC regarding the appeal requested by Adrian Cole of Shady Hollow Development LLC ("Developer") as to the City's apportionment determination (the "Apportionment Determination") described more fully below.

I. INTRODUCTION

This appeal arises from Developer's misunderstanding and denial of its obligations with regard to the proposed development of the Shady Hollow Estates subdivision (the "Proposed Development") on low-lying property that currently has no paved roads and no water, wastewater, or drainage facilities. Although Developer acknowledges the need to construct paved roads so that residents and first-responders will be able to access the Proposed Development, Developer speculates that paving the road on the western edge of the Proposed Development would somehow provide only minimal benefit to the eventual residents of the subdivision. Similarly, while acknowledging the Proposed Development's need for water and wastewater mains, Developer incongruously argues that the City should pay for this critical infrastructure because other existing structures – which already have their own water and wastewater connections – would somehow benefit from infrastructure necessitated solely by the Proposed Development. Moreover, the City

has agreed to contribute approximately $95,000 to construct offsite water and wastewater facilities that would benefit the Proposed Development. Finally, despite knowing from the outset that a detention pond would likely be necessary to adequately address stormwater drainage for the Proposed Development, Developer suggests that this requirement is purely a function of conforming to standards in the City's 2019 pavement and drainage manual, rather than those of the 1993 manual. However, analysis of plans for the Proposed Development under both the 1993 and 2019 standards confirms the need for a detention pond, and Developer confirmed as much in its March 2022 pre-final plat, which explicitly designates 3.1 acres of land as a detention area and dedicates easements for drainage and access. Simply put, Developer is asking the City to pay for improvements that are necessitated by, and primarily for the benefit of, the Proposed Development. This request lacks a basis in law or fact, and therefore, Developer's appeal of the apportionment for the Proposed Development should be denied.

II. FACTUAL AND PROCEDURAL BACKGROUND

On September 7, 2018, CPC conditionally approved the preliminary plat of Shady Hollow Estates Addition. *See* Ex. A ("CPC Letter"). The approval-conditions required the developer to submit a full set of civil engineering plans by a licensed professional engineer for approval by the City, and the approval-conditions specifically notified the developer that "[d]etention may be required if the capacity of available outfall is not adequate to carry the developed runoff." *Id.* ¶ 12 (citing Section 51A-8.611(e)). On November 6, 2019, the City received civil engineering plans for Shady Hollow Estates (the "2019 Plans").[1] In the City's December 19, 2019 response to the First Development Plans ("2019 Review"), the City specifically (A) notified the development engineer of a proposed residential subdivision being developed downstream of Shady Hollow Estates, (B)

[1] The developer for the First Plan was KPA Consulting, Inc., rather than Shady Hollow Development LLC.

requested that the development engineer confirm the drainage capacity of the existing outfalls for Shady Hollow Estates to determine whether detention would be required; and (C) submit a drainage study on whether the Shady Hollow Estates development would adversely affect the downstream subdivision. *See* Ex. B, 2019 Review, ¶¶ 46, 48, 64-65, 89.

On March 22, 2022, Developer submitted a pre-final plat for the Proposed Development that would include 73 individual lots in the Shady Hollow Estates subdivision. *See* Ex. C ("Pre-Final Plat"). Although not inside the Proposed Development, the Pre-Final Plat reflects Los Angeles Boulevard [2] as the western thoroughfare providing the only access point for eight lots and connecting to two interior streets. In other words, more than half of the lots in the Proposed Development would be accessible primarily or solely via Los Angeles Boulevard. Currently, the portion of Los Angeles Boulevard bordering the Proposed Development is unpaved.

In November 2022, Lim and Associates, Inc. submitted civil engineering plans ("2022 Plans") for development of Shady Hollow Estates on behalf of the current Developer. The City engaged Freese and Nichols, Inc. ("FNI") to review the 2022 Plans. FNI reviewed the 2022 Plans using the standards and criteria provided in both the 1993 Drainage and Design Manual ("1993 Manual) and the 2019 Drainage and Design Manual ("2019 Manual").[3] FNI determined that, under both the 1993 Manual and the 2019 Manual, the Proposed Development would require a detention pond. *See* Ex. D (FNI Memo dated 12/16/2022); Ex. E (FNI Memo dated 1/27/2023). Notably, the Pre-Final Plat designates 134,596 square feet (3.1 acres) as "detention area/drainage/utility

[2] Developer's apportionment appeal documents refer to Los Angeles Boulevard as this westernmost thoroughfare, but the Pre-Final Plat lists it as "Shady Hollow Lane." In the hope of avoiding confusion and to be consistent with Developer's appeal documents, this Position Paper uses the term "Los Angeles Boulevard."

[3] The 1993 Manual and criteria were in effect when the preliminary plat for Shady Hollow Estates was submitted in 2018; however, by the time the 2022 Plans were submitted, the 2019 Manual and criteria were in effect.

easement" and specifically provides a "detention area access easement" connecting to the easternmost thoroughfare, Wenatchie Drive.

It is undisputed that the Proposed Development currently has no water or wastewater infrastructure. *See* Ex. F (GIS of water/wastewater services at Proposed Development). That is, there are no water mains or sewer lines servicing the entire property, and the City does not have any plans to construct water or wastewater facilities for that property. Thus, for the lots in the Proposed Development to receive water and wastewater services, the entire infrastructure will need to be built out.

On December 21, 2022, the City provided an apportionment determination to Developer. *See* Ex. G (Apportionment Determination). In brief, the City concluded that Developer would be responsible for the following improvements necessitated by and roughly proportionate to the impact of the Proposed Development: (1) paving the relevant portion of Los Angeles Boulevard to a minimum width of 20 feet in order to provide access for residents and emergency services; (2) constructing a detention pond sufficient to address increased runoff from the Proposed Development and prevent adverse impacts to downstream properties[4]; (3) the detention pond constituted a drainage facility and did not qualify as open space for purposes of a community unit development; (4) to provide necessary services to the eight lots facing Los Angeles Boulevard, Developer would have to construct water and wastewater facilities along that thoroughfare; and (5) to provide water and wastewater service to all lots in the Proposed Development, Developer would have to construct offsite facilities; however, the City would contribute $95,170.[5] Notably, the City determined that no further alley dedications would be necessary.

[4] The City specifically noted that, if Developer's engineer provided drainage reports and calculations showing that less-intrusive improvements could prevent adverse impacts to downstream properties, the City might re-evaluate.

[5] A copy of the City's estimate for its participation in offsite water and wastewater facilities is attached as Exhibit H.

III. ARGUMENT AND AUTHORITIES

A. Standard to Determine Exactions

As a preliminary matter, there is some question regarding whether the City is imposing an exaction on Developer or merely exercising its power to protect the health, safety, and welfare of the community.[6] To the extent the conditions for approval of Developer's plat for the Proposed Development are an exaction, they must be related to the needs created by, and roughly proportionate to the impact of, the Proposed Development. *See* City of Dallas, Texas Code of Ordinances ("City Code") § 51A-1.109(a)(1). "No precise mathematical calculation is required, but the city must make an individualized determination that the required exaction is related both in nature and extent to the impact of the property development." *Id.* at § 51A-1.109(a)(2). Here, the City has made precisely the individualized determination required under this standard, and the City is merely requiring Developer to address the needs created by the Proposed Development through improvements that are roughly proportionate to its impact. Developer bears the burden to demonstrate that the City's determination is incorrect. *Id.* at § 51A-1.109(f)(2). As demonstrated below, Developer cannot satisfy its burden in this case.

B. Street Apportionment.

While Developer suggests that the City should be responsible for 65% of the cost to pave the portion of Los Angeles Boulevard providing access to the eight lots that face that

[6] "[A]n exaction occurs if a governmental entity requires an action by a landowner as a condition to obtaining governmental approval of a requested land development." *City of Carrollton v. RIHR Inc.*, 308 S.W.3d 444, 449 (Tex. App.—Dallas 2010, pet. denied). However, if a city ordinance requiring a developer to take certain actions is both reasonable and substantially related to the health, safety, or general welfare of city residents/visitors, the requirement may not be considered a compensable exaction. *Lamar Corp. v. City of Longview*, 270 S.W.3d 609, 615 (Tex. App.—Texarkana 2008, no pet.) (citing *City of College Station v. Turtle Rock Corp.*, 680 S.W.2d 802, 804 (Tex. 1984)). Here, there can be no doubt that requiring Developer to provide infrastructure sufficient to ensure that lots in the Proposed Development can receive necessary water, sanitary, and emergency services is both reasonable and substantially related to health, safety, and welfare.

thoroughfare,[7] Developer's argument lacks merit or support and relies on speculation bordering on paranoia. Every plat must provide appropriate access to the developed property for passenger, delivery, emergency, and maintenance vehicles. City Code § 51A-8.604(a). Additionally, developers may be required to construct minor streets "based on the existing condition or width of the streets, and if warranted by the expected traffic volumes, property access requirements, or truck, bus, and taxi loading." *Id.* § 51A-8.604(c). Here, the portion of Los Angeles Boulevard at issue provides the only access to eight lots in the Proposed Development, is unpaved, and is not wide enough to allow emergency or sanitation vehicles to pass. In other words, unless the section of Los Angeles Boulevard between Blue Ridge Boulevard and Shady Hollow Lane is paved,[8] those eight lots will be inaccessible to their eventual owners or to essential services. Moreover, Developer's suggestion that building out Los Angeles Boulevard would "largely benefit[] other properties" is at best speculative and arguably disingenuous. Not only would this construction be critical to the eight lots facing Los Angeles Boulevard, but two of the interior streets in the Proposed Development connect to Los Angeles Boulevard. If it were left unpaved, the lots on those interior streets would only be accessible from the southeast corner of the subdivision via Wenatchie Drive.[9]

To the extent Developer argues that the existing church and school should have been required to pave the portion of Los Angeles Boulevard that borders their property, Developer

[7] Developer refers to six lots facing Los Angeles Boulevard, but the Pre-Final Plat shows eight lots facing that roadway. *See* Ex. C.

[8] Notably, although the City could require Los Angeles Boulevard to be paved to a 36-foot width, the Apportionment Determination provides for a 20-foot width if Developer obtains approval from the Fire Marshall. Stated otherwise, the City is trying to help Developer defray costs for this approval-condition.

[9] While Developer refers to "eventual completion" of Los Angeles Boulevard to Blue Ridge Boulevard, Developer tellingly fails to provide any timetable or City plan for such completion – because none exists. Moreover, Developer's suggestion that the Proposed Development would "contribute less than 10% of traffic usage" after this imaginary "eventual completion" is also purely speculative.

ignores the fact that those structures have adequate access and drainage from Blue Ridge Boulevard – a paved street that complies with the relevant City Code provisions. Simply put, the church and school complied with their build-out obligations under their plats, just as Developer is being required to do now. As such, the street apportionment relating to Los Angeles Boulevard is directly related to the needs created by the Proposed Development and roughly proportionate to its impact.

C. Alleys.

The City is not requiring additional alley dedication or construction. Thus, any argument on this subject is moot and not subject to appeal.

D. Drainage Apportionment.

Texas Water Code § 11.086(a) provides that "No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded." As described above, analyzing the 2022 Plans under the standards of both the 1993 Manual and the 2019 Manual, FNI determined that detention or downstream improvements would be required to address increased outfall from the Proposed Development. Thus, Developer's suggestion that it would not be required to construct a detention pond under the 1993 standards lacks merit.[10] To support Developer's argument, its engineer of record would have to provide calculations to account for the incremental difference in detention volume required between the 1993 and 2019 Manuals as well as a supporting statement of engineering judgment on which National Oceanic

[10] Notably, Section I of the 1993 Manual states that its purpose is to provide guidelines and "it is not intended to limit the design capabilities or engineering judgment of the design professional or the use of new technical developments in engineering." Thus, the 1993 Manual encourages engineers to use the most current and accurate data available when designing drainage infrastructure. As such, analysis under the 2019 standards (based on the most current and accurate data) would comply with the 1993 Manual.

and Atmospheric Administration rainfall intensities would be best to use for Developer's current design. Tellingly, Developer's engineer of record has provided no such calculations. Similarly, Developer's claim that the Proposed Development would cause only a "small increase in drainage flows" is unsupported by data, and Developer again provides no statement to that effect from its design engineer. Stated otherwise, Developer has no empirical basis to support its appeal of the drainage apportionment.

Although the drainage requirements for the Proposed Development are influenced by the existing structures in surrounding properties, Developer's claim that those structures do not have proper drainage themselves is unfounded. Moreover, Developer fails to account for the topography of the Proposed Development: it is on land that lies lower than surrounding properties, and it must accommodate waterflow from a nearby creek. Simply put, the Proposed Development must be designed to address both natural flow and the additional runoff created by the development. That is exactly what the City is requiring Developer to do here. The storm drain inlets, underground outflow pipe, detention pond, and other drainage improvements necessarily benefit the Proposed Development by preventing flooding within the subdivision and are roughly proportionate to the impact the Proposed Development creates.

E. Detention Pond Is Not Open Space.

Because Developer intends to designate the Proposed Development as a Community Unit Development ("CUD"), Developer could decrease the minimum size of its lots if Developer also provided an equal amount of "community open space" to serve the Proposed Development. *See* City Code § 51A-8.510(c); City Code § 51-8.109(3). That is, Developer could effectively squeeze more lots into the Proposed Development if Developer could designate an undeveloped area as "open space." Here, Developer hoped to designate the drainage-detention area in the Proposed

Development as "open space" in order to decrease the minimum size of its lots. However, under the City Code, a drainage-detention area cannot qualify as open space.[11] The drainage-detention area is a storm drainage facility that requires dedicated easements to the City (*see* Ex. C). Open space, whether improved or unimproved, cannot have any structures above or below it and does not contemplate dedication of easements.[12] Simply put, the Code distinguishes between drainage-detention areas and open space. The fact that Developer cannot elide those concepts in order to decrease lot-sizes in the Proposed Development does not result in a physical or regulatory taking; rather, it simply means that Developer cannot double-dip by avoiding flood-protection obligations in order to increase the number of lots it can develop. Thus, the City is not depriving Developer of any land, but merely requiring Developer to implement stormwater drainage measures that are necessary for, beneficial to, and roughly proportionate to the impact of the Proposed Development.

[11] To be more precise, and as described in the Apportionment Determination, Section 51A-8.201(17) defines detention area to mean an area which temporarily stores stormwater runoff and discharges that runoff at a reduced rate. Section 51A-8.611, "Storm Drainage Design," states that drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Moreover, detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the City of Dallas (§ 51A-8.611(c)(2)). The general definition of open space means an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves (§ 51A-2.102(101)). Article VIII goes further and defines "improved open space" to mean open space containing structures or improvements, including but not limited to hike and bike trails, and "unimproved open space" to mean open space containing no buildings, fences, or other structures above or below grade. Because a detention area is used to temporarily store stormwater runoff and discharges that runoff, it appears that detention areas meet the definition and provisions of storm drainage facilities and not open space. The platting process requirements in Section 51A-8.403(a)(1)(A)(xi) and (xii) require that the layout and dimensions of proposed storm drainage areas, storm drainage facilities, water and wastewater facilities be indicated on the preliminary plat. Moreover, romanette (xxv) of this section requires the preliminary plat to show the location of any open space required pursuant to Article XIII. In other words, the City Code makes a distinction between open space and dedications and does not lump open space with the dedications provisions. Furthermore, the dedications provision in Section 51A-8.602 states that the owner of the property to be platted must provide an easement or fee simple dedication of property needed for the construction of streets, sidewalks, storm drainage facilities, floodways, water mains, and any other property necessary to serve the plat and to implement the requirements of this article. Thus, a detention area be a dedication. Lastly, the code defines infrastructure to mean all streets, alleys, sidewalks, storm drainage facilities, water and wastewater facilities, utilities, lighting, transportation, and any other facilities required by law to adequately serve and support development. (§ 51A-8.201(29) (emphasis added)). If detention areas were intended to be considered open space, then the code would include them in the definition of open space. Instead, the code includes detention areas in the definition of infrastructure.

[12] As the CPC is likely aware, a detention pond includes underground construction to regulate stormwater outflow and, therefore, necessarily includes "structures below grade."

F. Water and Wastewater Apportionment

When water and wastewater improvements are necessary to develop property, the developer may enter into private development contracts for construction of those improvements and request that the City share in the costs. City Code §§ 51A-1.109(e)(5); 51A-612(a); 51A-614(a). Here, because there is no existing water or wastewater infrastructure in the area to service the Proposed Development, Developer will have to construct water and wastewater mains that comply with Chapter 49 of the City Code. *See* City Code §§ 51A-612(a) (requiring compliance with Chapter 49); 49-62(b) ("The developer must construct all new on-site extensions necessary to adequately serve the development."); *see also* Ex. F. Developer would have to pay the full cost of any infrastructure that must be installed within the Proposed Development, and the City would cost-share in the construction of necessary outside facilities. *See* City Code § 49-62(b), (c).

Developer's argument for the City to pay for construction of the water and wastewater infrastructure for the Proposed Development is based, in part, on misapplying City Code § 49-62 to the facts of this case. While Section 49-62(a) would allow Developer to make a legitimate claim for reimbursement of the cost to install a new *oversize* main for the Proposed Development, the new mains the City is requiring Developer to install are not oversize. Rather, they are 8-inch diameter pipes (i.e., the minimum standard) that are the same as the water mains to which they will connect for service. Because these water and wastewater mains would be within the Proposed Development, Developer is responsible for the full cost of providing these on-site extensions. *See* City Code § 49-62(b).

Tellingly, Developer does not deny (1) the need to construct off-site facilities to provide water and wastewater services to the Proposed Development, (2) the benefit such facilities would provide to the Proposed Development, or (3) the City's willingness to contribute up to $95,170 to

the cost of those facilities. *See* Ex. H. Instead, Developer claims (again without support) that an adjacent church, school, and subdivision should have constructed water and wastewater facilities that would eventually service the Proposed Development. Under Developer's logic, the adjacent property-owners' failure to create facilities to serve the Proposed Development means the City (i.e., taxpayers) should now pay the full cost for those facilities. In other words, Developer argues that it should not be required to pay for any portion of facilities necessitated by, and solely for the benefit and service of, the Proposed Development. This argument contravenes the substance and intent of the City Code, and it seeks to impose a public burden for the Developer's private benefit. This runs afoul of both law and policy.

The water and wastewater facilities that Developer must construct are directly related to the needs of, and roughly proportionate to the impact of, the Proposed Development. The City has agreed to contribute up to $95,170 to the cost of off-site facilities in compliance with Chapter 49 of the City Code. Accordingly, Developer's appeal of this share of the Apportionment Determination should be denied.

G. Developer's Calculations and Cost Estimates

Although Developer includes square-footage and dollar-figures in its "Compensation Summary," Developer fails to provide any context to support or explain these calculations. That is, Developer fails to explain what exactly the square footage (or any other unit measurement) comprises; why that measure is an appropriate gauge for a particular share of the apportionment; or why the portion Developer attributes to the City is proper. In other words, even if Developer had a legitimate claim, Developer has failed to meet its burden of proof to show that the City's Apportionment Determination is incorrect. As such, Developer's appeal should be denied.

IV. CONCLUSION

Developer has failed to demonstrate that the City's Apportionment Determination is inaccurate; therefore, Developer's appeal should be denied, and the City's Apportionment Determination should be affirmed.

Respectfully submitted,

/s/ *Andrew G. Spaniol*
Andrew G. Spaniol
Assistant City Attorney
Gary Powell
Senior Assistant City Attorney

1500 Marilla Street, Suite 7DN
Dallas, Texas 75201
Telephone – 214-670-3519
Telecopier – 214-670-0622
andrew.spaniol@dallas.gov
gary.powell@dallas.gov

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2023, a true and correct copy of the above and foregoing, together with all exhibits thereto, was served on the following:

Via Email:

For the City
Yolanda Hernanez (yolanda.hernandez@dallas.gov)
Daniel Moore (daniel.moore@dallas.gov)
M. Samuell Eskander (mina.eskander@dallas.gov)

/s/ Andrew G. Spaniol
Andrew G. Spaniol

EXHIBIT A

City of Dallas

September 7, 2018

Centro Cristiano Para La Familia
2719 S. Hampton Road
Dallas, TX 75244-2327

RE: S178-288

The City Plan Commission on Thursday, September 6, 2018, approved the preliminary plat of "Shady Hollow Estates Addition", subject to the following 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 Sustainable Development and Construction, Engineering Division must [redacted]
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 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. [redacted]

Exhibit A

11 [redacted] to Sustainable Development and Construction, Engineering Division, Room 200, Oak Cliff Municipal Center. (i.e. 311T) Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds. Sections 51A-8.102(c) and Section 51A-8.601(b)(4), (5), (6), (7), (8), and (9).

12 [redacted]

13. Place a note on the final plat stating "Lot-to-lot drainage will not be allowed without proper City of Dallas Engineering Department approval". (Note must be on plat) Section 51A-8.611(e).

14 On the final plat, dedicate 28-feet of Right-of-Way (via Fee Simple) from the established center line of Los Angeles Boulevard. 51A 8.602(c)

15. On the final plat, dedicate 7.5-feet of Right-of-Way (via Fee Simple or Street Easement) from the established center line of all alleys. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(e).

16. On the final plat, dedicate a 10-feet by 10-feet corner clip (VIA Fee Simple or Street Easement) at Los Angeles Boulevard and all internal intersections. 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 Los Angeles Boulevard 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 Wenatche Court and the alley. Section 51A-8.602(e).

19 Provide a turn-around per the City of Dallas Standards at the end of alley to the north. Section 51A-8.506(b)

20. [redacted] Section 51A-8.611(d) and Trinity Watershed Management.

21 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. Section 51A-8.611(d) and Trinity Watershed Management, Drainage Design Manual Addendum V.

22. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

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, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.

27. O the final plat, label original abstract line.

28. [redacted]

29. Additional design information is required for assessment. [redacted] Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

30. [redacted] Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

31. Prior to final plat, provide conformation if easement area conveyed from CPI Pipe and Steel Inc. to Centro Cristiano Para La Familia in Instrument No. 200900300707 was ever abandoned by City of Dallas and provide copy of abandonment ordinance and recorded instruments. Real Estate release is required prior to recordation of plat.

32. [redacted] Development must comply with Section 51A-8.510.

33. On the final plat, identify the property as Lots various and Common area "A" and "B" in City Block 1-4/6960. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872)

34. On the final plat, change "Wenatche Dr. and Wenatche Ct." to "Wenatche Drive". Section 51A-8.403(a)(1)(A)(xii)

35. [redacted]. Section 51A-8.403(a)(1)(A)(xii)

36. On the final plat, label "Kimball Ridge Court" and "Kimball Ridge Circle" Section. 51A-8.403. (a) (1) (A) (xii)

37. [redacted] Section. 51A-8.403. (a) (1) (A) (xii)

If you have any questions concerning the action of the City Plan Commission, please contact me at (214) 948-4452.

Sincerely,

Paul Nelson

Paul Nelson, Subdivision Administrator
Subdivision Section, Current Planning Division
Sustainable Development and Construction Department
320 E. Jefferson Blvd., Room 101
Dallas, TX 75203

cc: RCM Surveying
Attn: Calvin Meyers
488 Arroyo Court
Sunnyvale, Texas 75182

Emails: Calvin Meyers, Clayton Buehrle, Jasmine Chacko, Julio Delgado, Mina Eskander, Maricela Garza, Donna Kirwan-Smithson, David Lam, Laura Morrison, Anel Rodriguez, David Scott, John Stepp, Ursula Walker, Nina Williams

EXHIBIT B

City of Dallas

PRIVATE DEVELOPMENT COORDINATION PLAN REVIEW SHEET

Recipient: Andrew Cansler, P.E.
Email: atc.tcci@gmail.com
Date Emailed: 12/19/2019
No. of Pages: 9 (+ 6 attachments)

☐ **STORM WATER**
☒ **DRAINAGE**
☒ **PAVING**
☒ **PRELIMINARY**
☐ **REVISED (2nd)**
☐ **REVISED FINAL**
☐ **REVISION LETTER**
☐ **APPROVAL LETTER**

Project: Shady Hollow Estates
Date Received: 11/06/2019
Engineer: Red Caprock Engineering
Developer: KPA Consulting, Inc
City Plan File No.: S178-288
Reviewed By: Sam Eskander, P.E.

Copies Recd.: 2

Mapsco Grid: 63-A
File No.: 311T-10059

A. General Comments

1. Address all comments below and resubmit **each** of the following:
   a. Revised plans (2);
   b. **Comment response letter** signed and sealed by the Engineer of Record referencing the date of review comments, how each comment has been addressed, and the sheet number where the correction can be found; **and**
   c. A **PDF copy** of the entire resubmittal (may be emailed (if less than 15 MB) or on CD).
2. Add file number **311T-10059** to each civil construction sheet and cover sheet and plat number **S178-288**.
3. Add the Lot & Block Number to the cover sheet. If none is applicable, please add the legal description.
4. Clearly show and label any existing trees to be removed during demolition and construction. Trees to be removed should be individually identified (including caliper and description). The total number of trees to be removed should be labeled as well. Planting, relocation, or removal of any trees during site demolition and construction may not take place until approved by the Chief Arborist, Mr. Phil Erwin (214-948-4117; philip.erwin@dallascityhall.com). Please also add the following note to the cover sheet: "Approval from the chief arborist is required before any trees may be removed during demolition or construction."
5. All paving and storm drainage work being done within public right-of-way and easements, including sidewalks, barrier-free ramps and drive approaches, must be constructed under a 3-way private development contract. Submit an itemized list of improvements and a cost estimate per number 8 on the Plan Review Check List.
6. The contractor will be required to apply for a ROW Permit online at https://rowmanagement.dallascityhall.com/Login.aspx and to schedule inspections for all the proposed work within City right-of-way and easements.
7. For your information, see the attached list of Helpful Utility Related Numbers, updated 04/30/2018, and Atmos Energy Dallas County Project Managers Map, updated 04/11/2018.
8. Upon approval of these plans, please submit an electronic copy of the final plans, prepared in compliance with the attached Engineering File Submission Guidelines.
9. The City of Dallas reserves the right to add additional comments as necessary.

B. Plat Comments

10. Please include the preliminary plat with all future submittals.
11. Dedicate 7.5' ROW from the established center line of all alleys.

Exhibit B

12. A turn around is required to be constructed at the end of any dead-end alley.
13. Dedicate a 10'x10' corner clip at all street intersections.
14. Dedicate a 15'X15' Alley Sight Easement at Los Angeles Boulevard and the alley.
15. Dedicate a 15'X15' Alley Sight Easement at Wenatche Drive and the alley

C. Dimension Control and Paving Plan Comments

16. Provide an Overall Paving Plan and add key maps to each of the paving sheets.
17. Clearly show and label all existing signs, utilities, signal poles, parking meters, bike racks, newspaper racks, advertising kiosks, DART benches/shelters, etc. located within the right-of-way. Please place the following note on the Cover Sheet: The property owner is liable to restore/replace any damaged city approved/controlled infrastructure in the public right-of-way.
18. Per Dallas City Code Sec. 51A-8.606, sidewalks and barrier-free ramps are required on all street frontages. Clearly show and label all existing and proposed sidewalks along your development's frontage of all streets. Please note: A barrier-free ramp with detectable warning is required at all intersections, as well as at driveways with high traffic volume.
19. City of Dallas File 251D-1 does not have a detail for directional barrier-free ramp at drive approaches or street intersections. Please show and provide an ADA-compliant barrier-free ramp detail. You may reference attached TxDOT PED-18 ramp Type 7 or Type 10 as detail for proposed barrier-free ramps. Please be advised that Type 5 ramps are not encouraged by Transportation and Public Works staff.
20. Please add dimensions from the edge of sidewalk to any proposed/existing utility poles, fire hydrants, or standards located within the sidewalk. Per Dallas City Code, ". . . the sidewalk must be widened as necessary to provide a three-foot-wide clear distance between the edge of the obstruction or overhang projection and the edge of sidewalk." (Sec. 51A-8.606b)
21. All code-required frontage sidewalks must be located within City right-of-way or street easement/sidewalk & utility easement.
22. Confirm that all existing and proposed sidewalks and barrier-free ramps comply with Texas Accessibility Standards (TAS) and Americans with Disabilities Act (ADA). If existing barrier-free ramps at drive approaches do not meet TAS/ADA standards, they will need to be replaced. If both barrier-free ramps at a drive approach need to be replaced, the entire driveway ramp portion within public right-of-way will need to be rebuilt.
23. Please add the following notes to the sidewalks, barrier-free ramps, and curb & gutter detail(s):
    a. Class test strength for sidewalk is 3,000 psi compressive strength at 28 days after placement.
    b. Class test strength for curb and gutter is 4,500 psi compressive strength at 28 days after placement.
    c. Standard subgrade compaction for sidewalks is minimum 95% of standard proctor density within minus 2% to plus 4% of optimum moisture content.
    d. Sidewalks require minimum #3 bars spaced on 24" centers.
    e. All curbs within City right-of-way must be reinforced with #4 bars.
    f. Curb and gutter must be designed and constructed to provide positive drainage.
    g. Separate concrete curb & gutter shall be marked 3/8" deep with an approved tool (saw cut) in 15 foot sections. Install #4 "L-shaped" rebar dowels (12" into existing pavement), every 18", epoxied in.
    h. 1" Redwood expansion joints are required at all abrupt changes in alignment or width, radii points, or every 80 feet, beginning at the curb return.
    i. If sidewalk is located at back-of-curb, redwood joints should match with existing redwood joints in the street.
    j. At all expansion joints, 24" long, #6 (3/4") smooth dowel is required every 24" on center.

k. 1" footings are required at all expansion joints and the pavement depth transitions from 4" to 5" thick, over the 24" length of pavement.
l. 8" footing is required for sidewalks located at back-of-curb, with a 6" dowel.
m. Sidewalk must be minimum 5' wide if located at back-of-curb.

24. Please add the following notes to the drive approach detail(s):
    a. Minimum pavement depth is 8". Drive approach pavement depth should match onsite pavement depth if onsite pavement is thicker than the minimum thickness for approaches.
    b. Hand Finish Class - test strength is 4,500 psi compressive strength at 28 days after placement.
    c. Standard subgrade compaction under drive approaches is 98% standard proctor density at minus 2% to plus 4% of optimum moisture to the depth specified.
    d. #3 bars are required for concrete thickness less than 9", spaced on 24" centers. #4 bars are required for concrete thickness that is 9" or greater, spaced on 24" centers.
    e. 1" Redwood expansion joints are required at all property lines.
    f. Dowel proposed drive approach into existing pavement with 24" long, #4 bars, at 12" on center, epoxied in.
    g. For the expansion joint at the property line, 24" long, #8 (1") smooth dowel is required for paving thickness greater than 6". All dowels required every 12" on center and must be greased and capped.
    h. Drive approaches require a saw joint at the centerline.
25. Specify subgrade preparation for the drive approach. In section V of the Paving Design Manual, starting on page V-2, subgrade requirements are provided based on street type and soil P.I. Please choose the option that complies with the requirements: compacted subgrade, lime treated subgrade, cement modified subgrade, or cement stabilized subgrade. In lieu of all options except for compacted subgrade, two additional inches of concrete must be added to the concrete thickness.
26. Please add the following notes to the Paving Plan & Profile notes and details:
    a. Machine Finish Class - test strength is 4,000 psi compressive strength at 28 days after placement.
    b. Concrete base and pavement will be required to be finished mechanically with approved power-driven machines when the street is wider than 27 feet or when the street is 200' in length or longer. A vibrating screed is not considered a paving machine.
    c. Hand Finish Class - test strength is 4,500 psi compressive strength at 28 days after placement.
    d. Hand finishing will be permitted on pavement widening, on sections where the pavement width is not uniform, at intersections, where required monolithic widths are greater than that of available finishing machines, on streets less than 200 feet in length, alley paving, and elsewhere where mechanical finishing is not specified or required by City specifications.
    e. Minimum pavement depth is 8".
    f. #3 bars are required for concrete thickness less than 9", spaced on 24" centers. #4 bars are required for concrete thickness that is 9" or greater, spaced on 24" centers.
    g. Specify subgrade preparation. In section V of the Paving Design Manual, starting on page V-2, subgrade requirements are provided based on street type and soil P.I. Please choose the option that complies with the requirements: compacted subgrade, lime treated subgrade, cement modified subgrade, or cement stabilized subgrade.
    h. Standard subgrade compaction under street pavement is 98% standard proctor density at minus 2% to plus 4% of optimum moisture to the depth specified.
    i. 1" Redwood expansion joints are required at all abrupt changes in alignment or width, or every 150 feet, beginning at the curb return.

j. At all expansion joints, 24" long, #8 (1") smooth dowel is required every 12" on center and must be greased and capped.
k. Sawed traverse dummy joints spaced 15 feet. Sawed longitudinal dummy joints along center line of all single road way sections except paving less than 14 feet wide. Additional similar joints on 10 foot centers each side of center line for road way sections wider than 30 feet.
l. Integral concrete curb and curb & gutter shall be of the same compressive strength as the pavement.

27. Confirm that these design plans conform to the following requirements:
    a. The minimum longitudinal desirable grade for streets is five tenths (0.5) percent. The minimum acceptable grade is four tenths (0.4) percent where use of the minimum desirable grade is not practical.
    b. Where valley gutters are used for intersecting drainage, the minimum grade for valley gutters is four tenths (0.4) percent for concrete.
    c. The maximum longitudinal grade is 10%.
    d. Minimum crossfall for longitudinal paving grades equal to or exceeding 1%, minimum pavement crossfall is 1/8 inch per foot (1%). For longitudinal paving grades less than 1% and at storm drainage inlets, the minimum pavement crossfall is 1/4 inch per foot (2%).
    e. Maximum street pavement crossfall permitted is 1/2 inch per foot (4%) at any point in the roadway. Crossfalls should normally not exceed 1/4 inch per foot (2%).
    f. When two longitudinal street grades intersect at a point of vertical intersection (PVI) and the algebraic difference in the grades is greater than 1.0%, a vertical curve is required.
    g. The minimum safe stopping sight distances for the City of Dallas street types and design speeds is 200'.
    h. The minimum crest vertical curve K is 24'. The minimum sag vertical curve K is 20'.
28. Place the following note on the plans: Sawcut lines shown on the design plans for the removal and replacement of concrete pavement, drives, slabs, sidewalks, etc. are for informational purposes only. If pavement is more than 5 years old, the Pavement Cut and Repair Standards Manual must be followed. If pavement is 5 years old or less, the entire concrete panel must be replaced.
29. Driveway approaches shall not occupy more than 70 percent of the frontage abutting the roadway of the tract of ground devoted to one use which abuts the roadway.
30. The angle of the driveway approach with the curb line shall be not less than 45 degrees.
31. Residential driveway approaches shall not be less than 10 feet nor more than 30 feet in width measured at the property line.
32. A residential driveway approach shall be constructed with the return curbs having a rolled face disappearing at the sidewalk and joining the street curb with a minimum radius of five feet. Along arterial streets, driveways with a width of less than 18 feet must have a minimum curb return radius of ten feet.
33. Clearly show and label all visibility triangles at all drive approaches and street intersections.
34. Please follow the guidelines starting on page IV-11 of the Paving Design Manual for determining the required intersection sight distance at the proposed drive approach. This should be clearly shown and labeled on the Paving Plan. Note that this is a calculated sight distance triangle and is different from the visibility triangle. Ensure that these areas remain clear of any visibility obstructions.

35. Place the following note on all civil construction sheets: Any Traffic Control Plan (TCP) must be submitted to the Department of Public Works for review and approval by Traffic Safety Coordinators prior to start of construction. No traffic lane or sidewalk along any public street or alley is to be closed without first obtaining the appropriate permit(s). Closure of any traffic lane must be restricted to the hours of 9:30 a.m. to 3:30 p.m. workdays (hours may differ in school zones). Contractor must call (214) 948-4290 to request approval of TCP and to obtain a right-of-way permit.
36. Driveway approaches shall be located entirely within the frontage of the premises abutting the work and shall be located not less than five feet from each side of the property line, except that joint driveway approaches with adjoining property holders may be permitted provided joint application is made by all interested parties, and the width set out in Section 43-94 of the Dallas City Code is not exceeded. Please revise your design and remove the encroachment, or obtain an approval from the adjoining property owner by means of a private access easement on their lot.
37. No portion of any driveway shall be located within 3 feet of any fire hydrant, electrical pole, or any other surface public utility.

D. Signage and Striping Plan Comments

38. These plans must be reviewed and approved by our division's Traffic Engineering review staff prior to our issuance of an approval letter. I will provide them one copy of the submitted plans and forward any comments they may have on to you once they are given to me.
39. All submitted engineering plan sets now require a signage and striping plan. If no traffic signs belonging to the City of Dallas, DART, or any other public entity are located within the street frontage of the proposed work area and the proposed paving/drainage work will not result in any changes to the pavement marking of public roads, a note stating this on the dimension control or paving plan may be provided in lieu of a signage and striping plan. In this case, there should be plan named "dimension control & signage plan".
40. The signage and striping plan must include the following information:
    a. The plan should show and label all existing and proposed public signage, referencing the sign codes from the City of Dallas Traffic Sign Standards (dated August 2018). Existing signs should be also labeled as "to remain", "to be relocated", or "to be removed." Signs which are to be relocated should be labeled in a manner which clarifies the existing and proposed locations of the sign. Existing traffic signs not in conformance with the City's Traffic Sign Standards must be replaced.
    b. The plan should show all existing and proposed pavement striping/marking, including any stop lines, yield lines, crosswalk markings, on-street parking space markings, lane-use arrows, or word markings. Existing striping to be removed should be labeled and the limits of the removed striping should be clear. Proposed striping should also be clearly labeled. Please label the variety of striping appropriately (i.e. "existing double solid yellow line", "proposed single dotted white line", etc.).
    c. Traffic signal poles, utility poles, fire hydrants, utility boxes and vaults, sign kiosks, or any other appurtenances located within the street right-of-way/easement must be shown.
    d. Public streets must be labeled. The label should include right-of-way width and the type of pavement (existing asphalt over concrete base, existing concrete, proposed concrete, etc.).
    e. The plan should also include property lines, easement lines, building lines, drive approach locations, and any other relevant information which will impact signage visibility or traffic operation. When applicable, superimpose existing and proposed trees/landscaping.

    If you would like an example of a previously approved signage and striping plan, you may contact our staff and we will provide you with a PDF.

41. If there is any proposed demolition or reconstruction in proximity to city traffic signals or street lights (including conduits, foundation boxes, etc), review and coordination with the Department of Transportation will be necessary. We need confirmation of their review and approval of the proposed work prior to issuance of an approval letter for the submitted engineering plans. To coordinate their review, please contact Mr. Sri Veeramallu at s.veeramallu@dallascityhall.com.
42. Place the following note on the Paving Plan: "72 hours prior to beginning the construction of sidewalk/BFR which could impact traffic signal equipment, underground conduits or traffic signal loops, the contractor shall contact Alfred Lemon (214-670-4812) with the City of Dallas Traffic Signal Operation Division. Contractor shall preserve and protect all existing signal conduit and traffic signal loop detector wiring to the extent possible."

E. Grading/Drainage Plan Comments

43. Provide typical cross sections for all retaining walls/screen walls and show the footings, utility crossings, wall heights, and distances to property lines. All walls, including footings, should be located entirely within private property. If any proposed walls encroach into City Right-of-Way or easements, a license agreement will be required. No buttresses, steps, projections, retaining walls or fences shall be constructed on any public property unless such construction is approved by the city council. If any walls cross property lines, easements will be required.
44. A building permit is required for all retaining walls/screen walls that are 4' in height or taller. The wall height is the vertical distance measured from the bottom of the footing to the top of the wall.
45. Is the retaining wall supporting a surcharge? A surcharge is a vertical load imposed on the retained soil that may impose a lateral force in addition to the lateral earth pressure of the retained soil. Examples of surcharges are: sloping retained soil, structure footings supported by the retained soil, adjacent vehicle loads supported by the retained soil, etc. Solid fences that are attached (or directly adjacent) to a retaining wall also impose additional lateral forces on a retaining wall when wind pressures act on the fence.
46. [redacted]
47. The engineer of record should confirm if this project disturbs one acre or more of soil. If so, this project requires a storm water discharge permit from the Texas Commission on Environmental Quality (TCEQ). The requirements are outlined in TPDES General Permit Number TXR150000 (www.tceq.com). A completed copy of the **executed** (signed) Storm water Pollution Prevention Plan (scanned PDF on a CD) must be submitted to this office prior to the start of construction. Please notify your client to avoid unnecessary delays in the future.
48. [redacted]
    a. [redacted]
    b. Access from an adjacent street will be constructed to the detention basin and the outlet structure for normal removal of debris and desiltation. The access will be of a level cross-section, 15 feet in width, maximum 6:1 grade, sloped to drain, and positioned outside of and at least 3 feet above the detention basin floor. If access is between platted lots, concrete paving (to City alley standards) will be required. Rock (e.g., mixed crushed rock less than 3 inch, or other suitable material) a minimum of 10 inch in depth may be compacted to form an all-weather driving surface.
    c. Access points must be controlled by a locked gate.
    d. Concrete aprons and wingwalls should be used at all outlet structures.

e. All pipes discharging into a detention basin will be discharged at the basin's flowline with adequate erosion control.
f. Concrete paved low flow channels must be used to control meandering and minimize erosion. 3" weepholes are required and must be spaced 15' on center longitudinally. #4 bars are required at 12" on center longitudinally, and #4 traverse bars are required at 15" on center. 6" rock foundation is required on top of the 10 mil. film. *Refer to 251D-1 Standard Construction Details, page 2009*.
g. Place the following note on the plans: Establishment of vegetation is required prior to acceptance of the pond.
h. If slopes are flatter than 3:1, established vegetation should be used for slope protection. If steeper than 3:1, concrete or gabions should be used.
i. Provide latitudinal and longitudinal cross sections for the detention pond and show the maximum grade slopes, the 100-year water surface elevations, the required volume, and volume provided.
j. [redacted]

F. Overall Drainage Area Map Comments

49. Is the existing drainage pattern being matched?
50. Provide onsite and offsite directional flow arrows. Is there any lot-to-lot drainage?
51. Private Drainage Easements are required for all lot-to-lot drainage. Private Drainage Easements **cannot** be dedicated by plat; it must be by separate instrument. These easements must be filed and recorded at the County, and the document number must be shown on the plat and on all civil construction sheets, prior to the approval of these engineering plans. Private Drainage Easement (Sample) is attached without the exhibit. An exhibit should be included in your submittal.
52. Please note: All private easements and franchised utility easements (e.g. Private Drainage Easements, Access Easements, Mutual Access Agreements, Private Utility Easements, etc.) must be dedicated by separate instrument. The City of Dallas does not own or maintain these easements and all responsibilities lie with the user. Please ensure that the easement language is worded accordingly, and submit all easements to this department for verification prior to filing at the County.
53. On the Existing Drainage Area Map, E1 & E2 on the table are mislabeled.
54. [redacted]
55. The C-factor for drainage area 1 on the Drainage Area Map should be based on fully developed runoff.
56. Clearly show the Natural Channel Setback Line. Per Section 51A-5.106 of the Dallas City Code:
    a. Natural Channel Setback Line means that setback line described below located the **farther** beyond the crest:
        i. That line formed by the intersection of the surface of the land and the vertical plane located a horizontal distance of 20 feet beyond the crest.
        ii. That line formed by the intersection of the surface of the land beyond the crest and a plane passing through the toe and extending upward and outward from the channel at the designated slope. For purposes of this paragraph, the designated slope is:
            a. four to one if the channel contains clay or shale soil; and
            b. three to one in all other cases.

iii. CREST means that line at the top of the bank where the slope becomes less than four to one.
iv. TOE means that line at the bottom of the bank where the slope becomes less than four to one.

b. Except as otherwise provided in Subsection (c), all structures must be located behind the natural channel setback line.
c. A structurally engineered retention system approved by the director may be substituted for the setback required in Subsection (b).

57. Provide a cross section exhibit (with dimensions) showing both natural channel setback lines. Only the line located that father beyond the crest should be shown on the plat and all civil construction sheets.
58. The Natural Channel Setback Line should only be shown when it extends beyond the Floodway Easement (100-year base flood elevation). In all areas where the Natural Channel Setback falls within the Floodway Easement, that portion of the Natural Channel Setback should be removed.
59. Clearly show the portions of the Natural Channel Setback line to be abandoned. This must be shown on the plat and on all civil construction sheets.

G. Storm Sewer Plan Comments

60. What is the 100-year water surface elevation within the drainage channel? Clearly show and label this elevation on all civil construction sheets.
61. A Floodway Easement should be dedicated for all portions of the lot within the 100-year water surface elvation, and must be shown on the plat and on all civil construction sheets.
62. Show the velocity at each outfall.
63. The maximum allowed velocities into a channel are as follows:
    a. Earth unlined vegetated clay soils is 8 fps.
    b. Earth unlined vegetated sandy soils is 6 fps.
    c. Partially lined is 12 fps.
    d. Fully lined is 15 fps.
64. [redacted]
65. [redacted]
66. Clearly show and label all existing storm drain systems and label all existing inlet sizes, manhole sizes, storm pipe sizes, 421Q-# / 311T-#, etc…
67. Drainage Easements should be dedicated for all public storm sewer lines located within private property. Typical easement widths are as follows: 15 feet for 39" and under, 20 feet for 42" through 54", 25 feet for 60" through 66", and 30 feet for 72" through 102".
68. All Y-inlets and inlets 10-foot or greater should have a minimum 21-inch lateral.
69. All public storm drain pipes must be minimum 18", Class III RCP. Please label the pipes accordingly.
70. Proposed driveway turnouts must be minimum 10 feet from any existing or proposed inlet. For example, how do you propose to build a driveway on Lot 17, Block A/6960?
71. All sections of the storm drain pipe profiles should show the Q_{100}, Q_{CAP}, Velocity, Slope, etc…
72. A minimum grade of 0.3 percent must be maintained in the pipe.

73. Horizontal and vertical curve design for storm drains shall take into account joint closure. Half tongue exposure is the maximum opening permitted with tongue and groove pipe. Where vertical and/or horizontal alignment require greater deflection, radius pipe on curved alignment should be used.
74. End-to-end connections on different size pipes shall match at the crown of the pipe unless utility clearance dictates otherwise.
75. Embedment material for all public storm drain lines is 1" crushed limestone, from 6" below the pipe to half way up the pipe or to the spring line.
76. Manhole covers on inlet boxes should be located at the same end of the inlet box as the lateral draining the inlet.
77. A manhole or junction structure must be provided when connecting multiple pipes into a main line at the same joint, except when the diameter of the main line is more than twice as great as the diameter of the largest adjoining lateral.
78. The minimum manhole inside dimension is 4 feet.
79. Cylindrical manholes are **not** allowed.
80. Steps are required in any manhole that is at least 5' in depth. Manhole lid/riser should be located toward the side of the structure (offset) such that the steps descending into the structure are aligned vertically. The first step must not exceed 15" from top of pavement. Bass & Hayes plastic coated steel, Neoprene coated steel steps or equal shall be placed securely into manhole walls on 15" centers vertically and staggered on 12" centers horizontally, per 251D-1 Standard Construction Details, Sheet 2008.
81. All manhole structures in pavement should be blocked-out in 1" redwood (diamond shaped).
82. Place the following note on the plans: All storm drain lines must be videoed by the contractor after the paving work above the pipe is complete. Please confirm that there is adequate access.
83. Storm drain lines 45 inches in diameter or less should have points of access no more than 500 feet apart. A manhole should be provided where this condition is not met.
84. Provide typical channel cross sections.
85. Channels shall be designed to convey the 100-year storm, assuming fully developed watershed conditions, with two (2) foot of freeboard to the top of channel bank.
86. Developers will be expected to ensure that all requirements of the Clean Water Act (404 permit) are met. Provide letters/email correspondences with Army Corps of Engineers.
87. The engineer should verify, through stable channel (normal depth) calculations, the suitability of the floodplain to contain the flows. If this analysis demonstrates erosion outside of the designated flow path (easement and/or ROW), an analysis of the equilibrium slope and degradation or aggregation depths is required and suitable improvements identified.
88. These engineering plans must be reviewed and approved by Mr. Steve Parker, P.E. with Dallas Water Utilities (DWU) Floodplain Management. Please submit an additional set of plans that we will forward to him. We will forward his comments to you as soon as we receive them.
89. [redacted]

Attachments (6)

HELPFUL UTILITY RELATED NUMBERS (Updated 04/2018)

City of Dallas – SDC Engineering

***Please note that it is contact list is not all-inclusive. It is the consulting engineer's responsibility provide further coordination/research and to verify that the listed contacts are current and specific to their project site's needs.**

City of Dallas

DWU line locate:	311	
SANITATION		
Kirk Hemphill	214-670-3674	kirk.hemphill@dallascityhall.com
Anthony O'suillvan	214-670-6164	Anthony.OSullivan@dallascityhall.com
STREETS	(SEE STREET MAPS FOR CONTACT)	
LANE CLOSURES: STREETS TRAFFIC ENGINEERING DIVISION		
Department of Transportation	214-670-6904	
Traffic Signal Conduit	214-670-3983	
TRAFFIC SIGNALS Brittney Donehoo	Office: 214-670-4024	
PUBLIC WORKS-STREETS-LINE AND GRADE Dorothy Martinez	Office: 214-670-5311	

DART (Dallas Area Rapid Transit)

Matt Lannon 1410 Pacific Ave. Dallas, TX 75202	Office: 214-749-2917	mlannon@dart.org

TxDOT (Texas Department of Transportation)

TxDot District Office	Office: 214-320-6100
TxDot Permits - Terry Carter	Office: 214-320-6270

Utility Locators

Underground Locates:	1-800-344-8377	(1-800-DIG-TESS)

Electric Power Outage

Electric Power Outage:	1-800-233-2133

TXU Energy - Electric

TXU Energy Customer Service:	972-791-2888	1-800-242-9113

Oncor - Electric

Richard Brewster Energy Plaza 1616 Woodall Rodgers Dallas, Texas 75202	Office/Mobile: 214-486-4245	Richard.brewster@oncor.com

Oncor Northeast Service Center - Designer's Zip Code Areas

David Solis	972-860-6652 75201 75219 75235	David.Solis@oncor.com
Blessey Castallas	972-860-6654 75204 75223 75226 75246	bcastallas@oncor.com
Keith Kinney	972-860-6650 75205 75209 75225	Keith.Kinney@oncor.com
David Solis	972-860-6652 75202 75214 75218 75228	David.Solis@oncor.com
Jordan Reed	972-860-6664 75206 75231 75238	Jordan.Reed@oncor.com
Mark Russel	469-502-8663 75215	Mark.Russel@oncor.com

Atmos – Natural Gas

Gas Emergency Leaks: Gas Customer Service:	1-800-817-8090 972-934-9227	1-800-460-3030
Atmos Energy-Gas (Mesquite): Dinah Wood	214-4856277	dinah.wood@atmosenergy.com
South of I-30 & North of I-30 (East of US 75 only) Sue Inurrigarro	469-261-2006	sue.inurrigarro@atmosenergy.com
North of I-30 & West of US 75 TJ Hunter	214-426-7074	thomas.hunter@atmosenergy.com
Far North Dallas Bobby Rogers	972-964-4109	bobby.rogers@atmosenergy.com

Telecommunications

AT&T
AT & T Customer Repair Center: 1-800-246-8464

Peter Russell
AT&T
308 S. Akard St., Rm. 2124
Dallas, TX 75202
Office: 972-649-8749
Mobile: 469-215-0541
pr7004@att.com

AT&T
Jim Mullins
AT&T Long Distance
3910 San Jacinto St. Rm 4
Dallas, TX 75204
Office: 530-541-0061

Centurylink Communications, Quest Communications, Enron Communications

Scott Whaley
12001 N. Central Expressway,
Suite 900, Dallas, TX 75243
Office: 214-302-0254
Mobile: 214-929-5553
scott.whaley@centurylink.com

Level 3 Communications
Roger Underwood
3180 Irving Blvd, Dallas, TX 75247
Office: 214-443-2702
Mobile: 214-621-6097
roger.underwood@centurylink.com

SPRINT
James Stuart
1616 Maryland Rd., Irving, TX 75061
Mobile: 214-289-5105
james.stuart@sprint.com

TW TELECOM
4055 Valley View Lane #110
Dallas, Texas 75244
Office: 214-451-6600

Spectrum
Spectrum Customer Service: 1-800-892-4357
Spectrum Service for City Issues: 1-866-519-1263

Jorge Barrera
1565 Chenault St., Dallas, Texas 75228
Office: 214-320-5443
Mobile: 214-869-7563
Jorge.barrera@charter.com

Verizon
George Mohrmann
2400 N. Glenville, Richardson, TX 75082
Office:
Mobile: 214-783-1231

Jeff Buehler
Office: 972-729-6404
Mobile: 214-995-2518
jeff.buehler@verizon.com

Verizon Communications
Office: 972-516-9126

IN THE EVENT OF AN EMERGENCY (IE. CUT LINE, BLOWING GAS) PLEASE CALL ATMOS ENERGY EMERGENCY CALL CENTER AT 1-866-322-8667 IN ADDITION TO ANY LOCAL EMERGENCY RESPONDERS.

Atmos PM's by Area - Dallas County

NEW SERVE-Plano, Richardson, Dallas north of Spring Valley
Bobby Rogers 972/964-4109
bobby.rogers@atmosenergy.com

NEW SERVE-McKinney & **REPLACEMENT PROJECTS**-Anna, Blue Ridge,Farmersville, Lowry Crossing, McKinney,Melissa, Parker, Princeton, Prosper & Westminister
David Coker 214/733-5122
david.coker@atmosenergy.com

SERVICE LINES-Allen, Anna, Blue Ridge, Celina, Fairview, Farmersville, Frisco, Melissa, McKinney, Princeton, Prosper.
Brent Proffitt 214/733-5133
brent.proffitt@atmosenergy.com

NEW SERVE-Allen, Fairview, Frisco & **REPLACEMENT PROJECTS** (&Including:City/County/TxDot etc Allen, N Dallas, Fairview, Frisco, Plano, Richardson
Cary Wilburn 469/261-2081
cary.wilburn@atmosenergy.com

NEW SERVE, SMALL REPLACEMENT PROJECTS & SERVICE LINES-Addison, Carrollton, Coppell, Copper Canyon, Double Oak, Farmers Branch N of 635(LBJ), Flower Mound, Hebron, Highland Village, Lewisville,
North Lake area, The Colony
Brandon Ball 972/360-4428

MAJOR REPLACEMENT PROJECTS (& INCLUDING: CITY/COUNTY/ TXDOT ETC)
Curtis Sparks 214/364-5764
curtis.sparks@atmosenergy.com

NEW CONSTRUCTION-Garland,Murphy, Sachse,St. Paul, Wylie,
Joe Cabezuela 972/485-6234
joe.cabezuela@atmosenergy.com
CITY,COUNTY, STATE ETC - Garland
George Melendez 972/485-6204 (SEE BELOW)

DALLAS SERVICE CENTER

NEW SERVE, DEVELOPER DRIVEN REPLACEMENT PROJECTS-
Dallas-(outlined in pink), Farmers Branch South of 635(LBJ), Highland Park & University Park.
Katana Yancey 469/571-6824
katana.yancey@atmosenergy.com
TXDOT & DALLAS COUNTY PROJECTS- (Light Brown Area)
TJ Hunter
214/426-7074 thomas.hunter@atmosenergy.com

*SERVICES - Eric Nance (see below)
**PROJECT... Little (see bel...

4571

IRVING
Brad Stubbs 214/668-8566
brad.stubbs@atmosenergy.com

DALLAS SERVICE CENTER

NEW SERVE, DEVELOPER DRIVEN REPLACEMENT PROJECTS -
Dallas-(outlined in blue dashed lines)
Sue Inurrigarro 469/261-2006
sue.inurrigarro@atmosenergy.com

TXDOT & DALLAS COUNTY PROJECTS- Light Brown Area
TJ Hunter
214/426-7074
thomas.hunter@atmosenergy.com
*SERVICES - Eric Nance (see below)
PROJECTS FROM THE CITY OF DALLAS
Chad Little (see below)

Grand Prairie & Mansfield
Richard E Johnson 620/332-7662
richard.johnson@atmosenergy.com

DALLAS SERVICE CENTER

NEW SERVE, DEVELOPER DRIVEN REPLACEMENT PROJECTS
Sue Inurrigarro 469/261-2006
sue.inurrigarro@atmosenergy.com

COUNTY & TXDOT PROJECTS- Taylor Jones 469/236-1481 taylor.jones@atmosenergy.com
Area 4572 Includes: Cockrell Hill

*SERVICES - Eric Nance (see below)
PROJECTS FROM THE CITY OF DALLAS- Chad Little (see below)

4572

NEW SERVE, SERVICE LINES, & DEVELOPER DRIVEN REPLACEMENT PROJECTS - Fate, Heath, Josephine,Lavon, McLendon-Chisolm, Mobile City,Nevada, Rockwall, Rowlett, Royse City (Elmo, Forney, Lawrence, Talty & Terrell)
Dinah Wood 972/485-6277
dinah.wood@atmosenergy.com

REPLACEMENT PROJECTS FOR CITY, COUNTY STATE- Balch Springs, Chisholm,Crandall, Dallas County (Old Kleberg), Elmo, Fate, Forney, Heath,Josephine, Kaufman, Kemp, Lavon, Lawrence,McLendon-Chisolm, Mesquite, Mobile City, Nevada, Post Oak Bend City, Rockwall, Rosser, Royce City, Sachse, Scurry, Seagoville, Sunnyvale, Talty &Terrell
George Melendez 972/485-6204
george.melendez@atmosenergy.com

ALL SERVICE LINE REQUESTS for **ALL** areas shown call :
Builder Services 1/800-332-8667 if you are a builder. All others will go thru **Customer Service** at 1-800/460-3030.

Cedar Hill, DeSoto, Duncanville, Hutchins, Lancaster&Wilmer
Joe Smith 469/548-3418
robert.smith@atmosenergy.co

NEW CONSTRUCTION-Balch Springs, Combine, Crandal, Mesquite, Post Oak Bend City, Rosser, Scurry, Seagoville, Sunnyvale &
Joe Cabezuela 972/485-6234
joe.cabezuela@atmosenergy.com

DALLAS SERVICE CENTER ONLY(see below)
***Service lines**-will be handled by Eric Nance 469/426-6563. Customer will still need to call Builder Services or Customer Service 1st. (see Service Line Requests above)

****PROJECTS FROM THE CITY OF DALLAS**
CHAD LITTLE 214/565-7144 chad.little@atmosenergy.com

Bristol, Ferris ,Forreston, Glenn Heights, Italy, Midlothian, Oak Leaf, Ovilla, Palmer, Pecan Hill, Red Oak, Trumbull, Venus, Waxahachie
Joe Morris 214/206-2375
joe.morris@atmosenergy.com

NEW CONSTRUCTION- Kaufman, Kemp KAUFMAN COUNTY PROJECTS
Pat Griggs 903-670-3017
pat.griggs@atmosenergy.com

Updated 4/11/18

Engineering File Submission Guidelines
Paving and Drainage

Effective January 1, 2015

CITY OF DALLAS

The following are guidelines for submitting digital files of engineering plans approved through the paving and drainage review process. Guidelines for digital file submissions will be strictly enforced. Multiple project submittals on a single Disc will not be accepted. Any submittals not ***complete*** *and in conformance to the specified guidelines will not be accepted and may result in the delay in the release of permits and construction.*

1. Media

a. Submittals must be on a single CD or DVD, hereinafter called ***Disc***.

b. The Disc shall be labeled with **ALL** of the following information:
- □ Name of the engineering consultant company submitting the plans
- □ Project name
- □ Assigned 311T- project number
- □ City plat file number (S-number)
- □ Mapsco Grid Location per Dallas County Appraisal District
- □ Newly assigned address or if not available;
- □ City Block number
- □ Effective Date (seal date)
- □ Notate if plans are Revisions to Final (RTF)

2. Disc Content

a. The Disc shall contain **ALL** of the following data files in Portable Document Format (***PDF***):
- □ Combined full set of approved engineering plans, complete with the most current version of the preliminary plat or, if approved, final plat.
- □ Separated single PDF file of each approved engineering plan sheet.
- □ Copy of the executed transmittal letter accompanying the submittal.
- □ A compressed and self-extracting file type (.ZIP) is acceptable in consideration of media file size limitations.

3. File Naming Convention

Files of engineering plans and drawings shall utilize the following naming convention:

- □ Combined full set:
  City assigned project number_Project Name_Final Full Set
  Example: 311T-3000_City Park Apartments_Final Full Set
- □ Single and separated drawings:
  City assigned project number_Project Name_Sheet Number_Sheet Name
  Example: 311T-3000_City Park Apartments_C001_Paving Plan
- □ Revision to Final drawings:
  City assigned project number_Project Name_Sheet Number_Sheet Name_RTF
  Example: 311T-3000_City Park Apartments_C001_Paving Plan_RTF
  If more than one RTF, please indicate which version it is, i.e. RTF2, RTF3

UNOFFICIAL DOCUMENT

[redacted] EASEMENT 20070325549
6 PGS

DECLARATION OF PRIVATE DRAINAGE EASEMENT

THIS DECLARATION OF PRIVATE DRAINAGE EASEMENT is made this 7th day of September, 2007, by MURPHY SENN CUSTOM HOMES, L.P., a Texas limited partnership ("Declarant").

Introductory Provisions:

A. Declarant owns a certain tract of land located in the City of Dallas, Dallas County, Texas, and described on Exhibit A attached hereto (the "Property").

B. Declarant intends to subdivide the Property into three (3) residential building lots to be designated as Lots 30, 31 and 32 of White Rock West Addition to the City of Dallas, pursuant to a Plat for said Addition to be filed in the Plat Records of Dallas County, Texas.

C. Declarant desires to create a private drainage easement upon and across the Property to provide for the proper drainage of storm and surface waters.

NOW, THEREFORE, Declarant hereby declares that the Property shall be held, sold, used and conveyed subject to the following private drainage easement and covenants, which shall run with the title to the Property:

1. The Property is hereby made subject to a private drainage easement (the "Easement") ten feet (10') wide along the entire length of the southwesterly boundary of the Property, from Goforth Road at the northwest corner of the Property to a public alley at the southwest corner of the Property, as more particularly described in Exhibit B attached hereto.

2. The Easement shall be for the purposes of drainage of storm and surface waters from the Property to the public alley and drainage facilities located in such public alley adjacent to the Property, and shall include the rights to excavate the land within the Easement to create an open or closed, or partially open and partially closed, drainage channel or swale, to install pipes and drain inlets and outlets for same, and to keep, maintain, repair and replace all improvements so constructed.

3. After Declarant shall have constructed within the Easement a drainage channel or swale, and underground pipes and drain inlets and outlets, such drainage facilities shall not be materially altered without the consent of the owners of all of the Property benefited by the Easement; provided, however, that consent shall not be unreasonably withheld or delayed if alteration is reasonably necessary to accomplish proper drainage of storm and surface waters. Each owner of any portion of the Property shall maintain the drainage facilities within the portion of the Easement located on such owner's portion of the Property in a state of good repair so that the drainage facilities shall function as intended.

4. If a owner fails to maintain the drainage facilities located within the Easement on such owner's portion of the Property, any other owner may enforce such obligation by any lawful means, and shall have the right of ingress and egress to or from and upon the Easement for the purpose of inspecting, maintaining, reconstructing and adding to or removing all or parts of its drainage facilities, and the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths which, in any way, endanger or interfere with the construction, maintenance or efficiency of its use of the Easement.

5. This Declaration shall be binding upon all parties having any right, title or interest in any portion of the Property, their heirs, successors, and assigns, and shall inure to the benefit of Declarant and each owner of any portion of the Property.

EXECUTED as of the date set forth above.

DECLARANT:

MURPHY SENN CUSTOM HOMES, L.P.
a Texas limited partnership

By: SNM INVESTMENTS, INC.
a Texas corporation, its General Partner

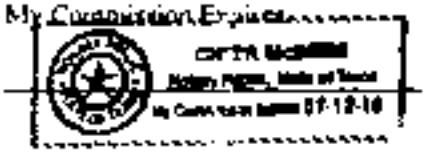
By: _____
Chad Senn, President

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 27th day of September, 2007, by CHAD SENN, President of SNM INVESTMENTS, INC., a Texas corporation, General Partner of MURPHY SENN CUSTOM HOMES, L.P., a Texas limited partnership, on behalf of said corporation and partnership.

_____
Notary Public, State of Texas

My Commission Expires:



Unofficial Document

EXHIBIT A

The Property

Being a 0.572-acre tract of land situated in the D.A. Murdock Survey, Abstract No. 997, City of Dallas, Dallas County, Texas, and being part of Block 5446 of the City of Dallas, and having been conveyed to Murphy Senn Custom Homes, L.P. by Deed recorded under Instrument No. 20060030914 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found with cap marked "Surveying & Assoc." at the intersection of the southeast line of Goforth Road (variable width) with the southwest line of Bargiames Lane (50 feet wide), same being the north corner of said Block 5446;

THENCE South 43 degrees 07 minutes 10 seconds East along said southwest line of Bargiames Lane, a distance of 200.47 feet to a ½ inch iron rod found at the intersection of said southwest line with the northwest line of a 15 foot wide alley, same being the most easterly north corner of White Rock Forest Addition, an Addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 26, Page 125, Map Records, Dallas County, Texas;

THENCE South 47 degrees 15 minutes 00 seconds West along said northwest line of said alley, a distance of 124.32 feet to a ½ inch iron rod marked "Surveying & Assoc." found for corner, same being the most east corner of that certain tract of land conveyed to John G. Johnson, et ux by Deed recorded in Volume 74134, Page 2115, Deed Records, Dallas County, Texas;

THENCE North 43 degrees 18 minutes 20 seconds West along the northeast line of said Johnson tract and the northeast line of that certain tract of land conveyed to Kelly Dupree by Deed recorded in Volume 2004189, Page 1955, Deed Records, Dallas County, Texas, a distance of 199.75 feet to a ½ inch iron rod found in the southeast line of Goforth Road, same being the north corner of said Dupree tract;

THENCE North 43 degrees 03 minutes 25 seconds East along the southeast line of Goforth Road, a distance of 125.00 feet to the **PLACE OF BEGINNING** and containing 24,932 square feet or 0.572 acre of land, more or less.

Unofficial Document

EXHIBIT B

10 FOOT PRIVATE DRAINAGE EASEMENT

BEING a 1,078 square foot tract of land situated in the O. A. Murdock Survey, Abstract No. 997, City of Dallas, Dallas County, Texas, and being part of Block 5446, and being part of that certain tract of land conveyed to Murphy Senn Custom Homes, L.P. by Deed recorded under Instrument No. 200600305514, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found with cap marked "Surveying & Assoc." at the intersection of the southeast line of Goforth Road (variable width R.O.W.) with the southwest line of Bargiames Lane (30 foot R.O.W.), same being the north corner of said Block 5446; thence South 45 degrees 03 minutes 25 seconds West along said southeast line of Goforth Road, a distance of 115.00 feet for the PLACE OF BEGINNING;

THENCE South 45 degrees 18 minutes 20 seconds East, being Northeast 10 feet and parallel with the southwest line of said Murphy Senn tract, a distance of 199.78 feet for corner in the southeast line of Murphy Senn tract, same being in the northwest line of a 15 foot wide alley;

THENCE South 45 degrees 18 minutes 00 seconds West along the northwest line of said alley, a distance of 10.00 feet to a 1/2 inch iron rod found at the common easterly corner of said Murphy Senn tract and that certain tract of land conveyed to John G. Johnson and Edith Johnson by Deed recorded in Volume 74134, Page 2115, Deed Records, Dallas County, Texas;

THENCE North 45 degrees 18 minutes 20 seconds West along the southwest line of Murphy Senn tract and part of the way along the northeast line of said Johnson tract and part of the way along the northeast line of that certain tract of land conveyed to Kelly Dupree by Deed recorded in Volume 2004189, Page 1935, Deed Records, Dallas County, Texas, a distance of 199.75 feet to a 1/2 inch iron rod found in the southeast line of Goforth Road, same being the common westerly corner of Murphy Senn tract and said Dupree tract;

THENCE North 45 degrees 03 minutes 25 seconds East along the Southeast line of Goforth Road, a distance of 10.00 feet to the PLACE OF BEGINNING and containing 1,078 square feet or 0.046 acre of land, more or less.

Unofficial Document

Unofficial Document

FILED AND RECORDED

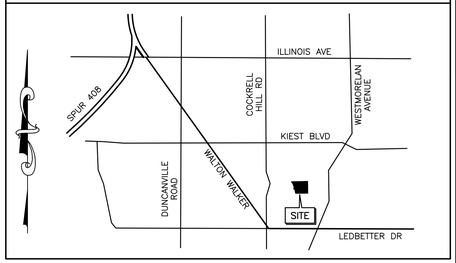
OFFICIAL PUBLIC RECORDS

John F. Warren, County Clerk
Dallas County, TEXAS
September 11, 2007 03:05:41 PM
FEE: $24.00

EXHIBIT C

VICINITY MAP

NOT TO SCALE



NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	20°35'27"	656.47	119.25	235.92	234.65	N 25°43'07" W
C2	14°05'45"	200.00	24.73	49.20	49.08	S 08°22'32" E
C3	65°38'17"	30.00	19.35	34.37	32.52	S 58°42'24" E
C4	245°38'17"	50.00	-77.53	214.36	84.04	N 31°17'36" E
C5	65°38'17"	30.00	19.35	34.37	32.52	N 33°24'42" W
C6	245°38'17"	50.00	-77.53	214.36	84.04	N 56°35'18" E
C7	11°09'29"	200.00	19.54	38.95	38.89	S 04°59'11" W
C8	11°12'22"	200.00	19.62	39.12	39.05	S 04°57'45" W
C9	14°28'05"	200.00	25.39	50.50	50.37	N 82°07'31" E
C10	14°47'42"	200.00	25.97	51.64	51.50	S 08°01'33" E
C11	89°57'07"	40.00	39.97	62.80	56.54	S 44°23'00" W
C12	90°43'47"	40.00	40.51	63.34	56.93	S 45°57'27" E
C13	25°12'49"	200.00	44.73	88.01	87.30	N 75°52'03" E
C14	11°12'22"	226.50	22.22	44.30	44.23	N 04°57'45" E
C15	10°49'36"	226.50	21.46	42.80	42.74	N 05°09'08" E
C16	11°12'22"	173.50	17.02	33.93	33.88	N 04°57'45" E
C17	10°42'39"	173.50	16.26	32.43	32.39	N 05°12'36" E
C18	04°47'06"	226.50	9.46	18.92	18.91	N 08°10'23" E
C19	11°09'29"	173.50	16.95	33.19	33.74	N 04°59'11" E

NUMBER	DIRECTION	DISTANCE	NUMBER	DIRECTION	DISTANCE
L1	S 88°37'01" W	58.01'	L15	S 44°21'56" W	14.14'
L2	N 00°55'29" W	64.98'	L16	N 74°53'29" E	13.73'
L3	N 89°10'41" E	35.01'	L17	N 29°53'29" E	14.14'
L4	N 01°33'22" W	34.41'	L18	N 60°06'31" W	14.14'
L5	S 72°01'02" E	14.55'	L19	S 74°53'29" W	3.73'
L6	S 20°47'24" W	14.39'	L20	S 74°53'29" W	3.73'
L7	S 01°19'39" E	6.00'	L21	N 44°23'00" E	14.15'
L8	S 01°31'33" E	23.50'	L22	S 45°37'00" E	14.14'
L9	S 49°40'02" E	14.90'	L23	N 00°35'34" W	10.64'
L10	N 39°22'12" E	13.09'	L24	S 00°35'34" E	10.84'
L11	S 00°37'42" E	5.91'	L25	S 89°24'26" W	23.50'
L12	N 00°37'42" W	5.90'	L26	N 14°13'44" W	101.59'
L13	N 00°37'42" W	42.41'	L27	N 14°13'44" W	44.58'
L14	N 45°38'04" W	14.14'	L28	N 14°13'44" W	57.01'

LEGEND

○ IRF	IRON ROD FOUND
○ IRC	IRON ROD FOUND WITH YELLOW CAP
(CM)	CONTROLLING MONUMENT
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
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
SF	SQUARE FEET
AC	ACRES

FINAL PLAT
COMMUNITY UNIT DEVELOPMENT

SHADY HOLLOW ESTATES

Block A/6960, Lots 1–29
Block B/6960, Lots 1–16
Block C/6960, Lots 1–12
Block D/6960, Lots 1–16
1 Open Space, Lot 1–X

Being a 17.660 Acre Tract Situated in Block 6960
William Crow Survey, Abstract No. 298
City of Dallas, Dallas County, Texas

CITY PLAN FILE NO.: S178–288
CITY ENGINEER PLAN NO.: 311T–10059

SURVEYOR:
WEBB SURVEYING, INC.
3517 Darion Lane
Plano, TX 75093
Phone: 469–512–7380

OWNER:
Shady Hollow Development, LLC
Adrian Cole
1600 Sylvan Avenue
Dallas, TX 75208
PHONE: 214–918–4671

Date: 3/22/22

Exhibit C

OWNER'S CERTIFICATE

STATE OF TEXAS}
COUNTY OF DALLAS}

WHEREAS, SHADY HOLLOW DEVELOPMENT, LLC, IS THE OWNER OF THAT CERTAIN TRACT OF LAND SITUATED IN THE CITY OF DALLAS, BLOCK 6960, DALLAS COUNTY, TEXAS, AND BEING OUT OF THE WILLIAM CROW SURVEY, ABSTRACT NO. 298, AND BEING OUT OF AND A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO SHADY HOLLOW DEVELOPMENT, LLC, BY GENERAL WARRANTY DEED DATED MARCH 8, 2019, AND RECORDED IN INSTRUMENT NO. 201900059927, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND IN THE WEST LINE OF BLOCK 3/6956, KIMBALL ACRES – INSTALLMENT NO. 1, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 52, PAGE 9, MAP RECORDS, DALLAS COUNTY, TEXAS, AT THE NORTHEAST CORNER OF BLOCK 4/6956, KIMBALL ESTATES, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 80, PAGE 2651, MAP RECORDS, DALLAS COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER HEREOF;

THENCE SOUTH 89°21'34" WEST, ALONG THE NORTH LINE OF SAID KIMBALL ESTATES, AND A 12' WIDE ALLEY RIGHT-OF-WAY AS DEDICATED BY VOLUME 80, PAGE 2651, MAP RECORDS, DALLAS COUNTY, TEXAS, A DISTANCE OF 830.82 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER HEREOF, SAID POINT BEING AT THE INTERSECTION OF THE NORTH LINE OF SAID ALLEY WITH THE EAST LINE OF LOS ANGELES BOULEVARD, AND BEING IN THE EAST LINE OF TRACT II AS DESCRIBED IN A STREET EASEMENT TO THE CITY OF DALLAS BY INSTRUMENT RECORDED IN VOLUME 96216, PAGE 821, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 15°06'31" WEST , ALONG THE EAST LINE OF SAID TRACT II, BEING THE WEST LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 306.73 FEET TO A 1/2" IRON ROD FOUND FOR AN EXTERIOR ELL CORNER OF HEREIN DESCRIBED TRACT AND BEING THE NORTHEAST CORNER OF SAID TRACT II;

THENCE SOUTH 88°37'01" WEST, ALONG THE NORTH LINE OF SAID TRACT II, AT 56.65' FEET, PASSING THE NORTHWEST CORNER OF SAID TRACT II AND CONTINUING FOR A TOTAL DISTANCE OF A DISTANCE OF 58.01 FEET TO A RAILROAD SPIKE FOUND FOR AN EXTERIOR ELL CORNER OF THE HEREIN DESCRIBED TRACT AND AN INTERIOR CORNER OF TRACT I, DESCRIBED IN A DEED TO THE CITY OF DALLAS RECORDED VOLUME 96216, PAGE 810, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 00°55'29" WEST, ALONG A WEST LINE OF THE HEREIN DESCRIBED TRACT AND AN EAST LINE OF SAID TRACT I, AT 5.24 FEET, PASSING AN ANGLE POINT THEREOF COMMON TO THE MOST SOUTHERN CORNER OF TRACT I, DESCRIBED IN SAID INSTRUMENT TO THE CITY OF DALLAS, RECORDED IN VOLUME 96216, PAGE 821, DEED RECORDS, DALLAS COUNTY, TEXAS, AND CONTINUING ALONG A COMMON WEST LINE OF THE HEREIN DESCRIBED TRACT AND THE EAST LINE OF SAID TRACT I, FOR A TOTAL DISTANCE OF 64.98 FEET, TO A 6" POST FOUND;

THENCE ALONG THE COMMON LINES OF SAID TRACT I AND THE HEREIN DESCRIBED TRACT THE FOLLOWING FIVE (5) COURSES:

1. NORTH 89°10'41" EAST, A DISTANCE OF 35.01 FEET TO A POINT;
2. NORTH 01°33'22" WEST, A DISTANCE OF 34.41 FEET TO A 5/8" IRON ROD FOUND FOR A SOUTHEASTERLY CORNER OF SAID TRACT 1, AND IN THE WEST LINE OF THE HEREIN DESCRIBED TRACT;
3. NORTH 15°25'24" WEST, ALONG A NORTHEAST LINE OF SAID TRACT I AND WITH A WEST LINE OF THE HEREIN DESCRIBED TRACT A DISTANCE OF 131.76 FEET TO 5/8" IRON ROD FOUND WITH YELLOW CAP FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;
4. ALONG SAID NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 657.47 FEET, THROUGH A CENTRAL ANGLE OF 20°35'27", AN ARC DISTANCE OF 235.92 FEET AND A CHORD WHICH BEARS NORTH 25°43'07" WEST, A DISTANCE OF 234.65 FEET TO A 1/2" IRON ROD FOUND;
5. NORTH 36°58'18" WEST, ALONG LAST MENTIONED COMMON LINES, A DISTANCE OF 83.29 FEET, TO A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 6960, TRINITY TEMPLE ADDITION, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 68116, PAGE 2265, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT I AND A NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 88°28'27" EAST, ALONG THE SOUTH LINE OF SAID TRINITY TEMPLE ADDITION, PASSING AT A DISTANCE OF 206.77 FEET THE EAST LINE OF SAID LOT 1 OF TRINITY TEMPLE ADDITION AND THE SOUTHWEST CORNER OF LOT 2, BLOCK 6960, TRINITY TEMPLE ADDITION NO. 2, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 77033, PAGE 11, DEED RECORDS, DALLAS COUNTY, TEXAS, AND CONTINUING ALONG THE SOUTH SIDE OF A 10' ALLEY BY SAID VOLUME 77033, PAGE 11, DEED RECORDS, DALLAS COUNTY, TEXAS, FOR A TOTAL DISTANCE OF 449.02 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID TRINITY TEMPLE ADDITION NO. 2, SAME BEING THE SOUTHWEST CORNER OF BLOCK B/6960, BLUE RIDGE ESTATES, AN ADDITION TO THE CITY OF DALLAS, RECORDED INSTRUMENT NO. 202000135583, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 88°40'40" EAST, ALONG THE SOUTH LINE OF A 12.5' ALLEY BY INSTRUMENT NO. 202000135583, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BY VOLUME 78039, PAGE 606, DEED RECORDS, DALLAS COUNTY, TEXAS, AND THE SOUTH LINE OF SAID BLOCK B/6960, A DISTANCE OF 665.52 FEET, TO A 1/2" IRON ROD FOUND FOR CORNER IN THE WEST LINE OF KIMBALL ACRES INSTALLMENT NO. 1, AN ADDITION TO THE CITY OF DALLAS, RECORDED IN VOLUME 52, PAGE 9, MAP RECORDS, DALLAS COUNTY, TEXAS, SAME BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING IN THE WEST LINE OF A 10' WIDE ALLEY AS DEDICATED BY VOLUME 52, PAGE 9, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 00°35'34" EAST, ALONG THE WEST LINE OF SAID 10' ALLEY AND THE EAST LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 817.78 FEET, TO THE POINT OF BEGINNING AND CONTAINING 769,262 SQUARE FEET OR 17.660 ACRES OF LAND, MORE OR LESS.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SHADY HOLLOW DEVELOPMENT, LLC, ACTING BY AND THROUGH IT'S DULY AUTHORIZED AGENT, ADRIAN COLE, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS ***SHADY HOLLOW ESTATES*** 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 _____, 2022.

_____
BY: ADRIAN COLE, MANAGER
SHADY HOLLOW DEVELOPMENT, LLC

STATE OF TEXAS}
COUNTY OF DALLAS}

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ADRIAN COLE, 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 CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE_____DAY OF _____, 2022.

_____
NOTARY PUBLIC IN AND FOR
STATE OF TEXAS

SURVEYOR'S STATEMENT:

I, KURTIS R. WEBB, 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 _____, 2022.

_____
KURTIS R. WEBB
Texas Registered
Professional Land Surveyor No. 4125

STATE OF TEXAS}
COUNTY OF COLLIN}

BEFORE ME, the undersigned authority, on this day personally appeared Kurtis R. Webb, 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 consideration therein expressed, and in the capacity therein stated.

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

_____
Notary Public in and for State of Texas

LOT NUMBER	BLOCK NUMBER	SQUARE FEET
LOT 1	BLOCK A/6960	11,384
LOT 1X	BLOCK A/6960	134,596
LOT 2	BLOCK A/6960	6,953
LOT 3	BLOCK A/6960	7,070
LOT 4	BLOCK A/6960	6,000
LOT 5	BLOCK A/6960	6,000
LOT 6	BLOCK A/6960	6,000
LOT 6	BLOCK A/6960	6,000
LOT 7	BLOCK A/6960	6,000
LOT 8	BLOCK A/6960	6,000
LOT 10	BLOCK A/6960	6,000
LOT 11	BLOCK A/6960	6,000
LOT 12	BLOCK A/6960	8,412
LOT 13	BLOCK A/6960	6,000
LOT 14	BLOCK A/6960	6,000
LOT 15	BLOCK A/6960	6,000
LOT 16	BLOCK A/6960	6,000
LOT 17	BLOCK A/6960	7,265
LOT 18	BLOCK A/6960	6,960
LOT 19	BLOCK A/6960	6,960
LOT 20	BLOCK A/6960	6,960
LOT 21	BLOCK A/6960	6,966
LOT 22	BLOCK A/6960	7,150
LOT 23	BLOCK A/6960	6,000
LOT 24	BLOCK A/6960	6,000
LOT 25	BLOCK A/6960	6,000
LOT 26	BLOCK A/6960	6,000
LOT 27	BLOCK A/6960	6,000
LOT 28	BLOCK A/6960	6,000
LOT 29	BLOCK A/6960	6,000

LOT NUMBER	NAME	SQUARE FEET
LOT 1	BLOCK B/6960	8,352
LOT 2	BLOCK B/6960	6,003
LOT 3	BLOCK B/6960	6,000
LOT 4	BLOCK B/6960	6,000
LOT 5	BLOCK B/6960	6,021
LOT 6	BLOCK B/6960	9,211
LOT 7	BLOCK B/6960	10,230
LOT 8	BLOCK B/6960	6,000
LOT 9	BLOCK B/6960	6,000
LOT 10	BLOCK B/6960	8,140
LOT 11	BLOCK B/6960	8,416
LOT 12	BLOCK B/6960	6,000
LOT 13	BLOCK B/6960	6,000
LOT 14	BLOCK B/6960	6,000
LOT 15	BLOCK B/6960	6,000
LOT 16	BLOCK B/6960	9,125
LOT 1	BLOCK C/6960	8,901
LOT 2	BLOCK C/6960	6,360
LOT 3	BLOCK C/6960	6,360
LOT 4	BLOCK C/6960	6,360
LOT 5	BLOCK C/6960	6,360
LOT 6	BLOCK C/6960	6,360
LOT 7	BLOCK C/6960	6,360
LOT 8	BLOCK C/6960	6,360
LOT 9	BLOCK C/6960	6,360
LOT 10	BLOCK C/6960	6,360
LOT 11	BLOCK C/6960	6,360
LOT 12	BLOCK C/6960	7,467

LOT NUMBER	BLOCK NUMBER	SQUARE FEET
LOT 1	BLOCK D/6960	6,017
LOT 2	BLOCK D/6960	6,012
LOT 3	BLOCK D/6960	6,000
LOT 4	BLOCK D/6960	6,000
LOT 5	BLOCK D/6960	6,000
LOT 6	BLOCK D/6960	6,000
LOT 7	BLOCK D/6960	6,000
LOT 8	BLOCK D/6960	6,000
LOT 9	BLOCK D/6960	6,000
LOT 10	BLOCK D/6960	6,000
LOT 11	BLOCK D/6960	6,000
LOT 12	BLOCK D/6960	6,000
LOT 13	BLOCK D/6960	6,000
LOT 14	BLOCK D/6960	6,000
LOT 15	BLOCK D/6960	6,000
LOT 16	BLOCK D/6960	7,643

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAT IS TO CREATE SEVENTY THREE LOTS.
2. NO BUILDING OR STRUCTURE SHALL CROSS ANY LOT LINES OR PROPERTY LINES.
3. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
4. BEARINGS SHOWN HEREON ARE BASED ON GRID BEARINGS, STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.
5. COORDINATES SHOWN ARE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011), GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
6. ALL LOT CORNERS ARE MONUMENTED WITH A 5/8" IRON ROD SET WITH PLASTIC CAP MARKED "WEBB 4125".
7. ALL LOT LINES ARE PERPENDICULAR TO STREET RIGHT-OF-WAY UNLESS OTHERWISE INDICATED.

FINAL PLAT
COMMUNITY UNIT DEVELOPMENT
SHADY HOLLOW ESTATES
Block A/6960, Lots 1-29
Block B/6960, Lots 1-16
Block C/6960, Lots 1-12
Block D/6960, Lots 1-16
1 Open Space, Lot 1-X
Being a 17.660 Acre Tract Situated in Block 6960
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SURVEYOR:
WEBB SURVEYING, INC.
3517 Darion Lane
Plano, TX 75093
Phone: 469-512-7380

OWNER:
Shady Hollow Development, LLC
Adrian Cole
1600 Sylvan Avenue
Dallas, TX 75208
PHONE: 214-918-4671

Date: 3/22/22

EXHIBIT D

MEMORANDUM

FREESE AND NICHOLS

Innovative approaches
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Outstanding service

2711 N. Haskell Avenue, Suite 300 • Dallas, Texas 75204 • 214-217-2200 • FAX 817-735-7491 www.freese.com

TO: M. Samuell Eskander, PE, CFM, LEED AP BD+C

FROM: Jeremy D. Dixon, P.E., CFM

SUBJECT: 311T-10059 Shady Hollow Estates, 1st Review

DATE: 12/16/2022

PROJECT: DAL22104 - Dallas Drainage Reviews

Freese and Nichols, Inc. (FNI) has reviewed the first submittal of the Shady Hollow Estates Civil Engineering Plans by Lim and Associates, Inc. (LIM) dated November, 2022. The project is located near Cockrell Hill Road, Kiest Boulevard, Westmoreland Road, and Loop 12 and is located outside the mapped 100-year floodplain. In general, the project aims to develop a single-family residential subdivision with detention to mitigate the increase in runoff. FNI reviewed the November 2022 Plans, March 2022 Plans, Responses to comments on March 2022 Plans, and other correspondence from the City.

This review is not considered all-inclusive and does not relieve the Owner, Developer, Responsible Engineer and/or Surveyor from the due diligence necessary for completion of all aspects of the project according to the City's Ordinances, Regulations, Design and Construction Criteria, and Development Standards.

Review Summary

In general, the original plat submittal associated with the site development ties this to the 1993 Drainage Design Manual and criteria, which has been used to generate these comments. The design of proposed detention pond is poorly documented and likely substantially undersized. Please also address the comments below.

November 2022 Plans:

1. Sheet C08.02, Proposed Drainage Area Map does not show a revised delineation of area draining to the detention pond within area D1. Some of this area will drain directly into the detention pond and should be accounted as part of the pond design.
2. Related to **Comment 1**, it is unclear how the stormwater detention calculations are derived with incorrect hydrology in Sheet C09.04.
3. Sheet C09.04, Proposed Drainage Pond and Outlet, the detention pond calculations use a non-standard methodology that is not documented or justified anywhere in these plans. As part of this review, the standard methodology was used to evaluate the pond and have determined that storage is undersized by a factor of 2-3 when accounting for the hydrologic parameters presented on Sheet C08.01 and Sheet C08.02, and the previously approved existing conditions calculations of 311T-9437, S167-275 (Blue Ridge Estates). A sample of a compliant Modified Rational Method spreadsheet analysis of the 100-year storm is shown in **Figure 1**.

4. The use of the minimum 10 minutes for the existing condition on-site is inappropriate, will overestimate existing runoff, and will lead to undersized detention volume. Please compute an onsite time of concentration for use in establishing existing conditions and show the selected time of concentration of the drainage area map, with labels for sheet, shallow concentrated, and channelized flow.

MODIFIED RATIONAL METHOD SPREADSHEET
VARIABLE INTENSITY BY BDE EQUATION

Storm	**100-YR**								
Step	**b**	**d**	**e**	**Tc (min)**	**I (in/hr)**	**K**	**C**	**A (Acre)**	**Q (cfs)**
Pre-Project	98.16816	11.08957	0.760029	25.00	6.43	1	0.53	50.39	172.05
Post-Project	98.16816	11.08957	0.760029	10.00	9.67	1.15	0.68	50.39	381.24

Timestep	**5**	**min**							
Td (min)	**K**	**C**	**I (in/hr)**	**A (acre)**	**Q (cfs)**	**V_{in} (cf)**	**V_{out} (cf)**	**V_{req} (cf)**	**V_{req} (ac-ft)**
10.00	1.15	0.68	9.67	50.39	381.24	228743	103230	125512	2.881
15.00	1.15	0.68	8.23	50.39	324.32	291885	129038	162848	3.738
20.00	1.15	0.68	7.20	50.39	283.85	340625	154845	185780	4.265
25.00	1.15	0.68	6.43	50.39	253.44	380156	180653	199503	4.580
30.00	1.15	0.68	5.83	50.39	229.64	413348	206460	206887	4.749
35.00	1.15	0.68	5.34	50.39	210.45	441935	232268	209667	**4.813**
40.00	1.15	0.68	4.94	50.39	194.60	467041	258076	208965	4.797
45.00	1.15	0.68	4.60	50.39	181.27	489428	283883	205544	4.719
50.00	1.15	0.68	4.31	50.39	169.88	509636	309691	199946	4.590
55.00	1.15	0.68	4.06	50.39	160.02	528063	335498	192565	4.421
60.00	1.15	0.68	3.84	50.39	151.39	545007	361306	183701	4.217
65.00	1.15	0.68	3.65	50.39	143.77	560698	387113	173584	3.985
70.00	1.15	0.68	3.48	50.39	136.98	575316	412921	162395	3.728
75.00	1.15	0.68	3.32	50.39	130.89	589006	438728	150278	3.450
80.00	1.15	0.68	3.18	50.39	125.39	601886	464536	137350	3.153
85.00	1.15	0.68	3.06	50.39	120.40	614051	490344	123708	2.840
90.00	1.15	0.68	2.94	50.39	115.85	625582	516151	109431	2.512
95.00	1.15	0.68	2.83	50.39	111.67	636547	541959	94589	2.171
100.00	1.15	0.68	2.74	50.39	107.83	647003	567766	79236	1.819
								Maximum V_{req} (ac-ft)	**4.813**

Figure 1: Sample Modified Rational Method Spreadsheet Documentation

Responses to City Comments pertaining to drainage plan, detention, etc.

5. Comment E.23, where the City requested a drainage study to document no adverse effect on the downstream development and creek. The response of "No adverse effect downstream" is not satisfactory. Major issues relating to the downstream system and the assumptions used in the development have been raised, and other comment responses have disregarded the primary concern without addressing it specifically.
6. Comment E.25.e, where the City requested longitudinal and latitudinal cross sections of the detention pond, maximum grading slopes of the pond, 100-year water surface elevations, required volume in the 100-year storm, and volume provided in the 100-year storm. It is not clear what the columns in the "*Storm Water Detention Calculations*" table are meant to represent. There are 2 columns that could be interpreted as required volume, and none that indicate the actual proposed volume that is provided and corresponds to a specific water surface elevation. It is not clear that the methodology used in this design is consistent with the defined process in the 1993 Drainage Design Manual, Section IV – Appendix page 25. Please provide a similar presentation for the determination of controlling storm duration for each event.
7. Comments E.26 and F.27, relating to the back lots along Wenatche Drive, represented by the proposed drainage area F1, where the City requested confirmation that the existing drainage patterns would be matched and evaluation of the increased runoff relative to the alley capacity. A cross section of the alley was added to the grading plan, but the break points for lot drainage (generally mid-lot, approx. 60 ft off back property line) are inconsistent with the drainage areas identified on sheet C08.02 (approx. 30 ft off back property line). This means runoff from drainage area F1 is underestimated by approximately half (Q100=7.2cfs), and considering the equivalent existing conditions drainage area of A2 (Q100 = 5.0cfs), proposed flows in the alley will be increased. This is not allowed in the 1993 drainage design manual without a sealed acknowledgement of the increased runoff rates, statement of no adverse effects, and a letter of acceptance from the downstream property owner(s) – Section IV – Appendix: Checklist for Storm Drainage Plans #46.
8. Comment F.29, regarding a typo in the callout of STA 4+90.72 on the profile of Line A (sheet C09.01) was not addressed.
9. Comments F.30, F.31, and F.32, regarding the Modified Rational Method calculations and documenting the process used to determine the required mitigation. The revisions made to sheet C09.04, as discussed in the above **Comments on November 2022 Plans**, do not adequately address and document for posterity the design of the proposed detention pond. Please provide all elements requested.
10. Comment F.33, regarding evaluation of 100-year, 50-year, 10-year and 2-year storms. This request is based on the 2019 Drainage Design Manual and is rooted in the current standard of care for engineering design of detention ponds. It is recommended that the outflow structure be sized so that each of these events does not increase flow rates downstream but is not a requirement of the 1993 Drainage Design Manual, which governs. The 1993 Drainage Design Manual requires detention be evaluated for the 100-year fully developed condition and also the downstream storm drainage facility with less than 100-year capacity. In this case, consider the capacity of the existing 54" RCP in Blue Ridge Boulevard (File 421Q-1307) as the controlling criterion. The design of 311T-9437 considered this limitation in sizing on-site drainage and mitigation improvements.
11. Comment G.34, regarding labeling of existing storm drain systems. The revised plans do show references, but the references include typos, such as 411Q-1004, Sh.9 instead of 421Q-1004,

Sh.9. Please correct all reference typos so that record drawings can be appropriately identified from the vault in the future.

12. Comment G.35, regarding certification of an accurate drainage analysis that demonstrates no adverse impacts to downstream property based on the proposed drainage design. As discussed in the above **Comments on November 2022 Plans**, the simple response of Agree is not satisfactory.

EXHIBIT E

MEMORANDUM

FREESE AND NICHOLS

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TO: M. Samuell Eskander, PE, CFM, LEED AP BD+C

FROM: Jeremy D. Dixon, P.E., CFM

SUBJECT: 311T-10059 Shady Hollow Estates, 1st Review

DATE: 1/27/2023

PROJECT: DAL22104 - Dallas Drainage Reviews

Freese and Nichols, Inc. (FNI) has reviewed the first submittal of the Shady Hollow Estates Civil Engineering Plans by Lim and Associates, Inc. (LIM) dated November, 2022. The project is located near Cockrell Hill Road, Kiest Boulevard, Westmoreland Road, and Loop 12 and is located outside the mapped 100-year floodplain. In general, the project aims to develop a single-family residential subdivision with detention to mitigate the increase in runoff. FNI reviewed the November 2022 Plans, March 2022 Plans, Responses to comments on March 2022 Plans, and other correspondence from the City.

This review is not considered all-inclusive and does not relieve the Owner, Developer, Responsible Engineer and/or Surveyor from the due diligence necessary for completion of all aspects of the project according to the City's Ordinances, Regulations, Design and Construction Criteria, and Development Standards.

Review Summary

In general, the original plat submittal associated with the site development ties this to the 1993 Drainage Design Manual and criteria, however due to the delay in development, the 2019 Drainage Design Manual governs. The design of proposed detention pond is poorly documented and likely substantially undersized. Please also address the comments below.

November 2022 Plans:

1. Sheet C08.02, Proposed Drainage Area Map does not show a revised delineation of area draining to the detention pond within area D1. Some of this area will drain directly into the detention pond and should be accounted as part of the pond design.

2. Related to **Comment 1**, it is unclear how the stormwater detention calculations are derived with incorrect hydrology in Sheet C09.04.

3. Sheet C09.04, Proposed Drainage Pond and Outlet, the detention pond calculations use a non-standard methodology that is not documented or justified anywhere in these plans. As part of this review, the standard methodology was used to evaluate the pond and have determined that storage is undersized by a factor of 2-3 when accounting for the hydrologic parameters presented on Sheet C08.01 and Sheet C08.02, and the previously approved existing conditions calculations of 311T-9437, S167-275 (Blue Ridge Estates). A sample of a compliant Modified

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4. The use of the minimum 10 minutes for the existing condition on-site is inappropriate, will overestimate existing runoff, and will lead to undersized detention volume. Please compute an onsite time of concentration for use in establishing existing conditions and show the selected time of concentration of the drainage area map, with labels for sheet, shallow concentrated, and channelized flow.

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VARIABLE INTENSITY BY BDE EQUATION

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7. Comments E.26 and F.27, relating to the back lots along Wenatche Drive, represented by the proposed drainage area F1, where the City requested confirmation that the existing drainage patterns would be matched and evaluation of the increased runoff relative to the alley capacity. A cross section of the alley was added to the grading plan, but the break points for lot drainage (generally mid-lot, approx. 60 ft off back property line) are inconsistent with the drainage areas identified on sheet C08.02 (approx. 30 ft off back property line). This means runoff from drainage area F1 is underestimated by approximately half (Q100=7.2cfs), and considering the equivalent existing conditions drainage area of A2 (Q100 = 5.0cfs), proposed flows in the alley will be increased. This is not allowed in the 2019 Drainage Design Manual without a sealed acknowledgement of the increased runoff rates, statement of no adverse effects, and a letter of acceptance from the downstream property owner(s). Appendix A.5.1: Checklist for Storm Drainage Plans, Statement #2.

8. Comment F.29, regarding a typo in the callout of STA 4+90.72 on the profile of Line A (sheet C09.01) was not addressed.

9. Comments F.30, F.31, and F.32, regarding the Modified Rational Method calculations and documenting the process used to determine the required mitigation. The revisions made to sheet C09.04, as discussed in the above **Comments on November 2022 Plans**, do not adequately address and document for posterity the design of the proposed detention pond. Please provide all elements requested.

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storm drainage facility with less than 100-year capacity. In this case, consider the capacity of the existing 54" RCP in Blue Ridge Boulevard (File 421Q-1307) as the controlling criterion. The design of 311T-9437 considered this limitation in sizing on-site drainage and mitigation improvements.

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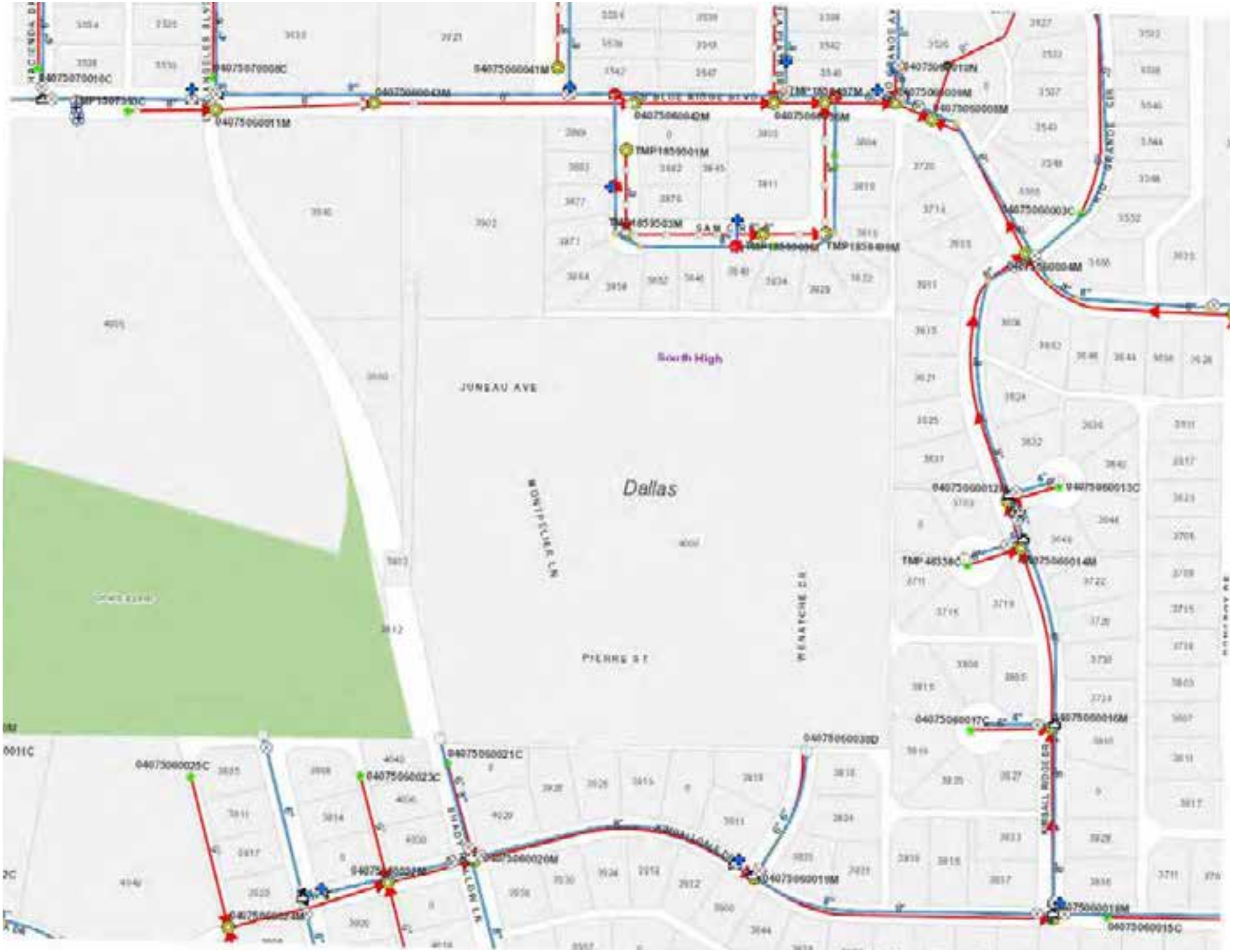
12. Comment G.35, regarding certification of an accurate drainage analysis that demonstrates no adverse impacts to downstream property based on the proposed drainage design. As discussed in the above **Comments on November 2022 Plans**, the simple response of Agree is not satisfactory.

EXHIBIT F


JUNEAU AVE
Dallas
PIERRE ST
MONTPELIER LN
PENATCHE CIR
KNOLL RIDGE DR
SAM HOUSTON DR
TMP 1859501M
TMP 1859503M
TMP 1859504M
TMP 1859506M
TMP 48538C
TMP 1307310C
040750700010C
040750700008C
040750600011M
040750600043M
040750600041M
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040750600017C
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040750600019M
040750600020M
040750600021C
040750600023C
040750600025C
040750600027M
040750600028D

Exhibit F

EXHIBIT G

Apportionment Determination

CITY OF DALLAS

DATE December 21, 2022

TO Adrian Cole, Developer

SUBJECT **Shady Hollow Estates - 311T-10059 / WW22-231**

This letter is in response to your request for a determination of apportionment that was submitted on November 11, 2022.

Street apportionment:
Per Section 51A-8.604(b)(2) of the Dallas City Code ("Code"): "When a minor street is along the perimeter of the proposed plat and the street is not improved with an approved all weather paving material to a width of 20 feet, the owner must improve the street to that standard along the length of the proposed plat."

According to your November 1, 2022 engineering plan, eight lots will have their driveway approaches taking access off Los Angeles Boulevard, which is an existing unimproved street with no pavement. Building Los Angeles Boulevard is necessary to access eight lots in the development that otherwise would not have street frontage. Building the minimum pavement width for Los Angeles Boulevard is therefore roughly and completely proportionate to the impact of the property development project.

Per Fire Code, a fire truck requires a minimum of 20 feet of pavement for emergency access. As long as the fire marshal approves, your engineer may revise the design for Los Angeles Boulevard to reduce the pavement width along the length of this street. The developer is responsible for the full amount of construction of Los Angeles Boulevard, which is solely related to the needs created by the project to serve the proposed development.

Alley apportionment:
The surrounding alleys were dedicated by a previous plat. No further alley dedications are necessary as long as the proposed development will not take access from the alleys.

Drainage apportionment:
Your initial plat application was filed in 2018. You may submit engineering plans using the 1993 drainage design manual which was in place when you initially submitted your plat application. We analyzed your project under the drainage requirements that were in place at the time of your initial plat application and disagree with your statement that this project would likely have not required detention due to the adequate outfall condition of Blue Ridge under the older design standards. We believe that the increased runoff from your development would have still required some detention or other downstream

infrastructure improvements. However, we have no way of knowing without your engineer's drainage report and calculations.

Per Section 51A-8.611(a)(1) of the Code: "Drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Adequate provision must be made for the acceptance, collection, conveyance, detention, and discharge of storm water runoff drainage onto, through, and originating within the subdivision. No final plat release may be issued until proper provision has been made for drainage."

The engineer-of-record must show and prove that there will be no adverse impacts to any properties downstream due to this development. We believe that sizing the detention pond accordingly is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full construction cost of the detention pond which is needed to serve the proposed development.

The drainage infrastructure in Los Angeles Boulevard is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full amount of construction of the infrastructure which is solely needed to serve the proposed development.

A detention area is considered a dedicated area and not open space. Section 51A-8.201(17) of the Code defines detention area to mean an area which temporarily stores stormwater runoff and discharges that runoff at a reduced rate. Section 51A-8.611 of the Code, "Storm Drainage Design," states that drainage systems, including all conveyances, inlets, conduits, structures, basins, or outlets used to drain storm water, must be designed and constructed to promote the health, safety, and welfare of the property owner and the public. Moreover, per section 51A-8.611(c)(2) of the Code, detention facilities must be designed and constructed in conformance with the Drainage Design Manual of the city of Dallas.

Section 51A-2.102(101) of the Code defines open space to mean an area that is unobstructed to the sky and contains no structures except for ordinary projections of cornices and eaves. Chapter 51A, Article VIII of the Code goes further and defines improved open space to mean open space containing structures or improvements, including but not limited to hike and bike trails, and unimproved open space to mean open space containing no buildings, fences, or other structures above or below grade.

Because the detention area is used to temporarily store stormwater runoff and discharges that runoff, it appears that detention areas meet the definition and provisions of storm drainage facilities and not open space.

DATE December 21, 2022

SUBJECT **Shady Hollow Estates - 311T-10059 / WW22-231**

The platting process requirements in Section 51A-8.403(a)(1)(A)(xi) and (xii) of the Code require that the layout and dimensions of proposed storm drainage areas, storm drainage facilities, water and wastewater facilities be indicated on the preliminary plat. The Code makes a distinction between open space and dedications and does not lump open space with the provisions.

Furthermore, the dedications provision in Section 51A-8.602 of the Code states that the owner of the property to be platted must provide an easement or fee simple dedication of property needed for the construction of streets, sidewalks, storm drainage facilities, floodways, water mains, and any other property necessary to serve the plat and to implement the requirements of this article. The code requires that the detention area be a dedication.

Section 51A-8.101(29) of the Code defines infrastructure to mean all streets, alleys, sidewalks, storm drainage facilities, water and wastewater facilities, utilities, lighting, transportation, and any other facilities required by law to adequately serve and support development. If detention areas were to be considered open space, then the code would have included that in the definition of open space, but it was omitted and defined as infrastructure.

The engineer-of-record must submit a drainage report that shows that there will be no adverse impacts to any properties downstream due to this development. Sizing the detention pond accordingly is related to the needs created by the property development project and is roughly proportionate to the impact of the property development project. The developer is responsible for the full amount of construction of the detention pond which is solely needed to serve the proposed development.

Water and Wastewater Apportionment:

We believe that the offsite infrastructure improvements shown on your engineering design plans are necessary to serve your proposed development. Each developer is responsible for the necessary infrastructure that is needed to adequately serve their development. Pursuant to Section 49-62(c)(1), the developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a). Since the offsite infrastructure improvements are needed to serve your development, the infrastructure improvements are related to the needs created by the property development project and are roughly proportionate to the impact of the property development project. Pursuant to Section 49-62(i) of the Code, the proportional refundable city payment calculated by the City is approximately $95,170.00. The developer is responsible for the remaining cost of the infrastructure which is needed to serve the proposed development.

Upon further investigation of the water line improvement in Los Angeles Boulevard, between Juneau Avenue and Blue Ridge Boulevard, there could be an alternate solid standard size loop in Wenatche Drive down to Kimballdale Drive, which would require

upsizing the main from 6 inches to 8 inches. If this is an alternative solution that you would like to pursue, your engineer must submit a revision to the final WW22-231 engineering design plans.

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Development Services

c: Andrew Espinoza, CBO, MCP, CCEA, Director/Chief Building Official
Casey Burgess, Executive Assistant City Attorney
Guillermo R. Darce, PE, Engineer-of-Record, LIM & Associates, Inc.
Daniel Lim, PE, RPLS, CFM, LIM & Associates, Inc.

EXHIBIT H

Eli Luna

22-371/372-P **Shady Hollow Estates**

685W-357 sh 34-37

Offsite 8" Water main in Los Angeles Blvd from South Plat Line to Blue Ridge Blvd

Item No	Eligible Items	Estimated Quantity	Units	Eval Cost per 19-1405	EC Total	Unit Bid	Total Bid
180C	8" Water	1331	LF	$ 65.00	$ 86,515.00	$ 43.00	$ 57,233.00
510C	8" Valve	5	EA	$ 1,200.00	$ 6,000.00	$1,400.00	$ 7,000.00
509A	Fire Hydrant	2	EA	$ 3,000.00	$ 6,000.00	$2,800.00	$ 5,600.00
510B	6" Valve	2	EA	$ 900.00	$ 1,800.00	$1,100.00	$ 2,200.00
785B	Conc. Pav	10	CY	$ 375.00	$ 3,750.00	$ -	$ -
	Pay on Completion Offsite Water Mains:				~~$104,065.00~~		**$ 72,033.00**

Offsite 8" Wastewater main in alley from North Plat Line to Blue Ridge Road

	Eligible Items	Estimated Quantity	Units	Eval Cost per 19-1405	EC Total	Unit Bid	Total Bid
310B	8" WW	422	LF	$ 65.00	$ 27,430.00	$ 33.50	$ 14,137.00
613A	48" WW MH	2	EA	$ 5,800.00	$ 11,600.00	$4,500.00	$ 9,000.00
706	Flowable Fill	20	CY	$ 90.00	$ 1,800.00	$ -	$ -
765B	Conc. Pav.	10	CY	$ 375.00	$ 3,750.00	$ -	$ -
765A	Asph. Pav.	300	SY	$ 150.00	$ 45,000.00	$ -	$ -
	Pay on Completion Offsite Wastewater Mains:				~~$ 89,580.00~~		**$ 23,137.00**

Water Participation	$ 72,033.00
Wastewater participation	$ 23,137.00
Total City participation:	**$ 95,170.00**

30% of Contract: $ 540,126.00 x 0.3= ~~$ 162,038.40~~

Maximum amount allowed by City Code

Exhibit H

City of Dallas

January 25, 2023

Mr. Adrian Cole
Shady Hollow Development LLC
2217 Vauxen Drive
Irving, TX 75063

Via Certified Mail: 70060810000355296044

RE Appeal of Apportionment Determination
Shady Hollow Estates - 311T-10059 / WW22-231

Dear Mr. Cole:

We have received your correspondence appealing the director's apportionment determination associated with an exaction imposed in regard to the plat request S178-288, Shady Hollow Estates for paving, drainage, ROW, and other relevant items. Please be advised that the City Plan Commission hearing for **this appeal is scheduled for Thursday, February 16, 2023** during the public hearing scheduled to begin no earlier than 12:30 p.m. in the City Council Chambers at Dallas City Hall, 1500 Marilla Street, 6th Floor and by videoconference. Individuals who wish to listen to the meeting, may participate by video by joining Cisco Webex Link: https://bit.ly/CPC021623.

The appeal of the decision of the Director regarding the apportionment determination is a quasi-judicial action. No communication with City Plan Commission members may occur outside the hearing of **February 16, 2023**.

The Dallas Development Code, Section 51A-1.105 provides the standard applicable to this appeal. For your convenience, I have enclosed a copy of the appeal procedures and a copy of Dallas Development Code, Section 51A-1.105.

Included with this letter is the request of appeal submitted and received on December 22, 2022 and the Analysis Application form submitted November 11, 2022. Should you wish to provide the City Plan Commission with any documentary evidence on the matter, please submit a copy to me at Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, TX 75201 or to yolanda.hernandez@dallas.gov by end of day **Monday, February 6, 2023**. I will then distribute the copies of your documentary evidence to the City Plan Commission. I will also send you a copy of any documentary evidence received by Drew Spaniol, Assistant City Attorney for the Director.

If you have any questions regarding the format of the City Plan Commission hearing or other related matters, you are encouraged to contact Assistant City Attorney Daniel T. Moore at 214 670-7027 or at daniel.moore@dallas.gov.

Respectfully,

Yolanda Resina
City Plan Commission Secretary
Planning & Urban Design

City of Dallas

cc: Andres Espinoza, Director/City Building Official, Development Services
Julia Ryan, Director, Planning & Urban Design
M. Samuell Eskander, Land Development Team Assistant Director, Development Service
Andreea Udrea, Assistant Director, Current Planning, Planning and Urban Design
Casey Burgess, Assistant City Attorney
Andrew Spaniol, Assistant City Attorney
Daniel T. Moore, Assistant City Attorney

SEC. 51A-1.103. APPORTIONMENT OF EXACTIONS.

(a) Exactions must be related and proportionate.

(1) No exactions may be imposed unless the exactions are:

(A) related to the needs created by the property development project; and

(B) roughly proportionate to the impact of the property development project.

(2) No precise mathematical calculation is required, but the city must make an individualized determination that the required exaction is related both in nature and extent to the impact of the property development.

(b) Request for apportionment determination. Except as provided in this section, a request for an apportionment determination will not be processed until the developer submits an application on a form provided by the director including a complete developer report.

(c) Developer report. The developer shall submit a report prepared by a professional engineer licensed to practice in Texas or the director containing an analysis of existing municipal infrastructure, including streets capacity and conditions, alleys, sewer, drainage, street signals, water service, wastewater service, fire hydrants, storm water drainage system, solid waste collection, and sanitary sewer; an analysis of the need for municipal infrastructure additions or improvements; and any other information related to the property development project that the director deems necessary.

(d) Waiver. The director may waive the developer report if:

(1) The developer will bear the total cost of the exactions, such that infrastructure improvements necessitated solely by, and limited to, the property development project;

(2) The developer has voluntarily agreed to pay a greater proportion of the costs of the exactions;

(3) The director determines that the developer report is unnecessary.

(e) Apportionment determination.

(1) Within 15 days after submission of the developer report, the director shall: notify the developer that the report is complete; or notify the developer in writing of any deficiencies in the report and of any additional documentation required.

(2) A professional engineer licensed to practice in Texas and retained by the city shall evaluate the complete developer report and make the apportionment determination.

(3) The apportionment determination is a determination of the proportion of exactions to be borne by the developer. For example, if the total cost of the municipal infrastructure additions or improvements is $10,000, and the need for the municipal infrastructure additions or improvements is related to the needs created by the property development project, and the property development project accounts for 80 percent of the impact on the municipal infrastructure additions or improvements, then the developer's portion is 80 percent of the cost of the municipal infrastructure additions or improvements, or $8,000.

(4) The director shall notify the developer of the apportionment determination within 30 days after deeming the application and developer report complete, prior to approval of any related zoning district classification or boundary change, prior to final release of any related plat, or prior to execution of any related private development contract, whichever is earliest.

(5) Cost sharing of municipal infrastructure additions or improvements between the developer and the city shall be accommodated in a cost sharing contract pursuant to Section 51A-8.614.

(f) Appeal.

(1) No waiver. A developer shall not be required to waive the right of appeal as a condition for approval of a development project.

(2) City plan commission. A developer may appeal the director's apportionment determination to the city plan commission by filing written notice with the director within 30 days after the date of the determination. If an appeal is filed, the city plan commission shall hear the appeal within 60 days after the date of its filing. The director shall forward to the city plan commission the complete record of the matter being appealed, including the developer report, if any, and the apportionment determination. The city plan commission shall hold a public hearing, where the developer and director may present evidence and testimony under procedures adopted by the city plan commission. The developer shall have the burden of proof at the public hearing. The city plan commission shall have the same authority as the director and may affirm, in whole or in part, modify the apportionment determination, or remand the apportionment determination back to the director for further consideration. In reviewing the apportionment determination, the city plan commission shall use the standard in Subsection (a). The city plan commission shall make its determination within 30 days after the hearing.

(3) City council. A developer may appeal the city plan commission's decision to the city council by filing a written notice with the director within 30 days after the date of the city plan commission's decision. If an appeal is filed, the city council shall hear the appeal within 60 days after the date of its filing. The director shall forward to the city council the complete record of the matter being appealed, including the developer report, if any, the apportionment determination, and the record of the city plan commission hearing. City council shall hold a public hearing where the developer and the director may present evidence and testimony under procedures adopted by city council. The developer shall have the burden of proof at the public hearing. The city council shall have the same authority as the director and may affirm, in whole or in part, modify the apportionment determination, or remand the apportionment determination back to the director for further consideration. In reviewing the apportionment determination, the city council shall use the standard in Subsection (a). The city council shall make its determination within 30 days after the hearing.

(4) County or district court. A developer may appeal the city council's decision to a county or district court of the county where the

development project is located within 10 days after the date of the city council's final determination. The sole issue on appeal is whether the city council erred in its review of the city plan commission determination. (Ord. Nos. 2a590, 51,538)

PROCEDURE FOR APPEAL OF APPORTIONMENT OF EXACTIONS

An appeal of an apportionment of exactions is a quasi-judicial hearing. No communication between a city plan commissioner and a third party is allowed before the hearing. Any communication must be disclosed.

If an appeal is filed, the city plan commission shall hear the appeal within 30 days after the date of its filing.

The director shall forward to the city plan commission the complete record of the matter being appealed, including the developer report, if any, and the apportionment determination.

The developer shall have the burden of proof at the public hearing.

The city plan commission shall have the same authority as the director and may affirm, in whole or in part, modify the apportionment determination, or remand the apportionment determination back to the director for further consideration.

In reviewing the apportionment determination, the city plan commission shall use the standard in Subsection 51A-4.1109(a):

"(a) Exactions must be related and proportionate.

(1) No exactions may be imposed unless the exactions are:

(A) related to the needs created by the property development project; and

(B) roughly proportionate to the impact of the property development project.

(2) No precise mathematical calculation is required, but the city must make an individualized determination that the required exactions is related both in nature and extent to the impact of the property development."

The city plan commission shall make its determination within 30 days after the hearing.

No appeal of an apportionment of exactions is heard on the record. New evidence and testimony is allowed.

The Hearing.

Each side will receive 20 minutes (exclusive of questions from the Commission or cross-examination) with 5 minutes for rebuttal by appellant.

(a) Order of the hearing

(1) Preliminary matters and introduction by the Chair

(2) Appellant's case (20 minutes).

(A) The appellant may give an opening statement, call witnesses, and offer evidence. However, if the appellant calls a witness, the director is able to cross examine that witness. The appellant can conduct a redirect of the witness (for up to 5 minutes).

(B) The commissioners can ask questions at any time. Commissioners' questions will not count towards the time limitation.

(3) Director's case (20 minutes).

(A) The director may give an opening statement, call witnesses, and offer evidence. However, if the director calls a witness, the director is able to cross examine that witness. The director can conduct a redirect of the witness (for up to 5 minutes).

(B) The commissioners can ask questions at any time. Commissioners' questions will not count towards the time limitation.

(4) Rebuttal/closing by the appellant's representative (5 minutes).

[illegible] evidence.

(1) All documentary and tangible evidence, including reduced size copies of oversized plans, development plans, landscape plans, and site plans, must conform to the standard 8.5 x 11 inch letter-sized pages no over 12 font in size. Each page must be serially numbered and double-spaced.

(2) All printed and representational documentary evidence in excess of five pages tendered by a party that has not been provided by the committee to the other party as part of the commission's [illegible] secretary not later than 10 days prior to the scheduled hearing date at which the matter is to be considered. Upon oral request made by the party at the scheduled hearing, the commission may, for good cause, suspend the operation of this rule and consider the excluded evidence or postpone the hearing on the application to a date certain to allow the panel sufficient time to review the tendered evidence prior to the next scheduled hearing date.

(3) For purposes of this paragraph, DOCUMENTARY EVIDENCE means physical writings or words on a paper and related physical items offered to prove something.

(b) Visit on and around location of the proposed [illegible] and to do anything that is necessary for the purpose of the survey;

(c) Dig trial holes in connection with the survey;

(d) Survey.

(2) Subject to the duty to pay compensation, a developer may, pursuant to the rights conferred by paragraph (1), enter upon land and do anything that is reasonably necessary for the purpose of carrying out development.

Hernandez, Yolanda

From:	adr n@419bu ice s.com
Sent:	hursday, December 22, 2022 1 :3 PM
To:	Eskander, Mina
Cc:	Espinoza, Andres; Burgess, Casey; Ryan Starnes
Subject:	Re: Shady Hollow Estates - S11T-10059 / WW22-231
Attachments:	Request for Hearing on Apportionment 12.22.2022.pdf

External Email!

Good afternoon,

Please see attached appeal of the apportionment determination for Shady Hollow Estates - S11T-10059

Regards
Adrian Cole
214.918.4671

On Wed, Dec 21, 2022, at 4:59 PM, Eskander, Mina wrote:

> Adrian
> Please see attached apportionment determination for Shady Hollow Estates - S11T-10059 / WW22-231
> Sincerely,
>
> Sam

M. Samuell Eskander, PE, CFM, LEED AP BD+C
Assistant Director
Land Development Team
City of Dallas | www.dallascityhall.com
Development Services
320 E. Jefferson Blvd., Room 115
Dallas, TX 75203
O: (214) 948-4020 | C: (469) 953-0103
mina.eskander@dallas.gov

EMPATHY • ETHICS • EXCELLENCE • ENGAGEMENT • EQUITY

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.

Please Take a Moment to Tell Us How We Are Doing

Attachments:

- Apportionment Determination.pdf

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

Shady Hollow Development LLC

221 Napoleon Dr Irving, TX 75062 adrian@419builders.com 214 905 4671

To: Andres Espinoza, Director
Sustainable Development and Construction, City of Dallas
CC: Sam Eskander

Re: Shady Hollow Estates Paving, Drainage and ROW Apportionment, S178-288

December 22, 2022

Per Section 51A-4.109(e)(2) of Dallas City Code, a developer may appeal the Director's apportionment determination to the City Plan Commission by filing written notice with the Director within 30 days after the date of the determination.

A completed application with the required documentation was sent via email on November 11, 2022. An apportionment determination was provided on December 22, 2022, after the 30 day period required by state law and city code.

This letter shall serve as the filing of a written notice of appeal of the apportionment determination provided to Shady Hollow Development LLC for exactions imposed in regard to the plat request S178-288, Shady Hollow Estates for paving, drainage, ROW, and other relevant items. Per City Code section 51A-4.109(e)(2), the city plan commission shall hear the appeal within 60 days after the filing of the appeal.

For the purpose of calculating the 60 days to hearing date, the date that the apportionment was due on December 11, 2022 shall serve as the date of this appeal.

Regards

Adrian Cole
President, Shady Hollow Development LLC

Hernandez, Yolanda

From: adrian@419builders.com
Sent: Friday, November 11, 2022 10:49 AM
To: Garza, Maricela
Cc: tinasvoice@aol.com; Eskander, Mina
Subject: Re: Shady Hollow Development - Analysis Application Form
Attachments: Application for Determination of Apportionment.pdf; Shady Hollow Estates Paving Proposal.pdf; Shady Hollow Estates Proposal.pdf; 22-1724; 221102_E-MAILED Proposal Shady Hollow Estates.pdf; Shady Hollow Estates - Site 19 Build Estimate.pdf; Shady Hollow Estates - Development Apportionment Detail 2022-11-11.pdf

External Email!

Good morning all

Attached is a completed Analysis Application form, 4 project bids, and apportionment request detail document

Please confirm receipt of this submission and if any other information is needed. Thank you for your assistance.

Regards,
Adrian Cole
214 918 4671

On Mon, Oct 17, 2022, at 5:33 PM, Garza, Maricela wrote:

> Good afternoon Mr. Cole,
>
> Per your hand delivered request (1st attachment) to the Director of Engineering, please find attached (2nd attachment) the Analysis Application Form.
>
> Thank you,

Maricela S. Garza
Administrative Specialist I
City of Dallas | DallasCityNews.net

Development Services
Engineering Division
320 E. Jefferson Blvd., Room 200
Dallas, TX 75203
O: 214-948-4063
Maricela.garza@dallas.gov

**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 **

Please Take a Moment to Tell Us How We Are Doing

Attachments:

- Application Form Request.pdf
- Application for Determination of Apportionment.pdf

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

Staff Use – Date Received _____

City of Dallas
APPLICATION FOR DETERMINATION OF APPORTIONMENT
(reference City of Dallas Code 51A-1.109)

1. Name of Project: Shady Hollow Estates
2. Plat No: S178-288 Building Permit Application No: _____
3. Paving/Drainage Project No: 311T-10059 Water/Wastewater Project No: WW22-231
4. Project Description: Plat 73 single family lots on undeveloped tract
5. Project Location (w/Lot & Blk): 3792 Wenatchee Dr DCAD Mapsco No: 63-A
6. Owner/Developer: Shady Hollow Development LLC
   Mailing Address: 2217 Vaupon Dr
   City: Irving State: TX Zip: 75063 Telephone: (214) 918-4871
   Contact Person: Adrian Cole Email: adrian@419builders.com
6. Engineering Firm: Lim & Associates, Inc.
   Mailing Address: 1112 N. Zang Boulevard Suite 200
   City: Dallas State: TX Zip: 75203 Telephone: (214) 942-1688
   Contact Person: Daniel Lim Email: limassoc@aol.com
7. Reason for Request (describe the perceived exaction): You may attach a supplemental document if more space is needed
   See attached documents
8. Submittals **REQUIRED**: *(incomplete submittals will be rejected)*
   - ☑ Developer's Report (signed and sealed by active Licensed Civil Engineer):
     Report should include items expressed in 51A-1.109, as well as, but is not limited to.
     - ☑ Preliminary Plat (existing recorded plat if no proposed plat); and
     - ☑ 24" x 36" set of most current Engineering Design plans; and
     - ☑ Project specific bid packages received from the contractors with itemized cost estimates of proposed project (total cost and public improvements costs); (min. of 3 bid estimates)

I certify that all information submitted are accurate and project specific. I have read Section 51A-1.109 of the City of Dallas code in its entirety and understand required deliverables and subsequent schedule upon a complete submittal.

DEVELOPER'S SIGNATURE: _____ DATE: 11-11-2022

Sustainable Development and Construction
320 E. Jefferson Blvd. Room 200
Dallas, TX 75203 Ph: (214) 948-4507

Adrian Cole
Shady Hollow Development LLC
1600 Sylvan Ave.
Dallas, TX 75208
adrian@419builders.com

RATLIFF HARDSCAPE
an ewi site solutions company

EXHIBIT "A"

PROPOSAL

PROJECT: Shady Hollow Estates Paving

DATE: 11/10/22

LOCATION: Dallas, TX

PROPOSAL NO: 22-22 | 10-01

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials and labor to perform the following work for the referenced project.
All bid items and quantities included in the scope of work were based on plans dated 10/1/22 *, by* LJM & Associates, Inc

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
01	Streets	1	LS	24,988.00	$ 24,988.00
02	Site Facilities	1	LS	1,250.00	$ 1,250.00
03	5" Thick, 4,000PSI Reinforced Concrete Pavement (#3's @ 24" OCEW) w/ Curb & 7"A Lime Treatment @ 6" Depth	13,765	SY	97.00	$ 1,335,205.00
04	16' Drive Approach	73	EA	1,725.00	$ 125,925.00
05	4' 5" Wide Concrete Sidewalk (5,400 LF)	23,094	SF	6.50	$ 150,111.00
06	Flumer Free ADA Ramps	20	EA	2,188.00	$ 43,760.00
	TAX EXEMPT (No taxes required) Dallas, TX	6.25%	%		
				TOTAL	$ 1,687,315.00

TERMS AND CONDITIONS

THIS PROPOSAL IS VALID FOR THIRTY (30) DAYS FROM THE DATE OF THIS PROPOSAL. THIS PROPOSAL AND ITS TERMS AND CONDITIONS OR ANY OTHER SPECIAL CONDITIONS (EXHIBIT "B") SHALL BECOME PART OF A CONTRACT IF SIGNED BY A CONTRACT SHALL BE PROVIDED BY THE OWNER, GENERAL CONTRACTOR OR RATLIFF HARDSCAPE, LTD. AND TAXES (IF ANY) TO COMMENCE WORK. THE ABOVE QUANTITIES HAVE BEEN ESTIMATED FROM THE PROPOSAL PLANS AND UNIT PRICE BASIS WITH PAYMENT TO BE MADE AT THE UNIT PRICE FOR ACTUAL QUANTITIES INSTALLED BY CONTRACTOR. GENERAL CONTRACTOR SHALL PROVIDE ACCESS TO THE JOB SITE AND ADJACENT PROPERTY AS REQUIRED FOR THE PERFORMANCE OF RATLIFF HARDSCAPE, LTD.'S WORK. PAYMENT SHALL BE MADE AS FOLLOWS: 25% OF EACH MONTH'S PARTIAL ESTIMATE TO THE OWNER'S GENERAL CONTRACTOR AFTER RATLIFF HARDSCAPE, LTD. HAS COMPLETED 25% OF THE UNCOMPLETED PORTION. THE RETAINAGE WITHHELD SHALL BE PAID TO RATLIFF HARDSCAPE, LTD. WITHIN SEVEN (7) DAYS AFTER THE ENTIRE WORK UNDER THIS CONTRACT OR IF NOT SUBSTANTIAL COMPLETION WITHHELD. PAYMENT TERMS ARE NET FIFTEEN (15) DAYS FROM THE DATE OF THE INVOICE. ALL INVOICES NOT PAID IN FULL BY THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE UNTIL THE DATE FULL PAYMENT IS RECEIVED AT RATE OF 18% PER ANNUM. SALES TAX MUST BE APPLIED UNLESS MATERIALS PURCHASED BY OWNER/CONTRACTOR ARE EXEMPT FROM SALES TAX. IF TAX EXEMPT STATUS CHANGES PRIOR TO OR AFTER COMPLETION OF THE WORK, THE CONTRACT PRICE SHALL BE ADJUSTED ACCORDINGLY. PLEASE REVIEW ALL THE SPECIAL CONDITIONS PROVIDED HEREIN AS EXHIBIT "B".

PLEASE SIGN THIS PROPOSAL AND RETURN ONE (1) SIGNED COPY TO OUR OFFICE. YOUR ACCEPTANCE OF THIS PROPOSAL SHALL CONSTITUTE THE INTENT TO ENGAGE IN A CONTRACT WITH RATLIFF HARDSCAPE, LTD. TO PERFORM THE ABOVE REFERENCED WORK.

ACCEPTED:

[Owner's Printed Name]

By _____
Signature

_____
Printed Name

Its _____
Title

RESPECTFULLY SUBMITTED

Ratliff Hardscape, Ltd.
[Contractor's Printed Name]

By _____
Signature

Bowden McWhorter
Printed Name

Its President & C.O.O.
Title

Adrian Cole
Shady Hollow Development LLC
1600 Sylvan Ave.
Dallas, TX 75208
adrian@411builders.com

RATLIFF HARDSCAPE

EXHIBIT "B"

SPECIAL CONDITIONS

PROJECT Shady Hollow Estates Paving

DATE 1/11/22

LOCATION: Dallas, TX

PROPOSAL NO 20221103-B

THE FOLLOWING SPECIAL CONDITIONS PROVIDED BY RATLIFF HARDSCAPE, LTD ARE SET FORTH TO ENSURE OUR SCOPE OF WORK HAS BEEN PROPERLY COMMUNICATED AND AGREED TO BY THE OWNER, GENERAL CONTRACTOR, OTHER SUB-CONTRACTORS, ENGINEERS, MUNICIPALITY OR OTHER GOVERNMENTAL ENTITIES. IT IS OUR FULL INTENT TO PROVIDE QUALITY WORKMANSHIP, JOB-SITE SAFETY AND A LONG LASTING WORKING RELATIONSHIP THROUGHOUT THE PROJECT. PLEASE REVIEW THIS DOCUMENT IN ITS ENTIRETY ALONG WITH THE BID SO THAT ANY DISCREPANCIES MAY BE RESOLVED PRIOR TO COMMENCEMENT OF WORK. IF THE "YES" BOX IS CHECKED THEN THE CONDITION OR SCOPE PERTAINING TO THE SCOPE OF WORK. IF CHECKED "NO" THEN THE CONDITION IS NOT NOTED IN THE SCOPE OF WORK. INITIAL BELOW THAT YOU HAVE READ AND FULLY UNDERSTAND THESE CONDITIONS.

	YES	NO	
01		X	STAKING (BY OWNER)
02		X	GEOTECHNICAL MATERIALS TESTING (BY OWNER)
03		X	IMPACT FEES, CONNECTION FEES, METER FEES OR DEPOSITS
04		X	STRUCTURAL ENGINEERING (FOR HARDSCAPE ONLY)
05		X	ENGINEERING (BY OWNER)
06		X	PERMIT FEES (FOR HARDSCAPE ONLY)
07		X	PAYMENT & PERFORMANCE BOND
08		X	MAINTENANCE BONDS
09		X	INSPECTION FEES
10		X	SALES TAX
11	X		INSURANCE REQUIREMENTS
12		X	TRAFFIC CONTROL
13	X		MOBILIZATION (1 TIME ONLY)
14		X	SWPPP DESIGN
15		X	SWPPP INSPECTIONS
16		X	RUBBLE MORTAR (HARDSCAPE SCREENWALLS, COLUMNS & MONUMENTS)
17		X	RUBBLE MORTAR (RETAINING WALLS)
18		X	TREE REMOVAL: ALL TREES TO BE TAGGED AND MARKED BY OWNER & CITY (CHIPPED AND HAULED OFFSITE)
19		X	ROCK & BOULDER REMOVAL
20		X	SEEDING, SODDING OR HYDROMULCH
21		X	EROSION CONTROL AS NOTED IN PLANS
22	X		STAGING AREA (TO BE PROVIDED BY OWNER ON OR CONTIGUOUS TO SITE)
23	X		BACKFILL (ALL SCOPE OF WORK)
24		X	HAULING OF EXISTING TRASH OR DEBRIS FOUND BURIED OR OTHERWISE HIDDEN FROM SITE OR NOT IN PLANS
25		X	HAULING OF ANY UNSUITABLE MATERIAL
26		X	UNDERCUTTING, SELECT FILL, MOISTURE CONDITIONING
27		X	UNDERGROUND UTILITY CONFLICTS (TO BE RELOCATED BY OTHERS)
28		X	UTILITY INSTALLATION (PARTIAL OR UTILITY WORK INSTALLED PRIOR TO GAS, ELECTRIC, PHONE, CABLE, OR OTHERS)
29	X		SPOILS TO BE STOCKED ON-SITE (AS PER VERBAL BY OWNER)
30		X	ROADWAY SUBGRADE MUST BE +/- 0.20 FEET PRIOR TO UTILITY CONSTRUCTION AND WILL BE RETURNED TO GRADE
31		X	PAVING & PAD SUBGRADE SHALL NOT EXCEED +/- 0.10 FEET, FINE GRADING OR TRAVELING BY PAVING EQUIPMENT
32		X	EXPORT OF ANY DIRT ON-SITE
33		X	DEWATERING OF SCOPE OF WORK
34		X	IF VACUUM TRUCK IS NEEDED FOR DIRT, ADD $1500 PER DAY
35		X	ELECTRICAL POWER SOURCE FOR ENTRY LIGHTING
36		X	ELECTRICAL POWER SOURCE FOR IRRIGATION
37	X		FINAL CLEANUP
38	X		SUBJECT TO RATLIFF'S LIMITED WARRANTY (ATTACHED AS EXHIBIT "C")

NOTES:

01 Proposal to include any excavation, moving and/or grinding of rock for trenching

02

03

04

IF THIS IS A REPAIR BID PROPOSAL IN WHICH RATLIFF DID NOT PERFORM THE CONCRETE UNDERGROUND PIER OR FOOTINGS, RATLIFF WILL NOT BE RESPONSIBLE FOR ANY SURFACE CRACKING AND WILL PROVIDE A ONE (1) YEAR LIMITED WARRANTY FROM THE COMPLETION DATE. SEE ATTACHED EXHIBIT "C"

I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS _____ _____

EXHIBIT "C"

RATLIFF HARDSCAPE, LTD. ONE YEAR LIMITED WARRANTY

RATLIFF HARDSCAPE, LTD.'S WARRANTY OBLIGATIONS ARE LIMITED TO THE TERMS SET FORTH BELOW

THIS LIMITED WARRANTY: This Ratliff Hardscape, Ltd. One Year Limited Warranty shall be referred to as the "**Limited Warranty**" in this document.

WHAT IS COVERED: Ratliff Hardscape, Ltd.'s ("**Ratliff**") Work. "**Work**" shall mean that certain work and those services further described between Ratliff and Owner (the "**Agreement**") and this Limited Warranty is an exhibit to such Agreement.

WARRANTY: Ratliff warrants that the Work furnished will: (i) be provided in a professional manner; (ii) be performed by appropriately knowledgeable and skilled personnel; (iii) conform to the requirements of the Agreement; (iv) conform to standards generally observed in the industry for similar services and work; and (v) will meet all applicable municipal or other jurisdictional requirements and other applicable laws pertaining to the Work.

Ratliff warrants that except for any Shrink Cracks, any cracking, in excess of one-quarter inch and longer than 20% of all the joints and edges of the concrete flatwork, occurring during the curing process and resulting from poor workmanship or use of substandard materials shall be repaired or replaced, at the sole election of Ratliff. Ratliff makes no claim that hairline cracks might not develop, but insures that reasonable precautions are taken to minimize their occurrences by using industry tested methods and quality materials. It is acknowledged that color differences may result for repairs. Please see the section entitled "Shrink Cracks and Control Joints" for a further explanation of shrink crack and control joints.

EXCLUSIONS FROM COVERAGE: Ratliff's Limited Warranty for the Work excludes loss, damages and defects caused by any of the following.

1. Any work performed, services provided or material supplied in accordance with any plans or specifications supplied, prepared or requested by the Owner, or by anyone on behalf of the Owner other than Ratliff, or Ratliff's employees, agents, contractors or subcontractors acting under Ratliff's direction (collectively "**Ratliff's Employees**")

2. Any defects caused or made worse by the negligence, gross negligence, willful conduct, abusive use, improper maintenance, lack of regular maintenance or other action of anyone other than Ratliff, or Ratliff's Employees.

3. Defects in driveways, walkways, patios, boundary walls, retaining walls, bulkheads, fences, landscaping, including without limitation sodding, seeding, shrubs, trees and plantings, off-site improvements, or any other improvements not part of the Work itself.

4. Any damage to the extent it is caused or made worse by failure of the Owner or by anyone other than Ratliff's Employees, to comply with the warranty requirements, including without limitation the Manufacturer Warranties, of manufacturers of items used in accordance with the Work; or failure by the Owner to give notice to Ratliff of any defects within a reasonable time; or changes of the grading of the ground by anyone other than Ratliff, or Ratliff's Employees; or changes, alterations or additions made to the Work by anyone after the Effective Date; dryness, cracking, dampness, condensation or soil movements, due to the failure of the Owner to maintain adequate irrigation, seepage of water; or insect damage.

5. Loss or damage which the Owner has not taken timely action to minimize.

6. Any defect in, caused by, or resulting from, materials or work supplied by anyone other than Ratliff or Ratliff's Employees, including without limitations defects covered under any of the Manufacturer Warranties.

7. Normal wear and tear or normal deterioration.

8. Loss or damage not specifically covered under this Limited Warranty.

9. Loss or damage not caused by a defect in the Work completed by Ratliff or Ratliff's Employees.

10. Loss or damage caused by, or resulting from, accidents, riot and civil commotion, fire, explosion, smoke, water escape, falling objects, aircraft, vehicles, acts of God, adverse environmental conditions, lightning, windstorms, hail, flood, mudslide, earthquake, wind-driven water and changes in the underground water table which were not reasonably foreseeable.

11. Defects, which are the result of characteristics common to the materials used (such as but not limited to fading and minor cracking).

12. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage related to any Shrink Cracks.

13. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage caused directly or indirectly by any underground movement, including without limitation any surface cracking, unless Ratliff performed repairs to the concrete underground pier or footings as part of the Work.

14. Loss or damage caused or made worse pursuant to the provisions specified in the section entitled "Notice of Claim".

15. Loss or damage to any third party manufactured products.

TERM: The terms of the coverage of this Limited Warranty begin on the date of substantial completion of the Work (the "**Effective Date**") and continue until the one (1) year anniversary of the Effective Date (the "**Expiration Date**"). The Effective Date of the warranty period for all incomplete punch list items identified in writing as "punch list items" as of the date of substantial completion of the Work shall begin when the Owner and Ratliff have mutually and reasonably agreed that such incomplete punch list items are 100% complete, in which case the Expiration Date for the warranty period for such incomplete punch list items shall be one (1) year following the Effective Date assigned to such incomplete punch list items.

MANUFACTURERS' WARRANTIES: Ratliff assigns and passes through to Owner the manufacturers' warranties on all manufactured products (including, but not limited to, bricks, cinder blocks, and manufactured stone) and equipment (collectively, the "**Manufacturer Warranties**").

RATLIFF DOES NOT WARRANTY ANY THIRD PARTY MANUFACTURED PRODUCTS.

LIMITATIONS ON WARRANTY: **RATLIFF'S LIABILITY TO THE OWNER OR ANY OTHER THIRD PARTY, FOR A CLAIM OF ANY KIND ARISING AS A RESULT OF, OR RELATED TO THE GOODS OR SERVICES PROVIDED HEREUNDER, WHETHER IN CONTRACT, IN TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), UNDER ANY WARRANTY, OR OTHERWISE, SHALL BE LIMITED TO MONETARY DAMAGES AND THE AGGREGATE AMOUNT THEREOF FOR ALL CLAIMS SHALL IN NO EVENT EXCEED AN AMOUNT EQUAL TO THE AMOUNT PAID OR PAYABLE BY THE OWNER TO RATLIFF UNDER THE AGREEMENT. UNDER NO CIRCUMSTANCES SHALL RATLIFF BE LIABLE TO THE OWNER OR ANY THIRD PARTY FOR INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING,**

LOST PROFITS), EVEN IF OWNER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, OR FOR WARRANTIES GRANTED BY THE OWNER TO ANY THIRD PARTY. THE OWNER ACKNOWLEDGES AND AGREES THAT THESE LIMITATIONS SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY. NO ACTION, REGARDLESS OF FORM, ARISING UNDER THE AGREEMENT OR THIS LIMITED WARRANTY MAY BE BROUGHT BY THE OWNER AFTER THE EXPIRATION DATE.

DISCLAIMER OF WARRANTIES

EXCEPT AS EXPRESSLY SET FORTH IN THIS LIMITED WARRANTY AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THE WARRANTY AND REMEDIES SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, REMEDIES AND CONDITIONS, WHETHER ORAL OR WRITTEN, EXPRESS OR IMPLIED AND RATLIFF EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, CONDITIONS OR REPRESENTATIONS, EXPRESS OR IMPLIED, STATUTORY OR OTHERWISE, REGARDING THE GOODS OR OTHER SERVICES PROVIDED BY RATLIFF HEREUNDER, INCLUDING ANY IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, SATISFACTORY OR MERCHANTABLE QUALITY OR MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFAULTS OR NONCOMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT), FITNESS FOR A PARTICULAR PURPOSE, OR THOSE ARISING FROM A COURSE OF DEALING OR USAGE OF TRADE OR ANY OTHER MATTER AFFECTING THE WORK.

WARRANTY CLAIMS

NOTICE OF CLAIM: If the Owner believes a defect in the Work that is covered by this Limited Warranty arises, then Owner shall provide written notice to Ratliff, and Ratliff must receive such written notice, at Ratliff's current address of record, and such written notice shall include a detailed description of such defect (the "Defect Notice"). Ratliff must receive the Defect Notice on or before the *earlier of* the Expiration Date or thirty (30) days after the date Owner or any of Owner's shareholders, members, partners, owners, directors, managers, officers, employees, contractors, agents or representatives discover the defect specified in such Defect Notice. Ratliff is not responsible for any loss or damage covered by this Limited Warranty if such loss or damage is caused or made worse by failure to give written notice to Ratliff of such defect within the time periods required pursuant to this paragraph.

RATLIFF'S PERFORMANCE: If a defect occurs in an item which is covered by this Limited Warranty, Ratliff, within 60 days after receipt of the related Defect Notice, will repair, replace, or pay Owner the reasonable cost of repairing or replacing the defective item. Ratliff's total liability under this Limited Warranty is limited pursuant to the provisions of the section entitled "Limitations on Warranty". Ratliff, in Ratliff's sole and absolute discretion, may choose among the repair, replacement or payment options specified in this paragraph. Steps taken by Ratliff to correct defects shall not act to extend the terms of this Limited Warranty.

INSURANCE: If Ratliff repairs, replaces, or pays the cost of repairing, any defect covered by this Limited Warranty for which Owner is covered by insurance, Owner must, upon request by Ratliff,

assign the proceeds of such insurance to Ratliff to the extent of the cost to Ratliff of such repair or replacement.

SETTLEMENT OF DISPUTES: All disputes between the parties may be resolved by litigation, in a court of competent jurisdiction, except that Ratliff may, at its sole option, require that any dispute be submitted to binding arbitration pursuant to the Construction Industry Rules of the American Arbitration Association. Each arbitrator selected by the American Arbitration Association shall be a licensed construction attorney with at least seven (7) years of experience. If the dispute is arbitrated, the award rendered by the arbitrator(s) shall be final, and the judgment may be entered upon it in accordance with the applicable law in any court having jurisdiction thereof. The arbitration election by Ratliff shall be made no later than thirty (30) days following receipt of service of process of any litigation from Owner or, if the claim is asserted by Ratliff, shall be made upon the filing or demand for arbitration by Ratliff. Notwithstanding the above, Ratliff shall not be deemed to have waived any right it may have to arbitrate its dispute with Owner by the filing of litigation against Owner and its surety. The demand for arbitration in no event shall be made after the date when institution of legal or equitable proceedings based upon such claim, dispute or other matter in question would be barred by the applicable statute of limitations. In the event of litigation or arbitration of any dispute between Ratliff and Owner, Ratliff (if it prevails in prosecution or defense) shall be awarded attorneys' fees, costs of court and such other damages as may be permitted by this Limited Warranty and applicable law. In the event of litigation or arbitration of any claim brought by Owner against Ratliff, the Owner (if it prevails) shall be awarded attorneys' fees and costs of court. Except as specifically provided in this Limited Warranty, Owner shall have no claim against Ratliff for any cause related to any defect in the Work whatsoever.

MISCELLANEOUS

GENERAL PROVISIONS: Should any provision of this Limited Warranty be deemed by a court of competent jurisdiction to be unenforceable, that determination will not affect the enforceability of the remaining provisions. Use of one gender in this Limited Warranty includes all other genders, and use of the plural includes the singular, all as may be appropriate. The section and subsection headings contained in this Limited Warranty are for reference purposes only and shall not affect in any way the meaning or interpretation of this Limited Warranty. This Limited Warranty is to be governed by and construed in accordance with the laws of the State of Texas. Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

No Ratliff Employee is authorized to make any modification, extension, or addition to this Limited Warranty.

SHRINK CRACKS AND CONTROL JOINTS: Newly placed concrete can be expected to crack within the first few days of placement during the curing process. These cracks are often referred to as "**Shrink Cracks**". Shrink Cracks are typically narrow stress cracks in the surface of the concrete. Reinforcing steel and/or fiber will minimize the number and width of Shrink Cracks. "**Control Joints**" are saw cut or hand grooved joints in the concrete. Control Joints encourage the concrete to crack (there by relieving the natural stress of the curing process) along these predetermined cuts and grooves. Control Joints do not prevent Shrink Cracks, however, they may assist in reducing and/or hiding the crack when they occur.

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DDM CONSTRUCTION PROPOSAL

DDM Construction Corp.

4006 Belt Line Rd. #230

Addison, TX 75001

Contact: Shane Roberts

Phone: 214-789-8816

Email: estimators@ddmcc.net

Quote To: Shady Hollow Development LLC
Contact: Adrian Cole
Phone: 2.4 9 k 4671
Email: adrian@41bell.com
Fax:

Job Name: Shady Hollow Estates - Paving & Drainage
Date of Plans: October 2022
Revision Date: November 2022

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	6" 4,000PSI REINF. CONC. PVMNT W/SAW CCEW/o W/ CC	12,640.00	SY	70.00	$884,800.00
20	16' DRIVE APPROACH	23.00	EA	5,032.00	368,736.00
30	4FT SIDEWALK LF	5,400.00	LF	37.00	199,800.00
40	STREET SIGN POLES	5.00	EA	266.00	1,330.00
45	STOP SIGNS	5.00	EA	89.00	445.00
60	STREET SIGNS	5.00	EA	112.00	560.00
70	BARRIER FREE RAMP	12.00	EA	2,746.00	32,952.00
80	72IN RCP STORM DRAIN	30.00	LF	844.00	25,320.00
90	66IN RCP STORM DRAIN	248.00	LF	699.00	173,352.00
100	54IN RCP STORM DRAIN	176.00	LF	481.00	84,656.00
110	42IN RCP STORM DRAIN	240.00	LF	349.00	83,760.00
120	30IN RCP STORM DRAIN	305.00	LF	194.00	59,252.00
130	24IN RCP STORM DRAIN	49.00	LF	171.00	8,379.00
140	21IN RCP STORM DRAIN	324.00	LF	139.00	45,036.00
150	5FT STORM MANHOLE	1.00	EA	8,091.00	8,091.00
160	GROUTED RIP-RAP SY	172.00	SY	234.00	40,248.00
170	14FT INLET	1.00	EA	10,842.00	10,842.00
180	12FT INLET	1.00	EA	9,576.00	9,576.00
190	10FT INLET	9.00	EA	8,641.00	77,769.00
200	4FT X 4FT "Y" INLET	3.00	EA	7,167.00	21,501.00
210	30IN TYPE B HEADWALL	3.00	EA	4,425.00	13,224.00
220	42IN TYPE B HEADWALL	2.00	EA	9,007.00	18,014.00
230	72IN TYPE B HEADWALL	1.00	EA	20,432.00	20,432.00
240	TXDOT SAFETY END TREATMENT, 30IN	8.00	EA	5,291.00	42,328.00
260	TRENCH SAFETY LF	1,600.00	LF	2.00	3,200.00
270	INSPECTION & TESTING	1.00	LS	50,000.00	50,000.00
280	BONDING	1.00	LS	30,000.00	30,000.00
290	GRADE DETENTION POND & OUTFLOW	1.00	LS	14,000.00	114,000.00
300	TV INSPECTION FOR RCP	1,375.00		1.50	2,062.50

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
GRAND TOTAL					**$2,430,185.50**

NOTES:

CLARIFICATION

-Final grading (crushing/processing base with recycler and compacting) for concrete placement NOT included in pricing
Detention pond is n/a assuming all fill material will be on site
-Includes 1 mobilization, additional mobilizations will be $16,000
Items and quantities are based on bid sheet provided
-All material excavated will be stockpiled on site
All grading to be completed within tolerance (+/- 0.10') before concrete scope begins
-Concrete test and density test are only tests being provided
-Final flatwork compacted subgrade 3' behind curb or edge of pavement will be required for slipform paver trackline
DDM is not responsible for excessive yield loss due to subgrade issue (out of tolerance)
-Quote includes sawing and sealing of concrete
DDM must have 4 weeks notice prior to commencement of operation
-This quote is valid for 60 days from the bid date

EXCLUSIONS

-Permits and fees
-Traffic control
SWPPP (Storm Water Pollution Protection Plan)
-Erosion Control
-Handling existing contaminated dirt/water
-Street sweeping caused by others
-Existing utility relocation
-Landscaping
-Pavement markings
-Temporary signs
-Backfilling curb
-Street Heaters
-2nd year maintenance bond
-Sales Tax
-Any items not explicitly detailed/ stated in the civil drawing packages
-Damage to existing unknown utilities not shown on the plans
-Removal of any unforeseen existing structures or buried pipes

Construction, LLC
RPM Construction, LLC.
5208 TENNYSON PKWY STE 130
PLANO, TEXAS 75024
SENIOR ESTIMATOR: JOSH VAN LEK [redacted]
CELL: 469-939-1952 OR 214-577-3158

PROJECT: SHADY HOLLOW ESTATES
LOCATION: DALLAS, TX
BID DATE: November 2, 2022

PROPOSAL TO BE VALID FOR 30 DAYS

BASE PROPOSAL - PAVING SCOPE

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
	PAVING SCOPE - SHADY HOLLOW ESTATES				
1	6" CONCRETE PAVEMENT (#3'S @ 24" OCEW)	14,285	SY	$ 70.50	$ 1,007,272.50
2	6" PROCESS & GRADE EXISTING SUBGRADE (NO FLEXBASE OR LIME STABILIZATION)	15,762	SY	$ 3.75	$ 59,107.50
3	16' DRIVE APPROACH	73	EA	$ -	NO BID
4	4' CONCRETE SIDEWALK (6")	5,400	LF	$ 28.50	$ 153,900.00
5	STREET SIGN POLES	5	EA	$ 250.00	$ 1,250.00
6	STOP SIGNS	5	EA	$ 85.00	$ 425.00
7	STREET SIGNS	5	EA	$ 110.00	$ 550.00
8	RAMPS	12	EA	$ 2,400.00	$ 28,800.00
	SUBTOTAL PAVING - SHADY HOLLOW ESTATES =				$ 1,248,305.00
	ADDITIONAL PAVING SCOPE				
1	CONCRETE HEADER	34	LF	$ 35.00	$ 1,190.00
2	TYPE III BARRICADE	1	EA	$ 3,250.00	$ 3,250.00
3	REMOVE BARRICADE & CONNECT TO EXISTING	2	EA	$ 1,600.00	$ 3,200.00
4	MAINTENANCE BONDS	1	LS	$ 25,000.00	$ 25,000.00
	SUBTOTAL ADDITIONAL PAVING SCOPE =				$ 32,640.00
	PAVING PROPOSAL TOTAL (SHADY HOLLOW ESTATES)				**$ 1,280,945.00**

SUBSTANTIAL COMPLETION: 25 WORKING DAYS
FINAL COMPLETION: 10 WORKING DAYS

CLARIFICATIONS

- ANY ITEMS NOT SPECIFICALLY MENTIONED ABOVE ARE UNDERSTOOD TO BE EXCLUDED
- PROPOSAL BASED ON PAVING PROJECT AT ONE TIME WITH ONE MOBILIZATION (NO MULTIPLE MOBILIZATIONS OR PHASING OF PAVING CREWS AND/OR BATCH PLANT)
- THIS PROPOSAL IS BASED ON CURRENT FUEL RATES, IF FUEL COSTS INCREASE WE RESERVE THE RIGHT TO RENEGOTIATE
- NO PERMITS, CUT FEES, IMPACT FEES OR FEES OF ANY KIND
- PAVEMENT SUBGRADE TO BE PROCESSED WITH RPM STABILIZER EQUIPMENT WITH ONE PASS, NO LIME STABILIZATION OR TESTING AT PAVEMENT SUBGRADE
- PAVEMENT SUBGRADE TO BE PROOF ROLLED BY OTHERS PRIOR TO RPM MOBILIZATION
- CONCRETE POURING OF INLET THROATS BY OTHERS
- PAVEMENT STEEL REINFORCEMENT TO BE #3'S @ 24" O.C.
- CONCRETE SIDEWALK IS CONSIDERED TO BE 4" THICK
- NO MAINTENANCE OR REMOVAL OF EROSION CONTROL ITEMS
- NO INLET PROTECTIONS
- NO STREET LIGHTING OR CONDUITS
- NO CONSTRUCTION STAKING
- NO BRICK PAVERS
- NO STAMPED OR GRAVEL CONCRETE
- NO PAVEMENT STRIPING
- NO WATERIAL TESTING
- NO TAXES ON PERMANENT MATERIALS
- EXCLUDES REMOVAL OF CONTAMINATED OR HAZARDOUS MATERIAL
- NO ASPHALT BRANDY ON PAVEMENT
- NO GRAVEL TRANSITION PAVEMENT
- NO SOD SEEDING, CURITE HYDROMULCH OR WATERING

CIVIL PLANS: SHADY HOLLOW ESTATES BY LJA & ASSOCIATES DATED OCTOBER 2022
GEOTECH: NA
ADDENDUMS: NA

Site 19 Build LLC - Project Estimate

Site 19 Build LLC has prepared the following bid for paving and drainage construction of the Shady Hollow Estates project on 11-10-2022 based on plans from Lim & Associates dated 10-15-2022. This bid is valid for 30 days and subject to adjustment based on additional information provided.

Item	Quantity	Unit Cost	Total Cost
6" 4,000PSI Reinf. conc. pvmnt (30x24' OCEW) w Curb (SY)	14200	$70.00	$999,600
Grade preparation (SY)	16380	$5.00	$81,900
15' Drive approach	75	$1,700.00	$124,100
4ft sidewalk (LF)	5400	$24.00	$129,600
Street Sign Poles	5	$300.00	$1,500
Stop Signs	5	$120.00	$600
Street Signs	5	$120.00	$600
Barrier Free Ramp	12	$2,260.00	$27,120
Bonding	1	$30,000.00	100,000
			$1,395,020
5ft Storm Manhole	1	$6,120.00	$6,120
72in RCP Storm Drain	73	$782.00	$57,086
66in RCP Storm Drain	236	$681.00	$160,716
54in RCP Storm Drain	171	$452.00	$77,292
42in RCP Storm Drain	154	$329.00	$50,666
36in RCP Storm Drain	26	$302.00	$7,852
30in RCP Storm Drain	147	$182.00	$63,154
24in RCP Storm Drain	65	$160.00	$10,400
21in RCP Storm Drain	700	$131.00	$91,700
18in RCP Storm Drain	82	$108.00	$8,856
Grouted Rip-Rap SY	42	$100.00	54,200
14ft Inlet	2	$9,120.00	$18,240
10ft Inlet	9	$7,980.00	$71,820
4ft x 4ft 'Y' Inlet	3	$8,980.00	$26,940

2' n Type B Headwall	3	$4,160.00	$12,480
42 n Type B Headwall	1	$14,360.00	$14,360
TXDot Safety End Treatment, 18in	2	$3,160.00	$6,320
TXDOT Safety End Treatment 30in	6	$4,780.00	$28,680
Trench Safety LF	1600	$2.00	$3,200
Inspection & Testing	1600	$2.00	$3,200
Bonding	1	20000	$20,000
			$729,002
Detention Tree clearing	1	$5,000.00	$5,000
Detention excavation/grading	2000	$10.00	$20,000
Vegetation	1	$5,000.00	$5,000
Inspection & Testing	1	$5,000.00	$5,000

Project Background

- September 6, 2018. City Plan Commission approves plat 18-288 with conditions

The following chart provides the data for compliance Development regulations for the proposed
Subdivision with the Community Unit Development Regulations for the proposed subdivision

Total number of lots 73
Total Lot Area 777,854 sq ft
Lot Area needed for 25% reduction 194,473 sq ft
Lot area reduction allowed [1,875 sq. ft lot (25%)] 78,660 sq. ft
Open space provided 138,520 sq ft.
R-7.5(A) lot area required 7,500 sq ft
Allowed lot area reduction (25%) per lot 1,875 sq. ft
Minimum lot area allowed 5,600 sq. ft.
Smallest lots 6,000 sq ft

- **Condition 12 of CPC approval:**

Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A 8.611(c)

Apportionment Basis - SEC. 51A-1.109.

(a) Exactions must be related and proportionate.
(1) No exactions may be imposed unless the exactions are:
(A) related to the needs created by the property development project; and
(B) roughly proportionate to the impact of the property development project.
(2) No precise mathematical calculation is required, but the city must make an individualized determination that the required exaction is related both in nature and extent to the impact of the property development.

Street apportionment

- Internal Streets
  - Wenatche Dr, Pierre St. Lureau Ave and Montpellier Ln area construction and dedication are roughly proportionate to needs created by development.
- External street Los Angeles Blvd
  - SEC. 51A 8.603 requires construction of a minor street and storm drainage along the perimeter of the proposed plat.
  - City did not require street construction and drainage during platting of school and church properties or creation of park, which places an unequal burden on the development of Shady Hollow Estates to resolve drainage & other issues

- City uses unimproved Los Angeles Blvd ROW for access to Doris Berry park and identifies park for access at Blue Ridge Blvd in the Los Angeles Blvd ROW. Park address with Dallas County Assessment District is on Cockrell Hill Rd, but no reasonable access is provided on Cockrell Hill Rd. with steep overgrown terrain and barbed wire fencing. Park was established in 1996. Dallas park master plan includes over $1M in proposed improvements for park.
- The Five Mile Creek Urban Greenbelt plan created in partnership with the City of Dallas Park and Recreation Department proposes to use the Los Angles Blvd ROW frontage of Doris Berry Park to provide access to the Kiest greenbelt
- Park area has not been platted, but includes minor improvements and exists in a condition that uses Los Angeles Blvd ROW for drainage and access, with future use options likely to primarily use Los Angeles Blvd upon improvement, which will provide a large public benefit.
- This street as designed partially benefits proposed development but is outside platted area and largely benefits City of Dallas park land access and future development. Proposed street area is approximately 31,310SF
- Proposed plat has been designed to incorporate this street to gain some benefit, but required construction largely benefits other properties. Construction of Los Angeles Blvd is further required due to no street connectivity provided by Blue Ridge Estates development to continue Wenatche Dr to the north and serve the development from multiple points
- *Stafford Estates*, 135 S.W.3d at 637-34 has found that a general requirement to construct an abutting street as a general rule does not meet the rough proportionality requirement of apportionment rule, and City did not require this for other land fronting Los Angeles Blvd
- Shady Hollow Estates benefits at a minor level from street construction and does not have a reasonable option to avoid construction as other properties have/had due to code requirement and zoning limitations of double frontage and setbacks..
- Construction of Los Angeles Blvd on City property also creates increased drainage requirements which should not be counted against any drainage needs created by the development, as the street is not part of the plat. The construction of this street in part also requires additional costs to facilitate drainage requirements at current standards to resolve issues left unresolved by other parcel development places an unequal burden and unequal requirement on construction of this street by Shady Hollow Estates
- Shady Hollow Estates will benefit from Los Angeles Blvd street construction by fronting 6 lots onto this street. The construction of the internal street Wenatche Blvd of a similar length allows for the service of 24 lots. As such Shady Hollow Estates benefits from street frontage area at 25% of typical internal street benefit.
- Traffic usage for the street will predominantly serve outside traffic upon eventual completion of street improvement to Blue Ridge Blvd. Shady Hollow Estates will contribute less than 10% of traffic usage to street at eventual completion

- Alleys

- City agreed to remove requirement to provide alley turn-around condition of plat approval - item 18 due to loss of property flag portion at north-west corner of property due to improper conveyance at purchase
- Code sections cited on CPC letter for approval item 15 (Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611 (e)) refer to minor streets, not alleys
- City code SEC. 51A-8.507 (a) indicates alleys are only required based on street width and zoning. This plat does not require alleys due to wider street provisions internally
- Dedication required to alley way at north of project of 3,142sf is not required for proposed street type internal to project; required dedication is not related and proportionate to the impact of the plat
- Dedication required to alley way at east of project of approximately 2044sf are not required for existing use or proposed use of platted property, required dedication is not related and proportional to the impact of the plat
- Dedication required to alley way at south of project of approximately 1601sf is not required for existing use or proposed use of platted property, required dedication is not related and proportionate to the impact of the plat
- Overall existing alleys were dedicated by previous platting and intended or required for use of other properties. Updated City of Dallas requirements for wide alley dedications are not created by this project and should be compensated accordingly due to loss of project land area
- If previous platting had used different street and utility planning without alleys additional dedication would not be required by this project. Required dedications are not proportionate to proposed plat and usage.
- Proposed project includes driveways and utilities at front of lots, with all resident and service traffic on internal streets. No effective addition to alley usage or traffic allows for current alley width to adequately serve reduced requirements. Proposed development does not create a need for additional alley width and dedication requirement is not proportional to needs of development.

Drainage apportionment

- In 2018, City of Dallas approved Blue Ridge Estates plat and engineering which provided for detention in open space. Blue Ridge Estates drainage plans allowed for built-out runoff of Shady Hollow Estates.

- In 2019, City of Dallas adopted the 2019 Drainage Design Manual. Updated manual requires increased runoff calculations which make downstream development to the north out of compliance with new drainage calculations both for existing and proposed conditions.

- Compliance with new drainage calculations requires detention to be provided for in Shady Hollow Estates due to large amount of off-site rainfall which new regulations calculate to have greater flow requirements.

- On July 20, 2022, Director of Engineering informs Shady Hollow Development that detention cannot be part of open space, and requires separate land area, which reduces development options for number and size of lots

- Effect of 2019 Drainage Plan and determination of Director of Engineering effect a reduction in land use potential and is a taking as described by case law. Under 1991 Drainage Design Manual in place at time of platting, this project would likely not have required detention due to adequate outfall condition. Blue Ridge Estates project to the north was developed after plat approval for Shady Hollow Estates and created a limited outflow condition as calculated by current guidelines

- Under the 2019 Drainage Design Manual, the existing conditions and outflow are not in compliance with updated runoff coefficient numbers. The City of Dallas is requiring Shady Hollow Estates to resolve existing outflow restrictions in Blue Ridge Estates which are insufficient for undeveloped or developed flow under current rainfall models as well as to resolve increased runoff volume calculations for off-site rainfall

City code regarding requirements of detention

(c) Detention.

(1) Detention facilities required in this subsection must be designed to provide detention for the one-percent, two percent, 10 percent and 50 percent annual chance storm events. Detention must be provided in the following instances:

(A) The property to be platted is in or drains through the escarpment zone or a geologically similar area as defined in Division 51A-5.209 of this chapter.

(B) The development of the platted area results in an increase to the existing rate of runoff due to a rezoning of the platted area that allows higher density. Detention will not be required if:

(i) the rezoned area is in the redeveloped area and there is no increase in impermeable surface;

(ii) the change in zoning results in less than a 20 percent increase in the runoff, and the area rezoned is less than 3 acres, or an adequate outfall exists to handle the developed discharge; or

(iii) the rezoned area is less than one acre in size and adds less than 5,000 square feet of additional impervious surface relative to existing conditions.

(C) The proposed development does not have adequate outfall to carry the one-percent annual chance storm event without damaging property downstream, or the owner of downstream property refuses to provide the needed easements to the city. Detention will not be required under this subparagraph if the owner funds and constructs the storm drainage system to provide a one-percent annual chance storm event runoff carrying capacity.

The City of Dallas approved the Blue Ridge Estates development and paid for the drainage infrastructure, which created an out-flow limit to the Shady Hollow Estates project, and subsequently adopted a new Drainage Design Manual requiring further detention based on

flows originating off-site and now created by the development. The requirement for detention on Shady Hollow Estates has been created by City actions and off-site cond tions. The resulting requirement for detention provides primary benefit to off site properties by bringing them into compliance with current drainage requirements in exchange for reduced development area and development quality in Shady Hollow Estates.

The City of Dallas approved plats of 7 on Apostolic Church and Thomas A. Tolbert elementary school without construction of Los Angeles Blvd along the plats. Construction of this street would likely have reduced drainage requirements on Shady Hollow Estates and provided additional options to facilitate runoff originating from park, school and other developed properties

The City of Dallas approved a site plan for Thomas A Tolbert elementary school which allowed for drainage flow to cross onto the tract now proposed to be Shady Hollow Estates across the Los Angeles Blvd ROW. Drainage flow could have or should have been redirected north to Blue Ridge Blvd through the Los Angeles Blvd ROW, especially if this street had been constructed at that time

The resulting conditions and requirements for remediation require much larger inlets and pipe to accept flow which generates from off-site areas. Much of the required inlets and conveyance resolve existing conditions on City of Dallas property, bringing it into compliance with new requirements.

The net impact of this development on existing drainage patterns is a small increase in drainage flows which could likely be provided for without detention or by utilizing other dedicated portions of the project to avoid the loss of land area that current requirements necessitate, especially if a reduced out-flow condition was not created by the development of Blue Ridge Estates.

The requirements of detention and higher-capacity storm drain infrastructure in order to complete the plat as originally approved in 2018 amount to an apportionment that is not related or proportionate, as it is caused by downstream development limitations, offsite runoff generation, and increased requirements by the City of Dallas. The following costs should be considered:

- Storm drain inlets and underground pipe to convey off-site drainage across site
- Construction of detention area and outflow facilities
- Loss of land area required to be used exclusively by detention which cannot be considered open space, approximately 46,000SF of land area

Additionally, the City has determined that the land area required for detention on this project must be provided separately to the proposed open space to be dedicated on the plat. The loss of land area is unexpected and caused directly by City actions and determinations. This land could have been used for lots or natural space if the outside drainage conditions were separately resolved or if the City allowed regulations in place at the time of platting to be used in detention requirement determination. The result is an uncompensated taking by the City via

requirements for zoned development, which also negatively affects the desirability of the resulting development.

The land required to be used for detention requires grading and removal of existing trees, along with a prohibition of planting new trees. The City detention guidelines also require fencing maintenance and liability for the developer and future property owners. The resulting detention area reduces the value of surrounding properties significantly, and also reduces the community access to the remaining open space.

The imposed drainage and detention costs in addition to loss of land area for the benefit of other properties and the City amounts to the imposition of a burden on this property to benefit other landowners that is neither proportional or equally applied, and must be remediated through compensation for loss of land, reduced value of proposed lots, and development costs.

Surrounding lots recently valued by DCAD show lot values of $100,000 for lots with a minimum size of 10,000SF. The cost land required by City dedications and detention could be used to create more lots or increase the size of the proposed lots under current zoning. The loss of land for detention and alleys should be valued at $10/sf, or $460,000..

Water and Wastewater Apportionment

SEC. 51A-1.109 (a) (5).

> *Cost sharing of municipal infrastructure additions or improvements between the developer and the city shall be documented in a cost sharing contract pursuant to Section 51A-8.614.*

SEC. 51A-8.614 (a)

> *Generally. All funding requests for city cost sharing participation in municipal infrastructure additions or improvements must be approved by the city council. City participation is generally limited to items that benefit a broad population segment. The developer's apportioned share of any exaction pursuant to Section 51A-1.109 is the responsibility of the developer unless the developer, as documented in a cost sharing contract, volunteers to pay a greater proportion. If the developer volunteers to pay a greater proportion, the city has no obligation for the amount volunteered. All city participation is subject to the availability of funds. City participation must comply with Subchapter C of Chapter 212 and Chapter 252 of the Texas Local Government Code. (Ord. Nos. 20092; 20720; 21166; 23384; 25047; 26539)*

SEC. 51A-8.612 (a)

> *"...Private development contracts for water and wastewater improvements, if needed, must comply with Chapter 49 of the Dallas City Code..."*

SEC. 49-62. RULES REGARDING THE CONSTRUCTION AND COST OF NEW MAINS IN A DEVELOPMENT.

(a) Oversize mains. The city will participate in the cost of any oversize main the developer is required to construct by purchasing the excess capacity in the main at the oversize cost of the main. The director's determination of the size of main necessary to adequately serve the subdivision, and the necessary degree of oversizing, is final. Oversize cost will be based upon the evaluated cost tables of Section 49-18.11 and will be paid after acceptance of the oversize main by the city.

(b) On-site extensions. The developer must construct all new on-site extensions necessary to adequately serve the development, subject to applicable city payments for participation in oversize cost under Subsection (a). Construction of an on-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended.

(c) Off-site extensions. The following rules govern the installation of and city participation in off-site extensions required to be constructed by a developer in order to adequately serve the development.

(1) The developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a).

(2) Construction of an off-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended. The off-site extension construction may be included as a part of any private development contract for construction of on-site extensions or other infrastructure within the development, provided the rules of this article are complied with. The city will participate in the cost of the off-site extension by purchasing the extension, after completion and acceptance by the city, for the total evaluated cost of the extension. City payment will be made in the manner provided in this subsection.

(3) The city will make payment for purchase of the off-site extension based upon new connections to the extension, at the applicable rate stated in Section 49-18.15(e). The developer or other person entitled to payment under Subsection (c)(5) must request payment in writing, and provide addresses and lot and block numbers for new connections, on a semi-annual basis or on such other basis as prescribed by the director in order to better facilitate proper payment. However, if the development requiring the off-site extension and the surrounding property through which the extension is constructed are, at completion of construction, fully developed in a manner consistent with its zoning so that all or substantially all of the new connections to the extension capable of being made are actually made and no additional new connections are expected or required, the full amount of city payment owed to the developer will be made upon acceptance of the extension instead of the rated payment method described above.

The developer requests that full payment for off site construction costs as requested, due to conditions created by other development which necessitate off-site construction and the fully developed area in which no new connections are expected.

Chapter 49 does not appear to allow for an apportionment process on off-site mains in a cost-sharing contract, or determines those through the code above. The private development contract for these mains has been approved and the developer requests compensation under the off-site main purchase process at full construction value after completion and acceptance of mains, including those in Los Angeles Blvd.

City of Dallas Development and Design Procedure and Policy Manual, Section 4.2

When water and/or wastewater mains are to be constructed, they shall extend the entire length of the property to be platted or developed regardless of the location of the water and/or wastewater services. This will ensure the neighboring properties can extend these mains when required. The only exception will be if surrounding property cannot be served by the extension of these mains, then the mains can end after the services. This will be determined by the Sustainable Development and Construction Water / Wastewater Coordinator.

Summary of actions which result in extra costs to develop land

- Blue Ridge Estates did not provide adequate drainage outfall to meet current drainage outfall calculations
- Blue Ridge Estates did not provide water or wastewater extensions to site, and did not provide easements to allow any connection through property as required by the 2015 City of Dallas Development Design Procedure and Policy Manual in section 4.2
- City of Dallas adopted 2019 Drainage Design Manual under which current undeveloped conditions exceed outfall capacity of existing infrastructure, and existing land surrounding property is not compliant with new requirements, causing an unequal burden to be placed on the development of Shady Hollow Estates
- City of Dallas did not require Los Angeles Blvd to be constructed at time of platting for church or school or provide water, wastewater or drainage improvements
- City of Dallas did not require drainage redirection from school property away from Shady Hollow Estates at time of platting and/or construction
- City of Dallas did not provide for drainage accommodation at time of park planning, dedication, or construction
- City of Dallas determined that required detention cannot be part of open space, and must be provided for by taking from land which could otherwise be used for lot area

Compensation Summary

The Shady Hollow Estates development has approval conditioned on several improvement requirements. Shady Hollow Development LLC requests compensation for improvements outside the platted area as follows:

Los Angeles Blvd - Paving and Drainage

- 65% of paving and grading costs for Los Angeles Blvd along west boundary of plat (25% for lot access of 6 lots and 10% for site traffic utilization):
  - 34,240SF of grading and road base preparation. 3,805SY at $5/SY - $19,030
  - 30,313SF of paving. 3,367SY at $70/SY - $235,690
  - Total: 65% of $254,720 – **$165,560**
- 100% of storm drain costs for Los Angeles Blvd:
  - Installation of 1 5ft storm manhole: $8,120
  - Installation of 1 14ft storm drain inlet: $9,120
  - Installation of 2 10ft storm drain inlets: $7980/ea - $15,960
  - Installation of 1 4x4 'Y' inlet: $5,890/ea - $6,890
  - Installation of 82LF of 21in RCP: $71/LF - $5,122
  - Installation of 29LF of 24in RCP. $160/LF - $4,650
  - Installation of 105LF of 30in RCP. $182/LF - $19,110
  - Installation of 26LF of 36in RCP. $302/LF - $7,852
  - Installation of 154LF of 42in RCP: $329/LF - $50,656
  - Installation of 22LF of 54in RCP. $452/LF - $9,944
  - Total: **$140,434**

Water and Wastewater

Los Angeles Blvd - Water and Wastewater

- 1181LF of 8in DR14 water line in Los Angeles Blvd (subtract 25ft for each of 6 lots fronting onto Los Angeles Blvd from total length of 1331LF): $43/LF - $50,783
- Connect to existing water main in Blue Ridge: $8,000
- 271LF of 8in SDR26 wastewater line in Los Angeles Blvd (subtract 25ft for each of 6 lots fronting onto Los Angeles Blvd from total length of 421LF). $33.50/LF - $9,078
- 1 4ft wastewater manhole. $4,500

Alley - Wastewater

- 571LF of 8in SDR26 wastewater line. $33.50/LF - $19,128.50
- 2 4ft manholes: $4,500/ea - $9,000.00
- Connect to existing manhole: $3,000.00
- Remove and replace pavement: $15,000

- Total: **$118,489**

In addition to the improvements above outside the platted area, the following requirements for dedications and construction inside the platted area are not proportional to the needs created by the development

Alleys - Dedication

- Dedication of 6,787SF of alleys at $10/sf, **$67,870**

Detention - Loss of Lot Area and Construction

- Loss of lot area to detention space of 46,000SF at $10/sf. $460,000
- Construction of detention area.
    - Tree removal: $5,000
    - Grading. $20,300
    - 62LF of 18in RCP $108/LF - $6,695
    - 2 TXDOT safety end treatment 18in: $3,160/ea $6,320
    - 242 LF of 30 in RCP $182/lf - $44,040
    - 5 TXDOT safety end treatments 30in: $4,780/ea $28,680
    - 308. F of fencing: $22/LF - $6,760
    - Vegetation. $5,000
    - Total: $123,496
- **Total Detention Dedication and Construction: $583,496**

City of Dallas

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

Agenda Information Sheet

File #: 23-712 **Item #:** 23.

AGENDA DATE: March 2, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An appeal of the Landmark Commission's decision of (1) denial without prejudice to paint exterior (Body: Blue, Trim: White); and (2) denial with prejudice to replace thirty-one aluminum windows with wood composite windows.
Staff Recommendation: **Denial without prejudice** for item #1 and **approval** with conditions for item #2.
Landmark Commission Recommendation: **Denial without prejudice** for item #1 and **denial with prejudice** for item #2.
Postpone From: February 2, 2023.
UA From: January 5, 2023.
Planner: Rhonda Dunn
Council District: 2
Location: 4512-4518 Sycamore Street
CA212-574(RD)

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CITY OF DALLAS

December 12, 2022

Via Certified Mail: 7014 2120 0003 4355 9547

Marlon Lunaty
4512 4518 Sycamore St.
Dallas, TX 75204

RE: Appeal of Certificate of Appropriateness:
Hearing – October 3, 2022
4512-4518 Sycamore St., Case No. CA212-354(RD)

Dear Marlon Lunaty:

We have received your correspondence appealing the Landmark Commission's denial without prejudice of a Certificate of Appropriateness application for 4512-4518 Sycamore Street. Please be advised that the City Plan Commission hearing for **this appeal is scheduled for Thursday, January 5, 2023.** The City Plan Commission meeting will be held by videoconference and in Council Chambers, 5th Floor at City Hall. Individuals who wish to speak in accordance with the City Plan Commission Rules of Procedure should contact the Department of Planning and Urban Design at 214-670-4209 by 5:00 p.m. on Friday, April 1, 2022, or register online at. https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx.

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.

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 **January 5, 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.

Marion Laney
4512-4518 Sycamore St
Dallas, TX 75204

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. As I mentioned in the email on November 9, 2022, should you wish to provide the City Plan Commission a brief on the matter, please submit a copy to me at Dallas City Hall 1500 Marilla Street, Room 5BN, Dallas, TX 75201 or by email phyllis.hill@dallascityhall.com by 5:00 p.m. **Friday, December 16, 2022.** I will then distribute the copies 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 Phyllis.Hill@dallascityhall.com if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Theresa Carlyle at 214 671 7979 if you have any questions regarding the format of the City Plan Commission hearing or other related matters.

Respectfully,

Elaine Hill
Administrative Specialist II
Office of Historic Preservation

cc: Julia Ryan, Interim Director Office of Historic Preservation
Stacy Rodriguez Executive Assistant City Attorney
Theresa Pham, Assistant City Attorney
Dr. Rhonda Dunn, Senior Planner,
Office of Historic Preservation

THE RECORD

4512-4518 SYCAMORE STREET APPEAL

CA212-354(RD)

City Plan Commission
Hearing
01/05/2023

VIA CERTIFIED MAIL
7014 2120 0003 4355 9547

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4512 – 4518 Sycamore Street CA212-354(RD)

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SECTION 1

Certificate of Appropriateness

4512-4518 Sycamore Street
CA212-354(RD)

Certificate of Appropriateness (CA)

City of Dallas Landmark Commission

CA 212-574 (RD)
Office Use Only

Name of Applicant: Marion Lunaty
Mailing Address PO Box 140383
City, State and Zip Code: Dallas, TX, 75214
Daytime Phone: 562-413-2689 Alternate Phone: 480-707-2116
Relationship of Applicant to Owner: Applicant is the owner of the property

PROPERTY ADDRESS: 4512 Sycamore St. Dallas, TX 75204
Historic District: Peak's Suburban Addition Historic District

OFFICE USE ONLY
Main Structure:
___ Contributing
✓ Non-contributing

PROPOSED WORK:

List all proposed work simply and accurately, use extra sheet if needed. Attach all documentation specified in the submittal criteria checklist for type of work proposed. DO NOT write "see attached."

1. Paint exterior of both duplexes.
2. Install gutter guards on all rain gutters.
3. Replace chain link fence at the back of the property with wood fence.
4. New landscaping at the front and back of the property.
5. Replace the roofs on the two existing carport structures.

Signature of Applicant: _____ Date: _____

Signature of Owner: Marion Lunaty. Date: 08/30/2022
(IF NOT APPLICANT)

APPLICATION DEADLINE:

Application materials must be completed and submitted by the FIRST THURSDAY OF EACH MONTH, 12:00 NOON, (see official calendar for exceptions), before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. This form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201.

Please use the enclosed criteria 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 within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall **(see exceptions)**. Information regarding the history or past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form.
Memorandum to the Building Official, a Certificate of Appropriateness 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 or allow work.
- ☐ **DENIED WITHOUT PREJUDICE.** Please do not release the building permit or allow work.

Signed drawings and/or specifications are enclosed ✓ Yes ___ No

Rhonda Dunn
Office of Historic Preservation

10/12/2022
Date

SECTION 2

Landmark Commission Agenda

October 3, 2022

See Page 8 - 9, Item #3

Task Force Recommendation:
That the request for a Certificate of Appropriateness to replace front porch columns - work completed without a CA - be denied without prejudice. Proposed work in violation of Section 4.1a, Section 4.1b, and Section 7.3.

3. 4512 - 4518 SYCAMORE ST
Peak's Suburban Addition Neighborhood Historic District
CA212-574(RD)
Rhonda Dunn

Request:
1. A Certificate of Appropriateness to paint exterior. (Body: Blue, Trim: White) Work done without a Certificate of Appropriateness.
2. A Certificate of Appropriateness to replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence. Work done without a Certificate of Appropriateness.
3. A Certificate of Appropriateness to install grass in the front and rear of property.
4. A Certificate of Appropriateness to replace roofs on two existing carport structures in rear yard.
5. A Certificate of Appropriateness to replace thirty-one aluminum windows with wood composite windows. (Brand: Anderson Material: Fibrex®)

Applicant: Lunaty, Manor
Application Filed: 9/1/22
Staff Recommendation:
1. That the request for a Certificate of Appropriateness to paint exterior (Body: Blue Trim: White), work done without a Certificate of Appropriateness be denied without prejudice. The proposed work is inconsistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards.
2. That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence; work done without a Certificate of Appropriateness be approved in accordance with specifications dated 9/1/22 with the following condition: that the finished side of fence face out, on the right and left sides of the property. Implementation of the recommended condition would allow the proposed work to be consistent with Peak's Suburban Addition's preservation criteria Sections 2.9, 2.13, 2.14 and 2.15 pertaining to Site and Site Elements; City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.
3. That the request for a Certificate of Appropriateness to install grass in the front and rear of property be approved

in accordance with specifications dated 9/1/22. The proposed work is consistent with Peak's Suburban Addition's preservation criterion Section 2.6 pertaining to Site and Site Elements; City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.

4. That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard be approved in accordance with specifications dated 9/1/22. The proposed work is consistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures and the Secretary of the Interior's Standards.
5. That the request for a Certificate of Appropriateness to replace aluminum windows with wood composite windows – thirty-one total (Brand: Anderson Material: Fibrex®) be approved in accordance with specifications dated 9/1/22 with the following conditions: that the exterior innermost window frames be painted a complementary accent color; and that the lite configuration of the replacement windows be one over one (1 over 1). Implementation of the recommended conditions would allow the proposed work to be consistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards

Task Force Recommendation:

1. That the request for a Certificate of Appropriateness to paint exterior (brick) be denied without prejudice.
2. That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with wood fence be approved as submitted.
3. That the request for a Certificate of Appropriateness to install grass at the front and rear of property be approved as submitted
4. That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard be approved with the following condition that a specifications sheet is provided to the Landmark Commission for review.
5. That the request for a Certificate of Appropriateness to replace wood windows with wood composite windows be denied without prejudice

SECTION 3

CA212-354(RD)

- Docket Material
- Power Point Presentation

CITY OF DALLAS

LANDMARK COMMISSION **OCTOBER 3, 2022**

FILE NUMBER: CA212-574(RD)
LOCATION: 4512 - 4518 Sycamore St
STRUCTURE: Non-Contributing
COUNCIL DISTRICT: 2
ZONING: MF-1(A), R-7.5(A)

PLANNER: Rhonda Dunn
DATE FILED: September 1, 2022
DISTRICT: Peak's Suburban Addition
MAPSCO: 46-A
CENSUS TRACT: 0015.04

APPLICANT: Lunaty, Marlon

REPRESENTATIVE: N/A

OWNER: Lunaty, Marlon

REQUEST

A Certificate of Appropriateness (CA) is requested to

1) Paint exterior. (Body: Blue, Trim: White) Work done without a Certificate of Appropriateness.
2) Replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence. Work done without a Certificate of Appropriateness.
3) Install grass in the front and rear of property.
4) Replace roofs on two existing carport structures in rear yard.
5) Replace thirty-one aluminum windows with wood composite windows. (Brand: Andersen, Material: Fiorex®)

BACKGROUND / HISTORY

Erected in 1923, – however, having an effective year built[1] of 1990 – the two buildings sited at 4517 – 4518 Sycamore St. are two-story, wood siding and brick veneer, residential duplexes; identified as non-contributing to the Peak's Suburban Addition Historic District.

Previous applications for Certificates of Appropriateness filed for this property include:

[1] A subjective adjustment of the age of a property, by a property appraiser, based on more recent alterations and renovations.

Case Number	Review Type	Date	Owner	Decision
CA201-095(MP)	Standard	12/7/2020	Blue Mountain TX LLC	
1) Install six panel steel doors 2) Paint exterior brick 3) Install landscaping in front yard				Denied without prejudice Denied without prejudice Approved
CA201-167(MP)	Routine	12/17/2020	Blue Mountain TX LLC	
1) Repair wood siding. (Condition: must match existing.) 2) Paint wood on main structure (Condition: no masonry is to be painted.) 3) Replace wrought iron fence in front yard. (Condition: must match existing.)				Approved with conditions Approved with conditions Approved with conditions
CA201-453(MP)	Standard	7/6/2021	Blue Mountain TX LLC	
Paint unpainted brick on front and side elevation. (Work done without a Certificate of Appropriateness.) Color: Yellow				Denied without prejudice

According to county records, the property's deed was transferred to the current owner on 4/28/2022.

RELEVANT PRESERVATION CRITERIA:

Peak's Suburban Addition (H/72), Ordinance No.: 22352

SEC. 2. SITE AND SITE ELEMENTS

2.6 Landscaping must be appropriate and compatible, must enhance the structure and surroundings, and must not obscure significant views of or from the main building. It is recommended that landscaping modifications reflect the original historic landscaping design when appropriate.

2.9 Fences in the rear yard and rear 50% of the side yard may not exceed 8 feet in height[2].

2.10 Fences in side, rear or corner side yards must be constructed of one or more of the following materials: wood, brick, stone, wrought iron, chain link (as noted below), a combination of these materials, or other materials deemed appropriate.

[2] Reference Addendum B of ordinance for details on fence location, height, and design.

Chain link fences are not allowed in the front yard or front 50% of the side yard, or the front 50% of the corner side yard.

The fences that are required to be 70% open should be of wrought iron, wood that resembles wrought iron, or historic wire fences. Chain link fences do not qualify as a 70% open fence.

2.14 Tops of fences must be horizontal, stepped or parallel to grade as illustrated in Addendum B (of ordinance).

2.15 The finished side of a fence must face out if seen from any street as illustrated in Addendum B (of ordinance).

RELEVANT SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES:

Guidelines for Setting (District / Neighborhood)

- ***Recommended.*** *Identifying, retaining, and preserving building and landscape features that are important in defining the overall historic character of the setting. Such features can include circulation systems, such as roads and streets; furnishings and fixtures, such as light posts or benches; vegetation, gardens and yards; adjacent open space, such as fields, parks, commons, or woodlands; and important views or visual relationships.*
- ***Not Recommended.*** *Removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished.*
- ***Not Recommended*** *Installing protective fencing, bollards, and stanchions in the setting, when necessary for security, without taking into consideration their location and visibility so that they negatively impact the historic character of the setting.*
- ***Not Recommended*** *Introducing a new building or landscape feature that is visually or otherwise incompatible with the setting's historic character (e.g., replacing low metal fencing with a high wood fence).*
- ***Not Recommended.*** *Removing a character-defining feature of the building or landscape from the setting that is unrepairable and not replacing it or replacing it with a new feature that does not match.*

RELEVANT DALLAS CITY CODE:

Section 51A-4.501. Historic Overlay District

(g) Certificate of Appropriateness.

(6) Standard certificate of appropriateness review procedure.

(C) Standard for approval. The landmark commission must grant the application if it determines that:

(ii) for noncontributing structures, the proposed work is compatible with the historic overlay district.

PROJECT DESCRIPTION & ANALYSIS:

The subject property is located in the 4500 block of Sycamore St. near the intersection of N. Carrol Ave. and Sycamore St., in the Peak's Suburban Addition Historic District. The applicant is proposing to alter the building site, and to renovate the exterior of this non-contributing property. These modifications include: painting the exterior of the main buildings; installation of fencing and landscape features, replacement of roofing on accessory structures, and replacement of aluminum windows with wood composite windows. Each of these requests will be evaluated separately below.

Exterior Paint – Unauthorized Work

The applicant proposes to paint the exterior of both residential duplexes blue (body) with white trim. With respect to cladding, the upper half of both building is clad in horizontal wood siding, while the lower half (on the front and side elevations) of both buildings has a brick veneer. The blue color is appropriate for wood siding; however, it is not appropriate for brick veneer. In the Peak's Suburban district brick is primarily unpainted; therefore, with respect to color bricks are usually a natural earth tone within the district.

Regarding the history of the subject property, the brick veneer was painted yellow by the previous owner in 2021. Considering this, staff recommends that the applicant either repaint the exterior brick, a warm earth tone or remove all paint – both the blue and the yellow pigments – from exterior brick. The proposed work is not compatible with the historic overlay district. Moreover, according to the Secretary of the Interior's (SOI) Guidelines (listed above), *removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished* is not recommended.

Installation of Fencing – Unauthorized Work

The applicant proposes to replace a chain link fence, around rear and side yards with an eight-foot high, (pine) wood picket fence. According to the applicant, the prior fence was in disrepair and vagrants were entering the property through holes in the fencing. The newly installed fence is a privacy fence; however, the side elevations of both buildings are visible from the public right of way.

The issue with the fencing is it is facing "backwards". The lots on both sides of the subject property are vacant. Hence, the unfinished side of the fence can be seen from the public right-of-way, on both the left and right sides of the property. In accordance with Peak's Suburban Addition's preservation criterion, Section 2.15, staff recommends that the finished side of fence face out, on both sides of the property. Nonetheless, the fence's height, composition, and location are in keeping with the district's preservation criteria. Considering the Secretary of the Interior's Guidelines pertaining to fencing, and that there is no pictorial evidence available on the original fencing; staff deems the fencing compliant with the SOI guidelines as well except for the issue noted.

Installation of Grass in Front and Rear Yards

The applicant proposes to plant grass in the front and rear yards of both residential duplexes. There is no pictorial evidence available regarding original landscaping. However, the proposed work is consistent with Section 2.6 of the preservation criteria.

and compatible with the historic character of the district. Moreover, the proposed work follows the Secretary of the Interior's Guidelines; specifically, the recommendation to *identify, retain, and preserve building and landscape features that are important in defining the overall historic character of the setting. Such features can include . . . vegetation, gardens and yards; adjacent open space, such as parks, commons, or woodlands, and important views or visual relationships.*

Roof Replacement on Two Accessory Structures

The applicant is proposing to replace the corrugated metal roofing on two carports in the rear yard of the subject property, with in kind materials. The existing roofing is rusted and in disrepair. Per the Task Force's request, the applicant has provided additional information on the replacement roofing. (See the attached Certificate of Appropriateness application.)

The proposed work will not have an adverse impact on the surrounding historic district and is in keeping with the Secretary of the Interior's guidelines generally, regarding maintenance and repair.

Window Replacement – Thirty-one Total

The applicant is proposing to replace aluminum sash windows (one over one) with wood composite windows, on both primary structures. Pictorial evidence shows the condition of the existing aluminum windows as poor. The applicant has not replaced the windows but has entered into a binding contract with Renewal by Andersen.

The applicant's Andersen representative provided photos of installed one over one, wood composite windows for comparison. (See photo section below.) Considering the photos provided and that the subject property is identified as non-contributing to the district, staff recommends the proposed window replacement be approved with conditions. The conditions being that the lite configuration of one over one be retained and that the exterior frame of the replacement windows be painted, a complementary accent color. Accordingly, the proposed work would be compatible with the historic overlay district and in agreement with the Secretary of the Interior's guidelines generally, with respect to preserving "visual relationships" within a historic setting.

In conclusion, except for the introduction of "blue brick" the proposed work complete with staff recommendations is compatible with the historic overlay district.

STAFF RECOMMENDATION:

1) That the request for a Certificate of Appropriateness to paint exterior (Body: Blue, Trim: White); work done without a Certificate of Appropriateness be denied without prejudice. The proposed work is inconsistent with City Code 51A-4.501(g)(6)(C)(n) for non contributing structures, and the Secretary of the Interior's Standards.
2) That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence; work done without a Certificate of Appropriateness be approved in accordance with specifications dated 9/1/22 with the following condition that the finished side of

fence face out on the left and right sides of the property. Implementation of the recommended condition would allow the proposed work to be consistent with Peak's Suburban Addition's preservation criteria Sections 2.9, 2.13, 2.14 and 2.15 pertaining to Site and Site Elements, City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.

3) That the request for a Certificate of Appropriateness to install grass in the front and rear of property be approved in accordance with specifications dated 9/1/22. The proposed work is consistent with Peak's Suburban Addition's preservation criterion Section 2.6 pertaining to Site and Site Elements: City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.
4) That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard be approved in accordance with specifications dated 9/1/22. The proposed work is consistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards.
5) That the request for a Certificate of Appropriateness to replace aluminum windows with wood composite windows – thirty-one total (Brand: Andersen, Material: Fibrex®) be approved in accordance with specifications dated 9/1/22 with the following conditions: that the exterior innermost window frames be painted a complementary accent color; and that the lite configuration of the replacement windows be one over one (1 over 1). Implementation of the recommended conditions would allow the proposed work to be consistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards.

TASK FORCE RECOMMENDATION:

1) That the request for a Certificate of Appropriateness to paint exterior [brick] be denied without prejudice.
2) That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with wood fence be approved as submitted.
3) That the request for a Certificate of Appropriateness to install grass at the front and rear of property be approved as submitted.
4) That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard be approved with the following condition that a specifications sheet is provided to the Landmark Commission for review.
5) That the request for a Certificate of Appropriateness to replace wood windows with wood composite windows be denied without prejudice.

SITE MAP
4512 – 4518 Sycamore St.

The yellow rectangle highlights 4512 – 4518 Sycamore St. The purple shading denotes Peak's Suburban Addition coverage. *Basemap Source: Google Earth*

SPECIFICATION PHOTOS – ANDERSEN FIBREX® WINDOWS[1]

Top: Old window.
Bottom: Fibrex® replacement window.

Close up of paired Fibrex® (one over one) replacement windows with arched transom window.

[1] These have been installed on properties in the Dallas City area and not on the subject property

CURRENT PHOTOS
4512 -- 4518 Sycamore St.

Northwest (front) elevation of dup.exes.

Left (southwest) elevation of duplexes.

Right (northeast) elevation of duplexes.

CURRENT PHOTOS – CLOSE UPS
4512 -- 4518 Sycamore St.

Close up of front (northwest) elevation.

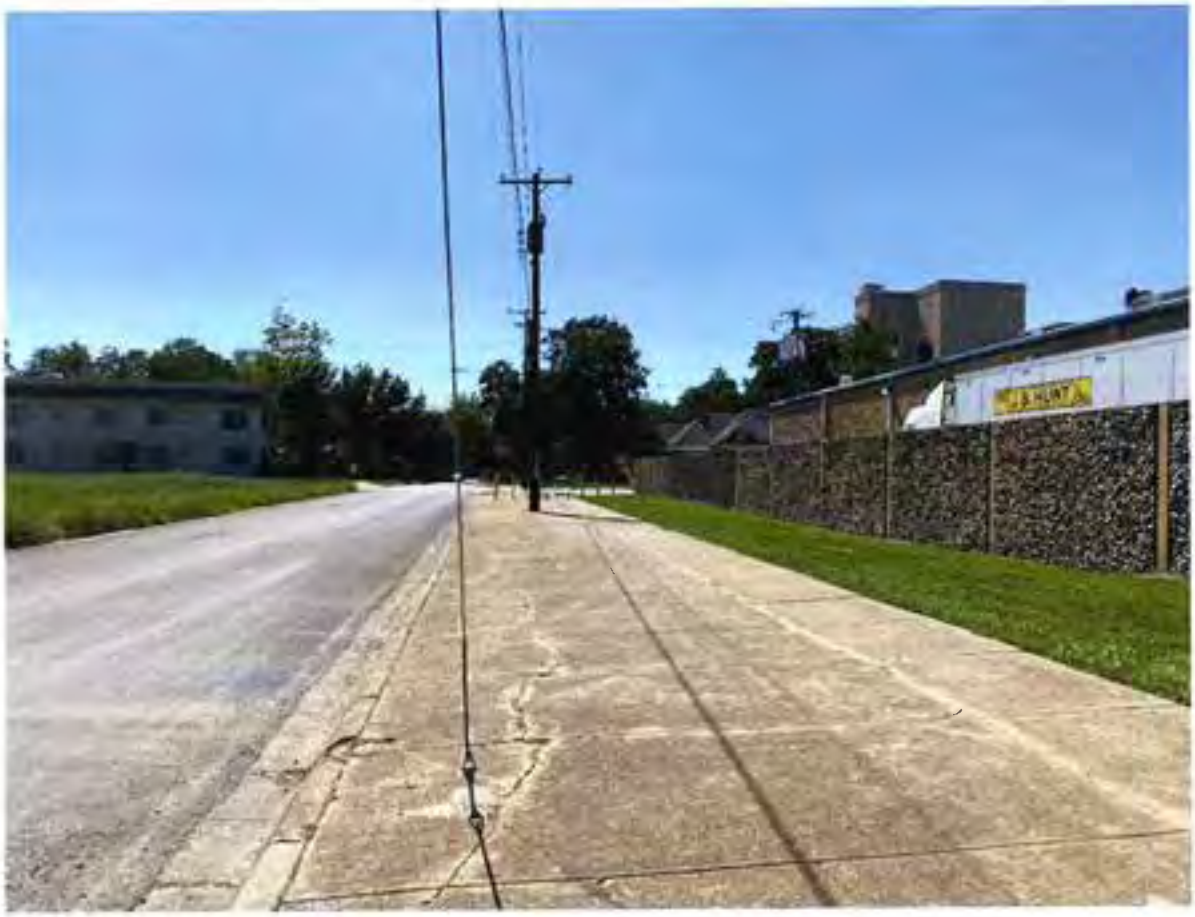
Close up of aft (southwest) side of subject property.

Close up of right (northeast) side of subject property.

CONTEXT PHOTOS
4512 -- 4518 Sycamore St.

Sycamore St. to the left (direction: southwest) of subject property.

Sycamore St. to the right (direction: northeast) of subject property. Moreland Ave. is the cross street, identified by the street sign.



Sycamore St. across the street from subject property Rear of 99 cents Store. N. Carroll Ave. is the cross street, demarcated by the Stop sign.

ATTACHMENTS:

- Task Force Recommendation Form
- Certificate of Appropriateness Application

TASK FORCE
RECOMMENDATION(S)
4512 - 4518 SYCAMORE ST

TASK FORCE RECOMMENDATION REPORT
PEAK'S SUBURBAN ADDITION/ EDISON – LA VISTA

DATE: 09/08/22
TIME: 5:30 pm
MEETING PLACE: Virtual or 2922 Swiss Avenue (Wilson House)

Applicant Name: Marlon Lorraty
Address: 4912 Sycamore St (Peak's Suburban Addition)
Date of CA/CD Request: 09/01/2022

RECOMMENDATION:

_____ Approve Approve with conditions ___Deny _____Deny without prejudice

Recommendation: Community basis:

1. **Paint exterior:**
   Recommendation: **Deny w/o prejudice** due to the fact that the ordinance does not allow for painted brick. Painted brick was previously denied in CA application dated 2021. Although these duplexes are not listed as contributing structures, oral history in the neighborhood cites these as two of the oldest four-squares in the neighborhood. Recommendation made that the structures have the existing paint stripped to the brick. Consideration would be granted for removal of the brick, because there is likely original siding beneath it.
   Made: Patricia Simon; 2nd: Richard Catron Passed Unanimously
2. **Install splash guards on all 14 rain gutters:**
   Recommendation: **Approve**
   Made: Paul Sanders; 2nd: Kathy Enoch Passed Unanimously
3. **Replace chain link fence at the rear of the property with wood fence:**
   Recommendation: **Approve**
   Made: Paul Sanders; 2nd: Richard Catron Passed Unanimously
4. **Install grass at the front and rear of the property:**
   Recommendation: **Approve**
   Made: Paul Sanders; 2nd: Patricia Simon Passed: Unanimously
5. **Replace roofs on two existing carport structures, in rear yard.**
   Recommendation: **Approve with Conditions** Because metal roofs are allowed per the ordinance, recommend approval with the condition that a spec sheet is provided to Landmark Commission for review.
   Made: Paul Sanders, 2nd: Richard Catron Passed: Unanimously
6. **Replace windows 31 total:**
   Recommendation. **Deny w/o prejudice** because the ordinance requires wood on wood windows, and application states Fibrex windows. Recommend resubmission of CA for thirty-one wood on wood windows.
   Made: Patricia Simon; 2nd: Paul Sanders Passed. Unanimously
7. **Repair concrete slab foundation:**
   Recommendation: **Approve**
   Made. Paul Sanders; 2nd: Richard Catron Passed Unanimously

The task force recommendation will be reviewed by the landmark commission in the City Council Chamber, Room SES, starting at 10:30 with a staff briefing.

The Landmark Commission public hearing begins at 1:00 pm in Room SEN the Council Chamber, which allows the applicant and citizens to provide public comment.

Task force members present		
____ VACANT	_____ VACANT	____ Ricardo Munoz
_X__ Patricia Simon (Chair)	_____X__ Kathy Finch	__X__ Richard Catron
__X_ Paul Sanders (Vice Chair)	_____ VACANT (Edison/LaVista Alt.)	
____ VACANT (Edison/LaVista Res)		

Ex Officio staff members present __X__Rhonda Dunn, Ph.D. _____Laura Groves van Onna

Simple Majority Quorum: __X__ yes ____ no

Maker: see above
2nd: see above
Task Force members in favor: All items passed Unanimously: Simon, Sanders, Finch, Catron
Task Force members opposed: N/A
Basis for opposition: N/A

CHAIR, Task Force	Patricia A. Simon	DATE: 09/08/22

The task force recommendation will be reviewed by the Landmark commission in the City Council chamber, Room 5ES, starting at 10:30 with a staff briefing.

The Landmark Commission public hearing begins at 1:00 pm in Room 6EN, the Council Chamber, which allows the applicant and citizens to provide public comment.

APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS
4512 - 4518 SYCAMORE ST

Certificate of Appropriateness (CA)

City of Dallas Landmark Commission

CA _____ - _____ [ ]
Office Use Only

Name of Applicant: Marion Lunaty
Mailing Address PO Box 140383
City, State and Zip Code: Dallas, TX 75214
Daytime Phone: 562-413-2689 Alternate Phone: 480-707-2116
Relationship of Applicant to Owner: Applicant is the owner of the property

PROPERTY ADDRESS: 4512 Sycamore St. Dallas, TX 75204
Historic District Peak's Suburban Addition Historic District

OFFICE USE ONLY
Main Structure:
Contributing
___ Non-contributing

PROPOSED WORK:

List all proposed work simply and accurately, use extra sheet if needed. Attach all documentation specified in the submittal criteria checklist for type of work proposed. DO NOT write "see attached."

1. Paint exterior of both duplexes
2. Install gutter guards on all 14 rain gutters
3. Replace chain link fence at the back of the property with wood fence
4. New landscaping at the front and back of the property
5. Replace the roofs on the two existing carport structures.

Signature of Applicant _____ Date: _____

Signature of Owner: Marion Lunaty. Date: 08/30/2022
(IF NOT APPLICANT)

APPLICATION DEADLINE:

Application material must be **completed and submitted by the FIRST THURSDAY OF EACH MONTH, 12:00 NOON, (see official calendar for exceptions),** before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. The form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201

Please use the enclosed criteria 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 within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall **(see exceptions).** Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form.
Memorandum to the Building Official, a Certificate of Appropriateness 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 or allow work.
- [ ] **DENIED WITHOUT PREJUDICE.** Please do not release the building permit or allow work.

Signed drawings and/or specifications are enclosed: ___Yes ___No

_____ _____
Office of Historic Preservation **Date**

Proposed Work Continuation of Itemized list for 4512 Sycamore Street, Dallas TX 75204

6) 31 Windows in total will be replaced. Window Survey has the condition and pictures of each.

7) Foundation repair Including pier and beam replacement, concrete slab repair and any necessary repair according to the attached Greenworks Service report

Explanation of proposed work that's IN PROGRESS:

1. **Exterior Paint:** Both duplexes are in progress of being freshly painted. The old paint was worn and flaked out appeal. The new paint gives the duplexes a fresh and rejuvenated look while maintaining the integrity of the neighborhood.

The paint colors chosen are as follows:

Photo #1

Photo #2

Photo #3

Photo #4

Photo #5

Photo #1: Paint swatch of the white we chose for the trim on both duplexes. It is a Sherwin Williams paint color called Extra White. Color code is SW 7006.

Photo #2: Paint swatch of the grayish blue color we chose for the body on both duplexes. It is a Sherwin Williams paint color called Wall Street. Color code is SW 7665.

Photo #3: Actual paint samples of Ex ra White and Wall Street.

Photo #4: Exterior paint labels of the colors including brand, name of paint color and color code. You will notice it does say Behr Pro on the paint label. The Sherwin Williams paint colors were mixed with a Behr Pro primer to allow us to use these colors as safe exterior paint.

Photo #5: Duplex #1 finished product.

Explanation of proposed work that's COMPLETED:

2. Rain Gutters: There are 14 total rain gutters, 7 on each duplex. Gutter guards were installed on all 14 of the rain gutters to ensure leaves and/or small animals do not clog the rain gutters and prohibit rain from properly draining off the roof.

3. Back Fence: The back fence was a chain link fence that had numerous holes allowing transients to squeeze through and enter the property grounds. Since assuming ownership in April, we had two incidents where residents contacted us informing us transients were on the property due to an inefficient fence. One incident resulted in Dallas PD having to response and make an arrest. Residents confirmed they were entering the property through the holes in the chain link. The chain link fence was removed and replaced with a new wood fence that follows the same footprint of the chain link fence. The wood fence measures 8 feet tall by 83 feet long. This new fence has since solved the issue of transients entering the property as of current day.

Photo #1

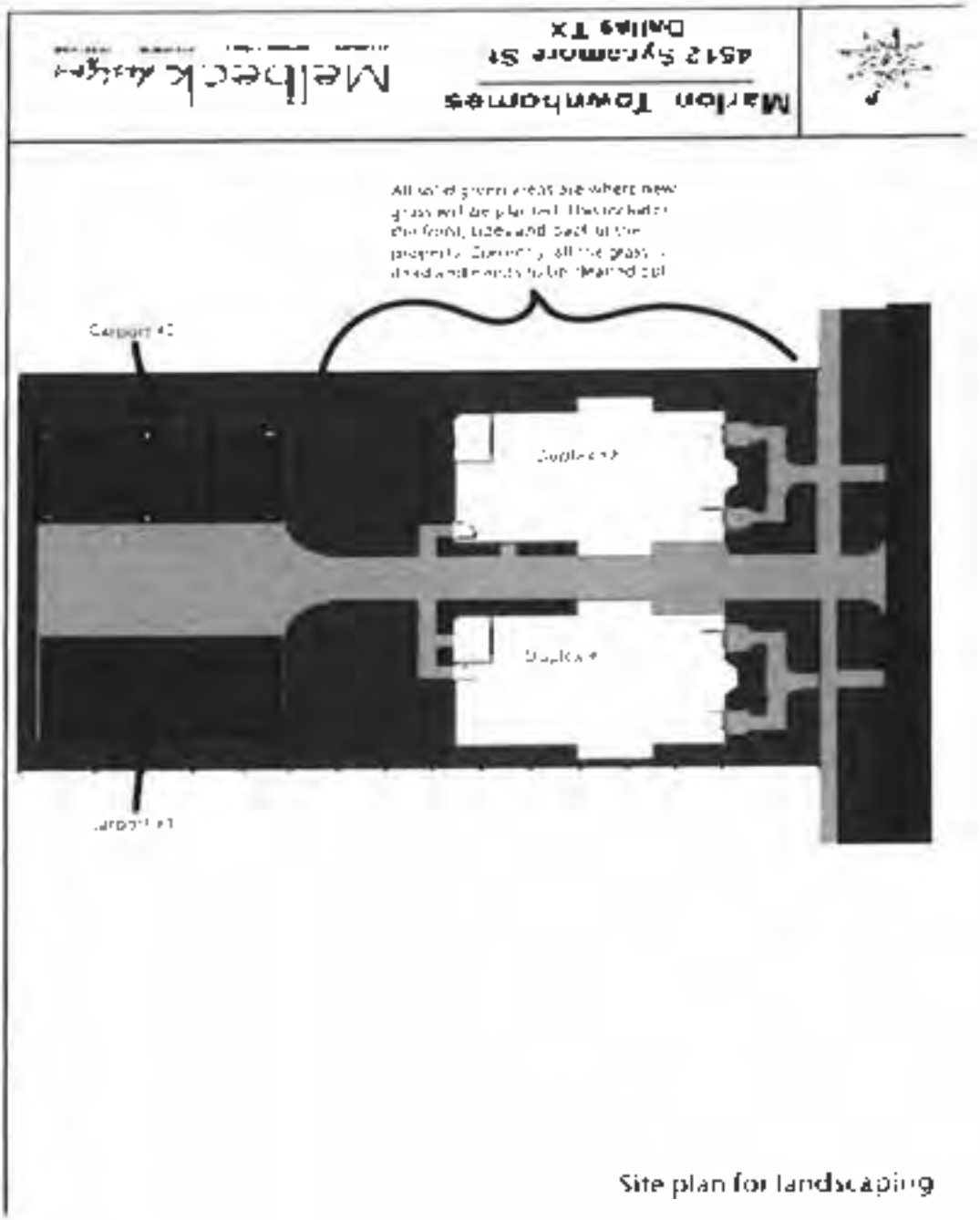
Photo #2

Photo #1: Chain link fence that was existing when the property was purchased. The chain link had several holes allowing for transients to enter the property, creating a safety issue to residents, and was aesthetically displeasing.

Photo #2: New wood fence that was installed. Follows the same footprint as the chain link fence. It measures 8 feet tall for added security and 83 feet long. It also updates the overall appearance of the property and makes it look clean and aesthetically pleasing.

Explanation of proposed work that is TO BE DONE:

4. **Landscaping:** Currently, the property does not have any existing landscaping. We would like to replace the dead grass in front of each duplex with a fresh new grass. Behind each duplex is dead grass which we would also like to replace with new grass. The rendering below shows the proposal for new grass and where it will be placed. No other landscaping, including plants will commence. The grass is Bermuda Grass



Site plan for landscaping

Photo #1 (duplex #1)

Photo #2 (duplex #2)

Photos #1 & #2: These photos are of the front of each duplex facing the street. As you can see there was once grass in front of each duplex. The grass is dead and we are unable to do anything other than have it cleaned out and replaced with new grass. This will help immensely with curb appeal and the overall integrity of the property.

Photo #3 (duplex #1)

Photo #4 (duplex #2)

Photos #3 & #4: These two photos are of the back of each duplex next to the carports. These areas once had grass, but it has since died and we are unable to do anything other than have the two areas cleaned out and have new grass put in. New grass will help with the overall appearance and integrity of the property, as well as provide residents with a sightly and maintained property.

5. Carport Roofs: There are existing carports for designated parking, one behind each duplex totaling two carports. Each carport is in need of a roof repair. The existing aluminum roofs are bent and bowing inward causing less elevation for vehicles to safely park under without risk of scratching the top of the vehicles. We would like to replace these roofs with new aluminum roofs to prevent any vehicle damage that can result from the warping of the current roofs.

Photo #1

Photo #2

Photos #1 & #2: These photos are of carport #1 showing the bending that has occurred. You can see in the highlighted circles where the bending and bowing has happened over time. We would like to replace the roof only so they are safe for cars to park under.

Photo #3

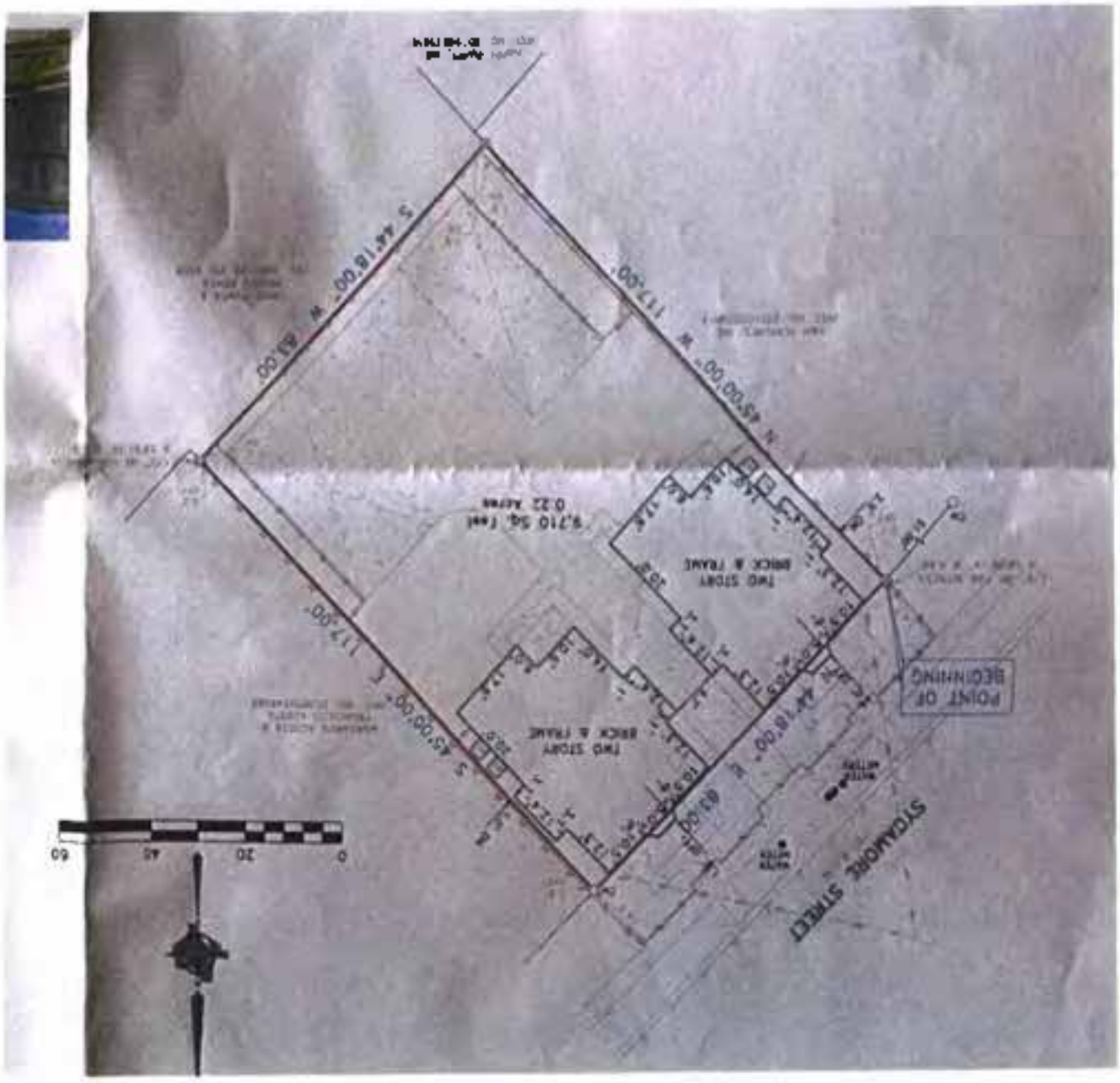
Photo #4

Photos #3 & #4: These photos are of carport #2 and show the bending that has taken place over time to this roof. You can see in the highlighted circles where the bending and bowing has taken place. We would also like to replace this roof to allow for safe parking of vehicles.

Photo #5

Photo #5: An example of what the new aluminum carport roofs will look like. They have a clean and simple look similar to the ones we would like to replace, while also looking updated.

Property site map for your reference.



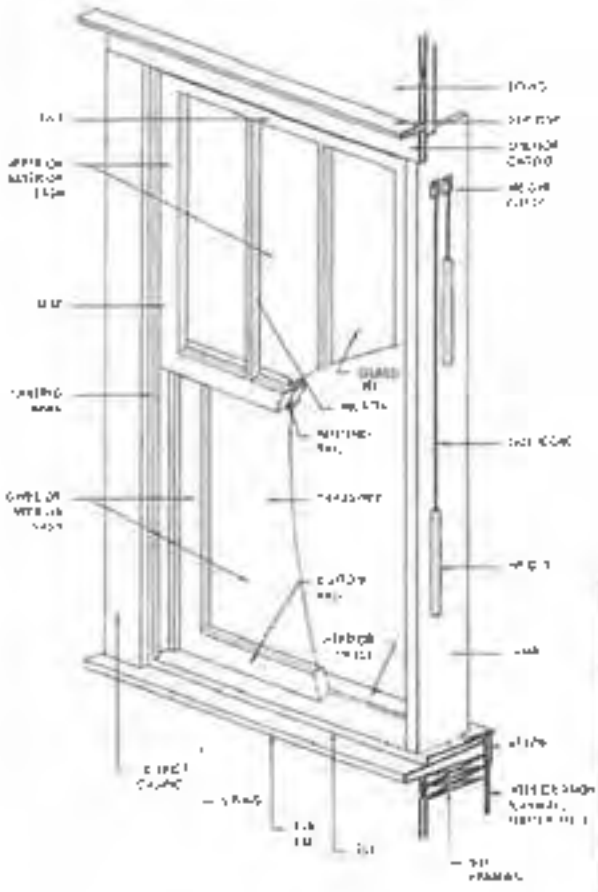
COA— _____ Date Received: _____

Applicant Name: Michael Healy Received by: _____

Window Survey Form

Have	Basic Requirements
☐	1. Photographs of each window opening on the structure, with the window opening clearly and boldly numbered
☐	2. Photographs of each individual window opening numbered to correspond to the photographs or drawings from #1.
☐	3. Condition evaluation of each window (see overleaf)
☐	4. Proposed window design (casement, fixed and location (SDH, VR, SL etc.), materials (wood, vinyl, composite) etc. Specialty grids and/or sensor cleaning?
☐	5. Proposed window product cut sheet from manufacturer that includes the company's name, photograph (just wood, double hung) of actual windows. We need to know what they look like in reality.
☐	6. Other: _____

ALL window openings on the structure should be photographed, **numbered** and **described** under the same number on the mark-up drawings. Even those not being replaced should be assigned a number. However, a photograph of those windows is not necessary. Note on the second page that you may be going to replace that window number later.



Windows in **pairs** or **groupings** should be assigned **separate** numbers. Windows in dormers and small fixed windows should also be included, but not double-glazed transom windows associated with a door.

On the second page describe the issues and conditions of each window in detail, referring to the specific parts of the window (see diagram). Note: the photographs can be from the interior or exterior point of view. A brief description of the type of evidence of window condition **MUST** be provided to better understand problem areas.

The Planning and Development Department's evaluation and recommendation is based on determining damage to the window unit and evidence of rot. Broken glass and windows that are painted shut are not necessarily grounds for approving replacement.

Total Number of Window Openings on the Structure	38
Number of Historic Windows on the Structure	0
Number of Existing Replacement Non-Historic Windows	38
Number of Windows Completely Missing	1
Total Number of Windows to be Replaced	31

COA—

Applicant Name: Marlon Lindsey

Date Received:

Received by:

Window Survey Form—Window Condition Report

Window #	Window Condition
1	[illegible]
2	[illegible]
3	[illegible]
4	[illegible]
5	[illegible]
6	[illegible]
7	[illegible]
8	[illegible]
9	[illegible]
10	[illegible]
11	[illegible]
12	window will not be replaced
13	window will not be replaced
14	window will not be replaced
15	window will not be replaced
16	[illegible]
17	[illegible]
18	[illegible]
19	[illegible]
20	[illegible]

Window #	Window Condition
21	[illegible]
22	[illegible]
23	[illegible]
24	[illegible]
25	[illegible]
26	[illegible]
27	[illegible]
28	[illegible]
29	[illegible]
30	[illegible]
31	window will not be replaced
32	[illegible]
33	Window will not be replaced
34	[illegible]
35	window will not be replaced
36	[illegible]
37	[illegible]
38	[illegible]
39	
40	

22-43

8
9
7
1516
6
5
4

22-45

22-46

15
16
17
18

22-48

22-49

27
28
4512
25

29
30
31

22-52
31

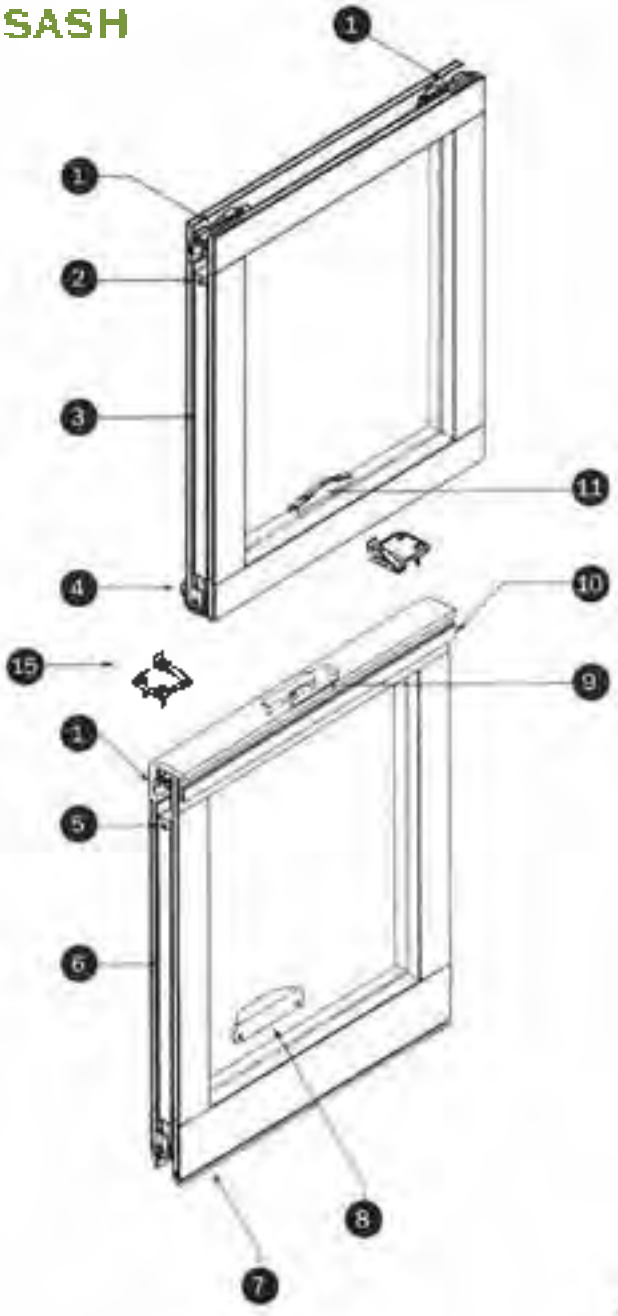
22-53

36
38
37
34

SASH - EXPLODED VIEW

Constructed of fiber material. Corner keys provide durable, watertight corners. The wood's [illegible] complement the frame. A tight bead of silicone sealant provides a watertight seal between the glass and sash.

SASH



DB UPPER AND LOWER SASH COMPONENTS

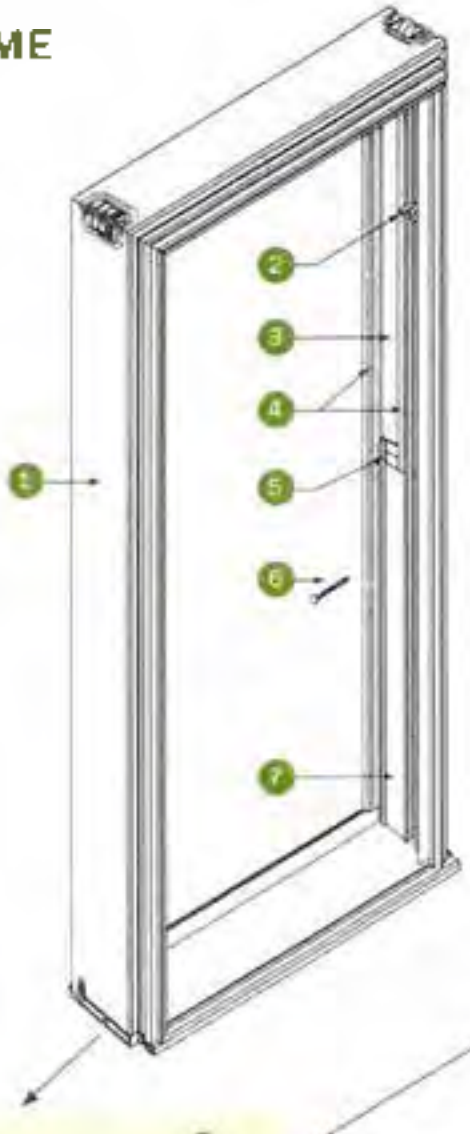
1. Tilt latch
2. Upper balancer screw
3. Balance (upper sash)
4. Extrusion, sash interlock (upper sash)
5. Lower balancer screw
6. Balancer (lower sash)
7. Bottom rail weatherstrip
8. Sash rail (optional)
9. Sash rail
10. Interior sash interlock (lower sash)
11. Sash weight
12. Insect screen
13. Universal insect screen latch retainer
14. Insect screen latch
15. Opening control device (optional)

FRAME - EXPLODED VIEW

The following features contribute to the DB Double-Hung window's low maintenance, energy efficiency, ease of operation, and pleasing appearance.

Made of rigid Fibrex® material which is a unique structural composite of wood fibers and a special thermoplastic polymer. Developed by Andersen®, Fibrex combines the strength and stability of wood with the low-maintenance features of our time-tested Perma-Shield® cladding.

FRAME



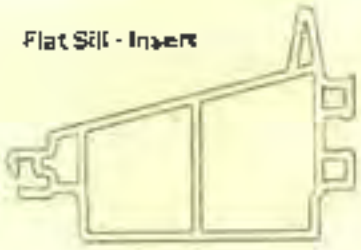
A sloped sill insert double-hung window is displayed in this view. Part usage is the same as, or similar to that of a full frame or flat sill insert double hung window.

DB FRAME COMPONENTS

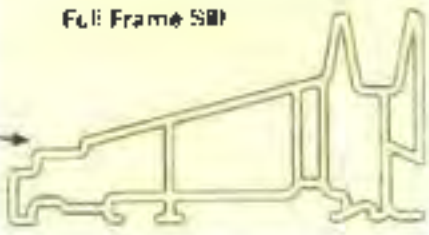
1. Frame (insert)
2. Wash rail
3. Side jamb liner with ergonomic pull
4. Side jamb liner
   (interior and exterior sash track)
5. Sash cover (head rail weatherstrip)
6. Bisynchronous lock cover
7. Side jamb liner with ergonomic
   (lower, with integrated tilt latch)

SILL VARIATIONS

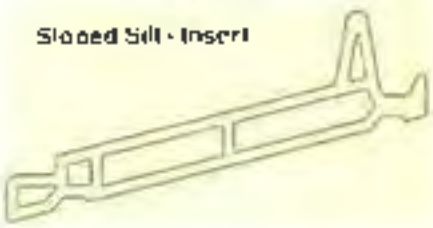
Flat Sill - Insert

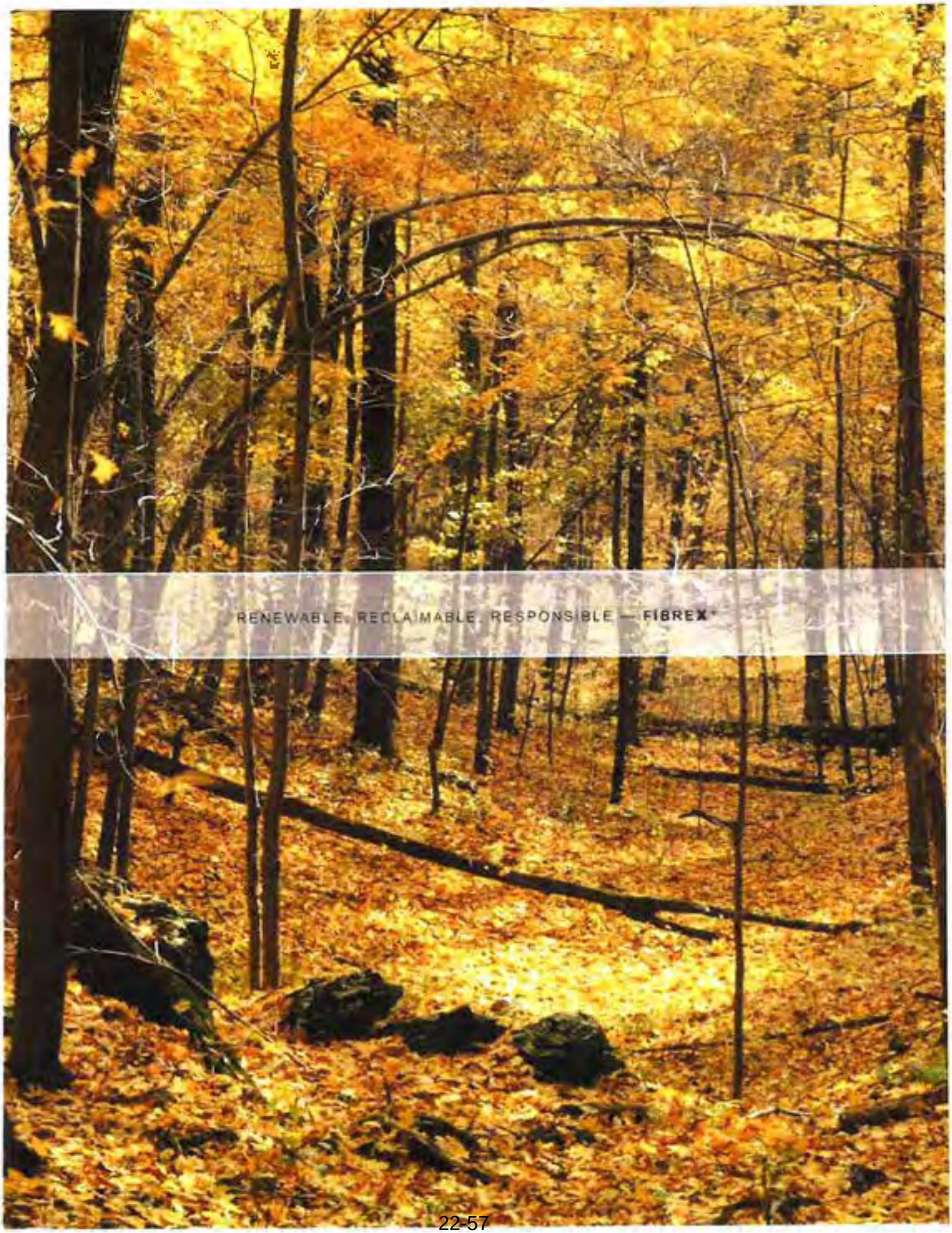


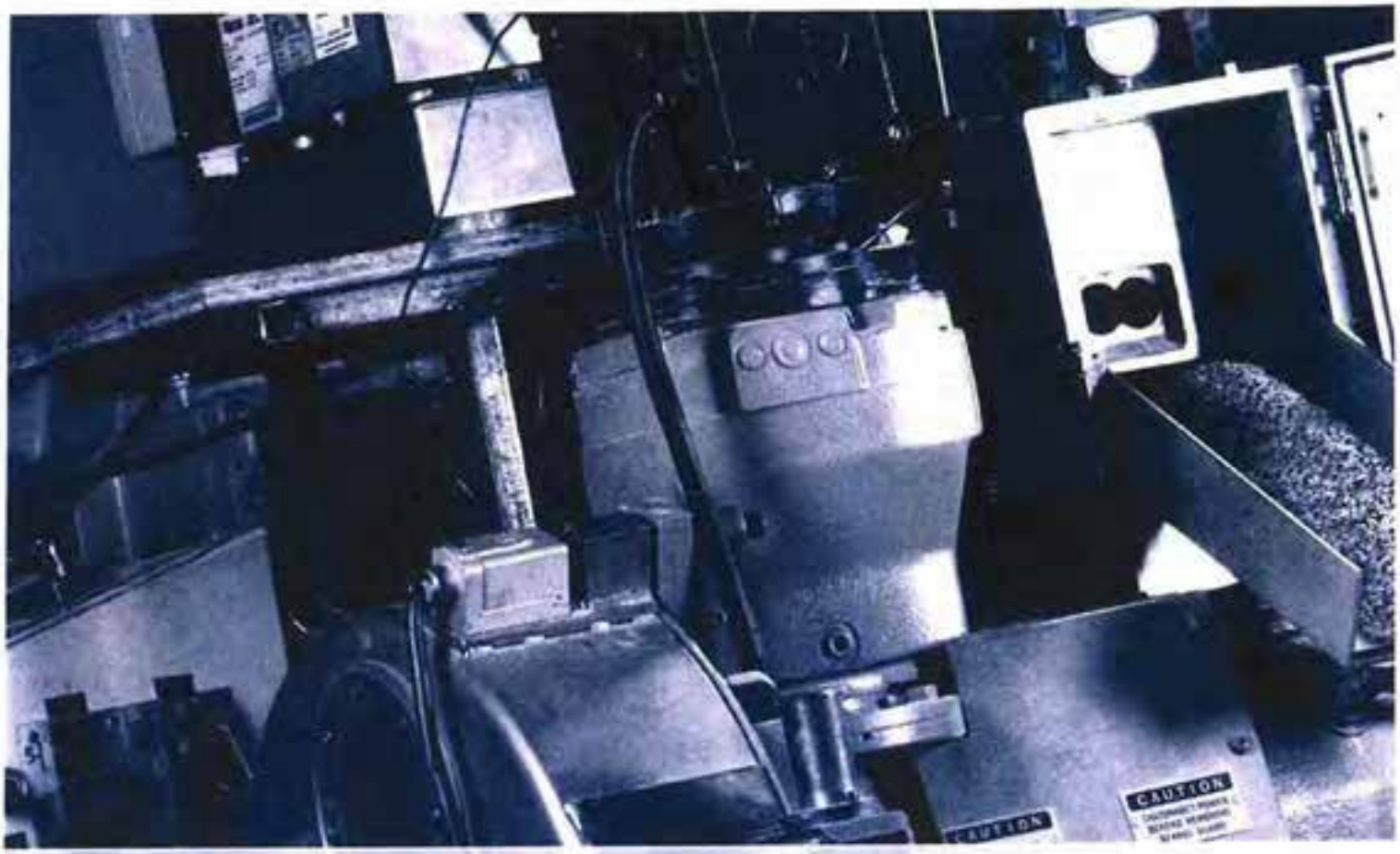
Full Frame Sill



Sloped Sill - Insert




RENEWABLE. RECLAIMABLE. RESPONSIBLE — FIBREX®

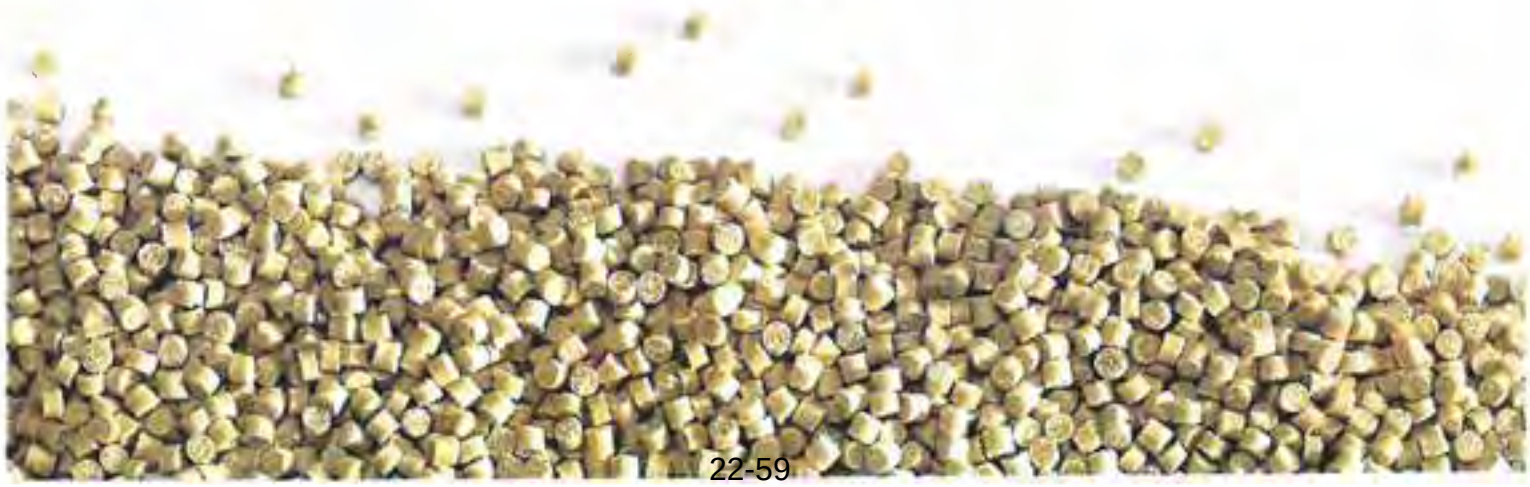


FIBREX - ENGINEERED FOR STRUCTURAL PERFORMANCE

A SUPERIOR COMPOSITE

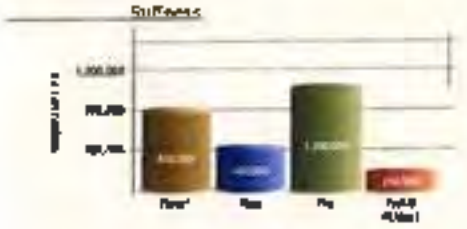
At a time when more and more industries are looking to alternative building materials Andersen Corporation introduces Fibrex® a revolutionary structural material composite technology that blends the very best attributes of thermoplastics and wood fibers. Durable and versatile, you can count on Fibrex® material for strength, appearance and performance — in a wide variety of applications. Already in use for ten years in many Andersen® products, it performs extremely well in all weather and environmental conditions. Best of all, Fibrex® technology can utilize "recaimed" wood fiber and vinyl from post production processes, helping to save our natural resources. Fibrex® is a strong case for consideration for your product needs.

FIBREX®



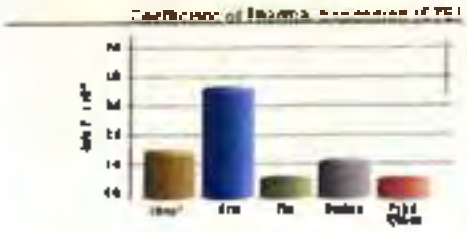
STIFFNESS

Modulus is the scientific term for a material's stiffness. The higher the number, the stiffer the material. The average modulus for Fibrex® is over twice the average for vinyl, making it a far more stable and rigid material. And though wood's average stiffness is higher, it is far less predictable than Fibrex®, since wood has natural variances such as grain, knots and moisture content.



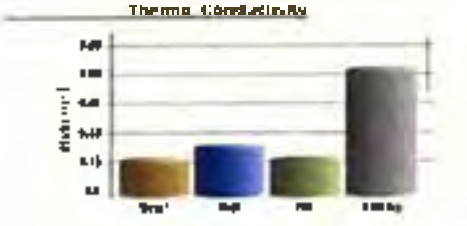
THERMAL EXPANSION

Thermal expansion is the degree to which a given material expands and contracts with changes in temperature. Pine has a very low thermal expansion rate. With a rate of 1.6, Fibrex® like aluminum, expands and contracts very little. Vinyl, with a thermal expansion rate of 14, expands and contracts at a rate so high that it Fibrex® resulting in bowing and cracking over time.



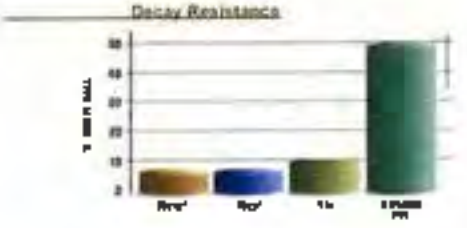
CONDUCTIVITY

Fibrex® has a very low thermal conductivity rating. Its insulating properties can be put on par with pine or vinyl. Unlike aluminum, Fibrex® resists the transfer of heat or cold.



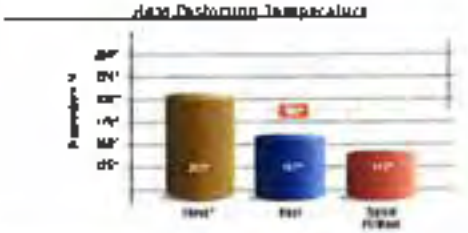
DECAY RESISTANCE

The special polymer formulation in Fibrex® surrounds, coats and fills the cell structure of each wood fiber in the manufacturing process, providing unsurpassed resistance to rot.



HEAT RESISTANCE

High temperatures can result in expansion. At high temperatures, vinyl can bow or sag. In tests, Fibrex® remains rigid and stable to a temperature of 93°C (199°F).



FIBREX®

Fibrex® Properties

The design versatility of Fibrex® material is enhanced by its exceptional physical properties. Parts made from Fibrex have a high flexural and tensile modulus, low moisture absorption, a higher heat distortion temperature than rigid PVC and a low coefficient of thermal expansion.

Fibrex® material can be extruded or injection molded into finished components. Extruded profiles can be solid or hollow, machined and joined using mechanical fastening, thermal welding and vibration weld tacking. Profiles can be extruded with a weatherable cap stock, enabling color options and color fastness and allowing the surface appearance to be optimized for a specific application.

Fibrex has been found to be an exceptional material when used for siding, decking, railing, fencing, molding, trim, furniture and packaging, to name a few.

Fibrex® fencing

Fibrex® wood wool

Fibrex® extrusion

Fibrex® Mechanical Properties (Typical)

Measurement	ASTM	Units	Material Value
Tensile Modulus (73°F/23°C)	D5013	psi (MPa)	
Extrusion direction			650,000 (4,482)
Cross-extrusion direction			750,000 (5,171)
Tensile Yield Strength (73°F/23°C)	D5034	psi (MPa)	4,000 (28)
Tensile Strength (UTS) (73°F/23°C)	D5034	psi (MPa)	
Extrusion direction			5,400 (37)
Cross-extrusion direction			5,400 (37)
Tensile Elongation at Break (73°F/23°C)	D5034	%	
Extrusion direction			1.2
Cross-extrusion direction			0.9
Poisson's Ratio	D5013	—	0.342 @ 73°F 0.291 @ 140°F
Flexural Modulus (73°F/23°C)	D5023	psi (MPa)	650,000 (4,482)
Compressive Modulus (73°F/23°C)	D6641	psi (MPa)	671,000 (4,627)
Modulus of Rupture (73°F/23°C)	D5023	psi (MPa)	10,000 (69)
Maximum Flexural Strain (%)	D5023	%	1.7
Impact Strength Charpy (73°F/23°C) 10 Samples Minimum	D6109	ft-lbf/in (J/m)	5.0 (267)
2nd Notched Impact (73°F/23°C)	D256	ft-lbf/in (J/m)	2.0 (107)
Maximum Allowable Design Stress	—	psi (MPa)	1,600 (11.0)
Coefficient of Friction	D1894	—	0.2
Specific Gravity	D792	—	1.4
Hardness, Rockwell "L" (73°F/23°C)	D785	—	97
Hardness, Rockwell "R" (73°F/23°C)	D785	—	66
Izod Notched Impact (73°F/23°C) 10 Samples Minimum	ASTM D256	—	0.62 in. 0.85 in.
Extrusion direction			

Fibrex® Environmental Properties

Measurement	ASTM	Units	Material Value
Moisture Absorption	D570-98	%	0.9
Termite Resistance	—	Weight Loss (%)	
7 Test Samples			0
8 Test Samples			0
Fungal Decay	D1413		None
Mold Contamination	D1276	Visual Observation	No Growth

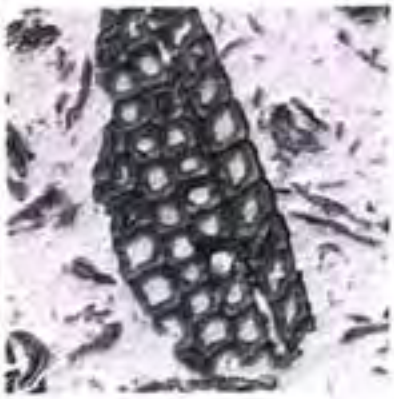
Fibrex® Thermal Properties

Measurement	ASTM	Units	Material Value
Heat Deflection Temperature (264psi (1.82 MPa) 66 psi (0.46 MPa)	D648	°F (°C)	172 (78) 221 (105)
Coefficient of Thermal Expansion	D696	in/in/°F (mm/mm/°C)	1.8x10⁻⁵ (3.2x10⁻⁵)
Thermal Conductivity	C518	Btu/hr-ft²-°F (W/m-K)	0.1 (0.17)
Specific Heat	—	Btu/lb-°F (J/g-K)	0.4 (1.673)
Flash Ignition Temperature	D1929	°F (°C)	640 (338)
Self-Ignition Temperature	D1929	°F (°C)	715 (380)
Flame Spread Index	E84-04		10
Smoke Developed Index	E84-04		100
Average Ultimate Load Index	E136-04		22.24
Average Optical Density of Smoke Generated Index Specific Optical Density	D635-03		472.31 439.24
Average Length of Burn	D635-03	mm	45
Average Extent of Burn	D635-03	mm	49
Oxygen Index	D2863	% Volume	31.2

FIBREX®

Fibrex® Material Advantage

Special polymer formulations surround and fi
each wood liber — ensuring top performance



Fibrex

Polyethylene Wood Fiber Composite

Fibrex® Patents

5,205,102	5,210,792	5,366,429	5,627,607	5,486,553
6,357,197	5,122,077	5,981,067	5,773,138	5,441,801
6,340,100	5,064,207	5,948,524	5,695,874	5,405,768
6,342,172	5,015,672	5,932,314	5,539,027	
6,280,667	5,015,611	5,892,564	5,518,677	
6,265,037	5,004,656	D462,770	5,497,594	

*Additional patents pending

FIBREX®

GET A HEAD START ON SPOOKY SEASON AT LOWE'S. SHOP NOW >

‹ Back to Search › Building Supplies › Roofing › Roof Panels & Accessories › Roof Panels

Fabral 2-1/2-in Corrugated 2.16-ft x 12-ft Corrugated Plain Galvanized Metal Roof Panel

25

$31.98

Corrugated panels are durable and versatile galvanized steel roofing panels that can be used for a variety of roofing projects.

Panel dimensions

Corrugated panels have a profile height of 2-1/2 inches.

Free Store & Curbside Pickup

Delivery

Get it by Wed, Sep 25

BETTER TOGETHER

Select all

Selected

Selected

Fabral 2-1/2-in Corrugated 2.16-ft x 12-ft Corrugated Plain Galvanized Metal Roof Panel

$31.98

Union Corrugating #9 x 1-1/2-in Galvanized Washer Head Steel Roofing Screws (250-Per Box)

$18.58

Severe Weather 2-in x 4-in x 12-ft #2 Prime Wood Pressure Treated Lumber

$9.38

Tuhe #9 x 1-1/4-in Oxide Coated Steel Roofing Screws

$14.48

Total Additional Purchase

$74.82

COMPLETE YOUR ROOFING PROJECT

$64.55

153

Add to Cart

$349.00

231

Add to Cart

$32.10

27

Add to Cart

$13.95

1765

Add

Up to 2.5 Times Better Nail Pull-Through Resistance*

Shop Now

OVERVIEW

- Corrugated panels are ideal for projects like garages, barn covers and utility buildings
- Rain guarantee
- Corrugated panels are designed with 2 1/2 in legs
- Overall width is 26 in with 24 in coverage
- Minimum roof slope is 2:12
- Exposed fastener application
- Easy to install with a hammer and nails
- Corrugated panels are made of 26 gauge steel
- Metal Roofing Panels are designed for durability and corrosion resistance. Applications

SPECIFICATIONS

Panel Yield (Square Feet)	
Width (Feet)	
Material	
Length (Feet)	
Series Name	
Warranty	
Brand/Model	

UNSPSC	
Weight (lbs.)	
Manufacturer Color/Finish	
Color/Finish Family	
Impact Resistant	
Fasteners Required	

Compatibility

Profile

Easy & Free Returns

Return your new, unused item (including original packaging) back to us free of charge. Read our Returns Policy for more information.

COMPARE

Name	Fabral 2-1/2-in Corrugated 2.16-ft x 12-ft Corrugated Plain Galvanized Metal Roof Panel	Union Corrugating 2.16-ft x 12-ft Corrugated Silver Steel Roof Panel	Union Corrugating 2.16-ft x 12-ft Ribbed Silver Steel Roof Panel
	Add to Cart	Add to Cart	Add to Cart
Price	$31.99	$31.99	$39.99
Ratings	25	175	55
Material	Metal	Steel	Steel
Length (Feet)	12	12	12.0
Width (Feet)	2.16	2.16	2.16
Profile	Corrugated	Corrugated	Ribbed
Impact Resistance	✗	✓	✓

REVIEWS

3.8 out of 5

DALLAS
LANDMARK
Oct. 3, 2022

Discussion Item #3: 4512 - 4518 Sycamore St

District: Peak's Suburban Addition

Request(s)

A Certificate of Appropriateness (CA) is requested for:

1) Paint exterior. (Body: Blue. Trim: White) Work done without a CA.

2) Replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence. Work done without a CA.

3) Install grass in the front and rear of property.

4) Replace roofs on two existing carport structures in rear yard.

5) Replace thirty-one aluminum windows with wood composite windows. (Brand: Andersen, Material: Fibrex®)

Discussion Item #3: 4512 - 4518 Sycamore St

District: Peak's Suburban Addition

Staff Recommendation(s):

1) Deny without prejudice – (painted brick)
2) Approve with conditions
3) Approve
4) Approve
5) Approve with conditions – (wood composite windows)

Task Force Recommendation(s):

1) Deny without prejudice
2) Approve
3) Approve
4) Approve with conditions
5) Deny without prejudice

LOCATION MAP

4512 – 4518 Sycamore St

Basemap Source: Google Earth

The yellow rectangle highlights the subject property. The purple shading denotes Peak's Suburban Addition coverage.

North (west) elevation.

Subject property is non-contributing.

Exterior Paint – Unauthorized Work

Painted brick on lower half of front elevations, and interior side elevations (approx. 33%).

Orange arrow indicates where bricks end on interior sides

Exterior Paint – Unauthorized Work

Section 51A-4.501(g)(6)(C)(ii) Historic Overlay District

For noncontributing structures, the proposed work is NOT compatible with the historic overlay district.

Secretary of the Interior's Guidelines for Setting (District / Neighborhood)

Not Recommended: Removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished.

Installation of (Wood) Fencing – Unauthorized Work

Installation of (Wood) Fencing – Unauthorized Work

Peak's Suburban Addition (H/72), Ordinance No.: 22352

SEC. 2. SITE AND SITE ELEMENTS

2.15 The finished side of a fence must face out if seen from any street as illustrated in Addendum B (of ordinance).

Secretary of the Interior's Guidelines for Setting (District / Neighborhood)

Not Recommended: Installing protective fencing, bollards, and stanchions in the setting, when necessary for security, without taking into consideration their location and visibility so that they negatively impact the historic character of the setting.

Roof Replacement on Rear Carports

Photo provided by applicant.

Roof Replacement on Rear Carports – Material Specifications

Galvanized Metal

Not impact resistant

Window Replacement (Thirty-one) – Andersen Fibrex® Sample

Old

New

Window Replacement (Thirty-one)

Photos provided by applicant.

Window Replacement (Thirty-one)

Conditions:

- The lite configuration of one over one be retained; and
- The exterior frame of the replacement windows be painted, a complementary accent color.

Staff Recommendation(s):

1) That the request for a Certificate of Appropriateness to paint exterior (Body Blue, Trim: White); work done without a Certificate of Appropriateness be **denied without prejudice**. The proposed work is inconsistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards.

2) That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence; work done without a Certificate of Appropriateness be **approved** in accordance with specifications dated 9/1/22 **with** the following **condition** that the finished side of fence face out, on the left and right sides of the property. Implementation of the recommended condition would allow the proposed work to be consistent with Peak's Suburban Addition's preservation criteria Sections 2.9 2.13, 2.14 and 2.15 pertaining to Site and Site Elements; City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.

3) That the request for a Certificate of Appropriateness to install grass in the front and rear of property be **approved** in accordance with specifications dated 9/1/22. The proposed work is consistent with Peak's Suburban Addition's preservation criterion Section 2.6 pertaining to Site and Site Elements; City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.

Staff Recommendation(s):

4) That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard be **approved** in accordance with specifications dated 9/1/22. The proposed work is consistent with City Code 51A-4.501(g)(6)(C)(i) for non-contributing structures, and the Secretary of the Interior's Standards.

5) That the request for a Certificate of Appropriateness to replace aluminum windows with wood composite windows – thirty-one (31) total (Brand: Andersen, Material: Fibrex®) be **approved** in accordance **with** specifications dated 9/1/22 with the following **conditions**: that the exterior mill finish window frames be painted a complementary accent color; and that the (1) configuration of the replacement windows be one over one (1 over 1). Implementation of the recommended conditions would allow the proposed work to be consistent with City Code 51A-4.501(g)(6)(C)(ii), for non-contributing structures, and the Secretary of the Interior's Standards.

QUESTIONS

SECTION 4

Landmark Commission Minutes

October 3, 2022

See Page 7- 8, Item #3

					Velvin
		Against:	-	0	
		Absent:	-	0	
		Vacancies:		1	District 3

The Chair declared the motion was denied without prejudice by the Landmark Commission and stated that if the applicant feels that the Landmark Commission erroredin their decision, may appeal the decision with the City Plan Commission for a fee

2. 5708 JUNIUS ST

Junius Heights Historic District
CA212-565(CVO)
Carlos van Onna
A Certificate of Appropriateness to replace front porch columns - work completed without a CA.

Speakers: For No Speakers

Against No Speakers

Motion

That the request for a Certificate of Appropriateness to replace front porch columns - work completed without a CA **be denied without prejudice**. The proposed work is inconsistent with preservation criteria Section 4.2 and Section 7.3, the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards #'s 2 and 5.

Maker:	Commissioner Sherman				
Second:	Commissioner Swann				
Results:	15/0				
		Ayes:	-	15	Commissioner Anderson, Commissioner Cummings, Commissioner Guest, Commissioner Hajjar, Commissioner Livingston, Commissioner Hinojosa, Commissioner Montgomery, Commissioner Offutt, Commissioner Renaud, Commissioner Sherman, Commissioner Slade, Commissioner Spellicy, Commissioner Swann, Commissioner Rothenberger, Commissioner Velvin
		Against:	-	0	
		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 erroredin their decision, may appeal the with the City Plan Commission for a fee

3. 4512 - 4518 SYCAMORE ST

Peak's Suburban Addition Neighborhood Historic District

CA212-574(RD)
Rhonda Dunn

1. A Certificate of Appropriateness to paint exterior (Body: Blue, Trim: White) Work done without a Certificate of Appropriateness.
2. A Certificate of Appropriateness to replace chain link fence around rear and side yards with an eight-foot high (pine) wood fence. Work done without a Certificate of Appropriateness.
3. A Certificate of Appropriateness to install grass in the front and rear of property.
4. A Certificate of Appropriateness to replace roofs on two existing carport structures in rear yard.
5. A Certificate of Appropriateness to replace thirty-one aluminum windows with wood composite windows. (Brand: Andersen, Material: Fibrex®

Speakers:	For:	Marlon Lunaty Tom Divers
	Against:	No Speakers

Motion

1. That the request for a Certificate of Appropriateness to paint exterior (Body: Blue, Trim: White); work done without a Certificate of Appropriateness be **denied without prejudice**. The proposed work is inconsistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards. The painting of the brick is to be removed.
2. That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with wood fence be **approved** as submitted.
3. That the request for a Certificate of Appropriateness to install grass in the front and rear of property be **approved** in accordance with specifications dated 9/7/22. The proposed work is consistent with Peak's Suburban Addition's preservation criterion Section 2.6 pertaining to Site and Site Elements; City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures; and the Secretary of the Interior's Standards.
4. That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures in rear yard be **approved** in accordance with specifications dated 9/1/22. The proposed work is consistent with City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards.
5. That the request for a Certificate of Appropriateness to replace wood windows with wood composite windows be **denied**. Wood composition windows are not wood, and these windows would have an adverse effect on the historic district. Work is not consistent with 51A-4.501(g)(6)(C)(ii) for non-contributing structures. Proposed work is not compatible with the historic district.

Maker:	Commissioner Anderson				
Second:	Commissioner Cummings				
Results:	9/5				
		Ayes:	-	9	Commissioner Anderson, Commissioner Cummings, Commissioner Guest, Commissioner Hajdu, Commissioner Livingston, Commissioner Renaud, Commissioner Sherman, Commissioner Swann, Commissioner Velvin
		Against:	-	5	Commissioner Hinojosa, Commissioner Offutt, Commissioner Slade, Commissioner Spellicy, Commissioner Rothenberger
		Absent	-	1	Commissioner Montgomery
		Vacancies:	-	1	District 3

SECTION 5

Transcript of the October 3, 2022 Landmark Commission Hearing

4512-4518 Sycamore Street

CA212-354(RD)

IN RE: 10-2-22 CASE: CS12-574(PD) 6512-6516 SYCAMORE STREET

AUDIO TRANSCRIPTION

MAGNA LEGAL SERVICES
320 West 37th Street, 18th Floor
New York, New York 10018
(866)624 6221

Reported by: Marissa Vignano
Job Number: 201541

Proceedings

EVELYN MONTGOMERY: All right.

Dr. Dunn, if you'll go ahead and read it into the record.

DR. DUNN: Okay. I'm currently addressing Discussion Item 3, also known as 3c. The subject property is located at 4112 through 4516 Sycamore Street in Peak Suburban Addition Neighborhood Historic District. The case number is COA-212-574-SD.

The requests are as follows: A certificate of appropriateness to paint exterior, body blue, trim white; was done without a certificate of appropriateness. Request number 2, a certificate of appropriateness to replace chain link fence around rear and side yards with an 8-foot high plainwood fence; work done without a certificate of appropriateness. Request number 3, a certificate of appropriateness to install grass in the front and rear of property. Request number 4, a certificate of appropriateness to

Proceedings

replace roofs on two existing carport structures in rear yard. And request number 5, a certificate of appropriateness to replace 31 aluminum windows with wood composite windows; brand, Anderson; material, Fibrex®.

We do have speakers here, right? Okay.

Yeah. The owner of the property is here to address Discussion Item 5. All right. I have registered to speak Marlin and also Tom.

Does anyone have a preference over who goes first?

Okay.

MARLIN DONADI: I'll go.

DR. DUNN: All right. We just need you to state your name, your address and confirmation that you intend to tell the truth today.

MARLIN DONADI: Mr. My name is Marlin Donadi. Address, 4912 Sycamore Street, Dallas, Texas 75204. And I affirm to say the truth.

Proceedings

I think most of the materials that we put in with it. Dunn have been given to the Board here. If you have any questions regarding any of the requests, I'll be more than happy to answer any questions.

EVELYN MONTGOMERY: So you don't have a presentation? You're here for questions?

MARLIN DUNAH: Yes.

EVELYN MONTGOMERY: Okay. Is that the same for other speaker?

MARLIN DUNAH: No, Thomas is here to have a presentation for the windows.

EVELYN MONTGOMERY: Got it. Well, if he has a presentation that you'd like to do, let's go ahead and we'll do that before we begin asking questions.

MARLIN DUNAH: Okay.

EVELYN MONTGOMERY: I just need you to state your name, address and confirmation you intend to tell the truth today.

THOMAS DYERS: Yes, ma'am. My

Proceedings

name is Tom Divers, 4025 Oak Grove Court, Flower Mound, Texas. I'm a representative for Renewal by Andersen, and I do swear to tell the truth.

Pretty much, I just brought a window and I'll answer any questions you guys have pertaining to the window installation at the residence. I believe that requirements are wood windows and so wood composite windows are designed, same thing as wood, indiscernible with a wood window. And I did supply photos to Dr. Dunn, which show the window installed. So I'm really here just to answer any questions and if you guys like to see a window, I brought a demo window to show.

EVELYN MONTGOMERY: Thank you. Do we have any questions in person?

MARLIN LUNAD:

UNKNOWN SPEAKER: Pardon me?

EVELYN MONTGOMERY: Do we have any questions from any of our commissioners in person?

Proceedings

UNKNOWN SPEAKER: I have a question of the applicant of the owner.

Sir, this building has a bit of a history. The brick was painted, and this Landmark Commission denied the application. And you're a relative y new owner?

THOMAS DIVERS: Yes.

UNKNOWN SPEAKER: Have you been informed that the brick was painted without an application, that it is supposed to be stripped back to natural brick?

MARLIN DUNATT: We were informed when Dr. Dunn told us. When we first bought the property, we didn't know that it had been painted. And we didn't know it was in the historic district to begin with. So all those -- the detailing that was on there and on the brick, we were unaware of.

UNKNOWN SPEAKER: Okay. Thank you.

Proceedings

COMMISSIONER ANDERSON: I also have a question. I asked in the briefing, is there a -- thank you - question, the briefing, did the code compliance staff -- is there a case that was activated on this, and, if so, why was the brick not removed?

EVELYN MONTGOMERY: Yes. Okay. To address your question, there is a code case existing. And the issue is that - in other words, the current owner is being given the opportunity to address the former zone violations through the certificate of appropriateness process. So that's a part of why he is here and why we're going through this.

So it was not ignored. Okay.

COMMISSIONER ANDERSON: Right.

EVELYN MONTGOMERY: And he has been informed that there was an issue with the brick being painted, but we have decided to give the owner an opportunity to address how to handle

Proceedings

...is through the certificate of appropriate -- this process, which is what we're involved in now.

UNKNOWN SPEAKER: Madam Chair?

COMMISSIONER ANDERSON: Okay. So this is related to the other case then?

EVELYN MONTGOMERY: Correct. And if you read the staff report, it does list the history, including the other case.

COMMISSIONER ANDERSON: Then what about the steel doors that were also denied at the Landmark Commission? That's not here today.

EVELYN MONTGOMERY: That's not a part of this request, no.

COMMISSIONER ANDERSON: Why is that not here? That was part of the whole situation.

EVELYN MONTGOMERY: That I am not sure of -- on the steel door issue. Does it have steel doors?

MARLIN DONALD: What doors are you referring to?

Proceedings

COMMISSIONER ANDERSON: 12/7/2021: Steel doors, painted brick and landscaping were denied by the Landmarks Commission. But we're not talking about the rest of it.

EVELYN MONTGOMERY: I think I'll defer to the city attorney, but if it's not posted about the doors and it's not in the application, that's something that we'd have to handle at a later time.

COMMISSIONER ANDERSON: No, my concern is that we're not handling these things ever.

EVELYN MONTGOMERY: I understand.

COMMISSIONER ANDERSON: But how do we get -- okay. Another time.

MR. MILLER: Madam Chair?

EVELYN MONTGOMERY: Yes, Mr. Miller?

MR. MILLER: I've had a brief moment to review the question raised in the briefing session this morning, and that was in relation to CA 2021(9) MP

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heard by the Landmark Commission on December 7, 2020.

In the description, the project included painting the lower half of the front and front side elevations a blue tone that contrasted with the brown painted-wood siding. In the analysis, it was determined that the multi-colored brick appears more modern and is unlikely that the brick itself was historic. In this instance, an important consideration is that the proposed work to non-historic materials is more of a visual impact on the character and appearance of the district.

The recommendation was to deny without prejudice. There was no mention, nor reason to remove paint from non-historic brick. But if a non-contributor is painted, then the color needs to be compatible. I just wanted to put that out there. -

COMMISSIONER ANDERSON: What was

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the Landmark Commission's action on that item?

MR. MILLER: The Landmark Commission's action was to deny without prejudice. In the minutes it says that the request for a certificate of appropriateness to continue painting the brick that has been initiated be denied without prejudice because painted brick would have an adverse effect on the historic overlay district and does not meet the standard in city code section 51045.1.

COMMISSIONER ANDERSON: Thank you.

UNKNOWN SPEAKER: Madam Chair, if I may, I just want to remind this commission that this commission is quasi judicial, so therefore, it should be everything that's presented at the public hearing and staff report, you should draw your conclusions from the evidence presented today at this hearing. We shouldn't consider past decisions from this commission because

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that could be fraudulent, and the applicant really has the burden of proof to prove up his case in a favorable manner.

In this instance, because this is the non-contributing structure, we have to follow this, the non-contributing standard, and whether or not the proposed work presented today is compatible with the historic district. So we should just be looking at the request today. And although there may have been a request to deny a steel door in the past, because it's not in this agenda today, we cannot speak about it. That would be a violation of the Texas Open Meetings Act.

EVELYN MONTGOMERY: Do I have any questions from any other commissioners in person?

Do we have any questions from any commissioners online? We can't see everyone, so if you have something to say, please just give us your name and

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begin.

COMMISSIONER ROSA: I have a comment. This is Commissioner Hannah Rosa (phonetic)

EVELYN MONTGOMERY: Yes. Thank you, Commissioner Hannah Rosa.

COMMISSIONER ROSA: Right. I think it was Mr. Anderson that was talking about the painting of the brick that needs to be stripped and go back to the original brick. But in my reading of the staff recommendations, I read that it's either that or painting it -- the bottom part of the brick an earth tone color. Am I correct in understanding?

COMMISSIONER SHERMAN: Yes, Commissioner. You are correct. Those were my suggestions.

COMMISSIONER ROSA: Thank you.

EVELYN MONTGOMERY: Okay. Any other commissioners online?

All right. Hearing none, I'll --

You do have one? Okay.

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Commissioner Swan.

COMMISSIONER SWAN: I guess this is a question for staff. The condition that the interior innermost part of the exterior frames be painted a complementary color, I was just wondering where that condition came from. What it's responding to within the ordinance or within the neighborhood.

EVELYN MONTGOMERY: Okay. It's responding to visual compatibility. With respect to the Secretary of the Interior's guidelines on the treatment of properties, it does say that you should, if at all possible, preserve visual relationships.

And within the district there is and in the ordinance, there is guidelines on paint colors and basically, it's your dominant color, your trim color, your accent color. And your accent color should be on your innermost frames of your windows. So

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that's where that was coming from.

COMMISSIONER EKAM: Okay. All right, thank you.

EVELYN MONTGOMERY: All right. With that, do I have anyone --

COMMISSIONER ANDERSON: I have a second question.

EVELYN MONTGOMERY: Okay, you go it, Commissioner Anderson.

COMMISSIONER ANDERSON: Second question is the wood composite windows. This historic district requires wood windows. We do not allow things such as Hardie board because it's an imitation material. So I'd like to get more information on what wood composite windows are and how they are to be used in this historic district.

EVELYN MONTGOMERY: Can I refer to Mr. Divers?

THOMAS DIVERS: The wood composite windows designed by Andersen is designed to replicate a wood window using wood and thermal polymers in a composite

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clone. What that does is just prevent the wood window from rotting, so that way you don't have a rotten window in two years. The window is going to last an extended period of time. It's got a 20-year warranty that prevents it -- that says it won't rot. Is there something I'm not hitting or some specific information looking for?

COMMISSIONER ANDERSON: Well, the concern I have is in historic districts, we're very concerned about materials. And I know we don't use Hardie Board or cement fibers board because it's not real wood, and I see this as sort of akin to that. And I have a concern of bringing that forth on this building, even though it may be non-contributing, because it will then be something that will be considered in the rest of the district. And I don't think it's appropriate to not have real wood windows in historic districts.

THOMAS DIVERS: The windows are

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indiscernible from a wood window, and I supp ied photos of two windows. One was installed the next day. And those are the windows that are showing in this photo right there.

EVELYN MONTGOMERY: They're just not coming up.

THOMAS DIVER: Yeah, I'm sorry. But there's no difference. When you look at the window, you won't tell if the a wood composite window front is pretty much looks like smoothly -- fine wood that's painted. There's no difference at all. Both are based on wood. It's just one rots and one doesn't. So if you don't go back and paint and stain your windows on a regular basis every year, you're going to have a lot of rot in your historic district.

EVELYN MONTGOMERY: Commissioner Cummings.

COMMISSIONER CUMMINGS: I have a question with the windows. I don't see

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a selection made on the sill conditions. I don't see, also, any dimensions on the details, such as the sashes. This being a historic and a period, whether it's non-contributor or not, it's still zoned to the building itself. I'm looking for dimensions, and I'm looking for the thickness that we're going to be needing to be seeing on (inaudible) now and some of the dimensions on the sash. Where are those dimensions located on what's been submitted?

THOMAS DIVERS: The dimensions for the window we did were, like for-like, are the existing windows that they had in there.

COMMISSIONER CUMMINGS: Like for like?

THOMAS DIVERS: Yes, sir.

COMMISSIONER CUMMINGS: Well, to ascertain what like for like really is, we need to see what the dimensions are so we can actually compare those dimensions to somebody else. Because I

don't see on the detail that's provided that -- it looks like the meeting rail is the same dimension as the side rail meshes and the top rail meshes. I don't see a difference between your meeting rail sash. That's a very prominent feature on historical windows, historic windows, and I don't see that.

THOMAS DIVERS: You're to mine about the middle sash, the one where the two windows meet, the up sash and the bottom sash --

COMMISSIONER CUMMINGS: No, I'm talking about the bottom sash. There's also indications of differences on the thickness of the meeting rail, but let's just talk about the bottom sash. What's your dimension on your bottom sash? And I also don't see a full detail that was called out, and you had three choices on the windowsills.

THOMAS DIVERS: S the windowsills are actually going to be the same as a wood window. They're going to be sloped

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sills. Instead of having a trough, like a plastic window where the water collects. The exterior troughs -- the exterior sill --

COMMISSIONER CUMMINGS: What is your dimension of the bottom sash?

THOMAS RIVERS: What do you mean? The size of the bottom sash? I have to pull up this file real quick.

COMMISSIONER CUMMINGS: Correct. It doesn't seem like there's a difference between the bottom sash dimension and the side dimension.

THOMAS RIVERS: Here and here?

COMMISSIONER CUMMINGS: Yes.

THOMAS RIVERS: I'm so confused. You're talking about the dimensions of the width and the width here.

COMMISSIONER CUMMINGS: What's the difference between those two?

THOMAS RIVERS: It's pretty indiscernible, but I have a measuring tape.

COMMISSIONER CUMMINGS: Good

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windows are usually not wood windows, the bottom sash is a different dimension.

THOMAS DIVERS: They're thicker. The bottom sash is going to be thicker because the bottom one is two inches. The side sash is going to be an inch and quarter. I don't know if you could see that where you are.

EVELYN MONTGOMERY: Yes.

Do you have any additional questions, Commissioner Cummings?

COMMISSIONER CUMMINGS: No.

EVELYN MONTGOMERY: Thank you.

Commissioner Rothenberger, do you have a question for staff? No?

COMMISSIONER ROTHENBERGER: [Inaudible].

EVELYN MONTGOMERY: Okay. All right.

Any more questions online? Doesn't appear so.

Any questions in person?

So with that, we'll have someone

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that is ready to make a motion?

COMMISSIONER ANDERSON: I'll make a motion.

EVELYN MONTGOMERY: Okay. Mr. Anderson.

COMMISSIONER ANDERSON: In case 4512-4513 Sycamore Street in the Post Suburban Edition Historic District case number CA-212 974 PD, I want to follow the staff recommendation with two changes. On Item Number 2, I'd like to add the paint on the brick is to be stripped. And Number 3 would like to change to Denial Without -- Denial. Straight denial. Wood replacement windows are not wood, and these windows will have an adverse effect on the historic district. Work is not consistent with SIA-4.201 C6, Paragraph 1. for non contributing structures.

EVELYN MONTGOMERY: Is there a second?

COMMISSIONER CUMMINGS: Second.

EVELYN MONTGOMERY: Yes.

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Yes, Mr. Anderson?

COMMISSIONER ANDERSON: I'd like to add that the proposed work is not compatible with Historic District.

EVELYN MONTGOMERY: Under?

UNKNOWN SPEAKER: Order Romanette D. Got Romanette I.

COMMISSIONER ANDERSON: Romanette D.

EVELYN MONTGOMERY: We have a second by Commissioner Cummings. Does anyone want to speak on this motion.

COMMISSIONER ROSA: Yes, Commissioner, I'd like to make a comment.

EVELYN MONTGOMERY: Yes. Yes. Thank you, Commissioner Rosa.

COMMISSIONER ROSA: Thank you. I am not in agreement with stripping the blue paint. From my reading of the staff report, those owners took on this building. It had yellow paint prior, and so they changed it to blue. I'm afraid that if they

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strip it -- I would prefer that they just repainted to an earth tone color, as the staff recommended, rather than strip it, which might damage the brick.

Thank you.

For that reasoning, I'm not going to support that motion.

EVELYN MONTGOMERY: Any other commissioners online? No.

Any other commissioners in person?

Commissioner Rothenberger?

COMMISSIONER ROTHENBERGER: Yes. Thank you.

I did just want to read specifically regarding the windows. I would not support this motion. I do believe the wood look windows are appropriate for a non-contributing structure.

I do want to read 3.10 of this ordinance, Where replacement of an original door window is necessary due to damage or structure deterioration, replacement doors and windows must

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express a million size, like configuration, and material to match original doors and windows.

We can't determine what the original material would have been, and I'm sure we would rather a wood look material as opposed to the continuation of these aluminum windows. And so, therefore, I would not support this motion as stated.

EVELYN MONTGOMERY: All right. With that, Commissioner Saeman?

COMMISSIONER SAEMAN: Yes, I will support the motion. And I disagree that these windows are not discernible from wood. I could tell from this c'n and that they are definitely not wood and they have a distinct different appearance from wood. And I think when it comes to whether or not a building is contributing or not, I think that the strategies that are employed as it gets to move forward should make it less non-contributing. And the use of these

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windows would, I think, simply exacerbate its non contributing nature.

Thank you.

EVELYN MONTGOMERY: Thank you, Commissioner Boerman.

Commissioner Swan?

COMMISSIONER SWAN: Yeah. I have a question. Does this motion address -- or is it pertaining to condition on Item Number 2 the finished side of the fence face out on the other side of that property.

COMMISSIONER ANDERSON: It follows the staff recommendation, except for those two changes.

COMMISSIONER SWAN: Okay. I was asking because the back faced (inaudible).

EVELYN MONTGOMERY: Mr. Swan, can you please turn on your microphone?

COMMISSIONER SWAN: Yes.

EVELYN MONTGOMERY: Thank you.

COMMISSIONER SWAN: Certainly. I'm sorry. Thank you.

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I was asking the question will, for two reasons. First of all, the staff recommendation seems to be okay with the fence, it says, "as submitted." I presume that means as built. But it also seems that it's not unreasonable since this is in the interior of the block and not a corner side yard condition to go with task force, which seems to be okay with the fence as is, and not required that they be turned to face out.

EVELYN MONTGOMERY: Are you intending to make an amendment?

COMMISSIONER SWAN: Yes. I'm asking if the maker the motion would entertain an amendment. I'm asking if the maker of the motion would entertain an amendment to permit Item 2 to be an approval without condition.

COMMISSIONER ANDERSON: That's fine.

COMMISSIONER SWAN: Okay.

EVELYN MONTGOMERY: Is that okay

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with Commissioner Cummings?

COMMISSIONER CUMMINGS: Yes.

EVELYN MONTGOMERY: Thank you.

All right. If there's no one else that has anything, let's go ahead and take a vote.

All those in favor go ahead and raise your hand so that she can get a count.

Okay. It looks like -- did you count mine? Where's Elaine?

Can we do a second vote?

District 1?

DISTRICT 1: Aye.

EVELYN MONTGOMERY: District -- she is recused.

District 4?

DISTRICT 4: Aye.

EVELYN MONTGOMERY: District 5?

DISTRICT 5: Yes.

EVELYN MONTGOMERY: District 6?

DISTRICT 6: Yay.

EVELYN MONTGOMERY: District 7?

DISTRICT 7: Aye.

EVELYN MONTGOMERY: District 8?
DISTRICT 8: Nay.
EVELYN MONTGOMERY: District 9?
DISTRICT 9: Aye.
EVELYN MONTGOMERY: District 10?
DISTRICT 10: Aye.
EVELYN MONTGOMERY: District 12?
DISTRICT 12: Nay.
EVELYN MONTGOMERY: District 13?
DISTRICT 13: Aye.
EVELYN MONTGOMERY: District 14?
DISTRICT 14: Aye.
EVELYN MONTGOMERY: District 15?
DISTRICT 15: Aye.

C E R T I F I C A T E

STATE OF NEW YORK)
: ss
COUNTY OF NEW YORK)

I, Marissa Mignano, a Notary Public within and for the State of New York, do hereby certify the within is a true and accurate transcription of the audiotapes recorded.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 12TH day of DECEMBER 2022.

Marissa Mignano
MARISSA MIGNANO

SECTION 6

Historic Preservation Criteria
Dallas Development Code
§ 51A-4.501

ARTICLE 63.

PD 63.

SEC. 51P-63.101. LEGISLATIVE HISTORY.

PD 63 was established by Ordinance No. 14247, passed by the Dallas City Council on September 6, 1973. Ordinance No. 14247 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas. Ordinance No. 14247 was amended by Ordinance No. 15715, passed by the Dallas City Council on December 21, 1977, and Ordinance No. 15766, passed by the Dallas City Council on March 15, 1978. On February 3, 1982, the Dallas City Council passed Ordinance No. 17285, repealing Ordinance Nos. 14247, 15715, and 15766, and reestablishing PD 63. Ordinance No. 17285 was amended by Ordinance No. 18563, passed by the Dallas City Council on January 23, 1985. (Ord. Nos. 10962; 14247; 15715; 15766; 17285; 18563; 25423)

SEC. 51P-63.102. PROPERTY LOCATION AND SIZE.

PD 63 is established on property generally located southeast of Live Oak Street, south of La Vista Drive, northwest of the alley between Swiss Avenue and Gaston Avenue, and northeast of Fitzhugh Avenue. The size of PD 63 is approximately 116.88 acres. (Ord. Nos. 17285; 25423)

SEC. 51P-63.103. DEFINITIONS.

(a) In this article:

(1) ACCEPTABLE COLOR RANGE means the range of colors shown on Exhibit 63C.

(2) APPLICANT means the property owner or his designee.

(3) BLOCK means an area bounded by streets on all sides.

(4) BLOCKFACE means all of the lots on one side of a block.

(5) CERTIFICATE OF APPROPRIATENESS means a certificate issued by the city to authorize certain acts to be performed in this district. (See the enforcement section of this article.)

(6) COLUMN means the entire column including the base and capital, if any.

(7) COMMISSION means the city plan and zoning commission.

(8) COMMITTEE means the landmark committee created under Section 51-3.103.

(9) CORNER LOT means a lot that has frontage on two different streets.

(10) CORNER SIDE FACADE means a main building facade facing the side street.

(11) CORNER SIDE YARD means a side yard that abuts a street.

(12) DIRECTOR means the director of development services or his representative.

(13) FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

(14) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and a main building and lies parallel to and extending outward from the front facade of a main building. "Required" front yard means the portion of the front yard between the street and the setback line.

(15) LOT means a building site, as defined in the Dallas Development Code.

(16) PARKWAY means the area between the paved portion of a street and a front lot line.

(17) PLANTER BOX means a permanent container for plants that is non-movable.

(18) PRESERVATION CRITERIA means the standards considered by the director, committee, and commission in determining whether a certificate of appropriateness should be granted or denied.

(19) REAR YARD means:

(A) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lies parallel to and extending outward from the rear facade of a main building and the rear lot line; and

(B) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the corner side facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.

(20) SCREENING means a structure or planting that provides a visual barrier.

(21) SCREENING FACTOR means the degree to which a structure provides a visual barrier.

(22) SIDE YARD means any portion of a lot not occupied by a main building that is not a front or rear yard. "Side yard" includes "corner side yard."

(23) STORY means the portion of a building between any two successive floors, or between the top floor and the ceiling above it.

(24) THIS DISTRICT means the Swiss Avenue Historic District.

(25) TRIM COLOR means a paint color other than the dominant color. Wood colored translucent stain is not a trim color. Trim color does not include the color of screen and storm doors and windows, gutters, down spouts, porch floors, and ceilings.

(b) Except as otherwise provided in this section, the definitions contained in the Dallas Development Code, as amended, apply to this article. (Ord. Nos. 19563; 25471; 26490)

SEC. 51P-63.104. INTERPRETATIONS.

(a) Unless otherwise stated, the interpretations in Chapter 51 apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. 25423)

SEC. 51P-63.105. RECONCILIATION WITH ORDINANCE NO. 17285 AND THE DALLAS DEVELOPMENT CODE.

The provisions of Ordinance No. 17285 and the Dallas Development Code, as amended, apply to the Swiss Avenue Historic District unless expressly modified or repealed by this article. In the event of a conflict, the provisions of this article control. (Ord. Nos. 18563, 25423)

SEC. 51P-63.106. NONCONFORMING USES AND STRUCTURES.

(a) In general. Except as otherwise provided in this article, Section 51A-4.704 relating to nonconforming uses and structures, applies to all uses and structures in this district.

(b) Nonconforming uses.

(1) Termination when building destroyed. Except as otherwise provided below, if a building in which a nonconforming use is located is destroyed, the right to operate the nonconforming use terminates immediately.

(2) Nonconforming servants' or caretakers' quarters. The right to operate a nonconforming servants' or caretakers' quarters use does not terminate when the structure in which the use is located is damaged or destroyed. A servants' or caretakers' quarters must be used by bona fide servants or caretakers and may not be rental accommodations.

(c) Rebuilding damaged or destroyed nonconforming buildings. If a nonconforming single-family main or accessory building is damaged or destroyed, it may be rebuilt at the same location without the approval of the board of adjustment. (Ord. Nos. 18563, 25423)

SEC. 51P-63.107. GRAPHICS.

Graphics that illustrate the requirements of this article are labelled Exhibit 63b. In the event of a conflict, the text of this article controls over any graphic display in Exhibit 63B. (Ord. Nos. 18563, 25423, 26340)

SEC. 51P-63.108. ENFORCEMENT.

(a) Certificate of appropriateness required. A person commits an offense if, without first obtaining a certificate of appropriateness from the city expressly authorizing the act, he:

(1) places or constructs a main or accessory building on property in this district;

(2) makes exterior alterations to a main or accessory building in this district; or

(3) places, constructs, installs, or maintains a structure or non-plant material landscape item outside a building on property in this district.

(b) Vegetation restrictions. A person commits an offense if he places or maintains a plant in this district in violation of one of the following vegetation restrictions:

(1) A vegetable garden is prohibited in the front yard and may not be located in a side yard unless it is totally screened.

(2) Foundation plantings may not exceed two feet in height above the first story finish floor.

(3) Only grass, trees, ground cover, and flowers are permitted in the parkway. A tree in the parkway must be placed a uniform distance apart and be planted along a line parallel to the street. Flower beds may not comprise more than 50 percent of the parkway area.

(c) Compliance with use regulations and development standards required. A person commits an offense if he violates one of the use regulations or development standards in Sections 51P-63.114, 51P-63.115, 51P-63.117, 51P-63.118, 51P-63.120, 51P-63.121, 51P-63.123, 51P-63.124, 51P-63.126, 51P-63.127, 51P-63.129, and 51P-63.130 of this article.

(d) Defenses to prosecution.

(1) It is a defense to prosecution under Subsections (a)(2) and (a)(3) that the act was:

(A) the installation, maintenance, or replacement of:

(i) outdoor lights that are 10 inches or less in diameter and:

(aa) located at ground level;

(bb) attached to a tree or shrub and located on or above its lowest branch;

(cc) located along eaves or soffits; or

(dd) located on an accessory building;

(ii) recreational equipment for children, such as a swingset, playhouse, or jungle gym, in a rear yard;

(iii) security or ornamental bars on the rear facade of a main building or on an accessory building;

(iv) a lawn sprinkler system; or

(v) an private air conditioning unit in a side or rear yard; or

(B) performed in a rear yard, and the alteration, structure, or landscape item is six feet or less in height or totally screened; or

(C) performed in a side yard, and the alteration, structure, or landscape item is six feet or less in height and totally screened by a fence or hedge that is at least six feet in height; or

(D) the installation or maintenance of a special purpose sign.

(2) It is an additional defense to prosecution under Subsection (a)(2) that the structure or landscape item was temporarily placed, constructed, or installed. For purposes of this subsection, an act is temporary in nature if it occurs no more than two time periods during the calendar year for a maximum of five days per time period.

(3) There is no defense to prosecution for a violation of Subsection (a)(1).

(c) Criminal responsibility. A person is criminally responsible for a violation if it:

(1) commits or assists in the commission of an act in violation; or

(2) owns part or all of the land or a structure on the land where a violation exists. (Ord. Nos. 18563; 25423)

SEC. 51P-63.109. PENALTY.

(a) A person violating a provision of Ordinance No. 17455, as amended by Ordinance No. 18563, upon conviction is punishable by a fine not to exceed $1000. *[The provisions of Ordinance No. 17455, as amended by Ordinance No. 18563, are codified in this article.]*

(b) In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this Article, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land in this district. (Ord. Nos. 18563; 25423)

SEC. 51P-63.110. REVIEW PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS.

(a) In general. The standard review procedure outlined in Section 51A-4.501 applies to this district, except as expressly modified by this section.

(b) Review by the director.

(1) Director's determination of procedure. Upon receipt of an application for a certificate of appropriateness, the director shall characterize the proposed work as falling into one of the following three categories:

(A) Routine maintenance or replacement.

(B) Minor exterior alterations.

(C) Work requiring review by the committee and commission.

The director shall review and grant or deny certificates of appropriateness for proposed work that is routine maintenance or replacement or a minor exterior alteration in accordance with the review standards provided in this section. If the proposed work requires review by the committee and commission, the director shall forward the application to the committee for review in accordance with the standard certificate of appropriateness review procedure outlined in Section 51A-4.501. All decisions to be made by the director under this section must be made within 10 days of receipt of the application.

(2) Routine maintenance and replacement defined. Routine maintenance is the processes of cleaning (including water blasting and stripping), repainting an item the same color, and otherwise maintaining deteriorated or damaged architectural features. Routine replacement occurs whenever a duplicate item is substituted for an item that is deteriorated or damaged. Repainting an item a different color is neither routine maintenance nor routine replacement.

(3) Minor exterior alteration defined. The following are minor exterior alterations for purpose of this article:

(A) The application, installation, maintenance, or replacement of:

(i) a chimney located on an accessory building, or on the rear 50 percent of a main building and not part of the corner side façade;

(ii) an awning located on an accessory building, or on the rear façade of a main building; and

(iii) a roof of the same or an original material that does not include a change in color;

(iv) a wood or chain link fence that is not painted or stained;

(v) gutters and downspouts of a color within the acceptable color range that matches or complements the dominant trim, or roof color;

(vi) paint of a color within the acceptable color range;

(vii) skylights and solar panels;

(viii) storm windows and doors; or

(ix) window and door screens.

(B) The restoration of original architectural elements that does not include the use of paint outside the acceptable color range.

(4) Review standards for routine maintenance and replacement. The director shall review all proposed work that falls into the categories of routine maintenance and routine replacement to determine whether or not the original item to be maintained or replaced was legally installed. Legal installation includes both work that was legally performed before September 20, 1978, the date this district was established, and work performed after that date by authority of a valid certificate of appropriateness. The director shall grant a certificate of appropriateness for the proposed maintenance or replacement of an original item that was legally installed. If the original item was not legally installed, the director shall not grant a certificate but instead shall treat the application as being for a certificate of appropriateness to authorize the installation of the original item.

(5) Review standards for minor exterior alterations. The director shall review all proposed work that falls into the category of minor exterior alterations to determine whether the proposed work complies with the preservation criteria and regulations contained in this article and all other applicable ordinances. If the proposed work complies, the director shall grant a certificate of appropriateness for the work. If the proposed work does not comply with or is not addressed by the preservation criteria and regulations contained in this article or any other applicable ordinance, the director shall deny the certificate.

(b) Appeals. A decision to grant a certificate of appropriateness may not be appealed. A decision to deny a certificate of appropriateness may be appealed only by the applicant. An appeal from a decision to deny a certificate is made by submitting a written request for appeal to the director within ten days of the decision.

(c) Review by the committee. The standards in Subsection (e) below should be used by the committee in making its recommendation to the commission.

(d) Review by the commission and city council.

(1) When reviewing an appeal from the director's decision to deny a certificate of appropriateness, the commission or city council shall first determine whether the proposed work is routine maintenance or replacement. If the proposed work is routine maintenance or replacement, the commission or council shall next determine whether or not the original item to be maintained or replaced was legally installed. If the original item was legally installed, the commission or council shall approve the routine maintenance or replacement. If the original item was not legally installed or if the proposed work is not routine maintenance or replacement, the commission or council shall review the application using the standards provided in the following subsections.

(2) In reviewing an application, the commission or city council shall determine whether the proposed work complies with the preservation criteria and regulations contained in this article and all other applicable ordinances. If the proposed work complies, the commission or council shall grant the certificate.

(3) Except as otherwise provided in this section, if the proposed work does not comply with or is not addressed by the preservation criteria and regulations contained in this article or any other applicable ordinance, the commission or council shall deny the certificate.

(4) If the proposed work is not addressed by the preservation criteria and regulations contained in this article and all other applicable ordinances and the work will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of:

(A) a structure in this district;

(B) a building in this district; or

(C) this district as a whole; the commission or council shall grant the certificate.

(5) If the proposed work is the restoration of original architectural elements and will not have an adverse effect on the external architectural features, future preservation, maintenance, or use of:

(A) a structure in this district;

(B) a building in this district; or

(C) this district as a whole; the commission or council shall grant the certificate. In determining whether the proposed work constitutes the restoration of original architectural elements, the commission or council shall consider all available materials, including but not limited to photographs and drawings showing the original appearance of the building and its surrounding property at the time of construction. (Ord. Nos. 18562; 25425)

SEC. S1P-63.110. NOTICE REQUIREMENTS.

The following notice requirements apply to this district:

(1) When required. The director shall give the notice required by this section only when a person applies for a certificate of appropriateness to construct a new main building, or to move a main building onto an existing lot.

(2) Content of notice. The notice required by this section must contain a description of the lot where a main building will be constructed or moved, and the date, time, and location of the committee meeting at which the application will be considered.

(3) Manner of notification. The notice required by this section is a written notice to be given not less than 21 days before the committee meeting at which the application will be considered. Notice is given by depositing the notice properly addressed and postage paid in the United States Mail to the property owners entitled to notice under Paragraph (4) of this subsection as evidenced by the last approved city tax roll.

(4) Who must be notified. The director shall notify the following persons in this district whenever notice is required by this section:

(A) The owners of all lots in the blockface of the area of request.

(B) The owners of all lots in the blockface across the street from the area of request.

(C) If the area of request is a corner lot, the owners of all other corner lots at the same intersection.

(D) The president of the Swiss Avenue Historic District Association at an address provided by the association. (Ord. Nos. 18562, 25423)

SEC. S1P-63.111. PROCEDURAL CHANGES WHEN NOTICE IS REQUIRED.

The procedural time requirements in Section 51A-4.501 applicable to the committee and the commission apply to this district except in those cases where notice is required under the previous section of this article. In such cases, the committee shall make its recommendation, within 45 days of receipt of the application by the director. If final action has not been taken by the committee and the commission within 55 days of the director's receipt of the application:

(1) the director shall issue a certificate of appropriateness to the applicant for the proposed work, and

(2) if all requirements of the Dallas Development Code and the construction 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. (Ord. Nos. 18562, 25423)

SEC. S1P-63.113. CREATION OF AREAS.

This district is hereby divided into six separate areas, which shall be known as "Area A," "Area B," "Area C," "Area D," "Area E," and "Area F." Property descriptions of Areas A through F are

attached to Ordinance No. 18563. A map showing the area boundaries is labelled Exhibit 51A. (Ord. Nos. 18563; 25423)

SEC. 51P-63.114. USE REGULATIONS FOR AREA A.

The following use regulations apply to all property in Area A:

(1) Uses that were illegal on February 3, 1982, are illegal uses under this article. Except as otherwise provided in this article, nonconforming uses are governed by Section 51A-4.704.

(2) The number of dwelling units on a building site may not be increased. If the number of dwelling units in a building is reduced, or the building is replaced with another building containing a lesser number of dwelling units, the building site shall thereafter be limited to the lesser number of dwelling units.

(3) Except as otherwise provided below, uses are limited to single-family residential uses.

(4) The duplex use at 5630-32 Swiss Avenue is expressly recognized as a legal use unless and until the structure in which the use is located is destroyed, in which case the right to operate the duplex use terminates immediately.

(5) The medical society auxiliary social club use currently operated by the Dallas County Medical Society Auxiliary at 5500 Swiss Avenue is expressly recognized as a nonconforming use. (Ord. Nos. 18563; 25423)

SEC. 51P-63.115. DEVELOPMENT STANDARDS FOR AREA A.

(a) In general. Except as otherwise provided in this section, the development standards in the Dallas Development Code, as amended, applicable to an R-10 Single-Family District apply to all property in Area A. In the event of a conflict, the provisions of this section control.

(b) Height requirements. Maximum permitted heights for buildings and structures are:

(1) 36 feet for a main building, and

(2) 24 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:

(1) Each lot must have a minimum area of 10,000 square feet and a minimum depth of 230 feet.

(2) Each lot must have a width no less than 90 percent of the average width of all lots in both the same and the opposite blockface.

(3) Lots platted on or before February 3, 1982, are legal building sites, even though they may not conform to the requirements of this section.

(d) Maximum lot coverage. Maximum permitted lot coverage for all buildings and structures combined is 25 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard setback of 60 feet.

(2) The main building on an interior lot must have a front yard setback that is:

(A) equal to that of the closest main building on either side of the lot in the same blockface; or

(B) between those of the closest main buildings on either side of the lot in the same blockface.

(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. Minimum permitted rear yard setbacks for buildings and structures are:

(1) 60 feet for a main building if the lot is 230 feet or less in depth;

(2) 90 feet for a main building if the lot is over 230 but less than or equal to 250 feet in depth;

(3) 120 feet for a main building if the lot is over 250 feet in depth; and

(4) five feet for an accessory building or structure.

(g) Minimum side yards.

(1) All buildings and structures must have:

(A) on interior lots, a minimum side yard the greater of 10 feet or 50 percent of the average interior side yard in the blockface; and

(B) on corner lots, a minimum corner side yard the greater of 15 feet or 50 percent of the average corner side yard of the other corner lots at the same intersection.

(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(h) Off-street parking requirements. Single-family and duplex uses must provide at least two off-street parking spaces behind the front yard for each dwelling unit.

(i) Signs. Signs are governed by the provisions for non-business zoning districts in Article VII, "Sign Regulations," and all other applicable sign ordinances and laws.

(j) Story requirements. A main building must have at least two stories. (Ord. Nos. 18563; 25-23)

SEC. 51F-63.116. PRESERVATION CRITERIA FOR AREA A.

The following preservation criteria apply to all property in Area A:

(1) Building placement, form, and treatment.

(A) Accessory buildings. Accessory buildings:

(i) are only permitted in the rear yard no closer than 15 feet to a main building; and

(ii) must be compatible with the scale, shape, roof form, materials, detailing, and color of a main building.

(B) Additions. All additions to a building must be compatible with the dominant horizontal or vertical characteristics, scale, shape, roof form, materials, detailing, and color of the building.

(C) Architectural detail. Materials, colors, structural, and decorative elements, and the manner in which they are used, applied, or joined together must be typical of the style and period of a main building and compatible with the other buildings on the blockface.

(D) Awnings.

(i) Wood, metal, and plastic awnings are not permitted unless they:

(aa) are on an accessory building or the rear facade of a main building;

(bb) complement the color scheme of the building to which they are attached; and

(cc) are totally screened.

(ii) All awnings on the front and side facades of a main building must be typical of its style and period and complement its color scheme.

(E) Building placement. All buildings must be placed so as not to adversely affect the rhythm of spaces between buildings on the blockface.

(F) Building widths. Minimum permitted width for a main building is 80 percent of the average width of the existing main buildings on the blockface.

(G) Chimneys. All chimneys must be compatible with the style and period of a main building. Chimneys on the front 50 percent of a main building or on a corner side facade must be:

(i) constructed of brick, stucco, stone, or other materials that look typical of the style and period of a main building; and

(ii) of a style and proportion that is typical of the style and period of a main building.

(H) Color.

(i) Brick and stone surfaces. Brick and stone surfaces not previously painted must not be painted unless the applicant establishes that:

(aa) painting is the only method by which the brick or stone may be restored or preserved; or

(bb) the color and texture of replacement brick or stone cannot be matched with that of the existing brick or stone surface and the paint color matches that of the existing brick or stone surface.

(ii) Certain colors prohibited. Fluorescent and metallic colors are not permitted on the exterior of any structure in this district.

(iii) Dominant and trim colors. All structures must have a dominant color and no more than three trim colors. The colors of a structure must be complementary of each other and the overall character of the district.

(iv) Gutters and downspouts. Gutters and downspouts must be painted or colored to match or complement the color scheme of the structure to which they are attached.

(v) Roof colors. Roof colors must complement the style and overall color scheme of the structure.

(vi) Stain. The use and color of stain must be typical of the style and period of the building on which the stain is applied.

(I) Columns.

(i) Function. Columns are only permitted as vertical supports near the front entrance of a main building, or as vertical supports for porches.

(ii) Materials. Columns must be constructed of brick, wood, cut stone, or other materials that look typical of the style and period of a main building. No pipe or wrought iron columns are permitted.

(iii) Style. Columns must be of a style typical of the style and period of a main building.

(iv) Width dimensions.

(aa) The width of a one-story column shaft at its widest point must be at least one-eighth the height of the column.

(bb) The width of a two-story column shaft at its widest point must be at least one-tenth the height of the column.

(J) Facade materials.

(i) In general. The only permitted facade materials are brick, wood siding, stone, and stucco. All facade treatments and materials must be typical of the style and period of a main building.

(b) Brick. All exposed brick on facades must be fired brick as defined by the American Standard Testing Materials Designation C-216-75A, Type Grade FBS-SW.

(c) Wood facades. Existing wood facades must be preserved as wood facades. Wood siding or asbestos as a primary facade material, but may be used in roof gables and on columns and foundation skirts in a manner that is typical of the style and period of a main building.

(K) Front entrances and porches.

(a) Detailing. Railings, moldings, fretwork, carvings, and other detailing and architectural decorations on front entrances and porches must be typical of the style and period of a main building.

(b) Enclosures. A front entrance or porch may not be enclosed with any material, including awnings, blinds, glass, or insect screening.

(c) Facade openings. Porches must not obscure or conceal any facade openings in a main building.

(d) Floor coverings. Carpeting is not permitted as a porch floor or step covering.

(e) Location. All entrance treatment, including door transoms, sidelights, stained glass trim, and hardware, must be retained in its original location.

(f) Style. The main building must have a front porch or entry treatment with a shape, roof form, materials, and colors that are typical of the style and period of the building.

(L) Height to width ratio. The relationship between the height and width of the front facade of a main building, including side projections, must be compatible with those of the other main buildings on the blockface.

(M) Porte cocheres. Except as otherwise provided in this subsection, porte cocheres must be preserved as architectural features and may not be enclosed on any side by fences, gates, or any other materials. A wrought iron gate is permitted across the rear opening of a porte cochere if it has a screening factor of less than 51 percent and is compatible with the style and scale of a main building.

(N) Roof forms.

(a) Eaves and soffits. The height of eaves and soffits of a main building must be within 10 percent of the height of eaves and soffits on the closest main building in this district of a similar style and having the same number of stories.

(b) Materials and colors. Roof materials and colors must complement the style and overall color scheme of the building or structure. Tar and gravel (built-up) is only permitted as a roof material on covered porches and porte cocheres with flat roofs.

(c) Overhang. The roof overhang on a building must be compatible with the style and scale of the building. A replacement roof on an existing building must have an overhang that is equal to or greater than the overhang of the roof it replaces.

(iv) Patterns. Roof patterns of a main building must be typical of the style and period of the architecture of the building and include separate substructure roofs.

(v) Skylights and solar panels. Skylights and solar panels are only permitted on:

(aa) the rear 50 percent of the roof of a main building on an interior lot;

(bb) the rear inside quadrant of the roof of a main building on a corner lot; and

(cc) the roof of an accessory building in the rear yard.

(vi) Slope and pitch. The degree and direction of roof slope and pitch must be typical of the style and period of a main building and compatible with existing building forms in this district. Flat or Mansard roof designs are not permitted on main or accessory buildings or structures, except that a covered porch or porte cochere may have a flat roof that is typical of the style and period of a main building.

(G) Stairs. Second and third story exterior staircases are only permitted on accessory buildings and the rear 50 percent of a main building, except that they are not permitted on a corner side facade.

(F) Windows and doors.

(i) Front facade openings. The total number of window and door openings fenestration in the front facade of a main building must be equal to or greater than the total number of original window and door openings (determined) in that facade. The number of door openings in the front facade of a main building may not be increased.

(ii) Glass. Clear, decorative stained and clear leaded glass typical of the style and period of the building may be permitted in any window opening. Reflective, tinted, opaque, and mirrored glass and plastic are not permitted in any opening. Translucent glass is not permitted except in a bathroom window.

(iii) Screens, storm doors, and storm windows. Screens, storm doors, and storm windows may be permitted if:

(aa) their frames are painted or colored to match or complement the color scheme of a main building;

(bb) they do not obscure significant features of the windows and doors they cover; and

(cc) the screen mesh is 13 by 15 gauge.

(iv) Security and ornamental bars. Security and ornamental bars are only permitted on an accessory building or on the rear or side facades of a main building.

(v) Shutters. Shutters must be typical of the style and period of the building and appear to be installed in a manner to perform their intended function.

(vi) Style.

(aa) All windows and doors in the front facade of a main building must be proportionately balanced in a manner typical of the style and period of the building.

(bb) No single, fixed plate glass is allowed except as part of an original period design. The size and proportion of window and door openings located on the front and side facades of a main building must be typical of the style and period of the building.

(cc) All windows, doors, and lights in the front and side facades of a main building must be typical of the style and period of the building and compatible with the windows, doors, and lights in the front and side facades of the other main buildings on the blockface. Windows must contain at least two lights (window panes). Sidelights must be compatible in style and materials with the door.

(dd) The frames of windows must be trimmed in a manner typical of the style and period of the building.

(7) Landscaping.

(A) Certain items prohibited in front and corner side yards. The following items are not permitted in the front and corner side yards:

(i) Above ground metals.

(ii) Berms

(iii) Pylons and similar structures.

(iv) Rock or sculpture gardens

(B) Fences

(i) Definitions. The following definitions apply to terms used in these fence regulations:

(aa) FINISHED SIDE means the side of a fence that does not reveal the structural components.

(bb) STRUCTURAL COMPONENT means a post, column, or other vertical or horizontal member providing support and strength for a fence.

(ii) Fence.

(aa) Fences must be constructed and maintained in a vertical position

(bb) The top edge of a fence must be along a line that is either horizontal or parallel to grade. Except in the case of a picket, chain link, or wrought iron fence, the top edge of a fence must be flat.

(iii) Height. Maximum permitted height for a fence is nine feet.

(iv) Location.

(aa) Fences are not permitted in the front yard.

(bb) A fence on an interior side yard must be located in the rear 50 percent of the side yard and behind the rearmost side wall portion of a main building, except that the commission may allow a fence to be located in the rear 75 percent of the side yard if it determines that the fence does not screen any portion of a significant architectural feature of a main building on the same or an adjacent lot.

(cc) A fence in the corner side yard must not be directly in front of the corner side facade, except that the commission may allow a fence that is directly in front of all or any portion of the rear 50 percent of the corner side facade if:

[1] more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

[2] the fence does not screen all or any portion of a significant architectural feature of a main building.

(dd) A fence in the corner side yard must be set back a minimum of two feet from a public sidewalk.

(ee) A fence must run either parallel or perpendicular to a building wall or lot line.

(ff) A fence on a vacant lot must be set back a distance that is equal to or greater than the setback of the closest main building in the same blockface. In the case of a single interior vacant lot, the setback of the fence must be equal to or greater than the setback of a main building on the adjacent lot with the greater setback.

(v) Materials. A fence must be constructed of one or more of the following materials: metal or plastic-coated chain link, wrought iron, wood, brick, or stucco. Exposed concrete blocks are not permitted.

(vi) Masonry fences.

(aa) The color, texture, pattern, and dimensions of masonry and the color, width, type, and elevation of mortar joints in a fence column or base must match the masonry and mortar joints of a main building as nearly as practicable.

(bb) All exposed brick in a fence must be fired brick as defined by the American Standard Testing Materials Designation C 126-75A, Type Grade HBS-SW.

(vii) Metal fences.

(aa) Wrought iron and metal fences must be compatible with the style and period of a main building.

(bb) If a wrought iron or metal fence is painted or colored, the color must be black, dark green, or dark brown and complement the color of a main building.

(vii) Wooden fences.

(aa) All wooden structural posts must be at least four inches in diameter (nominal size).

(bb) The side of a wooden fence facing a public street must be the finished side.

(cc) Wooden fences may be painted or stained a color that is complementary to a main building.

(C) Outdoor lighting. Outdoor light fixtures on the front façade of a main building and on poles in the front yard must be compatible with the style and period of a main building and not obscure or conflict with significant architectural details. Overhead and exposed wiring and conduit for outdoor lighting is not permitted.

(D) Pavement, filler, and edging materials. Pavement, filler, and edging materials, such as landscape timbers, gravel, and bark, used in landscape beds in the front and corner side yards must be reviewed by the commission as part of an overall landscape plan of the landscape beds collectively comprise more than 25 percent of the combined areas of the front and corner side yards. No more than 25 percent of the front yard of a residential use may be covered by pavement or filler materials.

(E) Planter boxes. Planter boxes must be:

(i) an integral part of and typical of the style and period of a main building;

(ii) 18 inches or less in height;

(iii) 36 inches or less in depth; and

(iv) constructed of brick, stone, or smooth-finish concrete that matches or is compatible in texture, color, and style with a main building.

(F) Retaining walls. Retaining walls are not permitted in the front and side yards except to preserve a natural or existing slope or to make a slope similar to that of an adjacent lot. The height of a retaining wall must not exceed the height of the slope it retains. A retaining wall must be constructed of unpainted stone, brick, stucco, or smooth-finish concrete that is compatible in texture, color, and style with a main building.

(G) Sidewalks, driveways, and curbing.

(i) Materials.

(aa) No exposed aggregate, asphaltic, or artificially colored concrete or epoxy resin is permitted as a sidewalk, driveway, or curbing material.

(bb) All public sidewalks and curbing must be constructed of brush finish concrete.

(cc) All private sidewalks and driveways must be constructed of brush finish concrete, brick, tile, or slate. Gravel is allowed in the center strip of a ribbon driveway.

Any materials used in a sidewalk or driveway must be compatible in texture, color, and style with a main building.

(c) Width, style, and spacing.

(aa) The maximum permitted width of a driveway in the front yard is 10 feet. The driveway width may be expanded to 20 feet at any point behind the front facade.

(bb) Ribbon driveways are only permitted if the owner establishes that a ribbon driveway was an original architectural element of the site. If a ribbon driveway is permitted, the ribbons must be at least one foot wide.

(cc) Circular driveways are not permitted in the front yard.

(dd) A driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot must be spaced a minimum of one foot from the existing driveway on the adjacent lot. (Ord. Nos. 18563; 25423)

SEC. 51P-63.117. USE REGULATIONS FOR AREA B.

The following use regulations apply to all property in Area B.

(1) Uses that were legal on February 8, 1992, are illegal uses under this article. Except as otherwise provided in this article, nonconforming uses are governed by Section 51A-4.704.

(2) The number of dwelling units on a building site may not be increased. If the number of dwelling units in a building is reduced, or the building is replaced with another building containing a lesser number of dwelling units, the building site shall thereafter be limited to the lesser number of dwelling units.

(3) Uses are limited to single-family residential uses. (Ord. Nos. 18563; 25423)

SEC. 51P-63.118. DEVELOPMENT STANDARDS FOR AREA B.

(a) In general. Except as otherwise provided in this section, the development standards in the Dallas Development Code, as amended, applicable to an R-7.5 Single-Family District apply to all property in Area B. In the event of a conflict, the provisions of this section control.

(b) Height requirements. Maximum permitted heights for buildings and structures are:

(1) 30 feet for a main building; and

(2) 24 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:

(1) Each lot must have a minimum area of 9,600 square feet and a minimum depth of 110 feet.

(2) Each lot must have a width no less than 90 percent of the average width of all lots in both the same and the opposite blockface.

(3) Lots platted on or before February 5, 1982, are legal building sites, even though they may not conform to the requirements of this section.

(d) Maximum lot coverage. Maximum permitted lot coverage for all buildings and structures combined is 45 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard setback of 30 feet.

(2) The main building on an interior lot must have a front yard setback that is:

(A) equal to that of the closest main building on either side of the lot in the same blockface, or

(B) between those of the closest main buildings on either side of the lot in the same blockface.

(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. Minimum permitted rear yard setbacks for buildings and structures are:

(1) 35 feet for a main building, and

(2) five feet for an accessory building or structure.

(g) Minimum side yard.

(1) All buildings and structures must have:

(A) on interior lots, a minimum side yard the greater of five feet or 80 percent of the average interior side yard on the blockface; and

(B) on corner lots, a minimum corner side yard the greater of 10 feet or 80 percent of the average corner side yard of the other corner lots at the same intersection.

(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(h) Off-street parking requirements. Single family uses must provide at least two off-street parking spaces for each dwelling unit. One of the required parking spaces must be behind the front yard.

(i) Signs. Signs are governed by the provisions for non-business zoning districts in Article VII, "Sign Regulations," and all other applicable sign ordinances and laws.

(j) Story requirements. A main building must have less than three stories. An accessory building may have no more than two stories. (Ord. Nos. 18563; 19430)

SEC. 51P-63.119. PRESERVATION CRITERIA FOR AREA B.

(a) In general. The preservation criteria in this article applicable to Area A apply to all property in Area B except as expressly modified in this section.

(b) Building placement, form, and treatment.

(1) Accessory buildings. Accessory buildings may be located closer than 15 feet to a main building.

(2) Facade materials. All facade treatments and materials need not be typical of the style and period of a main building so long as they look typical of the style and period of a main building. Existing wood facades need not be preserved as wood facades. Vinyl or aluminum siding is also permitted as a facade material if:

(A) it appears to consist of four inch wide panels;

(B) it is horizontally oriented;

(C) its color complements the other colors of the building and the overall character of this district;

(D) it has a wood grain or smooth-finish texture; and

(E) it is installed so that the building decorative trim is replaced over the siding in the same manner that it existed before the installation.

(3) Windows and doors. If a door opening in the front facade of a main building is eliminated as part of a conversion from a duplex to a single-family use, it need not be replaced with a window unless the commission determines that the replacement is necessary to preserve the architectural style of the building. Each story of a front facade of a main building must contain at least two windows, or one window and a door.

(c) Landscaping.

Driveway spacing. A driveway constructed in the front yard adjacent to an existing driveway on an adjacent lot need not be spaced a minimum of one foot from the existing driveway on the adjacent lot. (Ord. Nos. 19563; 25493)

SEC. 51P-63.120. USE REGULATIONS FOR AREA C.

The following use regulations apply to all property in Area C.

(1) Uses that were illegal on February 3, 1952, are illegal uses under this article. Except as otherwise provided in this article, nonconforming uses are governed by Section 51A-4.704.

(2) The number of dwelling units on a building site may not be increased. If the number of dwelling units in a building is reduced, or the building is replaced with another building containing a lesser number of dwelling units, the building site shall thereafter be limited to the lesser number of dwelling units.

(3) Except as otherwise provided below, uses are limited to single-family residential uses.

(4) The duplex use at 5503-05 Bryan Street is expressly recognized as a legal use unless and until the structure in which the use is located is destroyed, in which case the right to operate the duplex use terminates immediately. (Ord. Nos. 18563; 25423)

SEC. 51P-63.121. DEVELOPMENT STANDARDS FOR AREA C.

(a) In general. Except as otherwise provided in this section, the development standards in the Dallas Development Code, as amended, applicable to an R-7.5 Single-Family District apply to all property in Area C. In the event of a conflict, the provisions of this section control.

(b) Height requirements. Maximum permitted heights for buildings and structures are:

(1) 36 feet for a main building; and

(2) 24 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:

(1) Each lot must have a minimum area of 7,500 square feet and a minimum depth of 150 feet.

(2) Each lot must have a width no less than 90 percent of the average width of all lots in both the same and the opposite blockface.

(3) Lots platted on or before February 3, 1982, are legal building sites, even though they may not conform to the requirements of this section.

(d) Maximum lot coverage. Maximum permitted lot coverage for all buildings and structures combined is 30 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard setback of 30 feet.

(2) The main building on an interior lot must have a front yard setback that is:

(A) equal to that of the closest main building on either side of the lot in the same blockface; or

(B) between those of the closest main buildings on either side of the lot in the same blockface.

(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. Minimum permitted rear yard setbacks for buildings and structures are:

(1) 50 feet for a main building; and

(2) five feet for an accessory building or structure.

(g) Minimum side yards.

(1) All buildings and structures must have:

(A) on interior lots, a minimum side yard the greater of five feet or 50 percent of the average interior side yard in the block face; and

(B) on corner lots, a minimum corner side yard the greater of 10 feet or 50 percent of the average corner side yard of the other corner lots at the same intersection.

(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(h) Off-street parking requirements. Single-family and duplex uses must provide at least two off-street parking spaces behind the front yard for each dwelling unit.

(i) Signs. Signs are governed by the provisions for non-business zoning districts in Article VII, "Sign Regulations," and all other applicable sign ordinances and laws.

(j) Story requirements. A main building must have at least two stories. An accessory building may have no more than two stories. (Ord. Nos. 18562; 25423)

SEC. 51P-63.122. PRESERVATION CRITERIA FOR AREA C.

The preservation criteria in this article applicable to Area A apply to all property in Area C. (Ord. Nos. 18562; 25423)

SEC. 51P-63.123. USE REGULATIONS FOR AREA D.

The use regulations in this article applicable to Area B apply to all property in Area D. (Ord. Nos. 18562; 25423)

SEC. 51P-63.124. DEVELOPMENT STANDARDS FOR AREA D.

(a) In general. Except as otherwise provided in this section, the development standards in the Dallas Development Code, as amended, applicable to an R-7.5 Single-Family District apply to all property in Area D. In the event of a conflict, the provisions of this section control.

(b) Height requirements. Maximum permitted heights for buildings and structures are:

(1) 35 feet for a main building; and

(2) 24 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:

(1) Each lot must have a minimum area of 7,500 square feet and a minimum depth of 150 feet.

(2) Each lot must have a width no less than 80 percent of the average width of all lots in both the same and the opposite blockface.

(3) Lots placed on or before February 2, 1982, are legal building sites, even though they may not conform to the requirements of this section.

(d) Maximum lot coverage. Maximum permitted lot coverage for all buildings and structures combined is 30 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard setback of 30 feet.

(2) The main building on an interior lot must have a front yard setback that is:

(A) equal to that of the closest main building on either side of the lot in the same blockface; or

(B) between those of the closest main buildings on either side of the lot in the same blockface.

(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. Minimum permitted rear yard setbacks for buildings and structures are:

(1) 60 feet for a main building; and

(2) five feet for an accessory building or structure.

(g) Minimum side yards.

(1) All buildings and structures must have:

(A) on interior lots, a minimum side yard the greater of five feet or 30 percent of the average interior side yard in the blockface; and

(B) on corner lots, a minimum corner side yard the greater of 15 feet or 90 percent of the average corner side yard of the other corner lots at the same intersection.

(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(h) Off-street parking requirements. Single family uses must provide at least two off street parking spaces behind the front yard for each dwelling unit.

(i) Signs. Signs are governed by the provisions for non-business zoning districts in Article VII, "Sign Regulations," and all other applicable sign ordinances and laws.

(3) Story requirements. A main building must have less than three stories. An accessory building may have no more than two stories. (Ord. Nos. 18563; 25423)

SEC. 51P-63.125. PRESERVATION CRITERIA FOR AREA D.

The preservation criteria in this article applicable to Area A apply to all property in Area D. (Ord. Nos. 18563; 25423)

SEC. 51P-63.126. USE REGULATIONS FOR AREA E.

The following use regulations apply to all property in Area E:

(1) Uses are limited to single-family residential uses.

(2) The post office use at 6120 Swiss Avenue is expressly recognized as a nonconforming use. (Ord. Nos. 18563; 25423)

SEC. 51P-63.127. DEVELOPMENT STANDARDS FOR AREA E.

(a) In general. The development standards in this article applicable to Area A apply to all property in Area E except as expressly modified in this section.

(b) Minimum front yard. The post office use must have a minimum setback along Swiss Avenue that is equal to or greater than that of the closest main building fronting on Swiss Avenue in the same blockface.

(c) Off-street parking requirements. The post office use must provide at least one off-street parking space for each 200 square feet of floor area.

(d) Screening. A solid wood or masonry screening fence no less than six feet in height is required in the rear and side yards of the post office use. (Ord. Nos. 18563; 25423)

SEC. 51P-63.128. PRESERVATION CRITERIA FOR AREA E.

The preservation criteria in this article applicable to Area A apply to all property in Area E. (Ord. Nos. 18563; 25423)

SEC. 51P-63.129. USE REGULATIONS FOR AREA F.

The use regulations in this article applicable to Area B apply to all property in Area F. (Ord. Nos. 18563; 25423)

SEC. 51P-63.130. DEVELOPMENT STANDARDS FOR AREA F.

(a) In general. Except as otherwise provided in this section, the development standards in the Dallas Development Code, as amended, applicable to an R-7.5 Single-Family District apply to all property in Area F. In the event of a conflict, the provisions of this section control.

(b) Height requirements. Maximum permitted heights for buildings and structures are:

(1) 36 feet for a main building; and

(2) 24 feet for an accessory building or structure.

(c) Lot size requirements. Lots must conform to the following standards:

(1) Each lot must have a minimum area of 7,500 square feet and a minimum depth of 130 feet.

(2) Each lot must have a width no less than 90 percent of the average width of all lots in both the same and the opposite blockface.

(3) Lots platted on or before February 3, 1982, are legal building sites, even though they may not conform to the requirements of this section.

(d) Maximum lot coverage. Maximum permitted lot coverage for all buildings and structures combined is 25 percent.

(e) Minimum front yard.

(1) All buildings and structures must have a minimum front yard setback of 65 feet.

(2) The main building on an interior lot must have a front yard setback that is:

(A) equal to that of the closest main building on either side of the lot in the same blockface; or

(B) between those of the closest main buildings on either side of the lot in the same blockface.

(3) The main building on a corner lot must have a front yard setback that is within five percent of that of the closest main building in the same blockface.

(f) Minimum rear yard. Minimum permitted rear yard setbacks for buildings and structures are:

(1) 120 feet for a main building; and

(2) five feet for an accessory building or structure.

(g) Minimum side yards.

(1) All buildings and structures must have:

(A) on interior lots, a minimum side yard the greater of 10 feet or 80 percent of the average interior side yard in the blockface; and

(B) on corner lots, a minimum corner side yard the greater of 15 feet or 80 percent of the average corner side yard of the other corner lots at the same intersection.

(2) Except as otherwise provided in this section, no balcony, porch, or any portion of a building may extend into the required side yard. Roof eaves may project up to three feet into the required side yard.

(f) Off-street parking requirements. Single-family uses must provide at least two off-street parking spaces behind the front yard for each dwelling unit.

(g) Signs. Signs are governed by the provisions for non-business zoning districts in Article VII, "Sign Regulations," and all other applicable sign ordinances and laws.

(j) Story requirements. A main building must have at least two stories. An accessory building may have no more than two stories. (Ord. Nos. 18563, 25423)

SEC. 51P-63.131. PRESERVATION CRITERIA FOR AREA F.

The preservation criteria in this article applicable to Area A apply to all property in Area F. (Ord. Nos. 18563; 25423)

SEC. 51P-63.132. BUILDING OFFICIAL.

The building official shall not issue a building permit or certificate of occupancy for a use in this district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 18563; 25423; 26102)

SEC. 51P-63.133. STREETS AND PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, to the satisfaction of the director of public works and transportation. (Ord. Nos. 18563; 25423; 26102)

SEC. 51P-63.134. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy for a use in this PD until there has been full compliance with this article, as amended, and with the construction codes and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 17286; 25423)

SEC. 51P-63.135. ZONING MAP.

PD 63 is located on Zoning Map No. I-8. (Ord. 25423)

950965

3-8-95

ORDINANCE NO 22352

An ordinance amending CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE" of the Dallas City Code as amended, by establishing Historic Overlay District No. 72 (Peak Suburban Addition) comprised of the following described property ("the Property") to wit:

BEING an area generally bounded by Haskell Avenue, Gaston Avenue, Peak Street, Sycamore Street, Fitzhugh Avenue, and Worth Street, and containing approximately 125 acres of land;

providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the Property; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE" of the Dallas City Code, as amended, is amended by establishing Historic

Overlay District No. 72 comprised of the following described property ("the Property"):

to wit:

Being a tract of land in the John Grigsby Survey, Abstract No. 495, in the City of Dallas, Dallas County, Texas, being all of City Block 3/791, part of City Block 6/774, all of City Blocks 8/768, 1/769, and 2/769, part of City Blocks 9/739, 9/738, 736 and 2/735, all of City Blocks 737 and 1/737, part of City Blocks 2/735, 12/734, 11/733, and 10/732, all of City Blocks A/770, B/770, C/770, D/770, 770, 771, 1/771, 772, 773, and 794, part of City Blocks A/795 and B/795, and all of City Blocks 793 and 4/792, and further described as follows:

BEGINNING at the intersection of the centerline of Haskell Avenue and the centerline of Worth Street;

THENCE in a northwesterly direction along the centerline of Haskell Avenue, crossing Junius Street, a distance of approximately 650 feet to a point for corner on a line, said line being approximately 172 feet northwest of and parallel to the northwest line of Junius Street;

THENCE in a northeasterly direction along said line, a distance of approximately 607 feet to a point for corner on a line, said line being approximately 90 feet southwest of and parallel to the southwest line of Peak Street;

THENCE in a southeasterly direction along said line, a distance of approximately 50 feet to a point for corner on a line, said line being 122.83 feet northwest of and parallel to the northwest line of Junius Street;

THENCE in a northeasterly direction along said line, a distance of approximately 122 feet to a point for corner on the centerline of Peak Street;

THENCE in a northwesterly direction along the centerline of Peak Street, a distance of approximately 1,086.5 feet to a point for corner on a line, said line being approximately 175 feet northwest of and parallel to the northwest line of Swiss Avenue;

THENCE in a northeasterly direction along said line, a distance of approximately 311 feet to a point for corner on the northeast line of Lot 2-C in City Block 9/739;

THENCE in a northwesterly direction along said lot line and its northwestward prolongation, a distance of approximately 150 feet to a point for corner on the centerline of Sycamore Street;

THENCE in a southwesterly direction along the centerline of Sycamore Street, a distance of approximately 30 feet to a point for corner on a line, said line being the southeastward prolongation of the common line between Lots 21 and 22 in City Block 9/739;

THENCE in a northwesterly direction along said line and continuing along the common line between said Lots 21 and 22 and its northwestward prolongation, a distance of approximately 182.5 feet to a point for corner on the centerline of a 15 foot wide public alley;

THENCE in a northeasterly direction along the centerline of said alley and its northeastward prolongation, crossing Carroll Avenue, and continuing along a line that is approximately 160 feet northwest of and parallel to the northwest line of Sycamore Street, crossing Annex Avenue, Grigsby Avenue, and North Prairie Avenue, in all a distance of approximately 2,236.8 feet to a point for corner on the centerline of Fitzhugh Avenue;

THENCE in a southeasterly direction along the centerline of Fitzhugh Avenue, crossing Sycamore Street, Swiss Avenue, Gaston Avenue, Junius Street, and Worth Street, a distance of approximately 2,126.3 feet to a point for corner on the centerline of a 12.5 foot wide public alley;

THENCE in a southwesterly direction along the centerline of said alley and its southwestward prolongation, crossing Prairie Avenue, and continuing along the centerline of a 20 foot wide public alley in City Block 6/795, a distance of approximately 959 feet to a point for corner on a line, said line being the southeastward prolongation of the common line between Lots 5 and 6 in City Block 6/795;

THENCE in a northwesterly direction along said line, and continuing along the common line between said Lots 5 and 6 and its northwestward prolongation, a distance of approximately 185 feet to a point for corner on the centerline of Worth Street;

THENCE in a southwesterly direction along the centerline of Worth Street, a distance of approximately 825 feet to a point for corner on the centerline of Carroll Avenue;

THENCE in a southeasterly direction along the centerline of Carroll Avenue, a distance of approximately 91 feet to a point for corner on the centerline of Worth Street;

THENCE in a southwesterly direction along the centerline of Worth Street, a distance of approximately 1,448.55 feet to a point on the centerline of Haskell Avenue, the PLACE OF BEGINNING, and containing approximately 125 acres of land.

SECTION 2 That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the

regulations contained in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, or remove any structure on the Property without first obtaining a certificate of appropriateness in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit A.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That the director of planning and development shall correct Zoning District Map Nos. I-8 and J-8 in the offices of the city secretary, the building official, and the department of planning and development to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land on the Property.

SECTION 7. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:
SAM A. LINDSAY, City Attorney

By _____
Assistant City Attorney

Passed _____

Zoning File No. Z945-149/9779-E

EXHIBIT A

PRESERVATION CRITERIA

PEAK SUBURBAN ADDITION

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.

1. DEFINITIONS

Unless provided below or the context clearly indicates otherwise, the definitions contained in Sections 51A-2.102 and 51A-7.102 of the Dallas City Code, as amended, apply.

1.1 ADDITION means an enclosed floor area added to a main structure.

1.2 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.

1.3 COLUMN means the entire column including the base and capital, if any.

1.4 COMMISSION means the Landmark Commission of the City of Dallas.

1.5 CORNERSIDE FACADE means a building facade facing a side street.

1.6 CORNERSIDE YARD means a side yard that abuts a street.

1.7 DIRECTOR means the director of the Department of Planning and Development or that person's representative

1.8 DISTRICT means the Peak Suburban Addition Historic Overlay District. This district contains the property described in Section 1 of this ordinance.

1.9 ERECT means to build, attach, hang, place, suspend, fasten, fix, maintain, paint, draw or otherwise construct.

1.10 GASTON COMMERCIAL TRACT means two tracts located on Gaston Avenue, as described in Addendum A where commercial or residential structures may be located.

1.11 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

1.12 INTERIOR SIDE YARD means a side yard that is not a cornerside yard.

1.13 MAIN BUILDING means a building on a lot intended for occupancy by the main use

1.14 PRESERVATION CRITERIA means the standards considered by the director and commission in determining whether a certificate of appropriateness should be granted or denied.

1.15 PROTECTED FACADE means a facade that must maintain its original appearance, as near as practical, in all aspects.

1.16 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

2. SITE AND SITE ELEMENTS

2.1 New construction is prohibited in all front yards within the district, except for parking in the Gaston Commercial Tract.

2.2 The existing original and historic structures must be retained and protected.

2.3 New sidewalks, walkways, steps, and driveways must be of brush finish concrete, brick, stone, or other material deemed appropriate. No exposed aggregate, artificial grass, carpet, asphalt or artificially-colored monolithic concrete paving is permitted.

2.4 No new circular drives or new parking is allowed in front yards. Parking is allowed in front of structures in the Gaston Commercial Tract.

2.5 Exterior lighting must be appropriate to and enhance the structure.

2.6 Landscaping must be appropriate and compatible, must enhance the structure and surroundings, and must not obscure significant views of or from the main building. It is recommended that landscaping modifications reflect the original historic landscaping design when appropriate.

2.7 Any new mechanical equipment must be erected in side or rear yards and must be screened from the street.

2.8 Existing mature trees in the front yard must be maintained. Unhealthy or damaged trees may be removed if deemed appropriate.

2.9 Fences in the rear yard and rear 50% of the side yard may not exceed 9 feet in height. (See Addendum B.)

2.10 Historically appropriate fences are permitted in the front yard and must be constructed of one or more of the following materials: wood, stone, brick, wrought iron, a combination of those materials, or other materials deemed appropriate. These fences may not exceed 3'6" in height and must be 50% open. (See Addendum B).

2.11 Interior side yard fences must be located in the rear 50% of the side facade. Interior side yard fences must be located behind the open front porch of an adjacent house. The fence at the side property line may be a solid fence. The portion of the fence facing the main street must be at least 70% open. Chain link fences do not qualify as a "70% open fence". (See Addendum B.)

a. The commission may, if it determines more screening is necessary to ensure privacy, allow interior side yard fences to be located up to a point 5 feet back from the corner of the house measured from the back wall of the front porch, provided that these fences may not exceed 6 feet in height. (See Addendum B.)

2.12 Solid fences in cornerside yards must not be located directly in front of the cornerside facade except that the commission may allow a solid fence directly in front of any portion of the rear 50% of the cornerside facade if:

a. more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

b. the fence does not screen any portion of a significant architectural feature of a main structure.

Fences in comerside yards that are at least 70% open, up to maximum height of 8 feet, may be located in the front 50% of the comerside facade if deemed appropriate. Chain link fences do not quality as a "70% open fence". These fences must be constructed of materials with dimensions no greater than two inches in width and depth except for structural supports (See Addendum B).

2.13 Fences in side, rear or comerside yards must be constructed of one or more of the following materials: wood, brick, stone, wrought iron, chain link (as noted below), a combination of these materials, or other materials deemed appropriate. Fence locations are illustrated in Addendum B.

Chain link fences are not allowed in the front yard or front 50% of the side yard, or the front 50% of the comerside yard.

The fences that are required to be 70% open should be of wrought iron, wood that resembles wrought iron, or historic wire fences. Chain link fences do not quality as a "70% open fence". Recommended fence designs are shown in Addendum B.

2.14 Tops of fences must be horizontal, stepped or parallel to grade as illustrated in Addendum B.

2.15 The finished side of a fence must face out if seen from any street as illustrated in Addendum B.

3 STRUCTURE

Facades

3.1 The front and side facades are protected facades.

3.2 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.

3.3 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.

3.4 Brick must match in color, texture, module size, bond pattern and mortar color. Brick surfaces not previously painted may not be painted unless the applicant establishes that:

a. the color and texture of replacement brick cannot be matched with that of the existing brick surface;

b the brick is not original or compatible with the style and period of the main building and the district; or

c the brick has been damaged or painting is the only method by which the brick can be salvaged.

3.5 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.

3.6 Wood siding, trim, and detailing must be carefully restored wherever practical. Historic materials should be repaired; they may 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 structures only if they are in keeping with the style and materials on the main structure.

3.7 Color. All colors must comply with the Acceptable Color Range Standards contained in Addendum C, except that the Landmark Commission may approve other colors not specifically prohibited if it determines the proposed color is appropriate. Fluorescent and metallic colors are not permitted on the exterior of any structure in this district. (See Addendum C).

Dominant and trim colors. All structures must have a dominant color and no more than three trim colors, including any accent colors. Proper location of dominant, trim and accent colors is shown in Addendum D. The colors of a structure must be complementary to each other and the overall character of this district. Complimenting color schemes are encouraged through the blockface. Columns should be painted white or a light color.

3.8 Exposing and restoring original historic finish materials is encouraged.

3.9 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

3.10 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 proportion, glazing material, and color. Painted or factory finished aluminum storm doors, storm windows or screens are permitted. Mill finished aluminum is not permitted.

3.11 New door and window openings on the front and cornerside facade are permitted only in locations where there is evidence that original openings have been filled with other material.

3.12 Decorative ironwork or burglar bars are permitted on rear facades. Interior mounted burglar bars are permitted on protected facades.

3.13 Glass and glazing must match original materials as much as practical. Dark tinted, reflective glazing or reflective film is not permitted.

3.14 Materials placed on or behind window glazing must be appropriate to the district.

3.15 The Department of the Interior standards should be referred to for acceptable techniques to improve the energy efficiency of historic fenestrations.

Roofs

3.16 The slope, massing, configuration and materials of the roof must be preserved and maintained. Original gables, dormers, porches, and 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.

3.17 The following roofing materials are allowed: wood shingles, composition shingles, slate, clay/concrete terra-cotta tiles, and other materials deemed appropriate.

3.18 Solar panels, skylights, and mechanical equipment must be set back or screened so as not to be visible from ground level on the opposite side of any adjacent right-of-way.

Porches and balconies

3.19 Existing original porches and balconies on protected facades must be retained and preserved. Porches may not be enclosed on protected facades.

3.20 All original columns, railings, and other trim and detailing that are part of the porch or balcony configuration must be preserved.

3.21 It is encouraged that existing enclosed porches on protected facades be restored to their original appearance.

3.22 Front porch floor finishes must be concrete, wood or other materials 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.

4. NEW CONSTRUCTION AND ADDITIONS

4.1 The form, materials, general exterior appearance, color and details of any new construction of an accessory building or vertical extension to an existing structure must be compatible with the existing historic structure.

4.2 New construction, additions to historic structures, accessory buildings, porches, and balconies must be of appropriate massing, roof form, shape, materials, detailing and color, and must have fenestration patterns and solids-to-voids ratios that are typical of the historic structure.

4.3 The height of new construction, accessory buildings, or vertical or horizontal additions to existing non-protected structures or facades may not exceed the height of similar historic structures in this district.

4.4 Vinyl, aluminum, and other imitation materials are not acceptable cladding materials for the construction of a new main structure or addition to an existing historic structure.

4.5 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.

4.6 Width requirements: The width of a front facade of a new single family residence must not:

a exceed 42 feet; or

b be more than 20 percent greater than the average width of single family dwellings on the blockface.

4.7 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 must be established and maintained.

Historic details at parapets and coping must be preserved and maintained where abutting new construction.

4.8 Front yard setback:

a A main building on an interior lot must have a front yard setback that is equal to the average setback of other structures in the blockface.

b A main building on a corner lot must have a front yard setback that is within one foot of that of the closest main building in the same blockface.

4.9 Front, rear, side and cornerside yards are illustrated in attached Addendum E.

5. GASTON COMMERCIAL TRACT

5.1 In addition to residential structures, early 20th century commercial styles are allowed as illustrated in Addendum F and as described in this section. If there is a conflict, these regulations control over the architectural guidelines contained in Planned Development District No. 362, as amended (commonly called the Gaston PD).

5.2 Stories: All structures must have one or two stories, not to exceed 30 feet.

5.3 All structures must be constructed of brick or stucco with wood trim.

5.4 Windows: All windows must be wood or resemble wood in appearance.

a First-floor store fronts must be divided into two, three, or four bays as illustrated in Addendum F. At least 60% of the area of the first floor store front must consist of either window or door area. Transom windows must be above all first floor windows and doors.

b Second-floor store front windows must have a double or single hung sash. At least 35% of the area of the second-floor store front must consist of window area.

c. Mirrored, opaque, and translucent glasses are not permitted in any door or window opening.

5.5 Panels: Panels less than three feet in height must be placed below all first floor windows. Panels must be made of wood, brick, tile or other material deemed appropriate.

5.6 Doors: Each front door must be composed of wood or other material deemed appropriate and have at least one large full-view window.

5.7 Roofs. All roofs must be flat or hidden by parapets. Tile visor roofs are encouraged.

5.8 Story setbacks: No story may be setback from another story. (The wall facing the street must be vertical.)

5.9 Equipment screening: All rooftop mechanical equipment seen from the street must be screened with a parapet.

5.10 Parking. Single row parking does not need to be screened, double row parking must be screened by landscaping. Parking will be allowed in front of structures.

5.11 Brick and/or tile accents in the pavement in front of entrances are encouraged.

5.12 There are no minimum side yard setbacks required except that properties with cornerside yards must have a minimum 5 foot setback. Front yard setbacks must comply with the average setback of existing historic buildings on the street. There are no minimum lot sizes or coverage in this tract.

6. ACCESSORY BUILDINGS

6.1 Accessory buildings are permitted only in the rear yard.

6.2 Accessory buildings must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building.

6.3 Accessory buildings must be at least 8 feet from the main building.

6.4 Accessory buildings may not exceed 1,200 square feet in floor area, unless documentation shows that an original building exceeding this size was previously on the building site.

6.5 Accessory buildings may have garage doors located at the established rear yard setback from the alley if electric garage door openers are installed.

6.6 The minimum rear yard setback for accessory structures is 2'6", with a 1'6" roof overhang encroachment permitted.

6.7 The minimum side yard setback for accessory structures is 3 feet, with a 1'6" roof overhang encroachment permitted.

6.8 Accessory structures may be rebuilt in the location of a former structure if the location of the former structure is properly documented.

7. SIGNS

7.1 Temporary political campaign signs (as defined in Chapter 15A of the Dallas City Code, as amended) and real estate signs are permitted without a certificate of appropriateness.

7.2 Street signs, protective signs, movement control signs, and historical markers are permitted. 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.

7.3 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.

8. REVIEW PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS

8.1 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.

ADDENDUM A

Gaston Commercial Tract

Property Description

TRACT I

BEGINNING at the intersection of the centerline of Gaston Avenue and Carroll Avenue;

THENCE in a southeasterly direction along the centerline of Carroll Avenue, a distance of approximately 170 feet to a point for corner on a line, said line being approximately 130 feet southeast of and parallel to the southeast line of Gaston Avenue

THENCE in a southwesterly direction along said line, a distance of approximately 90 feet to a point for corner on a line, said line being approximately 90 feet southwest of and parallel to the southwest line of Carroll Avenue;

THENCE in a southeasterly direction along said line, a distance of approximately 40 feet to a point for corner on a line, said line being approximately 170 feet southeast of and parallel to the southeast line of Gaston Avenue;

THENCE in a southwesterly direction along said line, a distance of approximately 60 feet to a point for corner on a line, said line being approximately 150 feet southwest of and parallel to the southwest line of Carroll Avenue;

THENCE in a southeasterly direction along said line, a distance of approximately 15 feet to a point for corner on a line, said line being approximately 185 feet southeast of and parallel to the southeast line of Gaston Avenue,

THENCE in a southwesterly direction along said line, a distance of approximately 65 feet to a point for corner on a line, said line being 215 feet southwest of and parallel to the southwest line of Carroll Avenue;

THENCE in a northwesterly direction along said line, a distance of approximately 225 feet to a point for corner on the centerline of Gaston Avenue;

THENCE in a southwesterly direction along the centerline of Gaston Avenue, a distance of approximately 243 feet to a point for corner on a line, said line being approximately 196 feet northeast of and parallel to the northeast line of Peak Street;

THENCE in a northwesterly direction along said line, a distance of approximately 292.5 feet to a point for corner on a line, said line being approximately 252.5 feet northwest of and parallel to the northwest line of Gaston Avenue;

THENCE in a northeasterly direction along said line, crossing Carroll Avenue, and continuing along the northwestern boundary line of Lot 1 in City Block 1/769, a distance of approximately 678.6 feet to a point for corner on the northeastern boundary line of said Lot 1;

THENCE in a southeasterly direction along said lot line and its southeastward prolongation, a distance of approximately 289.5 feet to a point for corner on the centerline of Gaston Avenue;

THENCE in a southwesterly direction along the centerline of Gaston Avenue, a distance of approximately 185.8 feet to its intersection with the centerline of Carroll Avenue, the PLACE OF BEGINNING.

TRACT II

BEGINNING at the intersection of the centerline of Carroll Avenue and Gaston Avenue;

THENCE in a southeasterly direction along the centerline of Fitzhugh Avenue, a distance of approximately 229.3 feet to a point for corner on a line, said line being approximately 194.3 feet northwest of and parallel to the northwest line of Junius Street;

THENCE in a southwesterly direction along said line, a distance of approximately 441 feet to a point for corner on the common line between City Blocks 771 and 1/771;

THENCE in a northwesterly direction along said common block line, a distance of approximately 239.5 feet to a point for corner on the centerline of Gaston Avenue;

THENCE in a southwesterly direction along the centerline of Gaston Avenue, a distance of approximately 53.6 feet to a point for corner on a line, said line being approximately 115 feet northeast of and parallel to the northeast line of Grigsby Avenue;

THENCE in a northwesterly direction along said line, a distance of approximately 180 feet to a point for corner on the southeast line of a 15 foot wide public alley;

THENCE in a northeasterly direction along said alley line, a distance of 50 feet to a point for corner on the common line between City Blocks 770 and D/770;

THENCE in a northwesterly direction along said common block line, a distance of approximately 240 feet to a point for corner on the common line between City Blocks 770 and D/770;

THENCE in a northeasterly direction along said common block line, a distance of approximately 100 feet to a point for corner on a line, said line being 100 feet northeast of and parallel to the common line between City Blocks 770 and D/770;

THENCE in a southeasterly direction along said line, a distance of approximately 42.5 feet to a point for corner on a line, said line being 42.5 feet southeast of and parallel to the common line between City Blocks 770 and D/770;

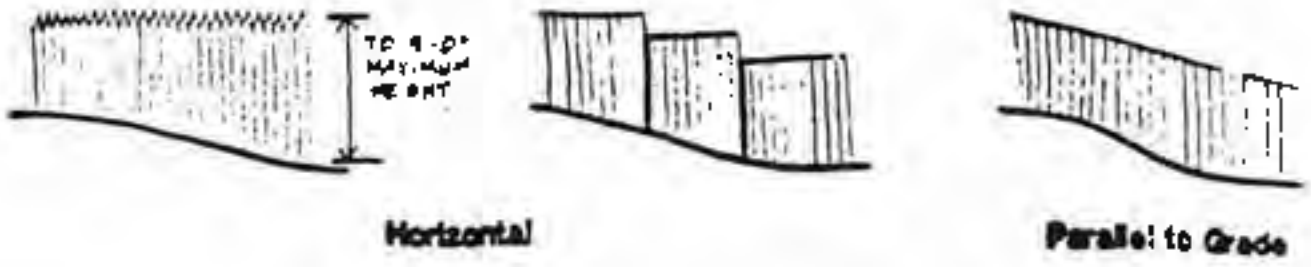
THENCE in a northeasterly direction along said line, a distance of approximately 96.5 feet to a point for corner on the northeast boundary line of Lot 3 in City Block 770;

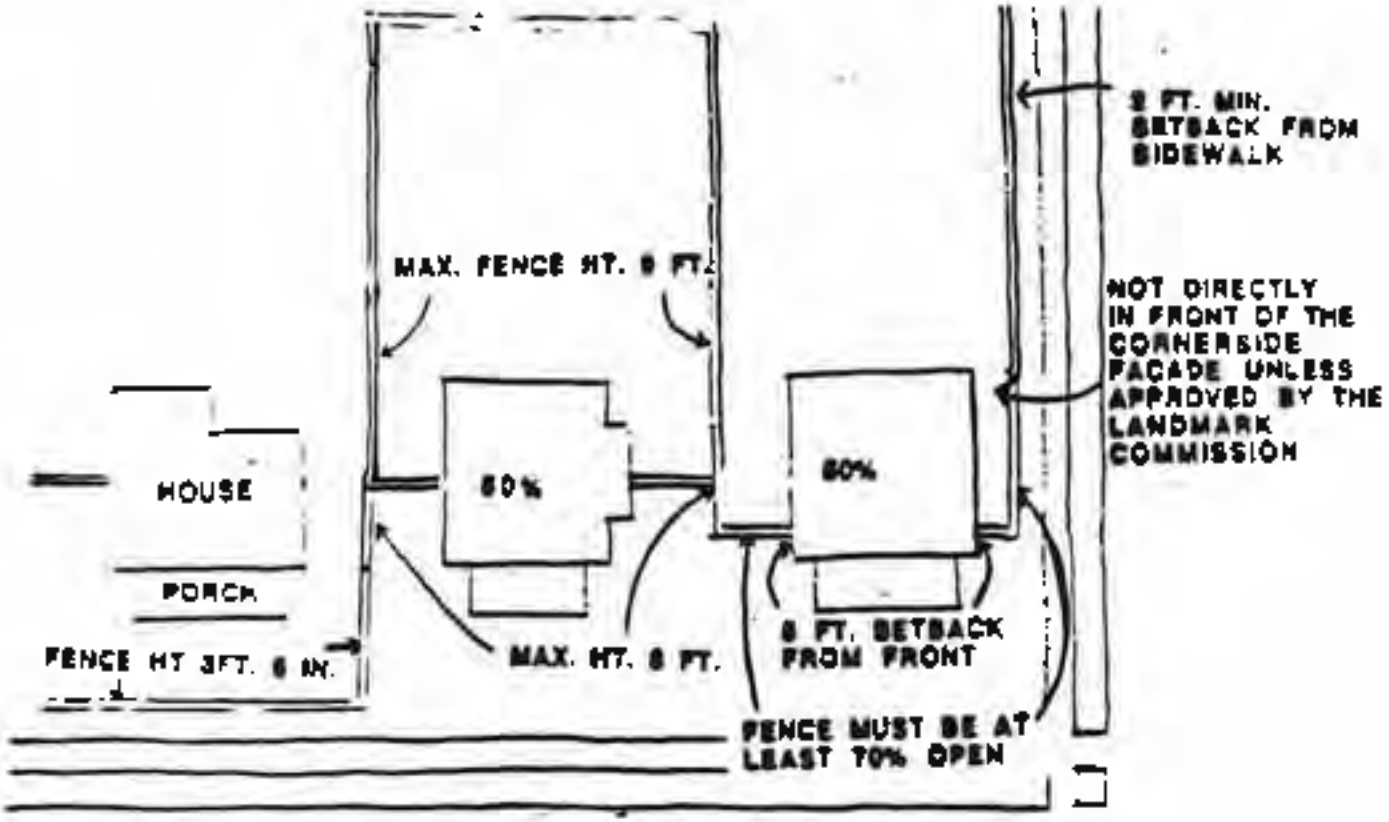
THENCE in a southeasterly direction along said lot line, a distance of approximately 198 feet to a point for corner on a line, said line being 144.8 feet northwest of and parallel to the northwest line of Gaston Avenue;

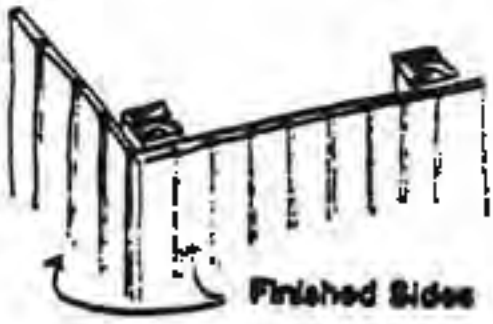
THENCE in a northeasterly direction along said line, a distance of approximately 269.6 feet to a point for corner on the centerline of Fitzhugh Avenue;

THENCE in a southeasterly direction along the centerline of Fitzhugh Avenue a distance of approximately 185 feet to a point on the centerline of Gaston Avenue, the PLACE OF BEGINNING

A


Horizontal
Parallel to Grade


2 FT. MIN. SETBACK FROM SIDEWALK
MAX. FENCE HT. 6 FT.
NOT DIRECTLY IN FRONT OF THE CORNERSIDE FACADE UNLESS APPROVED BY THE LANDMARK COMMISSION
HOUSE
PORCH
50%
50%
FENCE HT 3FT. 6 IN.
MAX. HT. 6 FT.
6 FT. SETBACK FROM FRONT
FENCE MUST BE AT LEAST 70% OPEN


Finished Side

B

FENCES

47

ADDENDUM C

Acceptable Color Range Standards

Color and color scheme are evaluated according to the Munsell Book of Color Systems (Neighboring Hues Edition -1973).

The following Munsell color ranges, or their equivalents in value (V) and Chroma (C), are permitted for primary, trim and accent colors:

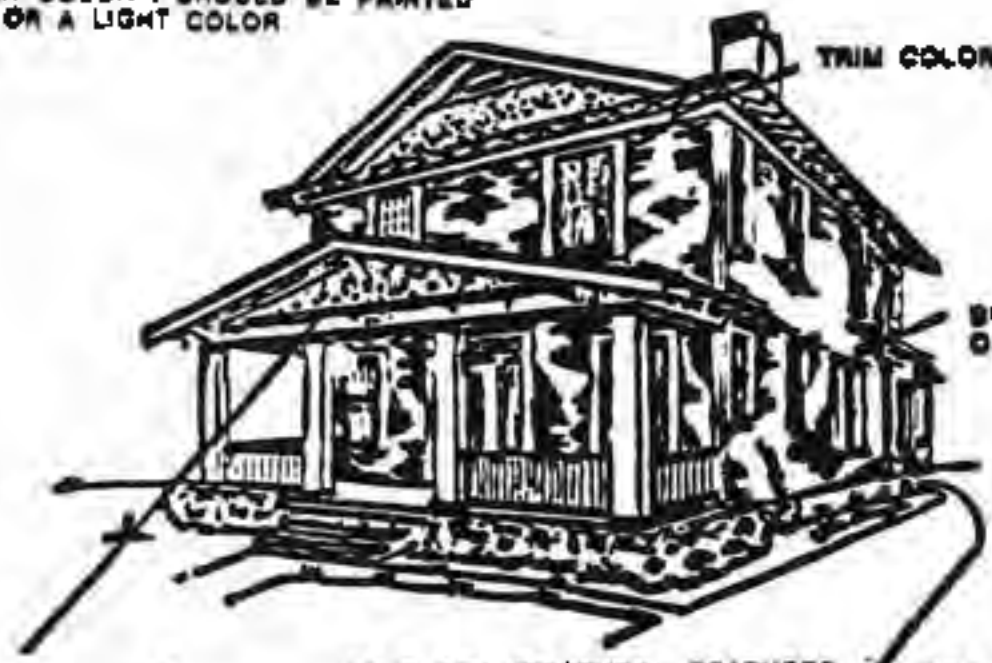
Dominant:	9 through 6V/1 through 4C
Trim:	9 through 3V/1 through 6C
Accent:	9 through 3V/1 through 6C

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 are also 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 may not approve any colors or color schemes (or their equivalents) that are specifically excluded by this ordinance.

COLOR PLACEMENT

COLUMN COLOR : SHOULD BE PAINTED WHITE OR A LIGHT COLOR

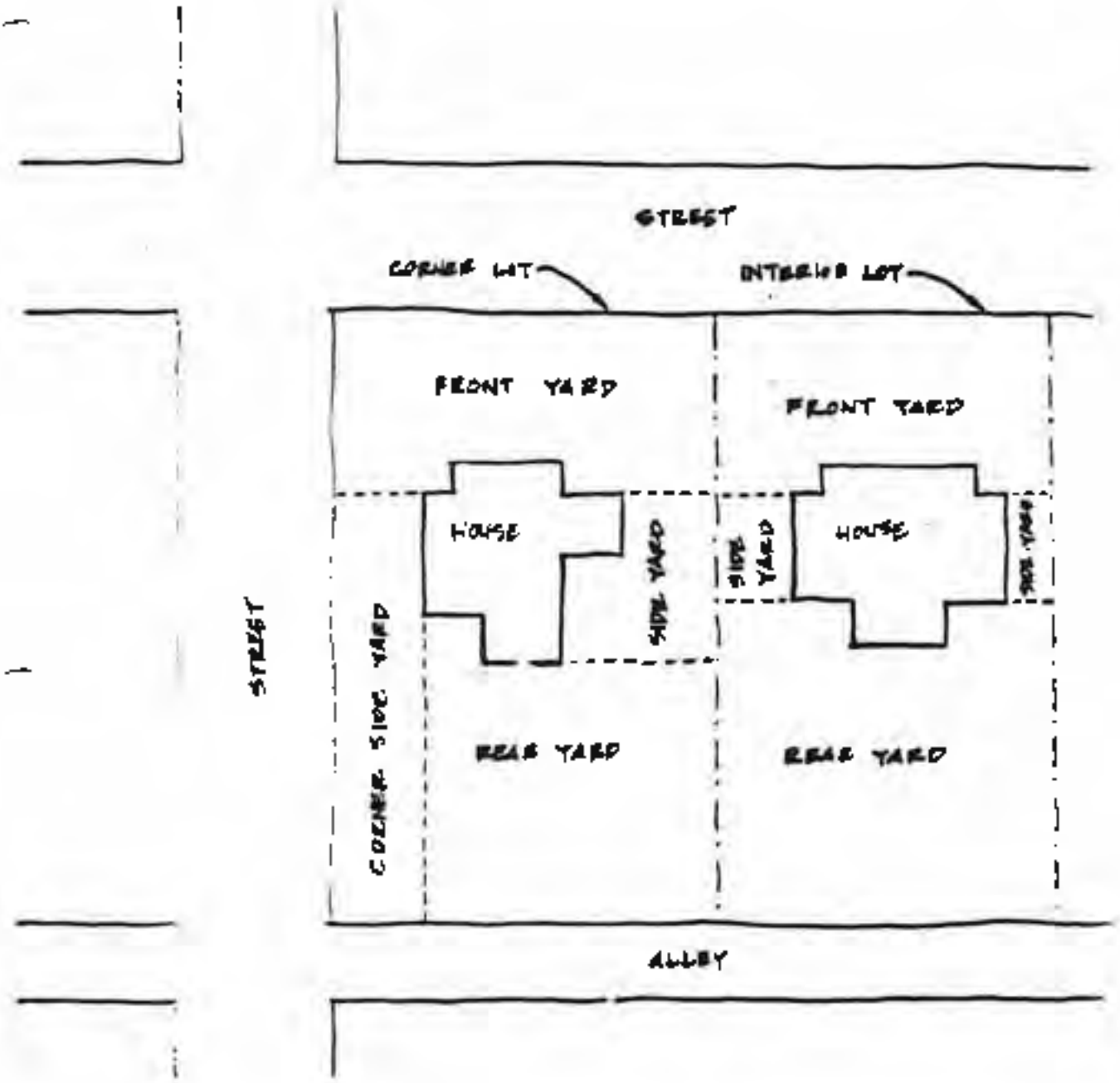


TRIM COLOR: MAJOR TRIM ON HOUSE

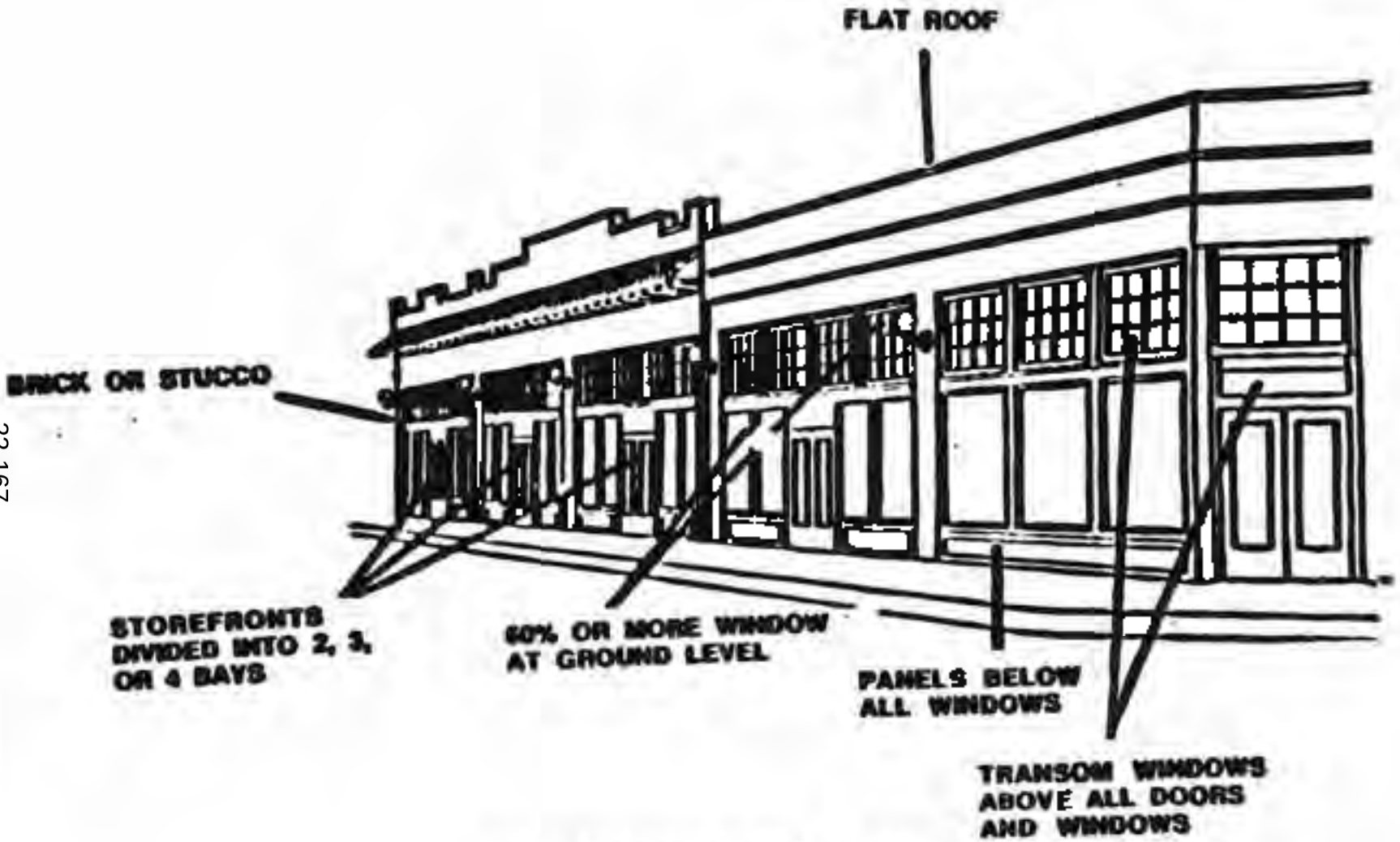
BODY COLOR: MAIN SIDING ON HOUSE

ACCENT COLOR: SMALL DISCRETE ARCHITECTURAL FEATURES ON HOUSE SUCH AS INNERMOST WINDOW FRAMES OR NARROW MOLDING STRIPS

D

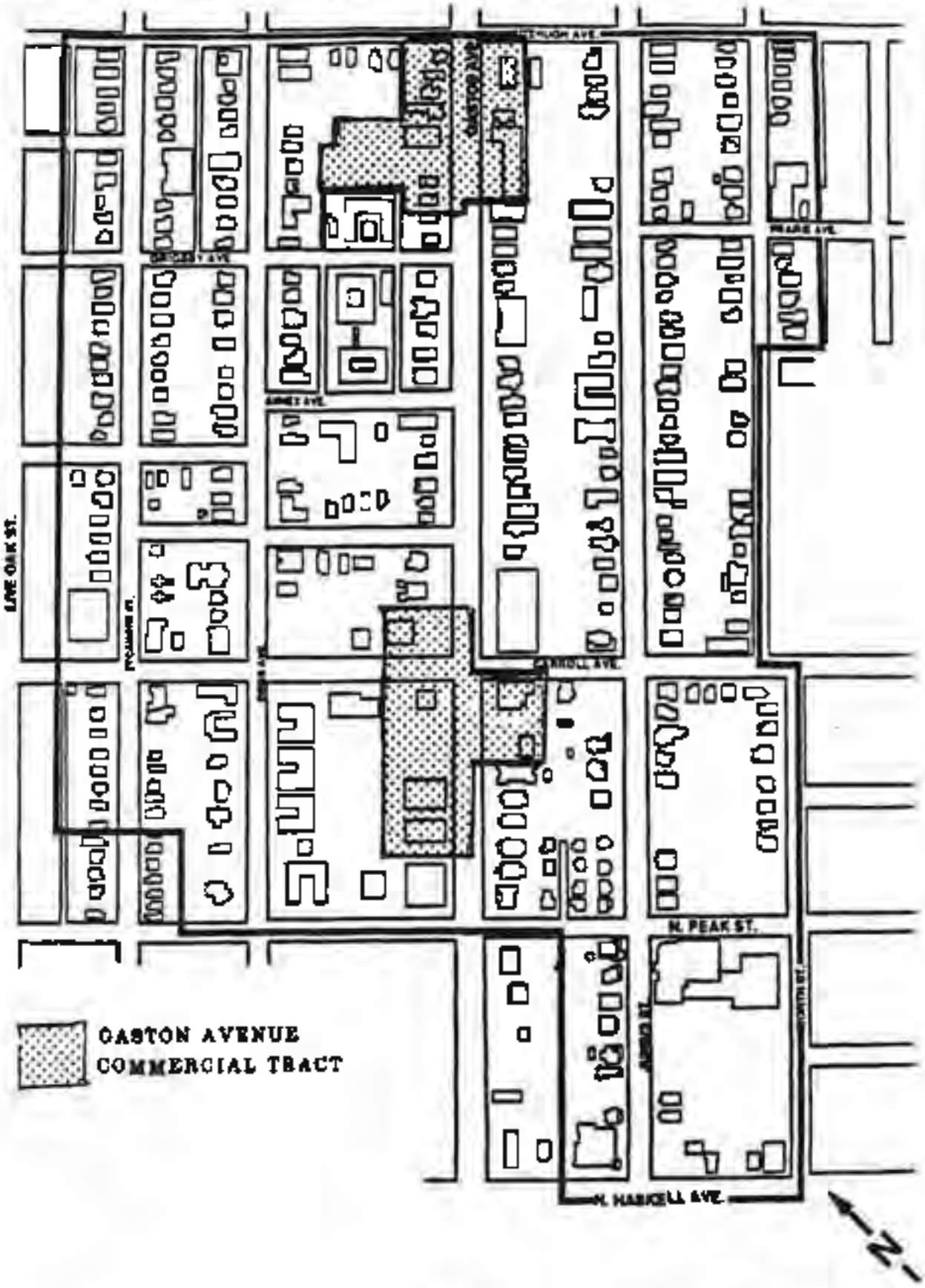

STREET
CORNER LOT
INTERIOR LOT
FRONT YARD
FRONT YARD
HOUSE
HOUSE
SIDE YARD
SIDE YARD
SIDE YARD
CORNER SIDE YARD
REAR YARD
REAR YARD
STREET
ALLEY

E



COMMERCIAL STRUCTURES FOR THE GASTON TRACT

Peak's Suburban Addition Historic District



Census Tract -15.04, 19.02
City Services Analysis Area
Central

Prepared By The Department Of Planning And Development
City Of Dallas, Texas
June 1993

Dallas Landmark Commission
Landmark Nomination Form

1. Name

historic: Peak's Suburban Addition

and/or common: Millcreek Neighborhood date: 4/19/93

2. Location

address:

location/neighborhood: Sycamore, Worth, Fitzhugh, Carroll, (Junius and Worth, 1 block further west to Haskell)

block: lot: land survey: tract size:

3. Current Zoning

R-75, PD No. 98, PD No. 362, PD No. 298, MF2

4. Classification

Category	Ownership	Status	Present Use	
X district	___public	X occupied	___agricultural	___museum
___building(s)	___private	___unoccupied	X commercial	___park
___structure	X both	___work in progress	X educational	X residence
___site	**Public Acquisition**	**Accessibility**	___entertainment	X religious
___object	___in progress	___yes:restricted	___government	___scientific
	___being considered	X yes:unrestricted	___industrial	___transportation
		___no	___military	___other, specify

5. Ownership

Current Owner: Various

Contact: Phone:

Address: City: State: Zip:

6. Form Preparation

Date: 4/19/93 - 1/11/95

Name & Title:

Organization: Designation Task Force

Contact: Kate Singleton Phone: 821-7533

7. Representation on Existing Surveys

Alexander Survey (citywide) ___local ___state ___national		X National Register
H.P.L. Survey (CBD)	___A ___B ___C ___D	___Recorded TX Historic Ldmk
Oak Cliff		___TX Archaeological Ldmk
Victorian Survey	X	

Dallas Historic Resources Survey, Phase IV X high ___ medium ___ low

For Office Use Only

Date Rec'd:_____ Survey Verified: Y N by:_____ Field Check by:_____ Petitions Needed: Y N

Nomination: Archaeological Site Structure(s) Structure & Site District

8. Historic Ownership

original owner: Various
significant later owner(s):

9. Construction Dates

original: 1890-present
alterations/additions:

10. Architect

original construction: Various
alterations/additions:

11. Site Features

natural:
urban design:

12. Physical Description

Condition, check one:

___ excellent
_X_ good
___ fair
___ deteriorated
___ ruins
___ unexposed
___ unaltered
___ altered

Check one:

___ original site
___ moved (date_____)

Describe present and original (if known) physical appearance. Include style(s) of architecture, current condition and relationship to surrounding fabric (structures, objects, etc). elaborate on pertinent materials used and style(s) of architectural detailing, embellishments and site details.

Peak's Suburban Addition developed over a long period of time beginning with the large estates of Jefferson Peak and William Gaston built in 1855 and 1871 respectively. The topography of the area was very hilly with numerous creeks, marshes and bogs. These natural obstacles made a trip from these East Dallas estates to the Dallas Court House an arduous journey.

In order to diminish his isolation, Gaston gave land to friends and business associates promoting that additional homes be built. Large scale residential construction was delayed, however, until the marshes and bogs were filled and the land leveled. This process took place over several years.

The architectural styles of the homes eventually built span several decades, creating diversity in design and size of residences and civic buildings. The architectural styles found in the district are predominantly Queen Anne, Folk Victorian, Craftsman, Prairie, Mission, Neoclassical, Colonial Revival, and Tudor. See appendix .These drawings were taken from A Field Guide to American Houses by Virginia and Lee McAlester

The street names are primarily derived from the names of early pioneers who were instrumental in establishing this area.

Fitzhugh Avenue: named for L.H. Fitzhugh, early settler and land owner [1].

Grigsby Avenue: named for John Grigsby, early land developer [1]. Major land owner who received a 4,605 acre land tract from Sam Houston.

Annex Avenue: boundary of the Old Fairfield Annex to East Dallas [1]. Annex Avenue from Swiss to Gaston originally was named Elmira.

Carroll Avenue: named for Carroll Peak, son of Jefferson Peak [4].

Peak Street was originally named Martha Street for Martha Peak, wife of Jefferson Peak. Upon his death Mrs. Peak changed the name to Peak in honor of her husband. Jefferson Peak was a major land owner [1]. Jefferson moved to Dallas in 1854 when Dallas population was under 200 people. [3]. He constructed the first brick residence which was located at the corner of Peak and Worth Streets. Peak died in 1885 [4]. He bequeathed one half block of land to the Dallas First Christian Church with the provision that instrumental music not be used for services or the land reverts back to his heirs.

Haskel Avenue was named for Horatio Nelson Haskel Alderman of East Dallas in 1883 [1].

Sycamore Street originally named Matt Street for Mathias Peak, son of Jefferson Peak [4].

Swiss Avenue named for Swiss Colony immigrants, who settled along this street in 1870.

Gaston Avenue was named for Captain William Gaston. Early day Banker and land developer [1]. Gaston founded Dallas First Bank and purchased large tracts of land in East and South Dallas including 400 acres along Swiss Avenue. He donated the land for the State Fair and promoted its growth. He maneuvered the railroads to locate in the City of East Dallas in 1872-73 away from the City of Dallas which promoted development on his land holdings. Gaston Avenue was originally named Wallace Street, for Wallace Peak, son of Jefferson Peak [4].

Junius Street named for Junius Peak, landowner and Texas Ranger.[1]. Junius was born in 1846.[3]. son of Jefferson Peak.[4]. Early Dallas Police Chief 1874-78.[3]. June Peak's home still stand at 4409 Worth Street. His daughter Florence Peak lived in this house on Worth Street until about 1980.

Worth Street is named for Worth Peak, 8th of eleven children of Jefferson and Martha Peak.

Victor Street named for George Victor Peak.[1]. son of Jefferson Peak.[4].

Reiger Street named for John F. Reiger. Reiger addition 1890.[1].

13. Historical Significance

Statement of historical and cultural significance. Include: cultural influences, special events and important personages, influences on neighborhood, on the city, etc.

Peak's Suburban Addition also known as Mill Creek is the earliest developed portion of East Dallas. It was the first neighborhood east of Dallas' central business district to be developed, "starting with Victorian houses and followed by frame two story Prairie homes, brick mansions and finally frame cottages and bungalows" (Older Neighborhoods, 1986:32). In addition to the single family residences, there are many historic apartment complexes as well as commercial and institutional buildings throughout the district, especially along the old streetcar routes. The major forces that shaped the development of East Dallas were the arrival of the railroads, the establishment of the Texas State Fair, and the network of street railways that determined the routes of growth.

The early settlement East Dallas from 1855 until the City of East Dallas' incorporation in 1882 was agricultural in nature. The first recorded settlement occurred in 1855 when Captain Jefferson Peak purchased a large tract of land far to the northeast of Dallas and built a farmhouse near the corner of Worth and Peak streets. Peak had passed through Texas in 1846 to fight in the Mexican War and in 1855 he returned with his family to settle east of the emerging town of Dallas (Butterfield 1875: Peak). An 1880's map of East Dallas shows that Peak owned roughly half the land bounded by Ross Avenue to the north, Main Street to the south,and Haskell and Carroll Street to the west; constituting more than a quarter of the historic district.

After the Civil War, Peak was joined by Confederate Captain William H. Gaston who purchased 400 acres along White Rock Road (now Swiss Avenue) where he built an enormous Greek Revival home in 1871 (razed) (Mabry, 1984:4). Gaston was a powerful force in Dallas' early development. Within a few years of his arrival in 1867, he purchased vast tracts of land in South and East Dallas, founded Dallas' first bank, donated land for the County Fair (present site of Baylor Hospital), and eventually parlayed the small exposition into the State Fair (Mabry, 1984:10 Gaston n.d.:1).) Most importantly, Gaston, with backing from local businessmen, brought the railroads to Dallas in 1872 and 1873, which ultimately made the city's fortune. His impact in East Dallas was achieved by maneuvering both the Houston and Texas Central (H&TC) and the Texas and Pacific (T&P) railroads to a junction approximately one and a half miles to the east of the Courthouse. In doing so, Gaston helped orchestrate Dallas' growth away from the Trinity River towards the railroad station on his lands in East Dallas. The resulting housing shortage encouraged Jefferson Peak and other landowners to begin subdividing their lands.

Although the railroads promised to spur building activity in East Dallas, the area remained sparsely settled due to an economic downturn in 1875 that stalled development for some time (Powers 1969:19). The area was heavily wooded, especially along Mill Creek as it flowed through Exall Park along Hall Street, just east of the historic district, toward the Cedars in South Dallas (McDonald 1978: 137). There was little building or street construction in the project area east of Washington Street prior to the late 1870s although the Butterfield and Rundlett Official Map of Dallas shows East Dallas as a platted entity by 1875 (Mabry 1984: 16). A small commercial district sprang up around the depot and consisted of a few boarding houses, lumber yards and restaurants that survived only because of the railroad traffic (Powers 1969: 14). One mule-drawn streetcar line, operated by the Dallas Street Railroad Company, ran out Ross Avenue and up San Jacinto Street. Built by Colonel William J. Keller in 1875, the San Jacinto line, as it was known, was the only line to serve the area until 1882. Its primary purpose was to bring passengers from the depot to the downtown Dallas business district (Powers 1969: 18, 36).

Beyond the tiny cluster of commercial structures near the depot, the remainder of East Dallas at this time consisted of large estates, like those of Jefferson Peak and William Gaston, and a number of smaller family farms (Map, East Dallas: 1880s). The early character of the region was articulated by William Gaston when, upon completing his mansion at 3900 Swiss Avenue in 1873, he lamented being all alone out in the country and offered free land to his friends so he would have company. Gaston's nearest neighbor to his 400 acre plantation were Jefferson Peak, a mile to the east in the center of the historic District, and Swiss immig. ants, Jacob Nussbaumer and Henry Boll, who lived nearly the same distance to the west (Saxon, 1983: 9). This semi-rural condition persisted until Dallas began to recover from the depression in the latter part of the 1870s.

When the economy improved, East Dallas began to experience the same wild, uncontrolled growth that was afflicting central and south Dallas (McDonald. 1978: 137). Many businesses began building east along the streetcar line that stretched from downtown Dallas to the railroad depot. The fairgrounds drew people to the area and many began investing in property nearby. By 1882, the community had grown so rapidly that its leading citizens, among them Peak, Gaston and rancher Christopher Columbus Slaughter, met and voted to incorporate as the seperate municipality of East Dallas (Saxon, 1983: 10). At the time of its annexation in 1889, the land area of East Dallas was actually larger than that of Dallas. The city of Dallas acquired East Dallas, along with several unincorporated suburban parcels, on the last day of December, 1889, to make Dallas the largest city in Texas for the 1890 census (Keith, 1930: 168; Dallas Morning News, October 1, 1935). It was both the first and last time in its history that Dallas had the honor.

East Dallas' single largest landowner, Jefferson Peak, platted his first subdivision in 1874 along Ross Avenue, (Mabry 1984:3) but by the mid-1880s, Captain Peak still owned most of the land bounded by Ross Avenue, Main Street, Haskell and Carroll Streets (Map East Dallas: 1880s). It wasn't

until after Peak's death in 1865 that his son, Junius, began large-scale subdivision of the family's extensive holdings. The land around the Old Peak homestead at Worth and Peak Street was sold as Peak's Addition in 1897 and its subdivision spurred many housing starts in the area. (McDonald 1978: 120). Major East Dallas streets still bear Peak's name and those of his children: Junius, Worth, Victor, and Carroll. Although the original Peak farmhouse is gone, Junius Peak's home still stands at 4409 Worth Street.

Another highly influential force in East Dallas real estate development during the late 1880s and early 1890s was Jefferson Peak's son-in-law, Thomas Field. Through his firm, Field and Field Real Estate and Financial Agents, Thomas Field either owned, controlled, or influenced the sale of large parcels of East Dallas real estate. He "flamboyantly promoted his extensive East Dallas holdings in 1884 with the construction of a palatial residence in the middle of his property" (McDonald 1978: 137) located on Peak Avenue between Gaston and Junius streets (razed 1922). His grandiose and unfettered real estate promotion was characteristic of the boomtown that enveloped all of Dallas during the years between the arrival of the railroads and the depressions of the 1890s . Many elaborate mansions were constructed on Swiss and Gaston Avenue during the 1890s in addition to smaller but substantial homes on Live Oak, Junius, and Worth Streets (Saxon 1983: 16). Most of the largest homes were demolished and their lots sold for redevelopment between 1920 and 1950 (Sanborn maps 1905, 1922; City of Dallas directories).

The prol. .ration of street car lines between 1887 and 1893 was probably the single most important factor contributing to the success of East Dallas during that period. Some of those living in East Dallas rented hansom cabs to commute to the city or the union depot (Eidt. conversation 1990). Others undoubtedly used their own horsedrawn buggies, as evidenced by the number of personal stables situated at the rear of the grand residences along Swiss and Gaston Avenue (Sanborn maps. 1905: Gooden 1986: 46). However, those who did own horses and buggies began to prefer the thrift and convenience of the streetcar. A ride downtown at this time cost five cents or less, cheaper than the cost to board a horse and carriage (Nichols conversation March 30, 1990). As Dallas grew further and further away from the central business district, it was imperative that reliable transportation be available for workers. Many neighborhoods existed only due to streetcar access and developers took advantage of that fact.

Streetcar service was initiated about 1888. The Bryan line, as it was known, became the major crosstown streetcar serving the northern section of East Dallas (Powers 1969: 78; Eidt, conversation, 1990) opening up all of East Dallas to wide-scale development. Between 1886 and 1890, Dallas real estate transfers jumped from under $6 million to $14 million, much of it concentrated in East Dallas. The completion of the Bryan line was followed by the opening of Middleton Brother's Addition, Hunstable's College Hill Addition, Livingston Place, Peak's Addition, Caruth Heights, Nussbaumer and McCoy's Addition, and the Belmont Addition between 1888 and 1892 (McDonald 1978: 153). All were accessible to the Bryan line.

Typically, there was little planning involved in the opening of these additions beyond running a streetcar line out to a vacant field owned by the operators, subdividing the land, and selling it for a handsome profit. Lots were often sold before streets and utilities could be laid out (McDonald 1978: 153), sometimes on the mere promise that streetcar lines would be introduced.

The suburban land boom was in full swing when nearly all building came to an abrupt halt with the economic crash of 1893. While some Texas communities were unharmed by the nationwide depression, Dallas had become linked to eastern and northern markets and their leading banking institutions. When those institutions foundered, Dallas followed. The failure of the Philadelphia & Reading Railroad in February 1893 started a nationwide panic that left 158 national banks and 415 state and private banks in ruin. Five Dallas banks failed in the crash and local business and agricultural concerns suffered as a result (McDonald 1978: 70). Unchecked real estate speculation prior to the crash left Dallas overbuilt and many newly opened additions in or near the project area remained vacant for years afterward (Dallas Morning News, October 1, 1935). Many individuals who had figured prominently in the East Dallas real estate frenzy lost fortunes in the downturn. Thomas Field not only lost several major projects in progress but lost his palatial homes, as well. The effects of the depression reverberated throughout the city and had repercussions on many of the city's enterprises, including streetcar and real estate consortiums, essentially ending the early, speculative era (Powers 1969: 92). The depression did, however, allow time for some reflection and the next phase of development in East Dallas was a more cautious endeavor.

Although Dallas began to rebound from the depression about 1898, East Dallas did not fully recover for almost a decade after the crash. (Dallas Morning News, October 1, 1935). When the economy began to pick up there was a resurgence of residential building in the area. Churches and schools were constructed to accommodate the increased population. Davy Crockett Elementary School, built in 1903 by the firm of C. W. Bulger and son on Carroll Street, is the oldest extant school in the city of Dallas. Bulger and Son also designed the Classical Gaston Avenue Baptist Church, built between 1902 and 1904 at the southwest corner of Gaston and Haskell avenues (McDonald 1978:). The East Dallas Christian Church at 631 N. Peak was built shortly after 1905, replacing an earlier dwelling on that site. The imposing Neo-Classical mansion at the corner of Peak and Swiss avenue was originally built as a residence, but served the prestigious Terrill School for Boys as a dormitory through the 1920s (Sanborn maps 1905, 1922; City Directories). Dominating the 4100 block of Junius Street at North Haskell Avenue, is the Gothic Revival Grace Methodist Episcopal Church designed by W.A. Caan in 1903. The church sanctuary and its 1925 education annex are listed on the National Register of Historic Places. Parishioner Henrietta Eidt recounted that Grace Church was considered to be "the silk-stocking church of East Dallas" because of the many well-to-do residents of exclusive Munger Place who attended its services (Eidt conversation March 30, 1990). These East Dallas institutional and religious

structures are among the city's outstanding architectural landmarks remaining from the early 1900s.

East Dallas grew tremendously after about 1902, especially east of Washington Avenue and into the project area, as many old estates and farmlands were subdivided for new residences. Between 1902 and 1922 the entire project area became filled in, particularly along streetcar routes, with only an occasional vacant lot between buildings or estates. The 1899 Sanborn maps show Haskell Avenue as the eastern boundary of most development, but by 1905 that boundary extended to Carroll Street below Gaston Avenue and all the way east to Fitzhugh Avenue above it (Goodan 1986). In 1905 the development between Haskell Avenue and Carroll Street north of Elm Street was almost entirely residential with the exception of the schools, churches, one store, a carpenter's shop, and a nursery. Ross Avenue continued its role as "Dallas' Fifth Avenue" with the erection of magnificent Colonial Revival and Prairie-influenced homes, almost all of which have been demolished. One of the few remaining palatial residences on Ross Avenue is that built by Charles H. Alexander, c. 1906, at the northeast corner of Ross Avenue and Annex Street. It was purchased and restored by the Dallas Women's Forum in 1930 (McDonald 1978: 141, 143). An exception to the overall residential character of East Dallas was the placement of the Dallas Consolidated Street Railway complex, covering three-quarters of the block between Elm and Main streets where they crossed Peak Avenue (Sanborn maps, 1899, 1905).

Two factors took shape in 1905 that had a major impact on housing styles and development in East Dallas. One was the shift in the popularity from the latter Victorian-era styles to the emerging Prairie and Mission Revival styles. The other was the development of Munger Place, one of Dallas' first planned heavily-restricted, neighborhoods (Goodan 1986: 51). After carefully researching several restricted residence parks in other sites, Roberts S. Munger bought raw farmland near prestigious St. Mary's College and began development of Munger Place. Between 1905-1925, some of Dallas' most promising architects gained their reputations building modern, progressive homes in Mission Revival, Colonial Revival, and Spanish Colonial Revival variations on Frank Lloyd Wright's Prairie Style. The Munger Place development lay immediately to the east and many Peak Surburban Addition homes constructed during this time were built in the same styles.

Commercial enterprises began to spring up in the 1920s and tended to proliferate on the streetcar lines, especially at the intersections of two lines. A comparison of 1905 and 1922 Sanborn maps shows the profound influence these intersecting carlines had in converting residential areas to commercial. Interurban railways began running in the area about 1908 and had an influence on the neighborhoods through which they ran, although they did not offer local service. The Bryan interurban line was established in 1908 and ran along the same street at the streetcar (Gooden 1986: 55). It is notable that by 1922, Bryan Street, especially where it intersects with Peak Avenue, had the most commercial buildings in the area. Automobiles were also having an impact on the area. The first

automobile was registered in Dallas County in 1901. By 1917 registration had increased to about 15,000 most of it in the city of Dallas (Gooden 1986: 56). The automobile eventually changed the way suburban growth and development occurred in Dallas and served to push the city even further from its center.

During the teens and 1920s, a number of fine Mission Revival and Prairie Style homes as well as smaller bungalows and cottages, were built in the pockets to completely fill in the remainder of East Dallas. By 1922, almost no vacant areas remained in the project area with the exception of the large estates built before about 1905. When their wealthy owners began moving to the more fashionable developments further out, these estates were broken up for re-development one by one. The sporadic evolution and re-definition of the area continued to contribute to the uneven appearance of East Dallas. The 1922 Sanborn maps show many large homes with a handful of large estates remaining on Swiss and Gaston avenues, but commercial development had already replaced residences along the crosstown streetcar routes of Bryan Street. In 1922 there was a fire on Peak Street that burned 32 homes to the ground (WPA Paul Myers "Parks" pg. 6 Box 4J57, 1940). The homes were replaced with commercial enterprises taking advantage of the streetcar frontage.

One of the most outstanding changes that took place in the project area between about 1915 and 1930 was the advent of large apartment buildings, many of which remain in the project area.

The Great Depression and the Texas Centennial in 1936 both encouraged multi-family use of older dwellings to East Dallas. The hard years of the depression forced some families to take in boarders. During the Centennial, large houses in East Dallas were divided into rooms that rented for $1.00 per night (Eidt conversation March 30, 1990).

14. Bibliography

1. The WPA Dallas Guide and History, published by Dallas Public Library and the University of North Texas Press 1992.
2. Memorial and Biographical History of Dallas County, the Lewis Publishing Co. 1892.
3. A History of Greater Dallas and Vicinity, Volume II L.B Hill Editor, the Lewis Publishing Co. 1909.
4. Jefferson Peak Will, location ?

15. Attachments

_X_ District or Site Map
___ Site Plan
___ Photos (historic & current)
___ Additional descriptive material
___ Footnotes
_X_ Other: Jefferson Peak Will

16. Inventory of Structures-Historic District Only (Page ___ of ___)

Please complete this form for each structure in a proposed historic district

a. Location and Name

b. Development History

Original owner:

Architect/builder:

Construction/alteration dates:

c. Architectural Significance

Dominant style:

Condition: Alterations:

d. Category

Contributing ___	Compatible ___	Non-contributing ___
excellent example of an architectural style that is typical of or integral to the district; retaining essential integrity of design	*supportive of the district in age, style and massing but is not representative of the significant style, period and detailing, or area of significance typical of the district*	*intrusive: detracts form the character of the district*

e. Statement of Significance

Designation Merit

A.	Character, interest or value as part of the development, heritage or cultural characteristics of the City of Dallas, State of Texas or the United States.	X	G.	Identification as the work of an architect or master builder whose individual work has influenced the development of the city.	
B.	Location as the site of a significant historical event.		H.	Embodiment of elements of architectural design, detail, material or craftsmanship which represent a significant architectural innovation.	
C.	Identification with a person or persons who significantly contributed to the culture and development of the city.	X	I.	Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on historic, cultural or architectural motif.	X
D.	Exemplification of the cultural, economic, social or historical heritage of the city.	X	J.	Unique location of singular physical characteristics representing an established and familiar feature of a neighborhood, community or the city.	X
E.	Portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.	X	K	Archaeological value in that it has produced or can be expected to produce data affecting theories or historic or prehistoric value.	
F.	Embodiment of distinguishing characteristics of an architectural style or specimen.	X	L.	Value as an aspect of community sentiment of public pride.	X

Recommendation

The Designation Task Force requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Task Force endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Planning and Development.

Date:

Kate Singleton BBS

Kate Singleton, Chair
Neighborhood Designation Task Force

Tiffany Strickland

Tiffany Strickland, Urban Planner
Historic Preservation

Jeff Peak dec'd.

Martha M. Peak Executrix..... In County Court, Dallas County, Texas, 1st Nov. Term. To the Hon. E. L. Bower, Judge of said Court. Your petitioner Martha M. Peak, respectfully represents to the Court that Jefferson Peak, late a citizen of Dallas County departed his life on the 21st day of October 1885 A.D. that he was at the time of his death a resident citizen of said Dallas County, Texas. Your petitioner further shows that the said Jefferson Peak on the 18th day of Nov. 1879, executed in writing in due form of law his last will and testament thereby disposing of all his property, real, personal and mixed, and therein appointing your petitioner sole executrix of said last will and testament. That said will was signed by the said Jefferson Peak and witnessed by A. H. Field, John M. Clemmons and J. L. Howard. That the estate of the said Jefferson Peak consisted of real, personal and mixed property, situated in Dallas, Denton, Navarro and Henderson Counties in the state aforesaid and of the probable value of $ 10000.00. That your petitioner is a citizen of Dallas County and is not disqualified by law from accepting Letters Testamentary. Wherefore your petitioner prays that said last will and testament, and the the application for the probate of said will, and prays that notice be given and that at the next term of this Court, the said will may be admitted to Probate, and Letters Testamentary thereon be issued to your petitioner and for all other proper relief your petitioner will ever pray.

Martha M Peak

Filed 13th day of Nov A.D. 1885.

W. M. C. Field C.C.D.C.C.

Petition record Vol 2 Page 87 & Fl. Hughes Dep.

State of Texas }
County of Dallas } Know all men by these presents that I Jefferson Peak of the County of Dallas, and State of Tex. being now of sound mind and in good health, do, make, ordain and declare this to be my last will and testament and I do hereby dispose of all the Estate owned by me in manner & form as hereinafter expressed.

My first desire is, that all my just debts be paid as soon after my death as the same can be conviently done by my executrix hereinafter named, and she, my said executrix is fully authorized to sell so much of my real estate, as may be for that purpose upon such terms and conditions as to her may seem best, and to convey by deed such estate as she may sell for that purpose.

And after distributing my estate between my devisees and legatees, I will and bequeath to the First Christian Church of the City of Dallas one half of a block of land in my Suburban Addition to the City of Dallas, the half block to be selected out of said Addition by the Trustees of said Church, and my Executrix, this bequest to the said Church is for the purpose of building a Church house on the land or lots hereby bequeathed, but if the said Church see fit or proper to sell said Lot, and buy other property, herewith they are authorized so to do; but the lot or its proceeds are to be used solely for Church purpose. This bequest is however upon this condition that, if the said church should hereafter at any time use instrumental music in said Church services or in any Sunday or Lord's day school in the said first Christian Church, then this bequest is to become absolutely void and the said property hereby bequeathed or any other that may have been purchased with the funds arising from the sale of the land hereby bequeathed is to revert to, and become [illegible]

consideration for his profession, and in setting him up in business some three or more times largely beyond any of my other children, and I do not desire that one of my children shall have or receive from my Estate more, than another, and feeling that a share of one half of one tenth of my Estate with what I have heretofore advanced him will fully equalize him with my other children. I hereby give devise and bequeath to my said son Carroll M. Peak one twentieth part of all my Estate not heretofore disposed of by this will.

To my son Wallace Peak, I devise and bequeath one equal tenth part of my whole estate, not heretofore disposed of by special legacy.

To my beloved daughter Callie A. Harwood, I devise and bequeath one equal tenth part of my whole Estate.

To my grandson Wallace D. Peak, only child of my son Jefferson Peak, I devise and bequeath one equal tenth part of my Estate. —

To my beloved daughter Juliet A. Fowler I devise and bequeath one equal tenth part of my Estate.

To my son Junius Peak, I devise and bequeath one equal tenth part of my Estate.

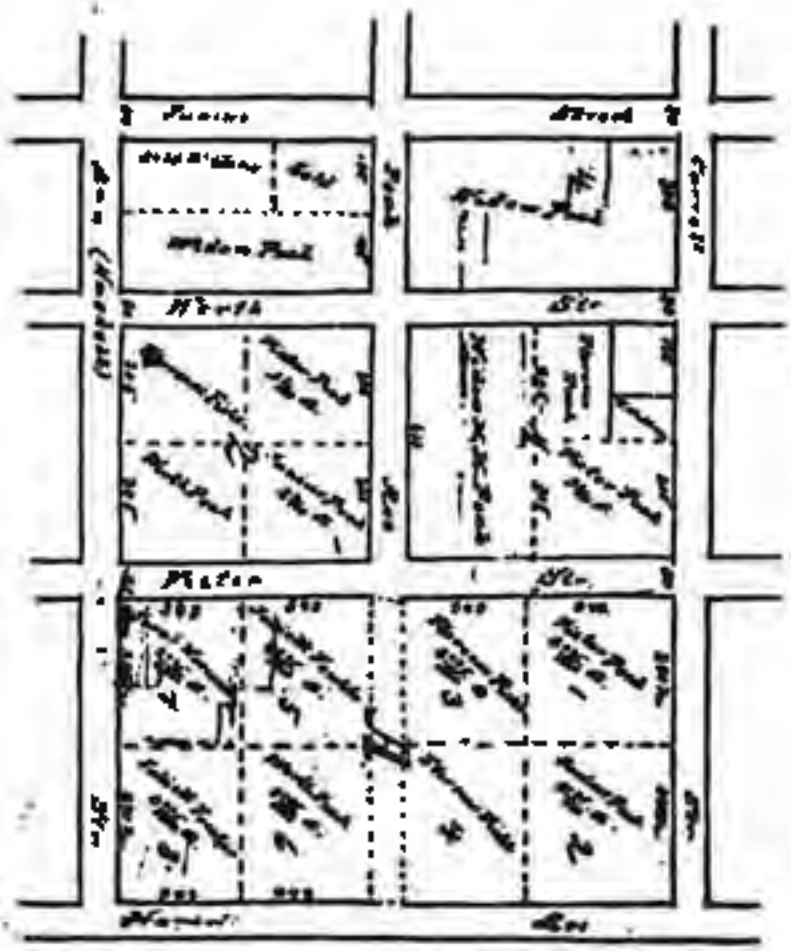
To my beloved daughter Florence Field, wife of Thomas Field, I devise and bequeath one equal tenth part of my Estate.

To my son Worth Peak, I devise and bequeath one equal tenth part of my Estate.

To my son George Victor Peak, I devise and bequeath one equal tenth part of my Estate.

To my son Mathias L. Peak, I devise and bequeath one equal tenth part of my Estate.

Having thus, as I conceive made an equal distribution of my whole estate among my children and grandchildren



This plat is only intended to show the property south of James St. The property ought for. Abstractor did not deem it necessary to show entire survey of tract, which however is all right.

Prairie

1900–1910

PRINCIPAL SUBTYPES

HIPPED ROOF, SYMMETRICAL, WITH FRONT ENTRY

page 22-5

HIPPED ROOF, SYMMETRICAL, NO FRONT ENTRY

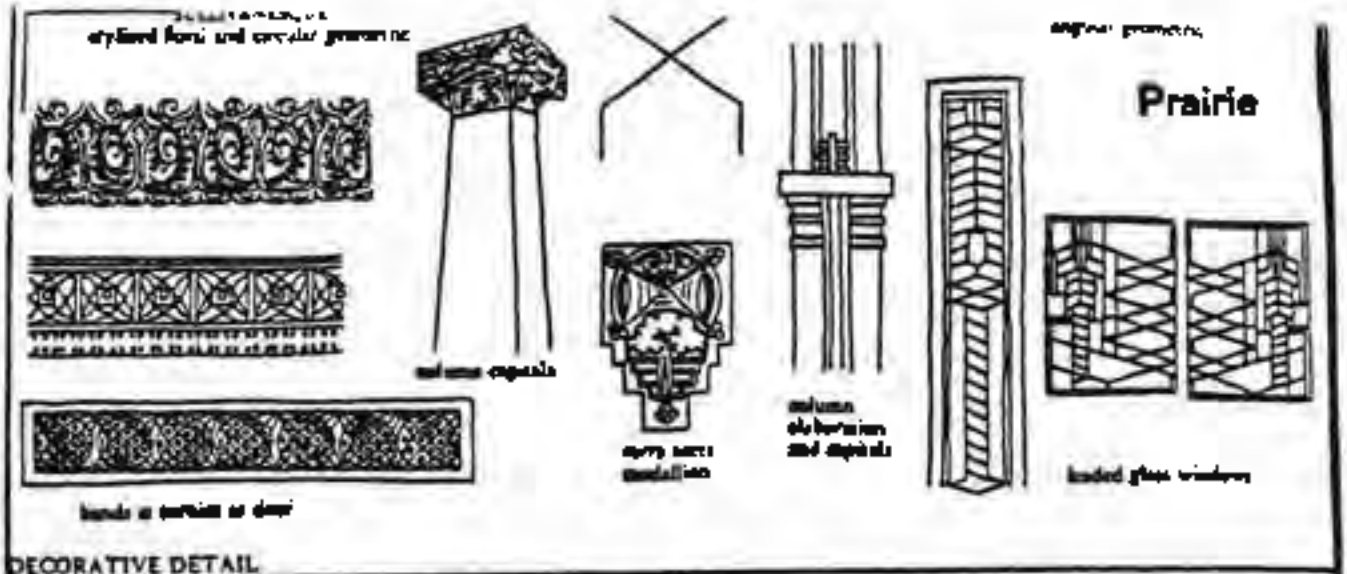
page 22-7

HIPPED ROOF, ASYMMETRICAL

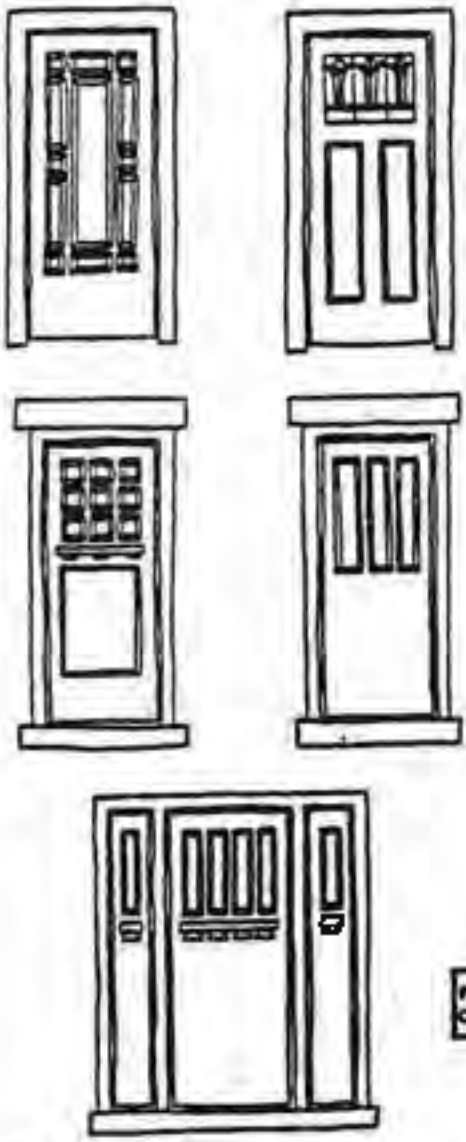
page 22-9

GABLED ROOF

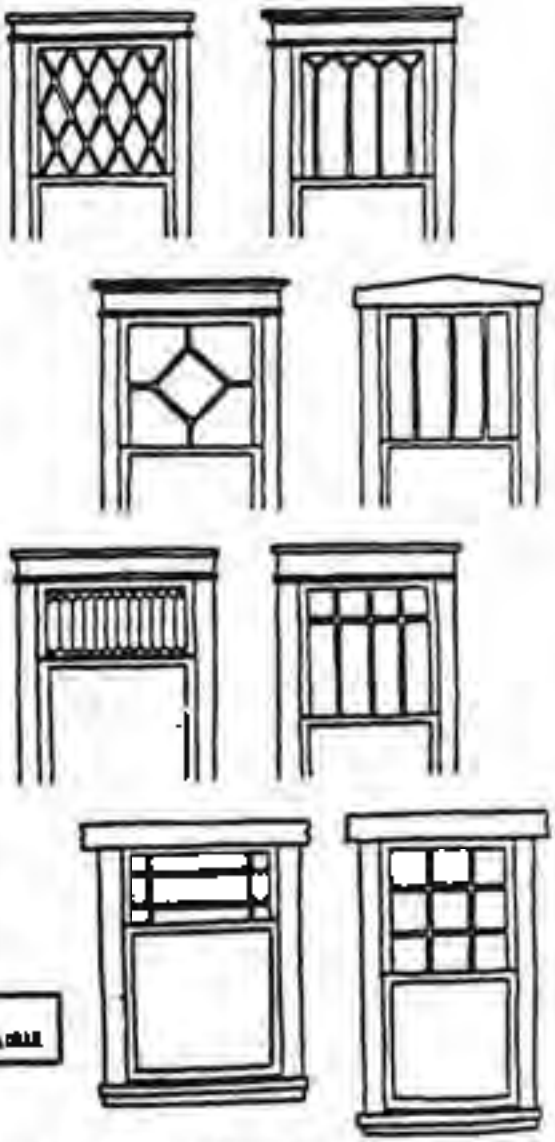
page 22-1



DECORATIVE DETAIL



TYPICAL DOORS



TYPICAL WINDOW GLAZING & SURROUNDS

Prairie

COMMON DORMER VARIANTS

COMMON PORCH VARIANTS

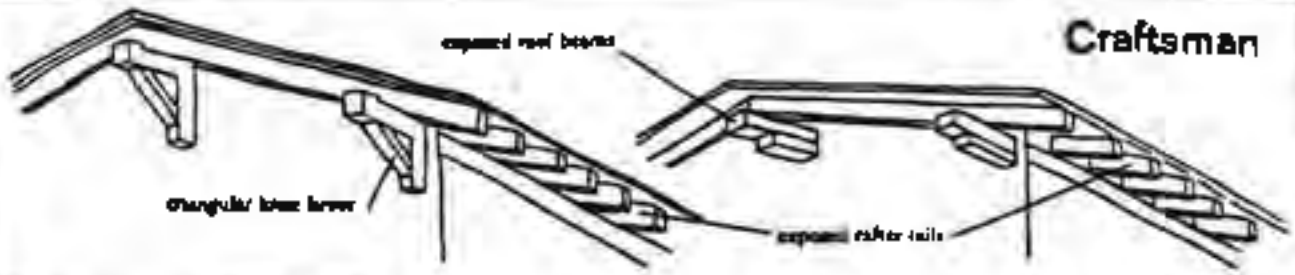
MOST COMMON VERNACULAR FORM

COMMON PORCH SUPPORT VARIANTS

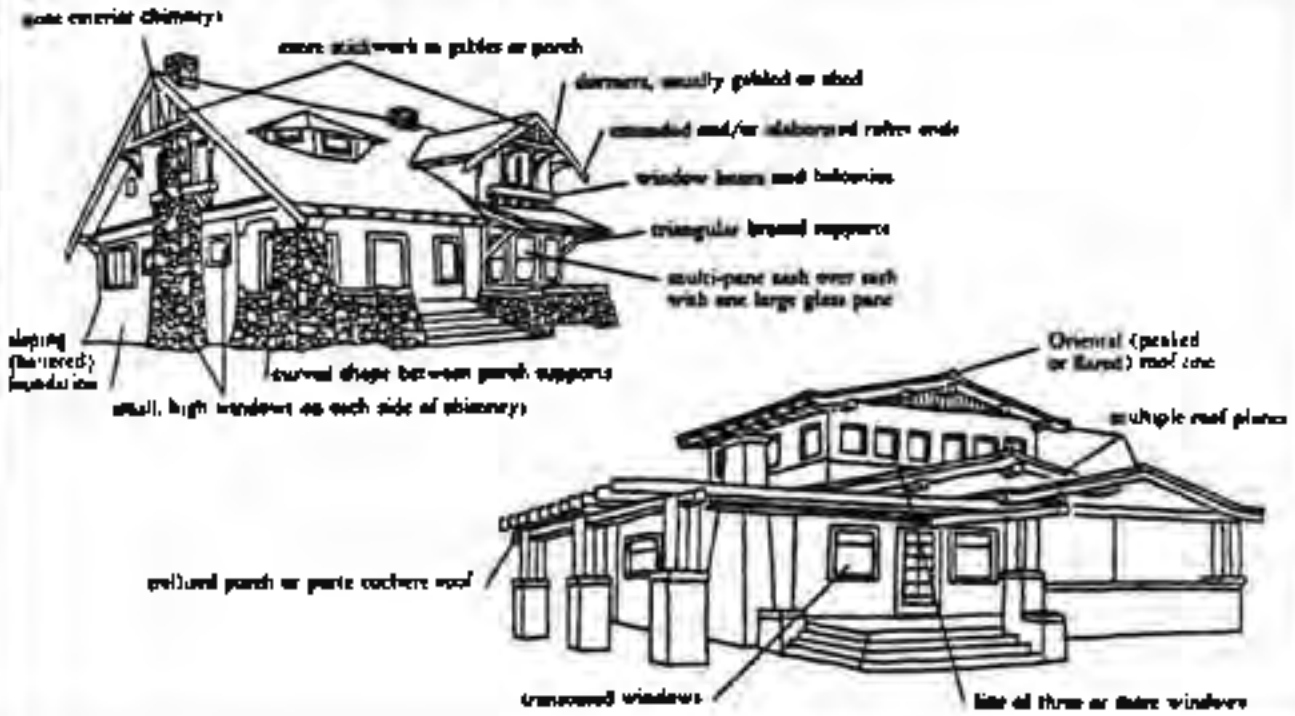
Craftsman

1905–1930

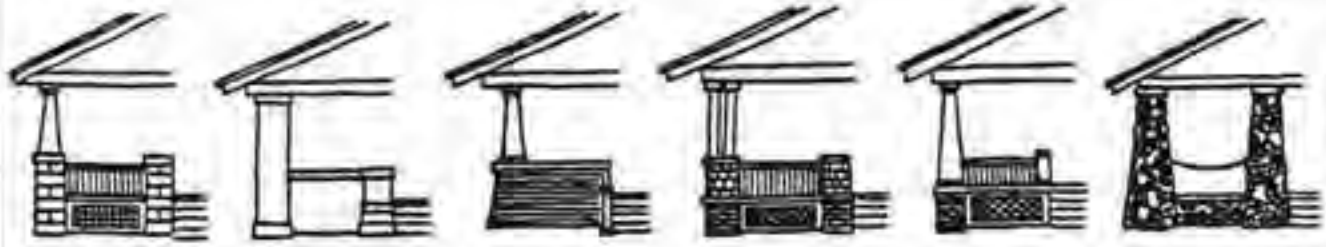
PRINCIPAL SUBTYPES



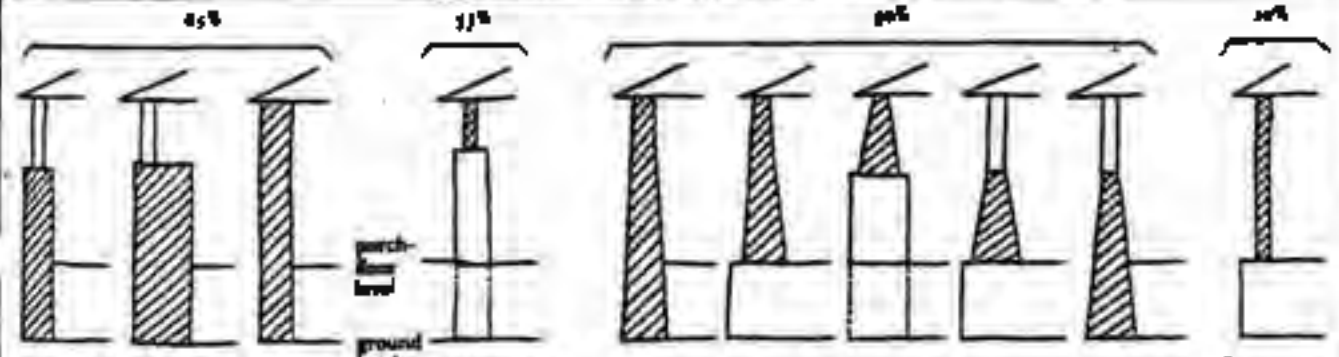
TYPICAL ROOF-WALL JUNCTIONS



TYPICAL ELABORATIONS



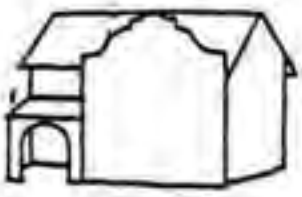
SOME TYPICAL PORCH SUPPORTS AND PORCH RAILINGS A pier without column is common.



COMMON PORCH SUPPORT VARIANTS

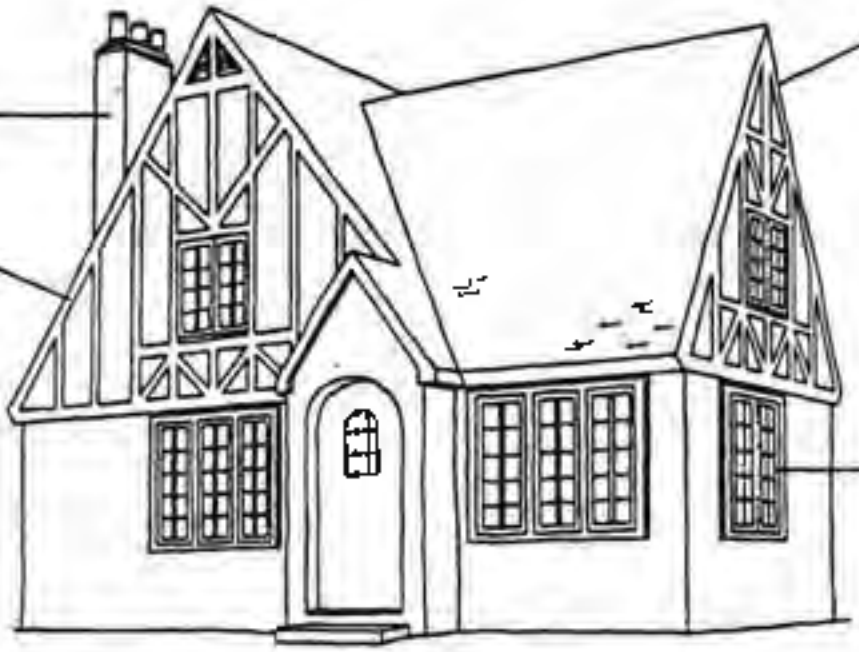
Mission

1890–1920

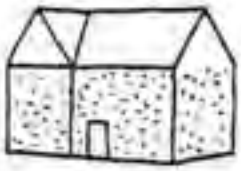


Tudor

1890–1940



STUCCO WALL CLADDING

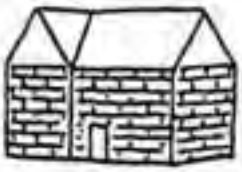


page [illegible]

BRICK WALL CLADDING

page [illegible]

STONE WALL CLADDING



page [illegible]

WOODEN WALL CLADDING

page [illegible]

FALSE THATCHED ROOF

page [illegible]

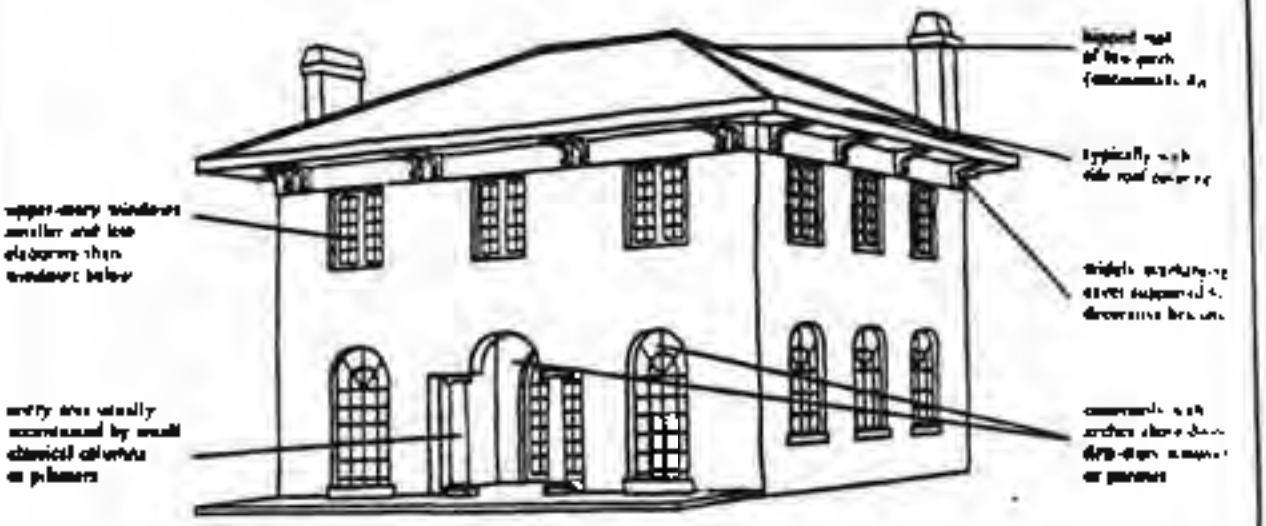
PARAPETED GABLES

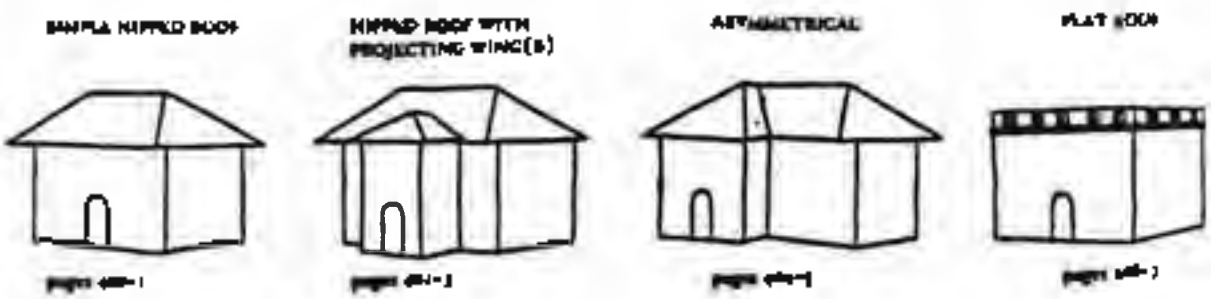
page [illegible]

PRINCIPAL SUBTYPES

Italian Renaissance

1800–1935





PRINCIPAL SUBTYPES

Shingle

1880–1900

PRINCIPAL SUBTYPES

Colonial Revival

1880–1955

windows with double-hung sashes, usually with multi-pane glazing in one or both sashes

windows frequently in adjacent pairs

accentuated front door, usually with decorative crown supported by pilasters or extended forward and supported by slender columns to form entry porch; fanlights or side lights may be present

façade usually with symmetrically balanced windows and center door (less commonly with door off-center)

ASYMMETRICAL

page 140-1

HIPPED ROOF WITH FULL-WIDTH PORCH

page 118-9

HIPPED ROOF WITHOUT FULL-WIDTH PORCH

page 139-1

SIDE-GABLED ROOF

page 111-1

CENTERED GABLE

page 134-7

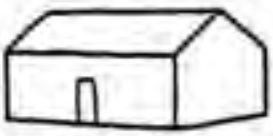
GAMBREL ROOF

page 96-1

SECOND-STORY OVERHANG

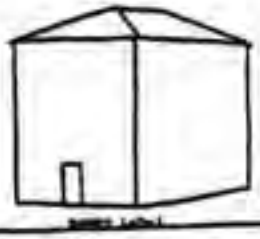
page 118

ONE-STORY



page 139

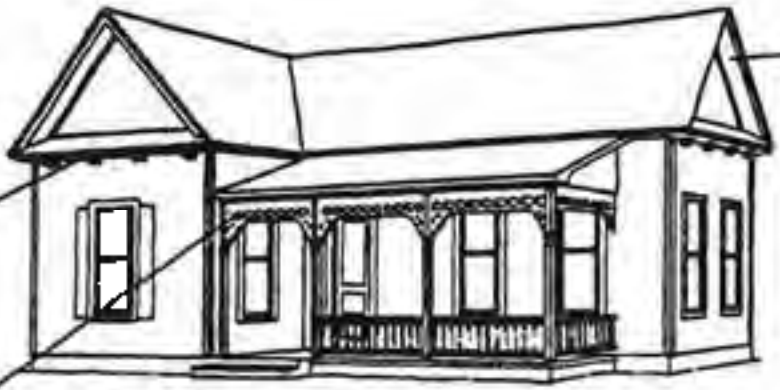
THREE-STORY

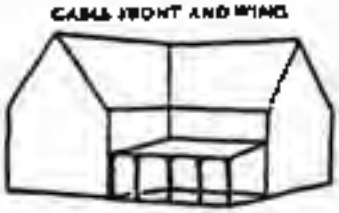


page 140-1

Folk Victorian

ca. 1870–1910





Stick

1860–ca. 1890

gabled roof, usually simply pitched

decorative trusses in gables

diagonal or curving porch-support braces

simply pitched cross gables, usually present

overhanging eaves usually with exposed rafter ends

horizontal and vertical boards (are commonly diagonal braces) used over wall surfaces for emphasis

shingle wall cladding (boards or shingles)

all identifying features rarely present on cottages

GABLED ROOF

page 158-9

TOWNHOUSE

page 164

TOWN HOUSE

page 160

Neoclassical

1895–1950

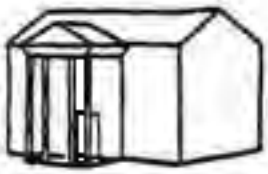
columns typically have Ionic or Corinthian capitals

facade dominated by full-height porch with roof supported by classical columns

facade with symmetrically balanced windows and centered door

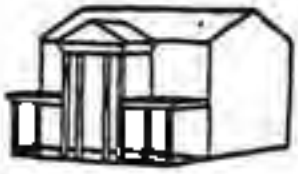
PRINCIPAL SUBTYPES

FULL-HEIGHT ENTRY PORCH



page 3-47-1

FULL-HEIGHT ENTRY PORCH WITH LOWER FULL-WIDTH PORCH



page 3-48

CROSS-GABLED ROOF

page 3-49

FULL-FACADE PORCH

page 3-50-1

ONE-STORY

page 3-51-1

Queen Anne

1880–1910

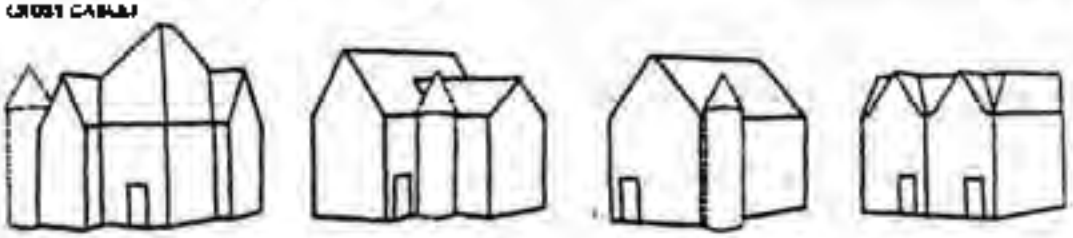
SHAPE SUBTYPES

HIPPED ROOF WITH LOWER CROSS GABLE

CROSS-GABLED ROOF

FRONT-GABLED ROOF

TOWN HOUSE



SPINDLEWORK

FREE CLASSIC

HALF-TIMBERED

PATTERNED MASONRY

PRINCIPAL SUBTYPES

SECTION 7

Correspondence

- Notice of October 3, 2022 Landmark Hearing
- Notice of application denied without prejudice
- Request to Appeal from applicant
- Appeal Procedures

Landmark Commission Briefing and Public Hearing -- Monday, October 3, 2022

Rhonda Dunn <rhonda.dunn@dallas.gov>
Wed 9/28/2022 11:33 AM
Bcc: Marlon Lunaty Garcia <marlonlunatygarcia@yahoo.com>; dlmaintenance@live.com.mx <dlmaintenance@live.com.mx>

Good morning applicants,

This email is just a reminder about the upcoming Landmark Commission meeting on **Monday, October 3, 2022**. 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.

Below you will find the web link and teleconference number for the October 3rd Landmark Commission meetings. **In addition, you will find an email address for our admin, Phyllis Elaine Hill, that you will need for signing up to speak at the meeting. The deadline to sign up to speak is Monday, October 3 by 9:00 AM, so be sure that you and/or anyone who plans to speak on your case has emailed Elaine and signed up on time. There is not a way to sign you 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.**

The October 3rd meeting agenda will be posted no later than Friday afternoon on September 30. Once posted you should be able to view the agenda and docket (which includes the staff reports on each case) on our website here. https://dallascityhall.com/government/meetings/Pages/landmark_commision.aspx
You may also access the meeting agenda once it is posted on the City Secretary's Office website here: https://dallascityhall.com/government/meetings/Pages/landmark_commision.aspx.

There are two meetings that will happen Monday. There is the public hearing at 1:00 PM which you all should plan to attend because that is where the Commission will make their decision on your application, or will provide comments if your application is a Courtesy Review. But there is also a morning Briefing meeting which is optional for you to attend. The start time for the October 3rd Briefing meeting is no later than 10:30 AM. Be aware that the public can listen in but may not participate in the Briefing discussion. Discussion with applicants is reserved for the 1:00 PM public hearing.

Below is the October 3rd Landmark meeting connection info for attendees, as well as the Speaker Sign Up email.

Videoconference

To join via computer:
https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e5b1509105094117052e3b416161321d5

To join via phone only:
Call-in (audio only): 408-418-9388

Access code: 2482 631 4964

Per state law, you may listen but not participate using audio only.

Speaker Sign-Up:

Email: Elaine Hill at phyllis.hill@dallas.gov

Deadline: **Monday, October 3 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.

Let me know if you have any questions.

Kind Regards,

Rhonda Dunn, PhD.
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.

APPLICATION FOR APPEAL OF LANDMARK COMMISSION DECISION

The Deadline to Appeal this application is November 2, 2022

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.: CA212-574(RD)

Property Address: 4512 SYCAMORE ST

Date of Landmark Commission Action: October 3, 2022

Applicant's Name: Marlon Lunaty

Applicant's Mailing Address: 4512 Sycamore street

City: Dallas **State:** TX **Zip:** 75204

Applicant's Phone Number: 469 413-2689 **Fax:**

Applicant's Email: marlonlunatygarcia@yahoo.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:

Applicant's Signature 10/24/2022 Date

Owner's Signature (if individual; or Letter of Authorization from corporation/partnership) Date

#7716334

RECEIVED
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BY:

Fee for Single Family use/structure: $300.00
Fee for any other use/structure: $700.00

(3) Fee schedule.

Type of Application	Application Fee	Appeal Notice Hearing
[illegible]	$300.00	
Appeal a decision of the landmark commission on a preservation certificate of appropriateness, certificate of demolition or removal, or the city plan commission regarding a purple heart trail historic preservation use	$300.00	
Appeal a decision of the landmark commission on a certificate of appropriateness, certificate of demolition or removal, or the city plan commission regarding a purple heart trail historic preservation use	$75	
Request for a special exception to the off-street parking regulations of Section 51A-4.311	$300.00	

Note: [illegible]

(b) Fees for a new street name change.

(1) The following fees are required for a new street name change:

(A) A street name change petition will be processed by the director before an application will be processed.

(B) A fee of new street name change application must be paid to the director of sustainable development and construction when the director receives the approved street name change petition from the city secretary.

(C) A fee of [illegible] must be paid to the building official within 60 days of the approval of a street name change by the city council.

October 11, 2022

MARLON LUNATY
P O BOX 140383,
DALLAS, TX 75214

RE: **CA212-574(RD)**
REVIEW OF YOUR CERTIFICATE OF APPROPRIATENESS APPLICATION
4512 SYCAMORE ST

Dear MARLON LUNATY:

Enclosed is a copy of the Certificate of Appropriateness (CA) application that you submitted for review by the Landmark Commission on October 5, 2022.

Be aware that you may need to bring your CA and approved drawings and/or blueprints to Building Inspection for a building permit. Before starting any approved work, be sure to post your CA in a front window or other prominent location on the structure so it may be seen by City officials to ensure work is performed as approved by the Landmark Commission. Please see enclosed Certificate of Appropriateness 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 November 2, 2022. 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 email at: rhonda.dunn@dallascityhall.com.

Rhonda Dunn
Senior Planner

Enclosure

Certificate of Appropriateness October 3, 2022

Standard	October 3, 2022	**PLANNER:**	Rhonda Dunn
FILE NUMBER:	COA212 574(RC)	**DATE FILED:**	September 15, 2022
LOCATION:	4512 SYCAMORE ST	**DISTRICT:**	Peak's Suburban Addition Neighborhood
COUNCIL DISTRICT	2	**MAPSCO:**	46-A
ZONING:	MF-1(A) R-7.5(A)	**CENSUS TRACT:**	30.15.04

APPLICANT: MARLON LUNATY

REPRESENTATIVE:

OWNER: LUNATY MARLON

The Landmark Commission decision is: Partially Approved

nformation regarding requests.

1) A Certificate of Appropriateness to paint exterior (Body: Blue, Trim: White, Accent: Navy) Work done without a CA.

Deny without Prejudice

Conditions: That the request for a Certificate of Appropriateness to paint exterior (Body: Blue, Trim: White); work done without a Certificate of Appropriateness be denied without prejudice. The proposed work is inconsistent with City Code 51A-4.501(g)(6)(C)(i) for non-contributing structures, and the Secretary of the Interior's Standards. The painting of the brick is to be removed.

2) A Certificate of Appropriateness to replace chain link fence around rear and side yards with wood fence. Work done without a CA

Approve

Conditions: That the request for a Certificate of Appropriateness to replace chain link fence around rear and side yards with wood fence be approved as submitted.

3) A Certificate of Appropriateness to install grass at the front and rear of property

Approve

Conditions: That the request for a Certificate of Appropriateness to install grass in the front and rear of property be approved in accordance with specifications dated 9/1/22. The proposed work is consistent with Peak's Suburban Addition's preservation criterion Section 2.6 pertaining to Site and Site Elements, City Code 51A-4.501(g)(6)(C)(ii) for non-contributing structures, and the Secretary of the Interior's Standards.

Information regarding requests.

4) A Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard
Approve

Conditions: That the request for a Certificate of Appropriateness to replace roofs on two existing carport structures, in rear yard be approved in accordance with specifications dated 9/1/22. The proposed work is consistent with City Code 51A-4.501(g)(6)(C)(i) for non-contributing structures, and the Secretary of the Interior's Standards.

5) A Certificate of Appropriateness to replace wood windows with wood composite windows -- thirty one total.
(Brand: Andersen, Material: Fibrex)
Deny

Conditions: That the request for a Certificate of Appropriateness to replace wood windows with wood composite windows be denied. Wood composition windows are not wood, and these windows would have an adverse effect on the historic district. Work is not consistent with 51A-4.501(g)(6)(C)(i) for non-contributing structures. Proposed work is not compatible with the historic district.

October 3, 2022

Landmark Commission Chair

Date

Please take any signed drawings to Building Inspection for permits

PROCEDURE FOR APPEAL OF CERTIFICATES OF APPROPRIATENESS TO THE CITY PLAN COMMISSION

(Revised April 2014)

1. **Postponements**

   a. The City Plan Commission may grant a postponement if it wishes.

   b. Dallas Development Code §51A-4.701(d), regarding postponement of zoning applications by the applicant, does not apply.

2. **Content of the record.**

   a. Copies of the complete record will be distributed by staff to the City Plan Commission two weeks before the scheduled hearing.

   b. The parties may request that the record be supplemented.

3. **Additional correspondence and briefs.**

   a. Additional correspondence or briefs, if any are desired to be submitted by the parties, should be provided to the planning staff for distribution to the City Plan Commission.

   b. The parties should provide each other with copies of any information they submit to the City Plan Commission.

   c. Interested parties should not make any contacts with commission members other than those submitted through the city staff.

4. **Representation of the Landmark Commission.**

   a. The Landmark Commission will be represented by Laura Morrison.

5 **Order of the hearing.**

a. Each side will receive 20 minutes (exclusive of questions from the City Plan Commission) with 5 minutes for rebuttal by appellant

b. Order of the hearing.

(1) Preliminary matters

(A) Introduction by the Chair

(2) Appellant's case (20 minutes) *

(A) Presentation by the appellant's representative

(B) Questions from Commission Members.

(3) Landmark Commission's case (20 minutes) *

(A) Presentation by the Landmark Commission's representative.

(B) Questions from Commission Members.

(4) Rebuttal/closing by the appellant's representative (5 minutes).

(5) Decision by the City Plan Commission **

* If a party requires additional time to present its case, including testimony and evidence concerning the previous recommendations and actions of the city staff and the Landmark Commission and its task forces, the party shall request that additional time be granted by the City Plan Commission. If the Commission grants one party additional time, the opposing party shall also be granted a similar time extension.

** In considering the appeal, the City Plan Commission shall hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Landmark Commission and its task forces.

6. **Introduction of new evidence at the hearing.**

a. 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.

b. 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.

c. The party attempting to introduce new evidence bears the burden of showing that the evidence was not available at the time of the Landmark Commission's hearing.

d. Newly presented evidence is subject to objection and cross examination by the opposing party.

7. **Remedies of the City Plan Commission.**

a. The City Plan Commission may reverse or affirm, in whole or in part, or modify the decision of the Landmark Commission.

b. The City Plan Commission shall give deference to the Landmark Commission decision and may not substitute its judgment for the Landmark Commission's judgment. The City Plan Commission shall affirm the Landmark Commission decision unless it finds that it:

(1) violates a statutory or ordinance provision;

(2) exceeds the Landmark Commission's authority; or

(3) was not reasonably supported by substantial evidence considering the evidence in the record.

c. The City Plan Commission may remand a case back to the Landmark Commission for further proceedings.

SECTION 5

Transcript of the October 3, 2022 Landmark Commission Hearing

4512-4518 Sycamore Street

CA212-354(RD)

IN RE: 10-3-22 CASE: C5122-574(PD) 6512-6516 SYCAMORE STREET

AUDIO TRANSCRIPTION

MAGNA LEGAL SERVICES
320 West 37th Street, 18th Floor
New York, New York 10018
(866)624 6221

Reported by: Marissa Vignano
Job Number: 901541

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EVELYN MONTGOMERY: All right.

Dr. Dunn, if you'll go ahead and read it into the record.

DR. DUNN: Okay. I'm currently addressing Discussion Item 3, also known as 3c. The subject property is located at 4112 through 4516 Sycamore Street in Peak Suburban Addition Neighborhood Historic District. The case number is COA-212-574-SD.

The requests are as follows: A certificate of appropriateness to paint exterior, body blue, trim white; was done without a certificate of appropriateness. Request number 2, a certificate of appropriateness to replace chain link fence around rear and side yards with an 8-foot high pinewood fence; work done without a certificate of appropriateness. Request number 3, a certificate of appropriateness to install grass in the front and rear of property. Request number 4, a certificate of appropriateness to

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replace roofs on two existing carport structures in rear yard. And request number 5, a certificate of appropriateness to replace 31 aluminum windows with wood composite windows; brand, Anderson; material, Fibrex®.

We do have speakers here, right? Okay.

Yeah. The owner of the property is here to address Discussion Item 5. All right. I have registered to speak Marlin and also Tom.

Does anyone have a preference over who goes first?

Okay.

MARLIN DONADI: I'll go.

DR. DUNN: All right. We just need you to state your name, your address and confirmation that you intend to tell the truth today.

MARLIN DONADI: Mr. My name is Marlin Donadi. Address, 4912 Sycamore Street, Dallas, Texas 75204. And I affirm to say the truth.

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I think most of the materials that we put in with it, Dawn have been given to the Board here. If you have any questions regarding any of the requests, I'll be more than happy to answer any questions.

EVELYN MONTGOMERY: So you don't have a presentation? You're here for questions?

MARLIN DUNAH: Yes.

EVELYN MONTGOMERY: Okay. Is that the same for other speaker?

MARLIN DUNAH: No, Thomas is here to have a presentation for the windows.

EVELYN MONTGOMERY: Got it. Well, if he has a presentation that you'd like to do, let's go ahead and we'll do that before we begin asking questions.

MARLIN DUNAH: Okay.

EVELYN MONTGOMERY: I just need you to state your name, address and confirmation you intend to tell the truth today.

THOMAS OLVERS: Yes, ma'am. My

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name is Tom Divers, 4025 Oak Grove Court, Flower Mound, Texas. I'm a representative for Renewal by Anderson, and I do swear to tell the truth.

Pretty much, I just brought a window and I'll answer any questions you guys have pertaining to the window installation at the residence. I believe that requirements are wood windows and so wood composite windows are designed, same thing as wood, indiscernible with a wood window. And I did supply photos to Dr. Dunn, which show the window installed. So I'm really here just to answer any questions and if you guys like to see a window, I brought a demo window to show.

EVELYN MONTGOMERY: Thank you. Do we have any questions in person?

MARLIN LUNAD:

UNKNOWN SPEAKER: Pardon me?

EVELYN MONTGOMERY: Do we have any questions from any of our commissioners in person?

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UNKNOWN SPEAKER: I have a question of the applicant of the owner.

Sir, this building has a bit of a history. The brick was painted, and this Landmark Commission denied the application. And you're a relative y new owner?

THOMAS DIVERS: Yes.

UNKNOWN SPEAKER: Have you been informed that the brick was painted without an application, that it is supposed to be stripped back to natural brick?

MARLIN DUNATT: We were informed when Dr. Dunn told us. When we first bought the property, we didn't know that it had been painted. And we didn't know it was in the historic district to begin with. So all those -- the detailing that was on there and on the brick, we were unaware of.

UNKNOWN SPEAKER: Okay. Thank you.

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COMMISSIONER ANDERSON: I also have a question. I asked in the briefing, is there a -- thank you - question, the briefing, did the code compliance staff -- is there a case that was activated on this, and, if so, why was the brick not removed?

EVELYN MONTGOMERY: Yes. Okay. To address your question, there is a code case existing. And the issue is that - in other words, the current owner is being given the opportunity to address the former zone violations through the certificate of appropriateness process. So that's a part of why he is here and why we're going through this.

So it was not ignored. Okay.

COMMISSIONER ANDERSON: Right.

EVELYN MONTGOMERY: And he has been informed that there was an issue with the brick being painted, but we have decided to give the owner an opportunity to address how to handle

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...is through the certificate of appropriate -- this process, which is what we're involved in now.

UNKNOWN SPEAKER: Madam Chair?

COMMISSIONER ANDERSON: Okay. So this is related to the other case then?

EVELYN MONTGOMERY: Correct. And if you read the staff report, it does list the history, including the other case.

COMMISSIONER ANDERSON: Then what about the steel doors that were also denied at the Landmark Commission? That's not here today.

EVELYN MONTGOMERY: That's not a part of this request, no.

COMMISSIONER ANDERSON: Why is that not here? That was part of the whole situation.

EVELYN MONTGOMERY: That I am not sure of -- on the steel door issue. Does it have steel doors?

MARLIN DONALD: What doors are you referring to?

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COMMISSIONER ANDERSON: 12/7/2021: Steel doors, painted brick and landscaping were denied by the Landmarks Commission. But we're not talking about the rest of it.

EVELYN MONTGOMERY: I think I'll defer to the city attorney, but if it's not posted about the doors and it's not in the application, that's something that we'd have to handle at a later time.

COMMISSIONER ANDERSON: No, my concern is that we're not handling these things ever.

EVELYN MONTGOMERY: I understand.

COMMISSIONER ANDERSON: But how do we get -- okay. Another time.

MR. MILLER: Madam Chair?

EVELYN MONTGOMERY: Yes, Mr. Miller?

MR. MILLER: I've had a brief moment to review the question raised in the briefing session this morning, and that was in relation to CA 2021(9) MP

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heard by the Landmark Commission on December 7, 2020.

In the description, the project included painting the lower half of the front and front side elevations a blue tone that contrasted with the brown painted-wood siding. In the analysis, it was determined that the multi-colored brick appears more modern and is unlikely that the brick itself was historic. In this instance, an important consideration is that the proposed work to non-historic materials is more of a visual impact on the character and appearance of the district.

The recommendation was to deny without prejudice. There was no mention, nor reason to remove paint from non-historic brick. But if a non-contributor is painted, then the color needs to be compatible. I just wanted to put that out there. -

COMMISSIONER ANDERSON: What was

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the Landmark Commission's action on that item?

MR. MILLER: The Landmark Commission's action was to deny without prejudice. In the minutes it says that the request for a certificate of appropriateness to continue painting the brick that has been initiated be denied without prejudice because painted brick would have an adverse effect on the historic overlay district and does not meet the standard in city code section 51P451.

COMMISSIONER ANDERSON: Thank you.

UNKNOWN SPEAKER: Madam Chair, if I may, I just want to remind this commission that this commission is quasi judicial, so therefore, it should be everything that's presented at the public hearing and staff report, you should draw your conclusions from the evidence presented today at this hearing. We shouldn't consider past decisions from this commission because

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that could be fraudulent, and the applicant really has the burden of proof to prove up his case in a favorable manner.

In this instance, because this is the non-contributing structure, we have to follow this, the non-contributing standard, and whether or not the proposed work presented today is compatible with the historic district. So we should just be looking at the request today. And although there may have been a request to deny a steel door in the past, because it's not in this agenda today, we cannot speak about it. That would be a violation of the Texas Open Meetings Act.

EVELYN MONTGOMERY: Do I have any questions from any other commissioners in person?

Do we have any questions from any commissioners online? We can't see everyone, so if you have something to say, please just give us your name and

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Begin.

COMMISSIONER ROSA: I have a comment. This is Commissioner Hannah Rosa (phonetic)

EVELYN MONTGOMERY: Yes. Thank you, Commissioner Hannah Rosa.

COMMISSIONER ROSA: Right. I think it was Mr. Anderson that was talking about the painting of the brick that needs to be stripped and go back to the original brick. But in my reading of the staff recommendations, I read that it's either that or painting it -- the cotton part of the brick an earth tone color. Am I correct in understanding?

COMMISSIONER SHERMAN: Yes, Commissioner. You are correct. Those were my suggestions.

COMMISSIONER ROSA: Thank you.

EVELYN MONTGOMERY: Okay. Any other commissioners online?

All right. Hearing none, I'll --

You do have one? Okay.

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Commissioner Swan.

COMMISSIONER SWAN: I guess this is a question for staff. The condition that the interior innermost part of the exterior frames be painted a complementary color, I was just wondering where that condition came from. What it's responding to within the ordinance or within the neighborhood.

EVELYN MONTGOMERY: Okay. It's responding to visual compatibility. With respect to the Secretary of the Interior's guidelines on the treatment of properties, it does say that you should, if at all possible, preserve visual relationships.

And within the district there is and in the ordinance, there is guidelines on paint colors and basically, it's your dominant color, your trim color, your accent color. And your accent color should be on your innermost frames of your windows. So

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that's where that was coming from.

COMMISSIONER EKAM: Okay. All right, thank you.

EVELYN MONTGOMERY: All right. With that, do I have anyone --

COMMISSIONER ANDERSON: I have a second question.

EVELYN MONTGOMERY: Okay, you go it, Commissioner Anderson.

COMMISSIONER ANDERSON: Second question is the wood composite windows. This historic district requires wood windows. We do not allow things such as Hardie board because it's an imitation material. So I'd like to get more information on what wood composite windows are and how they are to be used in this historic district.

EVELYN MONTGOMERY: Can I refer to Mr. Divers?

THOMAS DIVERS: The wood composite windows designed by Andersen is designed to replicate a wood window using wood and thermal polymers in a composite

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done. What that does is just prevent the wood window from rotting, so that way you don't have a rotten window in two years. The window is going to last an extended period of time. It's got a 20-year warranty that prevents it -- that says it won't rot. Is there something I'm not hitting or some specific information looking for?

COMMISSIONER ANDERSON: Well, the concern I have is in historic districts, we're very concerned about materials. And I know we don't use Hardie Board or cement fibers board because it's not real wood, and I see this as sort of akin to that. And I have a concern of bringing that forth on this building, even though it may be non-contributing, because it will then be something that will be considered in the rest of the district. And I don't think it's appropriate to not have real wood windows in historic districts.

THOMAS DIVERS: The windows are

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indiscernible from a wood window, and I supp ied photos of two windows. One was installed the next day. And those are the windows that are showing in this photo right there.

EVELYN MONTGOMERY: They're just not coming up.

THOMAS DIVER: Yeah, I'm sorry. But there's no difference. When you look at the window, you won't tell if the a wood composite window [illegible] is pretty much looks like smoothly -- fine wood that's painted. There's no difference at all. Both are based on wood. It's just one rots and one doesn't. So if you don't go back and paint and stain your windows on a regular basis every year, you're going to have a lot of rot in your historic district.

EVELYN MONTGOMERY: Commissioner Cummings.

COMMISSIONER CUMMINGS: I have a question with the windows. I don't see

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a selection made on the sill conditions. I don't see, also, any dimensions on the details, such as the sashes. This being a historic and a period, whether it's non-contributor or not, it's still zoned to the building itself. I'm looking for dimensions, and I'm looking for the thickness that we're going to be needing to be seeing on (inaudible) now and some of the dimensions on the sash. Where are those dimensions located on what's been submitted?

THOMAS DIVERS: The dimensions for the window we did were, like for-like, are the existing windows that they had in there.

COMMISSIONER CUMMINGS: Like for like?

THOMAS DIVERS: Yes, sir.

COMMISSIONER CUMMINGS: Well, to ascertain what like for like really is, we need to see what the dimensions are so we can actually compare those dimensions to somebody else. Because I

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don't see on the detail that's provided that -- it looks like the meeting rail is the same dimension as the side rail meshes and the top rail meshes. I don't see a difference between your meeting rail, sash. That's a very prominent feature on historical windows, especially windows, and I don't see that.

THOMAS DIVERS: You're to like about the middle sash, the one where the two windows meet, the up sash and the bottom sash --

COMMISSIONER CUMMINGS: No, I'm talking about the bottom sash. There's also indications of differences on the thickness of the meeting rail, but let's just talk about the bottom sash. What's your dimension on your bottom sash? And I also don't see a full detail that was called out, and you had three choices on the windowsills.

THOMAS DIVERS: S the windowsills are actually going to be the same as a wood window. They're going to be sloped

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sills. Instead of having a trough like a plastic window where the water collects. The exterior trough -- the exterior sill --

COMMISSIONER CUMMINGS: What is your dimension of the bottom sash?

THOMAS RIVERS: What do you mean? The size of the bottom sash? I have to pull up this file real quick.

COMMISSIONER CUMMINGS: Correct. It doesn't seem like there's a difference between the bottom sash dimension and the side dimension.

THOMAS RIVERS: Here and here?

COMMISSIONER CUMMINGS: Yes.

THOMAS RIVERS: I'm so confused. You're talking about the dimensions of the width and the width here.

COMMISSIONER CUMMINGS: What's the difference between those two?

THOMAS RIVERS: It's pretty indiscernible, but I have a measuring tape.

COMMISSIONER CUMMINGS: Good

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windows are usually not wood windows, the bottom sash is a different dimension.

THOMAS DIVERS: They're thicker. The bottom sash is going to be thicker because the bottom one is two inches. The side sash is going to be an inch and quarter. I don't know if you could see that where you are.

EVELYN MONTGOMERY: Yes.

Do you have any additional questions, Commissioner Cummings?

COMMISSIONER CUMMINGS: No.

EVELYN MONTGOMERY: Thank you.

Commissioner Rothenberger, do you have a question for staff? No?

COMMISSIONER ROTHENBERGER: [Inaudible].

EVELYN MONTGOMERY: Okay. All right.

Any more questions online? Doesn't appear so.

Any questions in person?

So with that, we'll have someone

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that is ready to make a motion?

COMMISSIONER ANDERSON: I'll make a motion.

EVELYN MONTGOMERY: Okay. Mr. Anderson.

COMMISSIONER ANDERSON: In case 4512-4513 Sycamore Street in the Post Suburban Edition Historic District case number COA-212 974 PD, I want to follow the staff recommendation with two changes. On Item Number 2, I'd like to add the paint on the brick is to be stripped. And Number 3 would like to change to Denial without -- Denial. Straight denial. Wood monolithic windows are not wood, and these windows will have an adverse effect on the historic district. Work is not consistent with SIA-4.201 C6, Paragraph 1. for non contributing structures.

EVELYN MONTGOMERY: Is there a second?

COMMISIONER CUMMINGS: Second.

EVELYN MONTGOMERY: Yes.

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Yes, Mr. Anderson?

COMMISSIONER ANDERSON: I'd like to add that the proposed work is not compatible with Historic District.

EVELYN MONTGOMERY: Under?

UNKNOWN SPEAKER: Order Romanette 2. Got Romanette 2.

COMMISSIONER ANDERSON: Romanette 2.

EVELYN MONTGOMERY: We have a second by Commissioner Cummings. Does anyone want to speak on this motion.

COMMISSIONER HOSA: Yes, Commissioner, I'd like to make a comment.

EVELYN MONTGOMERY: Yes. Yes. Thank you, Commissioner Hosa.

COMMISSIONER HOSA: Thank you. I am not in agreement with stripping the blue paint. From my reading of the staff report, those owners took on this building. It had yellow paint prior, and so they changed it to blue. I'm afraid that if they

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strip it -- I would prefer that they just repainted to an earth tone color, as the staff recommended, rather than strip it, which might damage the brick.

Thank you.

For that reasoning, I'm not going to support that motion.

EVELYN MONTGOMERY: Any other commissioners online? No.

Any other commissioners in person?

Commissioner Rothenberger?

COMMISSIONER ROTHENBERGER: Yes. Thank you.

I did just want to read specifically regarding the windows. I would not support this motion. I do believe the wood look windows are appropriate for a non-contributing structure.

I do want to read 3.10 of this ordinance, Where replacement of an original door window is necessary due to damage or structure deterioration, replacement doors and windows must

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express a million size, like configuration, and material to match original doors and windows.

We can't determine what the original material would have been, and I'm sure we would rather a wood look material as opposed to the continuation of these aluminum windows. And so, therefore, I would not support this motion as stated.

EVELYN MONTGOMERY: All right. With that, Commissioner Saeman?

COMMISSIONER SAEMAN: Yes, I will support the motion. And I disagree that these windows are not distinguishable from wood. I could tell from this c'n anyone that they are definitely not wood and they have a distinct different appearance from wood. And I think when it comes to whether or not a building is contributing or not, I think that the strategies that are employed as it gets to move forward should make it less non-contributing. And the use of these

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windows would, I think, simply exacerbate its non contributing nature.

Thank you.

EVELYN MONTGOMERY: Thank you, Commissioner Bledsoe.

Commissioner Swan?

COMMISSIONER SWAN: Yeah. I have a question. Does this motion address -- or is it pertaining to condition on Item Number 2 the finished side of the fence face out on the other side of that property.

COMMISSIONER ANDERSON: It follows the staff recommendation, except for those two changes.

COMMISSIONER SWAN: Okay. I was asking because the back fence (inaudible).

EVELYN MONTGOMERY: Mr. Swan, can you please turn on your microphone?

COMMISSIONER SWAN: Yes.

EVELYN MONTGOMERY: Thank you.

COMMISSIONER SWAN: Certainly. I'm sorry. Thank you.

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I was asking the question will, for two reasons. First of all, the staff recommendation seems to be okay with the fence, it says, "as submitted." I presume that means as built. But it also seems that it's not unreasonable since this is in the interior of the block and not a corner side yard condition to go with task force, which seems to be okay with the fence as is, and not required that they be turned to face out.

EVELYN MONTGOMERY: Are you intending to make an amendment?

COMMISSIONER SWAN: Yes. I'm asking if the maker the motion would entertain an amendment. I'm asking if the maker of the motion would entertain an amendment to permit Item 2 to be an approval without condition.

COMMISSIONER ANDERSON: That's fine.

COMMISSIONER SWAN: Okay.

EVELYN MONTGOMERY: Is that okay

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with Commissioner Cummings?

COMMISSIONER CUMMINGS: Yes.

EVELYN MONTGOMERY: Thank you.

All right. If there's no one else that has anything, let's go ahead and take a vote.

All those in favor go ahead and raise your hand so that she can get a count.

Okay. It looks like -- did you count mine? Where's Elaine?

Can we do a second vote?

District 1?

DISTRICT 1: Aye.

EVELYN MONTGOMERY: District -- she is recused.

District 4?

DISTRICT 4: Aye.

EVELYN MONTGOMERY: District 5?

DISTRICT 5: Yes.

EVELYN MONTGOMERY: District 6?

DISTRICT 6: Yay.

EVELYN MONTGOMERY: District 7?

DISTRICT 7: Aye.

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EVELYN MONTGOMERY: District 8?
DISTRICT 8: Nay.
EVELYN MONTGOMERY: District 9?
DISTRICT 9: Aye.
EVELYN MONTGOMERY: District 10?
DISTRICT 10: Aye.
EVELYN MONTGOMERY: District 12?
DISTRICT 12: Nay.
EVELYN MONTGOMERY: District 13?
DISTRICT 13: Aye.
EVELYN MONTGOMERY: District 14?
DISTRICT 14: Aye.
EVELYN MONTGOMERY: District 15?
DISTRICT 15: Aye.

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CERTIFICATE

STATE OF NEW YORK :
: SS
COUNTY OF NEW YORK:

I, Marissa Mignano, a Notary Public within and for the State of New York, do hereby certify the within is a true and accurate transcription of the audiotapes recorded.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 18TH day of DECEMBER 2022.

Marissa Mignano
MARISSA MIGNANO

MAGNA LEGAL SERVICES

Case No. CA212-574 (RD)

MARLON LUNATY,	§	
Appellant,	§	
	§	**In re 4512-4518 Sycamore St.**
	§	
vs.	§	
	§	**Appeal to the City Plan Commission**
	§	
LANDMARK COMMISSION,	§	
Appellee.	§	

BRIEF IN SUPPORT OF THE LANDMARK COMMISSION

TO THE HONORABLE COMMISSIONERS OF THE CITY PLAN COMMISSION:

Now comes the City of Dallas Landmark Commission ("Landmark") and submits this brief in support of Landmark's decision to deny in part Appellant's application for a certificate of appropriateness.

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).

There are two structures at issue, both of which are identified as non-contributing structures in the Peak's Suburban Addition Historic District. (*See* Record § 3, p. 11.)[1] They are both two-story residential duplexes that were originally erected in 1923 but have an effective year built of 1990. (*See id.*) On August 30, 2022, Appellant filed an application for a certificate of appropriateness ("CA") seeking to (1) paint the exterior of both duplexes; (2) replace chain link fence at the back of the property with wood fence; (3) install new landscaping at the front and back of the property; (4) replace the roofs on the two existing carport structures; (5) replace 31 windows; (6) install gutter guards on all four rain gutters; and (7) repair foundation. (*Id.* § 3, p. 33-34.) The requests to install gutter guards and repair the foundation were approved by Staff as routine maintenance under section 51A-4.501(g)(5) of the Dallas City Code, so only five of the requests were presented to Landmark for review under section 51A-4.501(g)(6). Prior to filing the application, Appellant had already painted the exterior and replaced the chain link fence with a wood fence. (*Id.* §§ 2, 3, pp. 8, 14.) In addition, Appellant had already entered a binding contract to replace the windows. (*Id.* § 3, p. 15.)

Staff recommended that Landmark deny the request to paint the exterior without prejudice. (*Id.* § 3, p. 8.) It recommended approval of the requests to replace the fence and the windows with conditions and recommended approval of the requests to install landscaping (grass) in the front and back of the property and to replace the carport roofs. (*Id.* § 2, pp. 8-9.) The task force recommended that the request to paint the exterior and to replace the windows be denied without prejudice. (*Id.* § 2, p. 9.) It recommended that the requests to replace the fence and install grass be approved and that the request to replace the carport roofs be approved with the condition that a spec sheet be provided to Landmark for review. (*Id.*)

[1] All Record references are to the section number and the page number in the pdf copy of the Record.

Landmark heard this matter at its October 3, 2022 meeting. (*Id.* § 4, pp. 84-85.) Appellant and his window contractor Tom Divers spoke in support of the CA requests. (*Id.* §§ 4, 5, pp. 85, 89-91.) After a discussion primarily focusing on the requests to paint the exterior of the structures and to replace the windows (*see generally id.* § 5, pp. 91-108), Commissioner Anderson moved to adopt the staff recommendations with two changes: (1) to require that the existing paint on the exterior brick be stripped, and (2) that the request to replace the windows be changed to denial (*id.* § 5, p. 108). Prior to the vote, the motion was amended by consent of the movant and second to clarify that the replacement of the fence was approved without conditions per the task force recommendations. (*Id.* § 5, p. 113.) The motion was approved by a vote of 9 to 5. (*Id.* § 4, p. 85.) Appellant filed a timely appeal to this Commission. (*Id.* § 7, p. 203.)

B. The Standard of Review for the City Plan Commission

In an appeal from Landmark, the City Plan Commission ("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;
> (B) exceeds the landmark commission's authority; or
> (C) was not reasonably supported by substantial evidence considering the evidence in the record.

Dallas, Tex., 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 the structure is a non-contributing structure in the Peak's Suburban Addition Historic District, Landmark was required to grant the application if it determined that "the proposed work is compatible with the historic overlay district." Dallas, Tex., Code § 51A-4.501(g)(6)(C)(ii). Appellant had the burden of proof to establish the necessary facts to warrant a favorable action. *Id.* § 51A-4.501(g)(6)(B).

C. Argument

The record in this case is clear, and there is more than a scintilla of evidence to support the decision. Although Landmark's decisions were not wholly consistent with Staff's recommendations, they were generally consistent with the task force recommendations, and the reasoning for the decisions as to the two requests that were denied is clear from the record. Moreover, the evidence in the record from Appellant is insufficient to meet Appellant's burden of proof.

As to the request to paint the exterior of the structures, Staff recommended denial without prejudice because the work was not compatible with the historic overlay district. (Record § 3, p. 14.) The prior owner painted the brick yellow in 2021 despite being denied a CA to paint the exterior brick on several occasions. (*See id.* § 3, pp. 12, 14.) After purchasing the property, Appellant painted over the yellow with blue paint, but as Staff noted, brick in the historic district is primarily unpainted, and bricks are, therefore, generally a natural earth tone. (*See id.* § 3, p. 14.) Appellant did not present any evidence to contradict Staff's assessment as to the compatibility of blue-painted brick with the historic district. Because Appellant's request to paint the exterior brick blue is not compatible with the Peak's Suburban Addition historic district, Landmark followed Staff's recommendation and denied without prejudice the request for a CA to paint the exterior brick.

As to the addition to the Staff recommendation seeking to require that the existing paint be stripped, there admittedly is no provision in the Dallas City Code that gives Landmark authority to place conditions on a denial as opposed to adding conditions to the issuance of a certificate of appropriateness. *See, e.g.*, Dallas, Tex., Code § 51A-4.501(g)(6)(B). Additionally, as to painting brick, the preservation criteria states, "Brick and stone surfaces *not previously painted* must not be painted . . . ." (Record § 6, p. 129 (Dallas, Tex., Code § 51P-63.116(1)(H)(i)) (emphasis added).) As noted in the background section, the exterior brick was previously painted by the prior owner of the buildings. There is no requirement in the criteria that previously painted exterior brick be stripped, but there is a requirement that that the colors be complementary of "the overall character of th[e] district." (*Id.* (Dallas, Tex., Code § 51P-63.116(1)(H)(iii).) As noted above, natural earth tones are complementary of the Peak's Suburban Addition Historic District, and therefore, although the added directive to strip the existing paint from the brick is not clearly within the authority of Landmark, the decision to deny without prejudice a request to paint the exterior of the structures blue is supported by the ordinance for the historic district and does not exceed Landmark's authority.

As to the request to install new windows, Staff recommended approval with conditions. (*Id.* § 2, p. 9.) The request was to replace aluminum windows with wood composite, and a fair portion of the discussion at the meeting was devoted to whether wood composite window frames were sufficiently compatible with the historic district. (*See id.* §§ 3, 5, p. 15, 90-91, 101-107.) Ultimately, the majority of Landmark determined that the requirement in the historic district criteria is wood frames not wood composite. (*See, e.g.*, *id.* § 5, pp. 101 ("This historic district requires wood windows. We do not allow things such as Hardie Board because it's an imitation material."), 111 ("And I disagree that these windows are not discernible from wood. I could tell

from this distance that they are definitely not wood[,] and they have a distinct different appearance from wood."); *see also id.* § 6, pp. 129, 132 (Dallas, Tex., Code § 51P-63.116(1)(J)(i) ("The only permitted facade materials are brick, wood siding, stone, and stucco. All facade treatments and materials must be typical of the style and period of a main building."); § 51P-63.116(1)(P)(vi)(dd) ("The frames of windows must be trimmed in a manner typical of the style and period of the building.")).) Therefore, Landmark voted to deny the request to install wood composite windows.

D. Conclusion

The evidence on the record supports the decision of Landmark as to the denial of the two requests to paint the exterior of the structures and to replace the windows under the substantial evidence standard of review applicable here. Therefore, CPC should affirm Landmark's decision to deny without prejudice the certificate of appropriateness to paint the exterior of the structures and to deny the certificate of appropriateness to replace the windows.

Respectfully submitted,

CITY ATTORNEY OF THE CITY OF DALLAS
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ATTORNEY FOR LANDMARK COMMISSION

Case No. CA212-574(RD)

Marlon Lunaty (Appellant) vs. Landmark Commission (Appellee)

In re 4512-4518 Sycamore Street Dallas, TX 75204

Brief In Opposition of the Landmark Commission's Decision

TO THE HONORABLE COMMISSIONERS OF THE CITY PLAN COMMISSION:

Now comes Marlon Lunaty, owner of the 4512-4518 Sycamore property and submits this brief in opposition of the Landmark's decision to deny part of Appellant's application for a certificate of appropriateness.

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 also outlines that proposed work (2) strengthen the economy of the city and by updating the windows and stabilizing the property it creates taxable income that the city will benefit from. (3) Increasing public knowledge and appreciation of the city's historic past by beautifying the property back to its original glory and it is has done so by creating curb appeal. Doing this also (4) fosters civic and neighborhood pride and a sense of identity from the citizens of the city. The sense of pride in turn (5) promotes the enjoyment and use of the historic resources by the people of the city and (6) preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city's history. All these factors help (7) to create a more livable urban environment for new and existing apartment seekers and in turn (8) enhance property values which create revenue for the city. These benefits also help (9) provide financial incentives for preservationist like myself. All of these incentives help (10) bring tourist and visitors into Dallas providing tourist revenue to the city and (14) stabilize the neighborhoods providing safe and livable environments for Dallas citizens.

The two structures at issue are identified as non-contributing structures, both of which were grandfathered in to the Peak's Suburban Addition Historic District because the have an effective year built of 1990 and the Peak's Suburban Addition was not established until 1995. Therefore making the windows subject to existing or modern requirements for replacement. The windows installed in 1990 were of the aluminum material and and not wood. The paint on the brick was painted prior to Appellant's new ownership of property.

B. Argument

The Landmark Decision violates statutory or ordinance provisions concerning the windows because Peaks Suburban Ordinance 22352 Exhibit A section 5.4 states all windows must be of wood or resemble wood in appearance, which if standing 30 feet from the property the wood composite windows from Anderson windows, are indiscernible from other wood windows, I believe because of the strong, bias and prejudicial objections from Commissioner Anderson the rest of the body of commissioners were bullied and swayed into voting against the window proposals. In conclusion, the bias and the fact that the windows that were installed in 1990 were aluminum the landmark commission exceeded the authority in this matter. We will concede the paint on the brick and paint it a more appropriate gray earth tone adhering to the Peak's Suburban Ordinance and Dallas code 51A-4.501.

Respectfully Submitted,

Marlon Lunaty
4512 Sycamore Street Dallas Texas 75204
562-413-2689