## Notice of a Meeting **Dalworthington Gardens Planning and Zoning Commission**

September 13, 2022 at 6:00 P.M.

### City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas

- 1. Call to Order
- 2. Discussion and possible action to consider a replat application from Unity Church of Arlington, being a replat of a portion of Lot 6, Block 5, generally located south of W. Mayfield Road and east of S. Bowen Road, with the approximate address being 3513 Bowen Road, Dalworthington Gardens.
  - i. Public hearing
  - ii. Discussion and possible action
- 3. Adjourn

### **CERTIFICATION**

This is to certify that a copy of the **September 13, 2022** Planning and Zoning Commission Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, <a href="www.cityofdwg.net">www.cityofdwg.net</a>, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING:	TIME OF POSTING:	TAKEN DOWN:
Lola Hazel, City Administrator		

### **Staff Agenda Report**

**Agenda Subject**: Consider approval of a replat application from Unity Church of Arlington, being a replat of a portion of Lot 6, Block 5, generally located south of W. Mayfield Road and east of S. Bowen Road, with the approximate address being 3513 Bowen Road, Dalworthington Gardens.

**Background Information:** Section 10.02.004 of the City's Code of Ordinance states no land is to be subdivided in the city except by platting in compliance with Chapter 212 of the Texas Local Government Code and city ordinance, and no building permit shall be issued for construction of improvements on any property not platted.

The Unity Church of Arlington is replatting property on Bowen Road. A portion of the property is located in the city of Arlington which has been reviewed and approved. They are now submitting an application for the portion of property located in Dalworthington Gardens.

In accordance with Section 10.02.031, the city determined the plat application to be complete on May 25, 2022. In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On August 10, 2022, the city engineer conducted his third and final review of the plat, determined the plat conforms with the City's subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200' and included information on how to provide public comments at both the planning and zoning meeting and city council meeting.

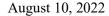
Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

**Recommended Action/Motion**: Motion to approve a replat application from Unity Church of Arlington, being a replat of a portion of Lot 6, Block 5, generally located south of W. Mayfield Road and east of S. Bowen Road, with the approximate address being 3513 Bowen Road, Dalworthington Gardens.

**Attachments: Engineering Letter** 

City Attorney Letter Plat Application

Plat Site Plan Legal Notice





Lola Hazel City Secretary City of Dalworthington Gardens 2600 Roosevelt Drive Dalworthington Gardens, Texas

RE: Lots 3R1 & 3R2, Unity Addition Replat Third Review

### Lola,

We have reviewed the above referenced Replat according to Section 10 of the City of Dalworthington Gardens Subdivision Ordinance, and have the following comments:

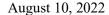
- 1. See attached markups. SATISFACTORILY ADDRESSED.
- 2. Include date of preparation. SATISFACTORILY ADDRESSED.
- 3. Show nearest street names on the Vicinity Map. SATISFACTORILY ADDRESSED.
- 4. Please ask the City Attorney to review the dedication statement and notary statement to see if they are acceptable. I believe that what is there is a combination of what the City of Arlington requires and what Dalworthington Gardens requires.
- 5. New comment I missed this on the first review, my apologies. Please add the dimensions for the newly created right-of-way/lot line along South Bowen Road. **SATISFACTORILY ADDRESSED.**

If there are any questions, don't hesitate to contact me. Thank You,

S. Erik Dumas, RPLS

Director of Civil Surveying Topographic Land Surveyors

TBPLS Firm Reg. No. 10042504





Lola Hazel, City Secretary City of Dalworthington Gardens, 2600 Roosevelt Drive Dalworthington Gardens, Texas RE: Lots 3R1 & 3R2, Unity Addition Site Plan Third Review

### Lola,

We have reviewed the above referenced Site Plan according to Section 10.02.156 Site Plan of the City of Dalworthington Gardens Subdivision Ordinance, and have the following comments:

- 1. See attached markups. SATISFACTORILY ADDRESSED.
- 2. Include record ownership instrument reference for Lot 3R. SATISFACTORILY ADDRESSED.
- 3. Include name of proposed addition in the title block. SATISFACTORILY ADDRESSED.
- 4. Show nearest street names on the Vicinity Map. SATISFACTORILY ADDRESSED.
- 5. Show dimensions from existing structures to nearest lot lines. SHOW DIMENSION TO LOT LINE FROM EXISTING BUILDING THAT ENCROACHES INTO 25' SETBACK ON LOT 3R1. SATISFACTORILY ADDRESSED.
- 6. Show the location, dimensions, description and flow line of existing drainage structures. IF THERE ARE NO EXISTING DRAINAGE STRUCTURES ON OR SERVICING THE SUBJECT PROPERTY, PLESE NOTE THAT ON THE SITE PLAN. **SATISFACTORILY ADDRESSED.**
- 7. Show existing utilities on the tract, specifying size of lines. NOT ADDRESSED. HOWEVER, I RECOMMEND THAT THIS BE ADDRESSED WITH ENGINEERING PLANS AT THE TIME THAT AN ACTUAL IMPROVEMENT IS PLANNED FOR THE PROPERTY.
- 8. Show topography by contour lines. SATISFACTORILY ADDRESSED.
- 9. Show major proposed changes in topography. If none, please not that there are none planned. **SATISFACTORILY ADDRESSED.**
- 10. Show the location, dimensions, description and purpose of all proposed alleys, drainageways, parks, open spaces, other public areas, easements, streets or other rights-of-way, blocks, lots and other sites within the subdivision. **SATISFACTORILY ADDRESSED.**
- 11. Include data specifying the gross area of the subdivision, the proposed number of residential lots, the area of each lot, the area in residential use, the approximate area in parks, streets, and in other nonresidential uses. This can be done in a small table or other similar form. **SATISFACTORILY ADDRESSED.**
- 12. Indicate existing and proposed zoning. SATISFACTORILY ADDRESSED.
- 13. Show all building setback lines on all lots. SATISFACTORILY ADDRESSED.
- 14. Show the location of proposed water and sanitary sewer mains and service lines which will be required to insure adequate service and fire protection to the lots specified in such proposed tract or subdivision. I RECOMMEND THAT THIS BE ADDRESSED WITH ENGINEERING PLANS AT THE TIME THAT AN ACTUAL IMPROVEMENT IS PLANNED FOR THE PROPERTY.
- 15. New comment I missed this on the first review, my apologies. Please add the dimensions for the newly created right-of-way/lot line along South Bowen Road. **SATISFACTORILY ADDRESSED.**

If there are any questions, don't hesitate to contact me. Thank You.

S. Pitroz

S. Erik Dumas, RPLS Director of Civil Surveying Topographic Land Surveyors TBPLS Firm Reg. No. 10042504



TELEPHONE: (817) 332-2580

TOLL FREE: (800) 318-3400

FACSIMILE: (817) 332-4740

WEBSITE: WWW.TOASE.COM

6000 WESTERN PLACE, SUITE 200 I-30 AT BRYANT IRVIN ROAD FORT WORTH, TEXAS 76107 EMAIL:TOASE@TOASE.COM

Cara Leahy White cwhite@toase.com

August 23, 2022

Lola Hazel
City Administrator
City of Dalworthington Gardens
2600 Roosevelt Drive
Dalworthington Gardens, Texas 76016

Re: Proposed Replat – Unity Addition

Dear Lola,

Upon examining the proposed Replat for Unity Addition, submitted by the Unity Church of Arlington, S. Erik Dumas from Topographic, the City's engineering firm, requested a legal opinion regarding whether the proposed dedication and notary statements contained in the proposed Replat complied with the requirements outlined in the City's ordinance.

Having reviewed the language in Owner's Certificate and Owner's Dedication contained in the proposed Replat, and comparing said language to the language outlined in Appendix B of the City's Subdivision Ordinance ("Owner's Certificate – Form of Dedication for Corporation"), I conclude that the language included in the Owner's Certificate and Owner's Dedication portion of the proposed Replat, while containing more language than required by the City's Subdivision Ordinance, complies with the City's Subdivision Ordinance.

Sincerely.

If I may offer further assistance in this matter, please let me know.

Cara Leahy White

CLW:dkf

# COMMERCIAL RECORDER PROOF

EMAIL ADDRESS: recorder@flash.net
Deadline for submitting legal notices is 11:00 (am) the business day before

PUBLIC NOTICE

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### LEGAL NOTICE

Notice is hereby given that the Dalworthington Gardens Planning and Zoning Commission will hold a public hearing on September 13, 2022 at 6:00 p.m., and the Dalworthington Gardens City Council will hold a public hearing on September 15, 2022 at 7:00 p.m., both of which will be held in the Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas to consider the following: A replat application from Unity Church of Arlington, being a replat of a portion of Lot 6, Block 5, generally located south of W. Mayfield Road and east of S. Bowen Road, with the approximate address being 3513 Bowen Road, Dalworthington Gardens.

8-24

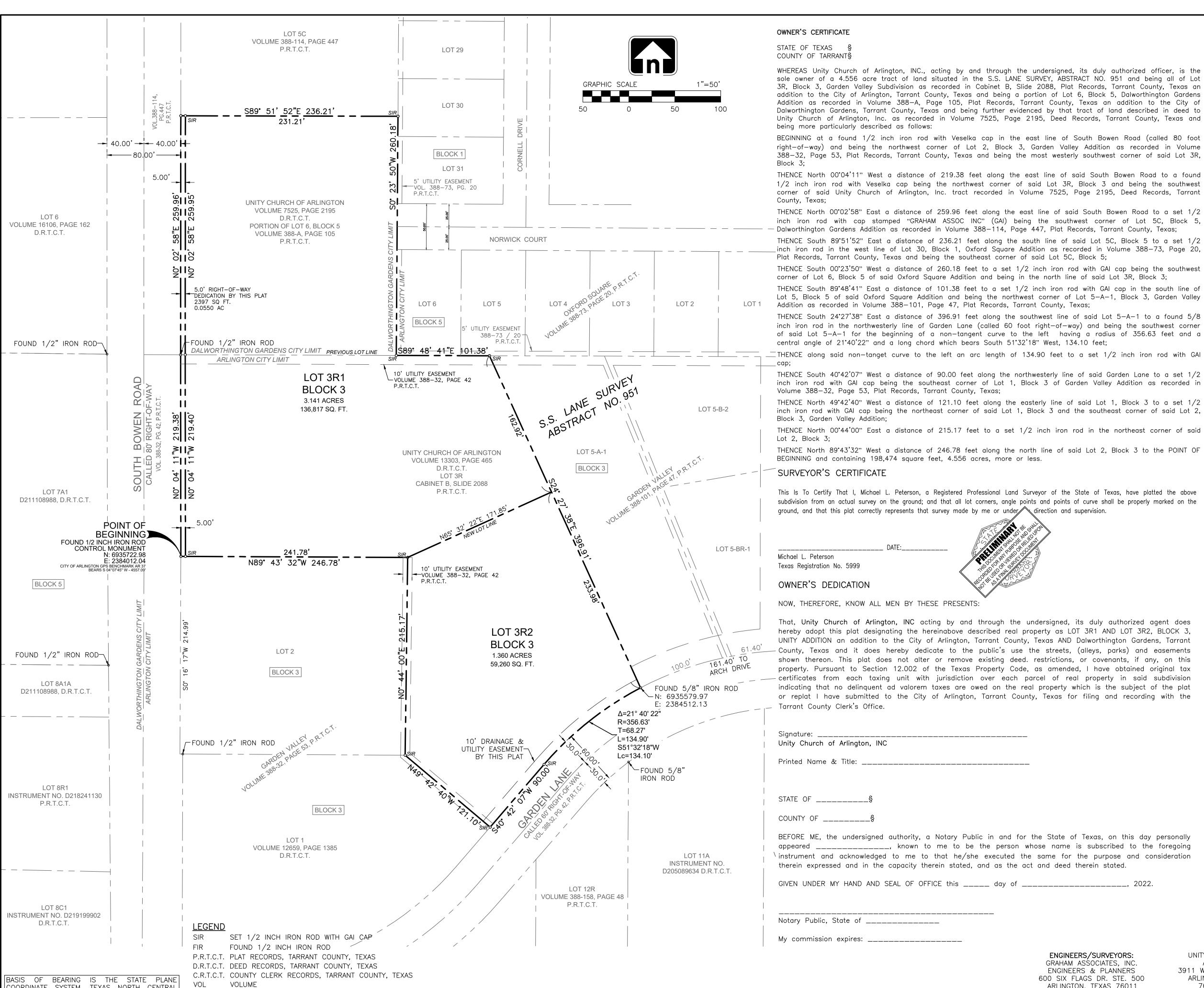


## **PLAT Application**

### CITY OF DALWORTHINGTON GARDENS

2600 Roosevelt TEL. 817-274-7368 FAX 817-265-4401 www.cityofdwg.net

✓ Replat ☐ Amending Plat ☐	Preliminary Plat	☐ Final Plat		
Applicant's Name: Ryan William	S			
Address: 600 Six Flags Dr, Arling	ton, TX 76011			
Applicant Contact Number: 817-6	640-8535			
Applicant Email:rwilliams@grah	amcivil.com			
Surveyor: Mike Peterson				
Address: 600 Six Flags Dr, Arlin				
I have purchased or have access to the requirements for plat submissions.  ✓ Yes ☐ No  The attached submission complies with the stacked submission complete submissi	th all applicable re	quirements of the C	ity Subdivisio	
Signature		Date		
	For Office	Use Only		
Fee: 750			Receipt # _	a 224909
P & Z Scheduled	Public Hearing l	Published:		
Council Scheduled:	Public Hearing l	Published:		
Pro-Rata Paid: \$	Date:			



COORDINATE SYSTEM, TEXAS NORTH CENTRAL

ZONE 4202. NORTH AMERICAN DATUM OF 1983.

ADJUSTMENT REALIZATION 2011

PG

DOC

PAGE

DOCUMENT

sole owner of a 4.556 acre tract of land situated in the S.S. LANE SURVEY, ABSTRACT NO. 951 and being all of Lot 3R, Block 3, Garden Valley Subdivision as recorded in Cabinet B, Slide 2088, Plat Records, Tarrant County, Texas an addition to the City of Arlington, Tarrant County, Texas and being a portion of Lot 6, Block 5, Dalworthington Gardens Addition as recorded in Volume 388—A, Page 105, Plat Records, Tarrant County, Texas an addition to the City of Dalworthington Gardens, Tarrant County, Texas and being further evidenced by that tract of land described in deed to Unity Church of Arlington, Inc. as recorded in Volume 7525, Page 2195, Deed Records, Tarrant County, Texas and

BEGINNING at a found 1/2 inch iron rod with Veselka cap in the east line of South Bowen Road (called 80 foot right—of—way) and being the northwest corner of Lot 2, Block 3, Garden Valley Addition as recorded in Volume 388-32, Page 53, Plat Records, Tarrant County, Texas and being the most westerly southwest corner of said Lot 3R,

THENCE North 00°04'11" West a distance of 219.38 feet along the east line of said South Bowen Road to a found 1/2 inch iron rod with Veselka cap being the northwest corner of said Lot 3R, Block 3 and being the southwest corner of said Unity Church of Arlington, Inc. tract recorded in Volume 7525, Page 2195, Deed Records, Tarrant

THENCE North 00°02'58" East a distance of 259.96 feet along the east line of said South Bowen Road to a set 1/2 inch iron rod with cap stamped "GRAHAM ASSOC INC" (GAI) being the southwest corner of Lot 5C, Block 5,

THENCE South 89°51'52" East a distance of 236.21 feet along the south line of said Lot 5C, Block 5 to a set 1/2 inch iron rod in the west line of Lot 30, Block 1, Oxford Square Addition as recorded in Volume 388—73, Page 20,

corner of Lot 6, Block 5 of said Oxford Square Addition and being in the north line of said Lot 3R, Block 3;

THENCE South  $24^{\circ}27'38$ " East a distance of 396.91 feet along the southwest line of said Lot 5-A-1 to a found 5/8

 $\equiv$ THENCE along said non—tanget curve to the left an arc length of 134.90 feet to a set 1/2 inch iron rod with GAI

THENCE South 40°42'07" West a distance of 90.00 feet along the northwesterly line of said Garden Lane to a set 1/2 5. THIS PLAT DOES NOT ALTER OR REMOVE DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS inch iron rod with GAI cap being the southeast corner of Lot 1, Block 3 of Garden Valley Addition as recorded in PROPERTY.

THENCE North 49°42'40" West a distance of 121.10 feet along the easterly line of said Lot 1, Block 3 to a set 1/2 inch iron rod with GAI cap being the northeast corner of said Lot 1, Block 3 and the southeast corner of said Lot 2,

THENCE North 89°43'32" West a distance of 246.78 feet along the north line of said Lot 2, Block 3 to the POINT OF

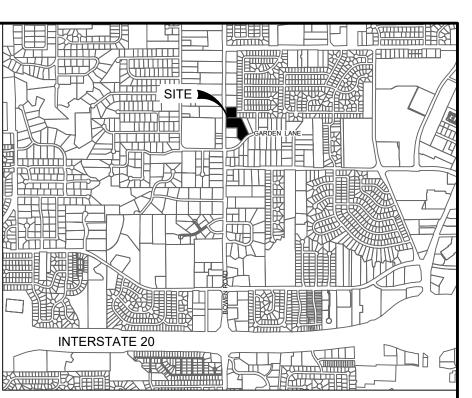
This Is To Certify That I, Michael L. Peterson, a Registered Professional Land Surveyor of the State of Texas, have platted the above

That, Unity Church of Arlington, INC acting by and through the undersigned, its duly authorized agent does hereby adopt this plat designating the hereinabove described real property as LOT 3R1 AND LOT 3R2, BLOCK 3, UNITY ADDITION an addition to the City of Arlington, Tarrant County, Texas AND Dalworthington Gardens, Tarrant 61.40 County, Texas and it does hereby dedicate to the public's use the streets, (alleys, parks) and easements shown thereon. This plat does not alter or remove existing deed, restrictions, or covenants, if any, on this property. Pursuant to Section 12.002 of the Texas Property Code, as amended, I have obtained original tax — certificates from each taxing unit with jurisdiction over each parcel of real property in said subdivision indicating that no delinquent ad valorem taxes are owed on the real property which is the subject of the plat or replat I have submitted to the City of Arlington, Tarrant County, Texas for filing and recording with the

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing  $^ackslash$  instrument and acknowledged to me to that he/she executed the same for the purpose and consideration

**ENGINEERS/SURVEYORS:** GRAHAM ASSOCIATES, INC. ENGINEERS & PLANNERS 600 SIX FLAGS DR. STE. 500 ARLINGTON, TEXAS 76011 PHONE: 817-640-8535 FAX: 817-633-5240

OWNER: UNITY CHURCH OF ARLINGTON 3911 W MAYFIELD ROAD ARLINGTON, TEXAS, 76016-3119 PHONE: (817) 229-0129 EMAIL: scinds@att.net



**VICINITY MAP** 

(NOT TO SCALE)

1. BASIS OF BEARING IS CITY OF ARLINGTON GPS MONUMENTATION BASED ON TEXAS STATE PLANE COORDINATE SYSTEM (NAD-83), ADJUSTMENT REALIZATION 2011.

2. THE SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE X, AS INDICATED ON THE FLOOD INSURANCE RATE MAPS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE HOMELAND SECURITY ADMINISTRATION. MAP NO. 48439C0335K. MAP REVISED: SEPTEMBER 25. 2009, FOR TARRANT COUNTY, TEXAS AND INCORPORATED AREAS AND MAP NO. 48439C0345K, MAP REVISED: SEPTEMBER 25, 2009, FOR TARRANT COUNTY, TEXAS AND INCORPORATED AREAS.

3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION WITHOUT A REPLAT BEING APPROVED BY THE CITY OF ARLINGTON IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

4. THIS PROPERTY MAY BE SUBJECT TO CHARGES RELATED TO IMPACT FEES, AND THE APPLICANT SHOULD CONTACT THE CITY REGARDING ANY APPLICABLE FEES DUE.

6. ALL PROPERTY CORNERS ARE SET 1/2 INCH IRON RODS WITH A CAP STAMPED "GRAHAM

7. PURPOSE OF THIS REPLAT IS TO CREATE TWO LOTS FROM PREVIOUSLY PLATTED LAND.

ASSOCIATES INC." UNLESS OTHERWISE SHOWN HEREON

SHALL COMPLY WITH THE VISIBILITY ORDINANCE.

8. VISIBILITY TRIANGLES SHALL BE PROVIDED AT ALL PUBLIC OR PRIVATE STREET OR DRIVEWAY INTERSECTIONS IN ACCORDANCE WITH CURRENT CITY ORDINANCE. ALL LANDSCAPING (NOTHING OVER 2 FEET IN HEIGHT AS MEASURED FROM THE TOP OF THE CURB) WITHIN THE VISIBILITY TRIANGLES

9. NO BUILDING PERMITS SHALL BE ISSUED FOR ANY LOT IN THIS SUBDIVISION UNTIL AN APPROPRIATE THREE-PARTY CONTRACT OR OTHER ACCEPTABLE PROVISIONS ARE MADE FOR THE CONSTRUCTION OF ANY APPLICABLE WATER. SEWER. STORM DRAIN. STREET LIGHTS. SIDEWALKS. OR PAVING IMPROVEMENTS; AND APPROVAL IS FIRST OBTAINED FROM THE CITY OF ARLINGTON.

10. THE CITY OF ARLINGTON RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATIONS ON ANY LOT CONTAINED WITHIN THIS ADDITION. THE MINIMUM FINISH FLOOR ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE

APPROVED BY THE CITY OF ARLINGTON PLANNING COMMISSION ON (DATE)	G AND	ZONING
CHAIRMAN — PLANNING AND ZONING COMMISSION	 I	
SECRETARY — PLANNING AND ZONING COMMISSION	 N	

1			TY SECF	 OF	DALWORTHINGTON
BY: CITY SE	ECRETAR	 RY		 	

## REPLAT UNITY ADDITION LOT 3R1 AND 3R2, BLOCK 3

4.556 ACRES (198,474 SQ.FT.) BEING A REPLAT LOT 3R, BLOCK 3, GARDEN VALLEY SUBDIVISION AS RECORDED IN CABINET B, SLIDE 2088, PLAT RECORDS, TARRANT COUNTY, TEXAS AND A PORTION OF LOT 6, BLOCK 5, DALWORTHINGTON GARDENS ADDITION AS RECORDED IN VOLUME 388-A, PAGE 105, PLAT RECORDS, TARRANT COUNTY, TEXAS

S.S. LANE SURVEY. ABSTRACT NO. 951 CITY OF ARLINGTON, TARRANT COUNTY, TEXAS CITY OF DALWORTHINGTON GARDENS, TARRANT COUNTY, TEXAS 2 LOTS July 2022

