CITY PLAN COMMISSION

THURSDAY, SEPTEMBER 21, 2023

Planner: Teaseia Blue

FILE NUMBER: M223-016(TB)

DATE FILED: March 29, 2023

LOCATION: On the northeast corner of Frankford Road and Hillcrest Road

COUNCIL DISTRICT: 12

SIZE OF REQUEST: 4.409 ± acres CENSUS TRACT: 17.09

MISCELLANEOUS DOCKET ITEM

REPRESENTATIVE: Rob Baldwin, Baldwin Associate

OWNER/ APPLICANT: Torah Day School of Dallas

REQUEST: An application for a minor amendment to an existing site plan

and landscape plan for Specific Use Permit No. 1505 and a minor amendment to an existing development plan for a private school on property zoned Tract F within Planned Development

District No.173.

STAFF RECOMMENDATION: Approval.

PLANNED DEVELOPMENT DISTRICT No. 173

https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20173.pdf

PD No. 173 Exhibits

https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173A.pdf https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173C.pdf

Additional PD No. 173 Exhibits

https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173B.pdf https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173D.pdf https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173E.pdf https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173F.pdf https://dallascityhall.com/departments/city-attorney/articles/Exhibits/173F.pdf

BACKGROUND INFORMATION:

PD 173 was established by Ordinance No. 18221, passed by the Dallas City Council on April 11, 1984. Ordinance No. 18221 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Subsequently, Ordinance No. 18221 was amended by Ordinance No. 20890, passed by the Dallas City Council on February 27, 1991; Ordinance No. 22106, passed by the Dallas City Council on June 22, 1994; Ordinance No. 22795, passed by the Dallas City Council on June 26, 1996; and Ordinance No. 23276, passed by the Dallas City Council on September 24, 1997. (Ord. Nos. 10962; 18221; 20890; 22106; 22795; 23276; 25508; 25822)

The **conceptual plan** (Exhibit 173A) consists of a conceptual plan approved by the City Plan Commission for PD 173, with modifications to the conceptual plan for Tract C-1 approved by city council. (Ord. Nos. 22106; 23276; 25508; 25822)

On July 6, 1996, the **development plan (Exhibit 173C)** was approved by City Council. (Ord. No. 25508)

An ordinance amending Ordinance No. 25204, passed by the Dallas City Council on March 5, 2003, as amended by Ordinance No. 26594, passed by the Dallas City Council on February 28, 2007, as amended by Ordinance No. 28751, passed by the Dallas City Council on August 22, 2012, which amended the zoning ordinances of the City of Dallas, and **granted Specific Use Permit No.1505 for a private school**.

On November 9, 2022, Dallas City Council approved an ordinance amending the conditions for SUP No. 1505, providing a revised site plan, providing a revised landscape plan, and providing a revised traffic management plan.

REQUEST DETAILS:

The purpose of this request is to amend the existing site plan and landscape plan for SUP 1505 and the existing development plan for PD No. 173 to reflect the expansion of the footprint of an existing modular building and show the existing rear parking lot. The "additional building" reflected on the plans at the rear of the property was never constructed. The proposed SUP site and landscape plans, and proposed development plan reflect the rear parking lot as it currently exists.

The Engineering Division of Development Services reviewed the existing Traffic Management Plan recorded with SUP 1505 ordinance No.32351. Staff does not have objections to the proposed changes on the property requested by the minor amendment. The TMP will not change as a result of this minor amendment.

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 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

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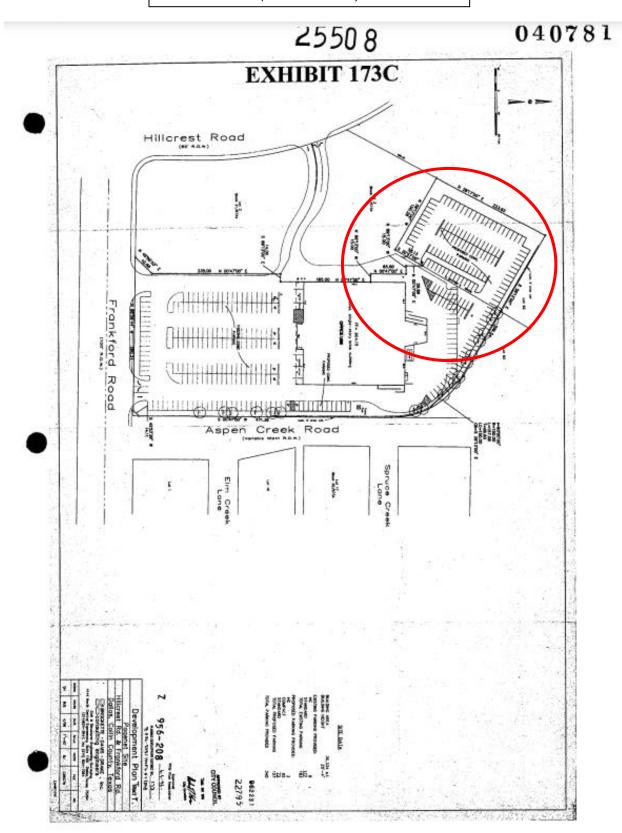
Staff has determined that the request meets the minor amendment criteria for an SUP site plan and landscape plan and a development plan and does not violate other applicable code requirements.

List of Officers

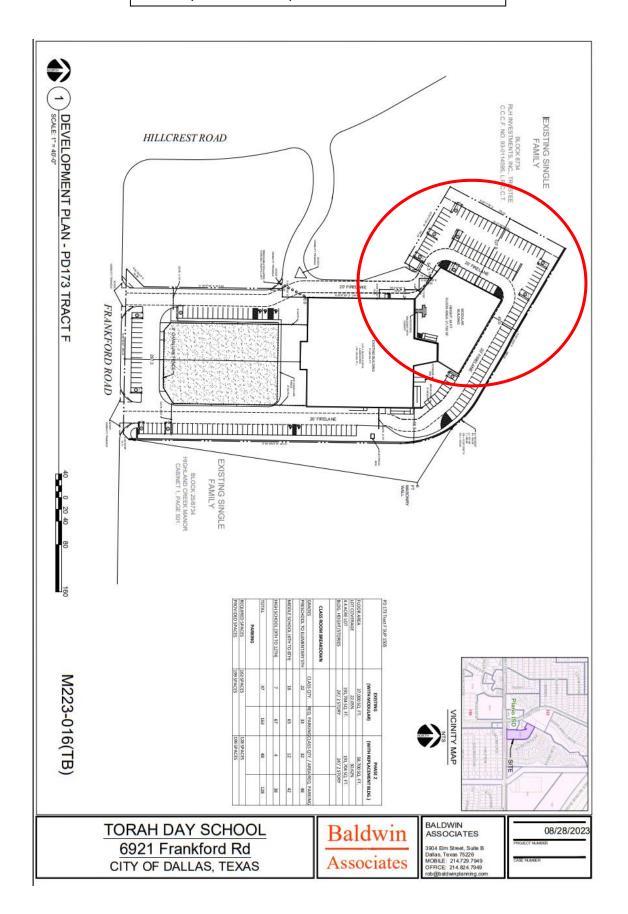
Torah Day School of Dallas - List of Principals

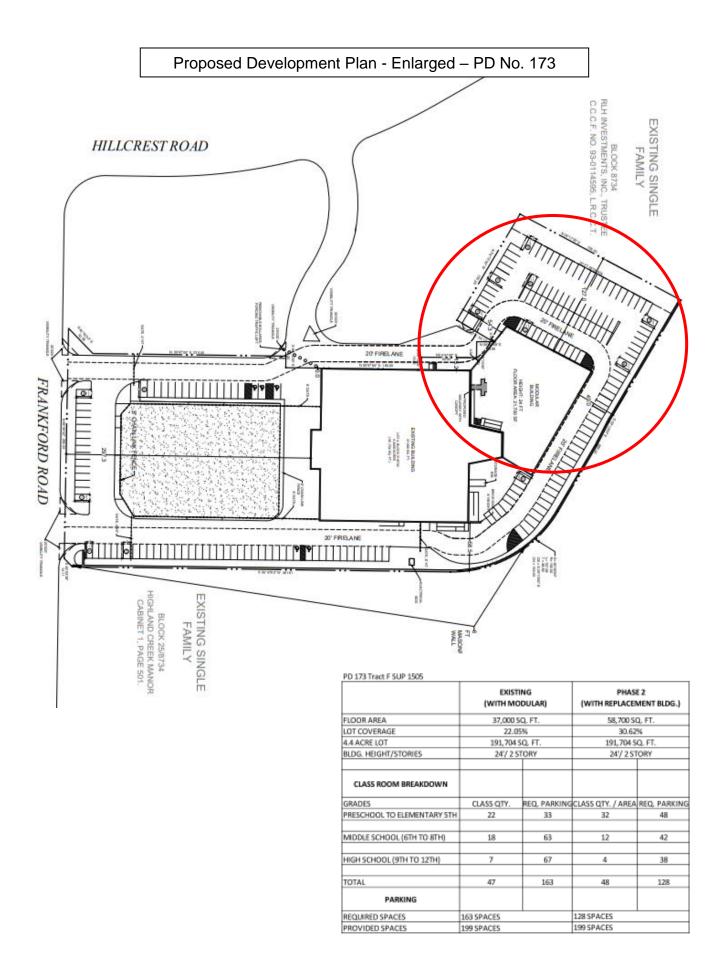
- 1. Rabbi Avi Pekier Head of School
- 2. Chana Ruderman Principal
- 3. Yehudah Abrams- Executive Director
- 4. Becky Udman Preschool Director
- 5. Shelly Gammier

Existing Development Plan - PD No. 173 (Exhibit 173C)

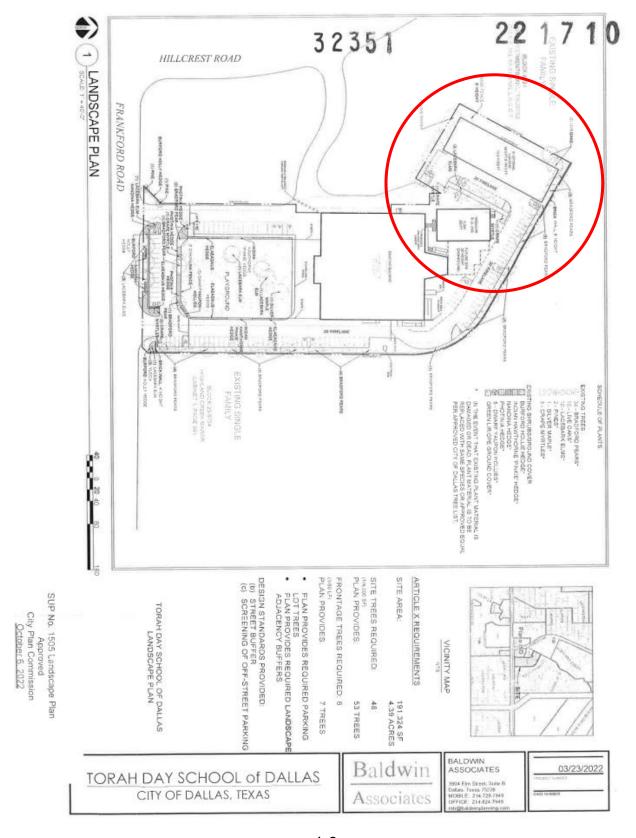


Proposed Development Plan - PD No. 173

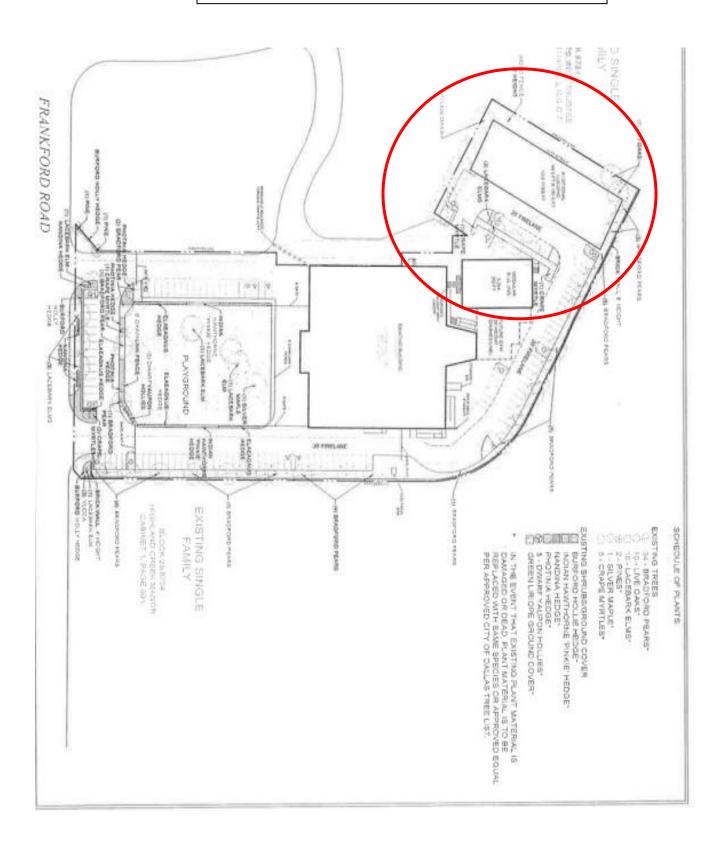




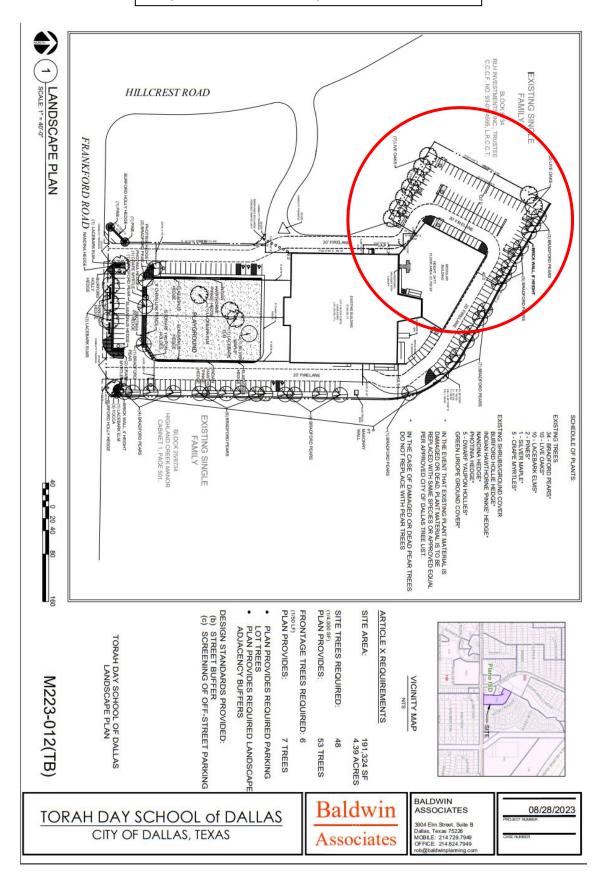
Existing SUP Landscape Plan - SUP 1505

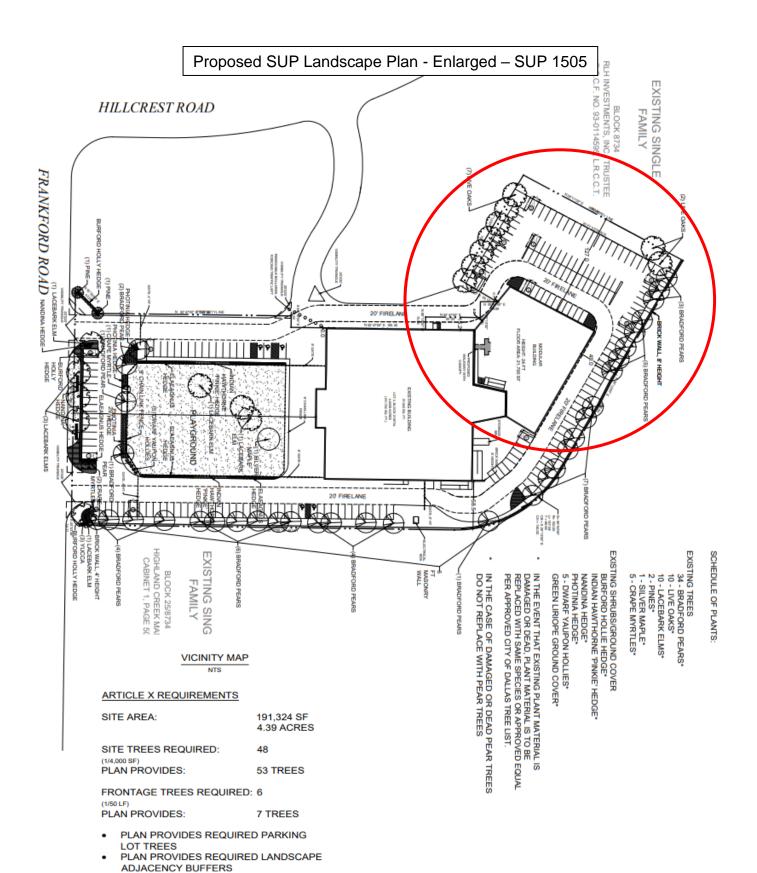


Existing SUP Landscape Plan - Enlarged - SUP 1505



Proposed SUP Landscape Plan - SUP 1505

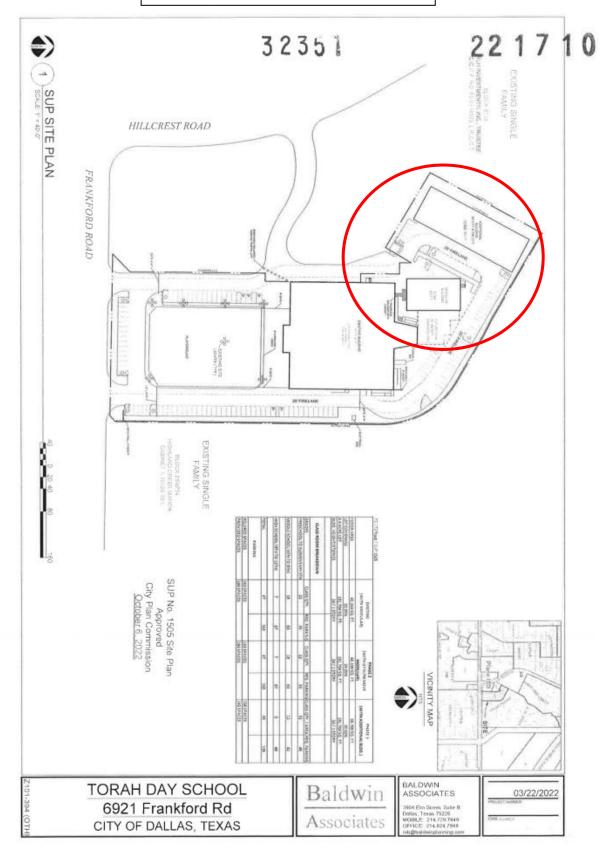




DESIGN STANDARDS PROVIDED:

(b) STREET BUFFER
(c) SCREENING OF OFF-STREET PARKING

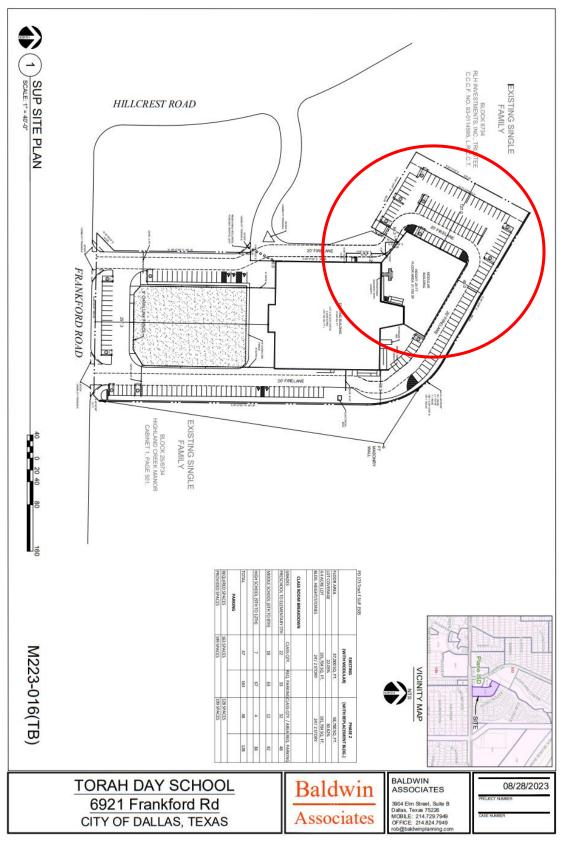
Existing SUP Site Plan - SUP 1505

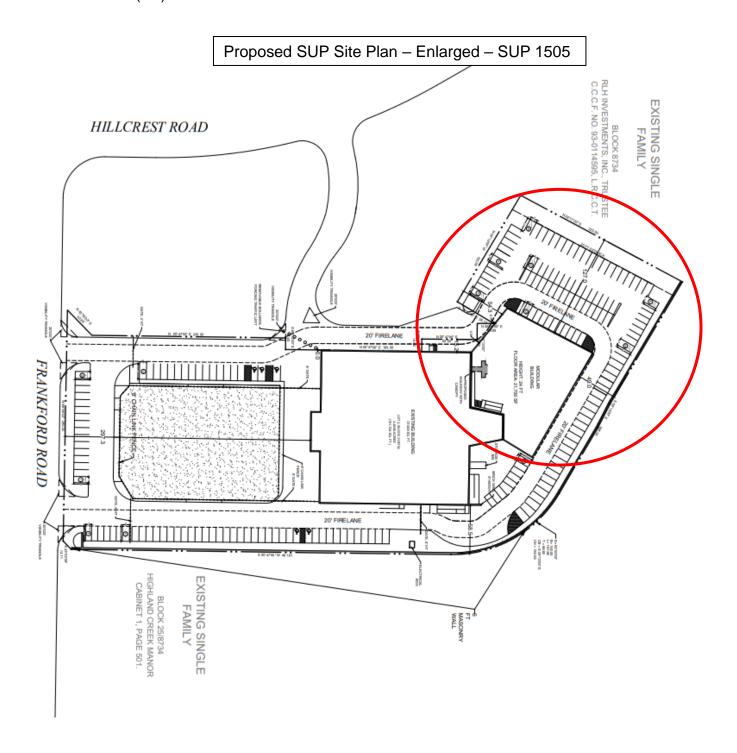


Existing SUP Site Plan – Enlarged – SUP 1505



Proposed SUP Site Plan - SUP 1505





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ORDINANCE NO. 32351

An ordinance amending Ordinance No. 25204, passed by the Dallas City Council on March 5, 2003, as amended by Ordinance No. 26594, passed by the Dallas City Council on February 28, 2007, as amended by Ordinance No. 28750, passed by the Dallas City Council on August 22, 2012, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1505 for a private school; amending the conditions in Section 2 of that ordinance; providing a revised site plan; providing a revised landscape plan; providing a revised traffic management plan; 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 ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to Specific Use Permit No. 1505; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1505; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the conditions in Section 2 of Ordinance No. 25204, as amended, are amended to read as follows:

- "1. <u>USE</u>: The only use authorized by this specific use permit is a private school.
- SITE PLAN: Use and development of the Property must comply with the attached site plan.
- TIME LIMIT: This specific use permit expires on November 9, 2032 [August 22, 2017], but is eligible for automatic renewal for additional 10[five]-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as

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amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

- LANDSCAPING: Landscaping must be provided as shown on the attached landscape plan. Plant materials must be maintained in a healthy, growing condition.
- 5. [ENROLLMENT: The maximum enrollment for a private school is 425 students. An accessory child-care use may be provided on the Property only for families of the students or employees of the school, and children who attend the accessory child care who are not students will be counted as students for purposes of the enrollment cap.
- 6.] <u>CLASSROOMS</u>: The maximum number of classrooms is <u>49</u> [47. This number of classrooms includes all grade levels, including rooms used for accessory child care].
- 6[7]. FENCING: A six-foot-tall masonry fence must be maintained along the eastern P[p]roperty line.
- 7[8]. OUTDOOR PLAY AREA: An outdoor play area must be provided in the location shown on the attached site plan. The outdoor play area must be enclosed with a minimum four-foot-high fence and must be secured at all times when school is not in session or special events are not being conducted.
- 8[9]. PARKING: Off-street parking must be located as shown on the attached site plan. All compact parking space should be double-striped.
- 9.[10. PRIVATE SCHOOL ACTIVITIES: Private school activities are limited to classroom instruction, school board or committee meetings, teacher/parent conferences, student recruitment, office or administrative activities of the school, tutoring sessions, or similar activities that involve instructors and students.
- 41.] INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted. Security gates must be installed in the locations shown on the attached site plan. The gates must be attached to a permanent bollard or pole and swing open and closed. These gates must remain closed when school is not in session and special events are not being conducted. Existing concrete-filled bollards at the ingress/egress points on Frankford Road must be removed.

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10.[12. HOURS OF OPERATION:

- Accessory Child Care Use: The accessory child care use may only operate Monday through Friday, and no later than 6:00 p.m.
- b. Special Events: Special events are all activities conducted on the Property other than accessory child care and private school activities, and all special events, whether inside or outside, must be school-related. A maximum of six special events may be held each year. Special events may not be held outside of the hours listed below. Setup before or cleaning and disassembly after a special event is limited to 30 minutes before or after these hours of operation.

Day	Inside Activities	Outside Activities	
Monday through Friday	9:00 a.m. 10:00 p.m.	8:00 a.m. 9:00 p.m.	
Saturday	8:00 a.m. 9:00 p.m.	8:00 a.m. 9:00 p.m.	
Sunday	8:00 a.m. 9:00 p.m.	8:00 a.m. 9:00 p.m.	

43.] SIGNS: Signs are limited to one monument sign not exceeding eight feet in height and 50 square feet in area and one attached sign mounted on the outside wall of the school facing Frankford Road. These signs must comply with the provisions for non-business zoning districts in Article VII. No banners or portable signs are allowed.

11[44]. TRAFFIC MANAGEMENT PLAN:

- A. <u>In general</u>. The <u>operation of the</u> private school use must comply with the attached traffic management plan.
- 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 October 1, 2023 or within three 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 1 of each odd-numbered year.
- 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 times over a two-week period, and must contain an analysis of the following:

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- a. ingress and egress points;
- b. queue lengths;
- 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.
- 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.

- A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51 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.
- 12[45]. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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13[46]. 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."

SECTION 2. That the site plan attached to Ordinance No. 25204, as amended, is replaced by the site plan attached to this ordinance.

SECTION 3. That the landscape plan attached to Ordinance No. 25204, as amended, is replaced by the landscape plan attached to this ordinance.

SECTION 4. That the traffic management plan attached to Ordinance No. 25204, as amended, is replaced by the traffic management plan attached to this ordinance.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. 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 8. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

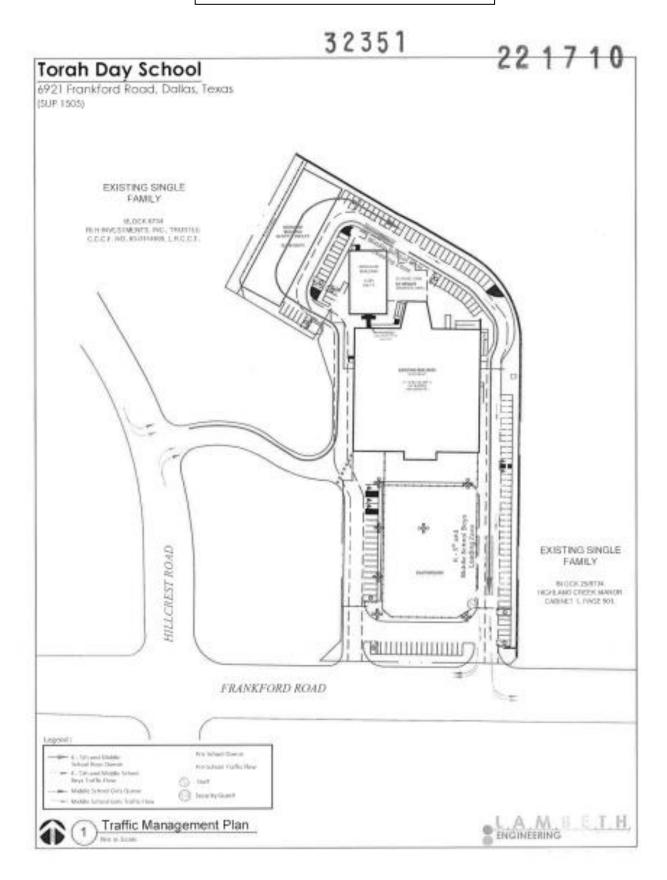
APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

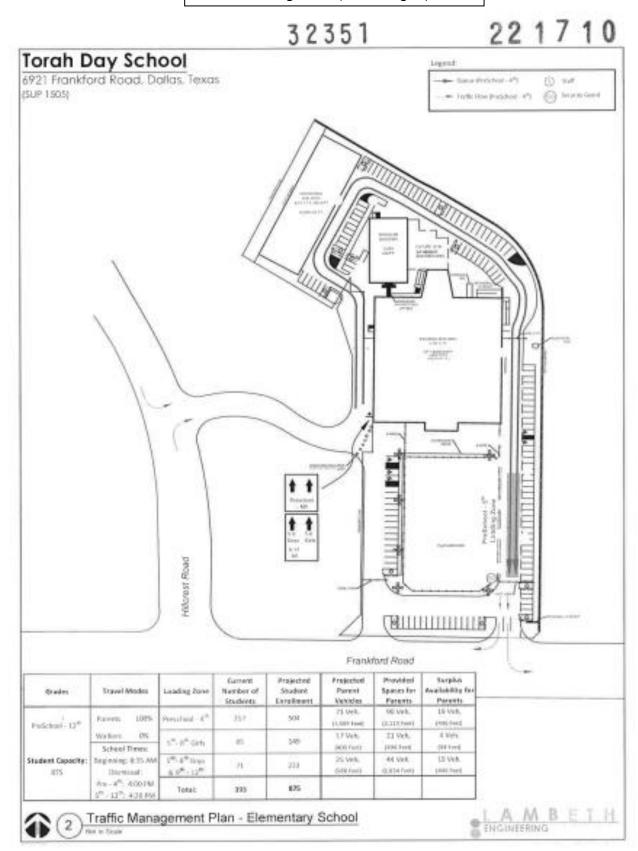
Passed

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Existing TMP (no changes)



Existing TMP (no changes)



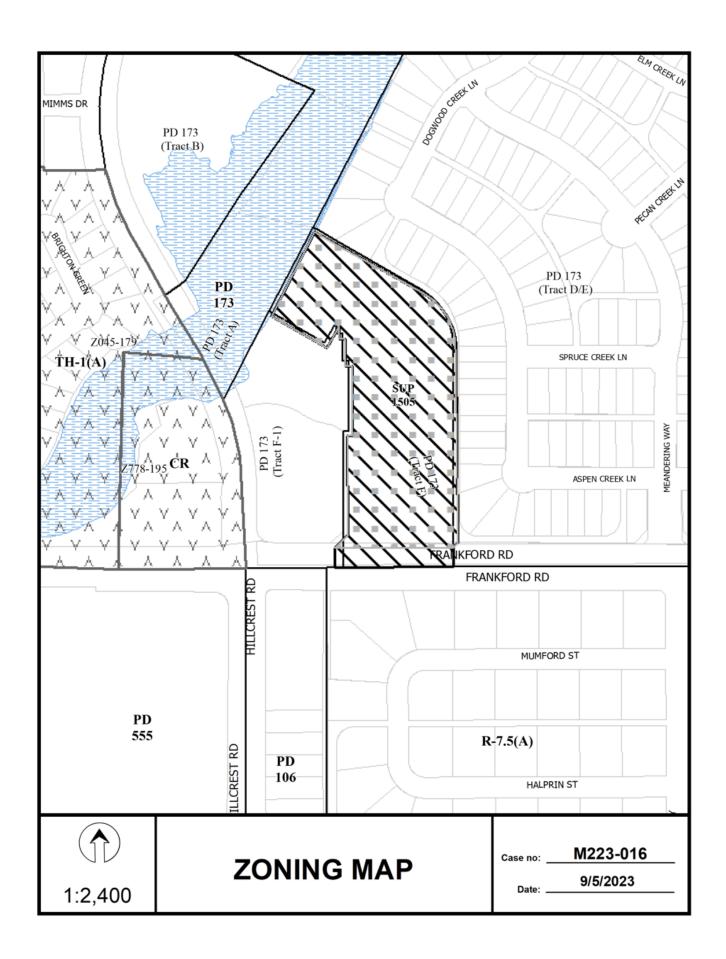
Existing TMP (no changes)

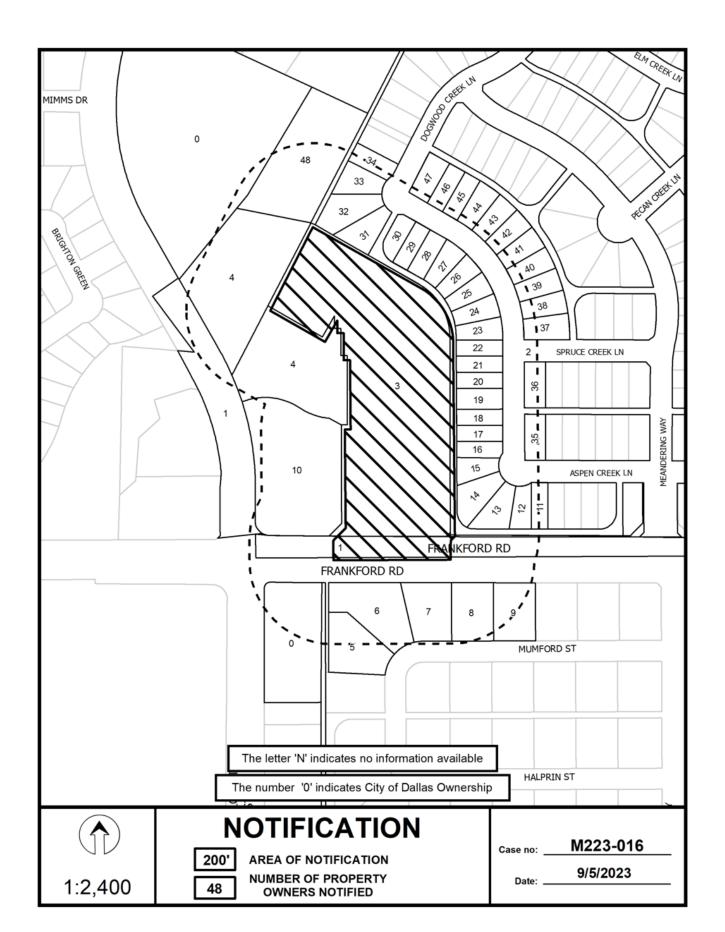
221710 32351 Torah Day School 6921 Frankford Road, Dallas, Texas Matte School Bran Goran (SUP 1505) Mobile tubust they for it thee Millette School Early States Middle Salesti Siyls Frattle Flow Milcrest Road MILLINE Frankford Road Current Projectors Prejected Provided Surplus Availability for Grader Travel Modes Loading Zone Number of Stadent Parcel Spaces for Least read Wiltidles Percett. Parents. Parenti IODS Preschoul 4" (8.313 Per Fredchool - 52th CAST Pers HM Feet 47. Vote: 20 Yehr 40 Verby 65 5"-8" 0 m 149 School Times 000 Febr 25 Yes. 44 Veh 35 New Student Capacity: Regionage 815 AM 71 200 Districts Fe-a" -4007M S"-13" 4307M Traffic Management Plan - Middle and High School



Aerial View \(\int \)







09/05/2023

Notification List of Property Owners M223-016

48 Property Owners Notified

Label #	Address		Owner
1		HILLCREST RD	CHURCHILL GLEN LP
2			HIGHLAND CREEK MANOR HOMEOWNERS ASSOCIATION INC
3	6921	FRANKFORD RD	TORAH DAY SCHOOL OF DALLAS
4	18170	HILLCREST RD	BACK FORTY MANAGEMENT LLC
5	7007	MUMFORD ST	BOSE TIMOTHY BLAINE
6	7011	MUMFORD ST	HARRIS IRWIN &
7	7015	MUMFORD ST	DONOHUE MICHAEL D & KATHY D
8	7019	MUMFORD ST	WARD CHRIS ALAN
9	7023	MUMFORD ST	MARSHALL KEVIN V & KAY
10	6911	FRANKFORD RD	EF PROPERTIES ONE LP
11	7018	ASPEN CREEK LN	Taxpayer at
12	7012	ASPEN CREEK LN	WAINMAN SHANE D & MELISSA
13	7006	ASPEN CREEK LN	SHI DAN
14	6994	ASPEN CREEK LN	RAMIREZ ELEAZAR & FLORES NORMA
15	6990	ASPEN CREEK LN	AMES ROBERT &
16	6986	ASPEN CREEK LN	NEARY FREDERICK RICHARD
17	6982	ASPEN CREEK LN	O'NEILL JACQUELINE
18	6978	ASPEN CREEK LN	SANDS EDWARD FREDERICK &
19	6974	ASPEN CREEK LN	FREEMAN L
20	6970	ASPEN CREEK LN	BARNARD JOHN B &
21	6966	ASPEN CREEK LN	MCCAFFREY THOMAS CASEY AND TERESA ANN BERG REVOCABLE TRUST
22	6962	ASPEN CREEK LN	EGERMAN LISA KAYE
23	6958	ASPEN CREEK LN	QUINN JUDITH ANN
24	6954	ASPEN CREEK LN	HAGGAR JENNIFER
25	6950	ASPEN CREEK LN	RAU THOMAS ANTON &
26	6946	ASPEN CREEK LN	MORGAN LAWRENCE E & GLORIA J

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09/05/2023

Label #	Address		Owner
27	6942	ASPEN CREEK LN	STREETMAN JEREMIAH M & JORDAN H
28	6938	ASPEN CREEK LN	GESUND REVOCABLE TRUST THE
29	6934	ASPEN CREEK LN	BEANE CYNTHIA MARIE
30	6930	ASPEN CREEK LN	GLICK MARCIA R
31	6926	ASPEN CREEK LN	COHEN GARY J
32	6922	ASPEN CREEK LN	JIN YINGQIN
33	7005	DOGWOOD CREEK LN	VALENTINE MARY JEAN
34	7011	DOGWOOD CREEK LN	NARZEM PERRY P & WENDY
35	7011	ASPEN CREEK LN	BASKIN OLIVIA M
36	7012	SPRUCE CREEK LN	WERDEN SANDRA B
37	6969	ASPEN CREEK LN	MOLINA ROBERT S & SUSAN K
38	6965	ASPEN CREEK LN	BLYSTONE JAMES P &
39	6961	ASPEN CREEK LN	ACHTEN RANDY J
40	6957	ASPEN CREEK LN	BENAVIDES VALERIE HUTH
41	6953	ASPEN CREEK LN	MADHAVAPEDDI SRINADH
42	6949	ASPEN CREEK LN	CONKLIN ROBERT K LIVING TRUST
43	6945	ASPEN CREEK LN	TOAY TRACY J
44	6941	ASPEN CREEK LN	KAGANAS HILARY E DZODIN
45	6937	ASPEN CREEK LN	MCCOY HOLLY ANNE
46	6933	ASPEN CREEK LN	FLABIANO THYRA ANN
47	6929	ASPEN CREEK LN	FORREST CHARLES T & JOAN C
48		HILLCREST RD	RLH INVESTMENTS INC TRUSTEE