

FILE NUMBER: Z201-338(RM) **DATE FILED:** September 7, 2021

LOCATION: East line of North Buckner Boulevard, north of East R. L. Thornton Freeway

COUNCIL DISTRICT: 7 **MAPSCO:** 48 C

SIZE OF REQUEST: Approx. 1.1 acres **CENSUS TRACT:** 123.02

REPRESENTATIVE: Lance Lilly, Heights Venture

OWNER: Leverage 3650 Buckner, LP

APPLICANT: Responsive Education Solutions

REQUEST: An application for a Specific Use Permit for an open enrollment charter school on property zoned an RR Regional Retail District.

SUMMARY: The purpose of the request is to allow for an open enrollment charter school on the site.

CPC RECOMMENDATION: **Approval** for a five-year period, subject to a site plan, a traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The area of request is currently developed with a vacant tenant space within a multi-tenant building. Current uses of the site east of the request area include office, medical clinic or ambulatory surgical center, child-care facility, and church.
- The applicant proposes to add an open enrollment charter school to the 9,797 square foot tenant space at the front of the site.
- The proposed school will include grades 9-12 with one classroom per grade and a maximum enrollment of 125 students. The applicant also proposes to add two 600 square foot modular storm shelters to the site to serve the school.

Zoning History:

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

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Buckner Boulevard	Principal Arterial	130 feet
Chenault Street	Dilido Road to North Buckner Boulevard: Community Collector	Dilido Road to North Buckner Boulevard: 60'
	East of North Buckner Boulevard: Local Street	East of North Buckner Boulevard: -
East R.L. Thornton Freeway	Highway	-

Traffic:

The applicant provided a traffic management plan for the proposed ResponsiveEd School located at 3650 North Buckner Boulevard and dated October 7, 2021. The study's findings show that the proposed school will not generate a significant amount of vehicular traffic to warrant upgrades or create excessive delays at nearby intersections. However, according to school administration, a majority of students are expected to ride DART to/from the school along roads with unimproved or no sidewalk. Transportation Development Services staff recommends the applicant consider coordinating sidewalk construction along North Buckner Boulevard to create a pedestrian route to/from the nearest intersection.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT OPPORTUNITIES

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 enough to respond to changing economic conditions.

NEIGHBORHOOD PLUS

GOAL 4.2 Support and leverage emerging school quality and school choice programs.

Area Plan:

2-Points to White Rock East Area Plan

The 2-Points to White Rock East Area Plan is a totally grassroots, neighbor-driven and directed plan. It was conceived under the auspices of the Ferguson Road Initiative and the Truett Crime Watch. Residents felt that part of White Rock Hills in far east Dallas was experiencing relative neglect and high crime. This and the changing demographics for the area, which reflect greater cultural, ethnic, and age diversity, were the impetus for the plan.

The plan identifies the area of request as being within Strategic Opportunity Area 6. This area envisions regional employment activities such as medical facilities or education centers that can take advantage of the I-30/US 80/Loop 12 interchange. The plan also designates the request area as being appropriate for business center or corridor land uses. This type of land use represents major employment or shopping destinations outside of downtown, usually positioned at intersections or along highways or major arterials. These centers or corridors typically consist of large office and retail areas and may include multifamily housing. Development densities are high, and building types range from high-rise office towers to low- to mid-rise residential buildings for condos or apartments.

The request may be considered inconsistent with the recommendations of the 2-Points to White Rock East Area Plan because it does not propose regional employment activities such as medical facilities or a large-scale center associated with an educational entity. However, staff believes the request is consistent with several goals and policies of the Comprehensive Plan and Neighborhood Plus plan, including those related to increasing educational opportunities in the city.

Land Use:

	Zoning	Land Use
Site	RR Regional Retail District	Office, medical clinic or ambulatory surgical center, child-care facility, church
North	LI Light Industrial	Warehouse
East	RR Regional Retail District	Office, medical clinic or ambulatory surgical center, child-care facility, church
South	RR Regional Retail District	Machinery, heavy equipment, or truck sales and service; vehicle display, sales, or service
West	RR Regional Retail District	Financial institution with drive-in window, medical clinic or ambulatory surgical center, restaurant without drive-in or drive-through service

Land Use Compatibility:

The area of request is currently developed with vacant tenant space within a multi-tenant building. Current uses of the site east of the request area include office, medical clinic or ambulatory surgical center, child-care facility, and church. To the north and south are heavier commercial uses including warehouse and machinery, heavy equipment, or truck sales and service. There is also a vehicle display, sales, and service use to the south. West of the request area across North Buckner Boulevard are commercial uses including financial institution with drive-in window, medical clinic or ambulatory surgical center, and

restaurant without drive-in or drive-through service. Staff believes the applicant's proposed use is compatible with these surrounding uses and would not be negatively impacted by adjacent commercial uses for warehousing or the display, sale, and service of machinery, heavy equipment, or trucks.

The applicant proposes to add an open enrollment charter school to the 9,797 square foot tenant space at the front of the site. The proposed school will include grades 9-12 with one classroom per grade. The applicant also proposes to add two 600 square foot modular storm shelters to the site to serve the school. Hours of operation will be limited to 7:00 a.m. to 9:00 p.m., Monday through Friday.

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 the proposed use is consistent with the character of the surrounding area and is not foreseen to be detrimental to adjacent properties. Additionally, the request is consistent with the Comprehensive Plan and Neighborhood Plus plan goals to provide greater access to schools and support school choice programs. Staff believes an initial time limit of five years without eligibility for automatic renewal will allow continued monitoring of the site in the future.

Landscaping:

The applicant is only proposing an interior remodel of the existing tenant space, which does not trigger Article X landscaping requirements. However, any future site work that may trigger 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 an open enrollment charter school is 9.5 spaces for each senior high school classroom. The applicant is proposing a total of four senior high school classrooms. Therefore, the site is required to have a minimum of 38 spaces. As illustrated on the site plan, the site provides 51 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 within an MVA cluster. North of the request area are “E” and “H” MVA clusters.

List of Partners/Principals/Officers

Responsive Education Solutions

Board of Directors:

Chuck Cook, Chief Executive Officer
Joe De Prospero, Vice President of Finance
Ben Klingenstein, President
Lance Losey, Senior Vice President
Marvin Reynolds, Vice President
Kent Sparks, Secretary

Executive Leadership Team:

Chris Baumann, Chief Brand Officer and Chief Legal Officer
Chuck Cook, Chief Executive Officer
Christian Cutter, Chief Academic Officer
Robert Davison, Chief Operating Officer
Mary Ann Duncan, Executive Vice President of School Operations
Anthony Edwards, Executive Vice President of the Office of Innovation
Glenda Simons, Vice President of Academic Systems
James Taylor, Chief Financial Officer and Chief Technology Officer
Kalese Whitehurst, Chief of Staff
Alan Wimberley, Chief Education Architect

Leverage 3650 Buckner, LP

Peyman Etebari, General Manager

**CPC ACTION
DECEMBER 2, 2021**

Motion: It was moved to recommend **approval** of a Specific Use Permit for an open enrollment charter school for five-year period, subject to a site plan, a revised traffic management plan, and conditions to include that “a staff member with a safety vest be present near the south driveway of the site and near the corner on of Chenault Street and Buckner Boulevard” on property zoned an RR Regional Retail District, on the east line of North Buckner Boulevard, north of East R. L. Thornton Freeway.

Maker: Jackson
Second: Jung
Result: Carried: 12 to 0

For: 12 - Popken, Hampton, Shidid, Carpenter, Jackson,
Blair, Jung, Suhler, Haqq, Stanard, Kingston,
Rubin

Against: 0
Absent: 1 - Anderson
Vacancy: 2 - District 3, District 10

Notices: Area: 300 Mailed: 9
Replies: For: 0 Against: 0

Speakers: For: Lance Lilly, 5741 Legacy Dr., Plano, TX, 75024
Gabriel Dowell, 400 S. Houston St., Dallas, TX, 75202
Kent Brown, 1301 Waters Ridge, Lewisville, TX, 75057
Lauren Fellers, 1301 Waters Ridge Dr., Lewisville, TX, 75057
Austin Tull, 1301 Waters Ridge Rd., Lewisville, TX, 75057
Don Nicolini, 1311 Palm Canyon Dr., Dallas, TX, 75204

Against: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is 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 expires on (five years from the passage of this ordinance).
4. CLASSROOMS: The maximum number of classrooms is four.
5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 9:00 p.m., Monday through Friday.
6. PARKING: A minimum of 38 off-street parking spaces must be provided in the location shown on the attached site plan.
7. TRAFFIC MANAGEMENT PLAN:
 - (a) In general. The 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.
 - (1) 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 August 1, 2022. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by August 1st of each year.
 - (2) 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.
- (3) Within 30 days of 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.
 - (1) 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.
 - (2) 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.
- 8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 9. 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.

CPC RECOMMENDED SITE PLAN

ResponsiveEd

Heights Venture

ARCHITECTURE + DESIGN

LOCATION

2800 N. BUCKNER BLVD

CHICAGO, ILLINOIS 60640

DATE

7/1/2017

BY

7/1/2017

RESPONSIVE EDUCATION SOLUTIONS BUCKNER

2800 N. BUCKNER BLVD

DUPAGE COUNTY, ILLINOIS

ZONING CASE #

DATE

7/1/2017

BY

7/1/2017

DATE

7/1/2017

BY

7/1/2017

DATE

7/1/2017

BY

7/1/2017

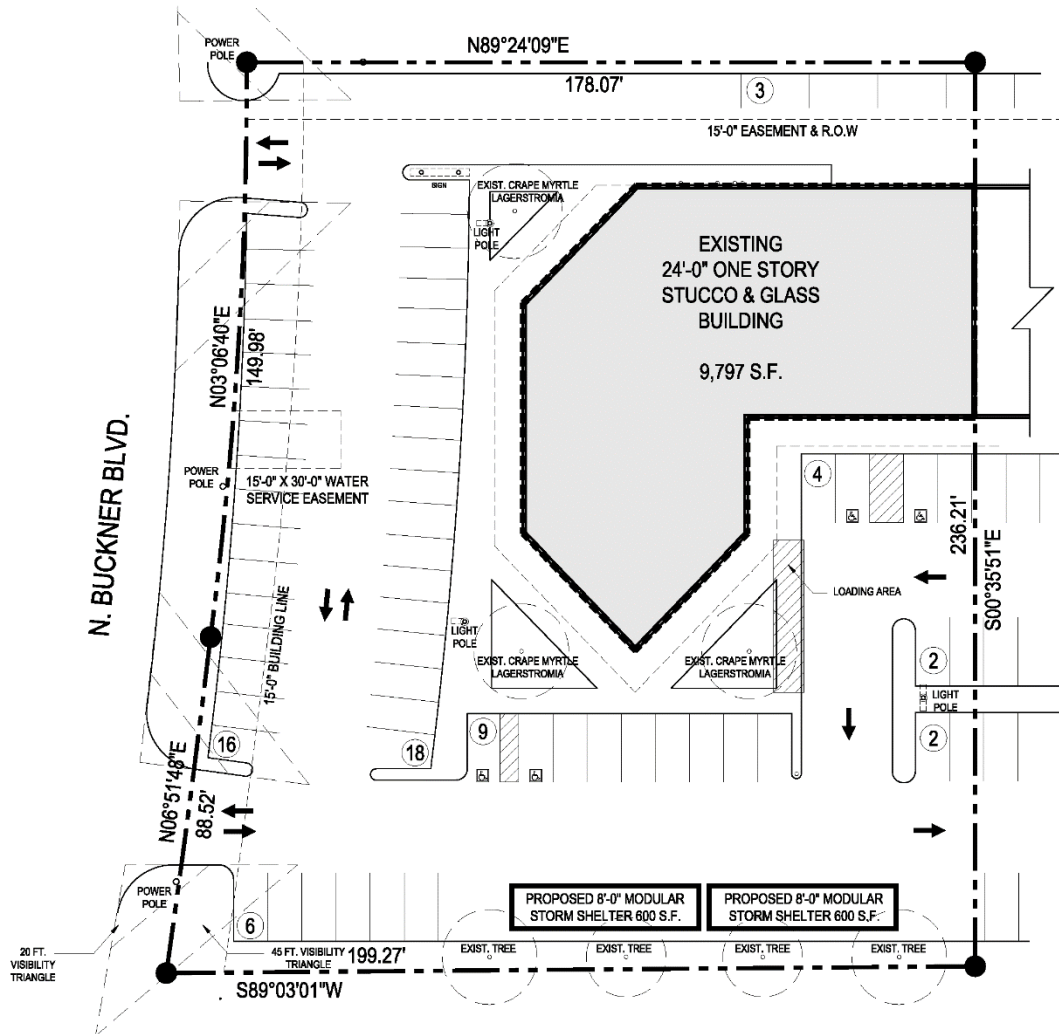
SITE DATA		
DESCRIPTION	CODE	VALUE
PROPERTY AREA		43,986 S.F.
IMPERVIOUS SURFACE		39,870 S.F.
LEASE AREA		9,797 S.F.
MODULAR STORM SHELTER		1,200 S.F.
REG. PARKING		38
PROVIDED PARKING		51
LOT COVERAGE		24.6%

NOTE:
1.) NO SIDE YARD SETBACKS

SITE PLAN 01

11

CPC RECOMMENDED SITE PLAN (ENLARGED)



NOTE:
1.) NO SIDE YARD SETBACKS



SITE PLAN 01
1" = 20'-0"

CPC RECOMMENDED TRAFFIC MANAGEMENT PLAN



Technical Memorandum

To: Mr. T. Lynn Tompkins Jr. — *Responsive Education Solutions*
From: Gabriel Dowell, P.E., PTOE — *DeShazo Group, Inc.*
Date: October 7, 2021
Re: Traffic Management Plan for ResponsiveEd School in Dallas, Texas
DeShazo Project Number 21108

CPC recommends adding the following note: a staff member with a safety vest be present near the south driveway of the site and near the corner on of Chenault Street and Buckner Boulevard



INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm based in Dallas, Texas, providing licensed engineers and planners skilled in the field of traffic and transportation engineering. The services of DeShazo were retained by **Responsive Education Solutions (ResponseEd)** to develop a traffic management plan (TMP) for the proposed ResponsiveEd school to be located at 3650 N. Buckner Boulevard in the City of Dallas, Texas.

The academic institution is expected to serve a population of 125 students upon opening. Students will be of high school age in the 9th to 12th grades.

By consent of the TMP, the school agrees to be held self-accountable for the enforcement of the strategies presented herein until and unless the City of Dallas deems further measures are necessary. (NOTE: In this report, the term “parent” refers to any individual who is involved in the drop-off or pick-up of one or more students at the school).

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of other modes of travel—including pedestrian traffic—will also inherently improve and the operational impact on the public street system should also be minimized. **This plan, however, should not be considered a comprehensive set of instructions to ensure adequate safety; it should be used as a tool to facilitate a safer and more efficient environment.**

The analysis summarized below identifies the projected vehicle demand including parking and queuing space (i.e., vehicle stacking) needed on site to accommodate projected school traffic demand during peak periods. A concerted effort and full participation by the school administration, staff, and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

Site Access and Circulation

The school site is accessed via two right-in-right-out (RIRO) driveways from N. Buckner Boulevard. (Note: N. Buckner Boulevard is one-way at both driveways in the northbound direction.) On the eastern part of the property, vehicle circulation for the school and other businesses in the complex flows in a one-way direction in a counterclockwise manner as shown on the **Exhibit 1**.

School Operational Characteristics

ResponsiveEd is expected to serve a student population of 125 students in grades 9th through 12th. These students will be broken up into two sessions with the AM session operating from 7:30 AM to 12:30 PM and the PM session operating from 1:30 PM to 4:00 PM. As confirmed by school representatives, the morning sessions drop-off period will be from 7:00 AM to 7:30 AM with a pick-up time of 12:30 PM to 1:00 PM, while the afternoon drop-off period will be from 1:00 PM to 1:30 PM with a pick-up time of 4:00 PM – 4:30 PM. An evening session exists with approximately 10 self-driving students will be arriving between 5:00 PM and 5:30 PM and departing later in the evening.

Site Circulation and Passenger Loading/Unloading

Table 1 below is a breakdown of transportation modes for students attending the school per AM and PM session. Per the school administration, a majority of the students will ride DART transportation to the school. There is a covered bus shelter serving Route 475, approximately 30 feet south of the southernmost driveway of the site for students arriving from the south. For students arriving from the north (SB N. Buckner Boulevard), a DART covered bus shelter exists approximately 220 feet to the north of the intersection of Chenault Street and N. Buckner Boulevard. Since the school population is of high school age, it is a reasonable assumption that they will use the provided crosswalks and pedestrian signals provided to cross N. Buckner Boulevard in safe and responsible manner. This route is shown on the attached TMP **Exhibit 2**. It is expected for a small portion of the school population to self-drive, carpool (minimum 2 students per car), or walk. Sufficient parking spaces exist on private property, adjacent to the school to facilitate parking for self-drive students, carpool vehicles and staff. **Note: There will not be a designated pick-up/drop-off queue line for the school, nor is it expected for any vehicles to park, stage, or idle on N. Buckner Boulevard.**

Mode of Travel (Students)	Arrival Times	Departure Times	Vehicles
DART Bus (43 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	0
DART Bus (42 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	0
Carpool (8 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	4
Carpool (8 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	4
Self-Drive (10 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	10
Self-Drive (10 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	10
Self-Drive (10 Students)	5:00 PM to 5:30 PM		10
Walking (2 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	0
Walking (2 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	0

Table 1. Transportation Modes of Students

RECOMMENDATIONS

Due to the large amount of students riding local DART transportation, DeShazo recommends that a staff member with a safety vest be present near the south driveway of the site to observe bus arrival of students and facilitate a safe path to the school near the driveway. Staff members should also be located near the school entrance doors to facilitate carpool arrivals in the parking spaces directly adjacent to the school.

It is further recommended that the school adhere to the attached TMP exhibit to the greatest extent possible to facilitate the safe, efficient, and timely arrival and dismissal of students.

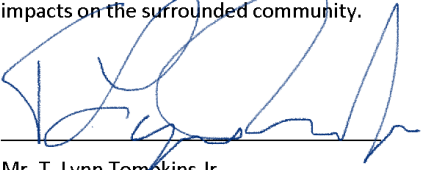
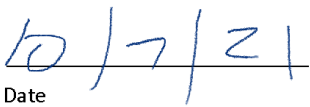
END OF MEMO

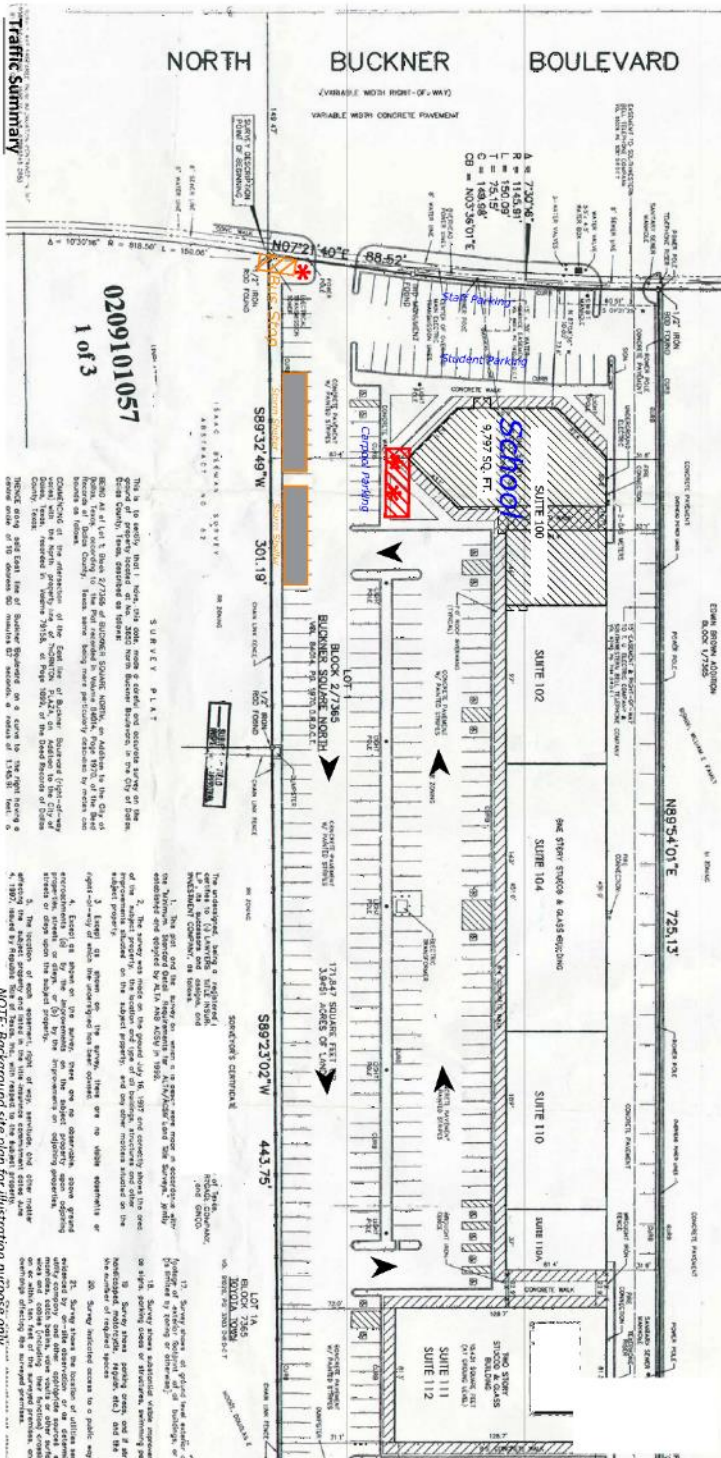
SCHOOL REVIEW AND COMMITMENT

This plan was developed for ResponsiveEd (School) with the intent of optimizing safety and efficiency related to vehicular traffic generated by the School during peak traffic periods. A concerted effort and full participation by the School administration, staff, students, and parents are essential to maintain safe and efficient traffic operations.

The School has reviewed the Traffic Management Plan and is in support of the strategies presented herein.

The School is committed to continually reviewing and assessing the effectiveness of the TMP and if warranted, will implement changes in the interest of increasing safety, efficiency and minimizing impacts on the surrounded community.


Mr. T. Lynn Tompkins Jr.
Responsive Education Solutions
Date



School Traffic Modes	Drop Off Times	Pick-Up Times	Vehicles
DART Bus (43 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	0
DART Bus (42 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	0
Carpool (8 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	4
Carpool (8 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	4
Self-Drive (10 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	10
Self-Drive (10 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	10
Self-Drive (10 Students)	3:00 PM to 5:30 PM		10
Walking (2 Students)	7:00 AM to 7:30 AM	12:30 PM to 1:00 PM	0
Walking (2 Students)	1:00 PM to 1:30 PM	4:00 PM to 4:30 PM	0

Legend

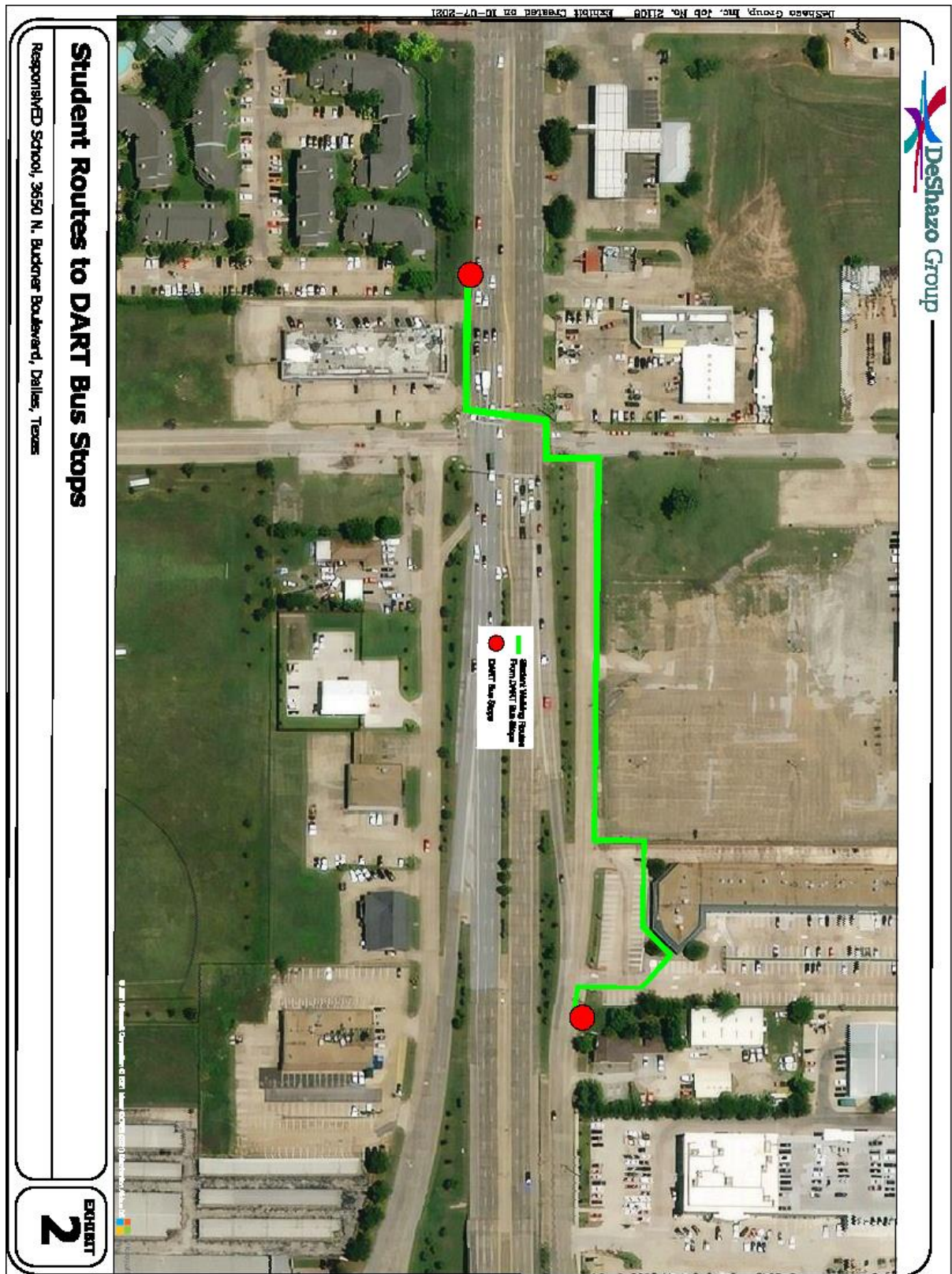
- * - School Staff
- - Loading Area
- - Site Circulation

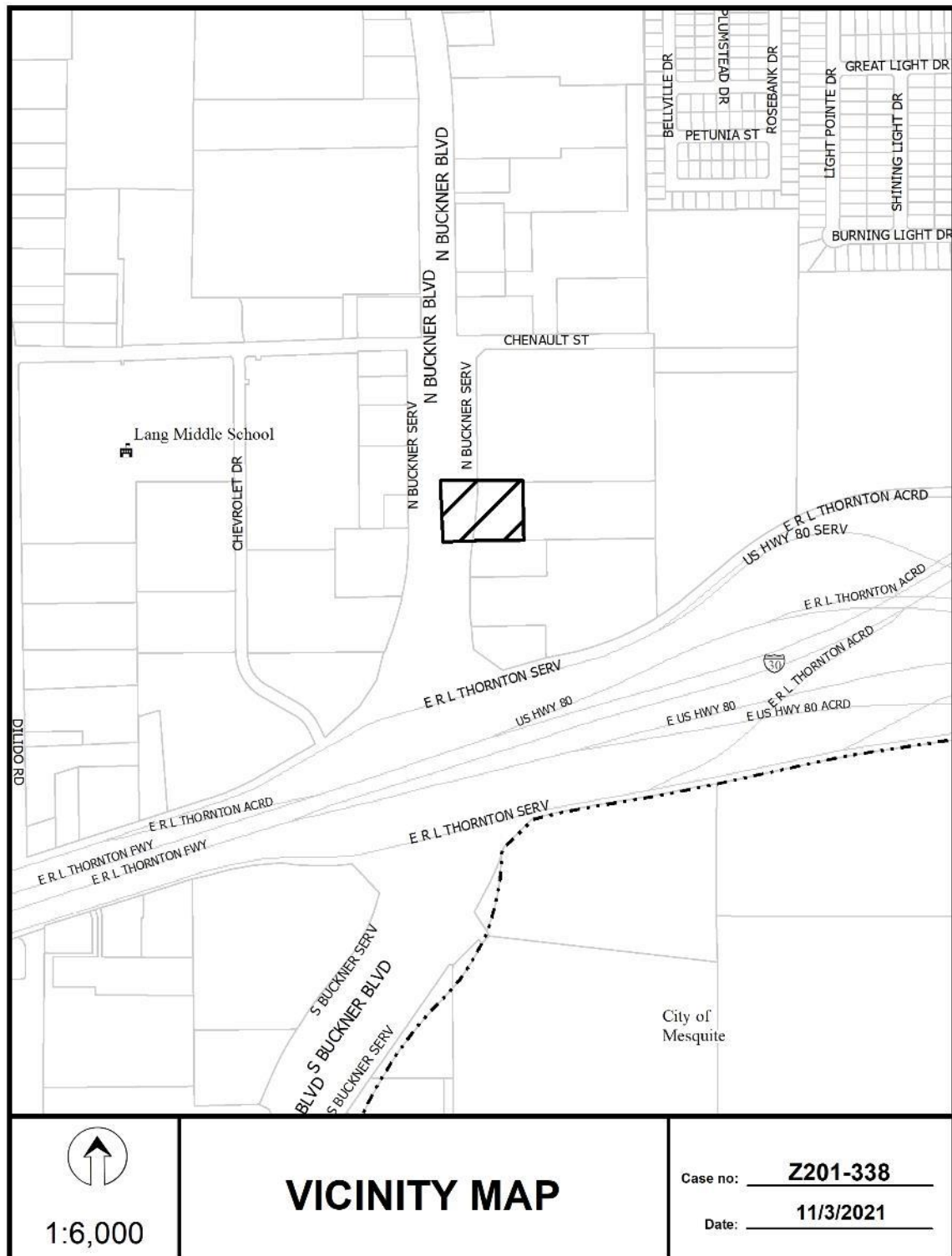
The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. This TMP was developed to prevent the vehicles from loading/unloading within the city/state rights-of-way. The school administration should adhere to this TMP.

1. Gabriel B. Dowell, P.E. (Texas License #131604), certify the results of this analysis. Upon complete enforcement of this Traffic Management Plan and under normal, non-pandemic conditions, there will be no queuing/stopping of vehicles in the City of Dallas/TXDOT right-of-way as a result of school operations during school arrival and dismissal periods.

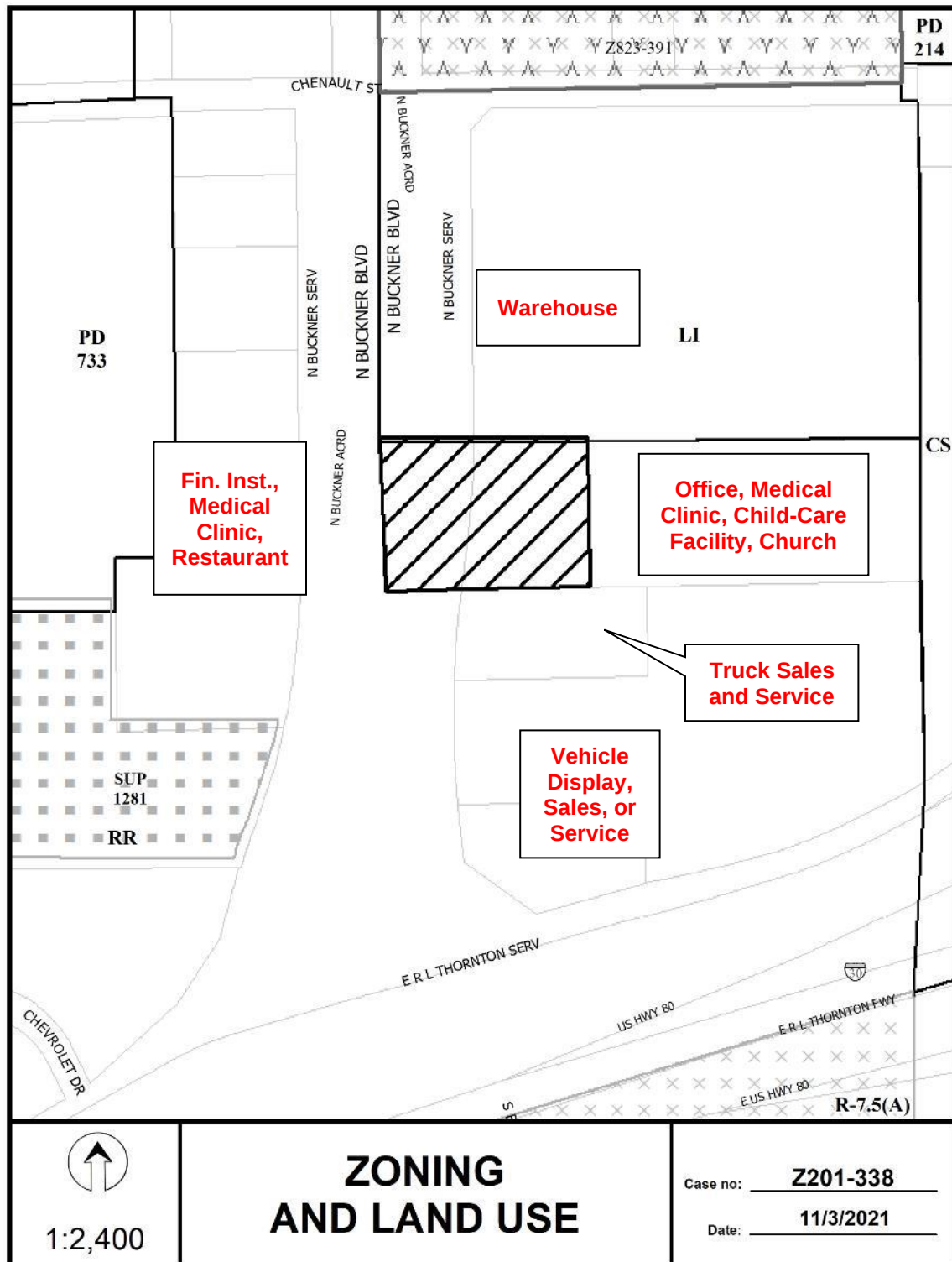
EXHIBIT 1
Traffic Management Plan
Responsvel School
3650 N. Buckner Boulevard, Dallas, Texas

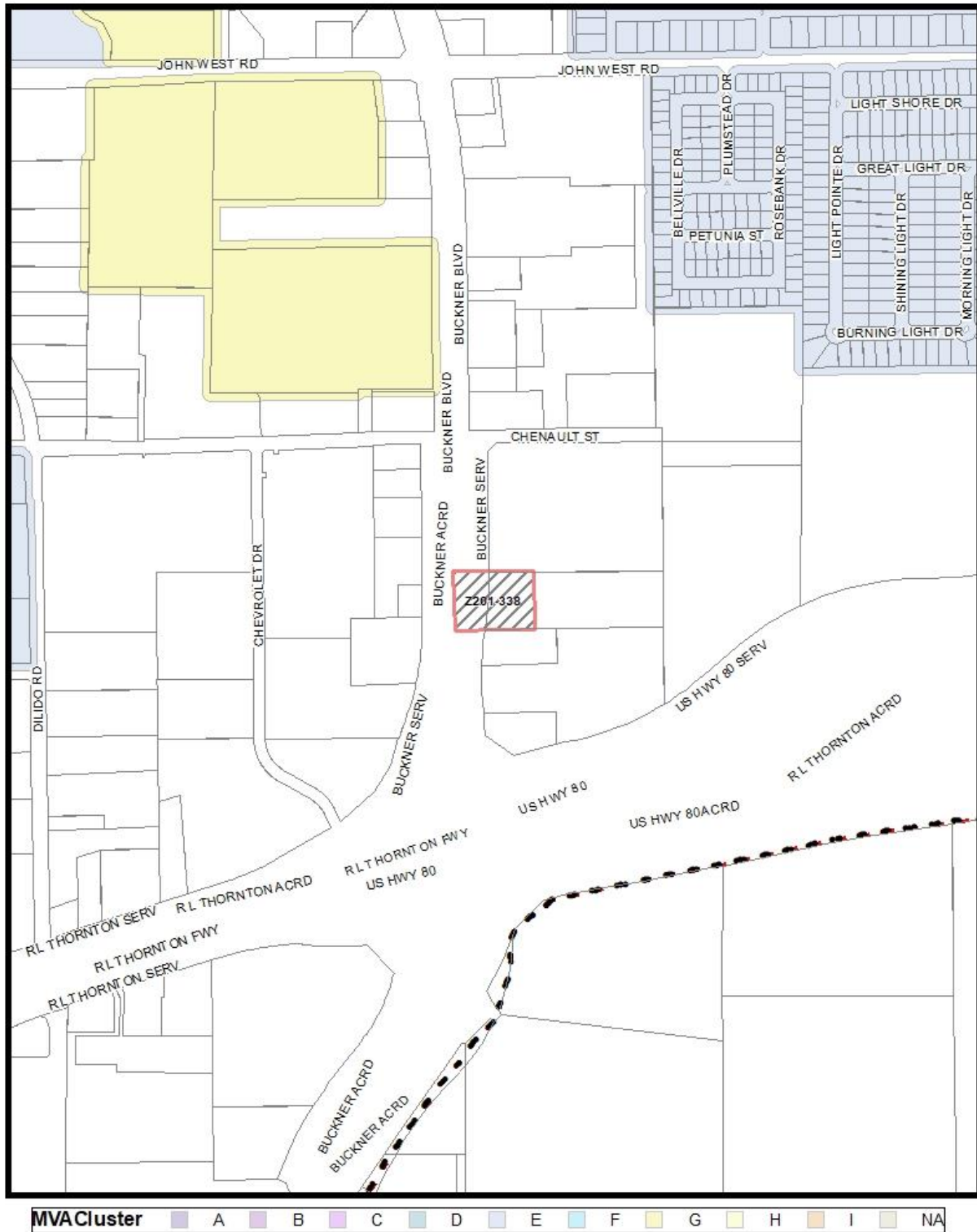
Deshazo Group, Inc.
Texas Registered Engineering Firm #13159
4400 Ross Street, Suite 110
Dallas, Texas 75202
(214) 748-6740









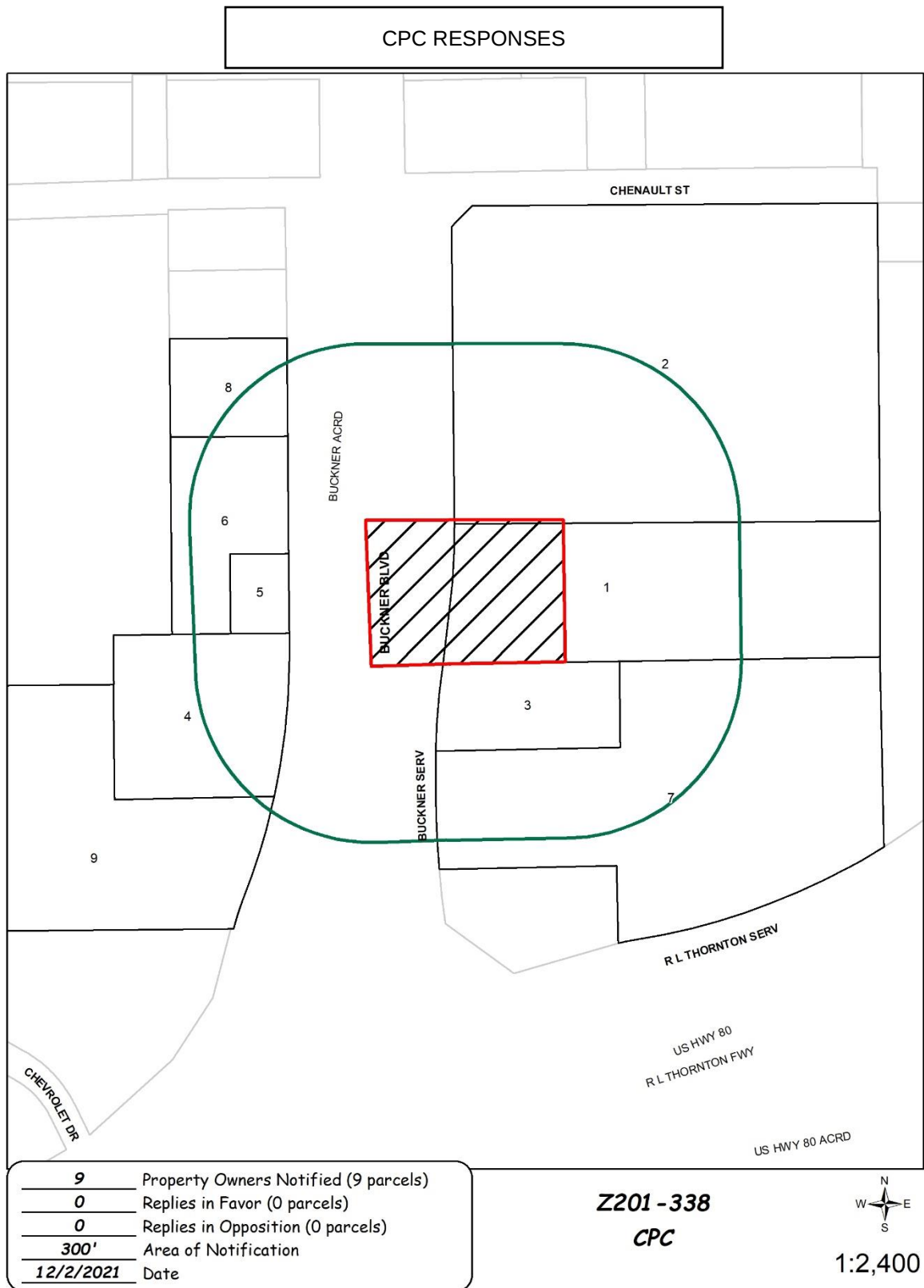


MVAC Cluster A B C D E F G H I NA

 1:6,000

Market Value Analysis

Printed Date: 11/3/2021



12/01/2021

Reply List of Property Owners

Z201-338

9 Property Owners Notified 0 Property Owners in Favor 0 Property Owners Opposed

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3650	N BUCKNER BLVD	Taxpayer at
2	3636	N BUCKNER BLVD	Taxpayer at
3	3702	N BUCKNER BLVD	SMITH ROGER D
4	3701	N BUCKNER BLVD	NEW CIRCLE GRILL INC
5	3651	N BUCKNER BLVD	BUCKNER DENTAL PROPERTIES LLC
6	3637	N BUCKNER BLVD	SEAGOVILLE STATE BANK
7	9525	E R L THORNTON FWY	COWBOY RE LLC
8	3625	N BUCKNER BLVD	ELM BUCK LLC
9	3707	N BUCKNER BLVD	ALAMO SELF STOR PTNRS I