

ACM: Majed Al-Ghafry

FILE NUMBER: Z189-359(SM) **DATE FILED:** September 20, 2019

LOCATION: Northwest corner of Frankford Road and Highland Springs Way

COUNCIL DISTRICT: 12 **MAPSCO:** 6 F

SIZE OF REQUEST: Approx. 6.206 acres **CENSUS TRACT:** 318.04

REPRESENTATIVE: Karl Crawley, Masterplan

OWNER/APPLICANT: Cosmos Foundation DBA Harmony Public Schools

REQUEST: An application for a Specific Use Permit for an open-enrollment charter school use on property zoned an MC-3 Multiple Commercial District.

SUMMARY: The applicant [Harmony Public Schools] requests to continue to operate the existing open-enrollment charter school. The previously approved Specific Use Permit expired on January 25, 2017.

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

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

BACKGROUND INFORMATION:

- On January 25, 2012, City Council approved Specific Use Permit No. 1937 for an open-enrollment charter school with 20 elementary school classrooms, 14 middle school classrooms, and 6 high school classrooms for a five-year period with eligibility for automatic renewals for additional ten-year periods for the subject site.
- On May 3, 2012, the City Plan Commission recommended approval of a minor amendment to the SUP site plan for various canopy structures attached to the main structure and a revised screened dumpster area.
- On April 21, 2016, the City Plan Commission recommended approval of a minor amendment to the SUP site plan for additional playing field area where excess parking was once planned, but not required.
- On June 7, 2016, the City of Dallas sent a letter to the property owner indicating the eligibility period to submit for an automatic renewal for SUP No. 1937 was between June 29 and September 27, 2016.
- On January 25, 2017, Specific Use Permit No. 1937 expired.
- In the Fall of 2017, the kindergarten through fifth grades moved to another campus in Plano. The campus currently operates with 14 classrooms for the sixth through eighth grades and 12 classrooms for the ninth through twelfth grades.

Zoning History: There have been no recent zoning changes requested in the vicinity within the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Thoroughfare Dimension; ROW
President George Bush Parkway	Tollway	Varies
Frankford Road	Principal Arterial	Minimum-six lanes-divided; 100 feet
Highland Springs Way	Minor Arterial	Two lanes-divided, 50 ft.

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 priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools. Encourage the development of these facilities in priority Area Plans.

NEIGHBORHOOD PLUS

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

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	MC-3	Open-enrollment charter school
North	City of Plano	PGBT and Shopping center
East	MC-3	Hotel
South	PDD No 695 and SUP No. 764	Senior Community
West	MC-3	Auto service center and Funeral home

Land Use Compatibility:

The area of request is developed with an existing open-enrollment charter school where prior authorization to operate under SUP No. 1937 expired because an application for renewal was not submitted before the deadline. Surrounding land uses are listed in the above table and are not foreseen to be in conflict with the existing 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.

Staff recommends a ten-year approval period with eligibility automatic renewals for additional ten-year periods because the school is an existing use with no proposed expansions and would have been on the ten-year automatic approval cycle if a renewal application was applied for by the deadline. Further, the number of classrooms in this request has decreased from 40 to 26 classrooms to be consistent with how the school classroom composition has changed since the original approval of SUP No. 1937 which ensures the use will not expand beyond its current operations.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the Traffic Management Plan (TMP) and determined that it will not significantly impact the surrounding street system for the proposed development.

Parking:

A Specific Use Permit can approve a reduction in the number of parking spaces for a public or private school. The applicant has requested a reduction in the number of off-street parking spaces and has provided a parking demand study for the proposed use. Pursuant to Section 51A-4.204(17), each middle school classroom requires three and one-half parking spaces and each high school classroom requires nine and one-half parking spaces. Since the existing school includes 14 middle school and 12 high school classrooms, the typical minimum parking requirement would be 163 parking spaces. The applicant requests to continue to only provide 157 parking spaces. Staff supports the requested reduction based upon the criteria discussed in the parking demand study provided which observed a surplus of 104 parking spaces for the existing school on a normal school day.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code, as amended. However, the applicant's request will not trigger any Article X requirements, as no new construction is proposed on the site.

Market Value Analysis:

Dallas 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). Although the area of request is not within an identifiable MVA cluster; however, it is in proximity to an "E" MVA cluster to the south, across Frankford Road.

List of Partners/Principals/Officers

HARMONY PUBLIC SCHOOLS

Fatih Ay, CEO

Dr. Oner Ulvi Celepcikay, Board Chair

Homer Stewart, Vice Chair

Daisy Morales, Second Vice Chair

Dr. Hakduran Koc, Secretary

Dr. Osman Kanlioglu, Treasurer

Mrs. Ellen MacDonald, Member

Huseyin Sari, Principal

CPC Action
November 21, 2019

Motion: It was moved to recommend **approval** of a Specific Use Permit for an open-enrollment charter school use for a five-year period, subject to a site plan, traffic management plan, and conditions on property zoned an MC-3 Multiple Commercial District, on the northwest corner of Frankford Road and Highland Springs Way.

Maker: Schwope
Second: Murphy
Result: Carried: 12 to 0

For: 12 - MacGregor, Johnson, Shidid, Carpenter,
Brinson, Blair, Jung, Schultz, Schwope,
Murphy, Garcia, Rubin

Against: 0
Absent: 2 - Hampton, Housewright
Vacancy: 1 - District 3

Notices: Area: 400 Mailed: 9
Replies: For: 0 Against: 0

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC RECOMMENDED SUP 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.

CPC recommended:

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (five years from the passage of this ordinance). |
|---|

Staff recommended:

- | |
|--|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (ten years from the passage of this ordinance), but is eligible for automatic renewals 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 applications for automatic renewal must be filed after the 10 th but before the 120 th 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.) |
|--|

4. CLASSROOMS: The maximum number of classrooms is 26.
5. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:00 a.m. and 6:30 p.m., Monday through Friday.
6. INGRESS-EGRESS: Ingress and egress must be provided in the locations shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Parking must be provided in the location shown on the attached site plan. A minimum of 157 parking spaces must be maintained on the Property.
8. TRAFFIC MANAGEMENT PLAN:
 - A. In general. The operation of the uses 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 November 1, 2021. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by November 1st of each odd-numbered 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 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 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.

1. A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

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.

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

10. 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 TRAFFIC MANAGEMENT PLAN



7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
(972) 235-3031 www.pkoe.com
TX. REG. ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00



Hunter W. Lemley

TECHNICAL MEMORANDUM

To: Harmony School of Business, Dallas, Texas
From: Hunter W. Lemley, P.E. – Pacheco Koch
Date: August 29, 2019
Subject: **Traffic Management Plan Review: Harmony School of Business**
PK# 3979-19.351

INTRODUCTION

Pursuant of the Specific Use Permit No. 1937, this study is the required traffic study to validate the initial Traffic Management Plan for Harmony School of Business issued in 2015. A copy of the original Traffic Management Plan Exhibit is attached for reference. NOTE: Since the creation of the original Traffic Management Plan in 2015, Harmony School of Business has reduced from grades Kindergarten through 12th to grades 6th through 12th.

The zoning conditions call for the traffic study to assess the following:

1. ingress and egress points;
2. queue lengths;
3. number and location of personnel assisting with loading and unloading of students
4. drop-off and pick-up locations
5. drop-off and pick-up hours for each grade level
6. hours for each grade level; and
7. circulation.

OBSERVATIONS/ ANALYSIS

Pacheco Koch reviewed the initial Traffic Management Plan and conducted four site observations during the months of August-September of 2019. The following observations were made -- and only pertain to the afternoon pick-up period unless otherwise noted -- during the field visits for Harmony School of Business:

1. ingress and egress points:
 - a. The ingress and egress points shown on the Traffic Management Plan Exhibit were observed to work well. One driveway is located on W President George Highway

Frontage Road (Inbound only) and one driveway is located on Frankford Road (outbound only). Staff parking is generally reserved in the south parking lot, adjacent to Frankford Road. The rest of the parking is for visitors.

2. queue lengths:
 - a. The school's parent pick-up operations function as a managed queue protocol (with staff assistance). Parent pick-up queuing operations begin at the south side of the school building and circulates clockwise around the school building.
3. number and location of personnel assisting with loading and unloading of students
 - a. Personnel assistance was highly involved in the school's managed queue protocol operation during drop-off and pick-up activities. Communication was used between staff members from within the school building to other staff members outside the school building.
4. drop-off and pick-up locations
 - a. The school has a single drop-off area for all grades located south of the school building.
5. drop-off and pick-up hours for each grade level
 - a. Morning drop-off activities occurred as early as 7:00 am in the morning (lasting approximately 30 minutes) and 2:45 pm in the afternoon (lasting approximately 45 minutes for each pick-up period).
6. hours for each grade level
 - a. The school currently consists of grade levels 6th through 12th. Hours for 6th Grade through 12th Grade start at 7:35 am and end at 3:00 pm.
7. circulation
 - a. Traffic enters the site through the northern driveway on W President George Bush Highway Frontage Road and exits from the southern driveway on Frankford Road. School traffic accumulates adjacent to the school building and generally circulates clockwise throughout the site.

STATUS OF ORIGINAL TRAFFIC MANAGEMENT PLAN RECOMMENDATIONS

In conclusion, Harmony School of Business should continue using the system of pick-up and drop-off which has been used for a number of years at the school.

NOTE: The school has expressed interest in reducing the number of queue lines from two queue lines to a single queue line. Recently, Harmony School of Business has significantly reduced in enrollment as a result of the removal of grades K-5th. Based on this reason and observations performed by Pacheco Koch, it was found that plenty of available space is on-site for a single queue line to take effect from drop-off and pick-up activities. Should the enrollment ever increase and the queue line begins to encroach onto public right-of-way, a double queue line will need to be reinstated.

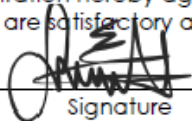
ACKNOWLEDGEMENT STATEMENT

REVIEW AND COMMITMENT

The original traffic management plan (TMP) for Harmony School of Business was developed with the intent of optimizing safety and efficiently accommodating vehicular traffic generated during the school's typical student drop-off and pick-up periods. It is important to note that a concerted and ongoing effort by and the full participation of the school administration are essential to accomplish these goals.

Documented to which this acknowledgement statement is attended to is a review that indicates the assessment and performance of the original TMP. This TMP review contains the recommendations that apply to the subject site.

By the endorsement provided below, the school administration hereby agrees to implement, adhere to, and support the strategies presented in this TMP for which the school is held responsible until or unless the City of Dallas deems those strategies are no longer necessary or that other measures are more appropriate. If, for any reason, the school is not adhering to the recommendations of the original TMP, the school administration hereby agrees that the current operations for student drop-off and pick-up are satisfactory at this point in time.



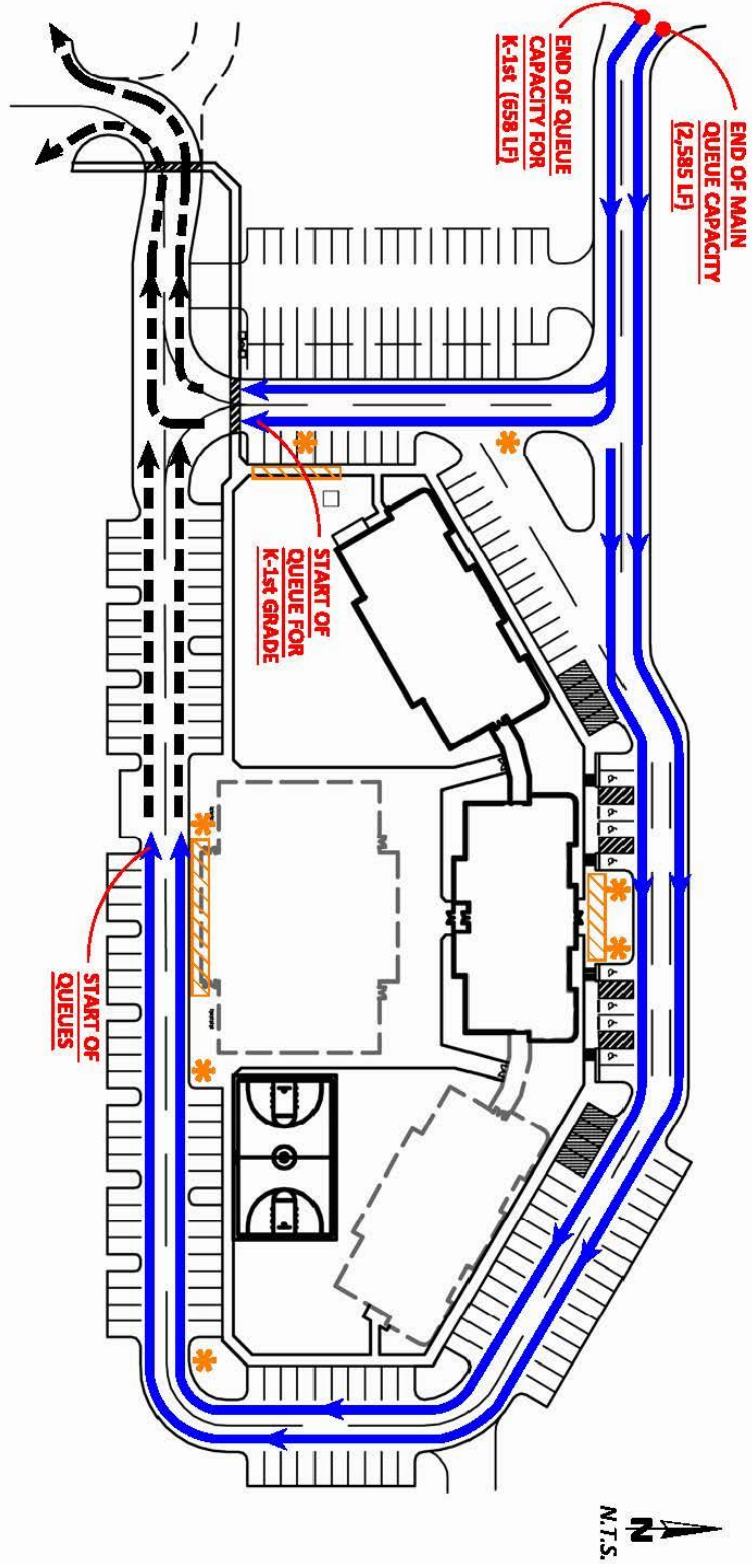
Signature

December 2, 2019
Date

Name: Huseyin Sari
Title: Principal

*NOTE: Traffic issues related to school traffic operations may be reported using 3-1-1 and the City of Dallas will address the situation accordingly.

END OF MEMO



NOTE: Background site plan prepared by Kinley Horn & Associates for illustration purpose only.

Traffic Queuing Summary

Loading Zone	Dismissal Times	Vehicular Queue
Loading Area 1 (K-1st Grade)	2:45 PM	Provided: 658 LF (78 cars) Required: 470 LF (20 cars) Surplus: 188 LF (8 cars)
Loading Areas 2 (2nd - 11th Grade)	3:40 PM	Provided: 2,585 LF (110 cars) Required: 1,880 LF (80 cars) Surplus: 705 LF (30 cars)

*Vehicular queue calculated at 23.5 feet/passenger car based on field observations.

- Legend**
- * - School Staff
 - ▭ - Loading Area
 - - Queue Capacity
 - - Outbound Route

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 queuing of drop-off/pick-up related vehicles within the city rights-of-way. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undersignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, David Newberry, P.E. #106200, certify that the results of the queuing analysis upon complete enforcement of this Traffic Management Plan indicate that no queuing of vehicles will extend into City of Dallas rights-of-way as a result of internal queuing constraints during the study peak hours of school operation.

EXHIBIT 1
Traffic Management Plan
Harmony School of Business
8090 W President George Bush Hwy, Dallas, TX 75252

Deshazo Group, Inc.
Texas Registered Engineering Firm F-3139
400 S. Houston St. Suite 330
Dallas, Texas 75202
(214) 748-6740



7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
(972) 235-3031 www.pkco.com
TX. REG: ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00

MEMORANDUM

To: Karl Crawley – Masterplan
From: Hunter W. Lemley, P.E.
Date: August 29, 2019
Subject: **Harmony School of Business**
PK# 3979-19.351

Harmony School of Business consists of an existing school with grades 6th through 12th. Enrollment at the existing campus is approximately 450 students and is expected to remain at the existing level. The school is currently located at 8080 W President George Bush Highway. The request for a parking study is reference to Harmony School of Business validating the original Traffic Management Plan with a TMP Review study.

Per your request, this Parking Memorandum is only supplemental to the traffic management plan already performed and only contains information regarding parking data collected from on-site observations that were conducted. Any other pertinent information would be contained in the respective reports for those studies.

Parking counts for the existing site were collected during school hours and does not include parent traffic from drop-off and pick-up activities. These observations were conducted on Tuesday, April 27th and Wednesday, April 28th, 2019. The collected parking data was conducted on a typical school day and should reflect usual school day activities and conditions.

Changes to the school characteristics that would affect school traffic operations are not expected. Therefore, pedestrian, vehicle, and bus traffic characteristics are projected to be very similar to the respective current conditions. Parking characteristics are expected to be similar at the school, as well. **Table 1** shows the existing parking supply for the existing school site.

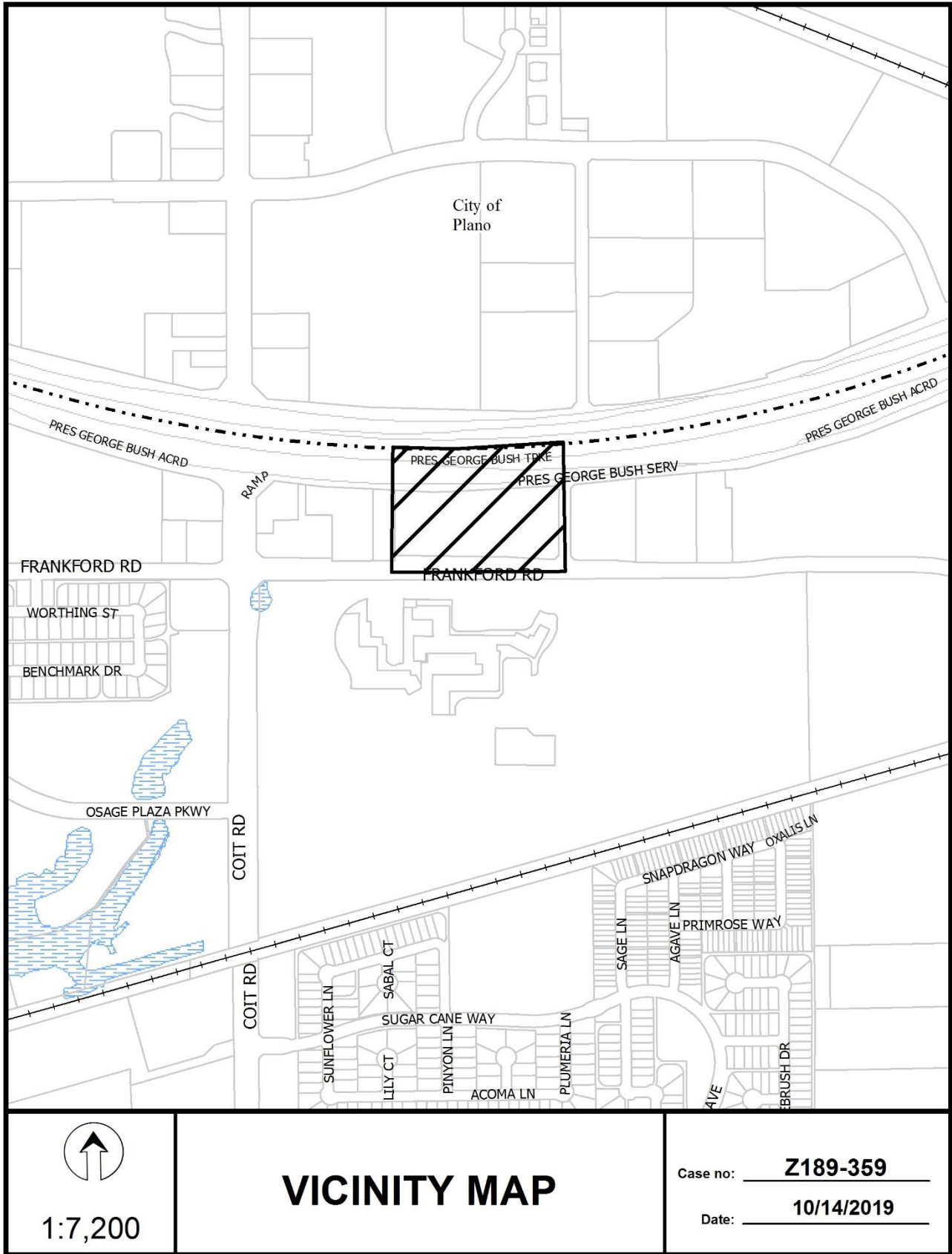
Table 1. Parking Supply Summary

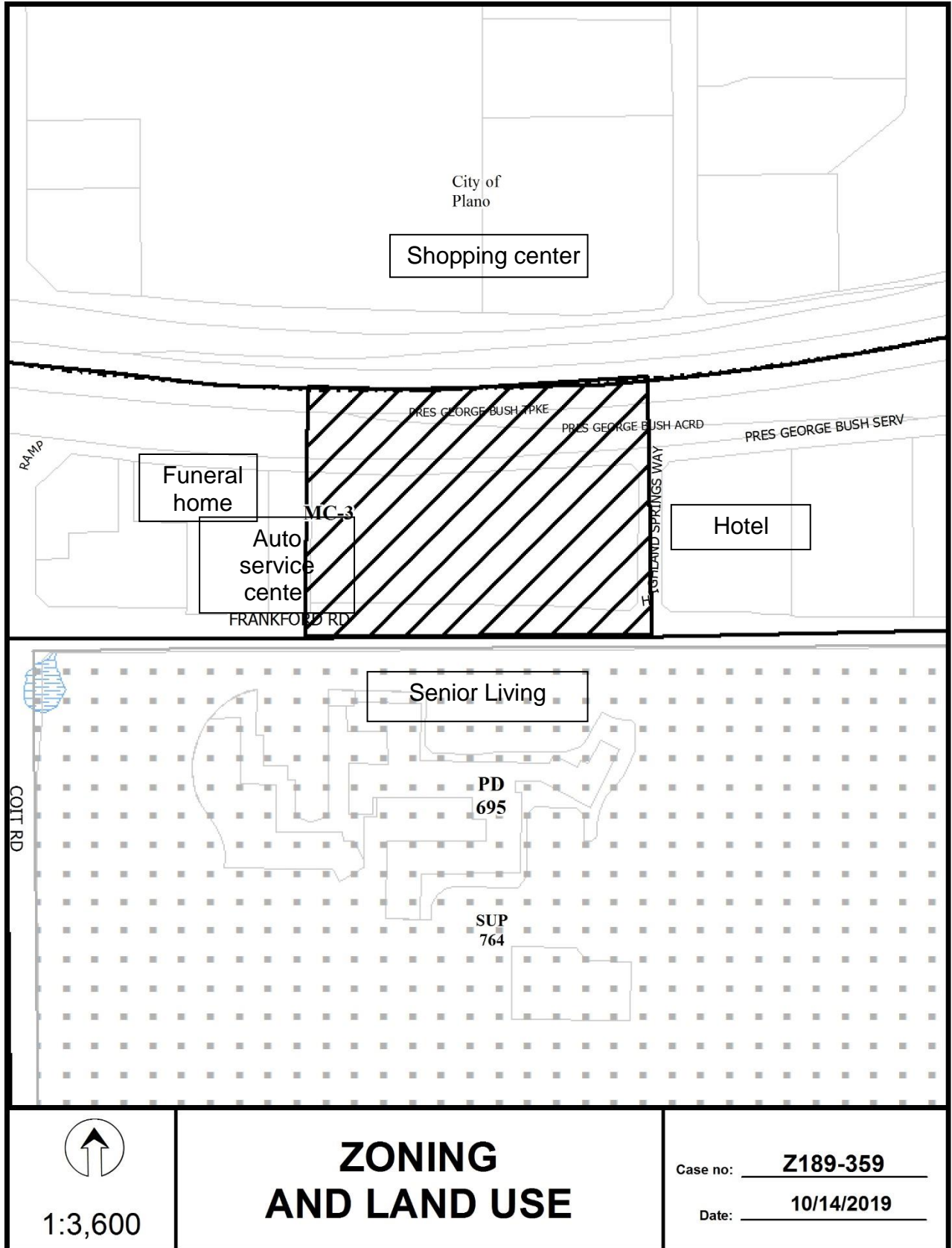
	EXISTING
School Parking Lot	157
TOTAL	157

Table 2 shows the parking demand for the existing school site. Data collection was conducted during normal school hours (i.e. not during parent drop-off/pick periods). The existing parking demand is the observed amount of occupied parking spaces on site at the school building and the projected parking demand is the projected amount of occupied spaces on site. No change to the total supply in parking changes is expected. Therefore, the school will have excess parking supply available.

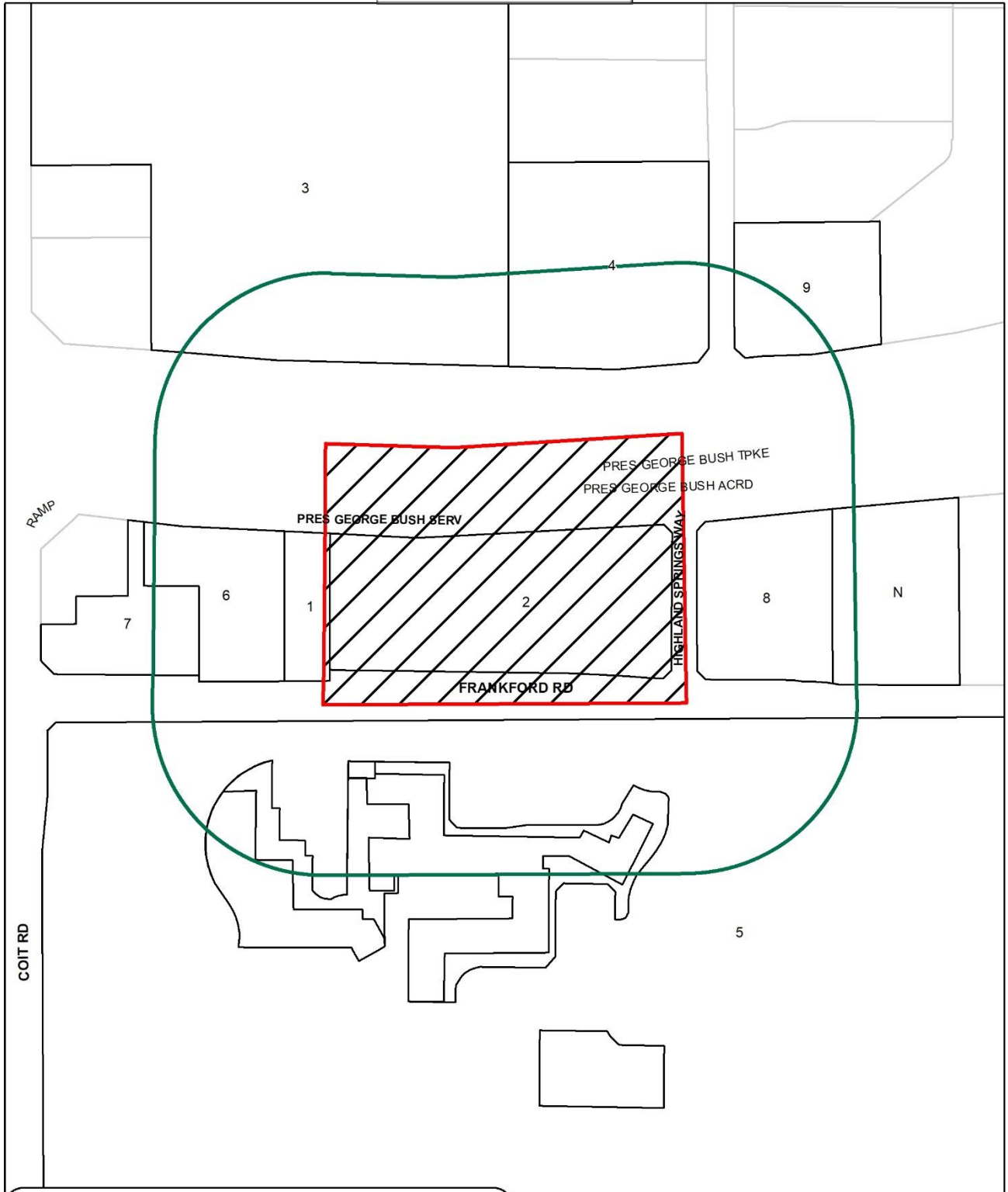
Table 2. Projected Parking Demand

	EXISTING
Parked Vehicles	53
Available Supply	157
Surplus	+104





CPC Responses



<u>9</u>	Property Owners Notified (14 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>400'</u>	Area of Notification
<u>11/21/2019</u>	Date

Z189-359
CPC



1:3,600

11/20/2019

Reply List of Property Owners

Z189-359

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	8030	PRESIDENT GEORGE BUSH HWY	YEE FAMILY TRUST
2	8080	PRESIDENT GEORGE BUSH HWY	HARMONY PUBLIC SCHOOLS
3	200	COIT RD	CENTRO NP HOLDINGS 12 SPE LLC
4	3701	PRESIDENT GEORGE BUSH HWY	REALTY INCOME TX PROPERTIES LP
5	8000	FRANKFORD RD	REDWOOD-ERC DALLAS LLC
6	7990	PRESIDENT GEORGE BUSH HWY	SCI TEXAS FUNERAL SERVICES INC
7	18120	COIT RD	D F W DISTRIBUTOR PETROLEUM INC
8			SHINN N DALLAS HOSPITALITY LTD
9		SILVERGLEN DR	SILVERGLEN POND ASSOCIATION INC