

FILE NUMBER: Z201-279(RM) **DATE FILED:** June 14, 2021

LOCATION: Southeast corner of Diceman Drive and Old Gate Lane

COUNCIL DISTRICT: 9 **MAPSCO:** 38 N

SIZE OF REQUEST: Approx. 1.8 acres **CENSUS TRACT:** 81.00

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: Chuck and Lori Allen

APPLICANT: Brytar Companies

REQUEST: An application for (1) a Planned Development District for R-10(A) Single Family District uses, a child-care facility, and a private school use; and (2) the termination of Specific Use Permit No. 1642 for a child-care facility on property zoned an R-10(A) Single Family District with consideration of an amendment to Specific Use Permit No. 1642 for a child-care facility and a proposed private school use.

SUMMARY: The purpose of the request is to allow for modified development standards primarily related to permitted uses, setbacks, lot area, and parking to allow for a child-care facility, a private school, and single family homes on the site.

CPC RECOMMENDATION: **Approval** of a Planned Development District for R-10(A) Single Family District uses, subject to conditions; and **approval** of an amendment to Specific Use Permit No. 1642 for a child-care facility and a proposed private school use for a four-year period, subject to a site plan, a traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval** of a Planned Development District for R-10(A) Single Family District uses, subject to conditions; and **approval** of an amendment to Specific Use Permit No. 1642 for a child-care facility and a proposed private school use for a four-year period, subject to a site plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned an R-10(A) Single Family District and is developed with a child-care facility, which is permitted under Specific Use Permit No. 1642.
- The applicant proposes to continue use of the property as a child-care facility, and to add a private school to Tract 1 of the PD. Tract 2 will be developed with a single-family use. The applicant's conceptual plan demonstrates Tracts 1 and 2 of the PD, and the development plan is for Tract 1 of the PD.
- Specific Use Permit No. 1642 was originally approved on September 13, 2006 for a three-year period with eligibility for automatic renewals for additional three-year periods. The SUP allows for a child-care facility on the site and was automatically renewed for additional three-year periods in 2009, 2012, 2015, and 2018.
- The applicant has also submitted an application for the automatic renewal of SUP 1642 for an additional three-year period (Z201-251). This request may be approved independently of the request for a PD and termination of SUP 1642 (Z201-279). If the request for a PD and termination of SUP 1642 is approved by City Council, the SUP would still be terminated regardless of its recent renewal.
- The applicant proposes a Planned Development District for R-10(A) Single Family District uses. A child-care facility and a private school are only permitted by SUP in an R-10(A) Single Family District; however, the applicant proposes to allow these uses by right within the proposed PD.
- The applicant proposes to modify standards for setbacks and parking, including a provision for on-street parking. They had originally requested an additional modification to lot area to allow two single-family homes to be constructed on Tract 2, but this condition has been removed from the request.
- The request also includes the termination of Specific Use Permit No. 1642. Because the proposed PD would allow for a child-care facility by right, this SUP would no longer be required.
- On October 7, 2021, the City Plan Commission held this item under advisement until November 4, 2021 with instructions to staff to advertise for an amendment to and/or expansion of Specific Use Permit No. 1642 for a child-care facility and a proposed private school use. The request now includes consideration of an amendment to SUP 1642 for a child-care facility and a proposed private school use. An expansion of SUP 1642 would not be needed for this request as SUP No. 1642 already includes the entirety of the proposed area of request. However, on November 4, 2021, the City Plan Commission recommended that boundary of the SUP be reduced to only Tract 1.

Zoning History:

There have been three zoning cases on two sites in the area in the past five years.

1. **Z178-239:** On June 4, 2018, Specific Use Permit No. 1642 for a child-care facility was automatically renewed for a three-year period on property zoned an R-10(A) Single Family District at the east corner of Diceman Drive and Old Gate Lane. [Subject Site]

Z201-251: On May 6, 2021, staff received an application for an automatic renewal of Specific Use Permit No. 1642 for an additional three-year period. [Subject Site and Under Review]

2. **Z190-280:** On June 8, 2020, Specific Use Permit No. 2154 for a child-care facility was automatically renewed for an additional five-year period on property zoned Planned Development District No. 972 on the east side of Old Gate Lane, north of Diceman Drive.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Diceman Drive	Local Street	-
Old Gate Lane	Local Street	-

Traffic:

The Engineering Division of Sustainable Development & Construction reviewed a Traffic Management Plan for the site dated August 9, 2020. The report proposes the management of motor vehicles during school peak hours for an ultimate enrollment of 202 students. Based on a review of the application documents, Engineering staff recommends revisions to the proposed development plan (and TMP) to comply with City standards including modifications of curbs at intersections to remove on-street head-in parking and accommodate sidewalk and ADA pedestrian amenities.

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.

Land Use:

	Zoning	Land Use
Site	R-10(A) Single Family District with SUP 1642	Child-care facility
Northwest	Planned Development District No. 972 with SUP 2154, NS(A) Neighborhood Service District, R-7.5(A) Single Family District	Church, child-care facility, personal service use, surface parking
Northeast	R-10(A) Single Family District with an NSO Neighborhood Stabilization Overlay	Single family
Southeast	R-10(A) Single Family District with an NSO Neighborhood Stabilization Overlay	Single family
Southwest	R-7.5(A) Single Family District	Single family

Land Use Compatibility:

The area of request is surrounded by single family uses to the northeast, southeast, and southwest. Northwest of the site is a church, which also contains a child-care facility, a personal service use, and surface parking.

On Tract 1 of the PD, the applicant proposes to continue the child-care facility use, and to add a private school use including two elementary classrooms and one middle school

classroom. On Tract 2, the applicant proposes a single-family use. Permitted uses will default to those of an R-10(A) District. Previously, the applicant had proposed that a child-care facility and a private school would be permitted by right within the proposed PD. However, the applicant has agreed to CPC's request that these uses continue to be allowed by SUP.

Yard, lot, and space regulations will also default to those of an R-10(A) District, with two deviations. The front yard setback is proposed to be 25 feet with an allowance for encroachments such as the playgrounds that are currently in the front yard of the site. A standard R-10(A) District would require a 30-foot front yard setback and would not allow encroachments in the front yard. The applicant also requests that maximum fence height for institutional uses in a required front yard is six feet. This condition will accommodate the existing fence around the playgrounds.

Additionally, the request now includes consideration of an amendment to SUP 1642 for a child-care facility and a proposed private school use. This consideration proposes that within the PD conditions, a child-care facility and a private school are not permitted by right but are instead permitted by SUP, which is the requirement for these uses in the existing R-10(A) District. In conjunction with these changes to the proposed PD conditions, this consideration proposes an amendment to the existing SUP 1642 that will continue to allow the existing child-care facility as well as the proposed private school.

Under this scenario, a conceptual plan and development plan would not be required as part of the PD because they would be replaced by an updated site plan as part of SUP 1642. The requirement for a traffic management plan would also move from the PD to SUP 1642. Other than these changes, no other modifications are proposed to the applicant's PD conditions as originally presented.

Staff largely supports the applicant's request for a PD because it would allow the continued use of a nonconforming site while still meeting the intent of the underlying residential district. Staff also supports the proposal to 1) allow the child-care facility and private school uses by SUP under the proposed PD; and 2) amend the existing SUP 1642 to continue to allow the existing child-care facility while also allowing a private school. This scenario would allow continued monitoring and review of the site by staff and the commission.

In terms of the time limit for SUP 1642, the applicant requests an initial time period of 30 years with eligibility for automatic renewal for additional five-year periods. Staff initially recommended a three-year period without eligibility for automatic renewal because it would allow an initial evaluation period to see how the site performs with an additional

use and under the new conditions. CPC recommended four years and staff agrees with this recommendation as well.

Development Standards

Following is a comparison table showing differences between an R-10(A) District and the applicant's proposed PD for R-10(A) District uses.

District	Setback		Density	Height	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear					
Existing: R-10(A)	30'	6' for SF Other: 10'/15'	1 du/10,000 sf	30'	45%		Single family
PD: R-10(A)	25' w/ encroach.	6' for SF Other: 10'/15'	1 du/10,000 sf	30'	45%		Single family; child-care facility and private school by SUP

Landscaping:

Based on the proposed PD conditions, landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. Per the Chief Arborist, repaving the existing parking lot would not trigger Article X. Although the existing site doesn't currently comply with Article X, Article X is not triggered by this request as there is no proposed building addition.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a child-care facility is one space per 500 square feet of floor area. The off-street parking requirement for a private school is 1.5 spaces for each elementary classroom and 3.5 spaces for each middle school classroom. The total floor area of the child-care facility is 31,500 square feet. The private school will have two elementary and one middle school classrooms. Therefore, the total required parking for the site is 70 spaces.

To meet this parking requirement, the applicant proposes 46 off-street parking spaces, 40 of which will be provided by repaving the existing parking lot directly south of the existing building. The applicant proposes to provide the remaining required parking through a combination of delta credits and on-street spaces.

The on-street spaces that are greyed out on the development plan cannot be used by the applicant because they are located in either a T-intersection or a visibility triangle. Per the applicant, the site has eight delta credits for the loss of these spaces. Although these credits have not been verified through plan review yet, the applicant would like to proceed with the zoning case as is. If the project progresses to permitting and it is determined that the site does not have eight delta credits, the applicant may need to amend their site plan to accommodate this change. The applicant believes the 16 other on-street parking spaces are viable parking spaces and proposed the PD conditions to give credit towards meeting the parking requirement.

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 in an MVA cluster. To the north, east, and south is a “B” MVA cluster. To the west is a “D” MVA cluster.

List of Partners/Principals/Officers

Brytar Companies

Scott Remphrey, Managing Partner/President
Monica Kellett, Vice President
Jimmy Crawford, Limited Partner

**CPC ACTION
NOVEMBER 4, 2021**

Motion: It was moved to recommend 1) **approval** of a Planned Development District for R-10(A) Single Family District uses, a child-care facility, and a private school use; subject to conditions; and 2) **approval** of an amendment to Specific Use Permit No. 1642 for a child-care facility and a proposed private school use, for a four-year period, subject to the applicant's site plan (submitted 11/4/2021), a traffic management plan, and staff's recommended conditions with the following amendments:

- 1) In SUP condition #3, substitute a 4-year time limit, without eligibility for automatic renewals.
- 2) Amend SUP condition #5 to read: "Combined enrollment in the child-care facility and private school may not exceed 208."
- 3) Amend SUP condition #9 to read: "Parking must be located as shown on the attached site plan. Spaces shown in gray on the site plan may not be counted toward required off-street parking for the child-care facility and private school uses."
- 4) Add an SUP condition to read: "Off-street parking must be screened from residentially-zoned lots across Old Gate Lane. Screening must be constructed of one of or a combination of the following materials:
 - (1) brick, stone, concrete, stucco, wood, or metal wall or fence, or any combination of these materials with a maximum 10 square inches of openings in any given square foot of surface between two and three feet above the parking surface; or
 - (2) evergreen plant materials recommended for local area use by the building official. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that the building official certifies as being capable of providing a solid appearance within three years.

Screening must be maintained in a state of good repair at all times such that:

- (1) the screening is not out of vertical alignment more than six inches, measured at the top of the screening; and
 - (2) any rotted, fire-damaged, or broken slats or support posts are repaired or replaced; and
- 5) Limit the SUP to Tract 1. Amend the applicant's proposed site plan to reflect Tract 1 only on property zoned an R-10(A) Single Family District, at the southeast corner of Diceman Drive and Old Gate Lane.

Maker: Jung
Second: Rubin
Result: Carried: 11 to 1

For: 11 - Hampton, Anderson, Shidid, Carpenter,
Jackson, Blair, Jung, Suhler, Haqq, Kingston,
Rubin

Against: 1 - Stanard

Absent: 0

Vacancy: 3 - District 1, District 3, District 10

Notices: Area: 500

Mailed: 199

Replies: For: 3

Against: 14

Speakers: For: Tommy Mann, 500 Winstead Building, Dallas, TX, 75201
Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Christy Lambeth, 8637 County Road 148, Kaufman, TX, 75142
Against: Megan Freeman, 8903 San Benito Way, Dallas, TX, 75218
Abigail Hoffman, 1436 San Saba Dr., Dallas, TX, 75218
Sterling Whitmore, 8603 Angora St., Dallas, TX, 75218
Miles Zitmore, 1512 San Saba Dr., Dallas, TX, 75218
Erica Cole, 9246 Forest Hills Blvd., Dallas, TX, 75218
Emily Cabral, 9030 Daytonia Ave., Dallas, TX 75218

**CPC ACTION
OCTOBER 7, 2021**

Motion: In considering an application for 1) a Planned Development District for R-10(A) Single Family District uses, a child-care facility, and a private school use; and 2) the termination of Specific Use Permit No. 1642 for a child-care facility on property zoned an R-10(A) Single Family District, at the southeast corner of Diceman Drive and Old Gate Lane, it was moved to **hold** this case under advisement until November 4, 2021, and to instruct staff to re-notice for an amendment and/or expansion of Specific Use Permit No. 1642.

Maker: Jung
Second: MacGregor
Result: Carried: 11 to 0

For: 11 - MacGregor, Shidid, Carpenter, Jackson, Blair,
Jung, Suhler, Haqq, Stanard, Kingston, Rubin

Against: 0
Absent: 1 - Hampton
Vacancy: 3 - District 3, District 4, District 10

Notices: Area: 500 Mailed: 102
Replies: For: 0 Against: 15

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Christy Lambeth, 8637 County Road 148, Kaufman, TX, 75142
Elan Walshe, 10 Orchard Rd., Lake Forest, CA, 92630
Josh Wills, 10 Orchard Rd., Lake Forest, CA, 92630
For (Did not speak): Jennifer Hiromoto, 3904 Elm St., Dallas, TX, 75226
Scott Remphrey, 8305 Catawba Rd., Dallas, TX, 75209
Erin Hennigan, 4301 Bermuda Ave., Oakland, CA, 94619
Against: Erica Cole, 9246 Forest Hills Blvd., Dallas, TX, 75218
Abigail Hoffman, 1436 San Saba Dr., Dallas, TX, 75218
Sterling Whitmore, 8603 Angora St., Dallas, TX, 75218

**CPC ACTION
SEPTEMBER 2, 2021**

Motion: In considering an application for 1) a Planned Development District for R-10(A) Single Family District uses, a child-care facility, and a private school use; and 2) the termination of Specific Use Permit No. 1642 for a child-care facility on property zoned an R-10(A) Single Family District, at the southeast corner of Diceman Drive and Old Gate Lane, it was moved to **hold** this case under advisement until October 7, 2021.

Maker: Jung
Second: Hampton
Result: Carried: 13 to 0

For: 13 - MacGregor, Hampton, Stinson, Shidid*,
Carpenter, Jackson, Blair, Jung, Suhler,
Schwope, Murphy, Garcia, Rubin*

Against: 0
Absent: 0
Vacancy: 2 - District 4, District 10

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 102
Replies: For: 0 Against: 11

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Christy Lambeth, 8637 County Road 148, Kaufman, TX, 75142
For (Did not speak): Craig Carney, 5700 Granite Parkway, Plano, TX, 75024
Scott Remphrey, 8305 Catawba Rd., Dallas, TX, 75209
Tyler Adams, 100 N. Cottonwood Dr., Richardson, TX, 75080
Josh Wills, 10 Orchard Rd., Lake Forest, CA, 92630
Elan Walshe, 10 Orchard Rd., Lake Forest, CA, 92630
Against: None
Against (Did not speak): Miles Zitmore, 1512 San Saba Dr., Dallas, TX, 75218
Barbara Van Pelt, 1511 San Saba Dr., Dallas, TX, 75218
Nancy Lewis-Irvin, 1507 San Saba Dr., Dallas, TX, 75218

CPC RECOMMENDED PD CONDITIONS

ARTICLE ____.

PD ____.

SEC. 51P- ____ .101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No.____, passed by the Dallas City Council on ____.

SEC. 51P- ____ .102. PROPERTY LOCATION AND SIZE.

PD ____ is established on property located at the southeast corner of Old Gate Lane and Diceman Street. The size of PD ____ is approximately 1.79 acres.

SEC. 51P- ____ .103. DEFINITIONS AND INTERPRETATIONS.

- (a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.
- (b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this article,
- (c) This district is considered to be a residential zoning district.

SEC. 51P- ____ .104. DEVELOPMENT PLAN.

- (a) Tract 1. No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.
- (b) Tract 2. For single family uses, a final plat may serve as the development plan. If there is a conflict between the text of this article and a final plat, the text of this article controls.
- (c) For all other uses, a development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls.

SEC. 51P- _____.105. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-10(A) Single Family District, subject to the same conditions applicable in the R-10(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-10(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-10(A) Single Family District is subject to DIR in this district; etc.

SEC. 51P- _____.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P- _____.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-10(A) Single Family District apply.

(b) Front yard. Minimum front yard is 25 feet. Encroachments such as awnings, balconies, bay windows, playgrounds, ramps, retaining walls, stairs, stoops, and unenclosed porches are allowed into the required front yard and do not need to be shown on the development plan.

SEC. 51P- _____.108. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Parking location. Parking may be located within a required front yard.

(c) On-street parking.

(1) Except as provided in this subparagraph, any on-street parking spaces that abut the building site may be counted as a reduction in the off-street parking requirement of the use adjacent to the on-street parking space. On-street parking must be striped in accordance with standard city specifications.

(A) An on-street parking space may not be used to reduce the required parking for more than one use, except that an on-street parking space may be used to reduce the combined total parking requirement for a mixed use development.

(B) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of the parking space ($8 / 24 = 1/3$). The total number of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

SEC. 51P- _____.109. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P- _____.110. LANDSCAPING.

- (a) Landscaping must be provided in accordance with Article X.
- (b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- _____.111. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- _____.112. ADDITIONAL PROVISIONS.

- (a) The Property must be properly maintained in a state of good repair and neat appearance.
- (b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.
- (c) Maximum fence height for institutional uses in a required front yard is six feet as shown on the development plan.

SEC. 51P- _____.113. COMPLIANCE WITH CONDITIONS.

- (a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

CPC RECOMMENDED SUP CONDITIONS

1. USE: The only uses authorized by this specific use permit ~~is~~ are a child-care facility and a private school.
2. SITE PLAN: Use and development of the property must comply with the attached site plan.

CPC Recommendation

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

Applicant's Request

- | |
|---|
| 3. <u>TIME LIMIT</u> : This specific use permit expires on (30 years from the passage of this ordinance) but is eligible for automatic renewal for additional five-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 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.) |
|---|
4. ~~LANDSCAPING: Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.~~
 5. ENROLLMENT: Enrollment in the child-care facility and private school may not exceed 94 208.
 6. HOURS OF OPERATION: The child-care facility and private school may only operate between 9:00 a.m. and 3:00 p.m. 7:00 a.m. and 6:00 p.m., Monday through Friday.
 7. ~~LOADING/UNLOADING: The maximum number of children permitted to be dropped off or picked up during any one-hour interval is 42. All children must be escorted into and out of the child-care facility by an adult.~~
 8. ~~OUTDOOR PLAY AREA: A minimum of 100 square feet of outdoor play area must be provided for each child in the play area at one time. The outdoor play area must be located as shown on the attached site plan.~~
 9. PARKING: Parking must be located as shown on the attached site plan. Spaces shown in gray on the site plan may not be counted toward required off-street parking for the child-care facility and private school uses.

10. SCREENING: Off-street parking must be screened from residentially zoned lots across Old Gate Lane. Screening must be constructed of one of or a combination of the following materials:

(a) Brick, stone, concrete, stucco, wood, or metal wall or fence, or any combination of these materials with a maximum 10 square inches of openings in any given square foot of surface between two and three feet above the parking surface;

(b) Evergreen plant materials recommended for local area use by the building official. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that the building official certifies as being capable of providing a solid appearance within three years.

Screening must be maintained in a state of good repair at all times such that:

(a) The screening is not out of vertical alignment more than six inches, measured at the top of the screening; and

(b) Any rotted, fire damaged, or broken slats or support posts are repaired or replaced.

- ~~10. SIGNS: Between 8:30 a.m. and 3:30 p.m., Monday through Friday, signs indicating ‘Enter Only’ and ‘Exit Only’ must be provided in the locations shown on the attached site plan.~~

11. TRAFFIC MANAGEMENT PLAN:

(a) In general. The operation of a private school must comply with the 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 the one year anniversary of issuance of the certificate of occupancy. 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 even-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 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 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.

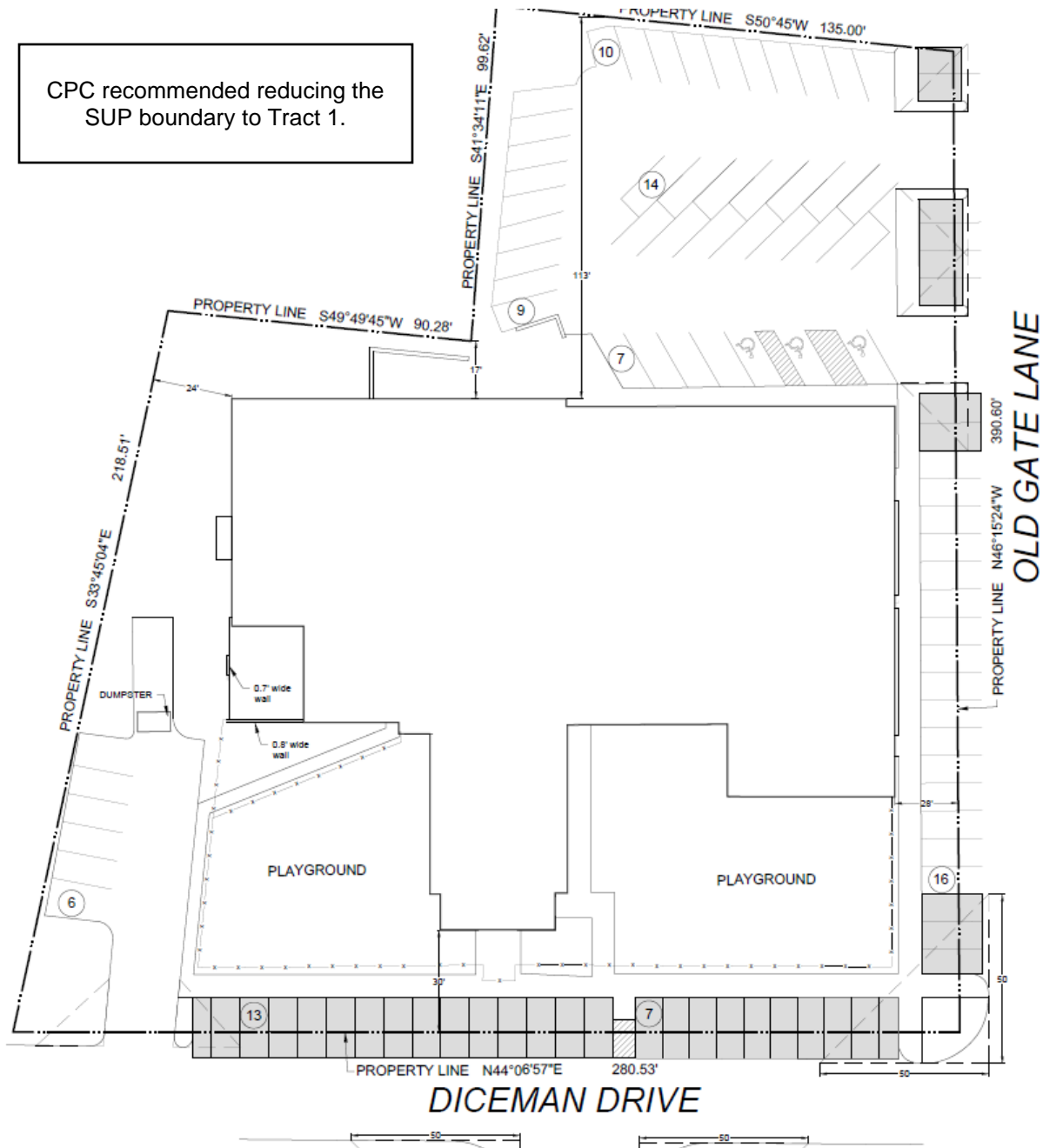
(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(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.

~~11.~~ 12. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

~~12.~~ 13. 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 SUP SITE PLAN



CPC RECOMMENDED TRAFFIC MANAGEMENT PLAN



Traffic Management Plan Higher Ground Education

August 16, 2021

Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth Engineering) were retained to conduct a traffic management plan (TMP) for Higher Ground Education (Higher Ground). The purpose of this TMP is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods. Below is general information about Higher Ground Education.

School:

- Location: 9100 Diceman Drive, Dallas; Higher Ground Education is located across the street from White Rock United Methodist Church.
- Type of School: Montessori School
- School Times: 7:00 AM – 6:00 PM

Zoning:

- Existing Zoning: SUP 1642
- Proposed Zoning: Planned Development
- Project: A Montessori school, Higher Ground Education, will occupy an existing building. The school is scheduled to open in the fall of 2022 with childcare for 116 children, ranging from infants through Prekindergarten, and one elementary school classroom with 28 students in one (1) classroom. The school is scheduled to expand within the existing building in 2027 by adding an additional elementary classroom and a middle school classroom. At buildout, the childcare facility is able to accommodate 116 children and the elementary/middle schools will be able to accommodate 86 students—a total of 202 children.

A unique characteristic of the Higher Ground elementary and middle school is early drop off and after care are included with tuition. Parents can drop off and pick up students when convenient for them. Students typically arrive between 7:00 AM – 8:30 AM and are picked up between 2:30 PM – 6:00 PM. Due to the prolonged arrival and dismissal periods, the school does not have typical “after school” queues of parents picking up students. Parents will park in the parking lot as they arrive and walk into the school to pick up students. The childcare facility will not accommodate elementary or middle school students from other schools.

Students:

- Planned Student Enrollment: The planned numbers of children to attend the day care and school are summarized in **Table 1** below.

Table 1. Planned Student Enrollment

Age	Phase 1	Full Buildout
Childcare		
Infant	9	9
Toddler	26	26
Children's House	81	81
Total Childcare Children:	116	116
Montesori School		
Elementary School	28	56
Middle School	—	30
Total School Students:	28	86
Total Children:	144	202

School Access:

- Surrounding Roadways:
 - Diceman Drive: Two-lane, undivided roadway
 - Old Gate Lane: Two-lane, undivided roadway
- Sidewalks:
 - Sidewalks are provided adjacent to the site on Diceman Drive and Old Gate Lane.
 - There are no barrier-free ramps at the Diceman Drive/Old Gate Lane intersection. However, there are no sidewalks across the street that the barrier free ramps would connect to.

Traffic Management Plan

Queue

Lambeth Engineering coordinated with Higher Ground during the process of developing the TMP.

Higher Ground provided Lambeth Engineering with Smartcare data for checking students into/out of school from similar locations. This data was used along with experience from observations to account for parents picking up students over a three-and-a-half-hour period. The peak of parents dropping off/picking up students is one vehicle per seven (7) students, which was applied in this TMP.

The projected vehicular accumulations are summarized in **Table 2** below. As shown, the proposed site plan has adequate space to accommodate the parents on-site and on-street, adjacent to the school.

Table 2. TMP Summary

School Times	Travel Modes	Grade	Students	Projected Parent Vehicles	Available Spaces for Parent Vehicles	Surplus Availability
Beginning: 7:00 AM Ending: 6:00 PM	Parents: 100% Buses: 0% Walkers: 0%	Childcare	116	17	--	--
		Elementary School	56	8	--	--
		Middle School	30	4	--	--
		Total	202	29	35	6

The daily peak parking demand is projected for Higher Ground to illustrate that there is a sufficient number of on-site parking spaces. Parking for staff is calculated assuming 90% of staff is on campus at one time (Lambeth Engineering has observed approximately 85% of school staff on campus at peak pick up times at other school locations). As shown, there are more than adequate spaces for parents to park and pick up students.

Table 3. Parking Summary

User	Phase 1	Buildout
Staff Parking Demand	19	27
Parents		
Childcare Parents	17	17
School Parents		12
Total Spaces:	35	56
Parking Supply (Spaces):	62	62
Parking Surplus (Spaces):	27	6



Recommendations

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

Students

1. Students will remain in their classrooms or other parts of the school building until parents come to pick them up.

Parents

2. Parents park on site in the parking lot off of Old Gate Lane.
3. Parents park in available parking spaces and walk to the school to drop off and pick up their students. With parents' permission, older students may walk into/out of the school after their parents park in the parking spaces.
4. Parents may not park on the other side of Diceman Drive or Old Gate Lane or drop off students in the street.
5. Parents may not park on-street near driveways or intersections so that they do not block view of other motorists.

Buses

6. No school buses are planned to be serving Higher Ground.

Staff

7. With parents parking and walking in to drop off and pick up students, staff is not needed to monitor parking areas during dismissal.

Licensed Peace Officers

8. A designated, licensed peace officer is not recommended.

Parking Restrictions

9. No parking restrictions are recommended since there is sufficient space on site.

School Zones

10. There is an existing school zone on Diceman Drive, in front of the school. The school zone is likely in place to serve The Children's Center at White Rock United Methodist Church and St. Bernard of Clairvaux Catholic School.

Summary

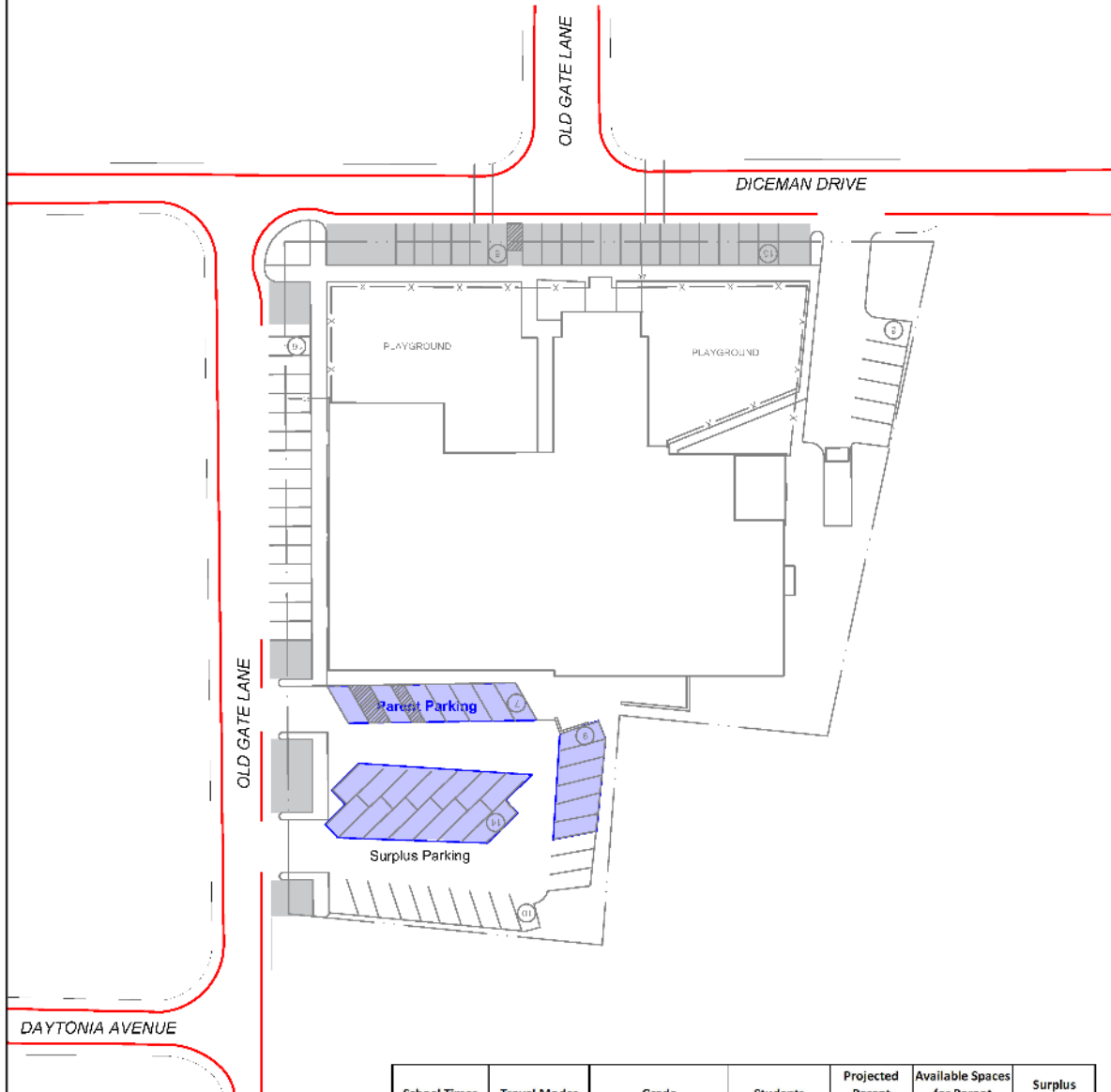
The Higher Ground Education Traffic Management Plan is designed to provide safe vehicular and pedestrian movement to and from school and can accommodate the projected vehicular queues on campus and on-street, adjacent to the school, without blocking through traffic.

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

END

Higher Ground Education

9100 Diceman Drive, Dallas, Texas



Legend:

- Parents Parking
- No Parking

School Times	Travel Modes	Grade	Students	Projected Parent Vehicles	Available Spaces for Parent Vehicles	Surplus Availability
Beginning: 7:00 AM	Parents: 100%	Childcare	116	17	--	--
Ending: 6:00 PM	Buses: 0%	Elementary School	56	8	--	--
	Walkers: 0%	Middle School	30	4	--	--
		Total	202	29	35	6



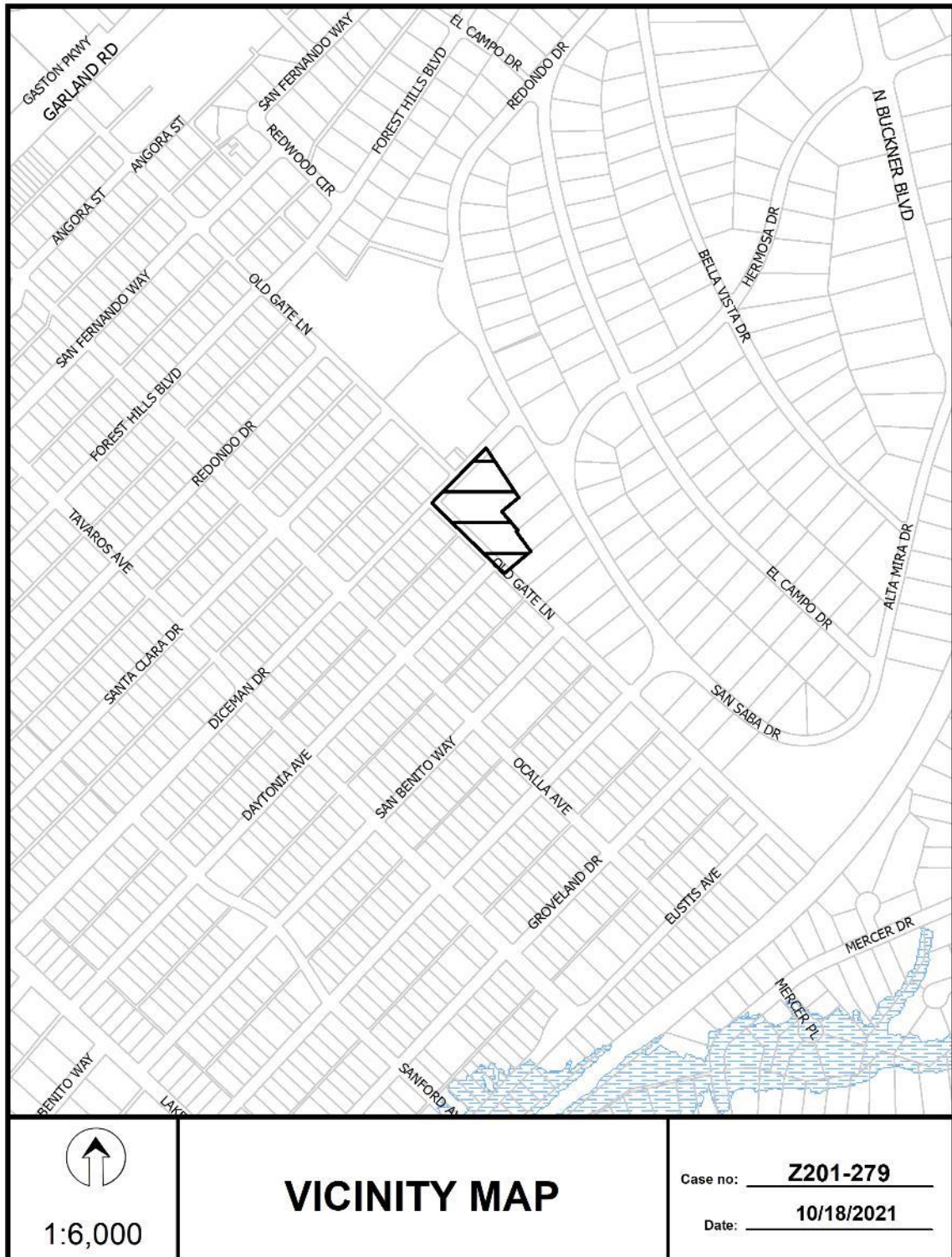
1

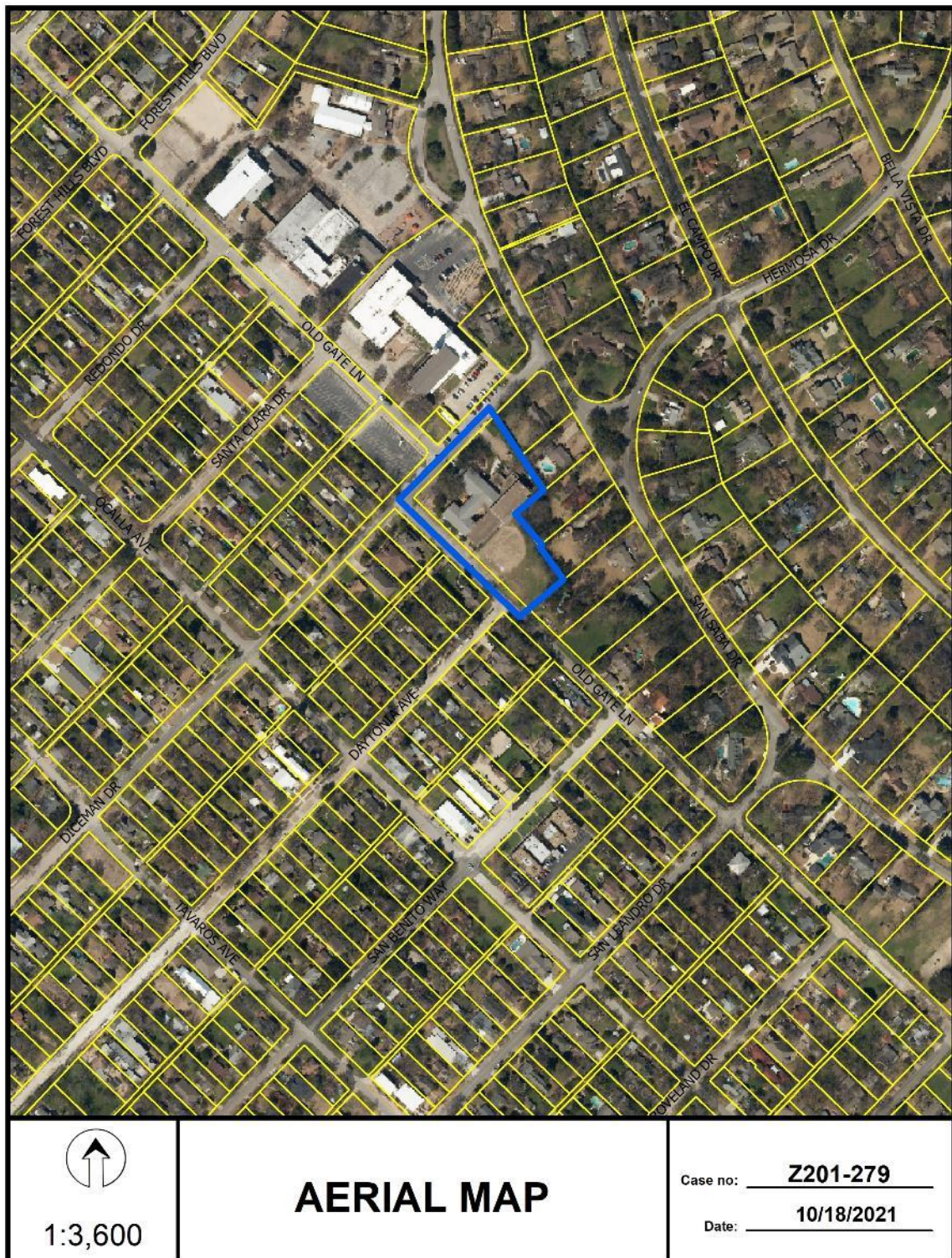
Traffic Management Plan

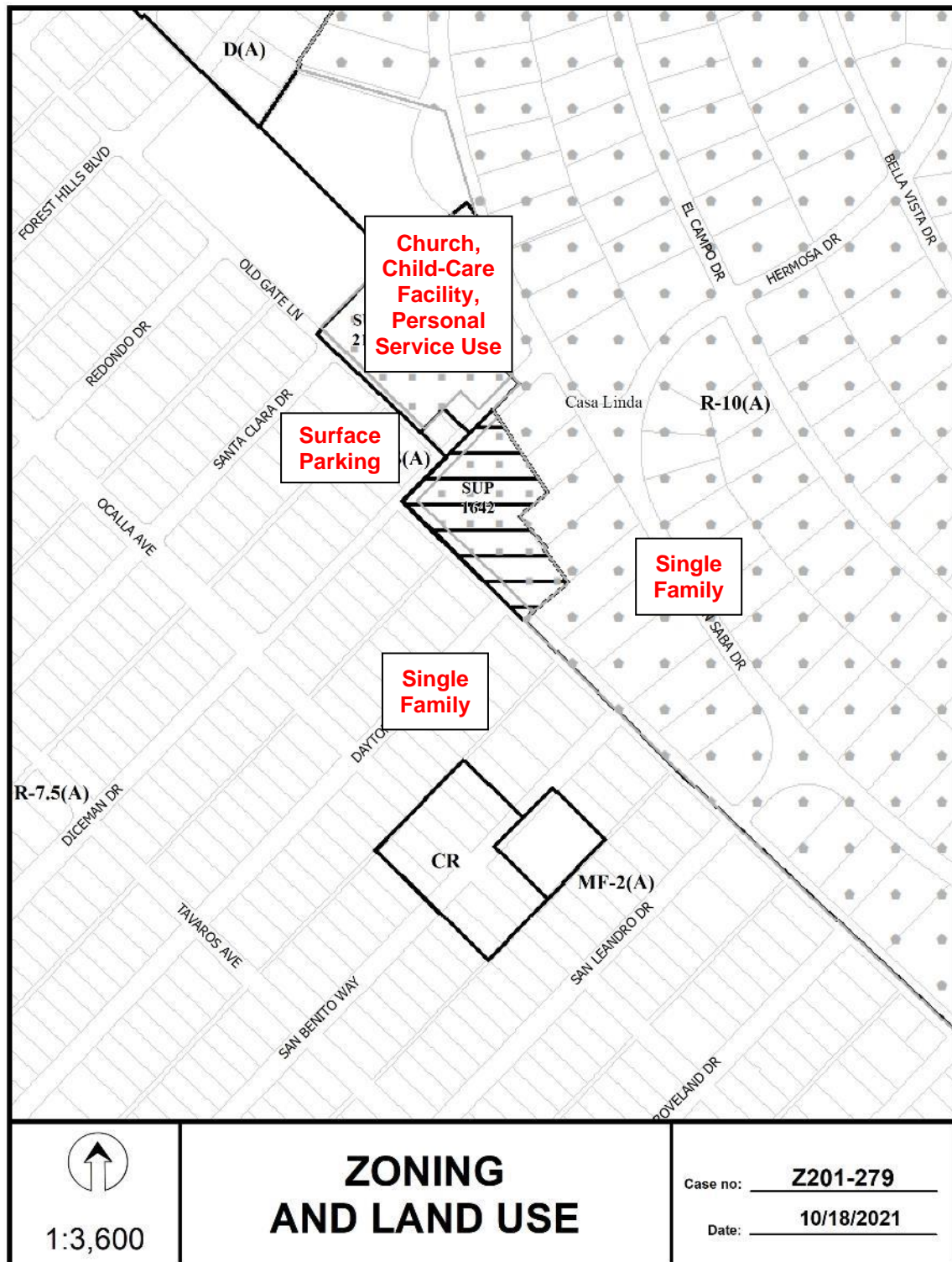
Not to Scale

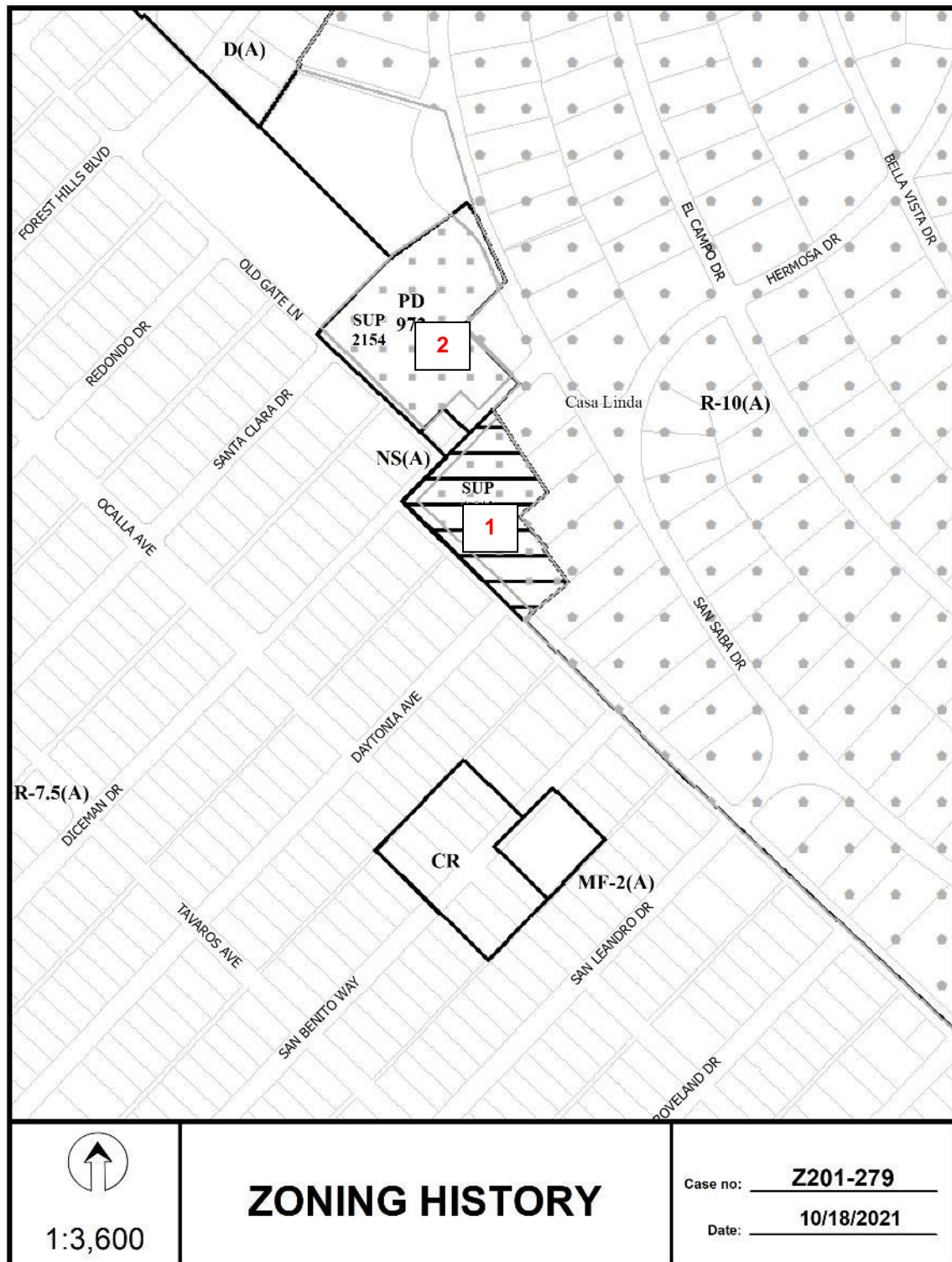


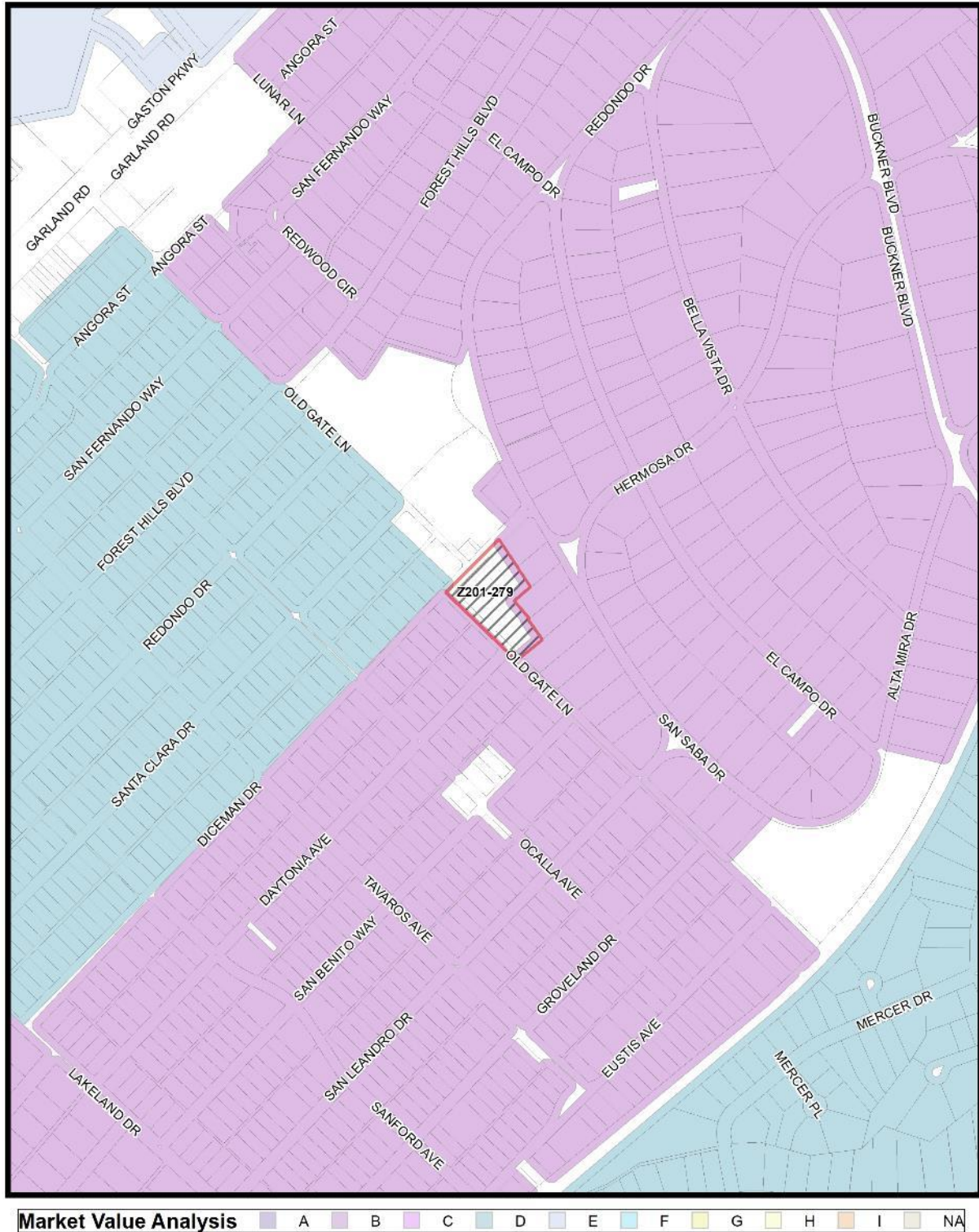
9100 Diceman Drive, Dallas, Texas 75243-1000









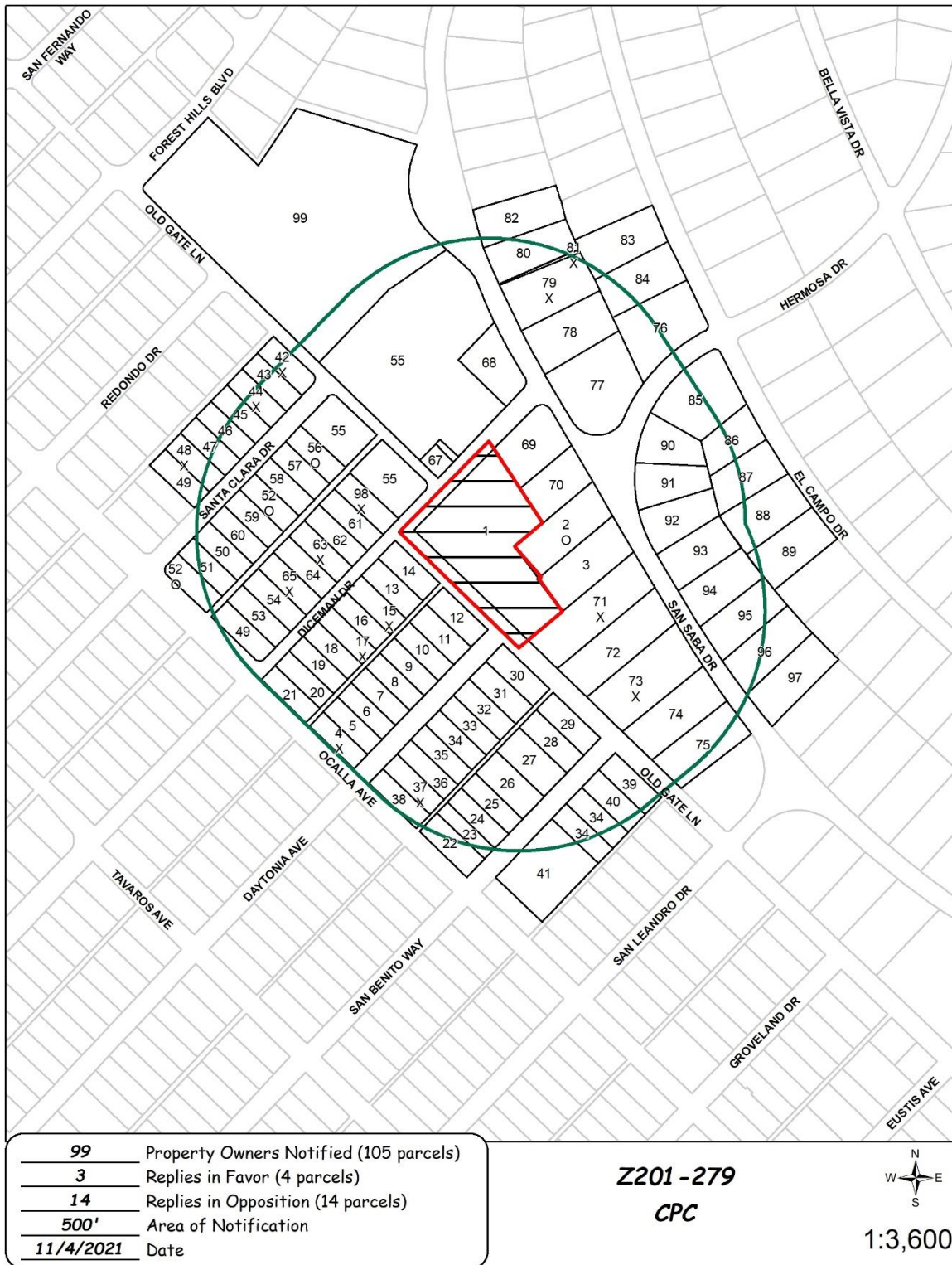


1:6,000

Market Value Analysis

Printed Date: 10/18/2021

CPC RESPONSES



11/03/2021

Reply List of Property Owners***Z201-279******99 Property Owners Notified 3 Property Owners in Favor 14 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	1600 OLDGATE LN	ALLEN CHUCK M & LORI M
O	2	1511 SAN SABA DR	VAN PELT BARBARA
	3	1515 SAN SABA DR	SANDERS ROBERT & DONNA
X	4	9003 DAYTONIA AVE	RUELAS VIRGINIA
	5	9007 DAYTONIA AVE	CALANDRO JOHN IV &
	6	9011 DAYTONIA AVE	REEVES ALICE S
	7	9015 DAYTONIA AVE	PINSON ROBERT S & DEBRA D
	8	9019 DAYTONIA AVE	RYAN DEBORAH ANN
	9	9023 DAYTONIA AVE	KOENIG ALEXANDRIA &
	10	9027 DAYTONIA AVE	GALLIA DONALD WAYNE
	11	9031 DAYTONIA AVE	GALLIA DONALD WAYNE
	12	9035 DAYTONIA AVE	GANTER ELAINE
	13	9030 DICEMAN DR	FRANK ROBERT SCOTT & DENISE N
	14	9034 DICEMAN DR	FUDGE JAMES DURHAM &
X	15	9026 DICEMAN DR	MELSHEIMER LAWRENCE A
	16	9022 DICEMAN DR	DUKE CHARLES W
X	17	9018 DICEMAN DR	TUCKER RICHARD ALLEN &
	18	9012 DICEMAN DR	CAPES KATHY LU &
	19	9010 DICEMAN DR	DAVIS D LEE
	20	9006 DICEMAN DR	MCMURRY TIM M &
	21	9002 DICEMAN DR	ALVAREZ JOSE A
	22	1720 OCALLA AVE	GANTER KEVIN & MICHELLE
	23	9007 SAN BENITO WAY	Taxpayer at
	24	9011 SAN BENITO WAY	Taxpayer at
	25	9015 SAN BENITO WAY	Taxpayer at
	26	9019 SAN BENITO WAY	GANTER KEVIN

11/03/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	9027 SAN BENITO WAY	GANTER KEVIN &
	28	9031 SAN BENITO WAY	NOVAK HOWARD JAY & REGINA
	29	9035 SAN BENITO WAY	MITCHELL BEAU L
	30	9034 DAYTONIA AVE	JAROSZ CHRISTINE M
	31	9030 DAYTONIA AVE	GOOD MATTHEW &
	32	9026 DAYTONIA AVE	SIMMONS PAUL LUTHER III
	33	9022 DAYTONIA AVE	PENDLETON ANDREA D
	34	9018 DAYTONIA AVE	JOHNSON ERIC W
	35	9014 DAYTONIA AVE	WALLEY TAMA
	36	9010 DAYTONIA AVE	GRUBB RHONDA G
X	37	9006 DAYTONIA AVE	VANSLYKE DALE D & KARIN H
	38	9002 DAYTONIA AVE	CURTIS KRIS KATHRYN
	39	9034 SAN BENITO WAY	GANTER KEVIN &
	40	9030 SAN BENITO WAY	TOLER DARRELL
	41	9008 SAN BENITO WAY	CUTCHINC PROPERTIES LLC
X	42	9047 SANTA CLARA DR	HELMS PAULA
	43	9043 SANTA CLARA DR	FREYER TIMOTHY C &
X	44	9039 SANTA CLARA DR	KAM CAROL M
	45	9035 SANTA CLARA DR	BLACKWOOD VAN JR &
	46	9029 SANTA CLARA DR	BROWN STEWART &
	47	9025 SANTA CLARA DR	RANEY WILLIAM J & EMILY L
X	48	9021 SANTA CLARA DR	MORSE NATALEE S
	49	9017 SANTA CLARA DR	COMPTON KATHERINE
	50	9012 SANTA CLARA DR	ROBERTS KEVIN W & TAMRA E
	51	9006 SANTA CLARA DR	HUGHES H C
O	52	9002 SANTA CLARA DR	MONROE JOWANNA
	53	9007 DICEMAN DR	HAYDEN MARY JEAN
	54	9011 DICEMAN DR	ORTEGA MARY L
	55	9044 SANTA CLARA DR	WHITE ROCK METHODIST CHURCH
O	56	9038 SANTA CLARA DR	RASH MARJORIE L
	57	9034 SANTA CLARA DR	HEINEMAN LEE ANN

11/03/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	58	9028 SANTA CLARA DR	WETZEL TOMMY W LIFE ESTATE
	59	9018 SANTA CLARA DR	Taxpayer at
	60	9016 SANTA CLARA DR	DANDRIDGE FRANCES G & MICHAEL E
	61	9035 DICEMAN DR	AVETT SUSAN A
	62	9029 DICEMAN DR	ALLEN LAUREN OSBORNE &
X	63	9023 DICEMAN DR	SHERWOOD BRIAN &
	64	9019 DICEMAN DR	FITRI LLC
X	65	9017 DICEMAN DR	THURMAN DONALD W JR &
	66	9105 DICEMAN DR	JEHLE STEPHANIE
	67	9103 DICEMAN DR	WHITE ROCK UNITED METHODIST CHURCH OF DALLAS
	68	1445 SAN SABA DR	JELEN JASON
	69	1503 SAN SABA DR	GAROUTTE NANCY ALICE
	70	1507 SAN SABA DR	IRVIN MARCUS LYNN &
X	71	1519 SAN SABA DR	HOOKER CHARLES R &
	72	1523 SAN SABA DR	SWAYZE ROBERT L & MARY LYNN
X	73	1527 SAN SABA DR	DAVIS LESLIE GAY &
	74	1531 SAN SABA DR	PETERSON RANDOLPH M
	75	1535 SAN SABA DR	CROSSLAND NICK A & SARAH F
	76	1441 EL CAMPO DR	ANDERHOLM JOHN SCOTT
	77	1446 SAN SABA DR	GLICK MICHAEL A
	78	1440 SAN SABA DR	HOOD SARA LEE STEIGERWALD
X	79	1436 SAN SABA DR	HOFFMAN DAVID M & CAMERON ABIGAIL
	80	1432 SAN SABA DR	RSJ FAMILY TRUST
X	81	1432 SAN SABA DR	HOFFMAN DAVID &
	82	1428 SAN SABA DR	YOUNG BETH L
	83	1433 EL CAMPO DR	CARTWRIGHT BRET M &
	84	1437 EL CAMPO DR	BURT KEVIN & LO ANN QUINN
	85	1505 EL CAMPO DR	TOBOLOWSKY MICHAEL BENJAMIN &
	86	1509 EL CAMPO DR	CASA LINDA CUSTOM LLC
	87	1515 EL CAMPO DR	HOLLON WILLIAM H JR
	88	1517 EL CAMPO DR	WALLIS PAUL ESTATE OF

Z201-279(RM)

11/03/2021

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	89	1521 EL CAMPO DR	DAVIS KIM MARIE
	90	9204 HERMOSA DR	CHRISTENSEN MARGARET B
	91	1504 SAN SABA DR	MELIA THERESA & JAMES
	92	1508 SAN SABA DR	SVOBODA TOMMY J
	93	1512 SAN SABA DR	ZITMORE MILES & ESTHER
	94	1516 SAN SABA DR	BLALOCK E JEAN
	95	1520 SAN SABA DR	MULLINIX MARK L &
	96	1524 SAN SABA DR	GUESS EVERETT & TWYNNE
	97	1528 SAN SABA DR	HARTZ FRANCIS & CATHERINE L
X	98	9039 DICEMAN DR	WEGREN JANNA
	99	1423 SAN SABA DR	SBCCP RC