3-23-12

ORDINANCE NO. 28585

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block 17/1243 and Lots 3, 4, and 6 through 11 in City Block 18/1242; fronting approximately 375 feet on the northwest line of East Grand Avenue; fronting approximately 413 feet on the southwest line of Barry Avenue; and containing approximately 5.45 acres of land,

from a CS Commercial Service District and a D(A) Duplex District to Planned Development District No. 864; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 864; establishing use regulations and development standards for this planned development district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property described in this ordinance; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

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

SECTION 1. That the zoning classification is changed from a CS Commercial Service District and a D(A) Duplex District to Planned Development District No. 864 on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property").

SECTION 2. That Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Article 864 to read as follows:

#### "ARTICLE 864.

## PD 864.

#### SEC. 51P-864.101. LEGISLATIVE HISTORY.

PD 864 was established by Ordinance No.\_\_\_\_\_, passed by the Dallas City Council on March 28, 2012.

### SEC. 51P-864.102. PROPERTY LOCATION AND SIZE.

PD 864 is established on property bounded by Grand Avenue, Barry Avenue, Gurley Avenue, and Fitzhugh Avenue. The size of PD 864 is approximately 4.119 acres.

## SEC. 51P-864.103. 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 district, PRIVATE UTILITY SERVICES means a geo-thermal system, owned and operated by a public school other than an open-enrollment charter school, used in conjunction with a public school.
  - (c) This district is considered to be a residential zoning district.

## **SEC. 51P-864.104. EXHIBITS.**

The following exhibits are incorporated into this article:

(1) Exhibit 864A: development plan.

- (2) Exhibit 864B: landscape plan.
- (3) Exhibit 864C: traffic management plan.

### SEC. 51P-864.105. DEVELOPMENT PLAN.

- (a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development plan (Exhibit 864A). If there is a conflict between the text of this article and the development plan, the text of this article controls.
- (b) For all other uses, 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.

### SEC. 51P-864.106. MAIN USES PERMITTED.

- (a) Except as provided in this section, the only main uses permitted are those main uses permitted in the D(A) Duplex District, subject to the same conditions applicable in the D(A) Duplex District, as set out in Chapter 51A. For example, a use permitted in the D(A) Duplex 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 D(A) Duplex District is subject to DIR in this district; etc.
  - (b) The following additional uses are permitted by right:
    - -- Private utility services.
    - -- Public school other than an open enrollment charter school.

#### SEC. 51P-864.107. 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-864.108.

### 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) <u>In general</u>. Except as provided in this section, the yard, lot, and space regulations for the D(A) Duplex District apply.
  - (b) For a public school other than an open-enrollment charter school.
- (1) <u>Front yard</u>. Minimum front yard is 15 feet on Barry Avenue and East Grand Avenue as shown on the development plan.
  - (2) <u>Floor area</u>. Maximum floor area is 99,000 square feet.
- (3) <u>Lot coverage</u>. Maximum lot coverage is 50 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

## SEC. 51P-864.109. OFF-STREET PARKING AND LOADING.

- (a) 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) For a public school other than an open-enrollment charter school, a minimum of 59 off-street parking and loading spaces must be provided as shown on the development plan. Any expansion of the public school other than an open-enrollment charter school beyond the floor area shown on the development plan as of February 22, 2012 must adhere to the off-street parking requirements in Division 51A-4.200.

#### SEC. 51P-864.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

#### SEC. 51P-864.111. FENCING AND SCREENING.

- (a) Fencing.
- (1) A minimum four-foot-high fence must be provided on Tract 2 in the location shown on the development plan. The fence must be masonry, wrought iron, or a combination of masonry and wrought iron.

(2) A minimum four-foot-high fence is permitted by right in the front yard in Tracts 1 and 2, but may not exceed a maximum height of six feet.

## (b) Screening.

- (1) Except as provided in this section, screening must be provided in accordance with Chapter 51A.
  - (2) Screening is not required for off-street parking areas in Tract 1.
  - (3) Screening on Tract 2 must be provided as shown on the development plan.

#### SEC. 51P-864.112. LANDSCAPING.

- (a) <u>In general</u>. Except as provided in this section, landscaping must be provided in accordance with Article X.
  - (b) For a public school other than an open-enrollment charter school.
- (1) Landscaping must be provided as shown on the landscape plan (Exhibit 864B).
- (2) Replacement trees may be planted on any Dallas Independent School District site within five miles of this district.
- (3) Landscaping may be located in the public right-of-way with a right-of-way landscape permit and compliance with the licensing requirements of Article VI of Chapter 43 of the Dallas City Code.
  - (c) Plant materials must be maintained in a healthy, growing condition.

## SEC. 51P-864.113. SIGNS.

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

#### SEC. 51P-864.114. TRAFFIC MANAGEMENT PLAN.

(a) <u>In general</u>. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit 864C).

## (b) <u>Traffic study</u>.

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- (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, 2013. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 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 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.

### (c) 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.

## SEC. 51P-864.115. 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.

#### SEC. 51P-864.116. 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 director of public works and transportation.
- (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."
- SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.
- SECTION 4. That development of this district must comply with the full-scale versions of Exhibits 864A (development plan) and 864B (landscape plan) attached to this ordinance. Reduced-sized versions of these plans shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale versions of the plans.
- SECTION 5. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 864 in Chapter 51P.
- SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 7. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

Assistant City Attorney

MAR 2 8 2012

Passed

## Area of Request

28595

Tract 1 (Per PD – Main school site)

**GIS Approved** 

DESCRIPTION, of a 4.119 acre tract of land situated the John Grigsby Survey, Abstract No. 495, Dallas County, Texas; said tract being all of Lot 1, Block 17/1243, O.M. Roberts School, an addition to the City of Dallas, Texas according to the plat recorded in Volume 86245, Page 1197 of the Deed Records of Dallas County, Texas; and part of Lots 10, 11, 12 and a 15-foot wide alley, Block 16/1258, R.D. Caldwell's Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 297, Page 1 of the Map Records of Dallas County, Texas; and being part of those tracts of land described in Warranty Deeds to the City of Dallas recorded in Volume 36, Page 1694 and Volume 5837, Page 246 of said Deed Records; in Quitclaim deed to Dallas Independent School District recorded in Volume 3955, Page 628 of said Deed Records; and part of that tract of land described in General Warranty Deed to Dallas Independent School District recorded in Instrument No. 201000302696 of the Official Public Records of Dallas County, Texas; said tract also being a portion of South Barry Avenue (a former 50-foot wide right-of-way) abandoned by City of Dallas Ordinance No. \_\_\_\_\_\_; said 4.119 acre tract being more particularly described as follows:

BEGINNING, at a "+" cut in concrete found at the north end of a right-of-way corner clip at the intersection of the northwest right-of-way line of East Grand Avenue (a variable width right-of-way) as dedicated by City of Dallas Ordinance No. \_\_\_\_\_ and the southwest right-of-way line of S. Barry Avenue (Crosstown Connection) (a 100-foot wide right-of-way);

THENCE, South 04 degrees, 29 minutes, 47 seconds East, along said corner clip, a distance of 20.48 feet to a "+" cut in concrete found for corner;

THENCE, South 42 degrees, 27 minutes, 17 seconds West, along the said northwest line of East Grand Avenue, at a distance of 126.19 feet passing the easternmost corner of said Lot 1, continuing with the existing northwest right-of-way line of said East Grand Avenue (75 feet wide at this point), in all a total distance of 491.63 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said northwest line of East Grand Avenue (75-feet wide at this point) and the northeast right-of-way line of a 15-foot wide alley; said point being the south corner of said Lot 1;

THENCE, North 44 degrees, 45 minutes, 00 seconds West, departing the said northwest line of East Grand Avenue and along the said northeast line of the 15-foot alley, a distance of 412.48 feet to a "+" cut in concrete found for corner at the intersection of the said northeast line of the 15-foot alley and the southeast right-of-way line of Philips Avenue (a 60-foot wide right-of-way); said point being the west corner of said Lot 1;

THENCE, North 45 degrees, 03 minutes, 00 seconds East, along the said southeast line of Philips Avenue, at a distance of 375.00 feet passing a 5/8-inch iron rod found at the north corner of said Lot 1, continuing in all a total distance of 382.57 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner at the intersection of the said southeast line of Philips Avenue and the said southwest line of S. Barry Avenue (Crosstown Connection); said point being the beginning of a non-tangent curve to the left;

THENCE, in a southeasterly direction along the said southwest line of S. Barry Avenue (Crosstown Connection), the following three (3) calls:

Along said curve to the left, having a central angle of 17 degrees, 06 minutes, 08 seconds, a radius of 620.05 feet, a chord bearing and distance of South 62 degrees, 08 minutes, 29 seconds East, 184.39 feet, an arc distance of 185.08 feet to a "+" cut in concrete found at the end of said curve;

South 70 degrees, 41 minutes, 33 seconds East, a distance of 41.89 feet to a "+" cut in concrete found at the beginning of a tangent curve to the right:

Exhibit A

28595

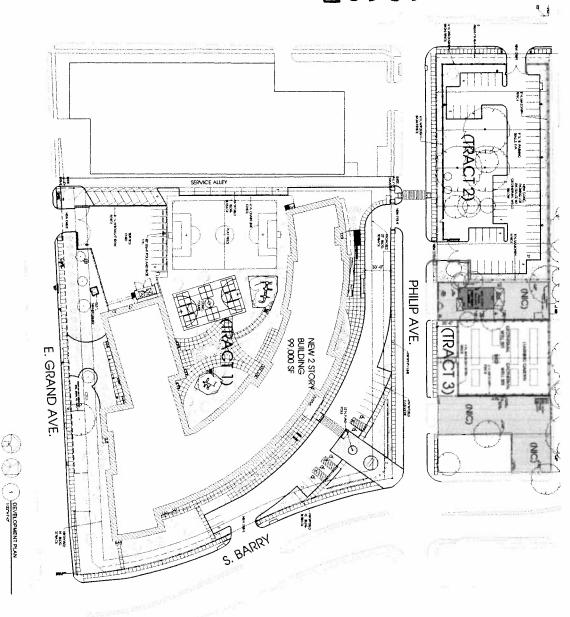
**GIS** Approved

Along said curve to the right, having a central angle of 18 degrees, 25 minutes, 28 seconds, a radius of 523.69 feet, a chord bearing and distance of South 61 degrees, 28 minutes, 49 seconds East, 167.68 feet, an arc distance of 168.40 feet to the POINT OF BEGINNING;

CONTAINING, 179,418 square feet or 4.119 acres of land, more or less.

Tract 2 Lots 6-11, Block 18/1242

Tract 3 Lots 3 and 4, Block 18/1242



Planned Development District No. 864

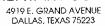








ORAN M. ROBERTS ELEMENTARY SCHOOL



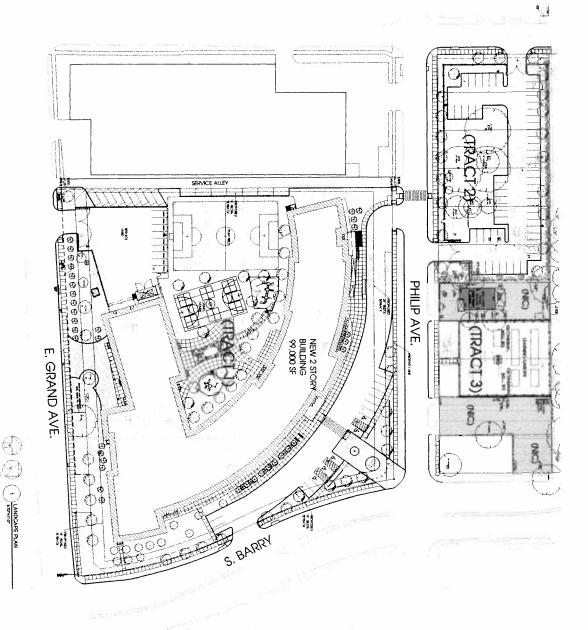




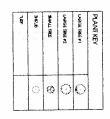




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Planned Development District No. 864









ORAN M. ROBERTS **ELEMENTARY SCHOOL** 











## Oren M. Roberts Elementary School Traffic Management Plan

28585

A Traffic Management Plan (TMP) is important to maintain an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up. The analysis summarized below utilizes the proposed site plan to identify the projected queuing (i.e., vehicle stacking) space needed on site to accommodate the projected peak demands related to drop-off/pick-up for the School. A concerted effort by the school administration and the parents is encouraged to provide and maintain safe and efficient traffic operations.

## School Hours

The school is expected to operate on a uniform daily schedule. Classes on typical school days for all grades will begin at 8:00 AM and conclude at 3:00 PM. While these are the scheduled class times, it can be assumed that not all students will enter /exit the site at these exact times based upon normal distribution patterns. Occasional special events at the school that generate traffic may also occur outside the traditional peak drop-off and pick-up periods; while some of the measures presented in this report may be applicable in conjunction with special events, these traffic characteristics are not covered in this analysis.

## Passenger Vehicles

## Queue Lengths

A goal for any school is to accommodate all vehicular queuing and drop-off! pick-up procedures on private property (i.e., off public right-of-way). A standardized technique for projecting necessary queue length does not exist, however DeShazo has developed a proprietary methodology for estimating peak vehicular queue at public elementary schools based upon historical studies conducted by DeShazo at various similar school sites. Maximum queuing at schools consistently occurs during the afternoon peak period when students are being picked-up by private automobile — the morning period is typically not a significant traffic issue since the drop-off activity is more temporally distributed and occurs much more quickly than student pick-up. The DeShazo model projects the peak queue conditions experienced during the afternoon peak hour.

Based upon the DeShazo model, the maximum number of vehicles in queue during the PM peak hour is equivalent to approximately 50% of the total inbound PM peak hour traffic volume. [NOTE: Based on the information obtained from DISD, 497 students are currently enrolled at the school. Following the redevelopment, the school will provide an ultimate enrollment capacity of 850 students (i.e., a theoretical net increase of 353 students). Since, this TMP is designed for the ultimate scenario, the total enrollment of 850 students was used to calculate the total inbound PM peak hour inbound volume.] The PM peak hour inbound volume is calculated as follows:

- 1. Calculate the site generated trip ends for "elementary schools" based upon the projected number of students using the ITE Trip Generation equations. [ITE Trip Generation is a compilation of actual traffic generation data by land use as collected over several decades by creditable sources across the country, and it is accepted as the standard methodology to determine trip generation volumes for various land uses where sufficient data exists.]
  - 2. Increase the peak hour trip ends by 33% (i.e. apply a factor of +1.33).

NOTE: Application of the DeShazo-adjusted methodology described above yields trip generation values greater than the default trip totals otherwise derived using the standard ITE equations for "elementary schools".

For the DISD-Oran M. Roberts North Elementary School, the following assumptions were employed in the DeShazo Model:

- 850 total students
- No students will be bused

NOTE: Based upon DeShazo's field observations conducted at the existing school, it was noted that a higher-than-average number of students currently travel to/from the school by walking. Typically, an adjustment could be made to the trip generation calculation in the DeShazo Model to account for walk trips; however, for this analysis, since no busing is provided, the net effect to trip generation from the two modes was assumed to offset. So, no modifications to the standard DeShazo Model were applied.

Trip generation equations/rates for the ITE Land Use Code 520 - Elementary School were used in the DeShazo model (excerpts from the ITE Trip Generation are provided in Appendix A). Based on DeShazo's methodology the maximum passenger vehicle queue for the school was estimated to be 68 vehicles or 1,360 linear feet (@20 feet/vehicle). More information and detailed queue calculations are also provided in Appendix A.

#### Circulation

The existing school site does not provide internal roadways for vehicular circulation and queuing: all passenger loading occurs within public right-of-way or off-site. Most passenger loading occurs on Philip Avenue, which operates as one-way, eastbound during the morning and afternoon periods on school days. However, under existing conditions, traffic congestion on Philip Avenue adjacent to the school is significant during these periods (particularly the afternoon pick-up period) due to the prevalence of vehicles parking on the street, and an overall lack of traffic management.

Although space limitations prohibit the ability to accommodate a significant roadway within the site boundary, the new site plan does provide a small internal roadway. This roadway is adjacent to the new front door of the school and is intended to operate as one-way flow with entry on Philip Avenue and exit (by right-turn only) on Barry Avenue. The internal roadway is expected to provide adequate curbside for passenger unloading during the morning drop-off.

For the afternoon pick-up period, however, the projected queue length exceeds the available curbside length along the internal roadway. Some of the pick-up queue can be accommodated internally, while some of the queue can be accommodated within the new parking lot located across Philip Avenue. Nevertheless, it will be necessary to continue to utilize Philip Avenue to accommodate a portion of the vehicular queue generated during the afternoon pick-up period. The recommended circulation pattern developed by DeShazo is divided into two separate, one-way queue lines - one queue line would begin within the internal roadway and extend onto Philip Avenue, and the second queue line would begin on Philip Avenue and extend into the new parking lot. It is intended that the queue lines would be designated to specific groups (based upon first letter of last name, grade, etc.) by the school administration to balance the number of vehicles in each queue line.

Detailed illustrations of the proposed circulation plan are provided in Exhibit 2.

## Afternoon Pick-Up: Internal Queue Line

Passenger vehicles picking-up students in the "internal queue line" should enter the internal roadway at school driveway from Philip Avenue, form a single queue lane beginning at the easternmost portion of the designated loading area, and circulate one-way eastbound to the exit onto Barry Avenue. The designated loading area is located in front of the main door of the school building near the eastern end of school driveway. To exit vehicles should turn right on to southbound Barry Avenue (left-turn on Barry Avenue will be prohibited by the future median closure). This queue line may extend onto Philip Avenue (along south curb only), but assignment of students to queue lines should be adjusted accordingly to prevent the queue from extending into the intersection of Fitzhugh Avenue.

NOTE: Also see important instructions in the next section: "Staff Assistance".

## Afternoon Pick-Up: Philip Avenue Queue Line

Passenger vehicles picking-up students in the "Philip Avenue queue line" should enter the new parking lot via the new parking lot driveway on Fitzhugh Avenue, and then circulate within the parking lot aisles to the driveway on Philip Avenue. After stopping before proceeding onto Philip Avenue, vehicles may enter Philip Avenue by left-turn (one-way, eastbound) and proceed to the designated loading area along the south curb. The queue shall begin at the easternmost point of the designated loading area.

NOTE: Also see important instructions in the next section: "Staff Assistance".

Staff Assistance

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To optimize safety, it is important to have a staff from the school present where- and whenever students are dropped-off or picked-up, including the bus area (if applicable). The general responsibility of the authorized staff is to ensure all vehicles in the immediate vicinity of the designated loading area are in a fully stopped condition before loading/unloading occurs and to provide general oversight and limited assistance (where practical to do so). At the appropriate interval, the authorized staff should instruct motorists when it is safe to advance/exit. [NOTE: Only deputized officers of the law (including school crossing guards) may instruct traffic within public rights-of-way.]

In the morning, at least two staff members should be available at the designated passenger drop-off area on the internal roadway to guide and assist vehicles to designated locations and direct students into the school building. Likewise, during the afternoon, at least two staff members should be available at each of the two designated passenger loading areas to facilitate orderly and expedient passenger loading.

A greater presence is needed in the afternoon due to the increased volume of vehicular and pedestrian traffic. One or more staff member(s) should be present at each of the two designated pedestrian crossing points along the internal roadway to assist students in crossing the path of vehicular traffic. One staff member should be present at the parking lot driveway on Philip Avenue to assist vehicles in entering the street and guide the vehicles to the designated secondary loading area on Philip Avenue. It is recommended that the staff should oversee operations and ensure traffic flows according to the TMP. Other general protocols to be imposed:

- parking in the queue lines should be discouraged
- passenger unloading and loading should only occur at the curbside

