

8-1-12

ORDINANCE NO. 28724

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as a Light Mixed Use Subdistrict within Planned Development District No. 631 (the West Davis Special Purpose District) and an R-7.5(A) Single Family District:

BEING a portion of Lot 11 and Lots 4, 5, 12, 13, 14, and 15 in City Block 1/8340; fronting approximately 175 feet on the south line of Davis Street and 225 feet on the west line of Dwight Avenue; and containing approximately 1.3 acres,

to be used under Specific Use Permit No. 1979 for an open-enrollment charter school; providing that this specific use permit shall be granted subject to certain conditions; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

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WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as a Light Mixed Use Subdistrict within Planned Development District No. 631 and an R-7.5(A) Single Family District, to be used under Specific Use Permit No. 1979 for an open-enrollment charter school.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is an open-enrollment charter school.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on August 8, 2017, 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. HOURS OF OPERATION: The open-enrollment charter school may only operate between 7:30 a.m. and 4:30 p.m., Monday through Friday, for normal school day activities.
6. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.
7. PARKING: Parking must be located as shown on the attached site plan.

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8. TRAFFIC MANAGEMENT PLAN:

- A. In general. The operation of an open-enrollment charter school must comply with the attached traffic management plan.
- B. Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.
- C. Traffic study.
 - i. The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by March 1, 2013. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1st of each odd-numbered year.
 - ii. The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different 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.
 - iii. 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.

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- 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.

- i. A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3) of Chapter 51A of the Dallas City Code, as amended.
 - ii. The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.
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.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

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

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

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY



Assistant City Attorney

AUG 08 2012

Passed _____

28724**PROPERTY DESCRIPTION****Honors Academy
4912 West Davis Street**

Being a tract of land in the W. Cockrell Survey, Abstract 246 and being the south twenty-five (25) feet of Lot 11 and all of lots 12, 13, 14, 15, 4 and 5 in Dallas City Block 1/8340 of Bond's Annex to Arcadia Park, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat recorded in Volume 2, Page 353, Map Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at the intersection of the current south line of West Davis Street (100' right of way) with the west line of Dwight Avenue (50' right of way) (and being 25 feet south of the northeast corner of Lot 11 of said Block 1/8340; original platted line of this Lot and Block);

THENCE south, along said West line of Dwight Avenue and the east line of Block 1/8340, a distance of 225 feet to a point in the southeast corner of lot 15, a point for corner;

THENCE west, along the south line of lot 15 passing the line between lot 15 and lot 5 continuing along the south line of lot 5 a distance of 350 feet to a point in the east line of Bond Avenue a point for corner;

THENCE north along the east line of Bond Avenue a distance of 100 feet to a point in the east line of Bond Avenue and the northwest corner of lot 4 in Block 1/8340, a point for corner;

THENCE east along the north line of lot 4 a distance of 175 feet to a point, the northeast corner of lot 4 and the southwest line of lot 13, a point for corner;

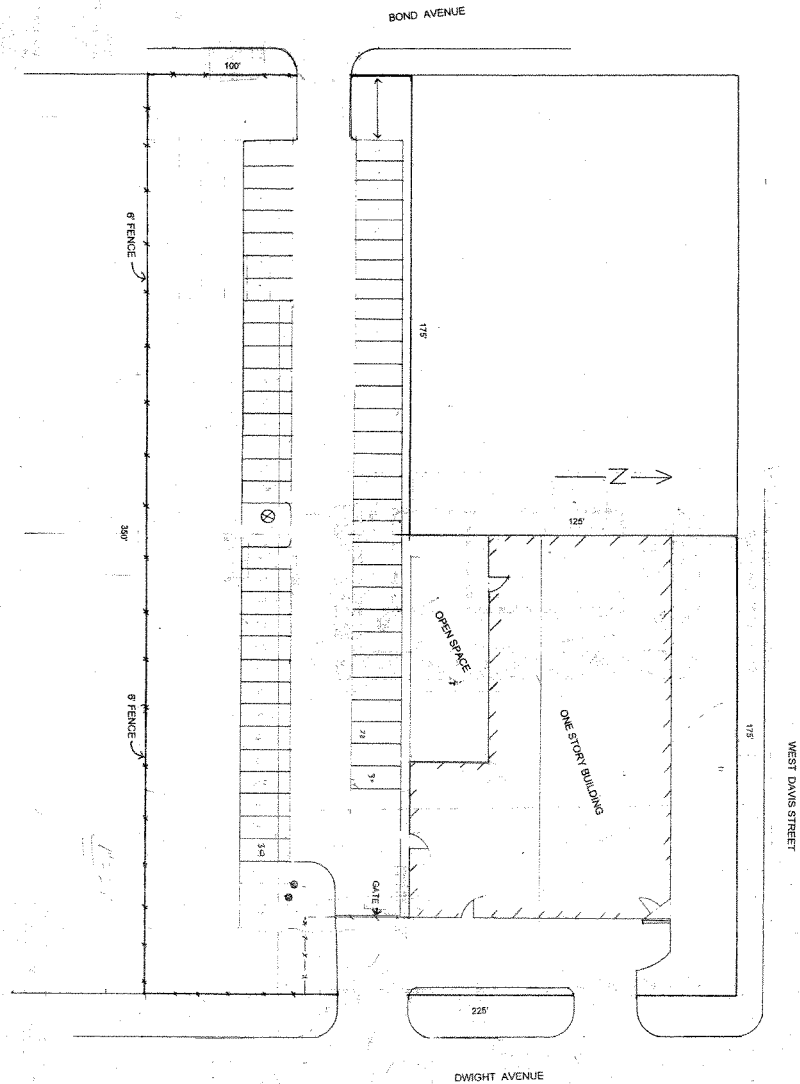
THENCE north along the west line of lot 13 passing the southwest corner of lot 12 continuing along the west line of lot 12, passing the southwest corner of lot 11 a distance of 125 feet to a point in the south line of West Davis Street;

THENCE east along the south line of West Davis Street a distance of 175 feet to the POINT OF BEGINNING and containing 56,875 square feet of land.

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Site Plan

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Specific Use Permit
No. 1979

Approved
City Plan Commission
June 7, 2012

SPECIFIC USE PERMIT
FOR CHARTER SCHOOL

2/12-2/11

HONORS ACADEMY
4912 WEST DAVIS
GRADES 5 THROUGH 12
CLASSROOMS: 5-8, 8
10-12, 4
MAXIMUM STUDENTS: 175
1.400-45-12-13-14-15 and south half of lot 11
Dwight City Block 18-20
PARKING REQUIRED: 58
PARKING PROVIDED: 60

Traffic Management Plan

Traffic Management Plan and Queuing Analysis

Honors Academy ~~Z112-211~~

4912 West Davis Street, Dallas, TX

March 23, 2012

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Organization and Schedule:

The proposed Honors Academy is a proposed public charter school located at an existing building on the southeast corner of Davis Street and Bond Avenue. The proposed school would have up to 175 students in grades 6-12 as follows:

Grade	Proposed Classes	Proposed Number of Students	Drop-Off Time	Dismissal Time
6 th – 9 th Grade	6	100	7:30-8:30 AM	3:30 PM
10 th – 12 th Grade	4	75	7:30-8:30 AM	3:30 PM
Total	10	175		

Morning drop-off is from 7:30-8:30 AM for all students. Afternoon pick-up starts at 3:30 PM for all students.

The school reports that a significant portion of the student population will use the DART transit system to reach the campus. There is a DART bus stop adjacent to the school at the corner of Davis Street and Dwight Avenue. Route 376 serves the local area and connects to the Cockrell Hill Transfer Location which offers connections to bus routes across West Dallas. As the number of students using DART is impossible to forecast, this queuing analysis will assume that the full 175 students are using the loading areas. However, the queuing analysis results should be considered conservatively high since fewer students will be using the loading areas than are assumed.

TMP Operation:

The TMP operates with the same vehicle route in both morning drop-off and afternoon pick-up time periods. Vehicles enter from Bond Avenue, which has easy access from Davis Street in the north and Jefferson Boulevard in the south. Vehicles proceed across the parking lot and load/ unload at three loading stations on the east side of the building. Additional queuing space is provided by double-stacking the queue in the 24' parking aisle, with the double-stacked portion of the queue combining into a single line as it turns towards the loading areas. After loading/unloading, the vehicles exit to Dwight Avenue, where they can reach Davis Street or Jefferson Boulevard.

For the afternoon pick-up time period, arriving vehicles will display a sticker or placard indicating which student(s) they are picking up. The traffic administrator posted in advance of the loading stations looks for this information and calls ahead to the loading station so that the appropriate students are waiting at the correct loading station when the vehicle arrives. When the vehicles have come to a stop at the loading station, the students are loaded into the vehicles with the assistance of the staff member at each loading station.

The double-stacked queue using the specified path would provide a total of 740' of available queuing length..

Queuing Analysis:

Based on observations of queuing at other public charter schools in the DFW area, KHA uses a design standard for projecting queue demands at similar sites. The expected maximum queue in vehicles is equal to 20% of the

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largest number of students dismissed at one time. Students using buses or walking/biking are deducted from the student number since they do not attract personal vehicles to the campus. This method accounts for the differences in how schools divide up the pick-up time period, as some dismiss all students in one group and therefore have higher vehicle demands in a short time period, while some spread out the dismissals over two or more groups. The projected queue formula can be stated as:

$$(\text{Students dismissed in time period} - \text{Students using other modes}) * 0.20 = \text{Number of vehicle in queue}$$

The Honors Academy will use one pick-up group of all 175 students, and there is no busing planned for the campus other than the expected DART ridership which is not considered. For a conservative analysis no students are expected to be pedestrians or bicyclists, or drive their own vehicles, so all 175 students are assumed to be picked up by personal automobile. Therefore, the projected queue length is:

$$(175 \text{ students dismissed} - 0 \text{ Students using other modes}) * 0.20 = 35 \text{ vehicles in queue}$$

The projected queue of 35 vehicles translates to 700' of queuing distance. This distance is well in excess of the recommended values for equivalent Texas schools found in the Texas Transportation Institute (TTI) research report 0-4286 *Operations and Safety Around Schools* published in January 2004. The more conservative (longer queues) KHA method reflects the nature of charter schools which draw from a large area and tend to have fewer students arriving by bus, pedestrian, or bicycle than traditional public schools.

The projected maximum queue demand of 700' can be accommodated within the 740' of distance available in the TMP.

Projected Queue Demand:	740'	37 Vehicles
Available Queuing Distance:	700'	35 Vehicles
Surplus (Deficiency):	40'	2 Vehicles

Parking:

The site contains a total of 60 parking spaces. The school use, with 6 middle school classrooms at 3.5 spaces each and 4 high school classroom at 9.5 spaces each, requires 59 parking spaces per Dallas City Code §51A-4.202(17)(C).

Summary:

This TMP defines the drop-off and pick-up procedures for the Honors Academy with a maximum enrollment of 175 students. The TMP vehicle routes provide an available queue distance within the site that is greater than the projected maximum expected queue for the school's operations. The school traffic will never be allowed to queue vehicles in the ROW of any City street or alley, nor will the traffic on any City street be stopped or diverted. The property owner/school administrator is responsible for the administration of the TMP and ensuring that the vehicle queue does not affect the City streets. The TMP should be reevaluated at intervals as directed by the City in the SUP language.

Based on the vehicle queuing analysis conducted and the resulting Traffic Management Plan, I, Scot A. Johnson, P.E. #92615, certify that the results indicate that no queuing of vehicles dropping off or picking up students at the Honors Academy will extend onto City of Dallas rights-of-way.

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In order to ensure that all queuing of vehicles is completely accommodated on school property, Honors Academy administrative officials should implement the proposed Traffic Management Plan, monitor the operation on a continuing basis, and if any vehicle queuing should begin to occur on public right-of-way, take the necessary action to mitigate it.

Only uniformed police officers should be allowed to direct and control traffic operating within the public right-of-way.

Prepared by:

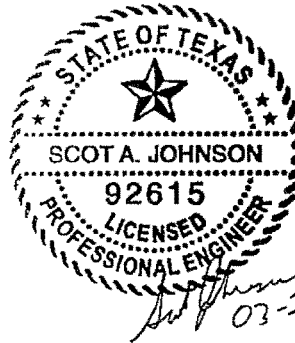
Kimley-Horn and Associates, Inc. F-928

Scot A. Johnson, P.E., PTOE

12700 Park Central Drive, Suite 1800

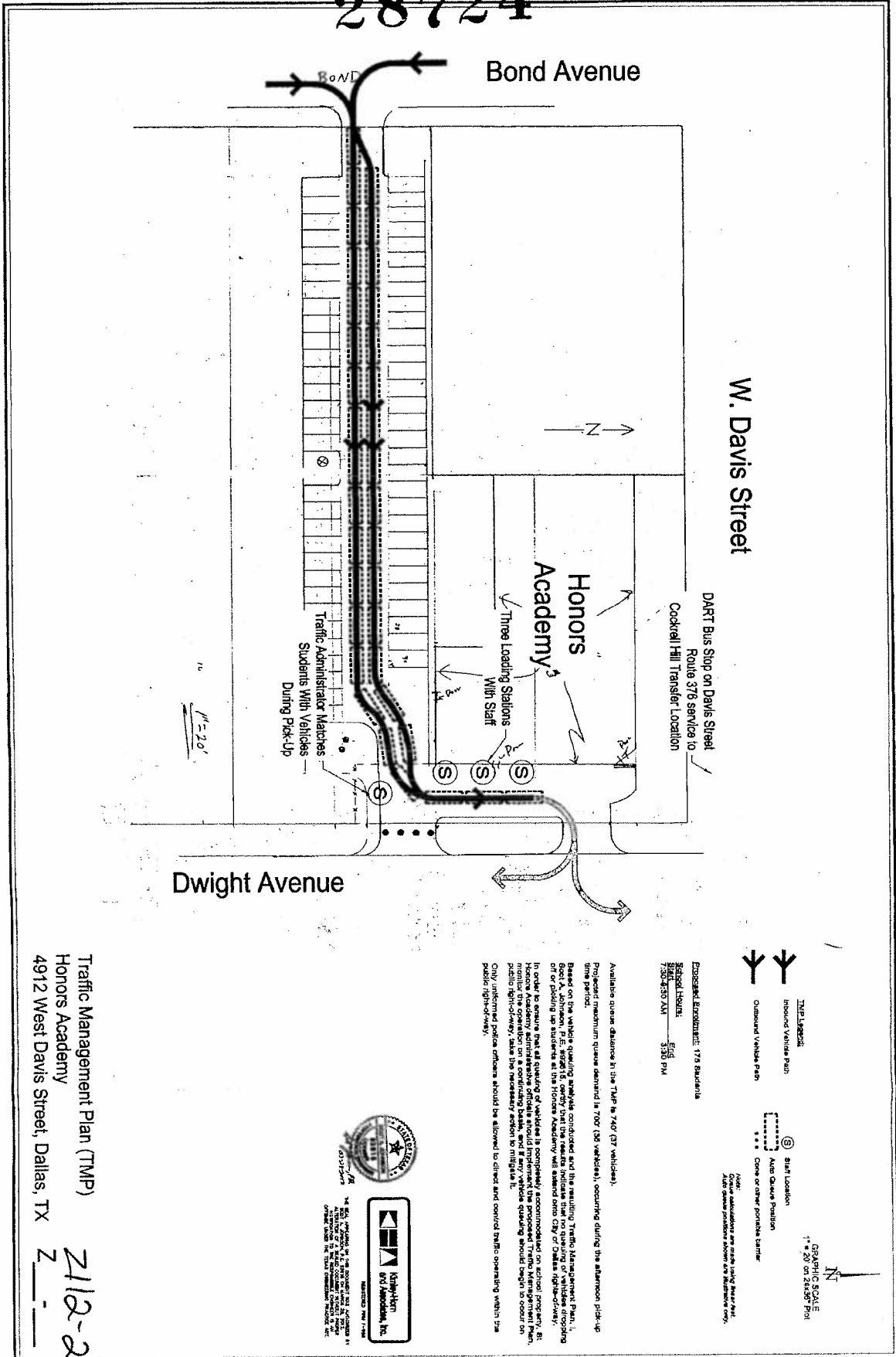
Dallas, TX 75251

(972) 770-1300



Traffic Management Plan

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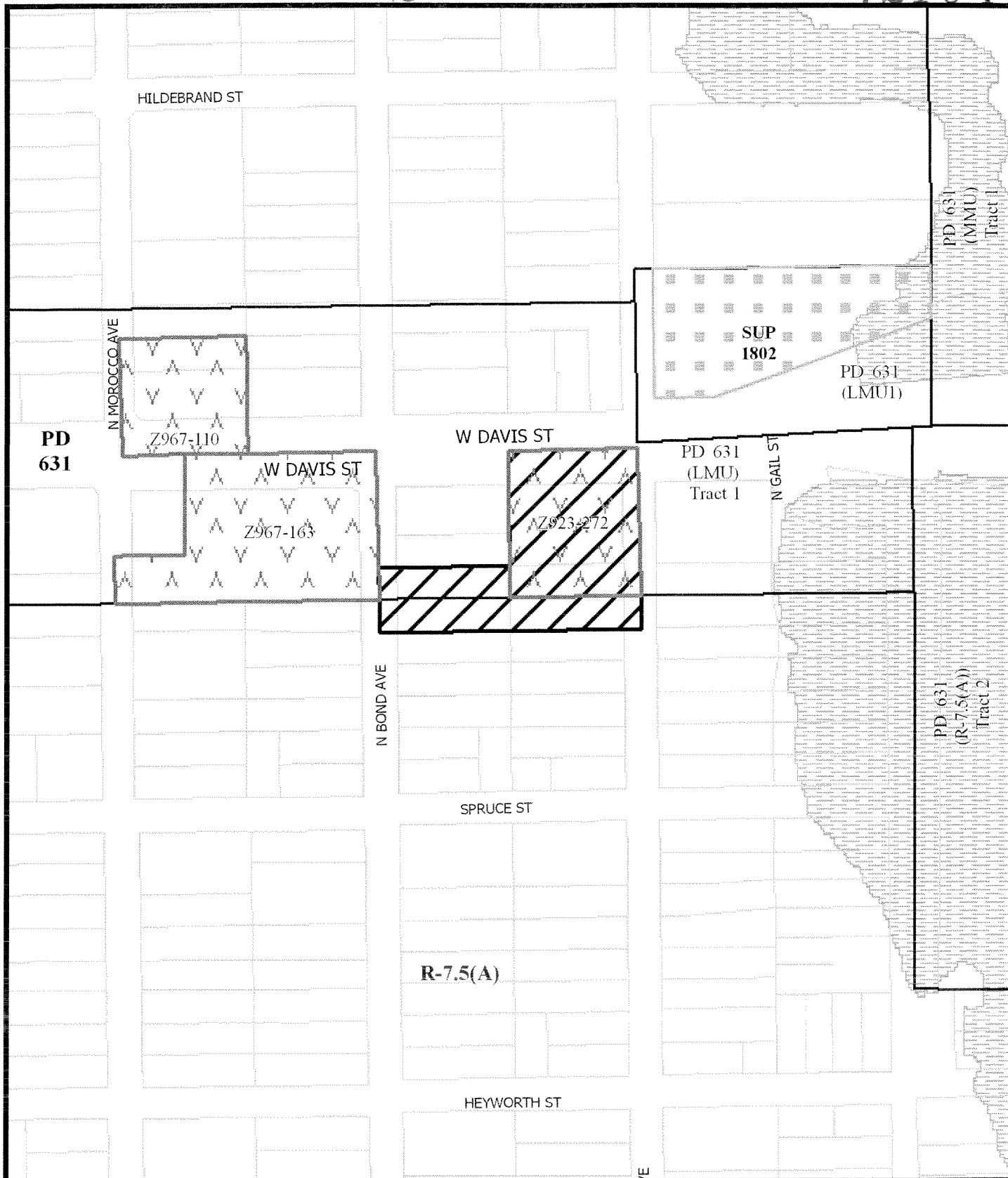


Specific Use Permit
No. 1979

Approved
City Plan Commission
June 7, 2012

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1:2,400

ZONING AND LAND USE

Case no: **Z112-211**

Date: **4/20/2012**