

EXHIBIT “C”

to that certain
Disposition and Development Agreement
entered into by and between
The City of Garland, Texas, a home rule municipality,
and
Oaks Properties Development LLC, a Minnesota limited liability company

Design Standards

[attached]



Planning Report

File No. 12-55/District 7

Agenda Item:

Meeting: City Council

Date: February 5, 2013

The Charter School Fund, LLC

North of Belt Line Road and west of North Shiloh Road

REQUEST

Approval of 1) a Specific Use Permit for a Charter School on property zoned Shopping Center (SC) District and 2) a variance to Section 24-600 of Comprehensive Zoning Ordinance 4647 regarding building height.

OWNER

Harold Peek

PLAN COMMISSION RECOMMENDATION

On January 14, 2013 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of the Specific Use Permit for a period of thirty (30) years tied to The Charter School Fund, LLC and a variance to Section 24-600 of Comprehensive Zoning Ordinance 4647 regarding building height. Plan Commission recommended the following conditions and the applicant agreed:

- The charter school shall only contain grades kindergarten through eighth grade.
- No lighting shall be provided on the outdoor athletic fields.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Permit for a Charter School on property zoned Shopping Center (SC) District. Developing the property with an institutional use would provide a greater transition from intensities of non-residential uses to the south of the subject property and buffer the adjacent residential district from incompatible uses. The thorough traffic management plan will help to mitigate the impact of vehicles on the surrounding area.

Approval of 2) a variance to Section 24-600 of Comprehensive Zoning Ordinance 4647 regarding building height. The majority of the building complies with the height limitations of the ordinance and the varied height will allow for horizontal articulation along the roofline of the building, providing more visual interest.

BACKGROUND

The applicant requests approval of a Specific Use Permit to develop 13.237 acres of a 23.64 acre tract of land with an approximately 90,100 square foot Charter School. The site is currently used as a driving range and a par three, nine hole golf course. Charter Schools require approval of a Specific Use Permit

through the public hearing process in all zoning districts. The Charter School will be comprised of grades kindergarten through eighth grade with approximately 1,296 students.

SITE DATA

The subject lot contains 13.237 acres with approximately 615 feet of frontage along North Shiloh and approximately 30 feet of frontage along Belt Line Road.

USE OF PROPERTY UNDER CURRENT ZONING

The Shopping Center (SC) District provides for the establishment of convenient retail and personal service activities by grouping compatible uses in a single center which is designed in an integrated manner according to an overall site plan. The Shopping Center (SC) District accommodates shopping center development having a neighborhood or community service area. The Shopping Center (SC) District requires approval of a Specific Use Permit for a Charter School.

CONSIDERATIONS

1. The proposed charter school will be operated as the International Leadership of Texas, with 64 classrooms and specific rooms for music, art science and a library/media center. The curriculum, for kindergarten through eighth grade, is based on an accelerated pace of study with a focus on character building while incorporating a fitness and wellness program. The hours of operation would be during the traditional school year Monday through Friday 7am to 4:15pm. Grades kindergarten through fourth will start school at 7:45am and end at 3:45pm and grades fifth through eighth will start at 8:15am and end at 4:15pm.
2. The proposed charter school will include an indoor gymnasium as well as athletic fields to the west of the building. The athletic fields will not be illuminated and will only function during school hours. The athletic fields also serve as a storm retention system to assist with the impact of storm water on the site.
3. The parking requirement for a Charter School is based on the age and number of students. One parking space is required for each 20 elementary students, one space for each 15 middle school students, and one space for each 3 high school students. The applicant estimates there would be mostly elementary students along with a number of middle school students for a total of 1,296 students. The parking required is 108 spaces and the applicant is providing 197 spaces.
4. Based on the size of the Charter School and the location, the Transportation Department requested a Traffic Impact Study to be submitted by the applicant to analyze the traffic impacts on North Shiloh Road, Belt Line Road and surrounding area. The thorough analysis provided the Transportation Department with the necessary information to recommend the following:

- A northbound left turn lane with a dimension of 200 feet storage length and 100 feet transition to be constructed at the median opening at the north school driveway on Shiloh Road.
 - A southbound right turn lane with a dimension of 100 feet storage length and 100 feet transition to be constructed at the north school driveway on Shiloh Road.
 - A westbound right turn lane with a dimension of 100 feet storage length and 100 feet transition to be constructed at the school driveway on Belt Line Road.
 - For the south route, combine the two pick up/drop off lanes into one continuous pick up/drop off lane south of the school and athletic fields.
 - Develop an operation procedure to include an on-site traffic circulation for morning drop-off and afternoon pick-up for the different grade levels, dismissal times, and during inclement weather.
 - On-site signage and pavement markings designating pick up/ drop off lanes.
 - A map of the traffic circulation and instructions for pick up/drop off will be included in the student/parent information package.
 - Any deviation from the approved pick up/drop off procedure will require approval from the Transportation Department.
5. The applicant has revised the plans to meet all the aforementioned conditions from the Transportation Department. They will also implement varied start and end times to reduce the concentration of vehicles at any one time. As stated before, grades kindergarten through fourth will start school at 7:45am and end at 3:45pm and grades fifth through eighth will start at 8:15am and end at 4:15pm. The applicant has worked closely with the Transportation Department to devise a traffic circulation plan that will minimize the impacts on the adjacent thoroughfares and surrounding area.
6. The applicant is proposing a one story building comprised primarily of stucco with brick on portions of the facades. The building will be articulated with columns and offsets to minimize the appearance of a long uninterrupted façade. Section 24-600 of the Comprehensive Zoning Ordinance dictates the maximum height within the Shopping Center District as thirty (30) feet. The applicant is requesting a variance to exceed the thirty foot height on three elements: the peak of the gable feature over the main entrance at approximately 42 feet, the adjacent parapet at approximately 33 feet and the parapet around the gymnasium at 31 feet. The tallest portion of the building is approximately 300 feet from the adjacent residential district and faces North Shiloh Road. The variations in height provide a preferred design aesthetic by the applicant.
7. The landscape plan is in compliance with the Screening and Landscape Standards including a six (6) foot tall masonry wall with one tree planted for every thirty linear feet along the adjacent residential district to the north.

8. The applicant is proposing two signs on the property: a programmable monument sign on North Shiloh Road and a sign on Belt Line Road. The sign on North Shiloh Road will be approximately 10 feet in height, 44 square feet in sign area. The sign on Belt Line road is 6 feet, 8 inches tall and 32 square feet in sign area. The driveway access on Belt Line is crucial to the overall traffic circulation plan and the sign on Belt Line will help to identify the entrance to the school.
9. There are established residential dwellings immediately to the north of the proposed Charter School but the school building and parking lot are separated from the residential property lines by 120 feet and 40 feet, respectively. Additionally, the masonry wall and landscaping along the common property line will help to mitigate any noise or visual impacts.
10. The applicant is requesting approval of the Specific Use Permit for thirty (30) year period tied to The Charter School Fund LLC.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan designates the subject property as Compact Neighborhood. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The zoning on the subject property is Shopping Center District and if the property were to be developed with shopping center uses it would be contrary to the proposed future land use within Envision Garland. Developing the property with an institutional use would provide a greater transition from intensities of non-residential uses to the south of the subject property and buffer the adjacent residential district.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property immediately to the north of the subject property is zoned and developed with single family residences. The property to the west is zoned within a Planned Development for a Health Care and Rehabilitation Center. Property to the immediate south is zoned Shopping Center with SUP for Commercial Amusement, Outdoor (driving range). The property further south is zoned Shopping Center with an SUP for Retail Sales with Gas Pumps and is developed with QuikTrip convenience store/gas station. Although the zoning allows for shopping center uses, the development of the property with an institutional use would be appropriate given the proximity to residential and the full utilization of land. The site will be developed in such a way that the remaining portion of the existing driving range could be developed with shopping center uses in a configuration further from the residential and consistent with similar commercial developments in the area. Provided the applicant complies with the City's standards and any additional conditions required as a part of the Specific Use Permit, the Charter School would be a compatible use with the surrounding zoning and land uses.

Prepared By:

Chasidy Allen, AICP
Principal Planner

Date: January 24, 2013

Reviewed By:

Neil Montgomery
Director of Planning

Date: January 25, 2013

Reviewed By:

William E. Dollar
City Manager

Date: January 28, 2013