

PLANNING AND ZONING COMMISSION DRAFT MINUTES OF NOVEMBER 7, 2016

Commissioner Kurt Johnson recused himself from case S160904, due to a conflict of interest.

PUBLIC HEARING AGENDA Item #23 – S160904 - Site Plan - New Harmony Elementary School (City Council District 6). Chief City Planner Jim Hinderaker presented the case report and gave a Power Point presentation to approve a site plan to construct and operate a school. The 8.98-acre property, located at 4603, 4607, and 4611 S. Carrier Parkway, is zoned PD-136C. The applicant is Joyce Stanton, DiSciullo-Terry, Stanton & Associates and the owner is Hakan Yagci, Charter School Solutions.

Mr. Hinderaker stated the subject site is zoned PD-136C for single family detached uses with a base zoning of Single Family-6 District. The proposal meets all applicable minimum dimension requirements for the Planned Development district ordinance and the Unified Development Code. School, Public/Private/Parochial/(K-12), is defined by the UDC as “a school under the sponsorship of a public, private or parochial agency, having a curriculum generally equivalent to public elementary or secondary schools, but not including trade, vocational or commercial schools.”. Schools are permissible by-right in the PD-136C District; however new development in Planned Development Districts require a site plan approved by the City Council.

Mr. Hinderaker stated the required parking for this use has been analyzed and the required parking meets the requirements of the UDC. A traffic impact analysis has been prepared which analyzes the impact of traffic generated by this use on existing roadways. The traffic impact analysis also provides an analysis and recommendations to address the necessary queuing of vehicles for the school. The Executive Summary from the Traffic Impact Analysis, included as an attachment to the staff report, provides an overview of the report. The PD-136C ordinance requires 85% of the building façades, excluding windows and doors, to be brick or stone. The proposed building, excluding windows and doors, is 100% masonry. The subject site is within the Westchester area. Many of the non-residential projects in the Westchester area have dark red brick. The landscape plan is consistent with the requirements set forth in Article 8 of the UDC and the PD-136C ordinance. The maximum height permissible at this location is 25 feet. A portion of the building is 27 feet. The applicant is requesting an exception to the requirement to allow the building to be constructed as proposed. Staff does not object to this appeal.

Mr. Hinderaker stated the Development Review Committee found that the proposal meets the minimum requirements of the UDC and PD-136C, subject to the conditions presented in the case report.

Commissioner Lopez asked where the primary drop-off would be located.

Mr. Hinderaker replied the main school entrance would be located along Polo Road, but would have an access on S. Carrier Parkway. The entrance off Polo Road would follow a clockwise direction where the children would be dropped off and picked up.

Commissioner Dr. Perez asked if there has been any mitigation between the Police Department and the school regarding the traffic. Dr. Perez said he appreciates the time and dedication given by staff on this case.

Mr. Hinderaker replied yes, staff's position is to make sure the school meets all of the site plan technical requirements of the UDC.

Commissioner Connor asked who would enforce the no parking and no standing of vehicles signs.

Mr. Hinderaker replied the no parking signs would be enforced by the Police Department.

Commissioner Smith asked why Harmony would want to come to an established neighborhood.

Commissioner Spare noted this is his district as a Commissioner and traffic is already a problem coming from Interstate 20 and Camp Wisdom and asked if these locations were a part of the TIA study, did the City consider other locations.

Mr. Hinderaker replied no.

Commissioner Moser asked Transportation Director Walter Shumac, did he review the traffic study and is in agreement with the TIA study being presented.

Mr. Shumac replied yes, he is in agreement with the study that was conducted.

Chairperson Motley noted there were no more questions for staff, opened the public hearing, and asked for speakers.

Erin Wolf with Harmony School was present representing the case and to respond to questions from the Commission. Erin stated she has worked in public schools for over ten years. Harmony has thirteen locations in the DFW area and 48 campuses in Texas they are a high performance Charter School and would be an asset to this community.

Commissioner Spare stated Harmony does not have support from this community, why was this location chosen to locate their school.

Erin said this property was the best piece of land for the price and a great location. Harmony would be splitting their Dallas location, the Nature Center Campus, and relocating some of their students to this location.

Commissioner Spare what is their plans to make sure the children are not being dropped off and walking through the neighborhood.

Erin stated they are optimistic their ingress and egress would work out and would be glad to meet with the community if these types of problems arise.

Commissioner Smith said with so much opposition from the community what would, they do to assure the community/neighborhood is comfortable with this development.

Erin replied they would make sure to follow through with all of the Cities regulations and would be glad to allow the HOA/PID to use their facility when needed. She grew up in the Westchester neighborhood and her parents live in Westchester and she is confident this school would be a good asset to the students and community they are doing right by kids.

Commissioner Dr. Perez asked what percentage of students would come from other cities, and did she attend any of the neighborhood meetings.

Erin stated it is hard to say, but they do have some students that come a long way to attend their schools. She did attend some of the neighborhood meetings.

Commissioner Connor asked if they have experienced traffic issues at their other facilities.

Erin replied no, nothing more than normal traffic for schools.

Commissioner Lopez asked if the campus located in north Grand Prairie would remain open, and would they provide cross guards at this location.

Erin stated the north campus would remain open and yes they would be providing school cross guards.

James Dolphin with Charter School Solutions, 600 Travis, Suite 4200, Houston, TX stepped forward in support of this case. Mr. Dolphin stated they do have children that come from other places, but they would also have students from the surrounding community attending this school. They would be transferring about 300 students to Grand Prairie, but 50% of the students would come from Grand Prairie.

Joyce Stanton Civil Engineer/Surveyor with Disciple-Terry, Stanton & Associates 1905 Ivy Green Court, Pantego, TX stated staff has been wonderful to work with they did meet with the HOA at City Hall. Joyce gave a presentation to the Commission, noting all of the requirements have been met for this project, she asked this site plan be approved.

Crystal and Phrett McAnalley, 4921 S. Carrier Parkway, Grand Prairie, TX stepped forward in support of this request. Mrs. McAnalley said she has works for the school district, and schools do bring a lot of traffic, but they work with the community and Police Department to come up with a plan to make the traffic work. Phrett stated he attends Harmony and he has nothing but good things to say about his school it's a great school that has helped him reach a lot higher than he could ever have, because of the teachers. He said Harmony is an excellent school.

Christine Grudecki, 2837 Ingram Drive, Grand Prairie, TX stepped forward in support of this request. She has lived in Grand Prairie for twenty-five years in the Westchester neighborhood and they chose Harmony as their school, parents will drive a long way to come to this school, because of their teachers and drives through this traffic every day and does not understand what the problems is. Harmony holds them-selves very highly and has helped her son, who is HDHD, when no other school would work with him Harmony help him achieve.

David Etzold, Harmony School Consultant, 310 N. Masa, Suite 824, El Paso, TX stepped forward in support of this request. He said staff has worked very hard on this case along with his staff and both have done a great job. This site is not in the HOA boundaries, but they are in agreement and would be paying into the Westchester PID.

Chairperson Motley noted several speaker cards submitted in support, but did not wish to speak.

Nitu Tha, 10106 Tehcnology Boulevard, Dallas, TX 75220

David Bingham, Grand Prairie, TX

Ernie (?) Kasaalp, 525 Westchester Pkwy Apt 115, Grand Prairie, TX

Jami Wittman, 322 Blueberry Ln, Grand Prairie, TX

Michael King, 628 Creekwood Ln, Grand Prairie, TX

Ashley Hahn, 1710 Norman Cir, Arlington, TX

Joanna Sewell, 5840 Hayes Rd, Midlothian, TX

Alyssa McNeely, 205 N 5th St Apt A, Midlothian, TX

Maksat Altien, 2175 N SH 360 Apt 810, Grand Prairie, TX

Ashley Rodriguez, 342 Spring Branch Ln, Kennedale, TX

Christine Ibarra, 7450 Emory Oak, Dallas, TX

Fernando Ibarra, 7450 Emory Oak, Dallas, TX

Fatii, 2114 Orchard Tr, Garland, TX

Alicia Stratton, 2303 Lindblad Ct, Grand Prairie, TX
Paula Andega, 3235 Pamplona, Grand Prairie, TX
Aydogan Altun, 6729 Morningcrest Ct, Arlington, TX
Muhammet Pakdil, 5349 Amesbury Dr Apt 803, Dallas, TX
Jesus Sanchez, 5727 Mountain Hollow Dr, Grand Prairie, TX
Mayra Alanis, 5727 Mountain Hollow Dr, Grand Prairie, TX
Holly McDonald, 5616 Paladium Dr, Grand Prairie, TX
Veronica Guerrero, 3626 San Remo Dr, Grand Prairie, TX
Belinda Withers, 129 Crane Dr, Grand Prairie, TX
Deborah Cannon, 606 Turner Blvd, Grand Prairie, TX

Chairperson Motley noted several speakers in opposition to this request.

Rosemary Reed, 277 Donnie Lane, Grand Prairie, TX stepped forward in opposition to this request. Mrs. Reed presented staff with a petition in opposition to this development. She said their schools in Westchester are rated as one of the best schools in the nation. Harmony tried to come in without letting the neighborhood know, and have cause the neighborhood concerns with the traffic this school would bring to their neighborhood and therefore this school coming into their neighborhood is not support by the community. They do not want to see an empty school in the future especially one that is not needed in this community.

Alfonso Ramirez with Castleridge HOA, 4552 Knights Crossing, Grand Prairie, TX said he is a strong support for higher education, but they already have high quality schools in the neighborhood and they do not want to see any additional schools come into their community. Traffic is already a concern this development would disrupt their quality of life and asked the Commissioner to consider their concerns.

Mark Myers, 4544 Knights Crossing, Grand Prairie, TX said we are here with concerns, because of the small intersection and traffic issues this school would bring to the community. He is asking this case be tabled the school has not embraced their community. This TIA study was only based on Carrier and Polo and the TIA should be looked at for the entire Westchester area. Losing the trees in this area would disrupt their neighborhood character along with Friendship Park, which only has one entrance off Polo Road. He said this school would not embrace their community, and sked that he landscaping meet their requirements and match what is currently being used in Westchester.

At 9:00 p.m. the Commissioner took a 10 minutes break.

Darell Floyd, 537 Abbey Court, Grand Prairie, TX stepped forward in opposition to this request. Mr. Floyd spoke on behalf of the Castleridge community and presented the Commission with pictures of the traffic issues. Having your children attend a public school is one of best things for the community their schools are exemplary this charter school needs to move to another

location where schools have room for improvements. The roads are already congested and believes the TIA study is not accurate they should include the new neighborhood being constructed, along with the Ikea, Panera Bread, and Starbucks which would add additional traffic in the area. He said because of the congested traffic issues the Fire Department and Police would have a problem in case of an emergency. He asked the Commission not to approve this case.

Gloria Carrillo, 4536 Friars Lane, Grand Prairie, TX has lived in Grand Prairie since 1975, and is a school advocate, all of her children attended Grand Prairie schools. Westchester HOA, The Hills of Westchester, and Catleridge are premier neighborhoods and take good care of their neighborhoods and investments. She said information submitted tonight by a member of her community shows alarming examples of how Harmony schools are not a good neighbor and asked what would be best for their neighborhood and schools. Grand Prairie already has a Harmony School, and if the public schools lose 100 students this would create a short fall in funding and could cause a loss of teachers for GPID, which has gotten approval for a 9 million bond for new schools. This school is not needed in Grand Prairie.

Rodney Durr, Vice-President of the Westchester PID, 5027 Lost Creek Grand Prairie, TX was present in opposition to this case.

Skye Pryor, GPID School Board Member, 4540 Friars Lane, Grand Prairie, TX stated the school board has never looked into purchasing this property.

LaSandra Stroman, 4544 Mountain Laurel Drive, Grand Prairie, TX said her concern is the traffic, her neighborhood Westchester Grove has only one exit and it is onto Carrier Parkway.

Danika Leeks, 4403 Westchester Glen Drive, Grand Prairie, TX said she is trying to understand how this is happening in her neighborhood the traffic is already an issue she has a child that attends Gardener Academy and traffic is a major concern.

Carla Carlson, 617 New Castle Lane, Grand Prairie, TX said this development would cause more traffic concerns for the neighbor, she call the Police Department this week because of the traffic at Regan Middle School. She is opposed to this development.

Michelle Madden, 4599 Mountain Laurel Drive, Grand Prairie, TX stated this property is adjacent to her home, they only have one exit onto Carrier Parkway, the school might be a good school, but this is the wrong location.

Joe Picardo with Century 21, Judge Fite, 4519 Wescott Drive, Grand Prairie, TX works at the Albertson's shopping center and sees the traffic issues along Carrier Parkway. The businesses in the area survive, because of the Westchester community. He asked if there has been any concern

from Fire Station 9 not being able to go down these streets because of the traffic. His concern is the amount of traffic on Carrier Parkway and Polo Road.

Christina Salazar, 513 Cartgate Lane, Grand Prairie, TX stated they moved to this area because of the good schools, this neighborhood is not in need of charter school.

Mark Myers presented staff with a petition of over 300 signatures in opposition to this request.

Chairperson Motley noted several speaker cards submitted in opposition, but did not wish to speak.

Gary McGahey, 4552 Rugby Lane, Grand Prairie, TX
Robert De Los Santos, 335 E Sandra Ln, Grand Prairie, TX
Jerusha Lancaster, 5040 Stagecoach Way, Grand Prairie, TX
Janice Harris, 676 E Sandra Ln, Grand Prairie, TX
William Harris, 676 E Sandra Ln, Grand Prairie, TX
Sarah Entwistle, 4592 Mountain Laurel Dr, Grand Prairie, TX
Mary Simmons, 4552 Durrand Dr, Grand Prairie, TX
Chad Bates, 4531 Bowie Ln, Grand Prairie, TX
Chere M Leonard, 4573 Rugby Ln, Grand Prairie, TX
Rosalia Diaz, 7127 Long Canyon Trl, Dallas, TX
Victor Morales, 7127 Long Canyon Trl, Dallas, TX
Michael Murphy, Grand Prairie, TX
Alisa Allen Thomas, 4556 Rugby Ln, Grand Prairie, TX
John McGahey, 554 Mercer St, Grand Prairie, TX
Kisha Morris, 335 Suffolk Dr, Grand Prairie, TX
Eduardo Aleman, 542 Newberry St, Grand Prairie, TX
Jz Fields, 4923 Autumn Hill, Grand Prairie, TX
Marva McGahey, 554 Mercer St, Grand Prairie, TX
Kathryn Monette, 1814 Abilene Ct, Grand Prairie, TX
Darren Sheriff, 5171 Clydesdale Dr, Grand Prairie, TX
Jeffery Chavers, 334 Tokara Ct, Grand Prairie, TX
Toyette Dowdell, 640 Boer Ct, Grand Prairie, TX
Tandi Smith, 511 Suffolk Dr, Grand Prairie, TX
Andrea Chapa, 503 Lusino Ct, Grand Prairie, TX
Lawrence Chapa, 503 Lusino Ct, Grand Prairie, TX

Joyce Stanton Civil Engineer/Surveyor for Harmony School stepped forward for a rebuttal wanting to move forward with this request.

Chairperson Motley stated we have heard a lot of input on this case, and asked staff if they have heard any rational to change their views on this case. Mr. Motley asked if the TIA Study meet all of our requirements.

Mr. Hinderaker replied no, but he understands the neighborhoods concerns, and they are very sincere, but the site plan approval criteria have been met. Mr. Shumac stated the TIA study does meet all of the requirements.

Chairperson Motley stated he grew up in Grand Prairie and went to Grand Prairie schools, he then left to the University of Texas, but came back to make this his home he has served on the school board, but times have changed we now have Charter Schools we cannot say if they are good or bad, they have been given that choice by the parents of students that attend those schools and by our legislator this school has a right to come in. Schools will always bring traffic and he does not believe the TIA study is inaccurate, the only compelling reason he has heard tonight was from Phrett McAnalley education is about children and their parents.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approve case S160904 as presented by staff, the ordinance to include that Harmony will pay into the Westchester PID, incorporate in the landscaping requirements the tree spacing, and meet the Westchester tree standards, and the gym be constructed according to the ordinance of 25 feet.

Commissioner Spare stated he understands the needs of the community this is a very important case, he does not have a problem with Charter schools, but he cannot support this case as a Commissioner representing this district.

Commissioner Smith stated she is not in agreement with this decision and cannot support this request.

The action and vote being recorded as follows:

Motion: Moser

Second: Womack

Ayes: Moser, Motley, Womack

Nays: Connor, Lopez, Dr. Perez, Smith, Spare

Abstain: Johnson

Motion Failed to Approved: **3-5**

Motion: **carried.**