

ON 04.27.2011 DATE *JM* INITIALS

 City of Coral Gables Planning Department Staff Recommendation	
Applicant:	Somerset Grace Charter School of Coral Gables
Application	Change in Land Use, Conditional Use and Site Plan Review Applications (#07-10-113-P)
Property:	624 Anastasia Avenue (University Baptist Church)
Public Hearing	Local Planning Agency/Planning and Zoning Board April 27, 2011, 6:00 – 9:00 p.m.

All documents are available online

www.coralgables.com



April 27, 2011
Planning and Zoning Board
Page 2

Applicant's Request

"Somerset Academy Grace Charter School at Coral Gables" has submitted 3 applications for City review and public hearing consideration:

1. Amendment to the Future Land Use Map of the City's Comprehensive Plan from "Religious/Institutional" to "Community Services and Facilities"

Applicant's Request

2. Conditional use review pursuant to Zoning Code to permit a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.

Applicant's Request

3. Site plan review to permit miscellaneous site improvements and a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.

April 27, 2011

Planning and Zoning Board

Page 5

Summary of Applications

- Increase the school's maximum enrollment from 110 (ages 3 – 13) to 735 students, permitting students Pre-K - Grade 8
- 675 of the 735 students shall be School Board of Miami-Dade County School students
- Remaining 60 students will be Church associated students
- School is currently operating with 110 Pre-K students
- No exterior building additions or modifications are requested to the existing structures

April 27, 2011

Planning and Zoning Board

Page 6

City Review Process

City Staff Responsibility

City Staff evaluates all applications and provides a recommendation to the Board and City Commission based upon conformance and/or consistency with the Comprehensive Plan, Zoning Code, City Code, and other applicable local, County and State agency requirements (i.e., Florida Statutes, etc.)

City Review Process

City Staff Responsibility

Review the Applicant's request for compliance with the Comprehensive Plan and Zoning Code and present **Findings of Fact** for "**Consistency**" or "**Inconsistency**" with the Comprehensive Plan and evaluation of various Zoning Code provisions to determine compliance

City Review Process

Planning and Zoning Board Recommendation

- Acts as the City's Local Planning Agency (LPA) for Change in Land Use applications
- Reviews Conditional Use/Site Plan applications
- Board's recommendation
 - Approval, or
 - Approval subject to specified conditions, or
 - Denial, or
 - Continuance to request additional info/further study

April 27, 2011

Planning and Zoning Board

Page 9

City Review Process

City Commission Decision

- City Commission reviews the application, the recommendations of staff, the Board of Architects and the Planning and Zoning Board recommendation
- City Commission considers the application and may grant approval, approval subject to conditions or deny the application at 2 separate public hearings

April 27, 2011

Planning and Zoning Board

Page 10

City Review Timeline

Type of Review	Date
Development Review Committee	05.07.10 and 06.16.10
Board of Architects – Site Plan	Approved - 04.07.2011
Board of Architects – Conditional Use	Approved - 04.07.2011
Local Planning Agency	04.27.11
Planning and Zoning Board	04.27.11
City Commission, 1 st reading	TBD
City Commission, 2 nd reading	TBD

April 27, 2011

Planning and Zoning Board

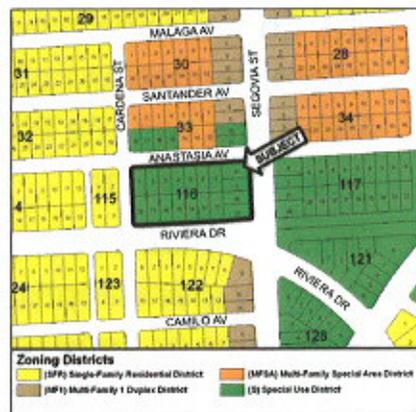
Page 11

Current Land Use/Zoning Designations

Existing Future Land Use Map Designation



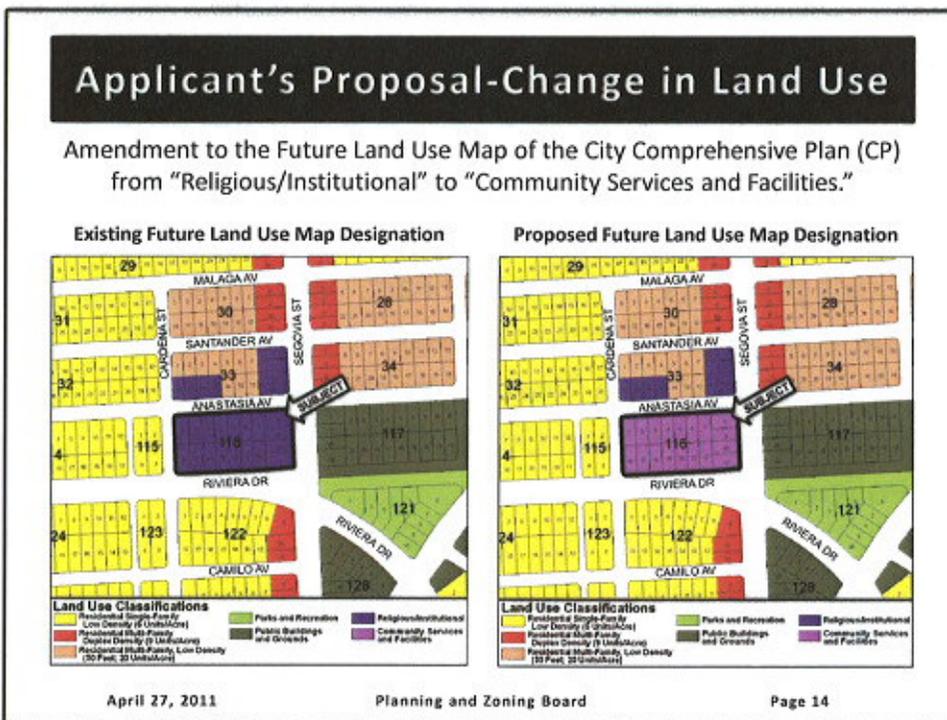
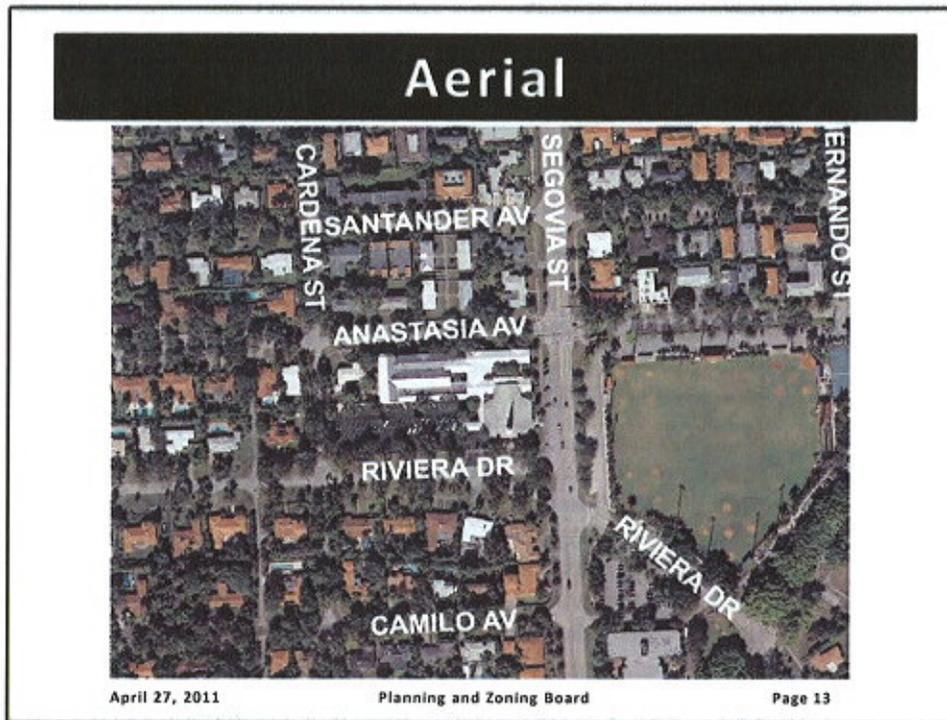
Existing Zoning Map Designation



April 27, 2011

Planning and Zoning Board

Page 12



Applicant's Proposal-Change in Land Use

Comprehensive Land Use Plan – "Table FLU-5. Other Land Uses."

Classification	Description	Density / Intensity	Height
Religious / Institutional	Churches, temples, synagogues, houses of worship, fraternal organizations, and related accessory uses such as educational and child care services and private clubs, country clubs and associated uses.	Maximum F.A.R. of 2.0.	Per the Zoning Code.
Community Services and Facilities	Buildings and adjacent land areas that serve a public and/or community function, including local, state, and federal government facilities; public and private schools and educational facilities (excluding University); medical and health facilities; and religious institutions.	Maximum F.A.R. of 2.0.	Per the Zoning Code.

Findings of Fact - Change in Land Use

City's presents "Findings of Fact" which evaluate the application for the Change in Land Use for "Consistency" and "Inconsistency" with the Comprehensive Plan Goals, Objectives and Policies

Findings of Fact - Change in Land Use

Staff evaluation of the Land Use application indicates:

- Provides for community facilities (church/school) within neighborhoods which is consistent with the historical/present development patterns of the City
- "Community Services and Facilities" land use provides for *"buildings and adjacent land areas that serve a public and/or community function, including local, state, and federal government facilities; public and private schools and educational facilities ;medical and health facilities; and religious institutions"* (Policy FLU-1.16)

April 27, 2011

Planning and Zoning Board

Page 17

Findings of Fact - Change in Land Use

Staff evaluation of the Land Use application indicates :

- Land Use designation is intended to allow for the joint use of facilities for community uses to support, protect, strengthen and enhance the City as a vibrant residential community
- Application is "Consistent" with the Community Services and Facilities Land Use as both schools/churches are identified as permitted uses for joint use within a facility

April 27, 2011

Planning and Zoning Board

Page 18

Findings of Fact - Change in Land Use

Staff evaluation of the Land Use application indicates :

- Application furthers the following CP to “*preserve Coral Gables as a “placemaker” where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses and providing facilities and services... which meet the social and economic needs of the community*” (Objective FLU-1 paraphrased)

April 27, 2011

Planning and Zoning Board

Page 19

Existing Places of Worship and School Location Map



April 27, 2011

Pla:

Findings of Fact - Change in Land Use

As is evident by the evaluation and Findings of Fact, City Staff supports the placement of schools, places of worship and other similar community based facilities within its neighborhoods. Places of worship and education are located throughout the City as was noted.

April 27, 2011

Planning and Zoning Board

Page 21

Findings of Fact - Change in Land Use

In conclusion, Staff evaluation and Findings of Fact as provided herein, support the Change of Land Use from Religious Institutional Land Use to Community Services and Facilities

April 27, 2011

Planning and Zoning Board

Page 22

Applicant's Proposal- Conditional Use and Site Plan Review Applications

1. Conditional use review pursuant to Zoning Code to permit a student increase of an existing charter school from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District.
2. Site plan review to permit miscellaneous site improvements and a student increase of an existing Charter School from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District

April 27, 2011

Planning and Zoning Board

Page 23

Zoning Designation

- Subject property is designated as an "S", Special Use Zoning classification
- Classification is consistent with the Applicant's Change in Land Use Application
- Places of worship and schools throughout the City are assigned the Special Use Zoning classification

April 27, 2011

Planning and Zoning Board

Page 24

Zoning Designation

- Any change in use, new uses, building additions, new construction within this classification are required to undergo "conditional use" and "site plan" review at public hearings
- Important to note, the uses listed in the "S" zoning district are "defined" per the Definition Section of the Zoning Code (Article 8) – The section identifies the allowable uses
- Any future expansion of this site shall be required to undergo public hearing review, public notice, etc.

April 27, 2011

Planning and Zoning Board

Page 25

Findings of Facts - Conditional Use and Site Plan Review Applications

City Staff evaluation of the Conditional Use/Site Plan Application's notes:

- Of the 14 schools located within the City, only 2 schools have requested and been granted City Commission approval for a increase in student population outside their original approval
- 1st - Granada Presbyterian providing for an increase from 100 to 188 (preschool) students in 1998 (via Ordinance No. 3325)
- 2nd - Gulliver Academy was granted an increase from 975 to 1,162 students in 1998 (via Ordinance No. 3341)

April 27, 2011

Planning and Zoning Board

Page 26

Findings of Fact- Conditional Use and Site Plan Review Applications

- Since the granting of the increase in student population, the City has updated all its codes extensively [Comprehensive Plan(1998/2009) , Zoning Code(2007) and City Code]
- Code updates provided for preservation of residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance

April 27, 2011

Planning and Zoning Board

Page 27

Findings of Fact- Conditional Use and Site Plan Review Applications

Site Plan Analysis

Type	Permitted/Required	Proposed
Total site area	111,000 sq. ft. (2.6 acres)	111,000 sq. ft. (2.6 acres)
Floor area ratio (FAR)	0.35 FAR	0.55 FAR**
FAR x total site area =	38,500 sq. ft.	---
Adjusted sq. ft. of buildings (church & residential)*	---	60,652 sq. ft.
Building heights:	45'-0"	Complies
Landscaping	35%	Complies

April 27, 2011

Planning and Zoning Board

Page 28

Findings of Fact- Conditional Use and Site Plan Review Applications

Parking Space Analysis

Campus Parking Lot	Existing	Proposed	Zoning Code requirements	Additional parking
On-site parking	90	90	73	+17
On-street parking	46	40 (-6)	---	---
Total	136	130	73	+17

Findings of Fact- Conditional Use and Site Plan Review Applications

Traffic Analysis

City retained Traffic Consultant to assist Public Works Dept. in review of traffic which would be generated should the Application be granted. Applicant's documents include:

1. Accumulation Assessment
2. Traffic Impact Study
3. Additional Analysis - Traffic Study
4. Additional School Data/Analysis-Traffic Study
5. Comparative School Data

Findings of Fact- Conditional Use and Site Plan Review Applications

City reviews of the Application included:

- Determine if sufficient information is available to support the Application and if any proposed remedial actions are included to mitigate the student increase from 110 - 735 students
- Parking, Public Works, Fire, Police, Public Service and Planning and the City's Traffic Consultant conducted detailed analysis of the Applicant's information

April 27, 2011

Planning and Zoning Board

Page 31

Findings of Fact- Conditional Use and Site Plan Review Applications

City reviews of the Application included:

- Solicitation of information from MD School Board Administrative staff and MD County Public Works and Engineering
- City Staff/Traffic Consultant also conducted numerous field visits to various charter schools (including other Somerset Academy affiliated schools), private schools and public schools throughout the City and MD County to evaluate potential traffic impacts

April 27, 2011

Planning and Zoning Board

Page 32

Findings of Fact- Conditional Use and Site Plan Review Applications

City's Traffic Consultant analysis of the Applicant's Traffic information is provided in the "Traffic Review Report, April 2011" which includes the following:

- Executive Summary
- Background
- Conclusions

April 27, 2011

Planning and Zoning Board

Page 33

Findings of Fact- Conditional Use and Site Plan Review Applications

City Consultant Traffic Review Report included:

- Appendices
 - Doral Academy Onsite queuing data (Surrogate)
 - MD Public Works Traffic Accumulation Study Form
 - Traffic Projections/Intersection LOS Analyses
 - School PM Peak Hour Traffic Generation
 - Comparative School Data
 - Mater Gardens AM/PM Onsite Queuing Data and Somerset Academy (16491 SW 134 Avenue) AM/PM Onsite Queuing Data

April 27, 2011

Planning and Zoning Board

Page 34

**Findings of Fact- Conditional Use and
Site Plan Review Applications**

Jeff Easley, PE
City Traffic Consultant
Reynolds, Smith & Hills, Inc.

April 27, 2011

Planning and Zoning Board

Page 25

**Findings of Fact- Conditional Use and
Site Plan Review Applications**

City Traffic Consultant Findings:

- *Applicant's Accumulation Assessment under estimated the projected accumulation for the proposed school due to assumptions made concerning the dismissal operations for the surrogate school, Doral Academy.*
- *Based on our assessment, the projected accumulation for Somerset UBC would be 49 vehicles during each of the PM dismissal periods.*

April 27, 2011

Planning and Zoning Board

Page 26

Findings of Fact- Conditional Use and Site Plan Review Applications

City Traffic Consultant Findings:

- *Proposed site plan would accommodate 28 vehicles on-site.*
- *Projected accumulation of 49 vehicles would require 21 vehicles to spill back onto Cardena Street which can only accommodate 9 vehicles between the proposed site entrance and Anastasia Avenue (see Figure 1).*

April 27, 2011

Planning and Zoning Board

Page 37

Findings of Fact- Conditional Use and Site Plan Review Applications

City Traffic Consultant Findings:

- *Remaining 12 vehicles would either stack on Anastasia Avenue or use Riviera Drive.*
- *This condition would encourage parents to avoid the congestion and park on adjacent streets to walk to pick-up their child.*

April 27, 2011

Planning and Zoning Board

Page 38

Findings of Fact- Conditional Use and Site Plan Review Applications

City Traffic Consultant Conclusion:

“This conclusion demonstrates that the proposed Somerset UBC School could not accommodate 735 students with all passenger vehicles being queued within the site and would impact the adjacent neighborhood streets”

April 27, 2011

Planning and Zoning Board

Page 39

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department analyzed the Application to determine the School impacts on the surrounding streets:

- Segovia St. is the main thoroughfare, however, this roadway is not the only roadway that people will travel to/from the School
- Therefore Riviera Dr. (south) & Anastasia Ave. (north) will see an increase in traffic as well as many smaller roads in the vicinity that lead in some way to Riviera Dr., Segovia St. & Anastasia Ave

April 27, 2011

Planning and Zoning Board

Page 40

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department analyzed the Application to determine the School impacts on the surrounding streets:

- Though the numbers of additional vehicles will be the same at drop-off/dismissal, the Department expects that mornings will have the most impactful as far as adding to backups

April 27, 2011

Planning and Zoning Board

Page 41

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department identified several pedestrian concerns:

- At City schools, the Department has observed students being dropped off/picked up at numerous locations surrounding school, always finding the "path of least resistance" to include time and distance
- Students and parents, or guardians, determine what works best for them as far as a point of departure from the vehicle and a meeting place for return

April 27, 2011

Planning and Zoning Board

Page 42

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department identified several pedestrian concerns (con't):

- This student drop-off takes place in the roadway from whatever lane and direction the vehicle is traveling
- Similarly, the pick-up place is somewhere nearby but out of the congestion caused by the others doing the same thing
- Varied locations of pickup/drop-off place pedestrians in roadways, often between vehicles & out of sight of other drivers, causing significant hazards to the pedestrian's (students) safety

April 27, 2011

Planning and Zoning Board

Page 43

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department identified several pedestrian concerns (con't):

- Schools have a significant impact on Department resources and finds that resources are taxed and significant number of resources are required
- Applicant has provided an operational plan, however, the Department has observed that as the students evolve to higher grades and age, these operational plans break down

April 27, 2011

Planning and Zoning Board

Page 44

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department also notes that schools experience significant offsite vehicle parking/staging during student pick-up times:

- Vehicles arrive/line up wherever space exists and wait to pick up their child - Department's greatest concern and most difficult to manage
- These offsite impacts have been verified by both in field analysis & past complaints, which include the following: dead grass in front of homes, garbage, blocking the right of way and at times, conflict between drivers & homeowners

April 27, 2011

Planning and Zoning Board

Page 45

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department also notes that schools experience significant offsite vehicle parking/staging during student pick-up times:

- "Year after year, the Department attempts to be very aggressive at the start of the school year in an effort to teach the new comers, but it is an ongoing battle"

April 27, 2011

Planning and Zoning Board

Page 46

Findings of Fact- Conditional Use and Site Plan Review Applications

Police Department also noted:

- Charter Schools are not recognized by MD Public School Board Police as an area of responsibility
- Any/all police calls for service/follow-up investigation become the responsibility of the City/Department
- “Department responsibility is to service the community needs and the Department will continue to do the same. However, it is difficult to determine in advance the demands this School may place on the City’s Police services”

April 27, 2011

Planning and Zoning Board

Page 47

Findings of Fact - Conclusions

In Conclusion, Staff’s Findings of Fact are:

- Proposed increase from 110 to 735 students will have a negative effect on the surrounding residential single family neighborhood
- Inability to accommodate the quantity of all passenger vehicles queued within the site shall cause degradation and create nuisances to the surrounding neighborhoods

April 27, 2011

Planning and Zoning Board

Page 48

Findings of Fact - Conclusions

- Projected accumulation of 49 vehicles would require 21 vehicles to “spill back” onto Cardena St. which can only accommodate 9 vehicles between the site entrance and Anastasia Ave
- Remaining 12 vehicles would stack on Anastasia Ave. or Riviera Dr.

April 27, 2011

Planning and Zoning Board

Page 49

Findings of Fact - Conclusions

- The Level of Service (LOS) will diminish at the surrounding intersections (Cardena Street, Anastasia Avenue, Segovia Street and Riviera Drive) of the school
- It is common practice, based upon field observations of other schools, residents in proximity to schools and pass-through vehicle will avoid all school areas during the AM student drop-offs and PM pick-ups

April 27, 2011

Planning and Zoning Board

Page 50

Findings of Fact - Conclusions

- Likewise, with increased vehicle traffic activity, stopped vehicles, vehicle stacking/queuing on the streets contiguous to the school due to the AM drop-offs and PM pick-ups, vehicular traffic will increase on the periphery streets (Santander Avenue, Malaga Avenue, Catalonia Avenue, Camilo Avenue, Aledo Avenue and Anderson Road). City Staff refers to this phenomenon as the “avoidance factor.”

April 27, 2011

Planning and Zoning Board

Page 51

Findings of Fact - Conclusions

- Parking of vehicles offsite shall result in increased offsite vehicular and pedestrian conflicts. Students would be traversing all sides of the property, crossing streets outside of crosswalks, etc. Any student drop-offs outside the confines/boundaries of the site shall severely compromise the life, health and safety of students

April 27, 2011

Planning and Zoning Board

Page 52

Findings of Fact - Conclusions

- Potential nuisances to the above shall also include increased trash, noise from the slamming of vehicle doors and possible proliferation of excessive numbers of “no parking” signage which will diminish the visual attractiveness of the residential neighborhood

April 27, 2011

Planning and Zoning Board

Page 53

Findings of Fact - Conclusions

Significant negative impacts to the local environment include:

- Degradation of the swales surrounding the school including but not limited to the expiration of lawn grasses & under/overstory vegetation
- Degradation of the swales surrounding the single-family residences immediately contiguous to the school as well as adjoining streets

April 27, 2011

Planning and Zoning Board

Page 54

Findings of Fact - Conclusions

Significant negative impacts to the local environment include:

- Compromise of drainage relative to the expiration of grass and possible parking “ruts” created by swale parking
- Parking of vehicles over the sidewalk, blocking student/pedestrian access/flow. Parking on and over sidewalk is a violation of Zoning Code, Section 5-1404(C)

April 27, 2011

Planning and Zoning Board

Page 55

Findings of Fact - Conclusions

- Other secondary effects include off-site impacts from larger school events where vehicle parking or the event activities cannot be accommodated on site
- Applicant submitted a summary of special events and estimated attendance that will occur at the school

April 27, 2011

Planning and Zoning Board

Page 56

Findings of Fact - Conclusions

Typically, schools when undergoing this review process, submit a "special events traffic management plan" which provides:

- Categorizes event types by attendance and require a specified number of off-duty police/security officers to manage and direct traffic for each type of event
- Provides alternatives for any overflow parking that occurs when the amount of parking exceeds the available on-site parking spaces
- Includes restrictive conditions that are similar, if not identical to other limitations that have been placed upon other school facilities within residential areas of the City

April 27, 2011

Planning and Zoning Board

Page 57

Findings of Fact - Conclusions

- A management plan was not submitted that provides specific operational regulations/safeguards to ensure surrounding properties are not negatively impacted
- Application does not provide sufficient operational/safeguards to allow for the operation of the facility in concert with surrounding single family residential properties
- Applicant has not supplied sufficient information to substantiate if the request will mitigate neighborhood impacts and City Staff has determined the Application does not provide sufficient remedial measures or documentation

April 27, 2011

Planning and Zoning Board

Page 58

Example of Impacts of Schools

- City staff conducted numerous onsite evaluations of other schools to evaluate offsite impacts
- Mater Gardens Elementary/Middle School, 9010 NW 178th Lane, Miami-Dade County, FL
 - Somerset Academy affiliated Charter School
 - 640 students
 - Identical school site & neighborhood configuration
 - Surrounded on 3 sides by single-family residential
 - Dedicated bus drop off
 - Student drop-off/pickup with 2 drops off lanes

April 27, 2011

Planning and Zoning Board

Page 59

Mater Gardens Charter School



April 27, 2011

Planning and Zoning Board

Page 60

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 61

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 62

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 63

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 64

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 65

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 66

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 67

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 68

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 69

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 70

Impacts of Schools



April 27, 2011

Planning and Zoning Board

Page 71

Zoning Code Review Criteria

Section 1-103., titled "Purpose of the City of Coral Gables Zoning Code" provides an exceptional summary of the principles, values and ideology of the Zoning Code:

- *Insure the application and administration of these regulations imposed herein continue to improve the overall quality of life and promote development of the City as has been guided since its establishment*
- *To preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance*

April 27, 2011

Planning and Zoning Board

Page 72

Zoning Code Review Criteria

"Purpose of the City of Coral Gables Zoning Code" provides

- *Provide for efficiency and economy in the process of stable and orderly development, for the appropriate and best use (not necessarily the most economic use) of land in accordance with standards established by the will of the residents while protecting property values.*
- *Promote preservation, protection, development and conservation of the natural resources of land, water and air, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, in accordance with maximum densities of the CP.*
- *To protect property values and the enjoyment of property rights by minimizing and reducing conflicts among various land uses through the application of regulations designed to assure harmonious relationships among land uses.*

April 27, 2011

Planning and Zoning Board

Page 73

Conditional Use Review Criteria

"The purpose of providing for conditional uses within each zoning district is to recognize that there are uses which may have beneficial effects and serve important public interests, but which may, but not necessarily, have adverse effects on the environment, particularly residential areas, overburden public services, or change the desired character of an area. Individualized review of these uses is necessary due to the potential individual or cumulative impacts that they may have on the surrounding area or neighborhood. The review process allows the imposition of conditions to mitigate identified concerns or to deny the use if concerns cannot be resolved."

April 27, 2011

Planning and Zoning Board

Page 74

Conditional Use Review Criteria

Staff's Findings:

- Conditional Use and Site Plan Application does not satisfy Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability
- Application providing for a student increase from 110 to 735 students as filed, does not have any beneficial effects and does not serve important public interest and will have adverse effects on the environment, particularly residential areas, and will change the desired character of an area

April 27, 2011

Planning and Zoning Board

Page 75

Conditional Use Review Criteria

- A. The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.
- B. The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.
- C. The proposed conditional use does not conflict with the needs and character of the neighborhood/City.

April 27, 2011

Planning and Zoning Board

Page 76

Conditional Use Review Criteria

- D. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.
- E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.
- F. The parcel proposed for development is adequate in size and shape to accommodate all development features.

April 27, 2011

Planning and Zoning Board

Page 77

Conditional Use Review Criteria

- G. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.
- H. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.
- I. The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.

April 27, 2011

Planning and Zoning Board

Page 78

Conditional Use Review Criteria

- A. *The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.*

Staff's Findings:

- Conditional Use/Site Plan Applications as filed, are "Inconsistent" with the Comprehensive Plan's Goals, Objectives and Policies
- Refer to the City Staff Findings of Fact (See Staff Report pages 35 – 50) for City CP Elements: Future Land Use, Design, Mobility, Natural Resources and Education

April 27, 2011

Planning and Zoning Board

Page 79

Conditional Use Review Criteria

- B. *The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.*

Staff's Findings:

- Renovation/expansion of existing school facilities is supported when it has been satisfactorily demonstrated no negative impacts will occur
- The proposed increase in student capacity from 110 to 735 students will affect the surrounding neighborhood negatively based upon the Findings of Facts provided
- Applicant has not provided any substantial plans to mitigate the negative impacts of the increase in students, which include traffic, noise and congestion

April 27, 2011

Planning and Zoning Board

Page 80

Conditional Use Review Criteria

C. The proposed conditional use does not conflict with the needs and character of the neighborhood and the City.

Staff's Findings:

- Coral Gables is primarily a residential community with schools, places of worship, cultural and institutional uses interspersed within neighborhoods
- Secondary effects as described in the Findings of Facts will result in the degradation in the quality of life of the surrounding neighborhood
- Applicant has not supplied sufficient documentation to mitigate impacts on the surrounding neighborhood

April 27, 2011

Planning and Zoning Board

Page 81

Conditional Use Review Criteria

D. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.

Staff's Findings:

- No physical features are provided to provide adequate buffer or mitigate the use from the surrounding neighborhood
- Increase from 110 to 735 students will adversely or unreasonably affect the use of other property in the area based upon the Findings of Facts
- Vehicles parked in the rights-of-way to drop-off/pick-up students will result in the deterioration of swale
- Parking in roadway swales for this purpose represents an encroachment/intrusion of an incompatible use into the neighborhood and a hazard to child safety/pedestrians

April 27, 2011

Planning and Zoning Board

Page 82

Conditional Use Review Criteria

E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.

Staff's Findings:

- No building improvements or additional structures are proposed
- Existing facility size will remain the same, however, utilization of the subject property and facilities relative to the increase in students will increase dramatically

April 27, 2011

Planning and Zoning Board

Page 83

Conditional Use Review Criteria

E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.

Staff's Findings (con't)

Increased demand will result in the following:

- Inordinate burden on the site's capacity/use as originally intended resulting in child safety & quality of life issues
- Increased traffic & off-site parking
- Deterioration of public swales

April 27, 2011

Planning and Zoning Board

Page 84

Conditional Use Review Criteria

E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.

Staff's Findings (con't)

- Inadequate landscape buffering measures and improvements to the pedestrian environment
- Increased visual blight and the fragmentation and general deterioration of the quality of life for the surrounding single family neighborhood

April 27, 2011

Planning and Zoning Board

Page 85

Conditional Use Review Criteria

F. The parcel proposed for development is adequate in size and shape to accommodate all development features.

Staff's Findings:

- Proposed student drop-off/pick-up plan submitted will not adequately serve the increased student enrollment
- Will result in increased vehicular congestion of roads and intersections surrounding the school
- Vehicle stacking back-ups, increased waiting times and parking in the public swales in the surrounding residential neighborhood
- Increased traffic and parking congestion will result in pedestrian and child safety issues and the deterioration in the quality of life in the surrounding residential neighborhood.

April 27, 2011

Planning and Zoning Board

Page 86

Conditional Use Review Criteria

G. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.

Staff's Findings:

- Proposed site will not adequately serve the increased student enrollment
- Will result in an increase in vehicular congestion of roads and intersections surrounding the school and parking along public swales
- Would be detrimental to the health, safety and general welfare of the community by representing an encroachment and intensification of an incompatible use into the surrounding residential neighborhood and a hazard to child safety and the pedestrian environment as well as the deterioration of public swales and increased visual blight

April 27, 2011

Planning and Zoning Board

Page 87

Conditional Use Review Criteria

H. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.

Staff's Findings :

- No off-site parking management program or pedestrian circulation plan beyond the perimeter of the school property was provided with the submitted Application
- Proposed student drop-off and pick-up plan submitted with the application will result in the following:
 - Increase vehicular congestion of roads and intersections surrounding the school
 - Vehicle stacking/queuing back-ups
 - Increased waiting times and parking in public swales in the surrounding residential neighborhood

April 27, 2011

Planning and Zoning Board

Page 88

Conditional Use Review Criteria

H. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.

Staff's Findings(con't):

- Will result in the deterioration of public swales and existing landscaping, the potential proliferation of "no parking" signage and the creation of visual blight that will diminish the community aesthetic values of the surrounding residential neighborhood

April 27, 2011

Planning and Zoning Board

Page 89

Conditional Use Review Criteria

I. The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.

Staff's Findings:

- Concurrency Impact Statement (CIS) evaluating the available infrastructure capacity was prepared for the proposed increase in student enrollment
- Found that adequate infrastructure capacity is available.

April 27, 2011

Planning and Zoning Board

Page 90

Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

- This request for an increase in student population is the first of its kind since the enactment of the complete rewrite of the Comprehensive Plan (2009) and Zoning Code (2007)
- These comprehensive rewrite of the Comprehensive Plan in 2009 included numerous additional Goals, Objectives and Policies to further strengthen the City commitment to the preservation of residential to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance

April 27, 2011

Planning and Zoning Board

Page 91

Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

Based upon the City Staff conclusions, City Staff finds the Conditional Use and Site Plan Application, as filed, to permit a student increase of an existing Charter School from 110 students to a maximum 735 students to be ***"Inconsistent"*** with the CP Goals, Objectives and Policies (See pages 35 thru 50 in Staff Report)

April 27, 2011

Planning and Zoning Board

Page 92

Public Notification and Comments

- Zoning Code requires 1000 feet courtesy notification to all property owners
- Notice lists the type of applications, public hearing dates/time, location, files location and allows submittal of comments
- City Staff provided twice the minimum notice requirements or 2,000 feet notification radius
- 2 courtesy notices were sent out – 600 notices
- Approximately 900 comments were received

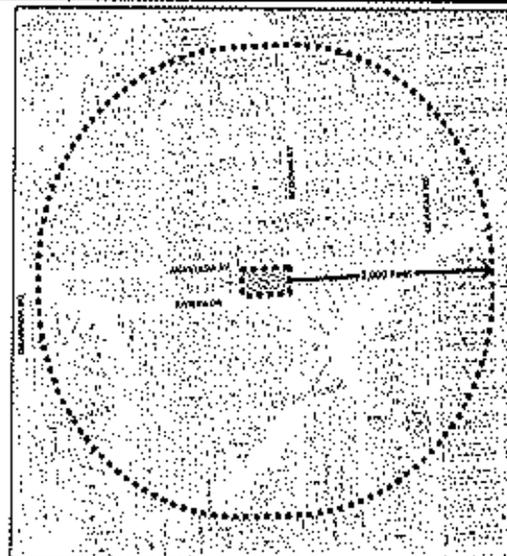
April 27, 2011

Planning and Zoning Board

Page 93

Public Notification and Comments

Courtesy Notification Radius Map



April 27, 2011

Planning and Zoning Board

Page 94

Public Notification and Comments

Public Notice

Type	Date
Applicant neighborhood meeting	02.03.11
Courtesy notification - 2,000 feet of the property	03.07.11
Posting of property	03.11.11
Legal advertisement	03.09.11
Posted agenda on City web page/City Hall	03.07.11
2 nd Posting of the property (for 04.27.2011 meeting)	03.21.11
2 nd Courtesy notification - 2,000 feet of the property (for 04.27.2011 meeting)	03.24.11
2 nd Agenda posted on City web page/City Hall/Youth Center (for 04.27.2011 meeting)	03.24.11
2 nd Legal advertisement (for 04.27.2011 meeting)	04.13.11
Posted Staff report on City web page (for 04.27.2011 meeting)	04.22.11

April 27, 2011

Planning and Zoning Board

Page 95

Staff Recommendation

The Planning Department based upon the complete Findings of Fact contained within this Report recommends **approval** the following:

- Application to amend the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Religious/Institutional" to "Community Services and Facilities" for a 2.6 acre parcel of land commonly known as the "University Baptist Church", legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

April 27, 2011

Planning and Zoning Board

Page 96

Staff Recommendation

Summary of the Basis for Approval – Change of Land Use Application

- Consistency with the Comprehensive Plan Goals, Objective and Polices. Staff's support of the Change of Land Use application is based on compliance with the Comprehensive Plan (CP) Goals, Objectives and Policies, Zoning Code and other applicable Codes as enumerated in the complete Findings of Fact presented herein.

April 27, 2011

Planning and Zoning Board

Page 97

Staff Recommendation

The Planning Department based upon the complete Findings of Fact contained within this Report recommends **denial** of the following:

1. Conditional Use Application pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, to permit a student increase of an existing Charter School from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date.

April 27, 2011

Planning and Zoning Board

Page 98

Staff Recommendation

The Planning Department based upon the complete Findings of Fact contained within this Report recommends **denial** of the following:

2. Site Plan Application to permit miscellaneous site improvements and a student increase of an existing Charter School from 110 students to a maximum 735 students on property designated "Special Use (S)" Zoning District, legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

Staff Recommendation

Summary of the Basis for Denial – Conditional Use and Site Plan Review Applications

Staff's analysis identifies inconsistencies, incompatibilities and insufficiencies which prompt Staff to not support the Conditional Use and Site Plan Applications, as filed. Staff's recommendation for denial is based upon the following:

1. The Application's are not "Consistent " with the Comprehensive Plan Goals, Objectives and Policies.
2. The Application's do not support The City's Zoning Code Section 1-103., titled "Purpose of the City of Coral Gables Zoning Code".
3. The Application's fail to satisfy Conditional Use provisions, Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability".
4. The Application's are not in accordance with Article 3, Division 4, "Conditional Uses," Section 3-408., "Standards for review."

Staff Recommended Alternative

- Throughout this Application review process and consistent with the City's Comprehensive Plan, City Staff encourages all parties when undergoing the City public hearing review process to continue to work with adjoining property owners, interested parties and affected parties to resolve applicable outstanding issues and concerns.
- Intent is to identify and work together towards the possible settlement of issues

April 27, 2011

Planning and Zoning Board

Page 101

Staff Recommended Alternative

- As an example, during Gulliver Academy's recent 2010 school expansion (Change in Zoning and Site Plan Review Applications)
- Gulliver Academy worked closely with its neighbors to alleviate and mitigate any potential issues
- Likewise, Fairchild Tropical Gardens most recent 2010 building expansion request included significant dialogue with its adjoining neighbors to reach a compromise
- Both Gulliver Academy and Fairchild Tropical Gardens efforts resulted in "Settlement Agreements" with the adjoining residential neighborhoods and both applications were approved by the City Commission

April 27, 2011

Planning and Zoning Board

Page 102

Staff Recommended Alternative

Recent complete rewrite of the Comprehensive Plan provides for various Goals, Objectives and Policies promoting community participation and a collaborative process. Specifically, the Future Land Use Element, provides the following:

1. Policy FLU-3.2.1. *Entities requesting changes in land use and zoning for property that adjoins a single-family residential district or neighborhood shall provide ample opportunities for input into the land use process which may include one or more of the following: additional public notice via regular mail, electronic mail, establishment of website, etc; completion of neighborhood meetings; establishment of point of contact..*

April 27, 2011

Planning and Zoning Board

Page 103

Staff Recommended Alternative

Future Land Use Element, provides the following:

2. Policy FLU-3.2.2. *The Planning Department, when receiving a development proposal for property that adjoins a single-family residential district, shall facilitate the contact and discussion between applicants and known organized neighborhood groups and neighborhood associations to provide the opportunity to resolve potential neighborhood issues prior to City review at public hearings. The necessity to complete further collaboration and consensus decision making to mitigate or resolve identified issues may be conducted by the City's Planning Department or outside mediation services such as the South Florida Regional Planning Council, Institute for Community Collaboration.*

April 27, 2011

Planning and Zoning Board

Page 104

Staff Recommended Alternative

Future Land Use Element, provides the following:

3. Policy FLU-3.3.2. *As can practically be accommodated in conformance with the City's land development regulations, the City will assist neighborhood groups, business and neighborhood associations who have developed neighborhood plans in minimizing potential impacts between non-residential and residential land uses, with the intent of ensuring residential areas are protected from potential impacts which may include noise, light, traffic, and vehicular access.*

April 27, 2011

Planning and Zoning Board

Page 105

Staff Recommended Alternative

Future Land Use Element, provides the following:

4. Objective FLU-3.4. *When the need arises to provide a collaborative process, consensus building and/or mediation for City identified issues, development projects, etc., the City shall initiate processes to build and facilitate partnerships with institutions, private practitioners, stakeholders, property owners, neighborhoods and organizations to fulfill the City's obligation for secure community involvement. This could include use of internal City resources or outside facilitators such as the South Florida Regional Planning Council, Institute for Community Collaboration.*

April 27, 2011

Planning and Zoning Board

Page 106

City Staff and Consultants

- Building and Zoning Department
- Fire
- Parking
- Planning
- Police
- Public Works
- City Traffic Consultant

April 27, 2011

Planning and Zoning Board

Page 107

The

End

April 27, 2011

Planning and Zoning Board

Page 108