

**CITY OF HOLLYWOOD, FLORIDA  
CITY COMMISSION**

**DATE:** September 20, 2023

**FILE:** 23-AP-69

**TO:** City Commission

**VIA:** Andria Wingett, Interim Director Development Services

**FROM:** Anand Balram, Planning Manager

**SUBJECT:** Special Exception to establish a K-12 Educational School Facility (Bet Midrash).

**REQUEST:**

Appeal of Planning & Development Board Special Exception Denial of K-12 Educational Facility (Bet Midrash) at 1720 Harrison Street (Home Tower).

**RECOMMENDATION:**

That the Appeal to the City Commission Relating to the Planning and Development Board Decision be Denied.

Should the City Commission decide to grant the Special Exception, Staff requests the following be required as conditions of Approval prior to the issuance of building permits:

1. Update the Traffic Study dated May 22, 2023, to comply with the approved methodology (Attached hereto as Attachment XIII) that addresses all comments subject to the review and approval by the City.
2. Provide a Site Plan and Traffic Operation Plan that indicates where and when students will be picked-up and dropped-off, subject to review and approval by the City. These Plans shall include items including, but not limited to, number of students in each grade level, pick-up and drop-off area, vehicular queue lengths, and if any safety officer or personnel assigned to pick-up and drop-off will be provided. The City of Hollywood maintains the right, in perpetuity, to have the property owner/developer modify the Traffic Operations Plan if there are any unexpected traffic problems or safety issues as deemed necessary on an ongoing basis to address any unforeseen operational or safety problems created by traffic generated by the school after the it has opened.
3. The City may request the school have police detail for arrival and dismissal shifts as deemed necessary.
4. In order to use the private alley for pick-up and drop-off, as indicated in the plans, it is necessary to obtain permission for this purpose. As a result, the Applicant shall provide an access agreement or similar shall be provided.

5. The use of public rights-of-way for any school operations such as vehicle or bus queueing, student pick-up and drop-off, is not permitted.
6. Deliveries shall be coordinated as to not interfere with student arrival or dismissal shifts.
7. School buses shall not be stored in the public in right-of-way, or in any manner that violates City Code.
8. The applicant enter into a formal signed agreement that outlines a mutually agreed upon schedule that will work for the operations of the adjacent school (Hollywood Academy of Arts and Science). The agreement should clearly define scheduling for student drop-off and pick-up for both facilities so that the times associated with these activities are offset to minimize congestion and conflicts on-site and along the surrounding roadway network. The applicant is required to prepare a Traffic Operations Plan that is mutually acceptable to both school administrations that must be strictly adhered to. The applicant will be required to stagger pick-up and drop-off times and a minimum of 30 minutes between each pick-up and drop-off session between the two schools.
9. The vertical clearance for the porte cochere is insufficient for bus pick-up and drop-off at the main school access and must be addressed. Bus pick-up and drop-off location(s) must be identified along with school staff parking and bus parking locations.
10. The Life Safety Plan in the traffic study includes Pre-Nursery, Pre-Kindergarten, Nursery and Toddler. Parking will be required for parents to park and safely accompany small children in these grades for pick-up and drop-off.
11. Provide a parking/parking plan that accommodates all school staff will be required.
12. Due to the proposed access off state jurisdictional, Florida Department of Transportation (FDOT) roadway (Harrison Street), an FDOT permit is required.
13. School enrollment shall not exceed a maximum of 700 students.

## REQUEST

This request is for a Special Exception to establish a K-12 Educational School Facility. A Special Exception is defined as *a use not generally appropriate in a district but would be appropriate if it is consistent with the review criteria listed for Special Exceptions*. School facilities are only permitted by Special Exception. The Applicant proposes to establish a school within a vacant portion of a mixed-use building known as the 'Home Tower', utilizing the lower four (4) floors to accommodate 700 students over a 3-year period with appropriate staffing required by state law. Through the formal application submitted to the City no changes were proposed to the existing footprint of the building located at 1720 Harrison Street, however the applicant has indicated through their presentation to the Planning and Development Board their intent to remove the cover for the porte cochere to allow vertical clearance for bus pick-up and drop-off.

## BACKGROUND

On February 8, 2023, an application (attached hereto as Attachment I) was submitted to the City of Hollywood's Planning and Urban Design Division, requesting a Special Exception to establish a K-12 Educational School Facility. The following were included to support the application for staff's technical review of the proposal:

- General Application
- Warranty deed

- Letter of Intent
- Survey
- Site Plan and Elevations
- Circulation Assessment, by Dynamic Traffic, dated February 2, 2023

Subsequently provided were the following:

- Circulation Assessment, by Dynamic Traffic, dated March 13, 2023
- Traffic Impact Study, by Dynamic Traffic, dated May 22, 2023
- Parcel information

At the Planning and Development Board (hereto referred to as the 'the Board') Meeting of July 11, 2023, Staff presented a report (Attachment II) that analyzed the submission and supporting materials for appropriateness against the seven review criteria outlined in Article 5.3(G) of Zoning and Land Development Regulations (ZLDR).

At that time Staff found the application to be inconsistent with 3 of the 7 criteria required by the ZLDR. Despite this, Staff recommended the application be approved, subject to a number of conditions. The conditions were thoughtfully formulated to address the incomplete nature of the information provided by the applicant while still aiming to facilitate the use.

At this meeting, the quasi-judicial status of the meeting was not waived. Staff entered into the record the Staff Report (Attachment II), Application Package (Attachment I), Aerial Map (Attachment 3), Public Outreach Report (Attachment V), and Correspondence Received (Attachment VI).

One party registered as an Intervener, *BOZ Hollywood Bread Holdings, LLC, Young Circle Property, LLC, and BTI Parcel B QOZB, LLC*, represented by Keith Poliakoff, Esq of GLG Government Law Group. Through the Intervener's cross examination of Staff the following concerns were raised:

1. The clearance height of the front of the building would not be able to accommodate traditional buses to facilitate pick up and drop off.
2. Within all the alternatives presented in the Traffic Study, the applicant suggested utilizing the adjacent privately owned property. The intervener affirmed that permission has neither been granted, nor is the adjacent property owner intending to provide access to the school from its property.
3. The intervener raised the relevance of the case "FIRST BAPTIST CHURCH OF PERRINE v. MIAMI DADE COUNTY (2000)", however this line of questioning was dismissed.
4. Lastly, the matter of Walgreen's ability to continue the sale of alcohol in its new location on Block 58. However, this issue was not considered applicable.

The Intervenor's key argument revolved around whether the Board was required to approve the Special Exception. This assertion was grounded in the principle that the evidence and criteria outlined in the code must be uniformly applied. The Intervenor contended that placing the responsibility on the school to provide adequate parking and ensuring smooth traffic flows is not an undue burden on the applicant, as these expectations align with those placed on any other school seeking a similar Exception. Furthermore, the Intervenor advocated for exploring an alternate location that could better accommodate the anticipated impacts of the school.

Subsequently, the representative on behalf of the Applicant delivered their presentation to the Board. This presentation introduced new information that resulted in several discrepancies when compared to

the Applicant's original submission. Notably, the school type was clarified to be K-8, not K-12. The Applicant's representative highlighted the intention to occupy the first four floors of the building, with a three-year phased implementation plan. This plan envisions an initial enrollment of 250 students for Year 1, followed by another 250 students for Year 2, and ultimately reaching 200 students for Year 3, resulting in a total enrollment of 700 students.

During the meeting, the Applicant clarified their intent to have 100% of the students transported by bus, eliminating the need for parents and students to use private vehicles. Faculty members, on the other hand, would utilize public garages for parking and be shuttled to the school premises. The representative contended that this approach would alleviate any potential congestion issues along the street or private easement. Buses would be parked on-site, and the removal of the awning obstructing bus access was proposed. Furthermore, the Applicant argued that the existing zoning requirements would demand more parking spaces than the school's operations would necessitate.

The Applicant indicated they had coordinated with the neighboring school – Hollywood Academy of Arts and Science (HAAS), to stagger pick-up and drop off times to reduce impacts; and indicated a meeting with the Florida Department of Transportation was set up to change the direction of the alley.

It is essential to underscore that none of the information presented by the Applicant during the Board meeting was relayed to City Staff prior to the meeting, nor were the technical supporting studies subsequently updated after the Board meeting to incorporate this new information for City Staff to undertake appropriate evaluation.

The Applicant also asserted their belief that they should be granted the exception since it is their belief that the *Religious Land Use and Institutionalized Persons Act (RULPA)* applies.

#### Public Participation

The Applicant provided information that they held a public meeting on Wednesday, April 26, 2023, via the Zoom web conferencing platform. The meeting started at approximately 6:30 PM with 62 members of the public present, the HAAS school, the Applicant, and their team. The community concerns according to the Public Participation and Outreach Summary provided by the Applicant (Attachment V) were related to parking, circulation patterns, hours of operation, and the school's impact on traffic in the area.

Prior to the Board meeting, Staff received 25 letters requesting that Staff recommend denial of the application for a myriad of reasons. The prevailing concerns expressed in the letters against the school application were centered around traffic congestion, inadequate parking facilities, safety risks, disruption of daily life, and the perceived incompatibility of the proposed school with the character of the area. Many residents highlighted existing traffic issues during school hours and the fear that adding a new school would worsen the situation within the area. The lack of parking spaces for both staff and parents was stated as a recurring worry, potentially leading to parking problems and negatively impacting the neighborhood. Stated safety concerns related to hazards for students and pedestrians due to increased traffic and crossing busy streets. Residents also expressed apprehension about the proposed school's potential negative influence on their quality of life and its compatibility with the existing community. All correspondence received and a summary table, can be found in Attachment VI.

At the Board Meeting of July 11, 2023, 15 members of the public urged the Board to deny approval of the Special Exception. Members of the public expressed concerns about the proposed school and its impact

on traffic, safety of the students and visitors and residents of the local area. Residents highlighted that traffic problems would impede mobility and pose health and safety risks. The sentiment was that the school's size would exacerbate existing traffic backups, leading to more congestion and potential business impacts. Attendees criticized the disregard for citizens' input on matters like traffic, safety, and zoning. Concerns extended to the interference with businesses and services, including law firms, pharmacies, and the Art & Culture Center, due to increased traffic. Residents indicated that the location was ill-suited for the school and could negatively affect commutes, child safety, and overall neighborhood appeal. Participants called for better planning and traffic studies, suggesting that alternative locations in Hollywood should be considered. There were also warnings about potential future challenges, including further school expansions. One member of the public was neutral, and one member of the public spoke in support of the application. This individual emphasized that the School embodies important values and stated that they had received assurance from parents and teachers regarding safety measures. They highlighted the safety of bus transportation and its minimal impact on local citizens. The commenter admired the school's aesthetics and deemed it a wonderful place for children. A summary of Resident comments heard at the Board Meeting can be found in Attachment VII.

#### Planning and Development Board (P&BD) Decision

In accordance with the City's Qusai Judicial procedures, and subsequent deliberation on the application's merits, a motion was proposed by Board member Blattner and seconded by Board Member Stadlen. The motion pertained to the denial of the Special Exception request, based on several factors most notably, the application was found to be incomplete. The Board also highlighted that there were significant disparities between the information contained in the application and the applicant's presentation to the Board. Moreover, concerns related to life and safety were raised. The decision was reached unanimously. The Resolution for denial is attached hereto as Attachment VIII.

#### Application for Appeal and Zoning Relief

On July 21, 2023 applications for Appeal, and Zoning Relief were filed with the City of Hollywood. On August 8, 2023 Staff sent to the Applicant's representative two letters acknowledging the receipt of the appeal and zoning relief applications and advised them of the process going forward. The application and subsequent City correspondence can be found in Attachment IX. In accordance with the ZLDR, Staff stated within the letters that an appeal initiates a fresh review of the application, known as de novo, by the City Commission and that Commission will evaluate the appeal using the same criteria as the Planning and Development Board. Due to inconsistencies between the application and information presented to the Board, it was suggested that the Applicant submit an updated application for the appeal. Staff requested though the letter the updated application include a recent Traffic Study with busing options, accurate student grade levels, a thorough parking analysis for students and staff, confirmation of public parking usage plans, and detailed student transportation procedures, within 15 days of receipt of the correspondence. Staff also advised that the Applicant's legal representative is listed as the notary on the application and this was required to be changed.

The City of Hollywood did not receive the requested revised application within the 15 days following August 8th and subsequent to the City's initial correspondence. Staff communicated through another letter, also found in Attachment IX, that since clarification on specific inconsistencies that came to light between the contents of the original application and the information presented before the Board was not provided, the City Commission would be compelled to assess the original application. The letter also stated that given the non-receipt of clarifications, any subsequent alterations or amendments to this information cannot be taken into account by the City Commission and will not be accepted by the City.

Nevertheless, On August 29<sup>th</sup>, 2023, following the deadline, the Applicant submitted the following supplementary materials:

- Letter from Dynamic Traffic, Dated August 15, 2023
- Parking Plan
- Bus Plan
- Survey for Bus Plan

Since these additional materials (attached hereto as Appendix X) were submitted past the deadline, staff has only had the opportunity to conduct a cursory review of the submission that indicates the application is still insufficient and fails to address all the outstanding comments.

### Permitting History

A major requirement for Building Permit issuance is Zoning and Engineering Approval. In order to receive Zoning Approval, the Applicant must be granted a Special Exception, permitting a school at the proposed address. Engineering Approval for a Building Permit is contingent on an acceptable traffic study, traffic operation plan, permission for pick-up and drop-off on any private roadways, FDOT approval, an acceptable parking plan to address the lack of parking on the site, and a plan for the safe pick-up and drop-off of students while mitigating any potential traffic impacts. To date these issues have not been resolved. Rather, the Applicant has stated that they intend to open and operate despite not having City approvals. This action, by the Applicant has caused much confusion in the community (Attachment XI). Given this uncertainty, the City has been working with the Applicant to prevent any life and safety issues to vulnerable populations who may be impacted.

The School has received numerous citations and the Applicant has been advised by the City's Building Official that the building is not to be occupied. The architectural plan review has revealed several critical life and safety issues that need immediate attention. These include inaccurate occupant load calculations, improper means of egress designation, missing fire alarm activation procedures for required Emergency Egress Drills, failure to provide a code compliant Emergency Action Plan, and inadequate emergency lighting. Major violations involve discrepancies between submitted plans and the building's actual layout, missing sub-permits for new additions like fencing and railing, unclear zoning and occupancy specifications, incomplete door schedules, organizational ambiguities in student areas, unaddressed NFPA 101 compliance, and insufficient documentation. While progress has been made with revisions, such as correcting door placement and addressing some discrepancies, comprehensive resolution is imperative to ensure safety. Clearing the remaining discrepancies, obtaining necessary sub-permits, revising occupant load calculations, and ensuring full NFPA 101 compliance are essential steps towards achieving a safe and code-compliant environment for occupation. For detailed information on the permitting history associated with the file, please see Attachment XII. It should be noted the portion of the building the school intends to occupy was posted as unsafe twice by the City's Building Official. The first Posting of Unsafe Structure was on August 21, 2023 and was subsequently found to be removed and the building was subsequently found to be occupied on August 28, 2023, with school administration, teachers, parents and students being observed using the building, which resulted in a second Posting of Unsafe Structure by the City's Building Official.

## CURRENT STATUS

The applicant provided supplementary material on August 29, 2023 which the City Commission should consider in addition to the original application submitted on February 8, 2023.

A Circulation Assessment, by Dynamic Traffic, dated February 2, 2023 and March 13, 2023, was submitted initially to support this proposal, which was deemed insufficient. The current "Circulation Assessment" does not sufficiently address the existing traffic flow in the vicinity or coordination with the operational aspects of the HAAS school during drop-off and pick-up times. It also does not demonstrate how the interactions between the two schools will be managed, including queuing, traffic volumes, and impacts on the surrounding roadways.

As part of the original application, Staff requested a comprehensive Traffic Study in accordance with a methodology approved by the City's traffic engineering consultant. It was made clear that the Traffic Impact Study Methodology must be acknowledged and adhered to by the Applicant during the traffic impact analysis process and in preparation of the traffic impact study, prior to project approval. The subsequently submitted Traffic Impact Study, by Dynamic Traffic, dated May 22, 2023 is considered incomplete as it does not adhere to the approved Methodology provided to applicant. The Traffic Study lacks sufficient information such as busing options, accurate student grade levels, a thorough parking analysis for students and staff, confirmation of public parking usage plans, and detailed student transportation procedures. Full traffic study review comments can be found in Attachment XIII. The assessment of traffic impact study does not sufficiently demonstrate how the proposed school can function and operate within acceptable level of service at the proposed site/location. In addition, how the proposed school and the adjacent HAAS are coordinated with respect to vehicular queuing, traffic flow, and impacts on the existing roadway network, residential neighborhood, and general surroundings. The presence of an additional school adjacent to HAAS is likely to intensify traffic and parking concerns in the vicinity.

The proposed pick-up/drop-off point on Harrison Street raises safety concerns. Students would need to cross in front of vehicles, which is deemed unsafe. The suggested alternative pick-up/drop-off area involves using a private alley without the required "easement for use right," and this alley only allows one-way eastbound exit for through traffic.

Parking is a considerable challenge for the site. No designated parking facilities are allocated for the school, in violation of Article 7.1.A.1. of the Zoning and Land Use Development Regulations. Although the Applicant proposes using public parking garages and per the traffic study, they have confirmed securing 25 access cards for the City's public Van Buren Garage. These access cards do not guarantee any parking spaces in the garage to be counted towards development parking requirements. The number of parking spaces required for this project is indeterminable at this time due to the lack of the required information such as student grades and number of students in each grade. Moreover, the potential need for grades 10 through 12 students to park near the site could lead to increased pedestrian activity across major roadways, possibly raising safety concerns for students.

## SITE INFORMATION

<b>Owner/Applicant:</b>	Bet Midrash Ohr Ha-Chayim Ha-Kadosh Inc.
<b>Address/Location:</b>	1720 Harrison Street
<b>Net Size of Property:</b>	36,966 sq. ft. (0.85 Acres)
<b>Land Use:</b>	Regional Activity Center (RAC)



**Zoning:** Young Circle District (YC)  
**Existing Use of Land:** Mixed-Use Development

#### **ADJACENT LAND USE**

**North:** Regional Activity Center (RAC)  
**South:** Regional Activity Center (RAC)  
**East:** Medium High Residential (MHRES)  
**West:** Regional Activity Center (RAC)

#### **ADJACENT ZONING**

**North:** Young Circle (YC)  
**South:** Planned Development (PD)  
**East:** Government Use (GU)  
**West:** Planned Development (PD)

#### **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

Located within the Regional Activity Center the subject site is surrounded by mixed uses. The goal of the Land Use Element is to promote a distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing landowners to maximize the use of their property. The intent of the 'Regional Activity Center' land use designation is to encourage redevelopment or development of areas that are regionally significant. The purpose of this designation is to facilitate multi-use and mixed-use development, encourage mass transit, reduce the need for automobile travel, provide incentives for quality development, and give definition to the urban form. While, the proposed school does provide a community benefit, it may negatively impact traffic conditions within the immediate area and adjacent neighborhood. The planned school does not encourage redevelopment of the area, as it intends to occupy an existing building and does not reduce the need for automobile travel within the Regional Activity Center. The project is not adequately consistent with the Comprehensive Plan based on the following Objectives:

**Objective 4:** Maintain and enhance neighborhoods, business, utilities, industrial and tourist areas that are not blighted.

If the Special Exception is granted, the school will likely increase parking and traffic issues. However, the increased traffic could enhance the economic interests of nearby businesses within the community.

#### **CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:**

The subject property is located in Sub-Area 2, which is also known as East Hollywood and Downtown. It is geographically defined by Intracoastal Waterway to the east, Sheridan Street to the north, Pembroke Road to the south and Dixie Highway to the west. This area includes the residential neighborhoods of Hollywood Lakes, Royal Poinciana, and Parkside.

The proposed Special Exception is inconsistent with the City-Wide Master Plan, based upon the following Guiding Principles and Policies:



**Guiding Principle:** *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

**Guiding Principle:** *Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.*

**Policy CW.2.7:** *Restrict access to side streets east and west of US 1 where traffic studies indicate a positive effect would result.*

The proposal is not entirely in alignment with key guiding principles of the City-Wide Master Plan. A second school in the Young Circle (YC) District will require revisions to the traffic circulation outlined in the City-wide master plan within Sub-Area 2. The goal of the City-Wide Master Plan is to promote and attract uses that will enhance and improve locations. The proposal's potential to introduce traffic congestion, parking challenges, and safety concerns could conflict with the goal of harmonizing land use with community objectives. Furthermore, the proposal's impact on quality of life and economic activity may not fully comply with the principles of attracting businesses while enhancing resident well-being. Additionally, the proposal's compatibility with traffic-related policies, specifically regarding side street access, warrant further consideration due to potential adverse effects.

## **APPLICABLE CRITERIA**

**Analysis of Criteria and Findings for Special Exception** as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

**CRITERIA 1:** The proposed use must be consistent with the principles of the City's Comprehensive Plan.

**ANALYSIS:** The intent of the Comprehensive Plan's Land Use element is to *promote distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing landowners to maximize the use of their property*. The proposed school falls within the character of the mixed uses of the YC Zoning District. This mix of commercial, educational, and residential uses within the area is consistent with the principles of the City's Comprehensive Plan.

**FINDING:** Consistent.

**CRITERIA 2:** The proposed use must be compatible with the existing land use pattern and designated future uses and with the existing natural environment and other real properties within the vicinity.

**ANALYSIS:** The proposed use is consistent with the existing land use pattern. Currently the surrounding area includes a mix of uses, which includes an existing school, that aims to support the surrounding community. The requested Special Exception is compatible with the surrounding land use pattern.

**FINDING:** Consistent.

<b>CRITERIA 3:</b>	That there will be provisions for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.
<b>ANALYSIS:</b>	The potential traffic congestion, inadequate parking facilities, and unsafe drop-off/pick-up points highlighted in the application raise concerns about the safety of vehicular and pedestrian movement. The lack of a comprehensive Traffic Impact Study conducted in accordance with the approved Methodology fails to address how the proposal will manage traffic flows within the school premises and its vicinity, which could potentially lead to chaotic conditions during peak hours, posing risks to students and pedestrians crossing streets in congested areas. This indicates that the application has not adequately addressed the provision for safe traffic movement, thus requiring further attention and adjustments to mitigate potential safety hazards.
<b>FINDING:</b>	Inconsistent.
<b>CRITERIA 4:</b>	That there are setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust and other potential nuisances.
<b>ANALYSIS:</b>	The school is proposed within an existing high-rise building locally known as 'Home Tower'. Noise, light, dust and other potential nuisances, other than traffic related, will be contained to the building. Therefore, the criterion is not impacted.
<b>FINDING:</b>	Consistent.
<b>CRITERIA 5:</b>	The proposed use, singularly or in combination with other Special Exceptions, must not be detrimental to the health, safety, or appearance of the neighborhood or other adjacent uses by reasons of any one or more of the following: the number, area, location, height, orientation, intensity or relation to the neighborhood or other adjacent uses.
<b>ANALYSIS:</b>	The application fails to meet the stipulated criterion in various aspects. The proposed use, both independently and in conjunction with the existing HAAS school, raises substantial concerns regarding the potential detriment to the health, safety, and appearance of the neighborhood and adjacent uses. Specifically, the issues of traffic congestion and inadequate parking present significant safety concerns. The combined impact of the existing and proposed schools exacerbates these worries, particularly in relation to traffic and parking challenges. This situation has the potential to significantly disrupt the daily lives of nearby residents, with potential obstructions to driveways and impaired vehicular mobility. The application's lack of mitigation strategies or comprehensive planning to address these issues indicates that the proposed use's effects on health, safety, and the neighborhood's appearance may not be in alignment with the stipulated criteria.
<b>FINDING:</b>	Inconsistent.
<b>CRITERIA 6:</b>	The subject parcel must be adequate in shape and size to accommodate the proposed use.

**ANALYSIS:** The approximate 37,000 square feet of space is deemed adequate to accommodate the proposed school.

**FINDING:** Consistent.

**CRITERIA 7:** The proposed use will be consistent with the definition of a Special Exception and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such particular use set forth elsewhere in the zoning code, or otherwise adopted by the City Commission.

**ANALYSIS:** A Special Exception is defined as a use not generally appropriate within a zoning district but would be appropriate if it was consistent with the review criteria listed for Special Exceptions. Although schools would be permitted by Special Exception within the YC Zoning District, the proposal for the school does not adequately demonstrate the technical feasibility, in accordance with the City's Engineering Standards that would allow for the suitable and functional operations of a school.

**FINDING:** Inconsistent.

## **CONCLUSION**

In conclusion, after thorough analysis and consideration, Staff recommends the application for Appeal of the Planning and Development Board's Decision, which did not recommend approval of the Special Exception for establishing a K-12 Educational School Facility (Bet Midrash), be denied. The assessment of the application has highlighted significant concerns, including the potential for adverse impacts on traffic flow, parking availability, and the safety and well-being of students. These issues do not align with the essential criteria and principles set forth in the City's Zoning and Land Development Regulations for the establishment of a K-12 educational facility. Denying the appeal is a prudent course of action to allow the Applicant the time needed to see if they can address inconsistencies and ensure that the proposed project aligns more closely with the safety, convenience, and quality of life for the community and surrounding area.

## **ATTACHMENTS**

ATTACHMENT I:	Initial Application Package Part 1
ATTACHMENT I:	Initial Application Package Part 2
ATTACHMENT II:	Initial Staff Report
ATTACHMENT III:	Aerial Map
ATTACHMENT IV:	Applicant Lead Public Participation Summary
ATTACHMENT V:	Public Correspondence Summary and Letters Received
ATTACHMENT VI:	Summary Table of Public Comments, July 11, 2023
ATTACHMENT VII:	Resolution 22-S-79
ATTACHMENT VIII:	Appeal and Zoning Relief Applications and City Correspondence
ATTACHMENT IX:	Additional Material Received
ATTACHMENT X:	Intent to Open
ATTACHMENT XI:	Permitting History
ATTACHMENT XII:	Traffic Study Comments

ATTACHEMENT XIII:     Approved Traffic Methodology

**SUPPLEMENTARY ATTACHEMENTS**

ATTACHMENT XIV: Zoning District Regulations

ATTACHMENT XV: ZLDR Excerpts 5.3, 5.7, 5.8

ATTACHMENT XVI: Resolutions from Other City of Hollywood Schools

ATTACHMENT XVII: Notice of Intervenor/Affected Party, Appeal

ATTACHMENT XVIII: City of Hollywood Quasi-Judicial Procedures