

ATTACHMENT VII

Resolution 22-S-79

CITY OF HOLLYWOOD
PLANNING AND DEVELOPMENT BOARD
RESOLUTION NO. 22-S-79

A RESOLUTION OF THE CITY OF HOLLYWOOD PLANNING AND DEVELOPMENT BOARD CONSIDERING A REQUEST FOR A SPECIAL EXCEPTION TO ESTABLISH A K-12 EDUCATIONAL SCHOOL FACILITY (BET MIDRASH) LOCATED AT 1720 HARRISON STREET, PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, the Planning and Development Board (the "Board") is charged with, among other things, the responsibility of considering requests for variances, design, special exceptions and site plan approval; and

WHEREAS, the Board is duly empowered to grant variances, special exceptions, and design in accordance with the guidelines and procedures found in Section 5.3. of the City's Zoning and Land Development Regulations and site plan approval pursuant to Article 6 of the Zoning and Land Development Regulations; and

WHEREAS, Bet Midrash OHR Ha-Chayim Ha-Kadosh Inc., (the "Applicant/Tenant"), applied for a Special Exception to establish a K-12 Educational School Facility at the property located at 1720 Harrison Street, as more particularly described in the attached Exhibit "A"; and

WHEREAS, the Planning Manager and Associate Planner ("Staff"), following an analysis of applicable laws, the Special Exception application and its associated documents, have determined that the proposed request for a Special Exception, does not meet all criteria set forth in Section 5.3.G.2. of the Zoning and Land Development Regulations and, as such, recommended certain conditions be imposed to further the purpose of the zoning district or compatibility with other property within the vicinity; and

WHEREAS, based on the foregoing, Staff has, therefore, recommended that the special exception be considered for approval by the Board with the following conditions:

1. School enrollment shall not exceed a maximum of 700 students.
2. Provide an updated traffic study that complies with the approved methodology for review and approval by the City.
3. Provide a Site Plan and Traffic Operation Plan with pick-up/drop-off times and locations for review and approval by the City. The City of Hollywood maintains the right, in perpetuity, to have the property

owner/developer modify the Traffic Operations Plan as deemed necessary on an ongoing basis to address any unforeseen operational or safety problems created by site generated traffic after the school has opened.

4. For use of the private alley located south of the proposed school for pick-up/drop-off as shown in the plans, provide an access agreement.
5. Deliveries shall be coordinated as to not interfere with student arrival or dismissal shifts.
6. The Public Safety Director or his/her designee may request that the school have police detail for arrival and dismissal shifts as deemed necessary.
7. School buses shall not be stored in the public in right-of-way, nor in any manner that violates City Code.
8. Recommend that the applicant enter into a formal signed agreement that outlines a schedule that will work for the operation of two adjacent schools. 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 onsite and along the surrounding roadway network. A Traffic Operations Plan that is mutually acceptable to both school administrations must be prepared and strictly adhered to. Staggered pick-up and drop-off times and include minimum of 30 minutes between each pick-up and drop-off session between the two schools will be required.
9. Recommended that the school provide bus transportation to the school for all students and staff. Proper vertical clearance needs to be provided for busses at the pick-up and drop-off overhang. Bus pick-up and drop-off locations must be identified along with school staff and bus parking locations.
10. Due to the proposed access off a FDOT roadway (Harrison Street), an FDOT permit is required.

WHEREAS, on July 11, 2023, the Board met and held an advertised public hearing to consider the Applicant's request; and

WHEREAS, the Board reviewed the application to establish a K-12 Educational School Facility, Staff's Summary Report, evidence submitted, testimony received at the public hearing, and applied the criteria for reviewing a request for a Special Exception as set forth in Section 5.3.G.2. of the City's Zoning and Land Development Regulations and the Board made the following findings:

- a) The Special Exception application was inconsistent and incomplete;
- b) The Applicant failed to provide evidence addressing life safety concerns.

; and

WHEREAS, based upon the findings set forth above, the Board determined that the criteria set forth in Section 5.3.G.2. of the Zoning and Land Development Regulations have not been met and **Denied** the Special Exception.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND DEVELOPMENT BOARD OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all written and oral testimony received during the public hearing, consideration of the criteria listed herein for approving/denying the requested Special Exception to allow for the establishment of a K-12 Educational School Facility at the property located at 1720 Harrison Street, and its findings set forth above, the Board finds that the necessary criteria have not been met, and the requested Special Exception is hereby **NOT APPROVED**.

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Section 4: That the Department of Development Services, Planning and Urban Design Division, is hereby directed to forward a copy of this resolution to the Applicant/Tenant of the property with respect to which the request was made. This Resolution will be delivered to the City Clerk to be recorded in the Public Records of Broward County, as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations. A copy shall be furnished to any enforcement official.

PASSED AND ADOPTED THIS 11th DAY OF JULY, 2023

RENDERED THIS 21st DAY OF August, 2023.

ATTEST:



JOSEPH STADLEN, Secretary



DIANA PITTARELLI, Chair

APPROVED AS TO FORM:



JAMES BRAKO, BOARD COUNSEL

EXHIBIT "A"
LEGAL DESCRIPTION

Units 1-A, 2-A, 3-A and 4-A of Home Tower Condominium, a Condominium according to the Declaration of Condominium thereof recorded in Official Book 2930, Page 136, of the Public Records of Broward County, Florida, and all amendments thereto, together with its undivided share in the common elements.