

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
PLANNING DIVISION**

DATE: January, 18, 2018

FILE: 16-DPV-44

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager

FROM: Deandrea Moise, Associate Planner **DM**

SUBJECT: Faith & Life Fellowship Ministries, Inc., and Carol Gardner, CPA request a Variance, Design, and Site Plan for an approximate 15,300 sq. ft. elementary school and renovations to an existing place of worship located at 121 S 24 Avenue. (Faith & Life Fellowship Ministries and Alpha International Academy)

REQUEST:

Variance, Design, and Site Plan for an approximate 15,300 sq. ft. elementary school and renovations to an existing place of worship (Faith & Life Fellowship Ministries and Alpha International Academy).

Variance: To reduce the required number of parking spaces from 52 parking spaces to provide 35 parking spaces.

RECOMMENDATION:

Variance: Approval, with the condition that the school use and place of worship shall not operate concurrently.

Design: Approval, if Variance is granted.

Site Plan: Approval, if Variance, and Design are granted with the following conditions:

- a. Student capacity shall not exceed 240 students at any time;
- b. Grades shall be limited to K through 8;
- c. The school shall have a minimum of two separate drop-off/pick-up times separated by a minimum of 30 minutes. Pick up and drop off areas shall function as illustrated on Site Plan and Traffic Impact Analysis dated August 31, 2017. Any modification to the drop-off/pick-up plan and operating shifts shall be approved in writing by the City's Traffic Engineer or his/her designee;
- d. Applicant shall market exclusively to Hollywood residents including Highland Gardens and United Neighbors neighborhoods for a minimum of four (4) weeks prior to any marketing for student enrollment to the public-at-large. This marketing shall include a combination of presentation to the civic associations, "open house", flyers, advertising, and community newspapers;
- e. Deliveries shall be coordinated as to not interfere with student arrival or dismissal shifts;

- f. The Applicant on behalf of itself, successors, and/or designee shall annually submit, prior to October 1st, a copy of the Benchmark Day Enrollment Report or subsequent document;
- g. The Applicant on behalf of itself, its successors, and/or designee, shall submit to the Planning Division or subsequent Division/Department an annual Compliance Report no later than December 1st, showing compliance with all conditions of this approval. The Applicant acknowledges, should any violations of the conditions be determined, the City will pursue any and all remedies, including, but not limited to, Code Enforcement (the City will seek fines in the amount of \$1,000 per day for first violations and up to \$5,000 per day for repeat violations) and/or an injunction to prohibit the continuing violation(s), subject to Applicant's rights to notice and right to cure under the law;
- h. Parking for special events (for the purposes of this section, special events shall mean any time parents or other visitors and invitees are attending the school for other than pick-up and drop-off purposes) shall be provided and coordinated in the following manner:
 - 1. Special events for the school shall be independent of each other and only one event can take place at any given time;
 - 2. Special events during school hours shall be limited to one grade level. Multigrade events shall be limited to non-school hours. A Special Event Permit pursuant to Chapter 102 of the Hollywood Code of Ordinances shall be required for all events. The school shall comply with all requirements and/or conditions set forth in the Special Event Permit, which includes but not limited to, off-site parking, police details, etc.;
- i. The Applicant shall, prior to the issuance of Building permits, apply to the appropriate Charter School regulatory agency(ies) for the adoption of rules by which a Zero Tolerance Policy shall be applied to any one dropping off, or picking up a student at any location other than those agreed to by the City and Applicant as indicated on the Site Plan and Traffic Impact Analysis. The Applicant shall seek a progressive penalty system for violations of this rule that will result in the expulsion of the student from the school for repeated violations;
- j. The Public Safety Director or his/her designee shall have the ability to mandate police detail for arrival and dismissal shifts as deemed necessary;
- k. School buses shall not be stored on the premises nor in violation of City Code; and
- l. Unity of Title, in a form acceptable to the City Attorney, shall be submitted prior to the issuance of a Building Permit and recorded in the Broward County Public Records by the City of Hollywood prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C).

BACKGROUND

In 2013, Faith and Life Ministries, were granted a Special Exception to re-establish an existing charter school (Alpha International Academy) at 121 S. 24 Avenue (Resolution No. 13-S-48). The subject property currently houses both the Charter School and Place of Worship. In 2015, the Applicant came before the Board and was granted a Special Exception for the temporary use /modular building associated with the school (Resolution No. 15-S-49). At that time there was no increase in student capacity requested.

REQUEST

Today the Applicant requests to demolish portions the existing building to construct a new, two-story, 15,279 sq. ft. school building. This new school space will feature 12 classrooms, staff offices, cafeteria and a playground area. Furthermore, the Applicant proposes several renovations to the existing place of worship. The demolition and re-configuration of the site plan, allows for several improvements to the existing non-conformities on site, such as open space, buffers, etc. The increase in square footage for the school and reconfiguration of the site allows for a higher capacity of students. The existing student capacity is 90 students. With these improvements the proposed capacity is 240 students. Per the attached plans, the Applicant requests to maintain grades K-5, however as the requirements for K-5 and K-8 are the same, Staff has conditioned that the grade levels be capped at 8th grade. Moving forward, should the Applicant expands to grades 6-8, the student capacity shall be limited to 240 student. The new site configuration allows for better circulation, pick-up/drop-off, and stacking on site than the previous design. Furthermore, the school and place of worship will not operate during the same hours.

As the school and place of worship are not designed to operate concurrently, the Applicant requests a Variance to reduce the required number of parking spaces from 52 to 35 spaces. The hours of operation for the school will not conflict with the place of worship activities. As a result, the parking demand will never exceed the parking spaces proposed as the demand for each use is satisfied in excess of the requirement. This request is very similar to other requests granted in the past for school uses.

The design of the building provides a clean contemporary design through the use of materials such as, glass, metals, and concrete. While the size of the school will be increasing in square footage, the massing of the building is broken up through the use of sunshades, recessed walls, and cantilevers. Furthermore, the new design is a vast improvement from the previous design that was outdated and simple in design. The existing school will now provide visual interest into the neighborhood, and the proposed landscaping is enhanced from the previous design to incorporate an array of native trees, palms, and shrubs while improving the streetscape along 24th avenue and Van Buren Street. The site as proposed meets all applicable requirements, including as height, and setbacks.

SITE INFORMATION

Owner/Applicant:	Faith and Life Fellowship Ministries and Carol Gardner, CPA.
Address/Location:	121 S 24 th Avenue
Net Size of Property:	39,675 sq. ft.
Land Use:	Regional Activity Center (RAC)
Zoning:	Transitional Core (TC-1)
Existing Use of Land:	School and Place of Worship

ADJACENT LAND USE

North:	Regional Activity Center (RAC)
South:	Regional Activity Center (RAC)
East:	Regional Activity Center (RAC)
West:	Regional Activity Center (RAC)

ADJACENT ZONING

North:	Retail Core (RC-1)
South:	Dixie Highway Medium Intensity Multi-Family District (DH-2)
East:	Transitional Core (TC-1)
West:	Transitional Core (TC-1)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Located within the Regional Activity Center the subject site is surrounded by residential properties. 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 land owners 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 major purposes of this designation are to facilitate multi-use and mixed-use development, encourage mass transit, reduce the need to automobile travel, provide incentives for quality development, and give definition to the urban form*. Development of this site enhances the neighborhood, encourages redevelopment of the area, and provides a model for new development within the Regional Activity Center. The project is 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.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:

The subject property is located within Sub-Area 3, South Central Hollywood. South Central Hollywood is bounded by 22nd Avenue and Dixie Highway on the east, Hollywood Boulevard on the north, Pembroke Road on the south, and I-95 on the west.

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

Policy CW.44: *Foster economic development through creative land use, zoning and development regulations, City services and City policies.*

Policy 6.7: *Prepare design plans to enhance the streetscape with emphasis on the pedestrian environment.*

APPLICABLE CRITERIA

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

VARIANCE: To reduce the required number of parking spaces from 52 parking spaces to provide 35 parking spaces.

CRITERIA 1: That the requested Variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.

ANALYSIS: The basic intent of the required number of parking spaces is to avoid traffic and parking demand that cannot be satisfied for different types of uses. The Variance request is to reduce the required number of parking spaces from 52 parking spaces to 35 parking spaces. The required combined total number of parking spaces for the existing and proposed uses is 52. However, the Applicant is proposing a shared parking alternative as the uses are not in operation concurrently. The hours of operation for the school will not conflict with the place of worship's hours or activities. As a result, the parking demand will never exceed the parking spaces proposed as the demand for each use is satisfied in excess of the requirement.

FINDING: Consistent

CRITERIA 2: That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

ANALYSIS: The requested Variance is not detrimental to the community as both uses, the place of worship and the school have different times of operation, which removes possible conflict for parking demand. Furthermore, granting the Variance will facilitate the existing school and place of worship use. The proposed site plan allows for adequate parking for each use on site. As the shared parking alternative is directly related to the operation of the school and place of worship, Staff conditions **that the school use and place of worship shall not operate concurrently.**

FINDING: Consistent, with the aforementioned condition.

CRITERIA 3: That the requested Variance is consistent with and in furtherance of the Goals, Objectives and Policies of the adopted Comprehensive Plan, City-Wide Master Plan, Neighborhood Plan and all other similar plans adopted by the City.

ANALYSIS: The goal of the Land Use Element in the Comprehensive Plan is to promote a distribution of land uses to enhance and improve the residential, business, resort and natural communities while allowing land owners to maximize the use of their property. The requested variances will allow the Applicant to significantly improve existing conditions while taking into consideration adjacent properties and the overall look of the neighborhood; and maintaining the basic intent of the regulations. The requested Variance is in line with the aforementioned plans adopted by the city.

FINDING: Consistent

CRITERIA 4: That the need for the requested Variance is not economically based or self-imposed.

ANALYSIS: The requested variance is not economically based or self-imposed. It is the result of proposing a site development with different types of uses which will not necessitate parking demand during the same times. The Applicant has worked with Staff to ensure the requested variances will not adversely impact adjacent properties or on-site safety and circulation.

FINDING: Consistent

CRITERIA 5: That the Variance is necessary to comply with state or federal law and is the minimum Variance necessary to comply with the applicable law.

FINDING: Not applicable

Analysis of Criteria and Findings for Design as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5.

CRITERIA 1: *Architectural and Design components.* Architecture refers to the architectural elements of exterior building surfaces. Architectural details should be commensurate with the building mass. The use of traditional materials for new architectural details is recommended. Design of the building(s) shall consider aesthetics and functionality, including the relationship of the pedestrian with the built environment.

ANALYSIS: The proposed design exhibits characteristics of a contemporary clean design. Architectural details and elements relate to each other and provide a design solution that is aesthetically

agreeable with functionality in mind. The proposed design provides a positive relationship between the pedestrian and built environment through landscape and site plan elements.

FINDING: Consistent.

CRITERIA 2: *Compatibility.* The relationship between existing architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding neighborhood.

ANALYSIS: The architectural styles and elements of the proposed development do not exhibit architectural features and styles that are insensitive and incompatible to the surrounding neighborhood. Furthermore, the proposed development introduces architectural styles and elements that can inspire a revitalization of the neighborhood. As the number of students and grades affect the compatibility of the site with the neighborhood Staff has made recommendations to decrease the impact.

FINDING: Consistent.

CRITERIA 3: *Scale/Massing.* Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage, and setting of the structure in context with adjacent buildings. Architectural details include, but are not limited to, banding, molding, and fenestration.

ANALYSIS: The Applicant has worked with Staff to design a proposal that is compliant with zoning regulations as it pertains to height, setbacks, etc... The development does not exceed height limitations as set forth in the Zoning and Land Development regulations and is compatible with surrounding sites as most adjacent properties vary in height from one to two stories. The proposed scale and height is consistent with the vision of the Regional Activity Center. Furthermore, the building massing is broken up by various sunshades, cantilevers and recessed walls.

FINDING: Consistent.

CRITERIA 4: *Landscaping.* Landscaped areas should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved.

ANALYSIS: The Applicant has worked with the City Landscape Architect to incorporate a variety of compatible plant types and forms into the design. The proposed landscape helps articulate the property and enhance the design of the proposed building. The landscape plan incorporates an array of native trees, palms, and shrubs while improving the streetscape along both frontages which help to frame the property and enhance the relationship of the pedestrian environment as well as the surrounding neighborhood.

FINDING: Consistent.

SITE PLAN

The Technical Advisory Committee (TAC) found the proposed Site Plan compliant with all regulations as set forth in Article 6 of the Hollywood Zoning and Land Development Regulations on November 27, 2017. Therefore, Staff recommends approval, if the Variance and Design are granted with the conditions listed on page 1 of this report.

ATTACHMENTS

ATTACHMENT A: Application Package
ATTACHMENT B: Land Use and Zoning Map
ATTACHMENT C: Correspondence