

St. Thomas Church/School

Change of Land Use, Rezoning and Site Plan Review

Planning and Zoning Board – 06.03.2009
City Commission; 1st Reading – 07.07.2009
City Commission; 2nd Reading – 07.29.2009

Request

- St. Thomas Church/School proposes to construct a student athletic field on a 1.0 acre parcel immediately to the east of the school campus (5450 North Kendall Drive)
- No new buildings or renovations are proposed
- Parcel has single-family residential land use and zoning designations, therefore a change is needed to accommodate the athletic field use

Request

- No changes are being proposed to the existing church and school building or site other than the modifications to the church's existing parking lot
- Maximum student capacity for the school remains at 425 students (pre-kindergarten–5th grade)

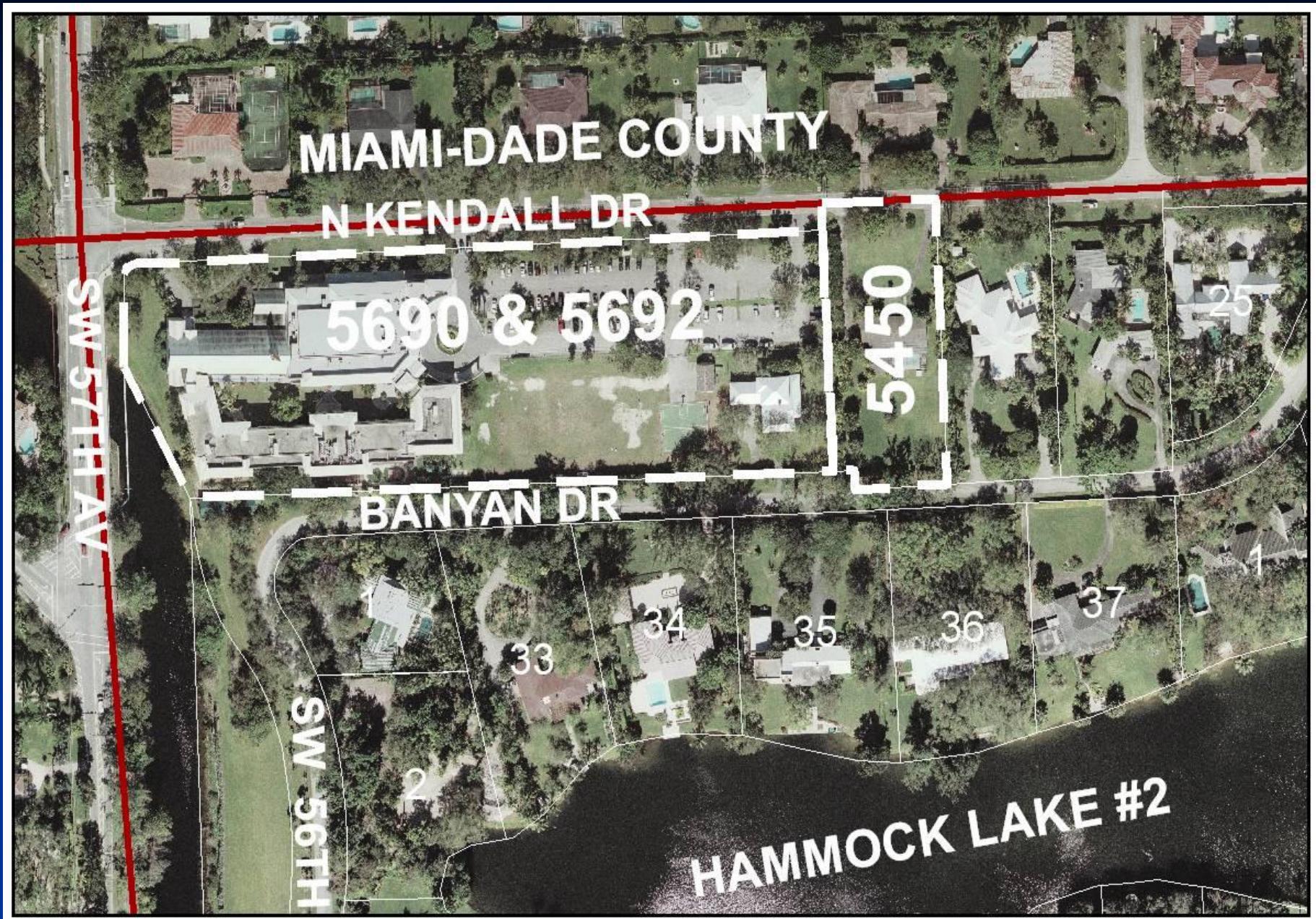
Applications

Local Planning Agency (LPA) review:

1. Change of land use from “Residential Use (Single Family) Low Density” to “Religious/Institutional Use” for a 1.0 acre parcel proposed for use as an athletic field (5450 North Kendall Drive).

Planning and Zoning Board/City Commission review:

2. Change of zoning from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field (5450 North Kendall Drive).
3. Site plan approval for the new athletic field and modifications to the existing parking lots (5450, 5690 and 5692 North Kendall Drive).



Parking requirements

- Property at the time of annexation had 115 existing parking spaces which are considered legally non-conforming
- Proposal is to provide 123 parking spaces on-site
- Additional 8 spaces result from reconfiguration of the parking lot
- Proposal and previous approvals have not exceeded the minimum threshold requirements to require the property to be brought into compliance with the City's Zoning Code, no additional parking is required

Traffic circulation

11 recommendations for improving the existing traffic are proposed for improvement of the student pick-up / drop-off operations

Landscaping and buffering

- Minimum 10' wide landscape buffer within a perpetual landscape easement
- Continuous 6' high masonry wall, hedge and understory plant materials
- Continuous row of canopy trees along the east property line of athletic field (5450 North Kendall Drive)
- Installation of landscape materials the north/south perimeter of the athletic field to provide further buffering
- Numerous other operational and use restrictions have been placed upon the athletic fields to provide further mitigation of any potential negative impacts

CLUP compliance

■ Consistent CLUP Goals, Objectives and Policies (pages 12 & 13 of Staff's report):

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
1.	POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.	A minimum 10' landscape buffer is requested between the proposed athletic field and the adjoining residential property to the east consisting of a continuous six (6) foot high masonry wall, hedge and understory plant material and canopy trees. Compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field will be required that currently do not exist.
2.	POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.	Provision of the buffering described in item 1 above, and the implementation of the operational requirements for school events as recommended as conditions of approval in Staff's report and the eleven (11) traffic circulation improvements as identified in the applicant's submitted traffic analysis to improve the current traffic conditions.
3.	POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designed in the plan which causes significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.	In addition to the additional perimeter buffering provided, compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field will be required that currently do not exist.
4.	POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.	Compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field, and the implementation of the operational requirements for school events and the eleven (11) traffic circulation improvements as identified in the applicant's submitted traffic analysis will be required that currently do not exist.
5.	OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations which provide a continuing process to respond to community needs.	Compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field, and the implementation of the operational requirements for school events and traffic circulation improvements as identified in the applicant's submitted traffic analysis will be required that currently do not exist.

Ref. No.	CLUP Goal, Objective and Policy	Basis for consistency
	OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. The traffic circulation system will protect community and neighborhood integrity.	There currently exist no specific regulations on the use of the property on which the surrounding residential neighborhood can rely. Approval of this proposal with stringent conditions would allow the City to apply design and operational safeguards that would regulate the uses on the church/school campus that could otherwise not be required.
6.	POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. The City shall discourage through traffic in neighborhoods by use of traffic management techniques, including signage, landscape design and roadway design.	Implementation of the eleven (11) recommendations for improving the pick-up/drop-off operations for the school as identified and recommended in the traffic consultant's evaluation report and requiring that the old rectory/caretaker's residence's driveway shall be gated and locked at all times, and the driveway shall not be used at any time for parking by others than occupants of the residence, student drop off, deliveries of any other similar functions are included as a recommended conditions of approval.
7.	POLICY 2-1.8.1: PROVIDE ROADWAY LANDSCAPING. The City shall provide landscaping along roadways to serve as visual and sound buffers and to maintain the quality of the environment within the City.	Provision of a continuous opaque landscaping installed along north and south property line of new athletic field along North Kendall Drive and Banyan Drive, and the condition that existing hedge materials along north and south property line of new athletic field to be filled in with same plant will improve the existing conditions.
8.	POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.	A minimum 10' physical buffer between the proposed athletic field and the adjoining residential property to the east, and compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field, and the implementation of the operational requirements for school events and the eleven (11) traffic circulation improvements as identified in the applicant's submitted traffic analysis will be required that currently do not exist.

CLUP compliance

■ Inconsistent CLUP Goals, Objectives and Policies (pages 13 & 14 of Staff's report):

Ref. No.	CLUP Goal, Policy and Objective	Basis for inconsistency	Recommendation for consistency
1.	POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. <i>Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i>	A buffer is required between uses so that the intensity of uses is effectively reduced on less intense uses, such as residential neighborhoods. Details for an effective buffer between the proposed athletic field and the existing single-family residential uses have not been provided.	Provide a 10' wide dense landscaped buffer along the east property line of the athletic field including a continuous six (6) foot high masonry wall, hedge and understory plant material and canopied trees, and continuous hedge along the athletic field's north and south property line. This is a landscape buffer that is typically required between commercial and low density residential properties. This landscape buffer is recommended as a condition of approval, and would be subject to review and approval by City Departments.
2.	POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. <i>Uses designated in the plan which causes significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.</i>	No operational requirements currently exist for church and school activities and events that take place on the campus.	Provision of additional buffering described in item 1 above, the operational requirements for school events as recommended as conditions of approval in Staff's report and traffic circulation improvements as identified in the applicant's submitted traffic analysis address this issue.
3.	POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. <i>Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.</i>	A comprehensive program of both program and design solutions has not been submitted that provides and demonstrates that adjacent residential properties are adequately buffered and will not be impacted by the proposal.	In addition to additional perimeter landscaping and buffering, provision of conditions regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field.
4.	OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. <i>The traffic circulation system will protect community and neighborhood integrity.</i>	Operational improvements have been identified for the school's existing traffic circulation and pick-up/drop-off system. There is a shortage of available on-site parking according to current Zoning Code requirements.	Implement the eleven (11) recommendations for improving the pick-up/drop-off operations for the school as identified and recommended in the traffic consultant's evaluation report provided with the application.

Ref. No.	CLUP Goal, Policy and Objective	Basis for inconsistency	Recommendation for consistency
5.	POLICY 2-1.7.1: SEPARATE LOCAL AND THROUGH TRAFFIC MOVEMENTS. <i>The City will strive to conserve and protect the character of neighborhoods by preventing the intrusion of through vehicles on local and collector streets.</i>	Operational requirements have not been offered by the applicant to assure that traffic is discouraged from using Banyan Drive.	Requiring that the existing old rectory/caretakers residence's driveway shall be gated and locked at all times, and the driveway shall not be used at any time for parking by others than occupants of the residence, student drop off, deliveries of any other similar functions is included as a recommended condition of approval.
6.	POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. <i>The City shall discourage through traffic in neighborhoods by use of traffic management techniques, including signage, landscape design and roadway design.</i>	Operational improvements have been identified for the school's existing traffic circulation and pick-up/drop-off system. There is a shortage of available on-site parking according to current Zoning Code requirements.	Implementation of the eleven (11) recommendations for improving the pick-up/drop-off operations for the school as identified and recommended in the traffic consultant's evaluation report is recommended as a condition of approval.
7.	POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. <i>New development shall be compatible with adjacent established residential areas.</i>	A transition is required between uses so that the intensity of uses is effectively reduced as development approaches less intense uses, such as residential neighborhoods.	Provide a 10' wide dense landscaped buffer along the east property line, compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field, and the implementation of the operational requirements for school events and traffic circulation improvements as identified in the applicant's submitted traffic analysis, subject to review and approval by City Departments.

Basis for approval

Staff's support of this proposal is the compliance with the CLUP and Zoning Code as enumerated in the findings of facts and the two following considerations.

1. The City adopted the existing County approved master plan for the St. Thomas Church and School campus when the Snapper Creek Section was annexed in 1996. The County's requirements for church and school properties are not consistent with the City's Zoning Code provisions and does not take into consideration City potential issues and remedies

Basis for approval

2. Presently, no specific regulations presently govern the use/operations of the property to insure surrounding properties are not negatively impacted. The approval of this proposal with the conditions sets forth specific operational and use safeguards to allow for the operation of the facility in concert with surrounding properties. The safeguards proposed herein are similar, if not identical to other limitations that have been placed upon other church/school facilities within residential areas of the City

Findings of fact

1. Proposal is “consistent” with specific CP Goals, Objectives and Policies as identified herein.
2. Recommendations are provided as conditions of approval for those CP Goals, Objectives and Policies identified herein as “inconsistent”.
3. Proposed project satisfies Zoning Code standards for CP map amendments and changes in zoning district boundaries.
4. Improvements to existing perimeter landscaping and public right-of-ways would be installed with this proposal.
5. Operational requirements are specified for events held at the school which currently are not addressed.

Findings of fact (con't)

6. Improvements to the school's existing traffic circulation system for student drop off and pick up would be required.
7. 8 additional parking spaces would be provided as a result of the reconfiguration of the parking lot.
8. Future use of the existing rectory property's driveway would be prohibited.
9. Implementation of all conditions of approval as provided for herein provides additional protection to adjoining residential uses and mitigates any potential adverse effects.

Recommendation

Based upon the findings of fact contained in Staff's report, and in furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, the Zoning Code and other applicable City provisions, the Planning Department recommends approval of the three (3) applications subject to all of the following conditions of approval:

Conditions of approval

1. Application/supporting documentation.

Construction of the project shall be in conformance with the site plan, landscape plan and all other representations and exhibits submitted with the application package.

2. General provisions.

- Restrictive Covenant including all conditions of approval submitted within 30 days of approval.
- Unity of Title tying the entire property together submitted within 90 days of approval.
- Maximum school capacity shall be limited to 425 students.

Conditions of approval

3a. Use and operation restrictions – athletic field. (5450 North Kendall Drive)

- Users of athletic field. Only to be used by students and faculty.
- Play equipment. Only permanent soccer nets or other field apparatus. Bleachers or other elevated seating shall be prohibited.
- Hours of use. No activities between the hours of 6:30 p.m. and 7:30 a.m.
- Vehicle access. Shall be prohibited
- Vehicle parking. Shall be prohibited.

Conditions of approval

- Lighting. Shall be prohibited.
- Landscape easement. A perpetual ten (10) foot wide landscape easement shall be provided on the entire eastern length of the property from North Kendall Drive to Banyan Drive. The expressed purpose of the easement is to provide a buffer.

3b. Use and operation restrictions – athletic field. (5690 and 5692 North Kendall Drive)

- Users of athletic field. Only to be used by students and faculty.
- Play equipment. Only permanent soccer nets or other field apparatus. Bleachers or other elevated seating shall be prohibited.

Conditions of approval

- Hours of use. No activities between the hours of 6:30 p.m. and 7:30 a.m.
- Vehicle access. Shall be prohibited
- Vehicle parking. Shall be prohibited. Facility (church and school) operations (5450, 5690 and 5692 North Kendall Drive).
- Lighting. Shall be prohibited.

3c. Facility (church and school) operations. (5450, 5690 and 5692 North Kendall Drive)

- Special events permits. Tentative schedule of events shall be submitted to City a minimum of one month prior to each school year.

Conditions of approval

- On-street parking. No vehicle parking, storage or standing (temporary or permanent) shall be permitted along any portion of North Kendall Drive or Banyan Drive.
- Traffic circulation improvements for school operations. Within 180 days of City Commission approval, implement the eleven (11) recommendations for improving the pick-up/drop-off operations.
- Traffic management for school operations. An off-duty police officer shall be provided during peak morning and afternoon periods.

Conditions of approval

- Existing old rectory/caretakers residence. Gates shall remain locked at all times and driveway shall not be used for vehicle parking or storage.
- Lighting. “Spillover” prohibited onto neighboring properties.

4. Landscaping and public rights-of-way.

- Landscape buffer plan for ten (10) foot easement along eastern property line shall consist of:
 - Six (6) foot high masonry wall.
 - Three (3) foot hedge/understory.
 - 12' to 14' high Green Buttonwood shade trees.

Conditions of approval

- Landscape plan along front property line (5450 North Kendall Drive).
 - Three (3) foot hedge/understory.
 - 12' to 14' high Green Buttonwood shade trees.
- Landscape plan along entire rear property line (5450, 5690 and 5692 North Kendall Drive).
 - Supplemental understory to achieve 100% opacity.

5. Facility public information liaison/point of contact. To facilitate exchange of information between all parties.

Public notification

The following has been completed to solicit input and provide notice of the application:

Type	Explanation
Neighborhood meeting completed	Completed 01.07.09
Courtesy notification mailed to all property owners within 1,000 feet of the subject property	Completed 05.20.09
Newspaper ad published	Completed 05.21.09
Posted property	Completed 05.21.09
Posted agenda on City web page/City Hall	Completed 05.21.09
Posted Staff report on City web page	Completed 05.29.09

Courtesy notices were mailed to surrounding property owners within 1000 feet of the subject property advising them of the request and providing them with an opportunity to comment on the application.

Additional Public notification

- Advertised agenda title for 1St Reading (not required)
- Advertised large map for 1st Reading (not required)
- Posted property

Public Comments

- Updated listing
- Petition presented at 06.03.2009 Planning and Zoning Board hearing

Planning and Zoning Board Recommendation

Recommended approval by a 5 to 0 vote
subject to Staffs conditions of approval
with minor modifications noted in
underline/strikeout format

The End