City of Coral Gables
Planning Division Staff Recommendation

Applicant:	**Somerset Grace Charter School of Coral Gables**
Revised Applications:	**Change in Land Use, Conditional Use and Site Plan Review Applications(#07-10-113-P)**
Property:	**624 Anastasia Avenue (University Baptist Church)**
Public Hearing	**Planning and Zoning Board November 30, 2011, 6:00 – 9:00 p.m. City Commission Meeting First Reading – December 13, 2011 (Tentative)**
Location	**City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134**

Applications Filed.

The applications (referenced as Application No. 07-10-113-P) filed on 08.05.2011 with the City of Coral Gables requests consideration of the following:

1. An Ordinance of the City Commission of Coral Gables, Florida, requesting an amendment to 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; and, providing for severability, repealer, codification and an effective date. (LPA review).

2. An Ordinance of the City Commission of Coral Gables, Florida, requesting conditional use review 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 436 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. (PZB review).

3. An Ordinance of the City Commission of Coral Gables, Florida, requesting site plan review to permit miscellaneous site improvements and a student increase of an existing Charter School from 110 students to a maximum 436 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. (PZB review).

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Attachments

A Draft Ordinance – Change of Land Use.
B Draft Ordinance – Conditional Use.
C Draft Ordinance – Site Plan Review.
D 11.10.11 revised Preliminary Zoning Analysis prepared by Building and Zoning Department.
E Reynolds, Smith and Hills, Inc., Somerset Coral Gables UBC Campus (PK-8), Traffic Review

Report, November 2011.

F 11.14.2011 Police Department Memorandum

G Legal notices published (2 legal ads)

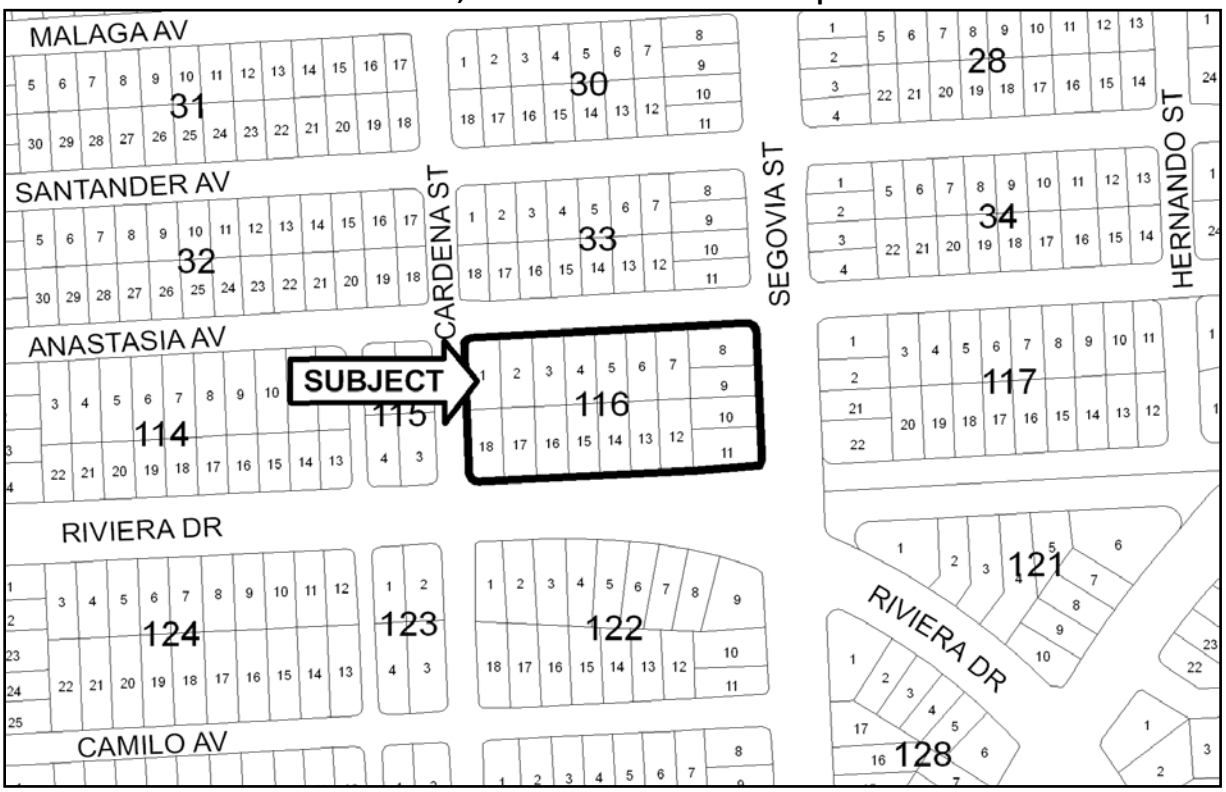
H 11.04.2011 Copy of courtesy notice mailed to all property owners within 2,000 feet.

I Comments received from property owners within 2,000 from 08.05.2011 – 11.22.2011.

1. Summary of Applications.

Somerset Academy Grace Charter School at Coral Gables (hereinafter referred to as "Applicant"), has submitted three (3) applications (hereinafter referred to as Applications), for City of Coral Gables (hereinafter referred to as the "City"), review and public hearing consideration. The request is to permit a student enrollment increase of an existing Somerset Academy Charter School (hereinafter referred to as "School"), located on a 2.6 acre property currently occupied by the University Baptist Church, (hereinafter referred to as "Church") legally described as all of Block 116, Coral Gables Country Club Section Part 6 (624 Anastasia Avenue), Coral Gables, Florida.

Block, Lot and Section Location Map



The Applicant revised the previously filed Conditional Use and Site Plan Review applications providing for a reduction in the maximum student enrollment from 735 to 436 students. The Change of Land Use application remains unchanged. In summary, the Applications filed are as follows:

1. Amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan (CP) pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Religious/Institutional" to "Community Services and Facilities".
2. Conditional use review 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 436 students on

property designated "Special Use (S)" Zoning District.
3. Site plan review to permit miscellaneous site improvements and a student increase of an existing charter school from 110 students to a maximum 436 students on property designated "Special Use (S)" Zoning District.

The resubmittal of the Applications was a result of the input and testimony received by the Applicant pursuant to the Planning and Zoning Board three (3) public hearings on 04.27.2011, 06.08.2011 and 06.22.2011. At the 06.22.2011 hearing, approximately ninety (90) interested parties provided input and testimony. Upon conclusion of the hearings, the Board recommended (vote: 6-0) a continuance of all three (3) applications in order to allow the Applicant to complete the following:

1. Supplement and amend application regarding the proposed maximum student enrollment, traffic and circulation, student drop-off and pick-up procedures, and other issues identified during the public hearings.
2. Meet with neighbors and the neighbor's representative to attempt to resolve outstanding issues prior to returning before the Board.

The Applicant seeks the ability to increase the school's maximum enrollment from 110 (ages 3 – 13) to 436 students, permitting students Pre-K through Grade 8. The School is currently operating with an enrollment of 110 students within the existing Church's educational buildings. The existing approvals on the site were based upon City Commission 1977 approval to operate a school with a maximum 110 students. The Building and Zoning Department issued a Certificate of Use in 2010 to operate as a School consistent with the 1977 City Commission approval. The School entered into a contract with the School Board of Miami-Dade County to open the Charter School on 07.16.09.

No exterior building additions or modifications are requested to the existing structures. Proposed onsite improvements will include traffic management pavement markings, traffic and pedestrian management signage, landscaping and fence around perimeter of parking lot to restrict the off-site drop-off of students. Offsite improvements will include a designated bus/van drop-off and on-street parking improvements along the entire south side of Anastasia Avenue as well as pedestrian cross-walks surrounding the property.

The revised Application submittal package includes the following materials (a complete copy of the below listed documents is attached to this report within a large brown manila folder):

1. Statement of Use dated 8.05.2011
2. Draft Proffered Declaration of Restrictive Covenant with proffered conditions of approval, prepared by Laura L. Russo, Esq., dated 8.05.2011
3. Aerial Photograph, prepared by Civica, dated 10.05.2011.
4. (Existing to Remain) Site Photographs, prepared by Civica, dated 10.05.2011.
5. Map of Boundary Survey for University Baptist Church of Coral Gables, prepared by Hadonne, dated 03.23.2011.
6. Existing South Elevation, prepared by Civica, dated 10.05.2011.
7. Existing East and West Elevations prepared by Civica, dated 10.05.2011.
8. Existing Site Plan and Zoning Data prepared by Civica, dated 10.05.2011.
9. Proposed Site Plan - Traffic Scenario 'A' (Multi-Directional Distribution) prepared by Civica, dated 10.05.2011.
10. Proposed Site Plan - Traffic Scenario 'B' (Unified Distribution) prepared by Civica, dated 10.05.2011.
11. Proposed Parking Plan during School Use prepared by Civica, dated 10.05.2011.
12. Proposed Pedestrian Plan prepared by Civica, dated 10.05.2011.

13. Proposed On-site Traffic Signage & Existing Site Lighting prepared by Civica, dated 10.05.2011.
14. UBC Existing Educational Facility: 1st Floor Plan prepared by Civica, dated 10.05.2011.
15. UBC Existing Educational Facility: 2nd Floor Plan prepared by Civica, dated 10.05.2011.
16. Proposed Landscaping Plan prepared by Civica, dated 10.05.2011.
17. Planting Details Notes and Specs prepared by Civica, dated 10.05.2011.
18. Traffic Operations Plan, dated 10.05.2011.
19. Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011.
20. School Speed Zone Signage prepared by Civica, dated 10.05.2011.
21. No School Parking Zone Signage prepared by Civica, dated 10.05.2011.
22. Proposed School Speed Zone Signage prepared by Civica, dated 10.05.2011.
23. Parent & Student Handbook 2011 - 2012, prepared by Somerset Academy Gables.
24. Parent Contract 2011 - 2012, prepared by Somerset Academy Gables.
25. Attendance Contract 2011 - 2012, prepared by Somerset Academy Gables.
26. Master Calendar with events for Somerset.
27. Master Calendar combined with events for UBC.
28. Charter School Contract between The School Board of Miami-Dade County, Florida and Somerset Academy, Inc. on behalf of Somerset Grace Academy, dated 07.15.2009.
29. Somerset Lease with UBC, First Amendment to Educational Facilities Lease Agreement dated 08.13.2010.
30. Planning Department Application submitted by Applicant/Agent Laura Russo, Esq., notarized 07.29.2010.

Please visit the City web at www.coralgables.com, titled “City Agendas”, “Planning and Zoning Board” to view and retrieve electronic copies of the Applicant’s submittal package, this Staff Recommendation report, public notices, submitted public comments, etc. All documentation regarding this application is also on file and available for examination during business hours at the Planning Division, 427 Biltmore Way, Suite 201, and the City Clerk’s Office, City Hall, 405 Biltmore Way, Coral Gables, Florida.

2. City Review.

City Review Responsibilities - Comprehensive Plan and Zoning Code

This section provides background and history regarding the City’s responsibility for the review of development applications applicable to the City’s Comprehensive Plan and Zoning Code.

All local governments in the State of Florida are required to prepare and adopt a Comprehensive Plan. The Comprehensive Plan serves as the City’s guide for future growth and development. In 1985, the State Legislature adopted the Local Government Comprehensive Planning and Land Development Act, known as the “Growth Management Act”, which requires that each local government prepare and implement a Comprehensive Plan. This legislation required that a Comprehensive Plan contain specific “Elements”, which provide goals, objectives and policies addressing such items as future growth, transportation, education, natural resources, capital improvements, etc. The City has a total of fourteen (14) individual elements (i.e., Future Land Use; Governance; Mobility; Design; Housing; Education; Capital Improvements; Parks and Recreation; Community Facilities, Green,; Public Safety, etc.) and each has a detailed list of goals, objective and polices of which certain development

applications require evaluation to determine "Consistency" or "Inconsistency."

As a part of the Growth Management Act legislation, each local government is also required to reevaluate its Comprehensive Plan on a periodic basis to determine if the adopted goals, objectives and policies have been achieved. This process is known as the Evaluation Appraisal Report or "EAR." The City undertook this EAR process in 1995 and most recently in 2007. After the conclusion of the EAR process, local governments are required to amend the Plan according to the findings and conclusions of the report in order to further the local government's vision for growth and development. Following the completion of the 2007 EAR, the City of Coral Gables chose to complete a comprehensive rewrite of the entire Plan rather than taking a "patchwork" approach and amending the existing document. The Plan was ultimately adopted by the City Commission in November, 2009 and was found "In compliance" by the State of Florida Department of Community Affairs in January, 2010.

The Comprehensive Plan's Administration Element provides the City's "Vision Statement" which captures the purpose and intent of the Plan. The first and primary goal of the Administrative Element is that the City *"shall provide a visionary blueprint for the City's growth, development, and function while preserving its historic and cultural character in concert with the City of Coral Gables City Commission mission and vision"* (Goal ADM-1).

City Staff' responsibility is to provide effective and efficient administration, interpretation, implementation, monitoring and evaluation of the Comprehensive Plan to promote the City's vision, goals, objectives, and policies. This includes administration the Comprehensive Plan in an efficient and effective manner that is consistent with federal, state, and local laws and regulations. In order to achieve that, the Plan requires the City *"Interpret the Comprehensive Plan in a manner that is founded on sound legal and planning principles, and is in accordance with federal, state, and local laws and regulations"* (Objective ADM-1.2).

The Plan further establishes that it is a policy of the City that *"the Comprehensive Plan supports and solidifies the implementation of the City's land development regulations which includes the City Zoning Code and Zoning Map(s). The Comprehensive Plan shall also support the City Charter and City Code" (*Policy ADM-1.2.1), and that the City shall *"develop strategies and regulations to implement the Comprehensive Plan goals, objectives, and policies. In particular, the City's Zoning Code should be analyzed and amended as necessary to be consistent with and promote the Comprehensive Plan goals, objectives, and policies"* (Policy ADM-1.3.1).

A comprehensive rewrite of the Zoning Code was undertaken in 2004 through 2007. In advance of the rewrite, a community-wide Charrette was completed in 2002 which formed the basis for both the rewrite of the Zoning Code and Comprehensive Plan. Significant community input was attained via the Charrette, and Zoning Code and CP rewrites. The Charrette provided a series of recommended changes to the City's codes of which a majority of the recommendations were implemented.

In summary, the City's Comprehensive Plan provides the framework or "roadmap" for the future development of the City and the Zoning Code provides the tools for implementation.

Application Review Process

Conditional Use and Site Plan applications require review and approval from the Board of Architects. All three (3) Applications require review and recommendation at a minimum of three (3) public hearings before the Planning and Zoning Board and City Commission. This section provides details of the required review as well as the timeline of Application reviews.

Board of Architects Recommendation

Upon receipt of the recommendation of City staff, the Board of Architects shall review the application and the recommendation of staff to determine if the application is consistent with the standards of these regulations and any design requirements set out in the zoning district in which the parcel is located. The Board of Architects approval is required prior to the Planning and Zoning Board's consideration of an application for conditional use approval.

Planning and Zoning Board Recommendation

Pursuant to the City Charter, and subject to the "Zoning Code Article 2, Decision Making and Administrative Bodies, Division 2., Planning and Zoning Board, Section 2-201., Powers and duties," the Planning and Zoning Board is created to act as the Local Planning Agency (LPA) of the City on all Change in Land Use applications. Upon receipt of a recommendation of City Staff, the Board's recommendation is forwarded to the City Commission for review and consideration.

The Board also reviews and provides recommendation on applications for conditional use and site plan review. The Board's recommendation consists of the following: approval; approval subject to specified conditions; denial; or continuance with request for additional information/further study. Ultimately the Board's recommendation is forwarded to the City Commission. The Board may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Zoning Code, Section 3-408.

City Staff evaluates all applications and provides its recommendation to both Planning and Zoning Board and City Commission based upon conformance and/or consistency with the criteria of the following Official City regulations: Comprehensive Plan, Zoning Code, City Code, and other applicable local, County and State agency requirements (i.e., Florida Statues, etc.)

City Commission Decision

The City Commission reviews the application, proffers provided by an Applicant, the recommendations of staff, the Board of Architects and the Planning and Zoning Board recommendation, and conducts a quasi-judicial public hearing which includes receipt of testimony and evidence on interested/affected parties. The City Commission may grant the approval, grant the approval subject to specified conditions, or deny the application. The City Commission may attach such conditions to the approval that are necessary to ensure compliance with the standards set out in Zoning Code, Section 3-408.

The City Commission considers the applications at two (2) separate public hearings (1st and 2nd Reading). If the City Commission recommends approval at 2nd and Final Reading, the recommendation for approval of the Change of Land Use application is then forwarded for informational purposes to the State of Florida Department of Economic Opportunity as a "Small Scale" amendment pursuant to F.S. Chapter 163.3187. Since the amendment is a small scale amendment, no state required impact analysis is required.

City Review Timeline

The originally submitted and revised applications have undergone the following City reviews:

Types of Review	Date(s)
Development Review Committee	05.07.10, 06.16.10 and 09.16.11
Board of Architects – Site Plan	Approved - 04.07.11 (original) Approved – 09.01.11 (revised)
Board of Architects – Conditional Use	Approved - 04.07.11(original) Approved – 09.01.11 (revised)
Board of Adjustment	N/A
Historic Preservation Board	N/A
Landscape Advisory Board	N/A
Local Planning Agency	04.27.11, 06.08.11, 06.22.11 and 11.30.11
Planning and Zoning Board	04.27.11, 06.08.11, 06.22.11 and 11.30.11
Street and Alley Vacation Committee	N/A
City Commission, 1st reading	12.13.2011 (Dependent upon date of Board final recommendation)
City Commission, 2nd reading	TBD

Numerous meetings outside of the required Development Review Committee meetings have occurred with the Applicant and City Staff. These meetings are intended to exchange information, provide comments and/or request additional information in order that the City may conclude its evaluation of the applications. These meetings included the following City Department representation: Development Services; Building and Zoning; Fire; Parking; Planning; Public Works; Public Service; Police and City Traffic Consultant. The Applicant has completed the necessary City reviews permitting consideration by the Planning and Zoning Board and City Commission.

City Legislative History

The following is a chronology of previous City Commission approvals/legislation affecting the subject property (University Baptist Church):

1. Ordinance No. 1141 (adopted 07.07.1959) - Change of zoning on Lots 1 -7 and 13-16, Block 116 from A-17 to SA-17, with the "S", Special Use designation to permit the construction of a new chapel and educational facility addition, and for the use of Lots 17-18 for off-street parking purposes for the church.
2. Ordinance No. 2252 (adopted 06.28.1977) - Change of zoning on Lots 1-16, inclusive, Block 116 to allow for the additional use of the property for the operation of a child development center to be located in the existing church facilities. The approval was conditioned on hours of operation between 8:30 a.m. and 2:10 p.m.; student enrollment of not more than 110 children; staff limited to not more than 18; and, all ingress and egress from Segovia Street.

3. Ordinance No. 2455 (adopted 02.08.1983) – Change of zoning on Lots 9-11 and 15-18, Block 33 from D-10 and A-17 to SD-10 and SA-17 with the "S", Special Use designation to permit the use of the property for general church purposes. The approval was conditioned on a Unity of Title tying the subject lots and all of Block 16 together as one tract of land; and, maintaining the residential character of the structures located on the subject lots
4. Ordinance No. 2454 (adopted 03.08.1983) – Change of land use for Lot 9, less the north 20 feet, and all of Lots 10-11 and 15-18, Block 33, Biltmore Section from "Duplex Future Land Use" on Lot 9, less the north 20 feet, and all of Lots 10-11 and "Apartment Future Land Use" on Lots 15-18 to "Religious Institutional Future Land Use" to permit the development of said lots for religious institutional purposes.
5. Resolution No. 23886 (adopted 08.31.1982) – Approved agreement with University Baptist Church permitting use of Lots 1-3 and 20-24, Block 120, Country Club Section Part 6 for parking. Permitted use of City owned property for parking during Sunday worship services subject to the requirement that the Church shall maintain the grass, trees and landscaping including fertilization twice per year and provide liability insurance coverage. The Resolution states that the agreement shall continue for an indefinite period unless cancelled by 60 days written notice from either party.
6. Resolution No. 24862 (adopted 09.25.1984) – Approved installation of underground conduit for communication cable for University Baptist Church owned buildings on either side of Anastasia Avenue subject to requirements by the Public Works Department.
7. Resolution No. 2007-45 (adopted 03.13.2007) – Accepted Senior Citizen Status Report submitted to the City Commission on 03.13.2007 for the Senior Center Program and Facility Initiative and authorizing and directing the City Manager to negotiate a partnership agreement with the University Baptist Church for use of identified areas for a Senior Center Program.

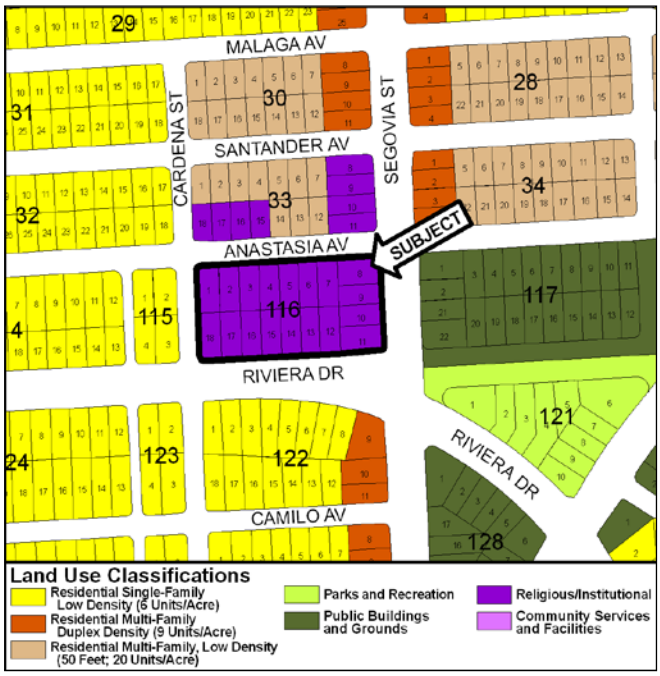
3. Applicant's Requests and Submittals.

This section provides factual information regarding the three (3) Applications and the subject property.

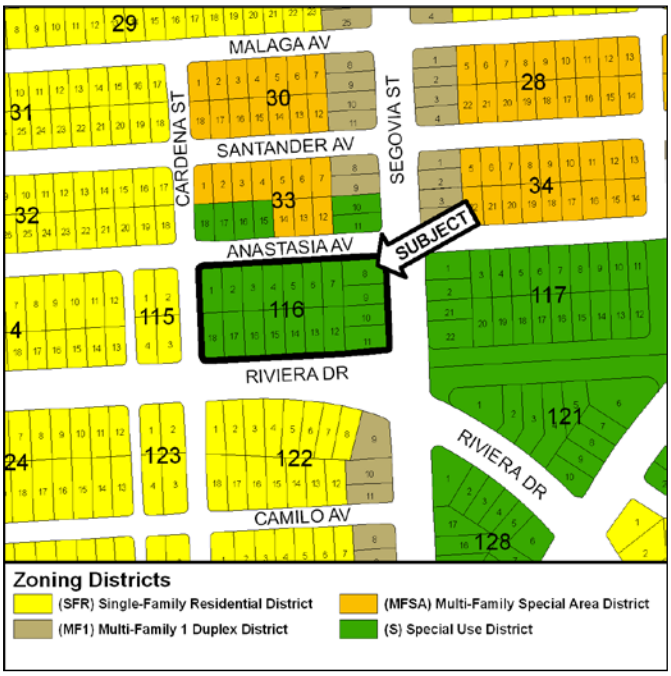
Existing Property Designations

Comprehensive Plan Map designations	"Religious/Institutional"
Zoning Map designations	Special Use District (S)
Within Central Business District	No
Mixed Use District ("C", Commercial only)	No
Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Area)	No

Existing Future Land Use Map Designation



Existing Zoning Map Designation



Surrounding Land Uses

Location	Existing Land Uses	CP Designations	Zoning Designations
North	2 story apartment buildings	"Religious/Institutional " and "Residential Use (Multi-Family) Low Density"	Special Use District (S) and "Multi-Family Special Area District (MFSA)
South	1 story single-family residences	"Residential Use (Single-Family) Low Density "	Single Family Residential (SFR)
East	Coral Gables Youth Center	"Public Buildings and Grounds" and "Parks and Recreation"	Special Use District (S)
West	1 story single-family residences	"Residential Use (Single-Family) Low Density "	Single Family Residential (SFR)

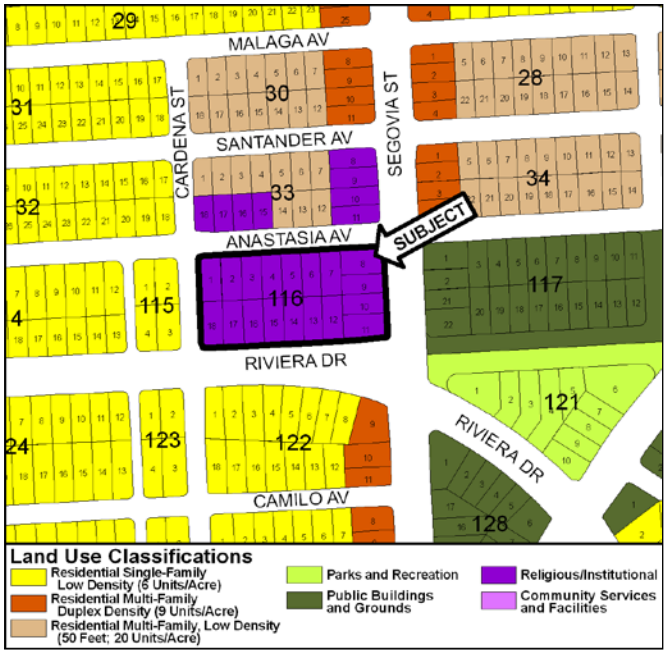
Aerial

MALAGA AV
CARDENA ST
SEGOVIA ST
HERNANDO ST
SANTANDER AV
ANASTASIA AV
RIVIERA DR
RIVIERA DR
CAMILO AV
ALEDO AV

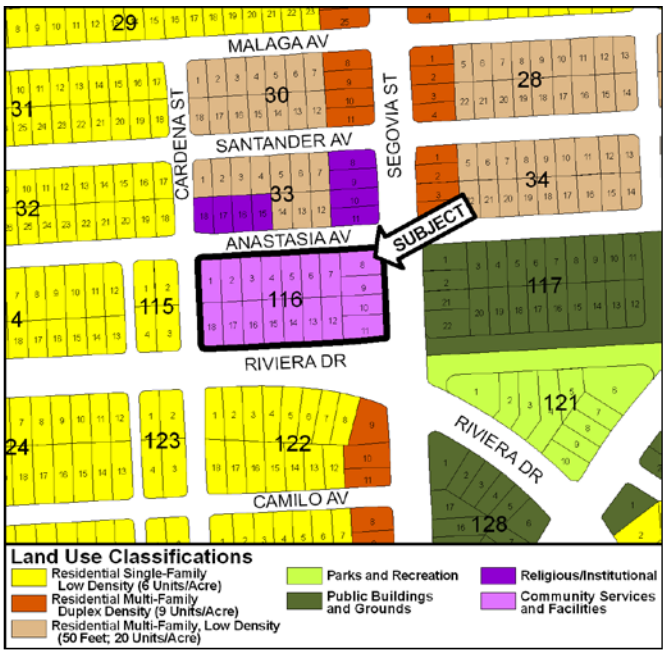
Applicant's Proposal – Change in Land Use Application

The Applicant is requesting a change to the City's Future Land Use Map designation from "Religious/Institutional" to "Community Services and Facilities". The Change in Land Use application will allow the School and the Church to operate at the same location. A comparison of the existing Land Use Map designation and the Applicant's request is noted on the following mapping:

Existing Future Land Use Map



Applicants Request - Future Land Use Map



The Comprehensive Plan provisions related to the "Religious/Institutional" Land Use and "Community Services and Facilities" Land Use classification is as follows:

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.

A copy of the Applicant's Comprehensive Plan Analysis justifying the request is on file.

Applicant's Proposal – Conditional Use and Site Plan Applications

This section provides a summary of various information regarding the existing site conditions and Applicant's proposed site plan and operations for the two (2) following applications (Refer to the Applicant's submittal package for detailed information):

1. Conditional use review 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 436 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 436 students on property designated "Special Use (S)" Zoning District.

Site Plan Information

Type	Permitted/Required	Proposed
Total site area	114,282 sq. ft. (2.6 acres)	114,282 sq. ft. (2.6 acres)
Floor area ratio (FAR)	0.35 FAR	0.53 FAR**
FAR x total site area =	39,999 sq. ft.	---
Adjusted sq. ft. of buildings (church & residential)*	---	60,652 sq. ft.
Building heights:	45'-0"	Complies
Landscaping	35%	Complies

* Source: Miami Dade County Property Data and Information File.
**Property is an existing non-conforming use and no expansion of the structures is proposed.

Building Setbacks (Existing Building)

Type	Required	Provided
- Front (Andalusia Avenue)	25 ft.	Existing/complies
- Side street (Segovia Street)	15 ft.	Existing/complies
- Side street (Cardena Street)	15 ft.	Existing/complies
- Rear (Riviera Avenue)	5 ft.	Existing/complies

Parking Spaces

Campus Parking Lot	Existing	Proposed	Zoning Code requirements	Additional parking
On-site parking	89	89	56	33
Total	135	129	56	33

Existing/Proposed Uses – Building Square Footages

Facility	Area (sq. ft.)
Sanctuary/assembly area	8,500 sq. ft.
Classrooms	17,889 sq. ft.
Library	735 sq. ft.
Offices	2,761 sq. ft.
Cafeteria/multipurpose rooms	7,140 sq. ft.
Service/maintenance (includes food serving)	2,755 sq. ft.
Residential/office building	2,441 sq. ft.
Other – circulation, rest rooms, storage, mechanical, etc.	25,957 sq. ft.
Total	68,178 sq. ft.

Existing/Proposed Student Enrollment (Applicants proffered "School Phasing Strategy") *

Grades PreK – 8th Grade	2008-09 (PreK only)	2009-10 (PreK only)	2010-11	Phase 1 2011-12	Phase 2 2012-13	Phase 3 2013-14
Total	110	95	110	260	348	436

* The current approved Certificate of Use limits school enrollment to a maximum of 110 students

School and Church Employees

Somerset Academy	Employees
Somerset Academy Staff (administrative and faculty)	34
University Baptist Church staff (administrative and clergy)	6
Total	40

Goods and Services Delivery Schedule

User	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Sun.
Waste (garbage)	6:30 a.m.		6:30 a.m.				
Office supplies	varies						
Food service	6:45 a.m.	6:45 a.m.	6:45 a.m.	6:45 a.m.	6:45 a.m.		
Fed Ex, UPS delivery					varies		

Applicant's Traffic Information

The Applicant has submitted various traffic related information since the initial application submittal as well as with the revised Application. This documentation includes the following:

Revised Application Submittal Package Traffic Related Information (Included with this Staff Report)

1. Traffic Operations Plan, dated 10.05.2011.
2. Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011.
3. School Speed Zone Signage prepared by Civica, dated 10.05.2011.
4. No School Parking Zone Signage prepared by Civica, dated 10.05.2011.
5. Proposed School Speed Zone Signage prepared by Civica, dated 10.05.2011.
6. Draft Proffered Declaration of Restrictive Covenant with proffered conditions of approval, prepared by Laura L. Russo, Esq., dated 8.05.2011

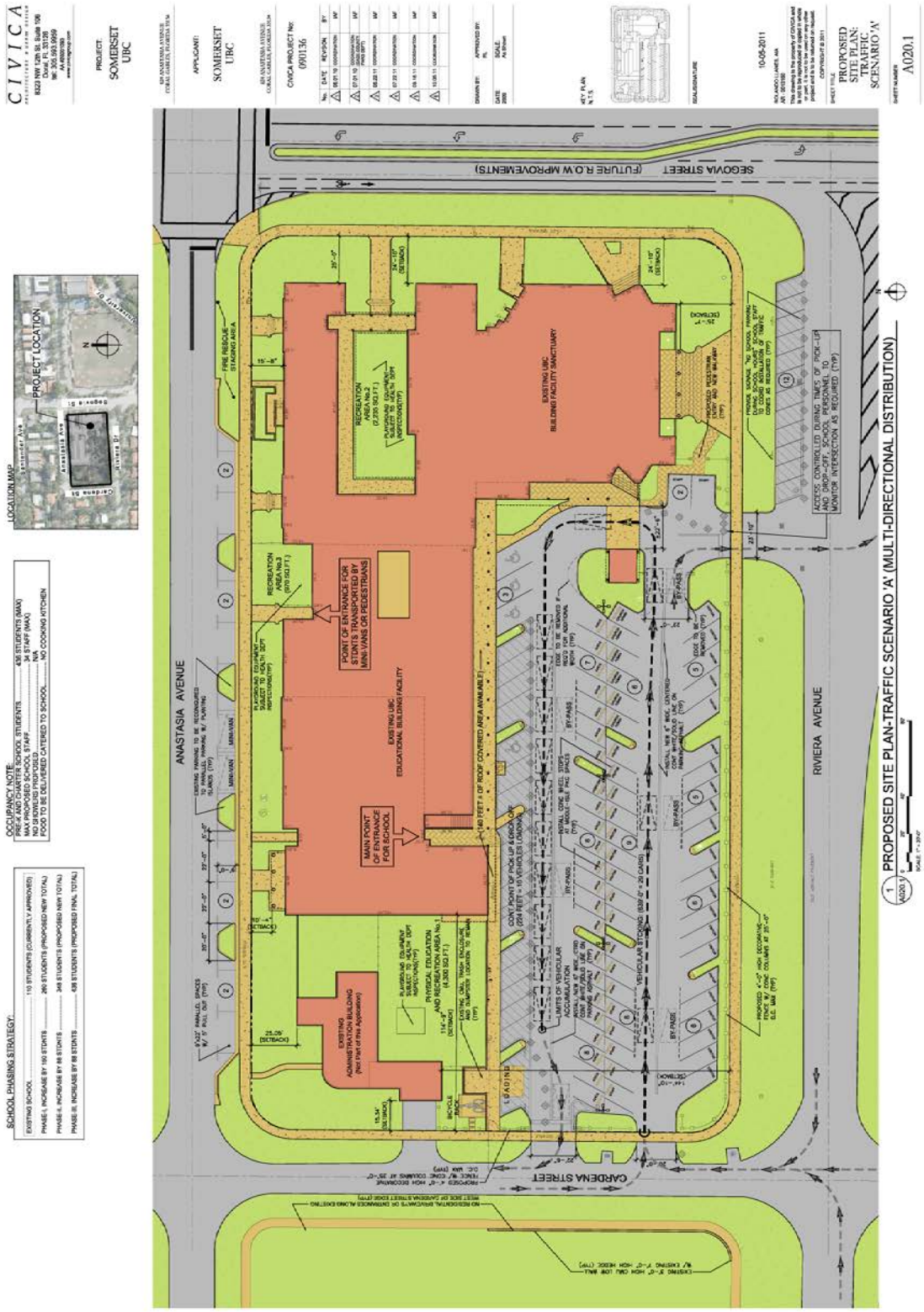
Initial Application Submittal Package (This information is available on the City Web page and on file with the City).

1. Accumulation Assessment – Somerset UBC -03.25.2010.
2. Somerset Coral Gables UBC Campus (PK8) Traffic Impact Study-06.03.2010.
3. Additional Analysis for Somerset CG UBC Campus Traffic Study 06.07.2010.
4. Additional School Data and Analysis for Somerset CG UBC Campus Traffic Study-10.20.2010.
5. Comparative School Data for Somerset CG UBC Campus-12.13.2010.

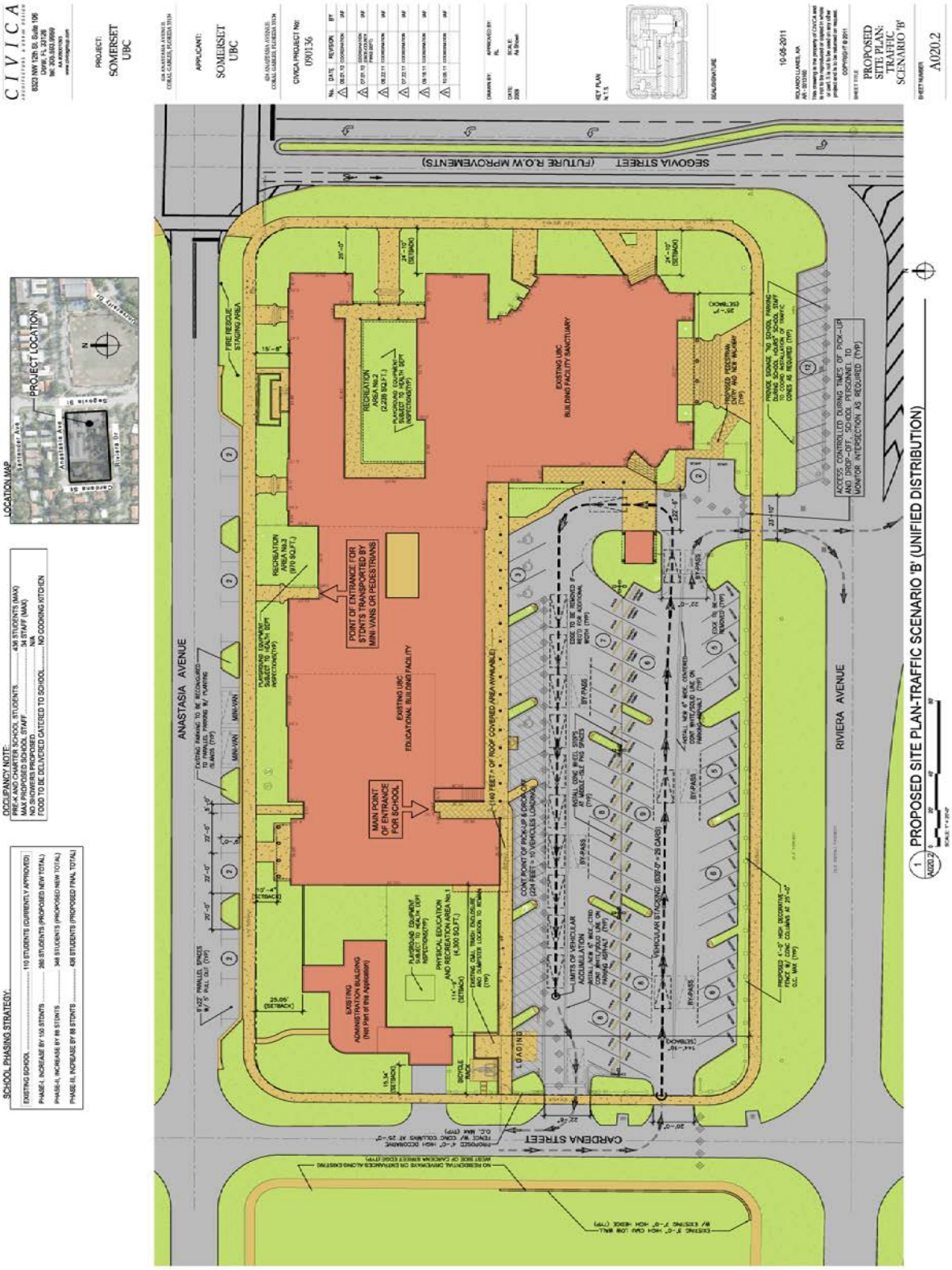
Applicant's Plans

The Applicant's proposed plans are provided on the following pages.

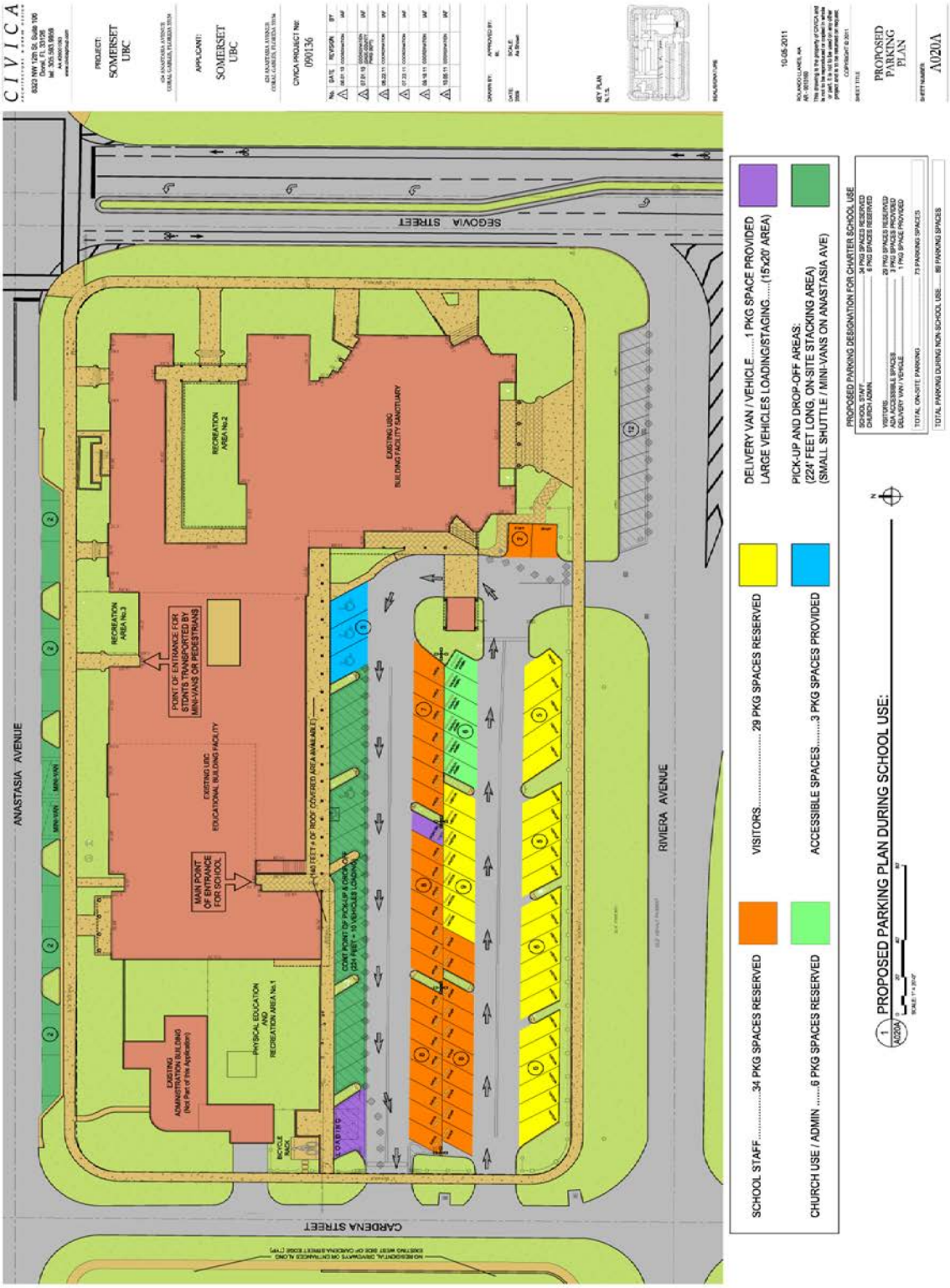
Proposed Site Plan-Traffic Scenario 'A' (Multi-Directional Distribution)



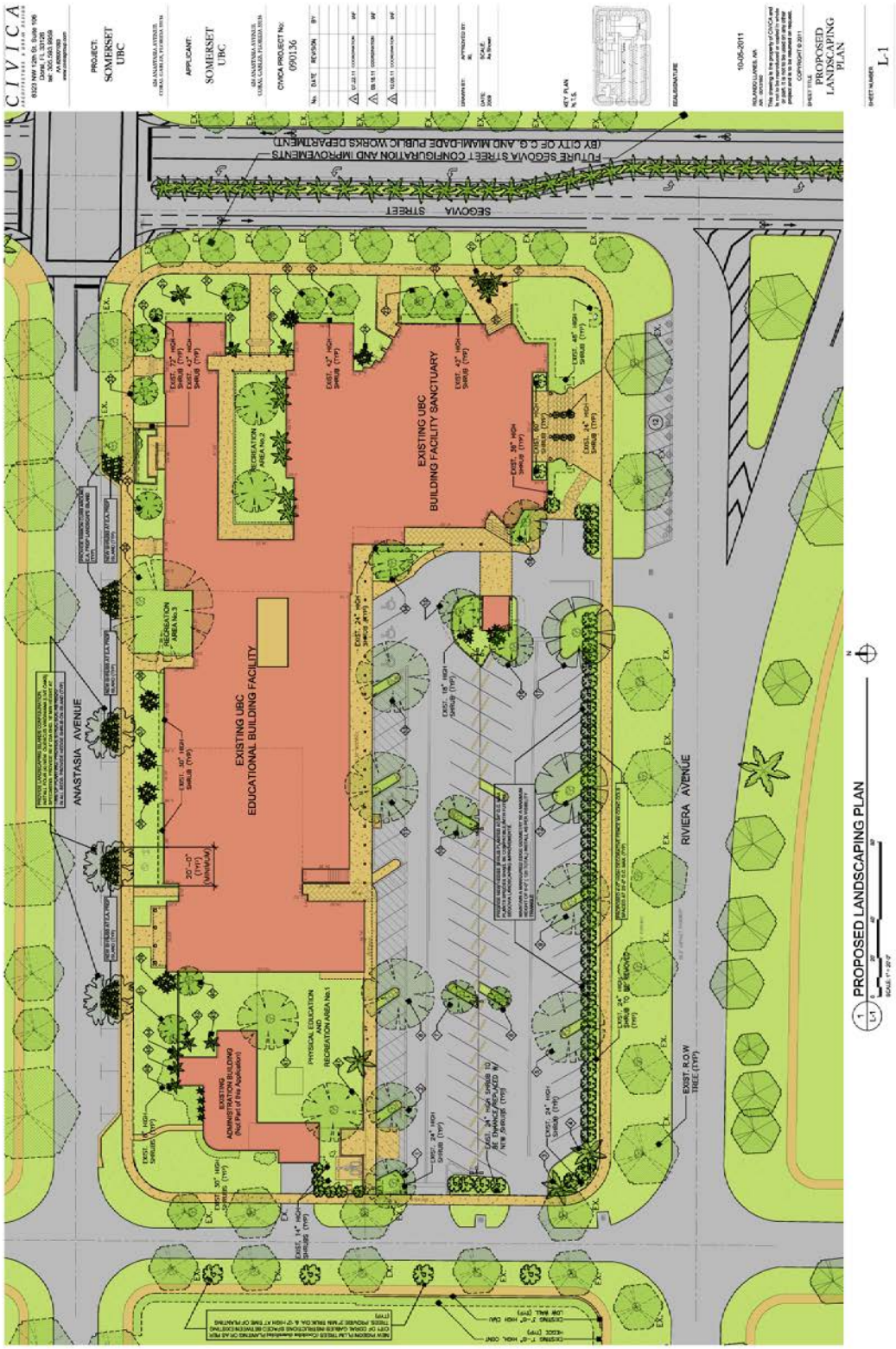
Proposed Site Plan-Traffic Scenario 'B' (Unified Distribution)



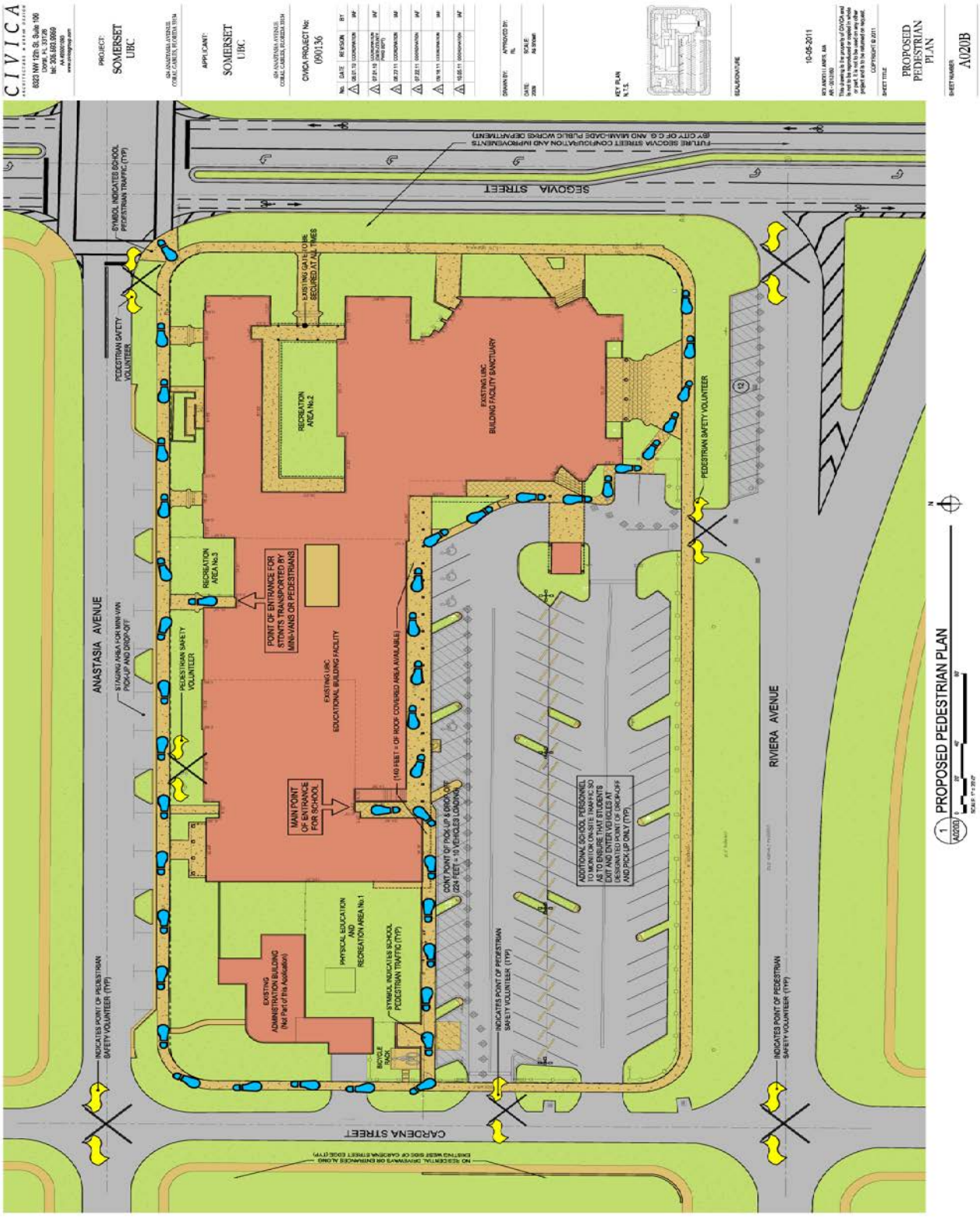
Proposed Parking Plan During School Use



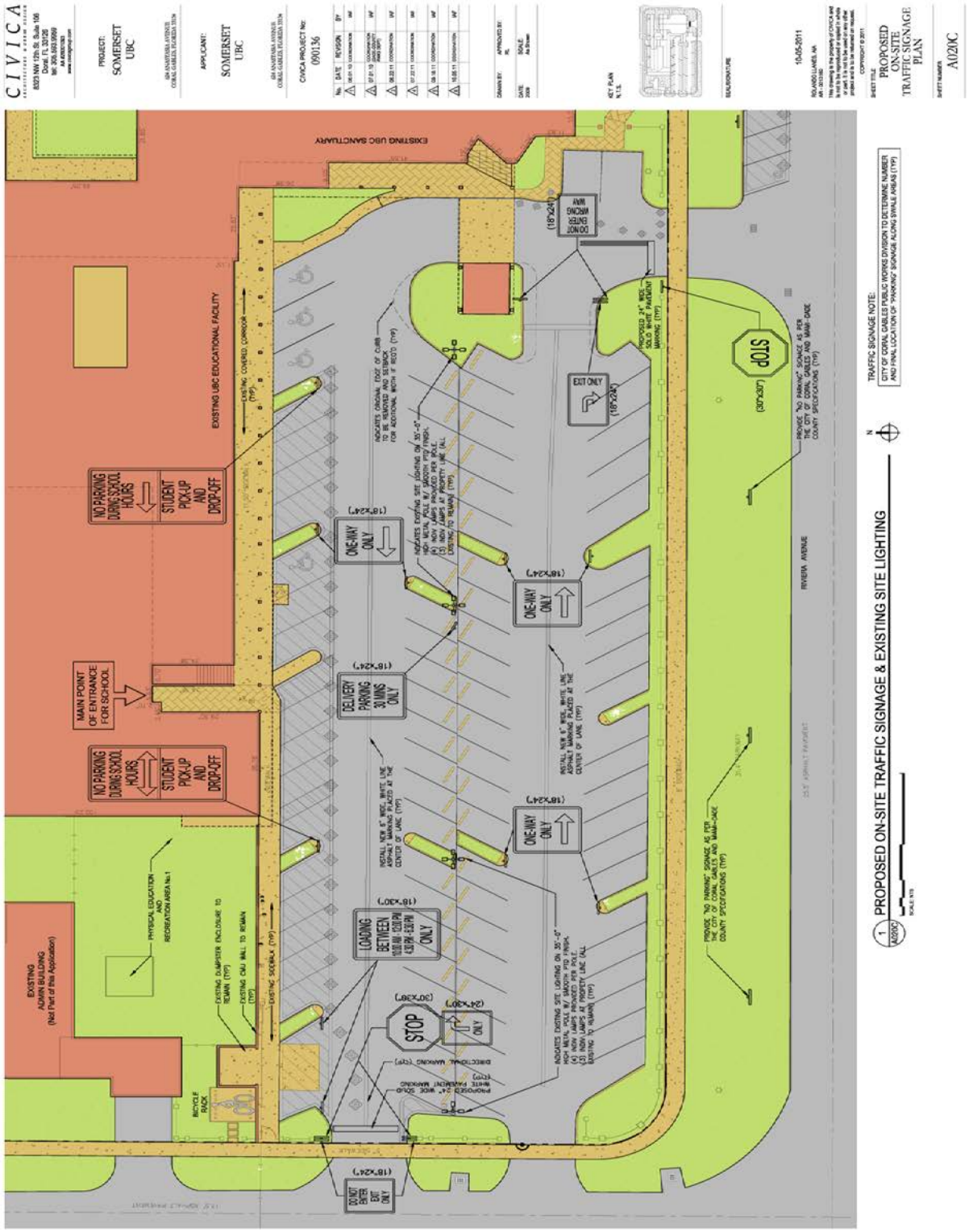
Proposed Landscaping Plan



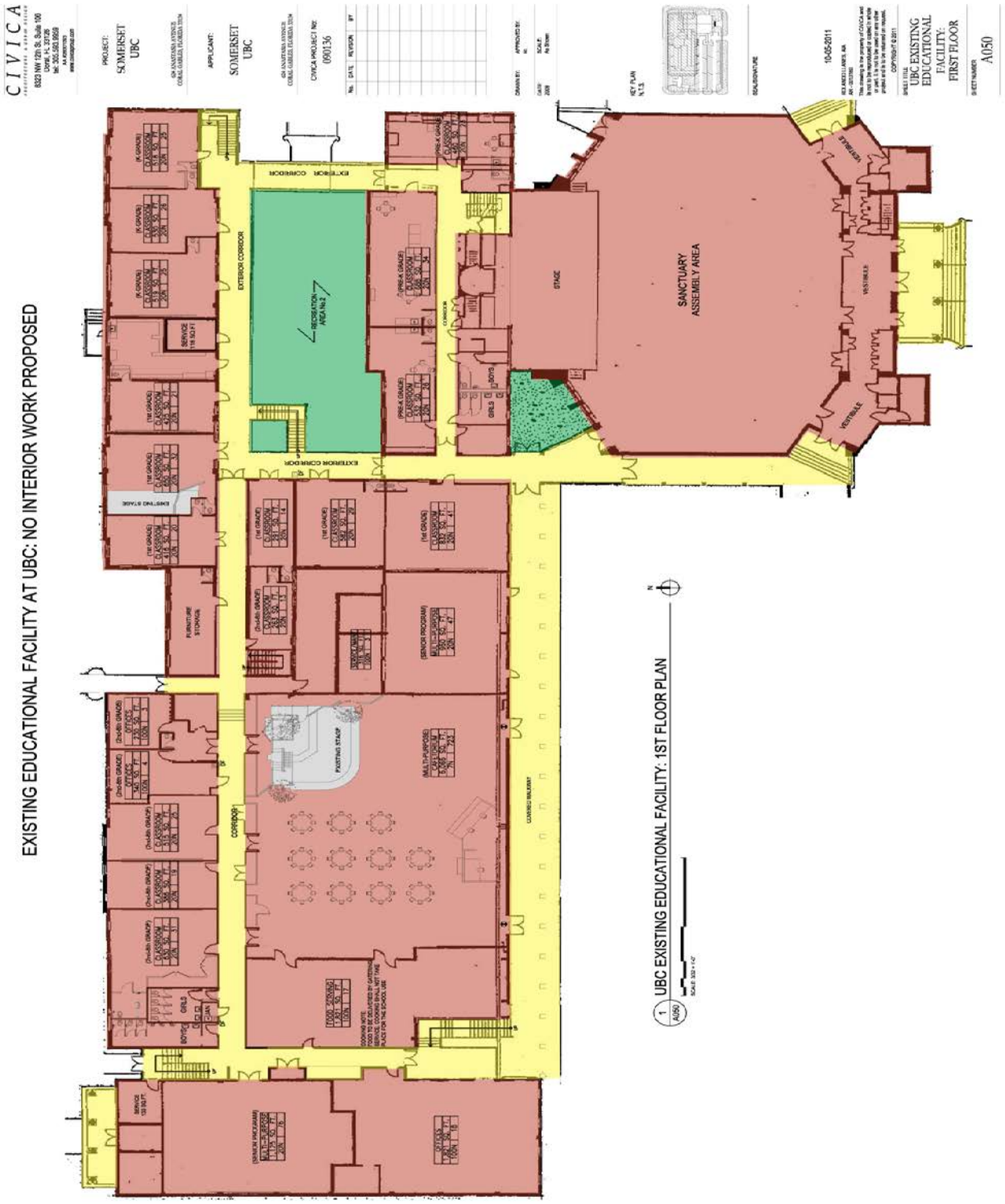
Proposed Pedestrian Plan



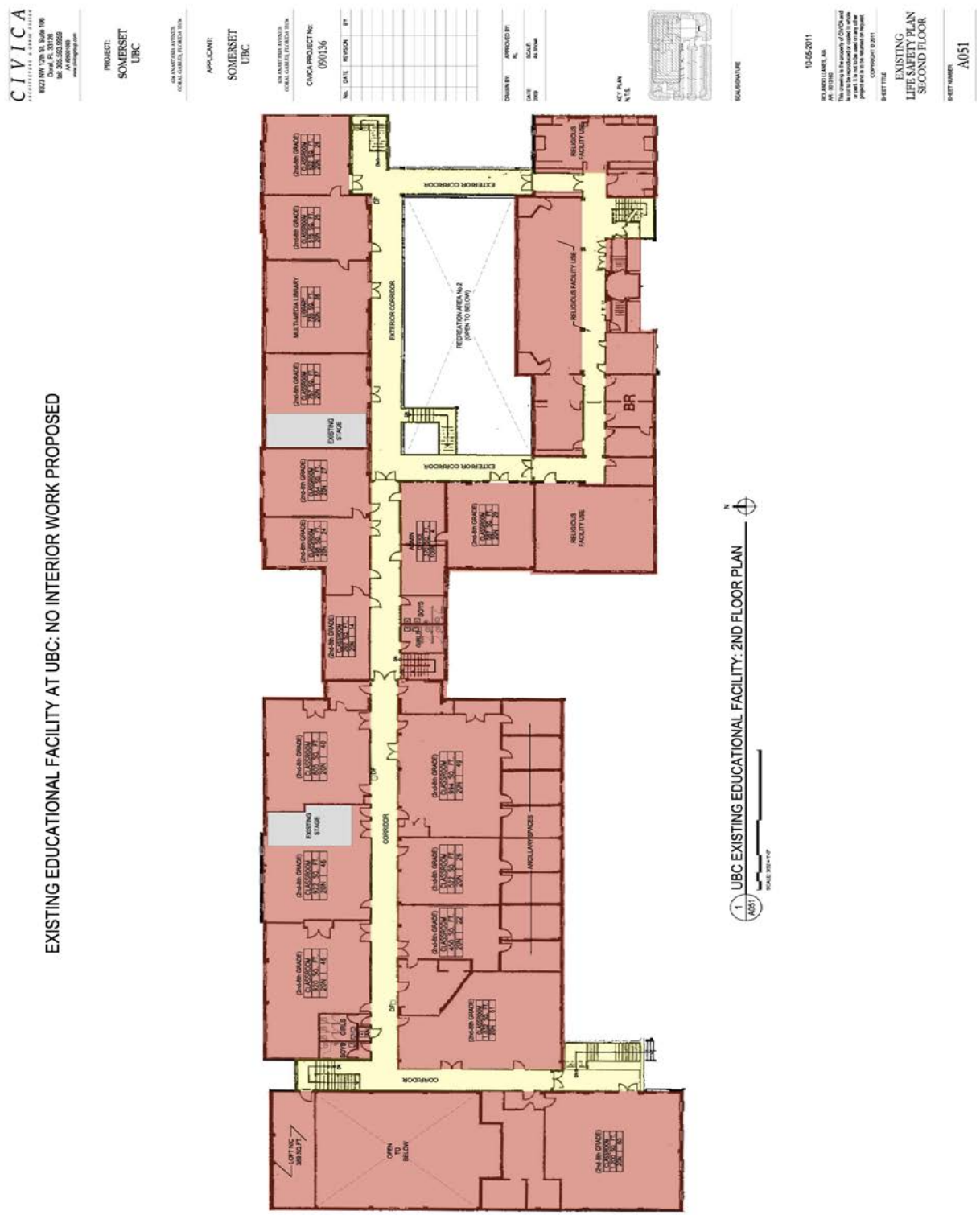
Proposed On-Site Traffic Signage & Existing Site Lighting



UBC Existing Educational Facility: 1st Floor Plan



UBC Existing Educational Facility: 2nd Floor Plan



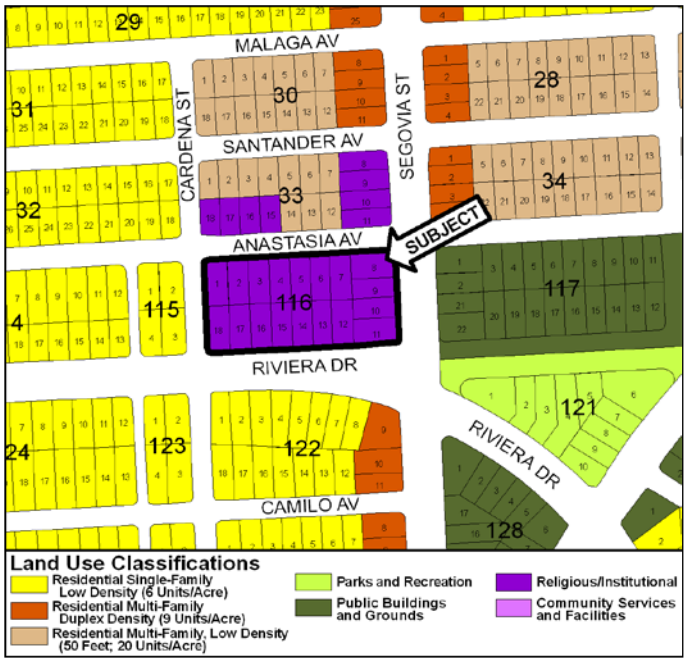
4. Findings of Fact.

This section of the report presents City Staff's evaluation and Findings of Facts of the three (3) applications. The City's responsibility is to review the three (3) applications for consistency with the City's Comprehensive Plan (CP) Goals, Objectives and Policies, compliance with the Zoning Code and compliance with other applicable portions of the City Code and provide recommendations.

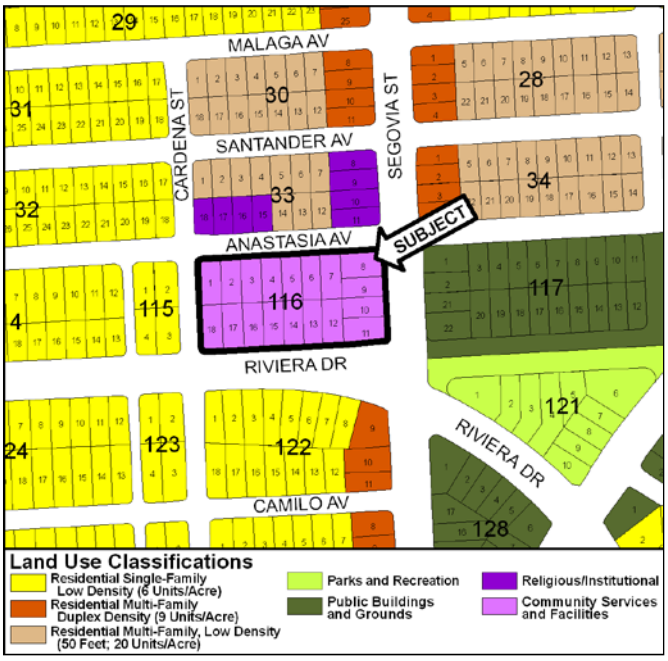
Findings of Fact- Change in Land Use Application

The originally submitted application for Change in Land Use remains the same as filed 07.29.2010 and has not been revised, and the City's evaluation of the application for the Change in Land Use for "Consistency" and "Inconsistency" with the Comprehensive Plan Goals, Objectives and Policies remains the same. The Applicant has requested a change to the City's Future Land Use Map designation from "Religious Institutional" land use to "Community Services and Facilities", as noted on the below mapping:

Existing Future Land Use Map



Applicants Request - Future Land Use Map



Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

The City of Coral Gables original master plan prepared by George Merrick included numerous community facilities throughout the City. This master plan included community facility land allocations (reservations) providing for places of worship, schools (all education levels including the University of Miami), parks, golf courses, civic centers, governmental uses, hotels, etc. Merrick's vision was to provide the uses and facilities that service the community as a whole, that were readily available and accessible. This vision is still prevalent today as is evident

on the City's Future Land Use Map.

City staff evaluation of the Application for the Change the Land Use that provides for a community facility (church and school) within neighborhoods is consistent with the historical and present development patterns of the City. As defined in the Comprehensive Plan, the proposed "Community Services and Facilities" land use designation is 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 (excluding University); medical and health facilities; and religious institutions"* (Policy FLU-1.16).

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

The appropriate and corresponding zoning designation for the "Community Services and Facilities" land use designation is Special Use District (S). Any change in use, new uses, building additions or new construction within the Special Use District (S) classification are required to undergo "conditional use" and "site plan" review at public hearings. The permitted uses listed in the "S" zoning district are defined in the Definition Section of the Zoning Code (Article 8), which identifies the allowable uses. Any further expansion of this site would be required to undergo public notice and public hearing review according to the following purpose and standards of review:

Section 3-401. Purpose and applicability.

> *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.*

Section 3-408. Standards for review.

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 and the City.*
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.*

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.

This proposal fulfills and furthers the following City policies 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):

Please find listed below Staff's evaluation and Findings of Facts of the Applicant's Change in Land Use request. Staff finds the Application is "Consistent" with the following CP Goals, Objectives and Policies:

#	CP Goals, Objectives and Policies	Findings of Facts
1.	Objective EDU-1.3. **The City shall coordinate with Miami-Dade County Public Schools in their efforts to obtain suitable sites for the development and expansion of public education facilities.**	The City encourages and requests coordination with the Miami-Dade County Public Schools for review and comment on all schools proposed within the City of Coral Gables. All school sites within the City are required to have the appropriate land use and zoning designation. The application supports this objective.
2.	Policy EDU-1.3.1. **Where possible, Miami-Dade County Public Schools should seek sites for future educational facility development which are adjacent to existing or planned public recreation areas, community centers, libraries, or other compatible civic uses for** the purpose of encouraging joint use facilities or **the creation of logical focal points for community activity.**	The City supports the location of a school at the University Baptist Church site. This location is consistent with numerous other school and places of worship spread throughout the City as identified on the map on page 29 of this report.
3.	Policy EDU-1.3.3. **When considering a site for possible use as an educational facility, Miami-Dade County Public Schools will review the adequacy and proximity of other public facilities and services necessary to the site such as roadway access, transportation, fire flow and portable water, sanitary sewers, drainage, solid waste, police and fire services, and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization.**	The City supports the location of a school at the proposed site with its current 110 student capacity. The Applicant is aware of potential impacts to student increase, therefore, they have proffered conditions with reference to phasing and future student increases. Please refer to the Applicant's Draft Proffered Declaration of Restrictive Covenant with proffered conditions of approval, prepared by Laura L. Russo, Esq., dated 8.05.2011. However, increases in student enrollment that produce negative impacts such as increased traffic, traffic congestion and stacking/queuing back-ups created by the drop-off and pick-up of students, intrusion of off-site parking into the surrounding neighborhood

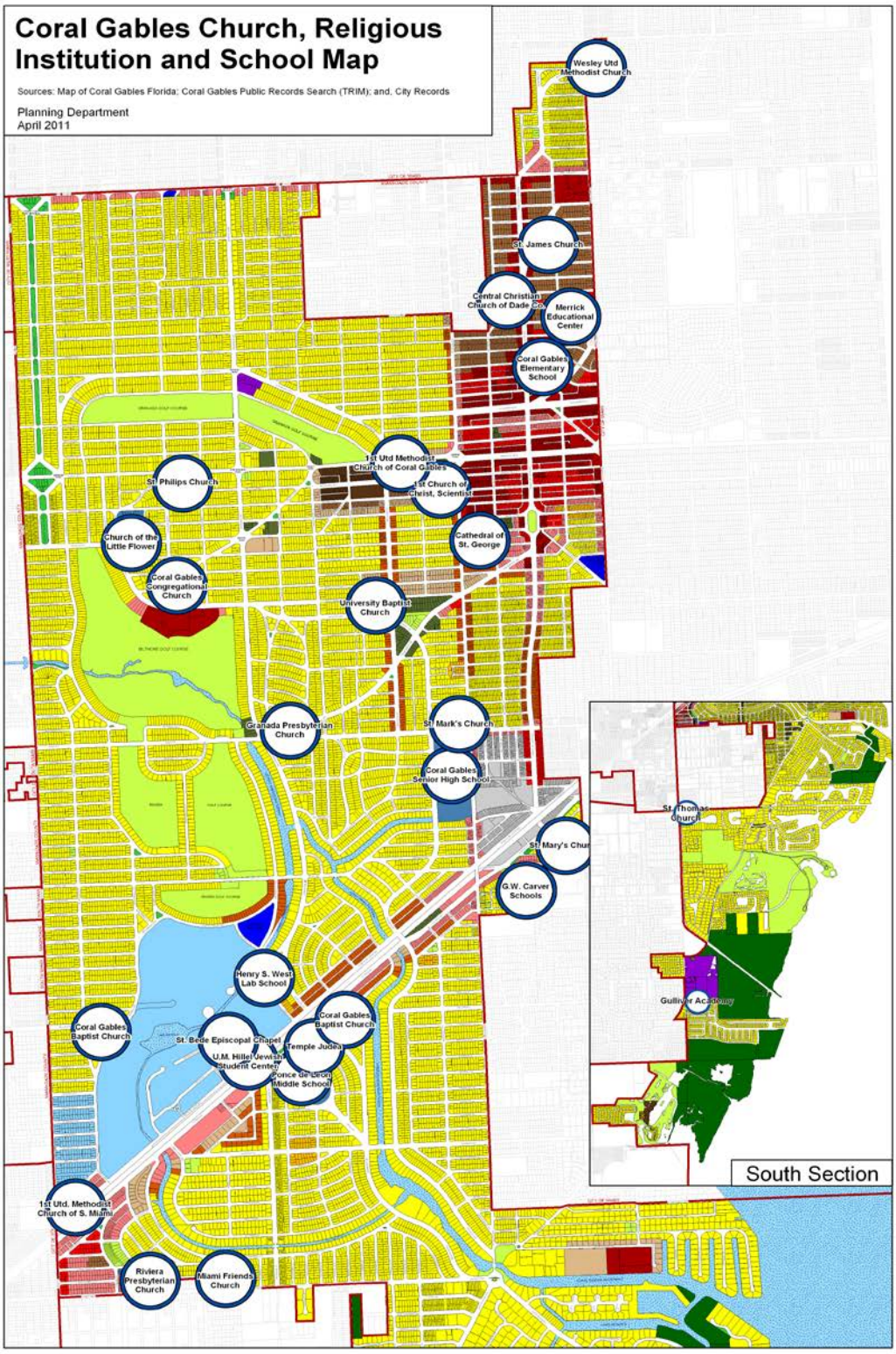
#	CP Goals, Objectives and Policies	Findings of Facts
		resulting in deterioration of public swales, landscaping and pedestrian environment are not supported. The most important factor with the location of this school is to ensure child safety and the preservation of the quality of life of surrounding property owners.
4 .	Objective EDU-1.6. **The City shall coordinate with Miami-Dade County Public Schools in developing community programs and opportunities to bring the schools and community closer together.**	Coral Gables is primarily a residential community with schools, places of worship and other cultural and institutional uses interspersed within residential neighborhoods. The University Baptist Church site includes an existing 110 student school established in 1977 as well as adult and community services.
5 .	Policy EDU-1.7.1. **Miami-Dade County Public Schools is encouraged to continue the design and construction of educational facilities** which create the perception of feeling welcome, secure and positive about the students' school environment and experiences.	No modifications or building additions are requested. The size and capacity of the existing University Baptist Church buildings would remain the same.
6 .	Policy EDU-1.7.2. **Miami-Dade County Public Schools is encouraged to continue to design and construct facilities** which better provide student access to technology designed to improve learning, such as updated media centers and science laboratories.	As stated in Policy EDU-1.7.1, no additions are requested to the existing University Baptist Church buildings.
7 .	Policy EDU-1.7.3. **Miami-Dade County Public Schools is encouraged to continue to improve existing educational facilities**, in so far as funding is available, **through renovation and expansion to better accommodate increasing enrollment, new educational programs and other activities, both curricular and extra-curricular.**	The City supports the renovation and expansion of existing school facilities as stated in Policy EDU-1.7.3 when it has been satisfactorily demonstrated that the request has no negative impacts including increased traffic, traffic congestion or vehicle stacking/queuing/ back-ups created by the drop-off and pick-up of students, the intrusion of off-site parking into the surrounding neighborhood, noise and no deterioration of public swales, landscaping and pedestrian environment. The present size of the facility is adequate to support an increase in student population with stringent and strict enforcement of conditions regarding operations.
8 .	Objective EDU-1.8. **Intergovernmental Coordination between Miami-Dade County Public Schools, the City, and other appropriate jurisdictions shall be established and implemented mechanism(s) for on-going coordination and communication, to ensure the adequate provision, compatibility, and quality of public educational facilities.**	The City encourages the coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables to provide for adequate provision, compatibility, and quality of public educational facilities as stated in Objective EDU-1.8.

#	CP Goals, Objectives and Policies	Findings of Facts
9.	Policy EDU-1.8.1. **Coordinate with Miami-Dade County Public Schools, the State, and other appropriate jurisdictions and agencies to develop or modify rules and regulations in order to simplify and expedite proposed new educational facility developments and renovations.**	The City encourages the coordination with the Miami-Dade County Public Schools and other adjoining jurisdictions and agencies for the review and comment on all schools proposed within the City of Coral Gables. All school sites within the City of Coral Gables are required to have the appropriate land use and zoning designation.
10.	Policy EDU-1.8.2. The location of future educational facilities should occur where capacity of other public facilities and services is available to accommodate the infrastructure needs of the educational facility.	The City supports future educational facilities where public facilities and services are available to accommodate the infrastructure needs of the educational facility.
11.	Policy EDU-1.8.8. **Coordinate with Miami-Dade County Public Schools** and other jurisdictions and agencies as appropriate to **eliminate infrastructure deficiencies surrounding existing school sites.**	A Concurrency Impact Statement (CIS) evaluating the available infrastructure capacity for each development proposal is submitted as a part of the application. The CIS was prepared for the proposed increase in student enrollment for the school at University Baptist Church, and it was found that adequate infrastructure capacity is available.
12.	Policy EDU-1.8.9. **Coordinate with Miami-Dade County Public Schools to ensure the availability of adequate sites for the required educational facilities.**	The City supports future educational facilities where public facilities and services are available to accommodate the infrastructure needs of the educational facility.
13.	Policy EDU-1.8.10. **Coordinate with Miami-Dade County Public Schools** as to the appropriate roles and responsibilities of affected governmental jurisdictions **in ensuring the timely, orderly and efficient provision of adequate educational facilities.**	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables. The City supports future educational facilities as stated in Policy EDU-1.8.9.

As is evident by the evaluation and Findings of Fact, the City 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 is noted in the following mapping.

(See next page for mapping)

Places of Workshop and School Location Map



The subject property is designated as an "S", Special Use Zoning classification. This 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. Any change in use, new uses, building additions, a new construction within this classification are required to undergo "conditional use" review at public hearings. Therefore, any future student increase, facility expansion or changes in use of this site shall be required to undergo public hearing review, public notice, etc.

In conclusion, Staff evaluation and Findings of Fact as provided herein, support the Applicant's request for a Change to the City's Future Land Use Map designation from "Religious/Institutional" Land Use to "Community Services and Facilities".

Findings of Fact- Conditional Use and Site Plan Review Applications

This section evaluates the two (2) revised applications filed for conditional use and site plan review. Of the fourteen (14) schools located within the borders of the City, it is important to note that only two (2) schools have requested and been granted City Commission approval for an increase in student population outside their original approval. The first was granted to Granada Presbyterian providing for an increase from 100 to 188 students in 1998 (via Ordinance No. 3325). However, this increase was only for Preschool students. Gulliver Academy was granted an increase from 975 to 1,162 students in 1998 (via Ordinance No. 3341). Since these requests, the City has updated all its codes extensively (i.e., Comprehensive Plan, Zoning Code and City Code) to provide for and 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. This was the primary purpose of the rewrite of the Comprehensive Plan in 1997 and most recent comprehensive rewrite of the Comprehensive Plan (2009) and Zoning Code (2007).

The Building and Zoning Department completed a revised Preliminary Zoning Analysis (hereinafter referred to as "PZA"), and the findings are summarized and included in the below tables. The revised PZA is provided as Attachment D. That analysis indicates that the revised project meets all applicable Zoning Code requirements for building height, landscaping and setbacks. The site plan information is as follows:

Site Plan Analysis

Type	Permitted/Required	Proposed
Total site area	114,282 sq. ft. (2.6 acres)	114,282 sq. ft. (2.6 acres)
Floor area ratio (FAR)	0.35 FAR	0.53 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

* Source: Miami Dade County Property Data and Information File

**Property is an existing Non-conforming Use and no expansion of the structures is proposed.

Building Setbacks Analysis (Existing Building)

Type	Required	Provided*
- Front (Andalusia Avenue)	25 ft.	Existing/complies
- Side street (Segovia Street)	15 ft.	Existing/complies
- Side street (Cardena Street)	15 ft.	Existing/complies
- Rear (Riviera Avenue)	5 ft.	Existing/complies

Parking Analysis

Fifty-six (56) on-site parking spaces are required, with 50 spaces for school use and 6 spaces for the church use. Eighty-nine (89) parking spaces are available on-site, therefore 33 additional parking spaces are available. A total of six (6) on-street parking spaces shall be removed based upon the Application. Please see the following table:

Parking Space Analysis

Campus Parking Lot	Existing	Proposed	Zoning Code requirements	Additional parking
On-site parking	89	89	56	33
On-street parking	46	40	---	---
Total	135	129	56	33

City Traffic Analysis of Applicant's Submittal

The City retained Reynolds, Smith and Hill, Inc. (hereinafter referred to as "City's Traffic Consultant") to assist the Public Works Department in its review of traffic, traffic circulation, pedestrian circulation, vehicular accumulation, etc. The City's Traffic Consultant reviewed all of the Applicant's traffic information and plan documents and numerous meetings were completed with City Departments and the Applicant. The City's Traffic Consultant final report is attached as Attachment E - Reynolds, Smith and Hills, Inc., Somerset Coral Gables UBC Campus (PK-8), Traffic Review Report, November 2011. The "Executive Summary" of the findings is summarized below:

Executive Summary

"The proposed Somerset Coral Gables University Baptist Church (UBC) campus is located on the southwest corner of Segovia Street and Anastasia Avenue in Coral Gables. The existing site is currently operating as a Private School, Day Care, Religious Educational Center and Church. The site, which is bounded by Segovia Street (east), Anastasia Avenue (north), Cardena Street (west), and Riviera Drive (south) is surrounded by residential homes on all sides with the exception of Segovia Street (see Figure 1). The site would have vehicular access via three (3) driveways; two (2) on Cardena Street and one (1) on Riviera Drive. The Riviera Drive access would be closed ruing the school's arrival and dismissal periods.

The proposal submitted on the existing site would consist of a public charter school subject to specific conditions with a maximum of 436 students in grades Pre-Kindergarten through Eight (PK-8) phased in over a three-year period as follows (pursuant to the Applicants proffered "School Phasing Strategy"):

Phase I: Total of 260 students for first year
Phase II: Increase enrollment by 88 students for total of 348 students by second year.
Phase III: Increase enrollment by 88 students for total of 436 students by third year.

The proposed Traffic Operations Plan provides three AM arrival and three PM dismissal shifts as follows:

Table 1
Somerset Coral Gables Arrival and Dismissal Plan
(Phase III – Third Year)

School Shift	Arrival	Dismissal	Max. Number of Students
Shift 1 Grades 6 -8)	7:30 AM	2:30 PM	135
Shift 2 (Grades 2-5)	8:00AM	3:00 PM	155
Shift 3 (Grades PK-1)	8:30AM	2:00 PM	146
Total			436

According to the Applicant's PM Peak Accumulation Assessment (Phase III – 436 Students) Appendix B, the projected maximum PM dismissal accumulation for Somerset UBC would be 29 vehicles based on 155 students being dismissed during Shift 3 (3:00 PM). During this time, the proposed accumulation would maximize the on-site capacity of 29 vehicles and provide no factor of safety for spillover.

The Traffic Operations Plan states that the PM dismissal pick-up queue would begin at 1:30 PM and the first dismissal shift is 2:00 PM. Table 8 (Appendix C) indicates that 29 vehicles would enter the site on an average day between 1:30 PM – 2:00 PM. During this time parents arriving early would enter the site and maximize the site accumulation capacity of 29 vehicles. Also, Per Table 8, 17 vehicles would enter the site from 2:00 PM – 2:15 PM with the first arrivals stacking behind the 29 early arrivals.

As a traffic contingency plan, the school is proposing a stacking area long Anastasia Avenue exclusively for vans providing transportation for students. While vans are not proposed for Phase I, they could be considered for subsequent phases if necessary. In addition, ten (10) additional vehicles could temporarily be accommodated on-site by double stacking along the internal by-pass lane. Lastly, the school would provide 22 on-site visitor parking spaces along the south side, which could be utilized by parents during the arrival and dismissal periods. The traffic operations site plan is contained in Appendix D. These proposed mitigation measures were not utilized in the accumulation assessment.

Based on the Traffic Impact Study & Accumulation Assessment, there is a high potential for queuing traffic to exceed the on-site stacking capacity of 29 vehicles. This could occur at 2:00 PM and at 3:00 PM each day. The proposed contingency plans for double-stacking and on-site visitor parking are reasonable plans but each would require on-site staff supervision and could potentially delays in the processing time. Vehicles in line would be stopped in order to allow overflow vehicles to re-enter the processing line. During this period, vehicles arriving on Cardena Street possibly would be unable to enter the driveway. This could take several minutes depending on the number of overflow vehicles. The contingency plan which is for events that occur by accident or chance

would most likely be needed every day.

Since the Somerset UBC AM arrival shifts would coincide with the AM peak traffic period for the area, motorists that normally use Anastasia Avenue to either travel to downtown or to the Biltmore Hotel could avoid the increase in traffic at Segovia Street or the increase of turning vehicles at Cardenas Street by using parallel streets such as Santander Avenue or Riviera Drive. This would be considered a secondary impact from school traffic that would affect neighborhood streets.

The estimation of school site traffic and the associated impacts is not an exact science and is evaluated on a case by case basis with consideration including but not limited to the following: site access and circulation; adjacent roadway network, e.g. number of lanes and available capacity; and intersection level of service. While scientific formulas are used to estimate certain traffic impacts, traffic impact studies follow a "Best Practices" approach that is primarily based on studies that have been conducted for a similar land use such as PK-8 Public Charter School. The more studies that have been conducted for the proposed land use, the more reliable the conclusions and recommendations of the study. The Applicant's traffic study is based solely on data that was collected for one day at a surrogate school that is located on a major County roadway within an industrial park as opposed to Somerset that is located on a City street and surrounded by a residential neighborhood. The surrogate school, Doral Academy, may not operate the same as Somerset and one day of data is not a reliable sample size, even though the Applicant's study did satisfy Miami-Dade County requirements for data collection.

The proposed total number of students for the Somerset UBC represents a 400% increase over the existing site. In order to account for unpredictable events and to minimize potential spillover onto Cardena Street which would cause adverse impacts to the neighborhood, it is recommended a factor of safety be applied to the Applicant's request to increase student enrollment from 110 to 436 students. A factor of safety would provide a buffer for the projected maximum PM dismissal accumulation of 29 vehicles which maximizes the on-site capacity. A 10% factor of safety would reduce the accumulation of 26 vehicles while a 20% factor of safety would reduce the accumulation to 23 vehicles. The factor of safety range would provide a buffer of 3 to 6 vehicles during the PM dismissal period. The maximum factor of safety is recommended in order to provide the most buffer and allow the Applicant's contingency plans to be used for events that occur by accident or change such as inclement weather. Therefore applying the 20% factor of safety, the maximum number of students at the facility should not exceed a total of 350 students with three AM arrival and three PM dismissals shifts."

Zoning Code Review Criteria

The City's Zoning Code 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. Staff has highlighted in bold text those provisions applicable to these applications under consideration:

"The purpose of the City of Coral Gables, Florida Zoning Code is to implement the Comprehensive Plan (CP) of the City pursuant to Chapter 163, Florida Statutes ***for the protection and promotion***

of the safety, health, comfort, morals, convenience, peace, prosperity, appearance and general welfare of the City and its inhabitants, *and more specifically for the following purposes:*

A. To protect the distinctive historic and architectural character of the City which is unique throughout South Florida and the world.

B. Continue to foster community pride and a sense of stewardship that have motivated the property owners and residents of the City in the improvement and maintenance of property in the City.

C. To preserve the basic comprehensive plan and layout of the City by its forefathers, more specifically George Merrick.

D. 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.

E. 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.

F. Provide for the preservation and protection of flora and fauna, more specifically the City's lush tree canopy.

G. 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.

H. 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.

I. Provide for adequate and efficient public utilities and facilities for the preservation and promotion of the natural and civic amenities of beauty and visual interest.

J. Establish zoning districts as a means of achieving unified civic design and proper relationship between the uses of land by regulating the location and use of buildings, signs and other structures, *and land or water for trade, agriculture, industry and residence, by providing adequate buffers, by regulating and limiting or determining the height, bulk and access to light and air of buildings and structures, the area of yards, and other open spaces, and the density of use. To accomplish these objectives, the regulations and districts and accompanying maps have been designed with reasonable consideration, among other things, to maintain the character of the districts, and their peculiar suitability for particular uses, and they are to be regularly reevaluated in order to best accomplish the above objectives.*

K. 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."

Staff's Findings: Based upon the Findings of Facts provided herein, Staff finds the revised Conditional Use and Site Plan Applications proposing 436 students does not satisfy Zoning Code Section 1-103., titled "Purpose of the City of Coral Gables Zoning Code", with special emphasis noted in the bold highlighted text. The Applicant has proffered conditions of approval to assist in the mitigation of the potential impacts, however, Staff's recommends additional protections be put in place to ensure consistency with the above provisions.

Conditional Use Review Criteria

The Applicant's proposed expansion of student population to a maximum 436 students is considered a "Conditional Use" and therefore requires review and evaluation pursuant to various sections of the City's Official Zoning Code. To provide an overview of the purpose and intent of the Conditional Use provisions, Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability" provides for the following:

> *"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."*

Staff's Findings: Based upon the Findings of Facts provided herein. Staff finds the Conditional Use and Site Plan Application does not satisfy Zoning Code Article 3, Division 4, Section 3-401., "Purpose and Applicability" as submitted. Staff review notes the revised application providing for a student increase from 110 to 436 students as revised may have adverse effects on the environment, particularly residential areas, and will change the desired character of an area and are therefore inconsistent with the above referenced provisions. Recommended Staff conditions of approval in addition to the Applicant's proffered conditions are identified that would bring inconsistencies identified in Staff's report into compliance.

Zoning Code Article 3, Division 4, Section 3-403., "Application," provides that an application for conditional use approval shall include a site plan. This request does include a site plan. City staff responsibility is to review of the application for Conditional Use and Site Plan is in accordance with Article 3, Division 4, "Conditional Uses," Section 3-408., "Standards for review." These provisions require the Planning and Zoning Board and the City Commission to provide Findings of Fact that a Conditional Use complies with the following standards and the criteria applicable to each conditional use:

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: As concluded in this report, the revised Conditional Use and Site Plan Applications for a maximum 436 students with the Applicant's proffered conditions, as filed, are "Inconsistent" with the Comprehensive Plan's Goals, Objectives and Policies (GOP's). See City Staff Findings of Fact for the following Elements of the City CP: Administration Element, Future Land Use Element, Design Element, Mobility Element, Natural Resources Element and Education Element. Recommended conditions of approval are identified that would bring the inconsistent GOP's identified in Staff's report into compliance.

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: The renovation and expansion of existing school facilities is encouraged when it has been satisfactorily demonstrated no negative impacts shall occur. The proposed increase in

student capacity of the school located at the University Baptist Church from 110 to 436 students shall affect the surrounding neighborhood negatively based upon the Findings of Facts provided herein. Therefore, Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the surrounding residential neighborhood. These recommended conditions of approval would bring the inconsistent GOP's identified in Staff's report into compliance.

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 and other cultural and institutional uses interspersed within residential neighborhoods. The secondary effects as described in the Findings of Facts provided herein would result in the degradation in the quality of life of the surrounding neighborhood related to traffic congestion, noise, etc.

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

Staff's Findings: The proposed increase in student capacity of the school from 110 to 436 students shall adversely or unreasonably affect the use of other property in the area based upon the Findings of Facts provided herein. Cars parked in the public rights-of-way to drop-off and pick-up children shall result in the deterioration of existing swale landscaping that would provide a visual buffer. Parking along public swales for this purpose represents an encroachment and intrusion of an incompatible use into the surrounding residential neighborhood and a hazard to child safety and the pedestrian environment. In addition, noise would be generated by the numerous vehicles parking and unloading of students outside the confines of the site (within swale areas).

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. The existing church buildings would remain the same, but the utilization of the subject property and facilities relative to the increase in students will increase. The increased demand would place an inordinate burden on the site's capacity and use as originally intended and possibly result in the general deterioration of the quality of life for the surrounding residential neighborhood.

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

Staff's Findings: Staff's findings indicate that the proposed student drop-off and pick-up plan submitted with the Application shall not adequately serve the proposed 436 student enrollment and increased vehicular congestion of roads and intersections surrounding the school and stacking back-ups, increased waiting times and parking in the public swales in the surrounding residential neighborhood could increase. Therefore, Staff has recommended a

reduced number of students and included stringent conditions that include extensive reporting and monitoring to ensure the proposed use is compatible with the surrounding residential neighborhood. These recommended conditions would bring the inconsistent GOP's identified in Staff's report into compliance.

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

Staff's Findings: Staff is of the opinion that the existing site improvements will not adequately serve the proposed 436 student enrollment, and that an increase in vehicular congestion of roads and intersections surrounding the school and parking along public swales could occur. This 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. Therefore, Staff has included stringent monitoring requirements to ensure the health, safety and welfare of the community is maintained.

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

Staff's Findings: The proposed student drop-off and pick-up plan submitted with the application shall not adequately serve the proposed 436 student enrollment, and would increase vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. This would 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. Staff has included recommended conditions of approval prohibiting all of the following: offsite vehicle parking and standing; offsite deliveries; backup of vehicle onto the surrounding streets during student drop-offs and pickups. These prohibitions are in addition to the conditions included in the Applicant's submitted Traffic Operations Plan and Traffic and Accumulation Study.

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: A Concurrency Impact Statement (CIS) evaluating the available infrastructure capacity for each development proposal submitted. A CIS was prepared for the proposed increase in student enrollment for the school at University Baptist Church, and it was found that adequate infrastructure capacity is available.

Consistency Evaluation of the Comprehensive Plan Goals, Objectives and Policies

It is important to again highlight that this request for an increase in student population is the first of its kind since the enactment of the comprehensive rewrite of the Comprehensive Plan (2009) and comprehensive rewrite of the Zoning Code (2007). This is important since the comprehensive rewrite of the Comprehensive Plan in 2009, included numerous additional Goals, Objectives and Policies (GOP's) to further strengthen the City commitment to 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.

Based upon the City Staff conclusions, City Staff finds the revised conditional use and site plan review applications, as filed, to permit a student increase of an existing Charter School from 110 students to a maximum 436 students to be "Inconsistent" with the following CP Goals, Objectives and Policies.

Future Land Use Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
1	Goal FLU-1. **Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods**, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources **make the City a very desirable place to work, live and play**.	The proposed 436 student enrollment could create an additional intrusion into the surrounding residential neighborhood. The size and capacity of the existing church buildings would remain the same, but there would be an increase in the utilization of the facilities for school use. The school serves a regional area, with the majority of children transported by vehicles to and from the school. This will require students to be transported to and from the school and may increase vehicular use on adjoining roads and intersections that could potentially cause stacking back-ups and parking in public swales in the surrounding residential neighborhood during drop-off and pick-up of students, pedestrian and child safety issues and negatively impact the surrounding residential neighborhood.	- Recommended conditions of approval regarding the following: 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries; 6) signs and landscaping; and, 7) other miscellaneous conditions. - Conditions and limitations proffered by the Applicant regarding: 1) submittal of a land use reverter clause; 2) phasing enrollment of students; and, 3) prohibition of any future stand alone middle school or use of the Coral Gables Youth Center as outlined in the Applicant's Draft Proffered Declaration of Restrictive Covenant with proffered conditions of approval, prepared by Laura L. Russo, Esq., dated 8.05.2011 - Implementation of proposed plans, site and public ROW

Future Land Use Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			improvements and operational procedures as outlined in the submitted application. - Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans.
2	Objective FLU-1.1. **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, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map.**	Coral Gables is primarily a residential community with schools, churches and other cultural and institutional uses interspersed within residential neighborhoods. Increased enrollment at the proposed site can be achieved when adequate provisions are provided to mitigate the negative impacts of increased traffic, traffic congestion and stacking back-ups created by the drop-off and pick-up of students, the intrusion of off-site parking into the surrounding neighborhood and the deterioration of public swales, landscaping and pedestrian environment, and ensure child safety and the quality of life of surrounding property owners is maintained.	- Conditions of approval regarding general traffic and traffic circulation: 1) adjustment of signal timing at Segovia Street/Anastasia Avenue; 2) regulation of school bus/van parking and student drop-off; and, 3) coordination of instructor/teacher arrivals and departures. - Condition of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment. - Conditions of approval regarding use of the charter school and church facility: 1) restricting the use to the Somerset Academy; 2) prohibiting any commercial use of the facility; and 3) prohibiting school use between the hours of 10:00 p.m. and 6:00 a.m., seven (7) days a week. - Staff has recommended a reduced number of students to and included stringent

Future Land Use Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood.
3	Policy FLU-1.3.2. **All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the protection 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.** The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code.	The increase in student enrollment will result in an increase in the number of vehicles transporting students to and from the school. It is not assured that the proposed student drop-off and pick-up plan submitted with the revised application will adequately serve the proposed 436 student enrollment, and could cause increased vehicular congestion of roads and intersections surrounding the school and stacking back-ups, increased waiting times and parking in the public swales in the surrounding residential neighborhood. Increased traffic and parking congestion may result in pedestrian and child safety issues and the deterioration in the quality of life in the surrounding residential neighborhood.	- Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Condition of approval requiring review of traffic operations and prerequisites evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students. - Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood.

Future Land Use Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
4	Policy FLU-1.3.3. **Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such as residential uses.**	The proposed 436 student enrollment could result in cars parked in the public rights-of-way to drop-off and pick-up children and may cause the deterioration of existing swale landscaping that would provide a visual buffer. Parking along public swales for this purpose represents the increased encroachment of the school use into the surrounding residential neighborhood and a potential hazard to child safety and the pedestrian environment. The deterioration of public swales and existing landscaping could diminish the visual attractiveness of the residential neighborhood.	- Staff has recommended a reduced number of students to and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. - Conditions of approval regarding parking and deliveries: 1) defining approved use of existing parking areas; 2) prohibiting parking within public ROW; 3) prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials. - Conditions of approval regarding charter school special events: 1) requirement for Special Events Permit from City; 2) prohibition from parking off-site; 3) prohibition of event signage; and 4) prohibition of simultaneous church and school events.
5	Objective FLU-1.14. **The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods.**	It is not assured that sufficient protective measures are provided to alleviate potentially negative impacts created by the application regarding child safety and quality of life issues that may be caused from increased traffic, off-site parking and utilization of public rights-of-way, and the other aspects of the proposed 436 student enrollment.	- Conditions of approval regarding signs: 1) prohibiting freestanding signs; 2) establishment of design criteria for a non-illuminated façade mounted sign on the building fronting Segovia Street; and, 3) minimize number of school zone circulation signs to be

Future Land Use Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			installed. - Conditions of approval regarding landscaping: 1) require additional Anastasia Avenue landscaping per City review and approval; and, 2) require that the charter school shall be responsible for the maintenance and upkeep of all landscaping. - Miscellaneous conditions of approval: 1) prohibition of additional exterior lighting of parking areas; and 2) prohibition of exterior amplified speaker/announcer equipment.
6	Objective FLU-1.17. **The City acknowledges the need to locate schools proximate to urban residential areas and, where possible, collocate public facilities, such as parks, libraries and community centers with schools.**	The City acknowledges the location of an existing school at the University Baptist Church site. The potential expansion of that existing use may be justified when adequate provisions are provided to mitigate the negative impacts of the proposed 436 student enrollment.	- Recommended conditions of approval regarding the following; 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries: 6) signs and landscaping; and, 7) other miscellaneous conditions. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application.

Design Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
7	Goal DES-1. **Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.**	Coral Gables is primarily a residential community with schools, churches and other cultural and institutional uses interspersed within the residential neighborhoods. Increased enrollment at the proposed site could be achieved when adequate provisions are provided to mitigate the negative impacts that are identified in Objective FLU-1.1.	- Recommended conditions of approval regarding the following: 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries: 6) signs and landscaping; and, 7) other miscellaneous conditions. - Conditions and limitations proffered by the Applicant regarding: 1) submittal of a land use reverter clause; 2) phasing enrollment of students; and, 3) prohibition of any future stand alone middle school or use of the Coral Gables Youth Center. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application.
8	Objective DES-1.1. **Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.**	Numerous issues have been identified that shall result from the proposed 436 student enrollment that could potentially negatively impact the surrounding residential neighborhood. It is not assured that these issues have been adequately addressed in the site plans submitted with the revised application.	- Recommended conditions of approval regarding the following: 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries: 6) signs and landscaping; and, 7) other miscellaneous conditions. - Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans.

Design Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
9	Policy DES-1.1.3. **Ensure that the design of buildings and spaces in historic areas of the City complements, is compatible with, does not attempt to imitate and does not undermine the City's historic character.**	Coral Gables is primarily a residential community with schools, churches and other cultural and institutional uses interspersed within residential neighborhoods. The proposed 436 student enrollment at the University Baptist Church increases the existing school use and could represent an intrusion into the surrounding residential neighborhood.	- Conditions of approval regarding use of the charter school and church facility: 1) restricting the use to the Somerset Academy; 2) requiring any other charter school operator re-apply for review at public hearings; 3) prohibiting any commercial use of the facility; and 4) prohibiting school use between the hours of 10:00 p.m. and 6:00 a.m., seven (7) days a week. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application. - Condition of approval requiring review of traffic operations and prerequisites evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
10	Policy DES-1.1.5. **Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location**, height, density, bulk and massing, access to light and air, area of yards, open space,	The size and capacity of the existing church buildings would remain the same, but utilization of the facilities for school use would increase. The increased demand could place an additional burden on the site's capacity and use as originally intended, with potential negative impact on the surrounding neighborhood.	- Conditions of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment. - Requirement of an annual

Design Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	vegetation and **use of buildings, signs** and other structures.		City and charter school/church meeting to discuss and evaluate school and church operations. - Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
11	Policy DES-1.1.6. **Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.**	The character of this residential neighborhood shall be negatively impacted due to the proposed 436 student enrollment as described in Comprehensive Plan Objectives and Policies identified herein.	- Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. - Staff has recommended noncompliance provisions as a condition to ensure compliance with all of the Applicant's submitted information and Staff recommended conditions of approval. - Require applicant submit a Restrictive Covenant outlining all conditions of approval and submitted

Design Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			plans. - Condition of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and , 3) requirement for annual report on student enrollment.

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
12	Goal MOB-1. **Provide accessible, attractive, economically viable transportation options that meet the needs of the residents**, employers, employees and visitors **through a variety of methods.**	The school serves a regional area, with the majority of children transported by vehicles to and from the school. It is not assured that the proposed student drop-off and pick-up plan submitted with the application will adequately serve the proposed 436 student enrollment, and could result in increased vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. In order to alleviate vehicular congestion, the incorporation of urban design features is encouraged that provide for accessible, attractive, economically viable transportation options similar to the recommendations provided in "Safe Routes to School" prepared by the	- Conditions of approval regarding general traffic and traffic circulation as well ensuring no offsite vehicle parking, accumulation or standing occurs. - A condition of approval ensuring adjacent intersections does not exceed level of service per the Applicant submitted traffic information. - Conditions of approval requiring review of traffic operations and prerequisites evaluating conditions and assumptions of the Applicant's submitted Traffic Operations Plan and Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
		U.S. Department of Transportation Federal Highway Administration.	students.
13	Objective MOB-1.1. **Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.**	Incorporation of the urban design features similar to those recommended in "Safe Routes to School" is encouraged to assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.	- Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. This includes submission of a follow-up traffic study to ensure all proposed conditions per the Application submittal are adhered to and in compliance. In addition, yearly monitoring reports are also required to ensure compliance. - Conditions of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment. - Conditions of approval regarding charter school special events: 1) requirement for Special Events Permit from City; 2) prohibition from parking off-site; 3) prohibition of event signage; and 4) prohibition of simultaneous church and school events. - Conditions of approval regarding landscaping: 1)

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			require additional Anastasia Avenue landscaping per City review and approval; and, 2) require that the charter school shall be responsible for the maintenance and upkeep of all landscaping.
14	Policy MOB-1.1.4. **Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as** public facilities, governmental facilities, **schools**, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.	Incorporation of the urban design features similar to those recommended in "Safe Routes to School" is encouraged to assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.	- Conditions of approval regarding parking and deliveries: 1) defining approved use of existing parking areas; 2) prohibiting parking within public ROW; 3) prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials. - Conditions of approval regarding charter school special events: 1) requirement for Special Events Permit from City; 2) prohibition from parking off-site; 3) prohibition of event signage; and 4) prohibition of simultaneous church and school events.
15	Policy MOB-1.1.8. **Protect residential areas from parking impacts of nearby nonresidential uses and businesses and discourage parking facilities that intrude, impact and increase traffic into adjacent residential areas.**	The proposed 436 student enrollment will result in an increase in the number of vehicles transporting students to and from the school every day. It is not assured that the proposed student drop-off and pick-up plan submitted with the application will adequately serve the proposed 436 student enrollment and may cause increased vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups,	- Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. - Condition of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
		increased waiting times and parking in public swales in the surrounding residential neighborhood.	(8th) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment. - Conditions of approval regarding parking and deliveries: 1) defining approved use of existing parking areas; 2) prohibiting parking within public ROW; 3) prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials. - Conditions of approval regarding charter school special events: 1) requirement for Special Events Permit from City; 2) prohibition from parking off-site; 3) prohibition of event signage; and 4) prohibition of simultaneous church and school events.
16	Goal MOB-2. **The City will maintain and enhance a safe, convenient, balanced, efficient and interconnected multi-modal system consisting of vehicular, transit, bicycle, and pedestrian transportation options; and will be coordinated with the City's Comprehensive Plan** while maintaining the economic viability of the City's businesses, **and continued enhancement of the quality of life for the City's**	The proposed 436 student enrollment will result in an increase in the number of vehicles transporting students to and from the school and increase the vehicular use of roads and intersections surrounding the school. Incorporation of the urban design features similar to those recommended in "Safe Routes to School" would assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the pedestrian environment	- Staff has recommended stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. - Conditions of approval regarding parking and deliveries: 1) defining approved use of existing parking areas; 2) prohibiting parking within public ROW; 3)

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	neighborhoods.	and residential streets as stated in Goal MOB-1.	prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials.
17	Policy MOB-2.3.1. **The City shall, as a part of its development review process, continue to maximize utilization of existing roadway capacity and reduce peak period congestion by implementing to the maximum extent feasible, traffic operation improvements and transportation systems management alternatives including but not limited to the following:** • Limitations of the number and width of vehicular driveways/curbcuts on streets to minimize pedestrian intrusion/obstacles. • Improved signal timing. • **Intersection signing, markings, channelization.** • **Restrictions and management of on street parking.** • **The use of mass transit and paratransit services.** • Possible expansion of routes of the existing trolley system. • Continue improvements of the existing trolley system (i.e., additional cars). • Employer based van pooling, car pooling. • Employer based staggered and/or flexible work hours.	It is not assured that the proposed student drop-off and pick-up plan submitted with the application will adequately serve the proposed 436 student enrollment, and could potentially increase vehicular use of roads and intersections surrounding the school from stacking/queuing back-ups, and may result in increased waiting times and parking in public swales in the surrounding residential neighborhood.	- Staff has recommended stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. - Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application. - Conditions and limitations proffered by the Applicant regarding: 1) submittal of a land use reverter clause; 2) phasing enrollment of students; and, 3) prohibition of any future stand alone middle school or use of the Coral Gables Youth Center. - Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Require charter school establish a public information liaison/point of contact to

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	• **Provisions for the accommodation of bicycles and associated bicycle support facilities.**		provide a conduit for exchange of information between parties. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
18	Policy MOB-2.3.3. **High frequency accident locations shall be monitored by maintaining detailed data** acquired by the City from other agencies, in order to provide accident/crash related information and **to maintain an early warning system as to the identification of serious deficiencies and the development of potential roadway and other transportation improvements and measures to address the identified hazardous conditions.**	The proposed 436 student enrollment will result in an increase in the number of vehicles transporting students to and from the school and increase the vehicular use of roads and intersections surrounding the school. The potential for vehicular accidents and vehicle/student conflict within the public rights-of-way of the surrounding neighborhood is a critical child and pedestrian safety issue.	- Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Require charter school establish a public information liaison/point of contact to provide a conduit for exchange of information between parties. - Condition of approval requiring review of traffic operations and prerequisites evaluating conditions and assumptions of submitted Traffic Operations Plan and Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
19	Policy MOB-2.3.4. **The City shall require private and public development projects to adhere to the City's Citywide Bicycle Lane Master Plan, 2004 and possible expansion of bicycle**	Incorporation of the future bicycle facilities along Anastasia Avenue, Riviera Drive and Segovia Street and a comprehensive pedestrian circulation plan is required to mitigate the potential negative	- Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application.

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	and pedestrian ways throughout the City (see MOB-1: Bicycle Facilities Map).	impacts of any proposed increase in student enrollment.	- Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans.
20	Policy MOB-2.3.5. **As a part of development review, the City shall promote the safe movement of bicycle and pedestrian traffic.**	Incorporation of a comprehensive pedestrian circulation plan and the future bicycle lanes shown on the submitted site plans are necessary to assist in promoting pedestrian and public transit and the mitigation of increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.	- Conditions of approval regarding general traffic and traffic circulation. - Conditions of approval regarding parking and deliveries: 1) defining approved use of existing parking areas; 2) prohibiting parking within public ROW; 3) prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials.
21	Policy MOB-2.6.2. **The City shall require the dedication of the appropriate share of the necessary right-of-way from all developments at the time of development to maintain vehicular circulation in association with pedestrian circulation as provided for within this element.**	Off-site student drop-off and pick-up could be a hazard to child safety, and potentially negatively impact the pedestrian environment and could result in the deterioration of public swales and existing landscaping within the public rights-of-way.	- Staff has recommended stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. This includes submission of a follow-up traffic study to ensure all proposed conditions per the Application submittal are adhered to and in compliance. In addition, yearly monitoring reports are also required to ensure compliance. - Conditions of approval regarding landscaping: 1) require additional Anastasia Avenue landscaping per City review and approval; and, 2) require that the charter

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			school shall be responsible for the maintenance and upkeep of all landscaping. -
22	Objective MOB-2.7. **The City's Comprehensive Plan, this element and all applicable plans and programs shall protect and minimize any potential traffic impacts to the community and residential neighborhoods.**	The proposed 436 student enrollment will result in an increase in the number of vehicles transporting students to and from the school. It is not assured that the proposed student drop-off and pick-up plan will adequately serve the proposed 436 student enrollment and could result in increased vehicular congestion of roads and intersections surrounding the school and stacking/queuing back-ups, increased waiting times and parking in public swales in the surrounding residential neighborhood. Increased traffic and parking congestion may cause in pedestrian and child safety issues and the deterioration in the quality of life in the surrounding residential neighborhood.	- Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. This include submission of a follow-up traffic study to ensure all proposed conditions per the Applicant submittal are adhered to and in compliance. In addition, yearly monitoring reports are also required to ensure compliance. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
23	Policy MOB-2.7.1. **The City shall, via the review of development projects and city transportation improvement projects, conserve and protect the character and livability of all residential neighborhoods by preventing the intrusion of through vehicles on local and collector streets. The City shall**	The proposed 436 student enrollment may result in negative community impacts identified in Objective MOB-2.7. Incorporation of a comprehensive pedestrian circulation plan and the future bicycle lanes shown on the submitted the site plans are necessary to assist in promoting pedestrian and public transit and the mitigation of	- Condition of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment.

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	discourage through traffic in neighborhoods and may incorporate traffic management and calming measures including, but not limited to, signage, landscape design, traffic calming devices and roadway design.	increased vehicular traffic on the environment and residential streets as stated in Goal MOB-1.	- Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application. - Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Require charter school establish a public information liaison/point of contact to provide a conduit for exchange of information between parties.
24	Policy MOB-2.7.2. **Major thoroughfares and intersections should be located and designed in a manner which would not tend to sever or fragment land which is or could otherwise be developed as well defined residential neighborhoods.**	The proposed 436 student enrollment may result in increased vehicular use of roads and intersections surrounding the school and could cause stacking back-ups, and contribute to increased waiting times and parking in public swales in the surrounding residential neighborhood for the drop-off and pick-up of students. Increased traffic and parking congestion could result in pedestrian and child safety issues and negatively the surrounding residential neighborhood.	- Recommended conditions of approval regarding the following; 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries: 6) signs and landscaping; and, 7) other miscellaneous conditions. - Conditions and limitations proffered by the Applicant regarding: 1) submittal of a land use reverter clause; 2) phasing enrollment of students; and, 3) prohibition of any future stand alone middle school or use of the Coral Gables Youth Center.
25	Objective MOB-2.8. **The City shall plan and ensure development of a transportation system that**	The proposed 436 student enrollment will result in increased vehicular use of roads and intersections surrounding the school.	- Conditions of approval regarding parking and deliveries: 1) defining approved use of existing

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	preserves environmentally sensitive areas, conserves energy and natural resources, and **maintains and enhances community aesthetic values.**	This could result in the increased use of public swales in the surrounding residential neighborhood for the drop-off and pick-up of students which could possibly cause the deterioration of the public swales and existing landscaping and may diminish the community aesthetic values of the surrounding residential neighborhood.	parking areas; 2) prohibiting parking within public ROW; 3) prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials. - Conditions of approval regarding charter school special events: 1) requirement for Special Events Permit from City; 2) prohibition from parking off-site; 3) prohibition of event signage; and 4) prohibition of simultaneous church and school events. - Conditions of approval regarding signs: 1) prohibiting freestanding signs; 2) establishment of design criteria for a non-illuminated façade mounted sign on the building fronting Segovia Street; and, 3) minimize number of school zone circulation signs to be installed.
26	Policy MOB-2.8.1. **The City shall continue implementation and further strengthen the City's existing land development regulations requiring the placement of landscaping within rights-of-way to complete the following:** • **Promote expansion of the City's existing tree canopy.** • **Provide screening of potentially objectionable uses.**	The potential of cars parked in the public rights-of-way to drop-off and pick-up children could result in the deterioration of existing tree canopy and buffering landscaping. Parking along public swales for this purpose represents the intrusion into the surrounding residential neighborhood. If off-site student drop-off and pick-up were to occur, it could potentially be a hazard to child safety and negatively impact the pedestrian environment, and may	- Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application. - Conditions of approval regarding landscaping: 1) require additional Anastasia Avenue landscaping per City review and approval; and, 2) require that the charter school shall be responsible for

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	• **Serve as visual and sound buffers.** • **Provide a comfortable environment for pedestrian walking (walkability) and other activities.** • **Improve the visual attractiveness of the urban and residential areas (neighborhoods).**	result in the deterioration of the public swales and existing landscaping.	the maintenance and upkeep of all landscaping.
27	Objective MOB-3.2. **Protect single-family neighborhoods from** commercial **traffic intrusion.**	The proposed 436 student enrollment will result in increased vehicular use of roads and intersections surrounding the school. This increased student enrollment could potentially result in child safety issues, deterioration of public swales negatively impacting the existing pedestrian environment and quality of life of the surrounding residential neighborhood.	- Staff has recommended a reduced number of students and included stringent conditions of approval that include extensive reporting and monitoring to ensure the proposed use is compatible with the residential neighborhood. This includes submission of a follow-up traffic study to ensure all proposed conditions per the Applicant submittal are adhered to and in compliance. In addition, yearly monitoring reports are also required to ensure compliance. - Condition of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment. - Conditions of approval regarding general traffic and traffic circulation: 1) adjustment of signal timing at Segovia Street/Anastasia

Mobility Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			Avenue; 2) require off-site school crossing guards and City of Coral Gables police officers; 3) regulation of school bus/van parking and student drop-off; and, 4) coordination of instructor/teacher arrivals and departures. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
28	Policy MOB-3.2.1. **Continue the use and improvement of the City's established Residential Parking Zone (RPZ) opportunities to protect single-family residential neighborhoods from parking and traffic intrusion.** On an annual basis, evaluate neighborhoods and promote the establishment of the RPZ where substantial intrusion is occurring.	Implementation of site improvements are required to adequately ensure child safety and to protect the surrounding residential neighborhood from any negative impacts that may be caused from increased vehicular use of roads and intersections surrounding the school and intrusion of traffic and parking onto surrounding local residential streets identified in Objective MOB-2.7, Policy MOB 2.7.1 and 2.7.2, Objective MOB 2.8 and Policy MOB 2.8.1.	- Recommended conditions of approval regarding the following: 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries; 6) signs and landscaping; and, 7) other miscellaneous conditions. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application.

Natural Resources Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
29	Objective NAT-1.1. **Maintain the best possible air quality**, meeting or exceeding state and federal air quality standards.	The proposed 436 student enrollment could potentially result in an increase in the number of vehicles idling while dropping-off and picking-up students at the school.	- Conditions of approval regarding general traffic and traffic circulation.
30	Policy NAT-1.1.1. **The City shall support enforcement of applicable standards for air quality to control significant emissions of air pollutants in order to maintain and improve the existing air quality, including** enforcement of City ordinances which prohibit open burning and **excessive vehicle exhausts.**	The increase in student enrollment could potentially result in an increase in the number of vehicles idling while dropping-off and picking-up students at the school. It is not assured that the proposed student drop-off and pick-up plan will adequately serve the increased student enrollment and may result in vehicular congestion and stacking back-ups and increased waiting/idling times.	- Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
31	Policy NAT-1.1.2. **Prohibit** open burning and **excessive vehicle exhausts.**	The increase in student enrollment could potentially result in an increase in the number of vehicles idling while dropping-off and picking-up students at the school. It is not assured that the proposed student drop-off and pick-up plan will adequately serve the increased student enrollment and may result in vehicular congestion and stacking back-ups and increased waiting/idling times. (see Policy NAT-1.1.1).	- Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans. - Condition of approval requiring review of traffic operations and prerequisites evaluating conditions and assumptions of submitted Traffic Operations Plan and Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.

Education Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
32	Goal EDU-1. **The City cooperates with Miami-Dade County Public Schools and other appropriate governmental agencies in the development, operation, and maintenance of a system of public education, and strives to improve the quality and quantity of public educational facilities available to the citizens of the City of Coral Gables and Miami-Dade County.**	The City encourages and requests coordination with the Miami-Dade County Public Schools and all other appropriate government agencies for review and comment on all schools proposed within the City of Coral Gables with the goal of improving the quality and quantity of public educational facilities available to the citizens of the City of Coral Gables and Miami-Dade County.	City is in compliance.
33	Objective EDU-1.1. **The City shall promote the reduction of school overcrowding in Miami-Dade County Public Schools**, while striving to attain an optimum level of service (LOS) as defined in this Element. The City will work to provide additional solutions to overcrowding so that public school enrollment in the City of Coral Gables will meet state requirements for class size by September 1, 2010.	City Staff analysis has found that both public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded.	City is in compliance.
34	Policy EDU-1.1.1. **Coordinate with Miami-Dade County Public Schools in their efforts to continue to provide new student stations** through the Capital Outlay program, in so far as funding is available.	The City supports the creation of new student work stations throughout the County. The proposed 436 student enrollment at the University Baptist Church site can only be supported when adequate provisions are provided to mitigate the negative impacts resulting from any increased student enrollment .	- Recommended conditions of approval regarding the following; 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries: 6) signs and landscaping; and, 7) other miscellaneous conditions. - Conditions and limitations proffered by the Applicant regarding: 1) submittal of a land use reverter clause; 2)

Education Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			phasing enrollment of students; and, 3) prohibition of any future stand alone middle school or use of the Coral Gables Youth Center. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application.
35	Policy EDU-1.1.3. **Coordinate with Miami-Dade County Public Schools in their efforts to develop and implement alternative educational facilities, such as primary learning centers, which can be constructed on small parcels of land and relieve overcrowding at elementary schools,** in so far as funding and rules permit.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have the capacity for additional students.	City is in compliance.
36	Policy EDU-1.1.4. **Coordinate with Miami-Dade County Public Schools in their efforts to provide public school facilities to the students of Miami-Dade County, which operate at optimum capacity**, in so far as funding is available. Operational alternatives may be developed and implemented, where appropriate, which mitigate the impacts of overcrowding while maintaining the instructional integrity of the educational program.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have additional available capacity for students.	City is in compliance.
37	Policy EDU-1.1.5. **Coordinate with Miami-Dade County Public Schools** in their efforts **to maintain and/or improve the**	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not	City is in compliance.

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#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	established LOS, for Public Educational Facilities, as established for the purposes of school concurrency.	overcrowded and have additional available capacity for students.	
38	Policy EDU-1.2.1. **Beginning January 1, 2008, the adopted LOS standard for all public school facilities within and served by the City of Coral Gables is 100% utilization** of Florida Inventory of School Houses (FISH) Capacity (With Relocatable Classrooms). This LOS standard, except for magnet schools, shall be applicable in each public school Concurrency Service Area (CSA), defined as the public school attendance boundary established by Miami-Dade County Public Schools. The adopted LOS standard for Magnet Schools is 100% of FISH (With Relocatable Classrooms), which shall be calculated on a district wide basis.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have additional available capacity for students.	City is in compliance.
39	Policy EDU-1.2.3. In the event the adopted LOS standard of a CSA cannot be met as a result of a proposed development's impact, the development may proceed, provided at least one of the following options is satisfied: • The development's impact can be shifted to one or more contiguous CSAs that have available capacity and is located, either in whole or in part, within the same Miami-Dade County Public Schools designated geographic areas	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have the capacity for additional students.	City is in compliance.

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	(Northwest, Northeast, Southwest, or Southeast) as the proposed development; or, • The development's impact is mitigated, proportionate to the demand for public schools it created, pursuant to a Proportionate Share Mitigation Agreement through a combination of one or more appropriate proportionate share mitigation options, as defined in Section 163.3180 (13)(e)1, Florida Statutes, as amended. The intent of these options is to provide for the mitigation of residential development impacts on public school facilities, guaranteed by a legal binding agreement, through mechanisms that include, one or more of the following: (1) contribution of land; (2) the construction, expansion, or payment for land acquisition or construction of a permanent public school facility; or (3) the creation of a mitigation bank based on the construction of a permanent public school facility in exchange for the right to sell capacity credits. The Proportionate Share Mitigation Agreement is subject to approval by Miami-Dade County Public Schools and the City of Coral Gables City Commission and must be		

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	identified in the Miami-Dade County Public Schools Facilities Work Program; or, • The development's impacts are phased to occur when sufficient capacity will be available. If none of the above conditions is met, the development shall not be approved.		
40	Policy EDU-1.2.5. Ensure, via the implementation of the concurrency management system and Miami-Dade County Public School Facilities Work Program for educational facilities, that existing deficiencies are addressed and the capacity of schools is sufficient to support residential development at the adopted LOS standards throughout the planning period in the 5-year schedule of capital improvements.	As stated in Objective EDU-1.1, public and private school facilities within the City of Coral Gables and surrounding area are currently not overcrowded and have the capacity for additional students.	City is in compliance.
41	Policy EDU-1.3.4. **When considering a site for possible use as an educational facility Miami Dade County Public Schools will consider whether the present and projected surrounding land uses are compatible with the operation of an educational facility.**	The proposed 436 student enrollment of the school located at the University Baptist Church will increase the existing school use and would potentially impact the surrounding residential neighborhood. The size and capacity of the existing church buildings would remain the same, but the proposal would increase the utilization of the facilities for school use. The school serves a regional area, with the majority of children transported by vehicles to and from the school. This	- Condition of approval regarding student mix and population: 1) limited to pre-kindergarten through eighth (8^{th}) grade; 2) maximum first year enrollment of 260 students increasing to 350 students; and, 3) requirement for annual report on student enrollment. - Conditions of approval regarding use of the charter school and church facility: 1) restricting the use to the

Education Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
		will require students to be transported to and from the school which could result in increased vehicular use on adjoining roads and intersections, and may cause stacking back-ups and parking in public swales in the surrounding residential neighborhood during drop-off and pick-up of students, pedestrian and child safety issues, visual blight and negatively impact the surrounding residential neighborhood.	Somerset Academy; 2) requiring any other charter school operator re-apply for review at public hearings; 3) prohibiting any commercial use of the facility; and 4) prohibiting school use between the hours of 10:00 p.m. and 6:00 a.m., seven (7) days a week. - Conditions of approval regarding general traffic and traffic circulation in association with the Applicant Traffic Operation Plan and Traffic Study.
42	Policy EDU-1.3.6. **The City shall encourage Miami-Dade County Public Schools to submit proposed site plans** for public school facilities in the City of Coral Gables to the City for its review and comment.	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables in compliance with Policy EDU-1.3.6.	City is in compliance.
43	Objective EDU-1.4. **Minimize impacts to surrounding communities,** the City shall coordinate with Miami-Dade County Public Schools towards avoiding, **minimizing and mitigating adverse impacts of public school facilities on the surrounding communities, particularly as it relates to traffic, infrastructure, landscaping, operational activities, security, historical resources, and aesthetics.**	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools proposed within the City of Coral Gables. Implementation of site improvements are required to adequately ensure child safety and to protect the surrounding residential neighborhood from the negative impacts of increased vehicular use of roads and intersections surrounding the school and intrusion of traffic and parking onto surrounding local residential streets identified in Objective MOB-2.7, Policy MOB 2.7.1 and 2.7.2, Objective MOB 2.8 and Policy MOB 2.8.1.	- Recommended conditions of approval regarding the following; 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries: 6) signs and landscaping; and, 7) other miscellaneous conditions. - Conditions and limitations proffered by the Applicant regarding: 1) submittal of a land use reverter clause; 2) phasing enrollment of students; and, 3) prohibition of any future stand alone

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			middle school or use of the Coral Gables Youth Center. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application. - Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans.
44	Policy EDU-1.4.1. **Coordinate with Miami-Dade County Public Schools and other adjoining jurisdictions and agencies** in the development of policies and procedures that address the **adverse impacts of existing and new public school facilities on the surrounding communities.**	The City encourages and requests coordination with the Miami-Dade County Public Schools and other adjoining jurisdictions and agencies for the review and comment on all schools proposed within the City of Coral Gables. The City is currently proceeding with site plan review at public hearings for the proposed increase in enrollment to 436 students at the school located at University Baptist Church, which allows for the application and enforcement of Zoning Code provisions through the identification of potentially negative impacts created by the application regarding child safety and quality of life issues resulting from increased traffic, off-site parking and utilization of public rights-of-way, and the other aspects of the proposed intrusion of an incompatible use into the surrounding residential neighborhood.	- Requirement of an annual City and charter school/church meeting to discuss and evaluate school and church operations. - Require charter school establish a public information liaison/point of contact to provide a conduit for exchange of information between parties. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
45	Policy EDU-1.4.2. **Miami-Dade County Public Schools shall be encouraged to develop and operate all of its public school**	The City encourages and requests coordination with the Miami-Dade County Public Schools for the review and comment on all schools	City is in compliance.

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#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
	facilities within the framework of the City's established land use regulations, processes, and procedures.	proposed within the City of Coral Gables. Review of the proposed site plan necessary to accommodate the increase in student enrollment through the public hearing process as being conducted by the City allows for the participation of City review boards and committees and other government agencies, as well as allowing for public input and comment.	
46	Objective EDU-1.5. **Miami-Dade County Public Schools, will strive to improve safety and security for students and staff, in conjunction with the City** and other appropriate agencies.	The proposed 436 student enrollment will result in increased vehicular use of roads and intersections surrounding the school. This increased student enrollment could potentially result in child safety issues, deterioration of public swales negatively impacting the existing pedestrian environment.	- Conditions of approval regarding general traffic and traffic circulation. - Conditions of approval regarding charter school special events: 1) requirement for Special Events Permit from City; 2) prohibition from parking off-site; 3) prohibition of event signage; and 4) prohibition of simultaneous church and school events.
47	Policy EDU-1.5.1. **Coordinate with Miami-Dade County Public Schools** to develop and/or implement programs and policies designed to reduce the incidence of violence, weapons and vandalism on school campuses. Encourage the design of facilities, which do not encourage criminal behavior **and provide clear sight lines from the street.**	The size and capacity of the existing University Baptist Church buildings would remain the same, but the utilization of the facilities for school use would increase. Off-site parking may result in the deterioration of public swales and existing buffering landscaping around the perimeter of the school site.	- Conditions of approval regarding parking and deliveries: 1) defining approved use of existing parking areas; 2) prohibiting parking within public ROW; 3) prohibiting parking at the Coral Gables Youth Center and Coral Gables Library; and, 4)regulation of service vehicles, school buses and the storage of equipment and materials. - Conditions of approval regarding landscaping: 1) require additional Anastasia Avenue landscaping per City

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#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
			review and approval; and, 2) require that the charter school shall be responsible for the maintenance and upkeep of all landscaping.
48	Policy EDU-1.5.4. **Coordinate with Miami-Dade County Public Schools and other appropriate agencies to provide for pedestrian and traffic safety in the area of schools, and signalization for educational facilities.**	The City encourages and requests coordination with the Miami-Dade County Public Schools and all other appropriate government agencies to protect and provide a safe environment for school children and pedestrians. The proposed increase in enrollment to 436 students at the school will increase in the number of vehicles transporting students to and from the school, and could cause increased vehicular use of roads and intersections surrounding the school. Any increased potential for vehicular accidents and vehicle/student conflict within the public rights-of-way of the surrounding neighborhood is a critical child and pedestrian safety issue.	- Conditions of approval regarding general traffic and traffic circulation: 1) adjustment of signal timing at Segovia Street/Anastasia Avenue; 2) require off-site school crossing guards and City of Coral Gables police officers; 3) regulation of school bus/van parking and student drop-off; and, 4) coordination of instructor/teacher arrivals and departures. - Condition of approval requiring review of traffic operations and prerequisites during first school year evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.
49	Policy EDU-1.5.5. **Coordinate with Miami-Dade County Public Schools' Division of School Police and other law enforcement agencies, where appropriate, to improve and provide for a secure learning environment in the public schools and their vicinity.**	As described in Policy EDU-1.5.4, child and pedestrian safety is a primary concern of the City.	- Condition of approval requiring review of traffic operations and prerequisites evaluating conditions and assumptions of submitted Traffic Impact Study and Accumulation Assessment, and the ability to increase maximum enrollment to 350 students.

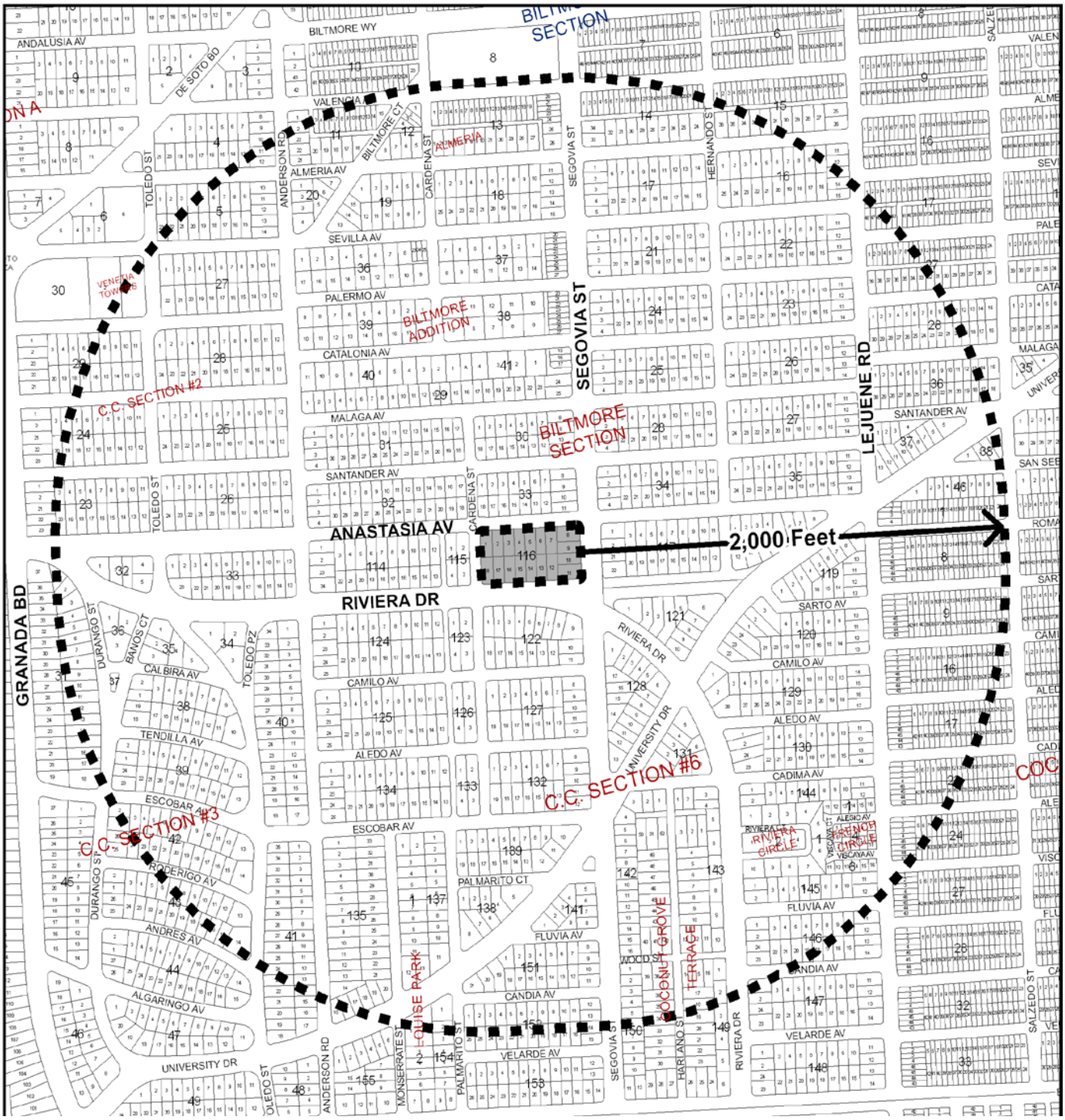
Education Element			
#	CP Goals, Objectives and Policies	Findings of Fact	Recommendation for Consistency
50	Policy EDU-1.6.1. **Coordinate with Miami-Dade County Public Schools in their efforts to provide "full service" schools, parent resource centers, adult and community schools and programs as appropriate.**	Increased use of the existing school located at University Baptist Church could be achieved when adequate provisions are provided to mitigate the negative impacts of increased traffic, traffic congestion and stacking/queuing back-ups created by the drop-off and pick-up of students, the intrusion of off-site parking into the surrounding neighborhood and the deterioration of public swales, landscaping and pedestrian environment, and ensure child safety and the quality of life of surrounding property owners is maintained.	- Recommended conditions of approval regarding the following: 1) use of the charter school and church facility; 2) student mix and population; 3) special events; 4) traffic and traffic circulation; 5) parking and deliveries; 6) signs and landscaping; and, 7) other miscellaneous conditions. - Implementation of proposed plans, site and public ROW improvements and operational procedures as outlined in the submitted application. - Require Applicant submit a Restrictive Covenant outlining all conditions of approval and submitted plans.

5. Public Notification and Comments.

The Zoning Code requires that a courtesy notification be provided to all property owners within 1,000 feet of the subject property. The notice lists the type of applications filed, proposed public hearing dates/time, location where the application files can be reviewed. The notice also provides for an opportunity to submit comments on pending applications.

The Planning and Zoning Board public hearing date/time/location was re-noticed by mail as well as notification via two published legal advertisements. The property was also re-posted with numerous signs. Planning Staff provided twice the minimum notice requirements or a 2,000 feet notification radius of the upcoming public hearing. The 2,000 foot notification provided notice to Granada Boulevard (west), Valencia Avenue (north), Salzedo Avenue(East) and University Drive (South). Approximately 600 notices were mailed. A copy of the courtesy notices and legal advertisements that were mailed for the revised Application are provided as Attachments G and H. A map of the notice radius is as follows:

Courtesy Notification Radius Map



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

Public Notice

Type	Date
Applicant's 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
2nd Posting of the property (for 04.27.11 meeting)	03.21.11
2nd Courtesy notification - 2,000 feet of the property (for 04.27.11 meeting)	03.24.11
2nd Agenda posted on City web page/City Hall/Youth Center (for 04.27.11 meeting)	03.24.11
2nd Legal advertisement (for 04.27.11 meeting)	04.13.11
Posted Staff report on City web page (for 04.27.11 meeting)	04.22.11
Courtesy notification for revised Application - 2,000 feet of the property (for 11.30.11 meeting)	11.04.11
Posting of property for revised Application (for 11.30.11 meeting)	11.09.11
Legal advertisement for revised Application (for 11.30.11 meeting)	11.09.11
Posted agenda on City web page/City Hall for revised Application (for 11.30.11 meeting)	11.04.11

The listing of interested parties who returned the notification/comment form, including the date received, property owners name, address, object/no objection/no comment and verbatim comments since the re-submittal of the revised application on 08.05.11 until 11.22.11 are attached as Attachment I. As of this date, since initial application submittal in 07.29.2010 to 08.05.2011, a total of approximately 900 comments have been provided (Note: These comments will be provided in electronic format to the Board/City Commission due to the large quantity). Most recently, since the 06.22.2011 Planning and Zoning Board hearing approximately 30 comments have been provided to Planning Division Staff.

6. Staff Recommendation.

Staff Recommendation

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

1. An Ordinance of the City Commission of Coral Gables, Florida, requesting an amendment to 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; and, providing for severability, repealer, codification and an effective date.

2. An Ordinance of the City Commission of Coral Gables, Florida, requesting conditional use review pursuant to

Zoning Code Article 3, Development Review, Division 4, Conditional Uses, to permit the issuance of a City of Coral Gables Certificate of Use (hereinafter referenced as a "Certificate of Use") for a student increase of the existing Somerset Grace Academy Charter School of Coral Gables from one-hundred-and-ten (110) students up to a maximum of three-hundred-and-fifty (350) students pursuant to the Applicant's proffered "School Phasing Strategy" which included two-hundred-and-sixty (260) students in year one. The issuance of an annual Certificate of Use shall be subject to compliance with all of the conditions contained and referenced herein 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.

3. An Ordinance of the City Commission of Coral Gables, Florida, requesting site plan review to permit miscellaneous site improvements and to permit the issuance of a City of Coral Gables Certificate of Use (hereinafter referenced as a "Certificate of Use") for a student increase of the existing Somerset Grace Academy Charter School of Coral Gables from one-hundred-and-ten (110) students up to a maximum of three-hundred-and-fifty (350) students pursuant to the Applicant's proffered "School Phasing Strategy" which included two-hundred-and-sixty (260) students in year one. The issuance of an annual Certificate of Use shall be subject to compliance with all of the conditions contained and referenced herein 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; and including required conditions; and providing for severability, repealer, codification, and an effective date.

Staff Recommended Conditions of Approval for the Granting of the Conditional Use and Site Plan Application

In furtherance of the Comprehensive Plan's Goals, Objectives and Policies, Zoning Code and other applicable City provisions, the recommendation for **approval** of the Conditional Use and Site Plan is subject to all of the following conditions of approval:

1. Application/supporting documentation. The approvals granted herein shall be in conformance with all of the following documents:
   a. Statement of Use dated 8.05.2011
   b. Draft Proffered Declaration of Restrictive Covenant, with proffered conditions of approval, prepared by Laura L. Russo, Esq., dated 8.05.2011
   c. Aerial Photograph, prepared by Civica, dated 10.05.2011.
   d. (Existing to Remain) Site Photographs, prepared by Civica, dated 10.05.2011.
   e. Map of Boundary Survey for University Baptist Church of Coral Gables, prepared by Hadonne, dated 03.23.2011.
   f. Existing South Elevation, prepared by Civica, dated 10.05.2011.
   g. Existing East and West Elevations prepared by Civica, dated 10.05.2011.
   h. Existing Site Plan and Zoning Data prepared by Civica, dated 10.05.2011.
   i. Proposed Site Plan - Traffic Scenario 'A' (Multi-Directional Distribution) prepared by Civica, dated 10.05.2011.
   j. Proposed Site Plan - Traffic Scenario 'B' (Unified Distribution) prepared by Civica, dated 10.05.2011.
   k. Proposed Parking Plan during School Use prepared by Civica, dated 10.05.2011.
   l. Proposed Pedestrian Plan prepared by Civica, dated 10.05.2011.
   m. Proposed On-site Traffic Signage & Existing Site Lighting prepared by Civica, dated 10.05.2011.
   n. UBC Existing Educational Facility: 1st Floor Plan prepared by Civica, dated 10.05.2011.

o. UBC Existing Educational Facility: 2nd Floor Plan prepared by Civica, dated 10.05.2011.
p. Proposed Landscaping Plan prepared by Civica, dated 10.05.2011.
q. Planting Details Notes and Specs prepared by Civica, dated 10.05.2011.
r. Traffic Operations Plan, dated 10.05.2011.
s. Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011.
t. School Speed Zone Signage prepared by Civica, dated 10.05.2011.
u. No School Parking Zone Signage prepared by Civica, dated 10.05.2011.
v. Proposed School Speed Zone Signage prepared by Civica, dated 10.05.2011.
w. Parent & Student Handbook 2011 - 2012, prepared by Somerset Academy Gables.
x. Parent Contract 2011 - 2012, prepared by Somerset Academy Gables.
y. Attendance Contract 2011 - 2012, prepared by Somerset Academy Gables.
z. Master Calendar with events for Somerset.
aa. Master Calendar combined with events for UBC.
bb. Charter School Contract between The School Board of Miami-Dade County, Florida and Somerset Academy, Inc. on behalf of Somerset Grace Academy, dated 07.15.2009.
cc. Somerset Lease with UBC, First Amendment to Educational Facilities Lease Agreement dated 08.13.2010.
dd. Planning Department Application submitted by Applicant/Agent Laura Russo, Esq., notarized 07.29.2010.
ee. Reynolds, Smith and Hills, Inc., Somerset Coral Gables UBC Campus (PK-8), Traffic Review Report, dated November 2011.

2. Implementation and compliance of all conditions of approval. Unless specified otherwise herein, all the conditions of approval provided herein shall be in effect at which time charter school student enrollment is increased beyond one-hundred-and-ten (110) students.

3. Proffered conditions/limitations. The Applicant's proffered conditions, referenced as "Draft Proffered Declaration of Restrictive Covenant," prepared by Laura L. Russo, Esq., dated 8.05.2011" filed with the application shall be included as conditions of the approval (as modified by the City for clarity and pursuant all conditions of approval granted herein):
   a. That in the event the charter school use ceases to exist for a period of thirty (30) or more calendar days during the school year, or the charter school vacates the property, the approved City of Coral Gables, Comprehensive Plan, Future Land Use Designation land use designation "Community Facilities" shall automatically revert to the City of Coral Gables, Comprehensive Plan, Future Land Use Designation "Religious/Institutional Land Use."
   b. No increase in student enrollment beyond three-hundred-and-fifty (350) students shall occur notwithstanding that the "Charter" issued by the Miami-Dade County School Board is for a greater number, and notwithstanding any current or future State of Florida legislation that would allow for an increase in student enrollment, unless same is approved by the City of Coral Gables City Commission.
   c. The charter school shall be for students from Pre K through 8th grade; and that it shall not request any change to allow a stand-alone middle school.
   d. The charter school shall not file any request for the use the City of Coral Gables War Memorial Youth Center for any physical education and/or scholastic activities.

   The above conditions shall be included in the restrictive covenant referenced and required herein.

4. Coordination and monitoring of conditional use and site plan approval. The following coordination and monitoring provisions shall be required to ensure compliance with all conditions of approval granted herein:
   a. Annual City and charter school/church meeting. Annually, until such time as, the student population

achieves three-hundred-and-fifty (350) students, a minimum of fourteen (14) calendar days prior to the first day of school and thirty (30) calendar days after the first day of school, representatives of the charter school and church shall meet with the City Departments (i.e., Public Works, Planning, Parking Fire and Police) to discuss school and church operations at the facility (i.e., traffic, circulations, safety, student drop-off/pick up, parking, etc.). The intent is to provide a dialogue and exchange of information in advance of each school year and after the opening of school and as necessary provide for the administrative modifications to the submitted Traffic Operations Plan, dated 10.05.2011 and Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011 and Parent Handbook/Parent Contract as related to traffic, traffic accumulation and traffic operational conditions per this approval.

b. Charter school public information liaison/point of contact. The charter school shall select a specific point of contact person to serve as the single point of contact for the City, neighborhood, surrounding properties and public inquiries. The role of the contact person is to provide a conduit for exchange of information between all parties. The point of contact person name, email, mailing address and phone, and hours of availability shall be provided to all property owners and neighborhood associations within one-thousand (1,000) feet of the property. This notice shall be provided on August 1st annually. Verification of the notice shall be provided to the Planning Department on August 1st annually.
c. Certificate of Use. The charter school shall per applicable Zoning Code provisions submit for a Certificate of Use prior to August 1st on an annual basis. The City shall evaluate compliance with all conditions of approval pursuant to the approved Restrictive Covenant and/or all conditions of approval granted by the City Commission and upon determination that all conditions are satisfied may issue the annual Certificate of Use.
d. Restrictive covenant. Within thirty (30) calendar days of approval, the Applicant and property owner, its successors or assigns shall submit a draft restrictive covenant for City Attorney review and approval outlining all conditions of approval. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void unless said time frame for submittal of the draft Restrictive covenant is extended in writing by the City Attorney after good cause is shown as to why the time frame should be extended. Upon approval of the restrictive covenant by the City Attorney's Office, the restrictive covenant shall be recorded. All costs, fees, etc. associated with the recordation and City review shall be provided by the Applicant.
e. Failure and noncompliance provisions. On an annual basis, no later than June 1st, the Applicant shall file a written report with the City providing a detailed description for either of the following:
    1) Strict compliance with all conditions of approval, or
    2) Failure to comply with some or all conditions of approval including the circumstances for noncompliance.

    The City shall review the Applicant's verified written report in association with other available and applicable information including but not limited to the following: city records, complaints filed with the city; other governmental entity notices of violations or non-compliance; code enforcement violations; city studies, etc. If the city determines that there exists a reasonable basis to revoke, amend or conduct further review of the conditional use and site plan approvals granted in this application, in order to support or maintain compliance with the approvals granted herein, the City shall notify the Applicant and property owner in writing via certified mail within thirty (30) calendar days of the receipt of the Applicant's written report and shall place the conditional use and site plan application before Planning and Zoning Board in as a public hearing in accordance with required applicable notice provisions. The Board shall review the findings of the City and the Applicant's submitted report and provide a recommendation to the City Commission for either of the available courses of action:
    1) Revoke the conditional use and site plan approval granted in these applications and revoke the

issued Certificate of Use, or

2) Recommend additional conditions to the previously granted conditional use and site plan approval to allow school operations to continue to exist.

The City Commission shall review the findings of the City and recommendation of the Board and provide a final determination as to the available courses of action referenced in above items 1 and 2. If the City Commission determines additional conditions are warranted, such conditions shall be included to ensure compliance with the previously granted Conditional Use and Site Plan approval, and City Commission conditions of approval and Zoning Code, Article 3 – Development Review, Division 4 - Conditional Uses, Section 3-408 - Standards for review. These provisions are supplemental to all of the enforcement provisions of the City Codes and all other legal remedies.

5. Charter school and church use and operations.
   a. Use of the property and facility.
      1) The use of the property and facility as a charter school shall be limited to Somerset Grace Charter School of Coral Gables. The installation of another charter school operator shall require resubmittal of a conditional use and site plan review applications and any other applicable City of Coral Gables review processes.
      2) The use of the property and facility as another school, preschool, daycare or other associated student learning is prohibited.
      3) The use of the property and facility as a senior center per the previously granted City Commission approval is exempt from the use prohibitions contained herein.
      4) The use of the property and facilities by charter school affiliated outside vendors or for commercial purposes such as renting, leasing, or allowing third parties unaffiliated with the operations of the church and school is prohibited. This prohibition does not include charter school sponsored onsite special events such as Parent Teacher Associations meetings, bakes sales, etc.
      5) The use of the facility for charter school activities and/or events is prohibited between the hours of 10:00 PM to 6:00 AM, seven (7) days a week.
   b. Student mix and population.
      1) Student mix. The charter school shall be limited to Pre-kindergarten through eighth (8^{th}) grade students.
      2) Maximum charter school student enrollment. This approval provides for the conditional issuance of a City of Coral Gables Certificate of Use (hereinafter referenced as a "Certificate of Use") for a student increase of the existing Somerset Grace Academy Charter School of Coral Gables from one-hundred-and-ten (110) students up to a maximum of two-hundred-and-sixty (260) students the first school year, and issuance of a Certificate of Use subject to specific prerequisites for a student increase up to a maximum three-hundred-and-fifty (350) students the second school year and annually thereafter.
      3) Annual report on charter school student enrollment. On September 1^{st} of each school year, the charter school shall submit to the City an executed affidavit attesting to the number of students enrolled for the academic school year in total and by grade.
   c. Charter school special events.
      1) Event permit(s) required. All charter school events where eight-nine (89) or more vehicles are anticipated shall secure a City of Coral Gables Special Events Permit from the City's Special Events Committee. A tentative schedule of charter school events shall be submitted to the City August 1^{st} of each school year to determine which events necessitate future application submittal and review by the Special Events Committee. Within thirty (30) days of the City Commission approval, the charter school shall meet with the City to discuss and come to an agreement on the final "Charter School Events Traffic Management and Safety Plan" methodology and/or contents. Within ninety (90)

calendar days of City Commission approval, the charter school shall submit a "Charter School Events Traffic Management and Safety Plan" to the City's Special Events Committee for review and approval.

2) Charter school event parking. All visitors, parents and attendees of charter school special events shall be required to park in the parking lot or other location as approved by the City. Charter school event parking shall be prohibited within the rights-of-way, swales, grass areas, and lawn areas.
3) Charter school event signage. Temporary and/or permanent event signage is prohibited both on and offsite.
4) Simultaneous church and charter school events. Simultaneous church and school events shall not be permitted. Bereavement church services shall be exempt from these provisions.

6. Traffic and traffic circulation.
   a. No charter school associated vehicles shall backup or accumulate, or park on any surrounding rights-of-way/streets as a result of student arrivals/dismissals and/or any other school related operations, functions or activities. The parking, stopping, standing of buses/vans solely for student arrivals/dismissals on Anastasia Avenue as designated on the Applicant's plans shall be exempt from these provisions.
   b. All street intersections analyzed as a part of the Applicant's submitted Traffic Study, (referenced as the "Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011") shall meet the respective levels of service as identified in the Report.
   c. At which time the charter school increases student enrollment above one-hundred-and-ten (110) students and each year through and including the school year the school reaches up to the maximum three-hundred-and-fifty (350) students, the City shall select and engage an independent traffic consultant to perform a traffic operations review during various dates/times in order to evaluate the traffic operating conditions. The traffic operations review will be consistent with the methodology and findings per the Applicant's submitted Traffic Operations Plan, dated 10.05.2011 and Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011. At a minimum the review shall include the following:
      1) Record all vehicles entering and exiting the site during school days for the following time periods: 7:00 AM – 9:00 AM and 1:30 PM – 4:00 PM. The data will be summarized in 5, 15 and 60-minute intervals.
      2) On the same days and times as the vehicle counts in #1, record vehicle accumulation data consistent with the methodology followed for the surrogate school, Doral Academy referenced in the Applicant's Traffic Impact Study and Accumulation Assessment dated October 15, 2011. This survey shall include recordation of all parked vehicles during this time to determine maximum accumulation for the arrival and dismissal shifts.
      3) Record turning movement volumes at the intersection of Segovia Street and Anastasia Avenue from 7:00 AM to 9:00 AM during the same days as #1 and #2. Use this data to conduct a level of service (LOS) analysis for this intersection.
      4) Observe and record the Traffic Operating Plan for the school including the efficiency of the "platooning" for student arrival/dismissal shifts; and management of pedestrian activities.
      5) Prepare a photographic and/or video log of the traffic operations.
      6) Frequency of use of the identified onsite traffic contingency plans for student arrivals/dismissals.

      The consultant shall provide a written analysis to the City on or about January 1st of the next calendar year. The City shall have forty-five (45) calendar days upon receipt of the study to conclude its review of the study and present its final findings to the charter school to determine its ability to increase student enrollment and issuance of a Certificate of Use. The responsibility for compliance with all methodology, conditions, assumptions, etc. per the submitted Applicant's Traffic Operations Plan, dated 10.05.2011, Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc.,

dated 10.05.2011 and other applicable application support materials rests exclusively with the charter school. If the City in its sole determination finds that the charter school does not strictly adhere to the Applicant's methodology, conditions, assumptions as contained in the above referenced traffic documents and application support materials, with specific emphasis on the following: 1) No charter school associated vehicles shall backup or accumulate, or park on any surrounding rights-of-way/streets as a result of student arrivals/dismissals and/or any other school related operations, functions or activities. The parking, stopping, standing of buses/vans solely for student arrivals/dismissals on Anastasia Avenue as designated on the Applicant's plans shall be exempt from these provisions, and 2) All street intersections analyzed as a part of the Applicant's submitted Traffic Study, (referenced as the "Traffic Impact Study and Accumulation Assessment, prepared by Richard Garcia and Associates, Inc., dated 10.05.2011") shall meet the respective levels of service as identified in the Report, the increase in student enrollment shall be denied. Furthermore, if the City in its sole determination, finds failure and noncompliance with these provisions, the City shall proceed with revocation of the conditional use and site plan approval pursuant to the Failure and Noncompliance provisions provided herein. All costs, fees, etc. associated with the study or studies referenced herein shall be the responsibility of the charter school operator identified with the submitted application on file with the City and referenced herein.

7. Parking and deliveries.
   a. The parking areas of the facility shall not be used for charter school related activities, physical education, student activities, playground, events, staging or storage area for any events or similar activities. The parking area shall function as a vehicular and pedestrian support service area to the school and church for the sole purpose of vehicle parking and associated vehicular circulation, deliveries and pedestrian circulation.
   b. Charter school vehicle parking prohibition within all rights-of way. All vehicles associated with the charter school functions and operations (i.e., parents; employees; teachers; administrators; delivery vehicles; etc.) shall be prohibited from parking or standing (temporary or permanent) all hours along all rights-of-way including adjacent and surrounding the charter school/church property including but not limited to the following rights-of-ways: Anastasia Avenue; Cardena Street; Riviera Avenue and Segovia Street. Where not currently posted, the appropriate City approved "No parking" signs shall be installed. The location and number of signs shall be subject to the Parking Director's approval. Where possible such signs should be co-located with other existing sign posts and/or required new Miami-Dade County school zone/circulation signage. The charter school shall be responsible for all costs associated with the installation of all signs.
   c. Coral Gables War Memorial Youth Center and Miami-Dade County/Coral Gables Library parking lots and open areas shall not be used for parking, stopping, standing, student pickup/drop-off by the charter school. This includes all users associated with the charter school including but not limited to the following: students; faculty; administrative staff; employees; parents; charter school support personnel; and deliveries.
   d. Coral Gables War Memorial Youth Center and Miami-Dade County/Coral Gables Library parking lots and open areas shall not be used for organized charter school related activities including but not limited to the following: physical education; student activities scholastic activities; playground; events, staging or storage area for any events or similar activities.

e. Charter school staging of delivery and service vehicles. No queuing or waiting of delivery or service vehicles shall occur at any time on or along any portion of all adjoining and surrounding rights-of-way including but not limited to the following rights-of-ways: Anastasia Avenue; Cardena Street; Riviera Avenue and Segovia Street. All staging of delivery and service vehicles shall be onsite within the parking lot.
f. Charter school/vans buses including all types of "yellow" school buses or buses in excess of twenty-five (25) feet are prohibited from parking in the parking lot.
g. The storage of equipment, materials, or other related items by the charter school and church is prohibited within all parking areas.

8. Signs.
   a. The placement of temporary and/or permanent freestanding charter school signs is prohibited on any portion of the property.
   b. The charter school may erect one (1), non-illuminated façade mounted design sign on the building fronting Segovia Avenue up to a total of seven-hundred-and-fifty (750) square inches with a maximum sign height of eighteen (18) inches. All other façade mounted signs are prohibited. Review and/or approval of the sign shall be pursuant the Zoning Code requirements.
   c. Representatives of the charter school in association with the City's Public Works Department shall coordinate with Miami-Dade County Public Works to minimize the number of school zone/circulation signs to be installed on the surrounding streets/rights-of-way. Co-location of all signs (i.e., no parking signs, school zone signs, speed limit signs, etc.) shall be required to minimize the number of sign posts.

9. Landscaping.
   a. Anastasia Avenue rights-of-way landscaping.
      1) Additional parallel parking may be provided on Anastasia Avenue (church/school property line side) subject to Public Works and Public Service Department further review of the plan in association with the Applicant and property owner.
      2) Plant material installation protection measures shall be provided, including but not limited to type of planting soil, root barriers, etc. on the Anastasia Avenue planters subject to review and approval of the Public Service Department.
   b. Maintenance. The charter school and the property owner shall be responsible for the maintenance and upkeep of all landscaping (except trees) on the adjoining rights-of-way of Anastasia Avenue; Cardena Street; Riviera Avenue and Segovia Street in perpetuity. This shall include removal of trash and debris.

10. Other requirements.
    a. Lighting. Additional exterior lighting for the purpose of lighting the parking areas and open areas shall be prohibited. Lighting required for safety and emergency purposes per applicable local and state requirements shall be exempt from these limitations.
    b. Amplified sound/speakers. The use and location of temporary and/or fixed outside amplified speaker/announcer equipment or similar audible enhancing equipment is prohibited on the exterior portions of the building or exterior of the site. Amplified sound from the buildings shall not be audible

from the perimeter property line boundaries. Security alarms, fire alarm and other similar emergency notification/preparedness audible sounds shall be exempt from this provision.

Respectfully submitted,

Eric Riel, Jr.
Planning Director
City of Coral Gables, Florida