

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members  
Planning Board

DATE: April 19, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: **File No. 1563 – 1719 Lenox Avenue.**

The applicant, Cuban Hebrew Congregation of Miami, is requesting a modification to a previously issued Conditional Use Permit, pursuant to Section 118, Article IV of the City Code. Specifically, the applicant is requesting to relocate students from a previously approved classroom addition to the main Synagogue building.

### **RECOMMENDATION**

Approval with Conditions

### **ZONING / SITE DATA**

Legal Description:	Lots 1, 3, 4, 5, 17, 18, 19, & 20 Block 19 of Palm View Subdivision according to the plat thereof as recorded in Plat Book 6, page 29 of the public records of Miami-Dade County, Florida
Zoning:	RM-1, Multifamily Residential and RS-4, Single Family Residential Zoning Districts
Future Land Use Designation:	RM-1, Multifamily Residential and RS
Lot Size:	24,000 S.F. for lot where the classroom is proposed
Existing Use/Condition:	School
Proposed Use:	Same

### **BACKGROUND**

On April 23, 2002, the applicant obtained a Conditional Use Permit (attached with the application) to operate a day care center in a residential property adjacent to the synagogue.

On April 22, 2008, the applicant obtained a Modification to the previously issued Conditional Use Permit (attached with the application) to expand the daycare facility into an existing meeting space in the synagogue to accommodate additional children.

On January 28, 2015, the applicant obtained a Modification to the previously issued Conditional Use Permit. (attached with the application) to add a classroom to the existing school.

### **THE PROJECT**

The applicant has submitted plans entitled "Renovation of existing space for: Beth Shmuel Day Care Center" as prepared by Sklarchitecture, dated 02.03.2016.

**COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES:**

Conditional Uses may be approved in accordance with the procedures and standards set forth in the City Code Art. 4, Sec. 118-191 and Sec. 118-192:

1. **The Use is consistent with the Comprehensive Plan or Neighborhood Plan if one exists for the area in which the property is located.**

**Consistent** - The project is consistent with the Comprehensive Plan.

2. **The intended Use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan.**

**Consistent** – The relocation of the students will not generate an additional impact as previously approved.

3. **Structures and uses associated with the request are consistent with this Ordinance.**

**Consistent** – The relocation of the students to the existing building is consistent with this ordinance.

4. **The public health, safety, morals and general welfare will not be adversely affected.**

**Consistent** -

5. **Adequate off-street parking facilities will be provided.**

**Consistent** - Parking is provided on site.

6. **Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.**

**Consistent** - The proposed project would have to be operated in compliance with all applicable State, County and City codes and regulations and with proper controls and safeguards. This use is not expected to have a detrimental impact on the surrounding properties or neighborhood values.

7. **The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.**

**Consistent** – There is another day care center one block to the east; however, the relocation of the previously approved classroom does not constitute a concentration that would adversely impact the neighborhood as long as safeguards are in place.

**STAFF ANALYSIS**

The site, located on 17<sup>th</sup> Street between Lennox and Michigan Avenues, is part of the Palm View Local Historic District and is one block north of Lincoln Road. The existing day care is located in a single family home on lot 18, zoned RM-1, immediately north of the synagogue and is set back from the street. The site includes a surface parking lot located directly behind the currently operating school, facing Michigan Avenue, which is completely enclosed with a gate. The proposed addition to this single family home for the expansion of the School that was approved by the

Planning Board on January 28, 2015 is no longer proposed. Rather than construct new additional classroom area, the applicant is requesting a modification to the previously issued CUP in order to locate the additional students within the existing Synagogue building that faces 17<sup>th</sup> Street. No increase in the number of students is proposed as part of this modification to the previously approved expansion.

The following is a summary of the operation previously reviewed and approved by the Board on January 28, 2015. No changes are proposed as part of this application.

### **Drop-Off/Pick-up**

Drivers enter the parking lot via the south driveway to drop children off with waiting teachers. There are 47 parking spaces in the lot - enough to accommodate those who choose to park and walk their children into the building. Drop-off begins at 8:30 AM and ends at approximately 9:10 AM. The applicant intends to begin staggering drop-off times for the youngest group of children beginning at 8:30 AM and ending at 9:30 AM to reduce traffic congestion both outside the school and within the parking lot.

Pick-up occurs from 12:15 PM to 12:45 PM for the younger children and again from 2:45 PM to 3:10 PM for the older children. Parents park and walk either inside the building or to the playground to pick-up the children. Pick-up times are scattered for afterschool activities and aftercare. Pick-up for afterschool activities and aftercare begins at 3:00 PM and ends at 5:00 PM. All vehicles exit the lot via the north driveway. Drop-off and pick-up are not allowed at the front of the main building.

### **Parking Lot**

As previously noted, the existing parking lot is gated and staffed by a security guard. Trucks associated with construction staging would park there so as not to disturb the neighbors.

### **Sanitation**

The trash dumpster is located at the northwestern corner of the parking lot and is enclosed by a fence. Trash collection occurs Tuesdays and Fridays around 11:00 AM.

### **Staffing**

There are 11 full time teachers. In addition, other teachers come in to teach special subjects, such as art, music, Hebrew, etc., as well as various after school teachers that come several times a week. Administrative staff includes a school director and two office managers. In addition, there are catering staff, who are on the premises only when there is an event, mainly on weekends.

### **Security**

The entire facility is enclosed by a fence with electronic gates at the entrance and exit to the parking lot. Security personnel patrol the main building, the synagogue, and the school. A security guard is stationed at the lot during drop-off and pick-up. There is a call box at the parking lot entry gate when the security guard steps away. The exit gate opens automatically. All vehicles belonging to the school, the synagogue, or the caterer would be required to have a sticker decal on their front windshield. The applicant is also proposing to add a camera to the gate to monitor vehicles waiting to enter the parking lot.

### **Landscaping**

Existing landscaping is not anticipated to be affected by construction. Additional shrubbery would be installed between the main building and the adjacent property in order to add more privacy and additional sound buffering.

**New Play Area**

The applicant is proposing to open a connecting gate from the main school building to the existing covered area at the adjacent synagogue property to replace the current play area next to the existing school.

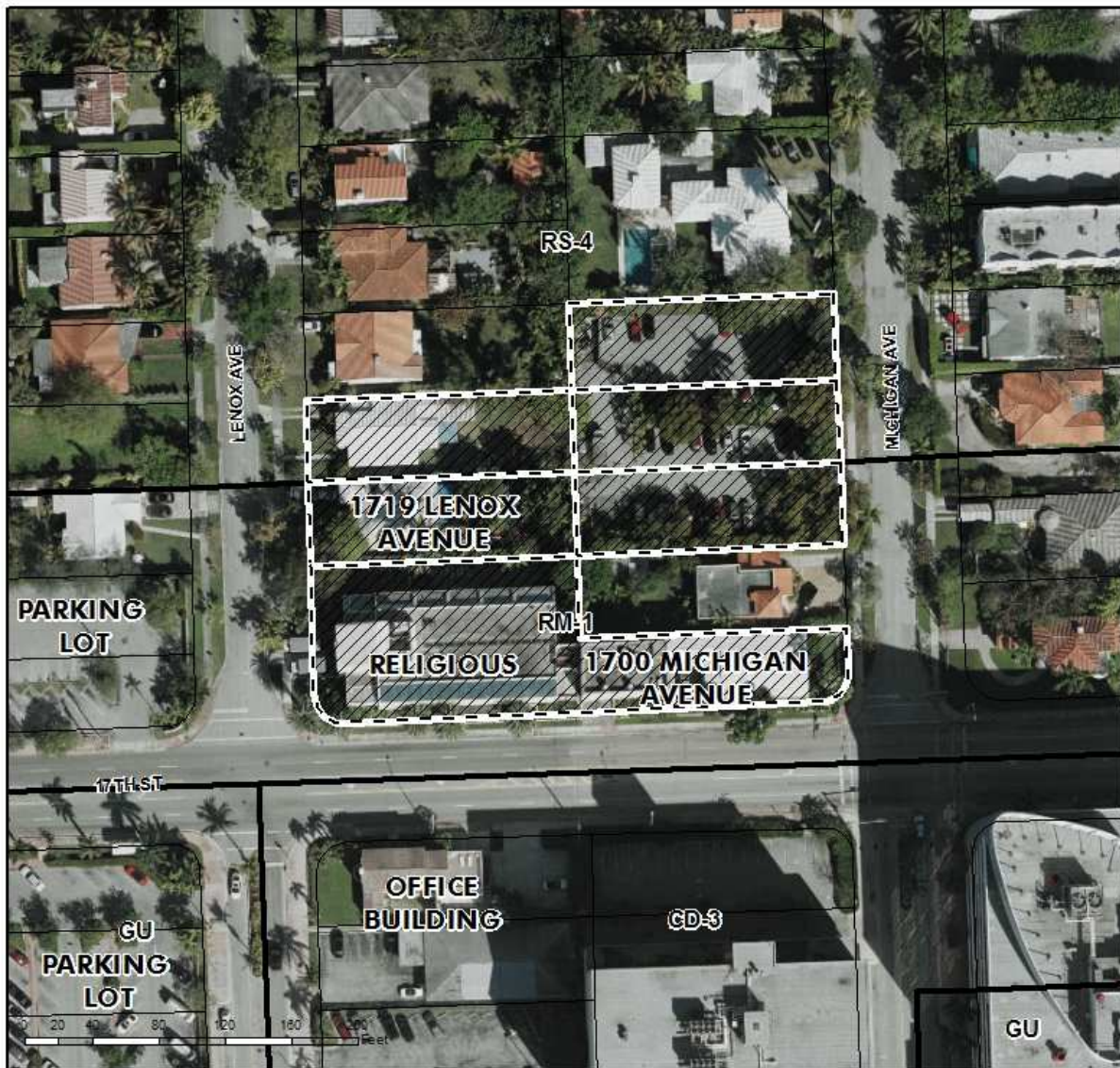
Staff is supportive of this application as it appears to meet an established need for both the school and the community.

**STAFF RECOMMENDATION**

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

TM/MB/AG

**ZONING/SITE MAP**



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