

City of Coral Gables  
Planning Department Staff Report

To: Honorable Local Planning Agency (LPA) / Planning and Zoning Board Members

From: Planning Department

Date: June 3, 2009

Subject: **Application No. 02-07-456-P. Change of Land Use, Rezoning and Site Plan Review.** St. Thomas Church/School proposes construction of a new athletic field on property immediately east of existing campus and modifications to the existing parking lots, more specifically as follows:

Local Planning Agency (LPA) review:

1. An Ordinance of the City Commission of Coral Gables approving a change of land use from "Residential Use (Single Family) Low Density" to "Religious/Institutional Use" for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.

Planning and Zoning Board review for the following:

1. An Ordinance of the City Commission of Coral Gables approving a change of zoning from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.
2. An Ordinance of the City Commission of Coral Gables granting site plan approval for the new St. Thomas Church/School athletic field and modifications to the existing parking lots, located on portions of Lot 2, Avocado Land Company's Subdivision (5450, 5690 and 5692 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.

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**Recommendation**

The Planning Department based upon the findings of fact contained herein recommends approval of the three (3) applications:



1. An Ordinance of the City Commission of Coral Gables approving a change of land use from “Residential Use (Single Family) Low Density” to “Religious/Institutional Use” for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company’s Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date; and,
2. An Ordinance of the City Commission of Coral Gables approving a change of zoning from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company’s Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date; and ,
3. An Ordinance of the City Commission of Coral Gables granting site plan approval for the new St. Thomas Church/School athletic field and modifications to the existing parking lots, located on portions of Lot 2, Avocado Land Company’s Subdivision (5450, 5690 and 5692 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.

**Staff Recommended Conditions of Approval**

In furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, the Zoning Code and other applicable City provisions, the recommendation for approval is subject to all of the following conditions of approval:

1. Application/supporting documentation. Construction of the project shall be in conformance with the following as amended pursuant to changes noted herein:
  - a. Site plan prepared by Witkin Hults Design Group, dated 03.03.08.
  - b. Landscape plan prepared by Witkins Hults Design Group, dated 03.19.08.
  - c. Traffic circulation study prepared by David Plummer & Associates, dated 01.25.07.
  - d. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
  - e. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 06.03.09.
  - f. All representations proffered by the applicant’s representatives provided during public hearing review.
  - g. Changes to the plans required by the City Commission as part of the review of this application at public hearings.
  
2. General.
  - a. Restrictive covenant. Within 30 days of City Commission approval, the property owner, its successors or assigns shall submit to the City Attorney for review and approval of a Restrictive Covenant outlining all conditions of approval required by the City Commission. Failure to submit the draft Restrictive Covenant within the specified time frame shall render all approvals void.
  - b. Unity of title. If not already completed, the property owner shall apply for a Unity of Title tying all parcels (5450, 5690 and 5692 North Kendall Drive) together within 90 days of approval.
  - c. Maximum school capacity. Maximum student capacity shall remain 425 students (pre-kindergarten through fifth grade).
  - d. New construction. Any construction of new buildings, additions to existing buildings or changes to the approved landscape and site plans unless specified and referenced herein shall require Planning and Zoning Board and City Commission review and approval.
  
3. Prior to the issuance of a certificate of completion or the use of any portion of 5450 North Kendall Drive, all of the following conditions shall be adhered to and/or implemented:
  - a. Use and operation restrictions.
    1. Athletic field - 5450 North Kendall Drive.
      - a. Users of athletic field. The athletic field shall only be used by students and faculty of the facility (including opposing teams, squads, players, etc). The use of the field by any outside groups or organizations not associated with the facility is prohibited.
      - b. Play equipment. Permanent soccer nets or other permanent field apparatus related to the use of the field shall be permitted. Portable/temporary equipment associated with open field recreation shall be permitted. Bleachers or other elevated seating shall be prohibited on athletic field.
      - c. Hours of use. There shall be no activities, events or any other use of the athletic field between the hours of 6:30 p.m. and 7:30 a.m.

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 4 of 16**

- d. Vehicle access. Vehicular curb cuts, access or other means of vehicular access from North Kendall Drive and Banyan Drive shall be prohibited.
  - e. Vehicle parking. Temporary and/or permanent parking shall not be permitted at any time on any portion of this property.
  - f. Lighting. Lighting, lighting fixtures/standards or light poles, etc. shall be prohibited on this property. Required low level safety and/or emergency lighting shall be exempt from these provisions.
  - g. Landscape easement. A perpetual ten (10) foot wide landscape easement shall be provided on the entire eastern length of the property from North Kendall Drive to Banyan Drive for the purpose of installing the wall and landscaping identified herein. No physical improvements other than the wall and landscaping shall be permitted with this easement. The expressed purpose of the easement is to provide a buffer.
2. Athletic field - 5690 and 5692 North Kendall Drive.
    - a. Users of athletic field. The athletic field shall only be used by students and faculty of the facility (including opposing teams, squads, players, etc). The use of the field by any outside groups or organizations not associated with the facility is prohibited.
    - b. Play equipment. Permanent soccer nets or other permanent field apparatus related to the use of the field shall be permitted. Portable/temporary equipment associated with open field recreation shall be permitted. Bleachers or other elevated seating shall be prohibited on athletic field.
    - c. Hours of use. There shall be no activities, events or any other use of the athletic field between the hours of 6:30 p.m. and 7:30 a.m.
    - d. Vehicle access. Vehicular curb cuts, access or other means of vehicular access from Banyan Drive shall be prohibited
    - e. Vehicle parking. Temporary and permanent parking shall be permitted on this property.
    - f. Lighting. Lighting, lighting fixtures/standards or light poles, etc. shall be prohibited. Required low level safety and/or emergency lighting shall be exempt from these provisions.
3. Facility (school and church) operations – 5450, 5690 and 5692 North Kendall Drive.
    - a. Special events permits. All facility (church and school) events where 123 or more vehicles are anticipated shall secure a special events permit from the City' Special Events Committee. A tentative schedule of facility events shall be submitted to the City a minimum of one month prior to each school year to determine which events are necessary to submit future applications to the Special Events Committee for review and approval. Those events requiring Committee review must be forwarded a minimum of 48 hours in advance of the event.
    - b. On-street parking. No vehicle parking, storage or standing (temporary or permanent) shall be permitted along any portion of North Kendall Drive or Banyan Drive rights-of-way. Where not currently posted, the appropriate City signage shall be installed as required and determined by the Public Works and Parking Director. The applicant shall be responsible for all costs associated with the installation of the signage.
    - c. Traffic circulation improvements for school operations. As proffered by the applicant, within 180 days of City Commission approval, the below listed eleven (11) recommendations for improving the pick-up/drop-off operations for the school as concluded and listed in the “St. Thomas Episcopal Parish School Pick-

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 5 of 16**

up/Drop-off Evaluation”, prepared by David Plummer & Associates, dated 01.25.07 shall be implemented:

- Do not allow off-campus parking/walking, especially on the swale area of North Kendall Drive.
  - Require all pick-up/drop-off to occur on the passenger side only.
  - Do not allow parents to leave their vehicles unattended while in the pick-up/drop-off area. Parents who need to go on campus must park at designated areas.
  - Allow only loading/unloading by “platoons” of vehicles in a single lane. Prohibit individual vehicles from exiting until the entire platoon is ready to exit. Control at the entry and exit points of the single lane loading areas is required.
  - Do not allow children to exit or enter their vehicle from queue area.
  - If a student (or all students for multi-student vehicles) are not present for loading when the student’s vehicle reaches the loading point, the vehicle is required to exit the loading zone and rejoin the queue.
  - Supervisors assisting with pick-up/drop-off operations should wear a safety vest.
  - Parents should be encouraged to use the drop-off area in the mornings.
  - Consideration shall be given to modifying pick-up times to separate vehicle arrivals.
  - If dismissal times are altered, color coded student identification cards shall be required.
  - Any new pick-up/drop-off plan shall be implemented at the start of the new school year on the first day of school. A meeting with the parents at the end of the school year, prior to the implementing a new pick-up/drop-off plan is required.
- b. Traffic management for school operations. An off-duty police officer shall be provided during peak morning and afternoon periods to direct traffic on and off of campus, subject to review and approval by Chief of Police or designated representative.
- c. Existing old rectory/caretakers residence. The existing old rectory/caretakers driveway which is presently gated shall remain gated and locked at all times. The driveway, including the portion of driveway between Banyan Drive and gate shall not be used at any time for vehicle parking or storage. Student drop off, deliveries of any other similar functions shall be prohibited from accessing or utilizing this driveway.
- d. Lighting. Off site lighting saturation and/or dispersion shall be prohibited from any portion of the facility property onto neighboring properties. Required low level safety and/or emergency lighting shall be exempt from these provisions.
4. Landscape and right-of-way improvement plans. Prior to the issuance of a building permit for any improvements identified herein, the applicant, its successor or assigns shall submit the following:
- a. Landscape buffer plan for the ten (10) foot easement on the entire eastern property line of the athletic field from North Kendall Drive to Banyan Drive to include as a minimum the following improvements:
    - 1. Continuous six (6) foot high masonry wall on the property line; and,
    - 2. Continuous three (3) foot hedge/understory plant materials in front of the wall facing the athletic field; and,
    - 3. Continuous row of twelve (12) to fourteen (14) feet Green Buttonwood overstory shade trees at a average of fifteen (15) feet on center facing the athletic field; and;
    - 4. Irrigation.

## **“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 6 of 16**

- b. Landscape plan for front property line of 5450 North Kendall Drive to include as a minimum the following improvements:
  1. Continuous three (3) foot hedge/understory plant materials the entire length of the front property line; and,
  2. Continuous row of twelve (12) to fourteen (14) feet Green Buttonwood over story shade trees at a average of fifteen (15) feet on center; and;
  3. Irrigation.
- c. Landscape plan for entire rear property line (Banyan Drive property line) of the facility 5450, 5690 and 5692 North Kendall Drive to include as a minimum the following:
  1. Location of existing under and overstory vegetation.
  2. Supplemental understory (i.e. Shrubs, hedges, etc) and overstory shade trees whereas 100 % opacity is achieved.

All of the above referenced landscape plans are subject to review and final approval by the Public Service Director and Planning Director.

5. Facility (church and school) public information liaison/point of contact. A specific point of contact person of the facility shall be selected to serve as the single point of contact for the neighborhood, surrounding properties and public inquiries. The purpose of the contact is provide a vehicle for exchange of information between all parties. The point of contact persons names, email, mailing address and phone, and hours of availability shall be provided to all property owners and neighborhood associations point of contacts within 1,000 feet of the facility. This notice shall be provided prior to the date the City issues the final certificate of completion for the improvements provided for herein and thereafter on an annual basis prior to the start of each school year. Verification of the notification shall be provided to the Planning Department within the time frame required herein and on an annual basis.

### **Basis for approval**

Staff's support of this proposal is the compliance with the CLUP and Zoning Code as enumerated in the findings of fact presented herein and the two following considerations. First, the City adopted the existing master plan for the St. Thomas Church and School campus from the County when the Snapper Creek Section was annexed in 1996. The County's requirements for church and school properties are generally not consistent with the City's Zoning Code provisions and, therefore, evaluation and recommendation on this proposal does take into consideration issues and remedies that are not applicable under other circumstances. Second, presently, no specific regulations exist which govern the use and operations of the property to insure surrounding properties are not negatively impacted. The approval of this proposal with the conditions sets forth specific operational and use safeguards to allow for the operation of the facility in concert with surrounding properties. The operation and use safeguards proposed herein are similar, if not identical to other limitations that have been placed upon other church and school facilities within residential areas of the City.

### **Request**

St. Thomas Church and School proposes to construct a student athletic field on the single-family residentially zone property of approximately 1.0 acre in size immediately to the east of the school campus (5450 North Kendall Drive). No new buildings or building renovations are proposed with this application. The property did contain a single family residence, however the

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 7 of 16**

residence has since been demolished and the property is currently vacant. The single-family residential parcel has single-family residential land use and zoning designations, which do not allow for the proposed use as an athletic field. A change of land use and zoning is required to allow this proposal to proceed forward. Site plan review is also necessary for the entire campus as modifications to the existing parking lot are also proposed.

The existing St. Thomas Church and School campus is approximately 5.3 acres in size, and the single-family residential property purchased by the church is 1.0 acre in size (approximately 134’ width and 321’ depth). No changes are being proposed to the existing church and school building or site other than the modifications to the church’s existing parking lot necessary to accommodate the new athletic field. St. Thomas proposes to continue using the existing athletic field located on the south side of the property for recess and organized sports. The maximum student capacity for the school is 425 students (pre-kindergarten through fifth grade), as agreed to and required in an agreement dated 12.21.89 between St. Thomas School and surrounding property owners.

The application package that includes a statement of use, proposed land use and zoning maps, site plan, landscape plan, a summary of special events and activities that are held at the church / school during the course of the year and the number of attendees/vehicles for each event and other miscellaneous support documents – see Attachment A.

**Facts – Background and Proposed Project**

| <b>Application</b>   | <b>Request</b>  |
|--|---|
| Change of land use (only existing residence at 5450 North Kendall Drive) | Yes – from “Residential Use (single Family) Low Density” to “Religious/Institutional Use” |
| Comprehensive Plan text amendment  | No  |
| Change of zoning (only existing residence at 5450 North Kendall Drive)   | Yes – from Single Family Residential (SFR) to Special Use (S)                             |
| Zoning Code text amendment   | No  |
| Site plan review (entire campus)   | Yes – entire campus (“S” zoned property)  |
| Mixed use site plan review   | No  |
| Planned Area Development   | No  |
| Subdivision Review or Tentative Plat                                     | No  |
| Conditional uses   | No  |

*City Reviews:*

| <b>City Reviews/Timeline</b>                               | <b>Date Scheduled/ Reviewed/Approved*</b> |
|--|---|
| Development Review Committee                               | 02.23.07 and 05.23.08                     |
| Board of Architects  | 05.22.08                                  |
| Board of Adjustment  | N/A                                       |
| Historic Preservation Board (historic significance letter) | 05.03.07                                  |
| Local Planning Agency                                      | 06.03.09                                  |
| Planning and Zoning Board                                  | 06.03.09                                  |
| Street and Alley Vacation Committee                        | N/A                                       |
| Public rights-of-way encroachment                          | N/A                                       |
| City Commission, 1 <sup>st</sup> reading                   | TBD                                       |
| City Commission, 2 <sup>nd</sup> reading                   | TBD                                       |

\*All scheduled dates and times are subject to change without notice.

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 8 of 16**

*Existing Property Designations:*

| <b>Applicable Designations</b>  |   |
|---|---|
| CLUP Map Designation (includes both school and residential property)                          | “Religious/Institutional Use” and “Residential Use (Single Family) Low Density” |
| Zoning Map Designation (includes both school and residential property)                        | Special Use (S) and Single Family Residential (SFR)                             |
| Within Central Business District  | No  |
| Mixed Use District  | No  |
| Mediterranean Architectural District (citywide)   | N/A   |
| Within Coral Gables Redevelopment Infill District (GRID) (Traffic Concurrency Exemption Zone) | No  |

*Surrounding Uses:*

| <b>Location</b> | <b>Existing Land Uses</b>                       | <b>CLUP Designations</b>                     | <b>Zoning Designations</b>      |
|-----------------|---|--|---------------------------------|
| North           | Single-family residences (Miami-Dade County)    | Residential, Single Family                   | Residential, Single Family      |
| South           | Single-family residences                        | “Residential Use (Multi-Family) Low Density” | Single Family Residential (SFR) |
| East            | Single-family residences                        | “Residential Use (Multi-Family) Low Density” | Single Family Residential (SFR) |
| West            | Single-family residences (Village of Pinecrest) | Residential, Single Family                   | Residential, Single Family      |

*Site Plan Analysis:*

| <b>Type</b>   | <b>Date Completed</b> |
|---|-----------------------|
| Concurrency Impact Statement (CIS)                          | 11.14.08              |
| Preliminary Zoning Analysis (parking only)                  | 08.25.08              |
| Traffic circulation review (Public Works comments received) | 12.15.08              |

*Site Plan Information:*

| <b>Type</b>                                   | <b>Permitted</b>            | <b>Proposed/Existing</b>    |
|---|-----------------------------|-----------------------------|
| Total site area                               | 274,167 sq. ft. (6.3 acres) | 274,167 sq. ft. (6.3 acres) |
| Existing campus (5692 North Kendall Drive)    | 230,607 sq. ft. (5.3 acres) | 230,607 sq. ft. (5.3 acres) |
| Existing residence (5450 North Kendall Drive) | 43,560 sq. ft. (1.0 acres)  | 43,560 sq. ft. (1.0 acres)  |
| Total square footage of buildings             | 461,214 sq. ft.             | 79,870 sq. ft.*             |
| Maximum FAR                                   | 2.0 FAR                     | 0.35 FAR                    |

\*from Miami-Dade County Property Information provided with application

The information provided in the following table is taken from the 08.25.08 Parking Compliance Letter prepared by the Building and Zoning Department, which is provided as Attachment B:

*Parking:*

| <b>Uses</b>                    | <b>Required</b> | <b>Proposed</b> |
|--------------------------------|-----------------|-----------------|
| Total existing on-site parking | 115 spaces*     | 115 spaces      |
| Total proposed on-site parking | 115 spaces*     | 123 spaces      |

# “St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review

June 3, 2009

Page 9 of 16

| <i>Uses</i>                             | <i>Required</i> | <i>Proposed</i> |
|---|-----------------|-----------------|
| Additional parking (or parking deficit) | ---             | 8 spaces        |
| Total parking required by Zoning Code   | 211 spaces**    | 123 spaces      |
| Additional parking (or parking deficit) | ---             | (-88 spaces**)  |

*\*existing legally non-conforming use (only 115 existing parking required).*

*\*\* Minimum parking requirements if not a non-conforming use and subject to Zoning Code requirements as calculated by Building and Zoning Department (see Attachment B).*

## Discussion

### *Legislative Background and Required Reviews*

Hammock Lakes was annexed into the City of Coral Gables on 07.31.96. Ordinance No.3247, adopted on 05.13.97, approved site specific Zoning Code regulations for the Hammock Lakes Section, including the St. Thomas Church and School. Ordinance No. 3283, adopted on 11.18.97, approved the St. Thomas Master Plan and additions to the church and school facilities, including the fellowship hall/theater, kitchen, meeting rooms, library and administrative offices. Ordinance No. 3378, adopted on 04.27.99, approved an additional story for the church / school building (from 1 story to 2 stories) and additional on-site parking. The net increase in FAR resulting from the additional story was approximately 1,500 sq. ft. Copies of all three referenced ordinances are provided with the applicant's submittal (see Attachment A).

Changes in land use require review and recommendation by the Local Planning Agency (Planning and Zoning Board) and consideration and adoption in ordinance form by the City Commission (two public hearings). This proposal is considered a “small scale” amendment according to the thresholds established by the Department of Community Affairs (DCA). Therefore, no state required impact analysis is necessary and DCA review between the Commission's 1<sup>st</sup> and 2<sup>nd</sup> readings is not required.

### *Parking Requirements*

A Parking Compliance Letter was prepared and issued by the Building and Zoning Department on 08.25.08 evaluating on-site parking at St. Thomas Church (see Attachment B). In that letter, the Building and Zoning Department states that since no documentation is available to show the conditions of the property at the time of annexation into the City the existing 115 parking spaces are considered legally non-conforming. The proposal is to provide 123 parking spaces on-site, with the additional 8 spaces resulting from the reconfiguration of the parking lot. Since this proposal and previous approvals have not exceeded the minimum threshold requirements to require the property to be brought into compliance with the City's Zoning Code, no additional parking is required.

### *Traffic Circulation*

The applicant has submitted a pick-up / drop-off operations study for the school prepared by a traffic engineer. That study evaluates and provides recommendations for the improvement of the student pick-up / drop-off operations and ingress and egress to the site. Eleven (11) recommendations for improving the existing procedures are concluded and listed in the “St. Thomas Episcopal Parish School Pick-up/Drop-off Evaluation”. Planning Staff also met with the Police Department to review the current traffic operation patterns at the school. The Police Department stated that the current operational standards in place are adequate. However, the

## **“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 10 of 16**

recommendations made in the traffic circulation study would result in an improvement in traffic circulation. Those recommendations have been included as recommended conditions of approval.

### *Landscaping and Buffering*

The landscape and site plan submitted with the application proposes a four and six foot high masonry wall along the east perimeter of the athletic field, and chain link fence along the north and south perimeter of the field. Low hedge materials are proposed to be planted along the inside of the perimeter wall/fences. A single row of Green Buttonwood trees would also be planted along the inside of the east perimeter wall. Staff has recommended a minimum ten (10) foot wide landscape buffer within a perpetual landscape easement which includes a continuous six (6) foot high masonry wall, hedge and understory plant materials as well as a continuous row of canopy trees. The installation of other landscape materials is proposed along both the north and south perimeter of the new athletic field to provide further buffering. In addition, numerous other operational and use restrictions has been placed upon the athletic fields to provide further mitigation of any potential negative impacts of the facility.

### *City Department Review*

This proposal was reviewed by City Staff at Development Review Committee (DRC) meetings on 02.23.07 and 05.23.08. The revised application was also distributed to the Public Works and Public Service Departments on 12.03.08 for detailed review and comments. Comments have been provided to the applicant that must be satisfactorily addressed prior to issuance of a permit. The review of the final landscape plans are required by the Directors of the Public Service and Planning Departments as a recommended condition of approval.

### *Concurrency Management*

This proposal has been reviewed for compliance with the Building and Zoning Department's Concurrency program. The Concurrency Impact Statement (CIS) issued by the Building and Zoning Department for the applicant project indicates that there is adequate infrastructure available to support the proposal. The CIS is on file and available for review with the Planning Department.

## **Findings of Facts**

This section evaluates the application for consistency with the Zoning Code and Comprehensive Land Use Plan (CLUP). This evaluation provides findings of fact and suggests potential remedies for compliance, as applicable.

### *Compliance with the Zoning Code*

Zoning Code Section 3-1404 provides the standards for review of applicant-initiated zoning district boundary changes (change of zoning), as follows:

- A. *An applicant-initiated district boundary change shall be approved if it is demonstrated that the application satisfies all of the following:*
  1. *It is consistent with the Comprehensive Land Use Plan in that it:*
    - a. *Does not permit uses which are prohibited in the future land use category of the parcel*

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 11 of 16**

- proposed for development.*
- b. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use category of the parcel proposed for development.*
  - c. Will not cause a decline in the level of service for public infrastructure to a level of service which is less than the minimum requirements of the Comprehensive Land Use Plan.*
  - d. Does not directly conflict with any objective or policy of the Comprehensive Land Use Plan.*
- 2. Will provide a benefit to the City in that it will achieve two or more of the following objectives:*
- a. Improve mobility by reducing vehicle miles traveled for residents within a one-half (1/2) mile radius by;*
    - i. Balancing land uses in a manner that reduces vehicle miles traveled; or,*
    - ii. Creating a mix of uses that creates an internal trip capture rate of greater than twenty percent (20%); or*
    - iii. Increasing the share of trips that use alternative modes of transportation, such as transit rider-ship, walking, or bicycle riding; or,*
  - b. Promote high-quality development or redevelopment in an area that is experiencing declining or flat property values; or,*
  - c. Create affordable housing opportunities for people who live or work in the City of Coral Gables; or*
  - d. Implement specific objectives and policies of the Comprehensive Land Use Plan; and*
- 3. Will not cause a substantial diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.*

*Staff comments:* The standards identified in Section 3-1404 for the proposed zoning district boundary changes are satisfied. The proposed “S”, Special Use zoning designation is the appropriate zoning designation for church and school properties, will not result in increased density or a decline in level of service as no new building is proposed and is consistent with CLUP objectives and policies as provided herein. The proposed project will improve mobility by implementing improvements to the school’s existing traffic circulation system for student drop off and pick up and operational requirements are specified for events held at the school which currently are not addressed. CLUP objectives and policies are addressed regarding encroachment by an incompatible use; application of buffering techniques; limitation of potentially disruptive uses; and, compatibility of new development. It has not been demonstrated that the proposal would cause a substantial diminution of the market value of adjacent property.

Zoning Code Section 3-1506 provides the standards for Comprehensive Plan text and map amendments, as follows:

- A. Proposed amendments to the Text and Maps of the Comprehensive Land Use Plan shall be reviewed pursuant to the following standards:*
- 1. Whether it specifically advances any objective or policy of the Comprehensive Land Use Plan.*
  - 2. Whether it is internally consistent with Comprehensive Land Use Plan.*
  - 3. Its effect on the level of service of public infrastructure.*
  - 4. Its effect on environmental resources.*
  - 5. Its effect on the availability of housing that is affordable to people who live or work in the City of Coral Gables.*
  - 6. Any other effect that the City determines is relevant to the City Commission’s decision on the application.*

*Staff comments:* The standards identified in Section 3-1506 for the proposed CLUP map amendment are satisfied. The project is consistent with CLUP objectives and policies regarding encroachment by an incompatible use; application of buffering techniques; limitation of potentially disruptive uses; and compatibility of new development. Recommendations are provided and included as conditions of approval for those CLUP Goals, Objectives and Policies identified herein as inconsistent.

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 12 of 16**

*Compliance with CLUP Goals, Objectives and Policies*

Review of the CLUP finds the following CLUP Goals, Objectives and Policies are applicable and the following tabled information provides findings of fact to determine consistency or inconsistency thereof.

*Consistent CLUP Goals & Objectives and Policies are as follows:*

| Ref. No. | CLUP Goal, Objective and Policy   | Basis for consistency  |
|----------|---|--|
| 1.       | <i>POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i> | A minimum 10' landscape buffer is requested between the proposed athletic field and the adjoining residential property to the east consisting of a continuous six (6) foot high masonry wall; hedge and understory plant material and canopied trees. Compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field will be required that currently do not exist. |
| 2.       | <i>POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i> | Provision of the buffering described in item 1 above, and the implementation of the operational requirements for school events as recommended as conditions of approval in Staff's report and the eleven (11) traffic circulation improvements as identified in the applicant's submitted traffic analysis to improve the current traffic conditions.  |
| 3.       | <i>POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which causes significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.</i>                                | In addition to the additional perimeter buffering provided, compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field will be required that currently do not exist.   |
| 4.       | <i>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.</i>                                | Compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic the athletic field, and the implementation of the operational requirements for school events and the eleven (11) traffic circulation improvements as identified in the applicant's submitted traffic analysis will be required that currently do not exist.   |
| 5.       | <i>OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations which provide a continuing process to respond to community needs.</i>   | Compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic the athletic field, and the implementation of the operational requirements for school events and traffic circulation improvements as identified in the applicant's submitted traffic analysis will be required that currently do not exist.   |
|          | <i>OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. The traffic circulation system will protect community and neighborhood integrity.</i>   | There currently exist no specific regulations on the use of the property on which the surrounding residential neighborhood can rely. Approval of this proposal with stringent conditions would allow the City to apply design and operational safeguards that would regulate the uses on the church/school campus that could otherwise not be required.  |

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 13 of 16**

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

*Inconsistent CLUP Goals, Objectives and Policies are as follows:*

| <b>Ref. No.</b> | <b>CLUP Goal, Policy and Objective</b>  | <b>Basis for inconsistency</b>  | <b>Recommendation for consistency</b>  |
|-----------------|---|---|--|
| 1.              | <i>POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.</i> | A buffer is required between uses so that the intensity of uses is effectively reduced on less intense uses, such as residential neighborhoods. Details for an effective buffer between the proposed athletic field and the existing single-family residential uses have not been provided. | Provide a 10' wide dense landscaped buffer along the east property line of the athletic field including a continuous six (6) foot high masonry wall, hedge and understory plant material and canopied trees, and continuous hedge along the athletic field's north and south property line. This is a landscape buffer that is typically required between commercial and low density residential properties. This landscape buffer is recommended as a condition of approval, and would be subject to review and approval by City Departments. |
| 2.              | <i>POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which causes significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.</i>                                | No operational requirements currently exist for church and school activities and events that take place on the campus.  | Provision of additional buffering described in item 1 above, the operational requirements for school events as recommended as conditions of approval in Staff's report and traffic circulation improvements as identified in the applicant's submitted traffic analysis address this issue.  |

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 14 of 16**

| <b>Ref. No.</b> | <b>CLUP Goal, Policy and Objective</b>   | <b>Basis for inconsistency</b>  | <b>Recommendation for consistency</b>  |
|-----------------|--|---|--|
| 3.              | <i>POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.</i> | A comprehensive program of both program and design solutions has not been submitted that provides and demonstrates that adjacent residential properties are adequately buffered and will not be impacted by the proposal. | In addition to additional perimeter landscaping and buffering, provision of conditions regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic field.  |
| 4.              | <i>OBJECTIVE 2-1.7: PROTECT COMMUNITY/NEIGHBORHOOD INTEGRITY. The traffic circulation system will protect community and neighborhood integrity.</i>  | Operational improvements have been identified for the school's existing traffic circulation and pick-up/drop-off system. There is a shortage of available on-site parking according to current Zoning Code requirements.  | Implement the eleven (11) recommendations for improving the pick-up/drop-off operations for the school as identified and recommended in the traffic consultant's evaluation report provided with the application.  |
| 5.              | <i>POLICY 2-1.7.1: SEPARATE LOCAL AND THROUGH TRAFFIC MOVEMENTS. The City will strive to conserve and protect the character of neighborhoods by preventing the intrusion of through vehicles on local and collector streets.</i>   | Operational requirements have not been offered by the applicant to assure that traffic is discouraged from using Banyan Drive.  | Requiring that the existing old rectory/caretakers residence's driveway shall be gated and locked at all times, and the driveway shall not be used at any time for parking by others than occupants of the residence, student drop off, deliveries of any other similar functions is included as a recommended condition of approval.  |
| 6.              | <i>POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. The City shall discourage through traffic in neighborhoods by use of traffic management techniques, including signage, landscape design and roadway design.</i>  | Operational improvements have been identified for the school's existing traffic circulation and pick-up/drop-off system. There is a shortage of available on-site parking according to current Zoning Code requirements.  | Implementation of the eleven (11) recommendations for improving the pick-up/drop-off operations for the school as identified and recommended in the traffic consultant's evaluation report is recommended as a condition of approval   |
| 7.              | <i>POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.</i>  | A transition is required between uses so that the intensity of uses is effectively reduced as development approaches less intense uses, such as residential neighborhoods.  | Provide a 10' wide dense landscaped buffer along the east property line, compliance with recommended conditions of approval regarding permitted users of the athletic field, hours of operation, prohibition of night time lighting, vehicle access and temporary parking on the athletic the athletic field, and the implementation of the operational requirements for school events and traffic circulation improvements as identified in the applicant's submitted traffic analysis, subject to review and approval by City Departments. |

**Staff Comments:** The proposal is “consistent” with specific CLUP Goals, Objectives and Policies as identified herein. Recommendations are provided and included as conditions of approval for those CLUP Goals, Objectives and Policies identified herein as inconsistent.

### **Findings of Fact Summary**

In summary, Staff based upon its analysis of the CLUP and applicable codes and information, determined the following findings of fact regarding this application:

1. Proposal is “consistent” with specific CLUP Goals, Objectives and Policies as identified herein.
2. Recommendations are provided and included as conditions of approval for those CLUP Goals, Objectives and Policies identified herein as “inconsistent”.
3. Proposed project satisfies Zoning Codes standards for CLUP map amendments and changes in zoning district boundaries.
4. Improvements to existing perimeter landscaping and public right-of-ways would be installed with this proposal.
5. Operational requirements are specified for events held at the school which currently are not addressed.
6. Improvements to the school’s existing traffic circulation system for student drop off and pick up would be required.
7. Eight (8) additional parking spaces would be provided as a result of the reconfiguration of the parking lot.
8. Future use of the existing rectory property’s driveway would be prohibited.
9. Implementation of all conditions of approval as provided for herein provides additional protection to adjoining residential uses and mitigates any potential adverse effects.

### **Public Notification/Comments/Future Consideration**

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

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

Courtesy notices were mailed to surrounding property owners within 1000 feet of the subject property advising them of the request and providing them with an opportunity to comment on the application. No property owner has returned the notification form or provided any comments regarding the application.

The application is tentatively scheduled for City Commission consideration at 9:00 a.m., July 7, 2009. This date and time are subject to change with no further notice.

**“St. Thomas Church and School” - Change of Land Use, Rezoning and Site Plan Review**

**June 3, 2009**

**Page 16 of 16**

Respectfully submitted,

Eric Riel, Jr.  
Planning Director

**Attachments:**

- A. Applicant's submittal package.
- B. 08.25.08 Parking Compliance Letter prepared by Building and Zoning Department.

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