



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant:	Hochberg Preparatory School, Inc.	Meeting Date:	March 23, 2022	
Project Name:	Posnack Hochberg Lower School East Campus Playground Expansion	Property Address:	509 & 513 SW 10 th Street (Playground) & 412 SW 11 th St (Existing School property)	
Application#:	#CU-22-118 #V-22-821	Application Type:	Conditional Use Permit, Variance	
Planning District:	Southwest	Quasi-Judicial: (Enter X in box)	YES	NO
			X	
Parcel Size:	509 & 513 SW 10 th Street (Playground) .253 acre & 412 SW 11 th St (Existing School property) 1.21 acres	Public Hearing: (Enter X in box)	YES	NO
			X	
Existing Zoning:	RD-12 (residential two-family district) 509 & 513 SW 10 th Street (Playground Expansion); B-L (Business Limited District) 412 SW 11 th St (Existing School property)			
Existing Use:	Vacant Lot (509 SW 10 th ST) & Single-Family Residence (513 SW 10 th Street)			
Proposed Use:	Playground expansion for existing school – Posnack Hochberg Lower School East Campus.			
Comprehensive Plan Future Land Use Designation:	Residential Low-Medium Density			
Surrounding Zoning:		Surrounding Existing Land Use:		
North: RD-12 Residential two-family (duplex) district South: RD-12 Residential two-family (duplex) district East: B-L Business Limited District West: RD-12 Residential two-family (duplex) district		North: Residential two-family (duplex) South: Residential two-family (duplex) and Single Family Resid. East: Institutional - Private School West: Residential two-family (duplex)		
Staff Recommendation:		Strategic Plan Priority Area:		
<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny		<input type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
Sponsor Name:	Vanessa Leroy, Director CESD Department	Prepared By:	Luis Fontanills, Zoning Technician	

Request:

Summary

The applicant, Hochberg Preparatory School, Inc. is requesting a Conditional Use Permit and Variance in order to construct a playground in the RD-12 Residential two-family (duplex) district at the properties located at 509 & 513 SW 10th Street. The proposed playground will serve the existing school property known as the Posnack Hochberg Lower School East Campus.

The applications filed with the City are as follows:

1. Application # CU-22-118 requesting a Conditional Use Permit pursuant to Section 32-144(c)(1) of the Hallandale Beach Code of Ordinances in order to operate a school within the RD-12 Zoning District.
2. Application #V-22-821 requesting a Variance from Section 32-385(d)(5) of the Hallandale Beach Code of Ordinances relative to the maximum allowable use of artificial turf in landscaped areas.

Background

The Applicant is the owner of the Posnack Hochberg Lower School East Campus, a 1.21-acre parcel located at 412 SW 11th Street. The Major Development application for the existing school was approved on August 1, 2018. Construction of the school was completed on October 2020.

The Applicant has since acquired two adjacent parcels located at 509 SW 10th Street and 513 SW 10th Street approximately 0.25 acres in size, to expand the school property and develop it as a playground for the use of the school.

The existing school property is zoned B-L, Business Limited District which permits schools by right. The adjacent subject lots, however, are zoned RD-12 District which requires a Conditional Use Permit to use these two RD-12 parcels as a playground. Additionally, the use of artificial turf for most of the playground areas is 54% of the landscape area of all three parcels combined, which exceeds the maximum permitted use of artificial turf. Therefore, a variance is also required.

Analysis

Development Details:

The applicant's site plan depicts the following:

1. An existing school building on 1.21 acres. A proposed playground on adjacent residential zoned parcels 0.25 acres. The combined total school campus of 1.26 acres.
2. The proposed playground is adjacent to and lies to the west of the existing school property known as the Posnack Hochberg Lower School East Campus. This is proposed to increase the limited existing outdoor play areas.
3. The surface for the playground will be permeable artificial turf. The turf will meet or exceed City Design Guidelines requirements. A variance is being sought for the coverage

percentage of 54% of the total provided landscape area.

4. A 6 feet high masonry wall, as required by Code, separates the playground from the surrounding residential dwelling units to the west and south.
5. A total of 4 street trees (4 are required) are proposed to be installed in the swale areas of the playground site along SW 10th Street consisting of Orange Geiger Trees to match the existing school street trees on SW 10th Street. The flowering trees are a native species.
6. A total of 44 credited trees/palms are required on the combined parcels; 45 are provided and meet Code.
7. 39.3% landscaped area of the combined sites (school and playground) is proposed - 25% of landscaped area is required for the RD-12 playground parcel and 15% for the B-L existing school parcel. The provided landscape area exceeds the Code requirement.
8. 54% of the landscape area of combined sites is proposed to be artificial turf. (30% of turf is the maximum allowed).

Comprehensive Plan Considerations

The existing school campus is designated Neighborhood Commercial on the City's Future Land Use Map.

The subject lots (Proposed playground site) are designated Residential, Low-Medium Density on the City's Future Land Use Map. The playground use proposed by the applicant is permitted under the land use category as a conditional use.

Applicable Codes and Ordinances

1. Section 32-144(c)(1) of the Zoning and Land Development Code allows public and private schools as a Conditional Use provided that no structure is located less than 50 feet from any adjacent residential use.

The applicant proposes to install a playground on land totaling 11,023 square feet. The playground will serve be utilized as a recreational outdoor activity area for the student body of the existing operating school. There are no structures in the playground. Since it will be used as part of the school operation, a Conditional Use permit is required and requested.

2. Section 32-385(d)(5) of the Zoning and Land Development Code allows an artificial turf in recreational areas and playgrounds provided it does not cover more than 30% of the required landscaped area. The materials used must meet the specifications in the City's Design guidelines as follows:
 - Have minimum face weight of 70 ounces per square yard and pile height of 1.5 inches.
 - be non-flammable and lead free; include an infill of silica sand.
 - be separated from live vegetation a solid barrier; and
 - have a minimum permeability drainage rate of 30 inches per square yard per hour.

the maximum allowable use of artificial turf in landscaped areas.

The applicant will be required to install artificial turf which meets the above specifications. However, 54% of the landscaped area is proposed to be artificial turf which exceeds the maximum of 30%, therefore a variance from the above referenced section is required.

3. Section 32-384(a)(7) and (8) of the Zoning and Land Development Code requires that all permitted uses have a minimum of 15 percent landscaped area on-site for all commercial uses (B-L existing school parcel), and 25 percent for all public or institutional uses permitted in residential districts (RD-12 playground parcel).

There are 2 lots: vacant lot (509 SW 10th ST) and a duplex (513 SW 10th Street). A permit for the demolition of the duplex is currently being processed by the Building Division. The combined lots will provide 39.3% of landscaped area, in excess of the required minimum.

4. Section 32-384(c) of the Zoning and Land Development Code requires one tree be provided for each 1,500 square feet of project site area, at least 50 percent of which shall be native, drought-tolerant species.

Based upon the above provision, no on-site trees are required on the parcels to be used as a playground. The combined site would provide 45 trees consisting of 19 Silver Buttonwoods, 5 Green Buttonwoods, 3 Sylvester Date Palms, 17 Live Oaks trees, and 3 Sabal Palmetto Palms, Sabal Palmetto Palms for 1/3 credit each; therefore, 45 trees for credit are proposed, exceeding the Code requirement for 44 on-site trees. In addition, 93 percent of the trees and palms are native, drought-tolerant species, thereby also exceeding the Code requirement.

Conditional Use Criteria

ARTICLE VIII, Section 32-964 Conditional Uses & Section 32-965 Variances:

Applications for conditional uses shall be reviewed with consideration given to the following:

- (1) That the use is compatible with the existing natural environment and other properties within the neighborhood.

Compliance. The subject lots are zoned RD-12 which permits playgrounds associated with a school by a conditional use permit. The area surrounding the parcel is currently zoned RD-12 made up primarily of duplexes. Additional open space, made up of 2 residential lots, would be compatible with the natural environment and the neighborhood.

- (2) That the use will create no substantial detrimental effects on property values in the neighborhood.

Compliance. The subject property will provide additional visual open space to the neighborhood. The proposed use will not create substantial detrimental effects on any surrounding property values but rather serve as an improvement to the area.

- (3) That there are adequate public facilities such as schools, roads, parks, and utilities within the service areas involved.

Compliance. Adequate public facilities exist within the subject service area.

- (4) That there will be adequate provisions for the traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

Compliance. The playground, being an open space, will not increase vehicular or pedestrian demands to what already exists at the school and surrounding areas. The added street trees installed along SW 10th Street will improve conditions for pedestrians.

- (5) That there will be adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate drainage and pollution problems.

Compliance. The proposed plans depicts a permeable artificial turf that will meet or exceed the City's Design Guidelines required specifications for artificial turf. At the time of permitting, the City Engineer will determine if additional site drainage is necessary.

- (6) That there are adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust, and other nuisances.

Compliance. The applicant proposes to install permeable dust free artificial turf panels. The perimeter of the lot will have a 6-foot-high masonry wall which will provide a visual and sound buffer abutting the adjacent residential properties to the west and south. According to the applicant, the playground will not be utilized at night thus, not illuminated.

- (7) That the land area is sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion thereof.

Compliance. The playground site is located between the commercially zoned school and residential properties. The playground, as open space with buffers, makes it an appropriate use of the land. It is of adequate size and proportion to serve its function.

- (8) Any other conditions as may be stipulated and made a requirement in granting any application for a conditional use, when it is considered necessary to further the intent and general welfare, including but not limited to:

- (a) Limitations on the hours of business operations.
- (b) Limitations on the number of occupants of any building at any one time.

Compliance with limitations of the use of the lot after 8 PM.

Variance Criteria:

In order to authorize any variances to the terms of this chapter, it must be found that:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district.

Compliance. The subject lots are presently zoned RD-12 which permits playgrounds associated with a school via a conditional use permit. The area surrounding the parcel is currently zoned RD-12 made up primarily of duplexes. Having an existing school adjacent to the subject lots does create a special condition not generally applicable to other lands.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

Noncompliance. The subject properties are presently zoned RD-12 and both had residential units prior to the school purchasing the lots for the playground expansion. The request to exceed the maximum use of artificial turf is due to the applicant's desire to provide a playfield that would be lower maintenance for the school.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district.

Noncompliance. The subject properties are presently zoned RD-12 and could be developed as a residential use. The proposed playground use is also consistent with the existing zoning of the property. However, the subject lots could be used sodded and still be used as a playfield.

- (4) Literal interpretation of the provisions of this chapter would deprive the applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

Noncompliance. The proposed playground is permitted by conditional use permit. The playground is consistent with the current context that includes the existing school. However, all playgrounds are limited to the 30% use of artificial turf and 54% artificial turf is proposed.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Noncompliance. The use of the permeable artificial turf for the playground is consistent and functional for areas that involve high wear and tear and would make the playground user and maintenance friendly. Granting of the variance would confer a special privilege. However, the lots could still be used as a playfield if sodded.

- (6) The grant of the variance will be in harmony with the general intent and purpose of this chapter.

Compliance. Adding additional open space, a playground, is in harmony with the present context and hence maintains the general intent and purpose of the chapter.

- (7) Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Compliance. Having the existing school add open space with permeable artificial turf will not be detrimental to the public welfare.

Why Action Is Necessary:

Section 32-144(c)(1) and Section 32-385(d)(5) of the City's Code of Ordinances requires consideration and recommendation by the Planning and Zoning Board prior to the City Commission approval on conditional uses and variance applications.

Staff Recommendations:

The applicant proposes to expand the grounds of the Posnack Hochberg Lower School East Campus to provide a playground for outdoor recreational space for the existing school's student body.

Conditional Use Permit Application:

The Code permits schools in RD-12 zoned properties by a conditional use. The proposal includes the required masonry fence to screen the use from adjacent properties. However, due to the proximity to nearby residential uses in staff's opinion, the use of the playfield should be limited. Staff has no objections to approval of the Conditional use permit subject to the following conditions:

1. The Applicant shall execute a Unity of Title covenant tying the subject lots to the main school site prior to the issuance of the building permit for the improvements.
2. The playground shall not be used in the evening hours later than 8:00 PM.

Variance Application:

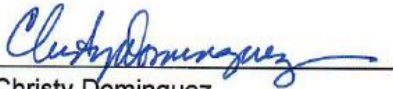
The use of the permeable artificial turf for the playground is consistent and functional for areas that involve high wear and tear such as a school and would make the playground easier to maintain. However, the lots could still be used as a playfield if sodded.

In staff's opinion, the request does not meet all the criteria for granting a variance, therefore, staff does not support the Planning and Zoning Board recommend approval to the City Commission of the requested variance.

Attachment(s):

Exhibit 1 - Location Map
Exhibit 2 - Aerial Map
Exhibit 3 - Applicant's Letter and Backup

Exhibit 4 - Development Plans Concurred with:


Christy Dominguez
Planning and Zoning Manager