



# ***City of North Miami Beach, Florida***

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### **PLANNING AND ZONING BOARD STAFF REPORT**

**TO:** Planning and Zoning Board  
**FROM:** Justin Proffitt, AICP, P&Z Manager

**DATE:** June 13, 2016  
**RE:** Boca Juniors Clubhouse / SLAM Academy Site Plan Amendment

**P&Z ITEM # 16-012** **Boca Juniors Clubhouse / SLAM Academy Site Plan Amendment**

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**OWNER OF PROPERTY** THE CITY OF NORTH MIAMI BEACH

**ADDRESS OF PROPERTY** NE 16 AVE & NE 165 STREET (TO BE REASSIGNED)

**FOLIO NUMBERS** 07-2217-003-0440, 07-2217-003-0440

**LEGAL DESCRIPTIONS** (LENGTHY DESCRIPTION ATTACHED)

**EXISTING ZONING** CF, COMMUNITY FACILITY DISTRICT

**EXISTING LAND USE** PUBLIC PARK

**FUTURE LAND USE DESIGNATION** PUBLIC AND QUASI-PUBLIC

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**BACKGROUND:**

The applicant, Soccer Development Group, LLC, represented by Gustavo Bolado, in a public/private partnership with the City of North Miami Beach, requests a site plan amendment to the approved 9,000 square foot, two-story clubhouse building per Resolution 2015-77. The requested amendment would increase the size of the building to approximately 18,172 square feet under air conditioning to accommodate the SLAM, Sports Leadership and Management, public charter school. The charter school will feature 16 classrooms and other school-related work areas beginning with grades 6 to 9 for a maximum of 400 students.

**SURROUNDING LAND USES:**

<b>Location</b>	<b>Zoning Designations</b>	<b>Existing Land Uses</b>	<b>Future Land Use Designations</b>
North	CF, Community Facility District	Public Facility (Mishcon Field)	Public and Quasi-Public
South	▪ CF, Community Facility District	▪ Public Facility (Library)	▪ Public and Quasi-Public

	<ul style="list-style-type: none"> <li>▪ MU/TC, Mixed-Use Town Center District</li> </ul>	<ul style="list-style-type: none"> <li>▪ Commercial Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mixed-Use Town Center</li> </ul>
East	CF, Community Facility District	Public Facility (Amphitheater)	Public and Quasi-Public
West	<ul style="list-style-type: none"> <li>▪ CF, Community Facility District and</li> <li>▪ MU/TC, Mixed-Use Town Center District</li> </ul>	<ul style="list-style-type: none"> <li>▪ Public Facility (Mishcon Field)</li> <li>▪ Commercial Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Public and Quasi-Public</li> <li>▪ Mixed-Use Town Center</li> </ul>

**THE SITE:**

The subject site is City-owned property adjacent to the City Library and Gwen Margolis Amphitheatre at the intersection of NE 16 Avenue and NE 165 Street (address to be assigned).

**THE PROJECT:**

The project involves an amendment to the approved site plan pursuant to a public/private partnership between The City of North Miami Beach and Soccer Development Group, LLC approved in 2015 by Resolution 2015-77.

This amendment to the clubhouse features classrooms and other school-related work at a height of two stories. The ground floor will be comprised of a concession restaurant and school cafeteria, multi-use areas/classrooms, standard clubhouse facilities, storage space dedicated to the City’s Park & Recreation Department, public restrooms, and an administration office. The second floor contains classroom space for the SLAM Academy public charter school.

Staff has reviewed the application for consideration by the Planning and Zoning Board; in this report, Staff presents the applicable Comprehensive Plan, Zoning and Land Development Code regulations, and provides an analysis with recommendations.

**Sec. 24-55 CF Community Facility District**

**Uses Permitted**

Permitted	Proposed	Recommendation/Comments
Places of Public Assembly, Government Buildings, and similar uses	Soccer clubhouse, public charter school	Permitted Use

**Site Development Standards**

Required	Proposed	Recommendation/Comments
Minimum lot area: One (1) gross acre	N/A, Pre-Empted by FS 1002.33 for Charter Schools	Complied

Minimum lot width: 100'	N/A, Pre-Empted by FS 1002.33 for Charter Schools	Complied
Minimum setbacks: Front: 35' Rear: 25' Side (interior): 20' Side (corner): 30' Adjacent Residential: 30'	Front: 666' Rear: 205' Side: 114' Side: N/A Adjacent Residential: N/A	Complied
Maximum building height: 3 stories or 35 feet	2 stories/25'	Complied
Minimum pervious area: 25% of total lot area	73%	Complied
Minimum Parking space requirements: <u>BOCA Clubhouse:</u> <ul style="list-style-type: none"> <li>▪ 10 per 1,000 sq.ft. (places of public assembly) 79 spaces + 3 handicap spaces</li> </ul> <u>SLAM Academy:</u> State Zoning Pre-Emption for public charter school parking requirement. State Requirements for Educational Facilities (SREF) Section Regarding Charter Schools: <ul style="list-style-type: none"> <li>▪ 1 space per staff @ 16 Teachers + 10 admin: 26</li> <li>▪ 1 space per 100 students @ 400 students: 4</li> </ul> Total Required: 109 + 6 ADA spaces.	<u>BOCA Clubhouse:</u> <ul style="list-style-type: none"> <li>▪ 87 + 5 ADA spaces (existing off street at Mishcon Park)</li> <li>▪ 152 + 2 ADA spaces (existing public on-street parking surrounding park)</li> <li>▪ 59 + 7 ADA spaces (existing from Library)</li> </ul> <u>SLAM Academy:</u> <ul style="list-style-type: none"> <li>▪ 29 + 1 ADA spaces (existing off street at Mishcon Park)</li> </ul> Total Provided/Existing: 325 + 15 ADA spaces	Complied

**Article IX Off-Street Parking and Loading**  
**Sec. 24-93 Parking Lot Design Standards**

Required	Proposed	Recommendation
Paving and Drainage:		

<ul style="list-style-type: none"> <li>▪ Surfaced w/6 inch rolled rock and 1 inch weatherproof pavement</li> <li>▪ Proper drainage</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asphalt parking lot</li> <li>▪ Drainage plan provided</li> </ul>	<ul style="list-style-type: none"> <li>▪ Complied</li> <li>▪ Complied</li> </ul>
Minimum parking space sizes <ul style="list-style-type: none"> <li>▪ Standard 9' x 18'</li> <li>▪ Handicapped 12' x 20 plus 5' access ramp</li> </ul>	<ul style="list-style-type: none"> <li>▪ 9' x 18'</li> <li>▪ 12' x 20' with 5' access ramp</li> </ul>	<ul style="list-style-type: none"> <li>▪ Complied</li> <li>▪ Complied</li> </ul>
Traffic Control	Traffic Operations Plan Provided	Adequate, complies, subject to conditions of approval relating to student drop-off/pick-up at Mishcon Park.

**Article XI. Landscaping**

**Sec. 24-122**

Required	Proposed	Recommendation
Site landscape plan	Landscape & Tree Disposition Plan provided	Complies, subject to conditions of approval.

**Article X Subdivision and Floodplain Standards**

**Sec. 24-106(E)(2)(a)(2)**

Flood Elevation	Special Flood Hazard Area (SFHA)	SFHA Requirements
Zone AE (Elevation 6 Feet)	Yes	One foot of freeboard for all required floor elevations.

**PLANNING AND ZONING DEPARTMENT ANALYSIS:**

NMB Comprehensive Plan Consistency

The City's Comprehensive Plan specifically calls for public charter schools to be encouraged and incentivized in the City of North Miami Beach. Below are the relevant goals, objectives, and policies that support the location, use, and expedited review of the SLAM Academy public charter school:

**Objective 1.3**

*Obtain suitable sites for the development and expansion of public education facilities.*

**Policy 1.3.2**

*Where possible, the Miami MDCPS should seek sites 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.*

**Objective 1.11**

*To assist the Miami-Dade County School Board and college level education developers in providing high-quality elementary, secondary and college level education facilities and resources necessary to meet the future needs of North Miami Beach’s youth and adult population.*

**Policy 1.11.1**

*The City shall continue to coordinate with Miami-Dade County Public School Board, Miami-Dade County, other municipalities of Miami-Dade County, and the South Florida Regional Planning Council in order to develop alternative solutions to the projected public school siting needs included in the data and analysis. These alternative solutions should include: utilization of existing vacant sites; encouraging collocation of schools with other public facilities, such as parks, libraries, and community centers, when feasible and mutually acceptable; the use of vacant office space; the addition of 2nd stories to existing schools, and; other alternative solutions.*

**Policy 1.11.4**

*The City will provide an expedited development review process for all proposed public schools within North Miami Beach.*

**Policy 1.11.7**

*The City shall encourage local charter school developers to establish high-quality elementary and secondary education facilities in North Miami Beach, while continuing to regulate the development of such facilities through the land development regulations and permitting processes.*

**CF, Community Facilities Zoning Designation**

The intent of the CF, Community Facilities district is to provide suitable sites for the development of community facilities of both public and quasi-public nature to serve surrounding residential neighborhoods in areas consistent with the City’s Comprehensive Plan. The clubhouse and public charter school are in accordance with the intent and purpose of the district through its classification as a permitted use and complies with two guiding principles from the City’s adopted Strategic Plan with respect to being a premier residential community and offers opportunities for active and healthy living.

**Traffic Operations Plan, Parking, and Concurrency**

The previously approved parking arrangement in 2015 for the BOCA Juniors clubhouse is based upon the City parking requirement of 10 spaces per 1,000 square feet for places of public assembly; 79 spaces with 3 handicap spaces are required. These spaces are provided in and around the park grounds at Mishcon Park, on street public parking, and the City’s Library. In total, there are 312 parking spaces available for the clubhouse.

The City’s parking requirement for schools, elementary and secondary is one (1) space for every four (4) students. However, the City’s parking requirement is pre-empted by state laws pertaining to charter schools. Charter Schools establish their parking requirements based on the standards found in SREF (State Requirements for Educational Facilities). State Statutes address this issue in

the Section FS 1002.33 Charter Schools (18), and the relevant section reads as follows: the local governing authority shall not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. Local governing authorities must treat charter schools equitably in comparison to similar requirements, restrictions, and processes imposed upon public schools that are not charter schools. The City's parking requirement would require 100 spaces, but the state law would only require 30 parking spaces for grades 6-9. Therefore, the state parking regulations are utilized in determined the parking requirements for the charter school.

All of the proposed parking for the charter school will be located in the Mishcon Park parking lot during school hours. Parents and students will drop off and pick up in the parking lot and school buses will queue along the existing walkways as well. To ensure compliance, the City is placing a condition of approval requiring that these rules be placed in the Student Code of Conduct and that parent and students be instructed as such.

Section 24-161(B)(3)(e) of the City's zoning code outlines the concurrency standards and review procedures for development review in the City of North Miami Beach. Specifically, it states that "development which is a government facility which the City Council finds is essential to the health or safety of the City residents," is exempt from determination of adequacy requirements for proposed developments. A public charter school would qualify for this exemption. However, out of consideration for any potential impacts on levels of service, the City's Traffic and Concurrency planning consultant, Alex David and Associates, reviewed the application, site plan, and Traffic Operations Plan. A Traffic Operations Plan (TOP) provided to the City based on the standard developed by Miami Dade County's Traffic Engineering Division (TED) is a document that is submitted to the County for every charter school project.

Additionally, it is important to note that every new charter school must receive an approval from the TED at the County prior to opening. The TOP received addresses the arrival and dismissal functions of the school, a detailed map illustrating ingress and egress for cars, location of visitor and staff parking, and the location of school personnel during the arrival and dismissal functions. The project was found to be within the adopted levels of service and that the Traffic Operations Plan is adequate subject to the conditions of approval pertaining to student drop-off and pick-up at Mishcon Park.

**PLANNING AND ZONING DEPARTMENT RECOMMENDATION:**

The attached draft Resolution contains the conditions of approval recommended for this project, including the following highlights:

- The SLAM Academy School shall have no more than 400 students during any given school year. Additional students will require City approval and may require a future site plan review and amendment to review for additional impacts on levels of service and parking.

- Provide to the City an operations plan outlining the roles, responsibilities, and access management of the clubhouse, school, and City grounds considering all of the ongoing activities and events with the Parks & Recreation Department, Amphitheater, and Public Library. This plan shall be subject to the approval of the City Manager or his/her designee following the issuance of a building permit and prior to the issuance of a certificate of completion or occupancy for the school.
- Provide a larger overall boundary survey with a full legal description for the entire park property including the ball fields, library, parking lots, and amphitheater.
- An arborist shall determine if the trees located on the berm may remain or be removed. If the trees are unable to remain, the applicant will coordinate with the NMB Parks & Recreation Department on creating an alternative plan to provide shade to the amphitheater berm area.
- This site plan does not include the option of a full service open to the public restaurant. If and/or when such a restaurant is desired, the applicant/school representatives must seek site plan approval at that time.
- The SLAM Academy Student Code of Conduct shall require students and parents to pickup and drop-off students in the Mishcon Park parking lot as outlined in the Traffic Operations Plan approved by Miami-Dade County Public Schools.
- Provide a paved surface other than synthetic grass that is acceptable to the City connecting the walkways between Mishcon Park and the school.
- Provide additional trees, palms and/or shrubs acceptable to the City following FPL's Right-Tree-Right Place principles in and around the school building.
- Obtain the services of an ISA certified arborist and evaluate the impact of the proposed building and construction on the existing Live Oak trees on top of the amphitheater berm. The arborist shall determine the feasibility of either preservation, relocation, or removal and mitigation of the trees.
- Miami-Dade County Fire Department approval is required for adequacy of fire protection for the site.
- Any substantial amendments to the plans submitted and approved as part of the application, as determined by the City Manager or designee, may require the applicant to return to the City Council for approval.
- The conditions of approval for this Site Plan are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
- The applicant shall abide by all the conditions outlined in the approved Resolution R2015-77 dated September 8, 2015 and Resolution R2015-19.

The Community Development Department recommends **APPROVAL** of this project subject to the conditions contained in the attached draft Resolution.

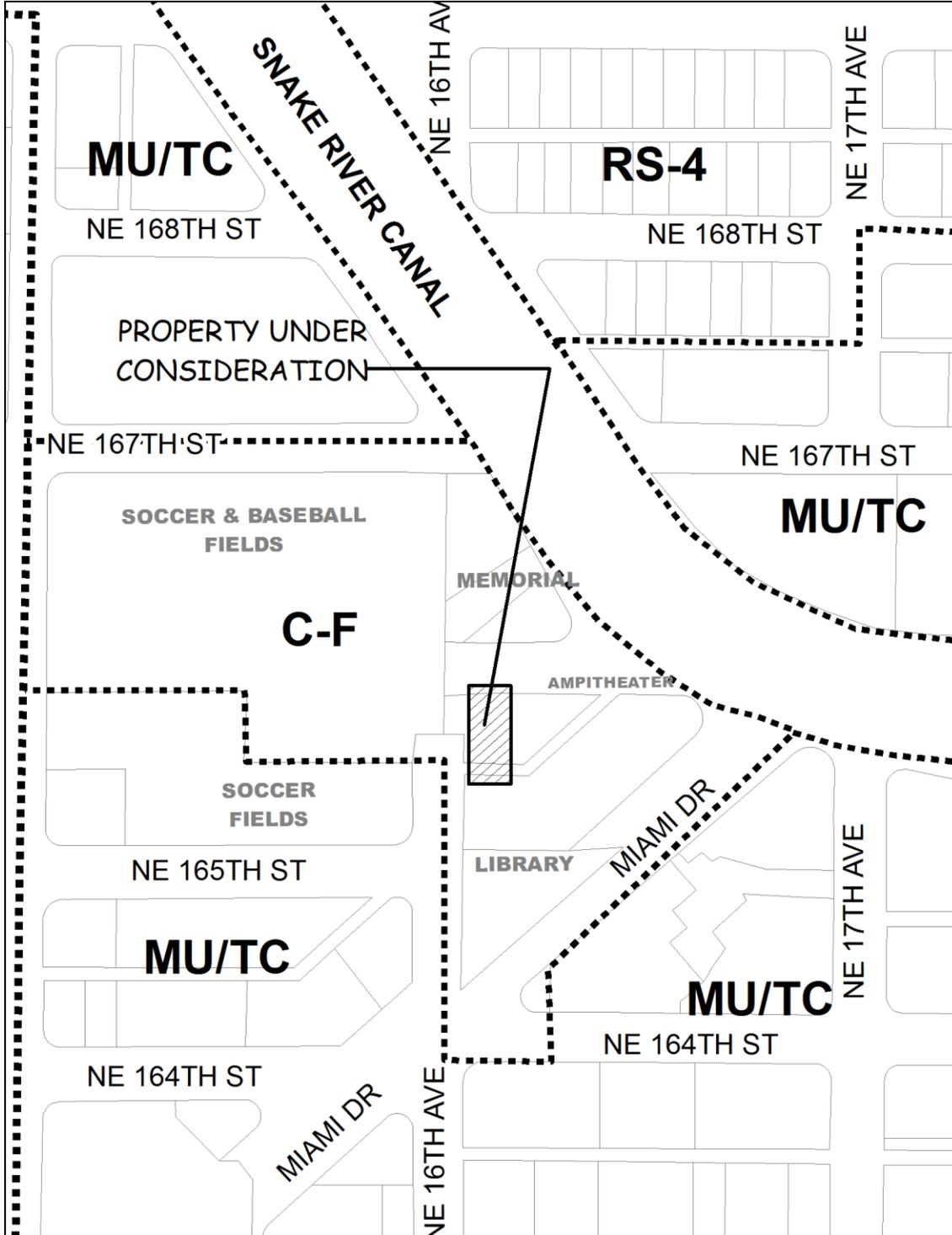
**SUBMITTAL HISTORY:**

**TRAD (April 14, 2016)**

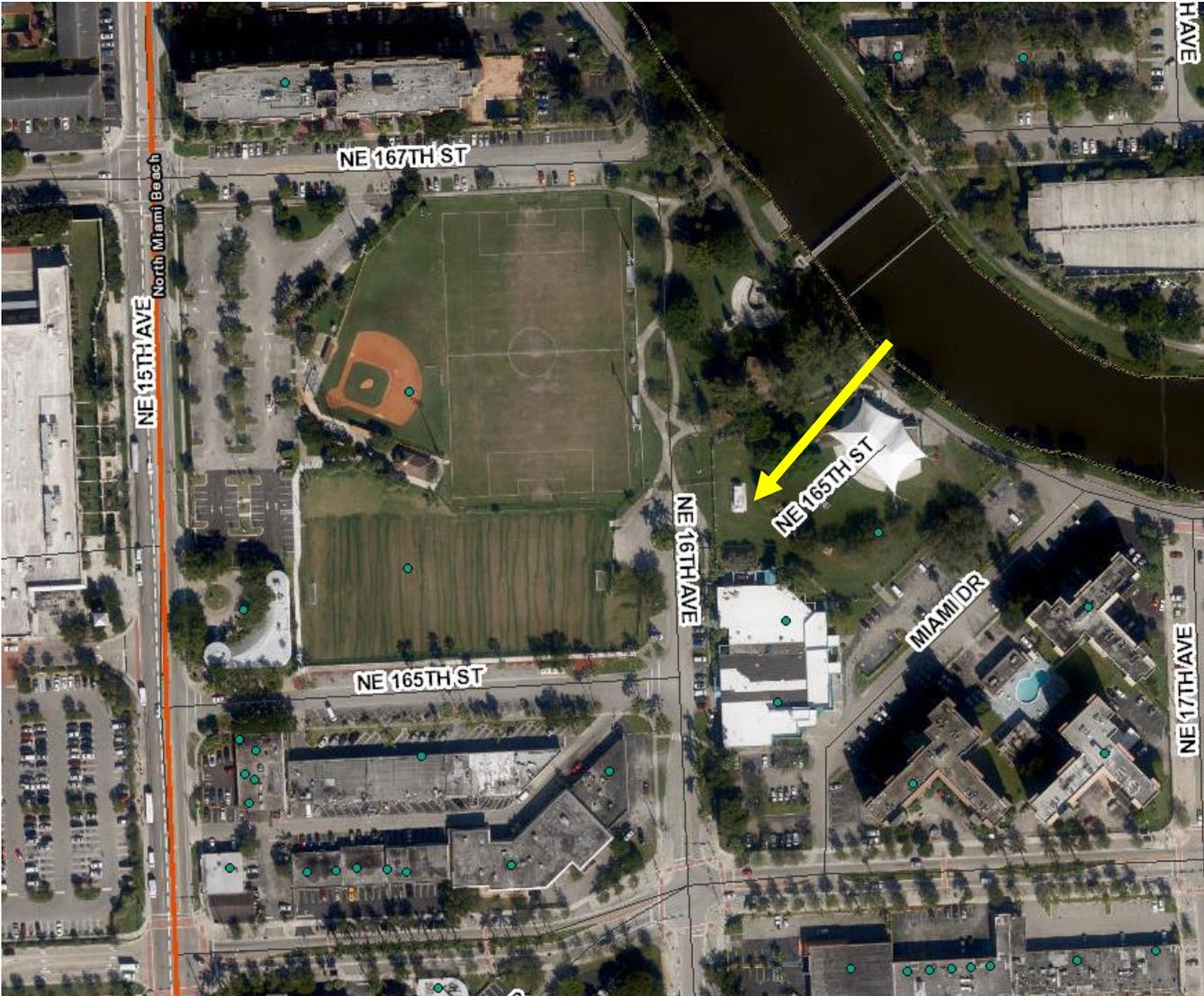
**PLANNING & ZONING BOARD (June 13, 2016)**

**CITY COUNCIL (TBD)**

LOCATION AND ZONING MAP



AERIAL MAP



**ATTACHMENT "A"**  
**LEGAL DESCRIPTION**

A portion of Block 77, Block 76, Egmont Way SW (actually NE 166th Street) and 3rd Avenue SW (Actually NE 16th Avenue) of "Fulford by the Sea Amended Plat of Section G" according to the plat thereof as recorded in Plat Book 14, at Page 39 of the Public Records of Miami—Dade County Florida, in the NE 1/4 of Section 17, Township 52 South, Range 42 East; more particularly described as follows: Commence at the point of intersection of the East Right of Way Line of 4th Avenue SW (NE 15th Avenue) with the North Right of Way Line of Fernandina Way SW (NE 165th Street), as shown on the aforementioned Plat of "Fulford by the Sea Amended Plat of Section G", recorded in Plat Book 14, at Page 39 of the Public Records of Miami-Dade County Florida, thence run N86° 51'43" E along the North Right of Way Line of NE 165th Street for a distance of 530.0 feet to a point on the East Right of Way Line of NE 16th Avenue; thence run NO 2 35'46" W along the East Right of Way Line of NE 16th Avenue for a distance of 94.85 feet; thence run N 87° 18' 01 "E for a distance of 251.2 feet to a point; thence run N44° 33' 13" E for a distance of 100.2 feet to a point; thence run N47° 11' 36" W for a distance of 71.2 feet to a point; thence run NO2° 43' 19" W for a distance of 11.7 feet to a point on a circular curve, concave to the Northeast, having for its elements a radius of 78.0 feet and a central angle of 9054' 12", thence run Northwesterly and Northeasterly along the arc of said curve for an arc distance of 123.75 feet to a point; run S87°50'14"W for a distance of 10.3 feet to a point; thence run N21° 29' 02" W for a distance of 21.7 feet to a point; thence run S65° 40' 00" W for a distance of 40.2 feet to a point; thence run S85° 00' 00" W for a distance of 220.2 feet to a point; thence run SO4° 49' 43" E for a distance of 22.5 feet to a point; thence run S86° 51' 43" W for a distance of 450.5 feet to a point; thence run SO2° 35' 46" E for a distance of 275.0 feet to the Point of Beginning. Said land lying and being in the City of North Miami Beach Florida and containing 4.76 acres more or less.

**ADVERTISEMENT HISTORY:**

**Public Notice & Property Notification Sign**



**Title:**

CITY OF NORTH MIAMI BEACH  
NOTICE OF PUBLIC HEARING

**Category:** Hearings FL

**Adnumber:** 0000120721-01

DATE/TIME: Monday, June 13, 2016, 6:00 P.M.

LOCATION: North Miami Beach City Hall, 2nd Floor, City Council Chambers 17011 NE 19th Avenue, North Miami Beach, FL 33162 PUBLIC NOTICE is hereby given that the City of North Miami Beach Local Planning Agency/Planning and Zoning Board shall consider the following public hearing item:

Item 16-012: Site Plan Approval -NE 16 Ave and NE 165 Street, North Miami Beach, Florida:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING RESOLUTION R2015-77 PROVIDING FOR SITE PLAN MODIFICATION APPROVAL TO CONSTRUCT APPROXIMATELY 18,997 SQUARE FOOT, TWO-STORY CLUBHOUSE AND SCHOOL BUILDING; AS PROPOSED, IN THE CF, COMMUNITY FACILITY ZONING DISTRICT AND LOCATED ADJACENT TO THE CITY LIBRARY AND GWEN MARGOLIS AMPHITHEATRE TO THE INTERSECTION OF NE 16TH AVENUE AND NE 165TH STREET (ADDRESS TO BE ASSIGNED). All interested parties are invited to attend and participate in the Public Hearing(s). The items are on file and available for examination at the Community Development Department, 17050 N.E. 19 Avenue, North Miami Beach, Florida 33162-3194, Monday through Friday 8:00AM-5:00PM. Questions and written comments can be directed via email to [nmbcomdev@citynmb.com](mailto:nmbcomdev@citynmb.com), FAX - 305.957.3517, or mail to the above address or by calling 305.948.2966. Upon recommendation by the Board, the items will be scheduled for City Council consideration. Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Council. Should any person desire to appeal any decision of the Board with respect to any matter considered at this meeting, that person must insure that a verbatim record of the proceedings is made, including all testimony and evidence upon which any appeal may be based (See Florida Statutes 286.0105). In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the City Clerk no later than two (2) days prior to the proceeding. Telephone 305.787.6001 for assistance, if hearing impaired, telephone our TDD line 305.948.2909 for assistance.

6/6 16-131/0000120721M

