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**Chabad Hebrew Academy
1500 N State Road 7
Special Exception and Site Plan Justification**

Chabad Hebrew Academy, Inc. (“Petitioner”) is the owner of the +/- 2.09-acre property located at 1500 N State Road 7 (“Property”), which is generally located on the northeast corner of N State Road 7 and NW 15th St in the City of Margate (“City”). The Property has a future land use designation of TOC, Transit Oriented Corridor and a zoning designation of CF-1, Community Facilities. The Property is currently developed and operated as a private school (preschool and kindergarten through eighth grade) and place of worship. Houses of worship are permitted by right in the CF-1 zoning district and private academic school uses are permitted with special exception approval. Building on its success over the years, Petitioner would like to enhance its current educational offerings and upgrade the existing facility. Petitioner proposes adding approximately 21,000 square feet on top of the existing structure and making other improvements to the site (“Project”). Due to the age of the facility and unique existing conditions, a variety of City approvals are required to achieve the goals of the Project. Accordingly, Petitioner hereby submits this special exception application and site plan amendment application. Petitioner also is submitting a plat note amendment application and underground wire waiver application and will submit a variance application for any additional code relief that may be required.

Section 31-54(c) of the Code provides the review criteria for special exceptions. Each of the criteria are set forth below in bold with Petitioner’s responses in italics. As discussed below, Petitioner respectfully requests approval of the special exception and site plan as the applications, plans, and supporting documents demonstrate compliance with all applicable code criteria. Moreover, Petitioner respectfully requests approval as the Project will benefit the students and families that place their trust in the school and the City at large by improving and beautifying an existing structure on a major thoroughfare.

SPECIAL EXCEPTION CRITERIA

(1) The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.

The proposed addition to the existing school is consistent with the purposes, goals, objectives, and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances. To the extent the private school is inconsistent with any specific code requirements as far as location or dimensions, Petitioner intends to seek a variance.

Comprehensive Plan Goal 1 states, “Ensure that the Character and Location of Land Uses Maximize the Potential for Economic Benefit and the Enjoyment of Natural and Man-Made Resources by Citizens while Minimizing the Threat to Health, Safety, and Welfare posed by Hazards, Nuisances, Incompatible Land Uses, and Environmental Degradation.” As the school is

already existing, the proposed addition will help maximize the potential of the facility. In general terms, the improvements to the school will help beautify the 441 corridor and enhance the vital service the school provides, which together help maximize the quality of life in the City.

Policy 13.16 speaks to the need for locating a school in the Transit Oriented Corridor land use area. As this school, albeit private, is already located in the TOC, the proposed improvement of the existing facility supports this larger educational policy.

Policy 13.19 addresses the need to respect private property owners' rights in relation to land development regulations. Allowing for the Project shows deference to the rights of property owners looking to improve their facilities.

In addition, the Property has a zoning designation of Community Facility. Schools, including private schools, are essentially one of the primary intended uses for CF zoning. Thus, the use is inherently compatible with the zoning.

(2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

The use is currently existing on site and has not been detrimental to the City or community for decades. In fact, the school is viewed as a community asset, providing quality educational and religious instruction to residents of the City and other cities nearby. Petitioner proposes adding space to the existing facility. As the use has not been deleterious to the public or general welfare, a small addition to it similarly will have no negative impact.

(3) The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.

There currently is not a proliferation of private Jewish schools in the City. Petitioner's facility has been operating for decades and provides a critical service to families in the area. The Project proposes enhancing and beautifying an existing use, which is in the best interests of the City.

(4) The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.

As the use is currently existing at the facility, the proposed addition is compatible with the existing environment and community character. As there is no residential neighborhoods adjacent to the Property, there is no issue with potential noise or negative impacts on residences. There are self-storage facilities to the north and east of the Property and shopping centers to the south and west. A private school use does not negatively impact these uses. Moreover, the facility has fencing to provide territorial security. As the school is private, students arrive via vehicle drop off and do not

walk to and from the school. In light of these characteristics of the neighborhood and existing facility, it is compatible with the area.

- (5) Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.**

Petitioner is not proposing to increase students with this Project. Rather, Petitioner is seeking to improve its facilities so it can better serve its existing population. As such, a small addition to the building will not measurably impact the City's adopted levels of service.

- (6) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.**

Please see Traffic Study for information regarding traffic and ingress and egress. In over twenty years of operation, the school has not created traffic issues or congestion on public streets. Access is provided on 15th street, which is the south side of the site. This helps avoid any potential congestion as 15th Street is not a major roadway such as State Road 7. In addition, Petitioner's staff and security actively operate drop off and pick up to ensure there are no negative impacts on adjacent vehicular activity.

- (7) There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.**

Please see Master Parking Plan and Master Parking Statement. The Project proposes more parking than traditionally required for elementary or middle schools.

- (8) The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties.**

The addition to the school will not impede development in the area or negatively impact property values. Petitioner is proposing to improve the appearance and functionality of the existing facility. This will have a positive impact on the value of surrounding properties as the quality and appearance of local schools is a critical factor home buyers consider when looking for properties.

- (9) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.**

The design of the proposed addition and other improvements were thoughtfully crafted to enhance the appearance of the school and property. As Petitioner is only proposing a small addition to the second floor of the existing structure, the design will not create any negative visual impacts. It is important to note, the existing building footprint is not changing.

(10) The city commission finds that the granting of the application will be in the best interest of the city.

Petitioner respectfully requests approval of this application. The proposed addition will enhance the appearance of the facility, which will benefit the City, and will enhance the educational offerings by Petitioner which will undoubtedly benefit the local community.