

# City of Coconut Creek InterOffice Memorandum

**To:** Planning and Zoning Board  
**From:** W. Scott Stoudenmire, AICP  
Deputy Director of Sustainable Development

**Date:** May 14, 2014

**Subject:** North Broward Prep School  
Rezone  
Agenda Item No. 12

**Applicant/Agent:** Scott Backman, Esq.,  
**Owner:** North Broward Preparatory Schools Ltd.  
**Requested Action/Description:** Rezone  
**Location:** 7600 Lyons Road  
**Legal Description:** All of the North Broward School Plat, as recorded in Plat Book 163, at Page 19, of the Public Records of Broward County, Florida and all of Marblehead Subdivision - Section 1 plat as recorded in Plat Book 165, at Page 49.  
**Size:** 69.5 ± acres  
**Existing Zoning:** A-1  
**Existing Use:** School  
**Future Land Use Plan Designation:** E1 (Residential Estate)  
**Platted:** North Broward School plat and Marblehead Subdivision - Section 1 plat.  
**Plat Restriction:** 275,000 square feet of private preparatory school; and 65,000 square feet of private preparatory school (2,847 square feet of prekindergarten and 62,153 square feet of kindergarten through 5<sup>th</sup> grade.) respectively.

**Requested Action:**

The applicant, Scott Backman, is requesting on behalf of the property owner North Broward Preparatory School the rezoning of the North Broward Preparatory School (NBPS) property from A-1 (Agricultural) to CF (Community Facility).

**Project Description:**

The subject property is located at 7600 Lyons Road. It consists of two plats, the North Broward School plat, which is concurrently under the consideration of the Planning and Zoning Board for replat, and the Marblehead Subdivision – Section 1 plat. NBPS was planned and approved at

the northern boundary of the City over 20 years ago. As part of the pre-annexation agreement, the City requires NBPS to rezone the Property from A-1 to CF in order to afford greater protection to neighboring residential properties. The existing primary uses on the property includes a +/-33,568 square foot elementary school, a +/-17,949 square foot high school. These uses will be considered vested uses and will continue to operate as currently established.

**Analysis and Findings:**

Pursuant to Sec.13-36(e) of the Land Development Code, the Planning and Zoning Board shall consider certain standards when reviewing the proposed rezoning. Listed below are the standards and the applicant's responses as to compliance with these standards.

**(1) *The proposed change is not contrary to the Comprehensive Plan;***

The Rezoning is not contrary to the City's Comprehensive Plan. The Property has a land use designation of E-1, residential estate, according to the City's Future Land Use Map. Community facilities, including private schools designated to serve the residential area are permitted uses within the residential land use category. Policy II-5.5.1 further states "[t]he City shall continue to permit educational facilities within areas designated on the future land use map for residential land uses, community facilities and other non-residential land uses as appropriate to support the expansion and attraction of educational uses, including private institutions". Further, the Comprehensive Plan articulates the importance of public and private recreational facilities, such as those included on the Property as part of NBPS. Objective VII-2 specifically states that "[t]he City of Coconut Creek shall continue to ensure a diverse array of public and private recreational facilities and open space", such as those offered as part of NBPS. As such, the Rezoning is not contrary to the Comprehensive Plan.

**(2) *Will not create an isolated zoning district, which would be unrelated and incompatible with adjacent districts;***

The Rezoning will not create an isolated zoning district, which would be unrelated and incompatible with adjacent districts. The CF zoning category is consistent and compatible with adjacent A-1 and other adjacent zoning designations. Indeed, just northwest of NBPS is a CF zoning district adjacent to similar low density residential zoning districts. As the underlying land use is designated E-1 and the Property is surrounded by various residential uses, the rezoning supports the goals and policies of the City's Comprehensive Plan noted above. Thus, the Rezoning will not create an isolated zoning district, which would be unrelated and incompatible with adjacent districts.

**(3) *Will not substantially impact public facilities such as schools, utilities and streets;***

The Rezoning will not substantially impact public facilities such as schools, utilities and streets. The Property is already substantially developed with NBPS and served by public facilities. The Rezoning is a requirement as per the pre-annexation agreement with the City. Further, the Rezoning will not change the existing uses on the Property and, as such, will not substantially impact public facilities such as schools, utilities and streets.

**(4) *Will be justified by external land use conditions;***

The Rezoning is justified by external land use conditions. The Property is adjacent to residential zoning districts to the south, east and west and Palm Beach County residential zoning to the north. Over 20 years ago, NBPS was planned and approved at the north boundary of the City. As part of the pre-annexation agreement, the City required the Property to be rezoned to the CF district in order for more appropriate protection for the

adjacent residential areas. As such, the Rezoning will be justified by external land use conditions.

**(5) Will not create or excessively increase automobile and vehicular traffic congestion;**

The Rezoning will not create or excessively increase automobile and vehicular traffic congestion. As stated above, the Property is the site of the substantially developed NBPS. The Rezoning will not change the existing use of the Property. Further, it is a requirement by the City as per the original pre-annexation agreement. As such, automobile and vehicular traffic congestion will not be created or increased as a result of the Rezoning.

**(6) Will not create a storm drainage problem;**

The Rezoning will not create a storm drainage problem for other properties. The primary use of the Property will not be affected by the Rezoning and the site is already substantially developed. As such, the Rezoning will not create a storm drainage problem for other properties.

**(7) Will not adversely affect surrounding living conditions;**

The Rezoning will not adversely affect surrounding living conditions. The Rezoning will not alter the existing use on the Property. The uses permitted in the Community Facilities zoning district are designed to support needs of residents by providing governmental, institutional and cultural facilities. Further, the Rezoning is a requirement as per the original pre-annexation agreement with the City in order to afford greater protection to adjacent residential development. As such, the Rezoning will support community needs and will not adversely affect surrounding living conditions.

**(8) Will not adversely affect environmental quality;**

The Rezoning will not adversely affect environmental quality. As noted above, the use for the Property will not change as a result of the Rezoning as the Property is already substantially developed. As such, the Rezoning will not adversely affect environmental quality.

**(9) Will not adversely affect property values;**

The Rezoning will not adversely affect other property values. The Property is currently developed with a private school and the Rezoning will not alter the use. Further, the Community Facilities zoning district is intended to provide for governmental, institutional and cultural facilities that support the needs of the community. The Rezoning is also required by the City in an effort to afford greater protection to adjacent residential land owners. As such, the Rezoning will not adversely affect other property values.

**(10) Will not be a deterrent to improvement or development of other property;**

The Rezoning will not be a deterrent to improvement or development of other property. The Rezoning is a requirement from the City as per the original pre-annexation agreement. Further, the Property is already substantially developed with NBPS. As such, the Rezoning will not be a deterrent to improvement or development of other property.

**(11) Will not constitute a special privilege to an individual owner;**