

RESOLUTION NO. 22-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING SITE PLAN APPROVAL PURSUANT TO SITE PLAN PETITION #SP 6-4-21, ATTACHED HERETO AS EXHIBIT “A,” FOR THE APPROXIMATELY .74 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 2700 N. PALM AVENUE IN COOPER CITY, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the First Baptist Church of SW Broward, owner, through its agent, Hope Calhoun, (collectively referred to as the “Applicant”) filed Petition #SP6-4-21 (the “Petition”), seeking final site plan approval for the approximately .74 acres of real property generally located at 2700 N. Palm Avenue in Cooper City (the “Property”); and

WHEREAS, the City’s professional staff, as detailed on the Staff Report attached hereto as Exhibit “B” and incorporated herein, recommends approval of the Applicant’s final site plan, subject to certain conditions; and

WHEREAS, pursuant to the City’s Code of Ordinances and applicable law, a public meeting has been advertised setting forth the date, time and place of the meeting regarding the review of the Petition; and

WHEREAS, the City Commission has examined the Petition and staff recommendations and determined that the Petition is in compliance with the City Code and applicable design guidelines for the Property; and

WHEREAS, a Public Hearing on this request was held by the Planning & Zoning Board on January 3, 2022, after due notice of publication; and

WHEREAS, the Planning & Zoning Board has submitted to the City Commission their recommendation, a copy of which is included in the Staff Report, and recommends the approval of the Petition pursuant to staff’s recommendation; and

WHEREAS, the City Commission finds that approving the Petition for final site plan approval is in the best interests of the citizens and residents of the City of Cooper City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1: Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed. All exhibits attached hereto and incorporated herein and made a part hereof.

Section 2: Approval. That Petition #SP6-4-21 is hereby approved, subject to the conditions set forth in the Staff Report attached hereto as Exhibit “B.”

Section 3: Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 4. Conflicts. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 5. Severability. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction,

then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 6. **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED this _____ day of _____, 2022.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Pulcini _____
Commissioner Meltzer _____
Commissioner Shrouder _____
Commissioner Green _____



CITY OF COOPER CITY
COMMUNITY DEVELOPMENT DEPARTMENT /
PLANNING AND ZONING DIVISION

9090 SW 50 PLACE
COOPER CITY, FL 33328
(954) 434-4300

SITE PLAN APPLICATION

ATTENTION: Prior to submission of application, the Petitioner &/or Owner must schedule a pre-submittal meeting with the Community Development Staff to review the proposed project, and the submittal and processing requirements. The submittal dates for DRC and P&Z Board can be found on the City's website at: www.coopercityfl.org.

FOR STAFF ONLY:

PETITION #: SP#6-4-21

DATE PETITION FILED:

06/10/2021

Date of Pre-Submittal Meeting: 04/23/2021

INSTRUCTIONS TO APPLICANT:

1. Please complete all requested information on this application. If not applicable, indicate with N/A.
2. A completed Notarized General Application must accompany this application.
3. Make Checks payable to the City of Cooper City per the current Fee Schedule.

I. PROJECT DESCRIPTION – (Attach additional sheets if necessary)

A. Please provide a narrative description of the proposed site plan or site plan amendment, which is the subject of this review. Provide enough detail to adequately describe all proposed uses on site.

First Baptist Church of Southwest Broward is proposing the construction of the following as accessory uses to their existing facilities; new

playground with 2 outdoor basketball courts, additional parking, new gymnasium with grades 4-8 classrooms and offices.

RECEIVED

NOV 01 2021

II. PROJECT HISTORY

List in chronological order any previous relevant development approvals. Attach additional page(s) for the following:

CITY OF COOPER CITY
PLANNING DIVISION

Petition Number:	CU6-1-14
Resolution/Ordinance #	Resolution 14-12-8
Request:	Conditional Use for Private School
Action:	Approved
Date:	12/16/2014

III. ADJACENT PROPERTIES

Adjacent Property:	Land Use Designation	Zoning Designation	Existing Use(s) of Property
NORTH	Estate	A-1/X-1	Broward County Park/Charter School
SOUTH	Commercial	B-2	Commercial Use (eye doctor)
EAST	Estate	X-1	Park & Residential
WEST	Estate	X-1	Church



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IV. COMPLIANCE - (Attach Additional Sheets if Necessary)

Is property in compliance with all previous conditions of approval and/or applicable Code requirements?

Yes No If No, please explain: _____

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NOV 01 2021

V. TABULAR DATA

**CITY OF COOPER CITY
 PLANNING DIVISION**

COMPLETE ALL DATA (INDICATING N/A IF NOT APPLICABLE)

PROJECT DATA	CODE REQUIREMENT	PROPOSED	DIFFERENCE
Acreage (Total Gross)	0	121,509	121,509
Acreage (Total Net)	0	121,509	121,509
Lot Depth (Maximum)	0	341.05	341.05
Lot Width (Minimum)	0	389.90	389.90
Total Dwelling Units (DU'S)	N/A	N/A	N/A
Minimum Floor Area (sq. ft.)	N/A	N/A	N/A
Density	N/A	N/A	N/A
Total Sq. Footage	0	23,000	23,000
Commercial (sq. ft.)	N/A	N/A	N/A
Industrial (sq. ft.)	N/A	N/A	N/A
Other (sq. ft.)	N/A	N/A	N/A
Floor Area Ratio (FAR)	N/A	N/A	N/A
% Building Coverage	0	18.93	18.93
Max. Bldg. Height (ft./stories)	0	42'	42'
Impervious Surface Area	N/A	89,548	89,548
Open Space Area	N/A	31,962	31,962
Total Parking Spaces	142	33	109
Handicap Parking Spaces	N/A	N/A	N/A
# of Access Points/Roads	N/A	1	N/A
# of Loading Areas/Spaces	N/A	N/A	N/A
Accessory Structures (sq. ft.)	N/A	N/A	N/A
Setback – Front	0	127.09	127.09
Setback – Rear	0	54.95	54.95
Setback – Side Interior	0	60.04	60.04
Setback – Side Corner	N/A	N/A	N/A



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For Residential Show tabular data on the site plan including: Total # of Dwelling Units (DUs); and Types of Units: # of Single Family (SF); # of Zero Lot Line (ZLL); # of Townhomes (TH); and # of Multi-Family (MF).

For other projects where it would be relevant provide on the SITE PLAN: # of Rooms; # of Seats; # of Beds; # of Children; # of Drive-Thru Lanes; in addition to: Recreation Area; Preserve Area; Civic Area; and Institutional Area.

VI. APPLICANT'S STATEMENT OF JUSTIFICATION

(Attach additional sheets if necessary)

A. Reference relevant purposes, goals, objectives and policies from the City's Comprehensive Plan, which is available online at the City's web site (www.coopercityfl.org).

See attached.

B. That the proposed request is in compliance with the City's Code of Ordinances. Please specify if any variances are necessary for approval of the proposed site plan.

See attached.

VIII. CONSENT STATEMENT

(Owner to complete if using agent/representative)

I/We, the aforementioned owner(s), do hereby give consent to Hope Calhoun to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s):

Print Name(s):

Thomas J. Adam



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IX. NOTARY

STATE OF Florida COUNTY OF Broward

The foregoing instrument was acknowledged before me this 25th day of, May 20 21

By (Name of Person Acknowledging) Sarah Sibert She/he is personally known to me or has produced
Florida Drivers License as identification and did/did not take an oath.

NOTARY PUBLIC SIGNATURE: Sarah Sibert

Name – Must be typed, printed, or stamped) Sarah Sibert

My Commission Expires:



X. SUBMITTAL CHECKLIST FOR PRELIMINARY/FINAL SITE PLAN REVIEW

QTY	REQUIRED	YES (✓)
1	Completed Original General Application	X
1	Completed Original Site Plan Application	X
1	Certificate of Title, property deed or other proof of ownership	X
14	Signed Surveys with 1 Signed and Sealed Survey	X
14	Plats	X
14	Site Plans	X
14	Aerials Photos of subject site clearly delineating site boundary lines.	X
14	Subject Site Maps clearly delineating site boundary lines with adjacent and nearby street names labeled.	X

VI. STAFF USE ONLY

Petition #:	Staff Intake By:	Intake Date:
Sufficiency Completed by:	Sufficiency Date:	

XIV. COOPER CITY CODE

Sec. 24-41. PRELIMINARY SITE PLAN REVIEW - SUBMITTAL REQUIREMENTS

NOTE: Preliminary site development plans for parcels not previously platted and recorded shall be accompanied by a preliminary plat before the Planning & Zoning Board and the City Commission.

The following documents shall be submitted for preliminary site plan review:

- (a) Completed applications for concurrent site plan and plat review (if platting is required) with the applicant's signature notarized;
- (b) Fourteen (14) copies of the preliminary site development plans (and fourteen (14) copies of the preliminary plat, if applicable) signed and sealed by a registered architect or engineer, or signed by a land planner,
- (c) Proper site plan and plat review fees;
- (d) Schematic engineering plans;



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- (e) A copy of the existing recorded plat, if applicable;

Sec. 24-42. REQUIRED INFORMATION

- (a) Preliminary site development plans shall be submitted on sheets twenty-four (24) by thirty-six (36) inches in size, folded and containing the following required information:
 - (1) Project title;
 - (2) Legal description;
 - (3) Site boundaries clearly defined;
 - (4) North arrow;
 - (5) Scale (no less than one inch equals fifty (50) feet);
 - (6) Name of developer and owner of record;
 - (7) Location sketch of property (min. 1" = 600');
 - (8) Name of engineer, architect, or planning consultant responsible for the site plan;
 - (9) Existing zoning and zoning of all abutting properties;
 - (10) Existing and proposed physical site features, including waterways, lakes, cross sections and one foot contours of all waterways, water canal courses, and drainage facilities;
 - (11) Location, dimensions and sizes (including height) with respect to each other and to lot lines of all existing and proposed buildings and structures (accessory and main), major excavations, proposed reservation for recreation areas (if applicable);
 - (12) Location and dimension of proposed sidewalks, curb cuts, parking and loading spaces including striping, wheel stops, and parking lot lighting, ramps (slopes), curbs, curb gutter, seawalls, bulkheads, channeled ingress and egress;
 - (13) Proposed and existing streets (interior and abutting) with median, median cuts, and stacking lanes (if any), traffic control signs and guardrails;
 - (14) Schematic location of all buildings, driveways and streets (including the names of the streets and right-of-way width) within one hundred (100) feet of the property;
 - (15) Required setbacks and building separations;
 - (16) All existing and proposed easements with dimensions;
 - (17) Location and height of all existing and proposed fences, utility structures, and dumpster enclosures (size of proposed dumpsters shall be compatible with projected need);
 - (18) Schematic elevations of buildings, showing concealment of all mechanical or accessory equipment located on the roof (wind driven equipment does not have to be hidden) may be shown on a separate drawing;



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- (19) Location of all permanent signs to be placed on the ground; for purposes of this article the word "permanent" means intended to remain on the property after all construction thereon has been completed, or costing in excess of three hundred dollars (\$300.00);
- (20) Existing and proposed fire hydrant locations and fire flow calculations as provided by a professional engineer (calculations may be on separate, sealed sheet);
- (21) A tree survey;
- (22) A preliminary wetlands determination from the Broward County Department of Planning and Environmental Protection (DPEP).
- (23) The following tabulations, when applicable:
- a. Gross and net site area (excluding all rights-of-way abutting the parcel, including both square feet and percentage of the property);
 - b. Total building floor area (gross square feet and percentage of square footage to be built);
 - c. Total building area coverage (square feet and percentage of net site area);
 - d. Total parking and drive area (square feet and percentage of net site area) and amount of parking spaces required and provided;
 - e. Total landscaped open space (square feet and percentage of net site area);
 - f. Total units and density, and the number of units by number of bedrooms as follows:
 - 1. Total one-bedroom;
 - 2. Total two-bedroom;
 - 3. Total three-bedroom;
 - 4. Total others.
- (24) Notes on the site plan covering the following items:
- a. Whether the project will be constructed in one or more stages;
 - b. Type of fire prevention, i.e., sprinklers, smoke detectors;
 - c. For municipal recreation planning purposes, whether the development is planned as a family or adult community;
 - d. An intention to comply with state regulations, which prohibit deed restrictions, restrictive covenants or other actions by developers to inhibit or impair the right to have energy saving measures, including without limitations, clotheslines.
- (b) For single-family or duplex developments items (18), and (23) c, d, and e, shall not be applicable.

Sec. 24-43. REVIEW PROCEDURES

- (a) The director, city engineer, chief building official and police chief and fire chief shall review the preliminary site development plans and a written report of their comments shall be submitted to the planning and zoning board at least five (5) days prior to the next regular meeting at which the applicant desires the site plan to be considered. The applicant may request copies of such administrative reports through the director.
- (b) The initial plan filed with the city shall be considered as a preliminary site plan. However, if the plan and supporting data complies in all respects for the requirements for a final plan, the planning and zoning board and the engineer may recommend to the commission that they proceed to final action upon first consideration of the plan.



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Sec. 24-44. ACTION BY REVIEWING BODIES

- (a) The planning and zoning board shall consider the preliminary site development plan at a public meeting and shall evaluate it as it relates to the city's comprehensive plan, code and ordinances and conformance to the requirements in this chapter.
- (b) The planning and zoning board shall recommend approval, approval with conditions, or disapproval of either a preliminary site plan or plat, based upon the results of its evaluation of the facts set forth in subsection (a) above, within thirty (30) days of its initial meeting to discuss the preliminary site plan or plat. Failure to act within the thirty day period shall be considered disapproval and the applicant may elect to proceed to the city commission, withdraw the application or prepare a new submission.
- (c) Should the planning and zoning board recommend approval of the preliminary site development plan, it is without prejudice and the approval should not be considered as any indication that the final site plan will be approved and no vested rights or basis for equitable estoppels shall incur to the applicant as a result thereof. A vote to recommend approval or disapproval of a preliminary site development plan shall permit the applicant to proceed to the city commission for a preliminary review, after the applicant has received a review by the recreation committee.
- (d) The city commission shall review the application, accompanying documents, and comments from staff and recommendations from the planning and zoning board and recreation committee. The city commission may approve, approve with conditions, or disapprove a preliminary plat or site plan within thirty (30) days of its initial meeting to discuss the preliminary application. Failure to act within the thirty day period shall be considered disapproval and the applicant may either withdraw the application or prepare a new preliminary application to be reviewed in accordance with this section.

Sec. 24-60 FINAL SITE PLAN REVIEW - SUBMITTAL REQUIREMENTS

- (a) After the City Commission has approved the preliminary site plan the applicant may then proceed to prepare and submit the final site plan for staff and Planning & Zoning Board review and action. The final site plan may be submitted no later than six (6) months after preliminary site development plan action.
- (b) If a final site development plan has not been filed for the site covered by the preliminary site development plan before the six-month period has elapsed, the preliminary review stage shall become null and void. All modifications and changes to the drawings revised subsequent to the preliminary site plan review shall be considered by the Planning & Zoning Board at its final site development plan review.
- (c) The final site development plan shall be filed with the City Clerk along with all required submission documents, at least forty-five (45) days prior to the Planning & Zoning Board meeting at which the applicant desires to have the final site plan considered.

Sec. 24-61 REQUIRED INFORMATION: The following information is required to be included with the final site plan. Additional information may be required by the staff, the planning and zoning board and by the commission depending on the scope of the project.

- (a) Fourteen (14) copies of the final site development plan meeting all requirements of this code, including finished floor elevations. The final site plan shall be sealed by a registered architect, engineer or signed by a land planner.
- (b) One copy of final engineering plans of the public and private utility improvements, including water and sewer, ground floor elevations, fire hydrants and storm drainage, which have been previously approved by the city engineer. The city engineer's signature shall appear on the drawings.
- (c) One copy of final building floor plans, elevation (front, side and rear showing the concealment of roof-scapes). These plans are to be signed and sealed by a registered architect or engineer.
- (d) Development review submission requirements.
- (e) Utility service certification of availability by Florida Power & Light and Southern Bell.
- (f) Report from county school system of availability of facilities (for residential developments).



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- (g) All necessary off-site easements, covenants and warranty deeds, all signed by the property owner and in recordable form approved as to form by the city attorney and approved as to content by the city engineer.
- (h) Fourteen (14) copies of the final plat, if applicable.
- (i) Fourteen (14) copies of landscape plans meeting the requirement of the beautification requirements of this code where applicable, shall be submitted on a separate drawing (sheets twenty-four (24) by thirty-six (36) inches) to the department of planning and growth management for review and for submission and approval by the community appearance board no later than the date the final site plan is submitted to the city.
- (j) Approval from Central Broward Water Control District and, where applicable, other governmental review agencies.
- (k) Comments from the Broward County development review committee.
- (l) Written report by the city engineer indicating approval of the final engineering plans and other regulations subject to review by the city engineer.
- (m) Report by the director indicating no noted violations of any regulations subject to the director's review.
- (n) Report by the chief building official indicating no noted violations of the South Florida building code or other areas of the official's responsibility under the city code.
- (o) Report by the police chief and fire chief indicating no violations of any regulations subject to their review.
- (p) Covenants, deeds and indication of approval of certificate of title, if any, approved by the city attorney.
- (q) Itemized checklist of all required processing fees.
- (r) An itemized off-site and on-site improvements bond and fee schedule approved by the city engineer. The petitioner shall be required to submit a list consisting of all materials (unit costs and total cost) for items included in, but not limited to, definitions of public and private improvements, to the city engineer, in order to properly prepare the necessary schedule.
- (s) Proposed development order.
- (t) Indication of payment of all fees required to have been paid by the time of site plan approval.
- (u) A narrative and graphic description of how the proposal complies with the provisions of the development review criteria set forth in section 24-64, criteria for approval.



MEMORANDUM

To: City Commission

From: Jason Chockley, Community Development Asst. Director

Date: October 25, 2022

Re: First Baptist Church of SW Broward Final Site Plan
Petition # SP 6-4-21

PETITION: First Baptist Church of SW Broward
Petition #: SP 6-4-21

LOCATION: 2700 N. Palm Avenue, Cooper City

OWNER/PETITIONER: First Baptist Church of SW Broward /Hope Calhoun, Agent

ZONING: A-1 (Agriculture) – Broward County to X-1 (Civic District) – Cooper City

PROPERTY SIZE: .74 acres for Site Plan and 16.59 acres for Plat

LAND USE PLAN: E, Estate

REQUEST: The applicant requests the Site Plan in order to build a 23,000sq/ft of gymnasium with school classrooms.

This item is a Preliminary/Final Site Plan in order to build a 23,000sq/ft of gymnasium/school classrooms. The proposed building has a peak roof height of 42 feet. The new proposed classrooms will include 2 elementary, 3 middle, and 5 high school rooms; a new playground with two outdoor basketball courts and a new parking lot. The new building will increase student enrollment by 200 students. The current Church and school building to the West has 8 classrooms for K4-3rd grade and a maximum enrollment of 190 students. If approved, both buildings would have a total school enrollment of 390 students.

This new gymnasium and school will function as an independent site from the church and school building to the West as students will not move back and forth between buildings. Both sites share the drive isle off of Palm Avenue and will interconnect via interior drive aisles and pedestrian pathways.

Administrative and teaching staff are on hand to ensure a smooth and flowing pick-up and drop-off operation. Traffic cones, signage and personnel are utilized to create an effective stacking pattern to ensure no traffic ever reaches Palm Ave. The Traffic Operations Plan shows the traffic flow patterns for parents dropping off their kids at each school building. As shown on

FIRST BAPTIST CHURCH SPETITION # SP 6-4-21
CITY COMMISSION 10-25-22

the plan, staff and traffic control personnel will be placed throughout the traffic flow route and at the school building to ensure a safe and effective drop-off and pick-up routine. It is anticipated that the maximum number of students driving to school will be between 8-10 students.

First Baptist Academy is part of the Florida Christian Activity Association (FCAA), a small Christian school league, serving schools with under 500 students. The school will have a basketball and volleyball league with approximately 75-100 attendees at each game with between 50-75 students participating in the after school athletic program.

First Baptist Academy has and will implement several safety and security features, including a CC security camera system, fencing around classroom buildings, a master level lock system for each room that is only accessible to the key holder, lock down policies, procedures, drills, and training and the Knox box system.

A parking variance is requested for a reduction of 142 required spaces to 33 spaces for this new site (109 spaces less than code) but the overall count between both sites require 328 total spaces with 236 spaces provided (92 spaces less than code). The traffic study shows that the Project will generate approximately 822 new daily trips, with 182 am peak hour trips and 124 trips generated during the afternoon peak hour.

STAFF FINDING: The applicant has met all of the minimum submission requirements for the Site Plan request to be considered. If approval is recommended it should be subject to approval of the rezoning, conditional use and variance petitions.

OUTSTANDING STAFF COMMENTS/RECOMMENDATIONS:

- 1) Staff recommended a traffic detail at Palm Avenue during pickup and dismissal times to ensure and orderly operation of traffic entering and exiting the site.
- 2) Staff recommended and SRO or Guardian on the site for student safety.
- 3) Staff recommended the pedestrian pathway connected site be a covered walkway to protect pedestrian during inclimate weather.

PLANNING & ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board, at their meeting of January 3, 2022, recommended Approval of the Final Site Plan 8-2 with Mr. Curran and Mr. Weisberg dissenting.