

Memo

To: Kennie Hobbs, Jr., Interim Deputy City Manager / Finance Director

CC: Sean Henderson, Deputy Finance Director

Zachery Davis-Walker, Operations Administrator

From: Chris Torres, City Planner

Date: 6/24/2020

Re: Greater Horizons Academy Special Exception – June 29th, 2020 City Commission Meeting

The Applicant, Living Word Fellowship Church D/B/A Greater Horizons Academy, is requesting an extension of their special exception to continue operating as a Daytime Child Care Use at the property located at 5770 West Oakland Park Boulevard.

The City Commission originally adopted Resolution No. 04R-12-286 granting the Applicant a Special Exception Use development order to operate a Daytime Child Care Use with an expiration date of 5 years from the date of approval. As a result of the original expiration date, the City Commission adopted both Resolution No. 10R-04-89 and Resolution No. 15R-06-129 (attached) in order to allow the Daytime Child Care Use to continue operating for 5 year periods. Resolution No. 15R-06-129 expired on June 8, 2020 and requires an additional extension to allow the Daytime Child Care Use to continue to operate.

Staff Recommends Approval with Conditions of the Daytime Child Care Use as the Daytime Child Care use has existed in the same location since 2004 and is not proposing any changes to their operation plan except reducing hours of operation. See conditions of approval below:

1. The daytime child care use is restricted to 6,608+ square feet of indoor space and 2,300+ square feet of outdoor space. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception development order from the City Commission.
2. The child care use days and hours of operation respectively are Monday through Friday from 6:30 A.M. to 6:00 P.M. Up to 8 additional special meetings or events can be held in the facility outside of the regular hours. Should the operators desire to extend the days or hours of operation, then an additional special exception

use application will need to be filed with the Planning and Zoning Division and granted by the City Commission.

3. The maximum number of children that may be served by the child care use is 147 children, provided all health, safety and welfare issues are met.
4. The inventory of fixtures and equipment shall be that reasonably associated with operating a day care use.
5. The Living Word Fellowship Church, Inc. d/b/a Greater Horizons Academy may provide regular transportation services for children, to pick up children after school and camps. Additional special transportation services, such as a trip to the zoo or a park, may be allowed up to 3 times per calendar year upon one-week prior notice to Parks and Leisure Services Director.
6. The Living Word Fellowship Church, Inc. d/b/a Greater Horizons Academy shall not provide meals or snacks that require the use of cooking facilities.
7. This special exception use approval shall expire if the use shall cease to operate for a continuous period of one year.
8. The Living Word Fellowship Church, Inc. d/b/a Greater Horizons Academy must provide a Division of Children and Families Child Care license or certification from an accredited child care organization prior to renewal of the certificate of use.
9. Complaints to Code Enforcement or Police Department may cause the SEU approval to be reviewed by the City Commission for possible revocation.
10. If the City's Code Enforcement Board assesses a lien for landscaping, trash or other unsightly or unsafe conditions, this special exception use development order may be brought before the City Commission to be reconsidered, at which time the development order or the conditions of approval may be subject to modification, suspension or revocation.
11. If the City's Police Department or Code Department records more than three instances regarding noise, loitering, parking or criminal activity, either from observation by police officers or verified from complaints by three or more unrelated individuals, within any ninety (90) day period, the special exception use may be brought before the City Commission to be reconsidered, at which time the development order or the conditions of approval may be subject to modification, suspension or revocation.
12. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or

revocation of this special exception use development order or its conditions or both. Further, consistent with LDR Article IV, Part 1.0., Section 1.8, this development order may be revoked, suspended or modified based on the grounds stated herein. In addition, this development order is subject to post-approval review consistent with LDR Article IV, Part 4.0., Section 4.11.

Staff is additionally recommending excluding condition number 8 of Resolution No. 15R-06-129 as the business has operated in good standing since 2004. See condition 8 below:

8. **This special exception use development order shall be valid through June 8th, 2020, the date the special exception use for the house of religious worship expires. The City Commission may extend the development order upon submission of a subsequent special exception use application within 6 months of the expiration of this special exception use development order.**

Please let me know if you have any further questions.

Attachments

1. Application
2. Resolution No. 15R-06-129