

EXHIBIT “B” JUSTIFICATION FOR CONDITIONAL USE

Cocoplum Nature School (“Cocoplum”) is seeking Conditional Use Approval to use the existing approved educational facilities at Cason United Methodist Church (the “Church”) located at 342 N. Swinton Avenue (the “Property”) as a private school. The Property has a zoning designation of CF/Community Facilities District. Cocoplum is a Florida Not-for-Profit Corporation.

A. History of the Property

In the early 1990s, the Church sought and was approved via Conditional Use Approval for a major expansion of the existing structure and uses to allow for, amongst other improvements, new educational facilities, and an outdoor play area. According to the staff report, “The approved Conditional Use for the church allows construction of the attendant uses (childcare and fellowship hall)”. While not clear from the record, the staff report used the term “childcare facilities” and not “classrooms” or “school.” The City approved the expansion to include a total of 9,122 SF of educational facilities (usable area of 4,719 SF) which would allow, per code, a maximum of 134 students. Once constructed and approved for occupancy, the Church used and occupied this premises for its “Wee Care” pre-school. The educational facilities were subsequently used by Trinity Lutheran Church’s Tiger Tots program as well as subsequent private schools not associated with the Church for the same purposes. The Church continued using the classrooms for its own program as well as Sunday religious school up until the point the pandemic warranted a shut-down.

The church shares a namesake, Rev. John Robert Cason, with the Cason Cottage downtown which houses the Delray Beach Historical Society. It was built in 1969 and has gradually expanded over the years to better serve the needs of the community. The existing indoor classrooms each have doors leading directly to outdoor space where mature native trees including Live Oak and Sea Grape provide a diverse shade canopy. The school is within walking distance to the Spady Cultural Heritage Museum, the Cornell Museum of Art, Cason Cottage, the Swinton Community Garden, and the Delray Beach Public Library. Cocoplum’s proposed school site at the Church, in the heart of Delray Beach near so many cultural, civic, and arts centers, is an ideal setting for place-based learning.

B. Regulation of Private Schools

Private schools operating in Florida are allowed by section 1002.01(2), Florida Statutes, to be organized as either for-profit or nonprofit entities. Persons opening a private elementary or secondary school in Florida are required to complete two basic steps: (1) establish the private school; and (2) register the existence of the private school, once established, with the Department of Education. According to the Florida Department of Education website: “Churches are usually structured as nonprofit corporations. Persons seeking to operate a private elementary or secondary school in church space or as a part of a church’s corporate charter should work directly with the church’s owner, board, or legal representative and the denomination’s state headquarters or association.”

To open a private school (or any school facility, public, private, charter, etc.), the only state requirement is to obtain the appropriate inspections from the local county health department prior to opening or operating in Florida. Section 381.006 (16) of the Florida Statutes provides authority for Department of Health inspections. Private schools must adhere to Florida Administrative Code 6A-2.0040. The Department of Education does not license nor approve private schools.

C. Intended Use of the Premises

Cocoplum Nature School desires to use the Church's existing educational facilities to offer primary grade (elementary school) education in Delray Beach to local families. Cocoplum desires to utilize five (5) classrooms total at the Property to provide this education, with four (4) classrooms and one (1) room being used for administrative office purposes, with a proposed maximum enrollment of 36 students, 9 students per classroom, consistent with space requirements set forth in LDR Section 4.3.3.

Several years in the making, Cocoplum Nature School was Founded in 2020 by two Delray Beach mothers, educators, and environmental stewards, Fernanda Wolfson and Melanie Stafanovic. The two coincidentally crossed paths many times at the library and local community gardens when their first children were babies. They later learned that they were neighbors and shared much more in common than a love of nature. After much dreaming and talking, 2020 felt to be as good a time as any to make their vision a reality. In everything they do, Melanie and Fernanda's purpose is to provide for all Cocoplum students the education they have been dreaming about for their own children.

Cocoplum Nature School is proposed to be an inclusive educational program built at the intersection of environmental responsibility, equity, and justice that incorporates the evidence-based practices of nature-based and place-based education in an outdoor school setting. Their highly skilled educators apply social and experiential learning theories to create conditions for children to discover their interests and hone their skills through student-led inquiry, field trips, teachable moments, research projects, and book clubs. At Cocoplum, the school believes in the power of connecting with nature and the importance of environmental stewardship. Cocoplum aims to be eco-conscious in everything they do.

Cocoplum Nature School is proud to be an organizational member of the Eastern Regional Association of Forest and Nature Schools (ERAFANS), the Natural Start Alliance (NSA), the North American Association of Environmental Education (NAAEE), and the League of Environmental Educators in Florida. Through these networks, Cocoplum faculty and staff stay connected with latest nature school and environmental education research and methods, and they have access to professional development and certification programs.

Operationally, it is proposed that Cocoplum would function as follows:

1. Expected Hours of Operation:
 - a. Staff: Monday through Friday, 7:30 AM to 6:15 PM.
 - b. Student - Full School Day: Monday through Friday, 8:00 AM to 2:30 PM.
 - c. Student - Aftercare: Monday through Friday, 2:30 PM to 6:00 PM.

2. Expected Number of Staff: There will always be at least four (4) staff present, and a maximum of six (6) a few times a week when "specialist" teachers are on site. Current City regulations for new private schools requires at least two (2) parking spots per classroom, and six (6) parking spaces are being designated. However, overall parking has been approved via prior Site Plan Approval and therefore we do not believe parking demand needs to be re-evaluated as a continuing vested use.

3. Student Drop-Off/Pickup: Parents will drop-off for the school day between 7:45 AM and 8:00 AM each morning and will be on-site to pick up students for dismissal at 2:30

PM. Pick up for Aftercare is staggered. There is a gate to the playground next to a "No-Parking" area that is designated as the "drop-off" zone where a teacher would greet the children as provided on the accompanying site survey.

4. Traffic Circulation: Internal traffic circulation and cuing for drop-off and pickup has previously been considered and approved via the prior Site Plan approval. The ingress/egress points for the Church are on Lake Ida Road and on Swinton Avenue. A current traffic letter to support this has been included as part of this Application.
5. Transport vehicles: Pursuant to LDR Sec. 4.3.3(HHH)(4) "For private schools that utilize transport vehicles, an area must be designated for the parking/storage of these vehicles and that these areas be screened when visible from a public right-of-way or residentially zoned property in accordance with LDR Section 4.6.4(A) and 4.6.16(H)(3)(e)." Please note that no transport vehicles will be used for Cocoplum.

D. Findings for a Conditional Use

Pursuant to LDR Section 2.4.5(E)(5), the City Commission must make findings that establishing the conditional use will not:

- (a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;

Cocoplum operating within the existing educational wing of the Church will not have any detrimental effect on the stability of the neighborhood. It goes without saying that additional educational options are desperately needed for families in Delray Beach and therefore this use will add to the stability of the neighborhood and the City itself. Since this property has functioned in some capacity as a private school and/or daycare for the past 25 years, it is clear the stability of the neighborhoods has not been affected in anyway.

- (b) Hinder development or redevelopment of nearby properties.

The continuation of a new private school within the existing educational facilities of the Church will not hinder development of nearby properties. This Property has functioned in some capacity as a private school and/or daycare for the past 25 years and redevelopment has been active in this area for some time. To this point, the adjacent vacant land has actively been marketed for potential future residential redevelopment.