

**RESOLUTION NO. 2010-48**

**ZONING APPLICATION VPB 07-012-B**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; APPROVING WITH CONDITIONS THE APPLICATION OF PALMER TRINITY PRIVATE SCHOOL, LOCATED AT 7900 SW 176<sup>TH</sup> STREET THROUGH 8001 SW 184<sup>TH</sup> STREET; APPROVING WITH CONDITIONS THE SPECIAL EXCEPTION REQUEST TO EXPAND THE SCHOOL TO INCLUDE AN ADDITIONAL 32.2 ACRES, AND AN ADDITIONAL 300 STUDENTS (REQUEST TO INCREASE ENROLLMENT BY 550 STUDENTS DENIED) AS PROVIDED FOR UNDER 33-151, ET SEQ., OF THE COUNTY CODE; AND PURSUANT TO SECTION 33-311 OF THE MIAMI-DADE COUNTY CODE FOR A SITE PLAN MODIFICATION ON PROPERTY ZONED E-M, LOCATED IN PALMETTO BAY, FLORIDA; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in 2006 the applicant made an application for (1) a rezoning of 8001 SW 184<sup>th</sup> Street from AG and E-2 to E-M; (2) a special exception to expand the existing private school located at 7900 SW 176<sup>th</sup> Street with 600 students, onto the adjacent property known as 8001 SW 184<sup>th</sup> Street with 32.2 acres, and 1400 students; (3) a site plan modification of the approved 1999 plan for 7900 SW 176<sup>th</sup> Street to include the elements under request (2); (4) a non-use variance of height limitations on the gymnasium performing arts center and chapel to allow structures over 56 feet, where 35 feet is permitted; (5) a non-use variance to allow three stories for an administrative building, where two stories is permitted; and (6) a non-use variance to allow parking on natural terrain. This application is described in the Village's Department of Planning and Zoning Recommendation from 2008, as issued by Ms. Arleen Weintraub, the then Planning & Zoning Director, to the Village of Palmetto Bay; and,

**WHEREAS**, hearings were held on February 25, 2008, and April 14, 2008, at which time the Applicant's rezoning request was denied, and the remainder of their requests were not ruled upon; and,

**WHEREAS**, the district boundary change, rezoning item was ruled upon by the Third District Court of Appeal on March 24, 2010, finding reversible error, and,

**WHEREAS**, the district boundary request was heard and ruled upon separately by the Mayor and Village Council on April 29, 2010 and May 4, 2010. Ordinance 2010-09 was adopted, rezoning the property known as 8001 SW 184<sup>th</sup> Street from AG and E-2 to E-M; and,

**WHEREAS**, concerning the remainder of the applicant's requests, the applicant's plans have been modified prior to hearing and a substituted plan dated April 19, 2010 is to be reviewed by the Village Council. Public hearing was held on May 4, 2010; and,

**WHEREAS**, the modified plan provided for (1) a special exception to expand onto 8001 SW 184<sup>th</sup> Street with an increase in student population of 1150 (reduced from the original 1400 request); and a site plan modification; and,

**WHEREAS**, all variance requests have been withdrawn; and,

**WHEREAS**, the Village Council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Christ Fellowship Church on May 4, 2010; and,

**WHEREAS**, the Mayor and Village Council find, based upon substantial competent evidence in the record, that the application pursuant to section 33-151, et seq, and 33-311, of the Miami-Dade County Code, as adopted by the Village relating to the above requests, and as amended by Council Action, **is** consistent with the Village's Comprehensive Plan and the applicable land development regulations; and,

**WHEREAS**, based on the foregoing finding, the Mayor and Village Council determined to **grant** the application, as amended (modified/conditioned) by Council Action, and reduced the student population to 900 students, as provided in this resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

**Section 1.** A hearing on the present application was held on May 4, 2010 in accordance with the Village's "Quasi-judicial hearing procedures" Ordinance, found at 2-105, of the Village's Code of Ordinances. Pursuant to the hearing, the Mayor and Village Council make the following findings of fact, and conclusions of law.

**Section 2.** Findings of fact.

The subject property is located at 7900 SW 176<sup>TH</sup> Street and 8001 SW 184<sup>th</sup> Street, Palmetto Bay, Florida.

In 1999, the Applicant sought a site plan modification for 7900 SW 184<sup>th</sup> Street. During that hearing, a transcript was made. During the May 4, 2010 hearing, Applicant's Counsel asserted that the 1999 transcript is part of the record for the May 4, 2010 hearing. He advised that Applicant read the transcript and that there were no commitments made at a public hearing to limit the school to 600 students. During the May 4, 2010 hearing, the Vice Mayor read from the 1999 transcript as follows:

Page 38, line 10 – 1999 hearing Transcript:

Mr. O'Donnell (then counsel for Applicant): And our 600 student body is something that may or may not be achieved, but that is the maximum, depending on the year and depending on who accepts it and that sort of thing.

Mr. O'Donnell: I really would like to say, our contributions, if you look at the right-of-way, the hundreds of thousands of dollars that we have spent on the right-of-way along 176 Street on the landscaping of that road, you have to come to our campus to understand that we are committed to our mission. And we are not attempting to achieve any more development than the 600 students, at the maximum that we have now, on this campus. That is our mission. We have spent two years developing that mission. We have no intention of altering that mission.

In 2006, the applicant filed an application for a special exception for the expansion of a private school to increase the enrollment from 600 to 1,150 students. The "original" plan from the 2008 hearings was based upon the 2006 application. The 2008 plan proposed 1,400 students on 55 acres (from 22.5 acres). The expansion plan proposed one of two alternatives – either (1) an expansion of students to include grammar school children - kindergarten through grade 5 and increase the enrollment of students in grades 6 through 12; or, (2) solely an increase in middle school and high school students (grades 6-12). The April 19, 2010, plan reflected removal of the daycare and preschool components. In either proposal, the total number of students has been voluntarily reduced by the Applicant from 1,400, which had been presented in the 2008 application, to a total of 1,150 students.

Additionally, the Applicant sought a site plan modification. The Applicant submitted a master plan, which has been revised since its original submittal<sup>1</sup>. The final site plan reviewed by Council was dated April 19, 2010, and provided for the future use of the entire 55 acre site as a private school and includes its long-range plan for the school's expansion. Accordingly, the Applicant requested a modification of a previously approved site plan, via resolution C-ZAB-132-99, to reflect their vision for the school.

The 2008 application contained a request for a non-use variance of parking requirements to permit parking on natural terrain, where not permitted. This request was eliminated and withdrawn from the modified site plan dated April 19, 2010.

The original 2008 application contained variance requests for height and number of stories to allow a maximum height of 50'-7" for certain proposed new buildings to include a chapel, a performing arts center, a library/media center/administration building and a gymnasium where 35 ft. is permitted, as well as to allow three (3) stories where two (2) is permitted for the library/media center/administration multi-purpose building. These requests were eliminated and withdrawn from the April 19, 2010 plan.

The 2008 plan included a steeple up to 70 feet in height. No variance was required for the steeple, as it would have been permitted as of right. The Applicant voluntarily withdrew its request for a steeple/church tower.

---

<sup>1</sup> Applicant filed its application in 2006. The 2006 plan had been modified prior to the February and April 2008 quasi-judicial hearings ("original plan"). The final plan is dated April 19, 2010.

The initial hearings were held on February 25, 2008, and April 14, 2008, at which time the Applicant's rezoning request was denied, and the remainder of their requests were not ruled upon. The Circuit Court, upon the first tiered appeal via a petition for certiorari ruled, without opinion, that the Village's actions were proper. Thereafter, the district boundary change, rezoning item was ruled upon, during a second tiered appeal, by the Third District Court of Appeal on March 24, 2010, finding reversible error. Based upon the foregoing ruling, the district boundary request was heard and ruled upon separately by the Mayor and Village Council on April 29, 2010 and May 4, 2010. Ordinance 2010-09 was adopted, rezoning the property known as 8001 SW 184<sup>th</sup> Street from AG and E-2 to E-M.

The Applicant's property is comprised of a 55-acre parcel of land, that was previously zoned under three (3) different zoning classifications (AG, E-2, and E-M), and is surrounded by the Estate-Modified Single-Family zoning district. Prior to hearing the application for special exception and site plan modification, the Applicant requested that the 32.22 acres property bearing address 8001 SW 184<sup>th</sup> Street be rezoned from AG and E-2 to E-M. On May 4, 2010, prior to ruling on the Applicant's requests under PH-VPB 07-012-B, the Village Council rezoned 8001 SW 184<sup>th</sup> Street to E-M.

The Town of Cutler Bay is located to the south. The 8001 SW 184<sup>th</sup> Street property adjoins the northern parcel zoned E-M, also owned by the Applicant that bears the address 7900 SW 176<sup>th</sup> Street. Except for the Applicant's private school to the north, and Bill Sadowski Park bordering the northeastern portion of the Applicant's property, the surrounding neighborhood is characterized predominantly by detached single-family homes. Canals are located to the west (between SW 84<sup>th</sup> Avenue and SW 83<sup>rd</sup> Court) and north (between SW 173 Terrace and SW 175<sup>th</sup> Street). To the east of the property is Old Cutler Road. To the south of the property is SW 184<sup>th</sup> Street (Eureka Drive). The canals and roadways serve as immediate natural borders for the residential neighborhood surrounding the Applicant's subject property and school. The lots immediately to the east and west along the southern edge of the subject property on S.W. 184<sup>th</sup> Street are zoned E-1, Single-Family and are comprised of single-family homes. To the east and along Old Cutler Road there is a church, a pre-school and kindergarten, Village Library, VMU (Village Mixed-Use) District, and both E-1 and E-M Zoning Districts.

Planning and Zoning staff found the scale, utilization, location of buildings, height of buildings, landscaping, open space, and buffering, are acceptable. Staff recommended conditions as to certain elements, including as it relates to compatibility, access, parking circulation/layout, and visibility/visual layout. Signage is governed under the County Code, Section 33-100.

DERM had no objections, subject to conditions stated in their report. Miami-Dade Public Works Department raised issues and stated their objections in their report and those objections have been addressed by Applicant. The Village's Traffic Consultant, The Corradino Group, has issued recommendations that are incorporated by reference by staff as conditions to approval of the application. The Miami-Dade County Parks & Recreation department issued objections relating to the Bill Sadowski Park and those comments are incorporated by reference. Fire Rescue's report is also incorporated by reference. The Miami-Dade Police Department (Village Policing Unit) has no objections.

In 2008, the site was found to have code violations and corrective action was undertaken by Applicant. The sole item remaining to come into compliance is the removal of the two (2) portable classrooms that were to be removed according to the year 2000 substantial compliance review. The portables were not removed. In 2008-9, Applicant sought a second substantial compliance review, which proposed a timetable for bring the portables into compliance by constructing one of the structures from the 1999 plan and then eliminating the portables. Thereafter, Applicant sought a construction permit in 2009 to begin construction on the 1999 approved structure. However, the permit was not processed due to the Village's one (1) year construction moratorium implemented in order to enact the Village's Land Development Code.

The Miami-Dade County Archeological and Historical Department has requested a survey during phase 1, as archeological artifacts have been discovered in the Bill Sadowski Park.

The Planning and Zoning Staff Analysis Report is incorporated by reference herein, as part of the factual record for the Village Council's decision as Exhibit A to this resolution.

The Council heard testimony from Mr. Julian Perez, the Village's Planning & Zoning Director; Mr. Joe Corradino, of Corradino Consulting Group, the Village's traffic consultant; Mark Alvarez, a planner representing a citizens group, Concerned Citizens of Old Cutler Inc. (CCOCD); Jack Luft, a planner representing applicant; Mr. Timothy Plummer, of David Plummer & Associates, Inc. a Traffic Engineer/Consultant for Applicant; and, Mr. Don Washburn, of Audio Bug, Inc., an audio expert for Applicant.

Prior to Council deliberation and action Counsel for Applicant advised that it accepted all conditions of staff minus: 4.3, 4.4, 4.14, and 7.3. As to conditions 4.1 and 4.4 Counsel agreed to no increase in student population above 1150 for 30 years but requested the right to increase structures, lot coverage or intensity of uses. Applicant's counsel agreed to Phase 1 construction to include improvements to SW 184<sup>th</sup> Street. Mr. Price argued that the berm requirement and contiguous use of the walking and maintenance paths, found at condition 7.3 was inconsistent with the landscape plans proposed and inappropriate. He also requested that condition 8.9 of staff's recommendations relating to the use of the SW 176<sup>th</sup> Street entrance be modified so that the entrance could remain open after proposed hours for four events per school year.

The Council held a public hearing and many residents and community members spoke both in favor and in opposition to the application. The Council heard testimony relating to traffic, noise, number of students, field usage and affects of that usage, environmental concerns, and other topics. The Council incorporates by reference the minutes, audio tape, and transcript (if transcribed) into its findings of fact.

### **Section 3.**      Conclusions of law.

1.        The Application **is** in compliance with the adopted 2005 Village of Palmetto Bay Comprehensive Plan and Future Land Use Map.

2.        The standard of review for a special exception is found at 33-151, et seq., of the Miami-Dade County Code. The Applicant's request for a special exception to expand onto 8001 SW 184<sup>th</sup> Street and to increase the number of students from 600 to 1150 **is not** in compliance

with the applicable standards. However, the Applicant's request for a special exception to expand onto 8001 SW 184<sup>th</sup> Street from 7900 SW 176<sup>th</sup> Street and to increase the number of students from 600 to 900 is in compliance with the applicable standards. The Village Council found the appropriate number of students for expansion to be 900, and provided the conditions delineated below to also be implemented.

3. The standard of review for a site plan modification is found at section 33-311(A)(7), of the Miami-Dade County Code. The Applicant's request for site plan modification is in compliance with the applicable standards, as amended below.

#### **Section 4. Order.**

A. The Council, pursuant to Section 33-311(A)(7), and 33-151, et seq., of the Miami-Dade County Code as applied by the Village, approves with conditions and modifications the Applicant's requests for a special exception and site plan modification for school use, expansion, and number of students as to the plans entitled Palmer Trinity Private School Campus Master Plan as prepared by Duany Plater-Zyberk & Co., consisting of 36 sheets, dated stamped received November 1, 2007, as revised by the plans entitled Palmer Trinity Private School Campus Master Plan as prepared by Duany Plater-Zyberk & Co., consisting of 48 sheets, dated stamped received April 19, 2010. The April 19, 2010 plans are incorporated by reference as Exhibit B to this resolution [formerly Exhibit 1 to the 5-4-2010 hearing item PH -VPB- 07-012B].

B. The Village Council conditions/modifies the site approval/special exception as follows:

1. All variance requests from the 2008 plans are specifically recognized as withdrawn. This includes all height, story and natural terrain parking variances. The 2008 plan included a steeple up to 70 feet in height. No variance was needed for the steeple; it would have been permitted, as of right. The Applicant has voluntarily withdrawn its request for a steeple/church tower and said request is considered withdrawn.

2. The special exception to expand the non-public school use onto 8001 SW 184<sup>th</sup> Street is approved with conditions.

3. The request to increase the non-public school number of students to 1150 is denied. A condition to allow expansion to 900 students is granted.

4. Preliminary Conditions:

4.1 The Applicant shall execute a unity of title document to be recorded in the public records of Miami-Dade County, which unity of title shall covenant (or provide a covenant in lieu of unity of title) the property holder(s) to join the parcels together [7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street] as one parcel, in a form approved by the Village Attorney, consistent with

the requirements of the Village's Land Development Code<sup>2</sup>. The covenant shall be in final form for recording within 45 days of final approval. No permits shall issue until the covenant/unity of title is recorded.

4.2 The Applicant shall record an acceptable and approved restrictive covenant running with the land for specific conditions, which covenant shall exist for 30 years, and automatically renew for 10 year periods, thereafter.

4.3 Any substantial modification [pursuant to 30-30.3(c) of the Village's Code of Ordinances] or abandonment of the attached site plan shall require public hearing. The term "substantial modification" for the purposes of this approval shall mean a modification or substitute site plan of equal or lesser intensity, including floor area ratio, lot coverage, square footage, and height; and provide equal or greater setbacks, buffering, landscaping, and amenities. In no way shall student enrollment be expanded due to a substantial modification review.

4.4 Cap of Intensity of Uses and Student Population. Applicant shall limit future development and agrees that it shall not seek any further development approvals to increase the intensity of uses, to increase lot coverage, square footage, heights of structures, or exceed 900 students for 30 years following the recording of this covenant. Specifically, no buildings shall exceed two (2) stories or a roof elevation of 35 feet in height measured from finished floor.

4.5 Student Enrollment Defined and Reporting. Applicant shall not exceed 900 students in enrollment. Applicant agrees to submit an executed affidavit from the Headmaster of the School each year to the Village Manager, within 30 days of the first day of the applicable school year, identifying the number of students enrolled for the academic school year and attesting the number of students enrolled in the school. This information shall be provided to the Village, annually, for as long as a school is located on the site. Applicant agrees and acknowledges that the "maximum number of students" shall mean the actual number of students enrolled at the school as reported to the State of Florida and the Florida Council of Independent Schools and shall not be the daily average attendance, nor exclude any students that may be traveling/studying abroad. The Applicant shall provide a copy of the FCIS to the Village once it becomes available. The maximum number of students shall include all student transfers during the school year. Any increase in students enrolled at the school after the initial annual enrollment is disclosed shall be reported to the Village within five (5) business days of the event.

4.6 Should Applicant violate section 4.5 relating to the number of students enrolled by exceeding 900, and should Applicant fail to cure the excess enrollment within 30 days of written notice, such an act shall constitute a false statement or misrepresentation of fact that would permit the Village to revoke the most recent building permit or certificate of occupancy issued by the Village.

4.7 Student expansion shall comply with the timetable provided, attached hereto as Exhibit "C" [formerly Exhibit 7 to the 5-4-2010 hearing item PH -VPB- 07-012B] to this

---

<sup>2</sup> Although a unity of title, or covenant in lieu of, shall be required, in order to facilitate understanding the conditions contained in this application, the addresses of 7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street shall be utilized in this order.

resolution, but modify the timetable to reflect the number of students approved herein at Section 4.4. Instead of having the increase of 300 students by year eight of the Exhibit "C", there would be an increase of 300 students by the earliest of year 15 under Exhibit "C."

4.9 Community Relations Committee. The Applicant shall create a Community Relations Committee that will be charged with the responsibility of facilitating future discussions with neighbors (properties within 2500 foot radius) in an effort to avoid or resolve potential disputes between the Applicant, the neighbors, and the Village. The Applicant agrees to cooperate and act in good faith with the Community Relations Committee. The Committee shall be a voluntary group, with three (3) representatives from the Applicant, and three (3) representatives from the neighborhood, as selected by the Village Council, and a representative from the Village Manager's Office. The group shall meet as needed, but not less than twice a year (once every six (6) months). The Village shall be provided with prior written notice of all such meetings, if possible at least two weeks in advance of any such meeting(s). The actions of the group shall not be binding. Rather, the group meetings are intended to be a mechanism for communication, discussion, and resolution of any items.

4.10 The Applicant agrees and affirms that there will be no objection now or in the future to controlled burns conducted by Miami-Dade County at Bill Sadowski Park for the park's management. The Village will attempt to coordinate with Miami-Dade County to provide the Applicant with prior notice of controlled burns. The Applicant further agrees not to interfere, due to lighting issues, with night program schedules for Bill Sadowski Park.

4.11 The Applicant shall comply with all applicable State, County, and Village Codes and Ordinances, including but not limited to the Village's Art in Public Places Ordinance.

4.12 Unpermitted and unconstructed portions of prior development approvals (1999 plans, 2000 and 2010 substantial compliance reviews) shall be considered withdrawn and abandoned. The Applicant shall comply with condition 5.10 relating to the portables.

4.13 An official inspector of the Village, or its agents duly authorized, have the privilege, at any time during normal working hours, of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions contained herein are being complied with. Village Code Compliance shall conduct bi-annual inspections for compliance with the terms and conditions of this zoning resolution.

4.14 Applicant shall comply with the Land Development Regulations for maintain the sanitary sewer concurrency levels, during construction and throughout operations.

4.15 In compliance with the requirements of Section 33-151.51, of the County Code, the Applicant shall record a covenant running with the land that ensures compliance with the minimum footage requirements, calculations and conditions upon which the additional square footage has been permitted.

5. Pre Construction – Construction – Build Out Conditions:

5.1 All components of the approved site plan shall be completed according to the schedule attached hereto, which provides that the approved construction shall not be completed earlier than 15 years and no later than 25 years from the date of zoning approval. The Preliminary Construction Schedule for Phase 1 is enclosed as Exhibit D [formerly Exhibit 6 to the 5-4-2010 hearing item PH –VPB- 07-012B] to this resolution. This recommendation is consistent with the newly adopted Land Development Code, Section 30-30.2(d)(16) and (k), relating to requiring a construction plan and timetable.

5.2 Staggering of Student population. The increase in student population to 900 shall occur incrementally over the entire term of the project.

5.3 Construction Staging:

5.3.1 The Applicant shall annually submit a construction staging plan for review and approval prior to commencement of construction. Phase 1 is enclosed as Exhibit D. Council approved additional conditions for Phase 1, which are found below.

5.3.2 Construction staging shall take place as preapproved by the Village's Planning & Zoning and Building Directors, on the property known as 8001 SW 184<sup>th</sup> Street, where possible, toward the center of the property, away from the proposed 75 foot buffers.

5.3.3 Construction trailers for staging area are permitted under the Village's Code.

5.3.4 The staging area may be cleared during Phase 1 of the construction plan.

5.3.5 Construction shall comply with the noise controls provided in the Village's Code of Ordinances, section 30-60.29.

5.3.6 The driveway area may also be cleared during Phase 1.

5.3.7 Access points by construction vehicles shall be identified as part of the Construction Plan for Village approval. No construction vehicle shall access through the neighborhood. Unless necessary for a specific item, no construction vehicles shall access through SW 176<sup>th</sup> Street. All other construction vehicles must use the SW 184<sup>th</sup> Street once that entrance is constructed under the Phase 1 Construction Plan.

5.4 Permitting and Property Clearance. The Applicant shall not remove any trees outside the 75 ft. buffer, unless a building permit and/or tree removal permit, if required, has been secured for the construction of the work being requested. At no time shall the entire 8001 SW 184<sup>th</sup> Street site be cleared all at once.

5.5 Construction Air Quality Management Plan. The Applicant shall provide a Construction Air Quality Management Plan on the construction drawings that, at a minimum, includes protecting ducts during construction and changing the filters and vacuuming ducts prior to occupancy. The submitted plans must note compliance with this provision.

5.6 MOT Plan. A construction and Maintenance of Traffic (MOT) Plan shall be provided to the Building and Public Works Departments for approval.

5.7 The Applicant shall comply with the Village's demolition and construction fencing ordinance.

5.8 The entrance and roadway onto 8001 SW 184<sup>th</sup> Street may be constructed prior to any other improvements. However, the required perimeter walls (eastern and western property lines) and 75 ft. buffers, to be located at 8001 SW 184<sup>th</sup> Street, with required landscaping shall be installed and/or constructed prior to the commencement of construction of any additional structures or improvements. The wall shall be constructed, and then the buffer shall be installed, no later than two (2) years of receiving the final zoning approval. One extension of time, not to exceed six (6) months, may be granted by the Planning & Zoning Director, upon a showing of good cause. "Good cause" would include timely request for permits, submitting for inspections and reviews, diligent efforts to adhere to the construction schedule, and force majeure type events (weather delays or civil unrest).

5.9 The Applicant shall work with the Village and County to install "Do not Block Intersection" signs along SW 184<sup>th</sup> Street from SW 82<sup>nd</sup> Avenue to Old Cutler Road.

5.10 The existing portable classrooms trailers located along the western edge of 7900 SW 176<sup>th</sup> Street shall be eliminated as soon as replacement facilities are constructed, and within 18 months after final zoning approval. One extension of time, not to exceed six (6) months, may be granted by the Planning & Zoning Director, upon a showing of good cause. "Good cause" would include timely request for permits, submitting for inspections and reviews, diligent efforts to adhere to the construction schedule, and force majeure type events (weather delays or civil unrest).

5.11 Failure to construct the replacement facilities for the portables described at section 5.10 within the time period provided therein shall require that the portables be removed immediately upon the expiration of the 18 month period. One extension of time, not to exceed six (6) months, may be granted by the Planning & Zoning Director, upon a showing of good cause. "Good cause" would include timely request for permits, submitting for inspections and reviews, diligent efforts to adhere to the construction schedule, and force majeure type events (weather delays or civil unrest). Failure to remove the portables shall also result in the denial of future permits due to site plan violations in addition to any other remedy provided below under Section 15, "Enforcement."

5.12 During Phase 1 of construction and within two (2) years of approval, the Applicant shall install the recommended turning lane contained in condition 8.11(a) ["Old Cutler road/SW 184<sup>th</sup> Street – Add a southbound right turn lane; signal phasing adjustments"].

## 6. Athletic Fields and Amenities:

6.1 The Applicant shall not use the athletic fields for commercial purposes such as renting, leasing, or allowing third-parties unaffiliated with the operation of the school (no third-party organizations or groups) to use the recreational facilities. Applicant shall annually provide

proof of existing division-type play, tournaments, organized sports and uses of its facilities to the Village. Prior to the beginning of each season, for each sport, the Applicant shall provide the Village with a list of proposed events – tournaments and league play.

6.2 The Applicant shall submit a proposed list of school special events planned for each school year to the Village Manager not later than August 15<sup>th</sup> of the applicable school year for Village administrative review. Any other/additional special event shall require advanced notice for review as a special event under the Village's procedures. A police officer, or equivalent, shall be required to be present at all special events held at the school, if required by the Village's Code, after review as a special event permit.

6.3 Solely one (1) athletic tournament, jamboree, or division-type play (where numbers of spectators and opposing team(s) are invited to play on site) shall take place at one time on the property (7900 SW 176<sup>th</sup> Street through 8001 SW 184<sup>th</sup> Street). To be clear, this condition relates to holding one event. Not several events, different sports, at same time. Any athletic tournaments, etc., may take place after normal school operating hours (after 3:00 p.m.) and weekends from 10:00 a.m. and 3:00 p.m.

6.4 No bleachers shall be located adjacent to the eastern and western buffers of 7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street. Adjacent shall mean not within 20 feet of the buffers.

6.5 The Applicant shall provide fencing for the tennis center.

6.6 The Applicant shall not install lighting for outdoor uses other than the parking areas, and any emergency lighting requirements of the Code. The interior of the pool may contain lights. Lighting of the athletic fields is prohibited.

6.7 The pool shall be enclosed with a fence and hedge with a minimum height of six feet (6 ft.) and comply with the safety barrier requirements of 33-151.11 through .22 of the Code. Any interior chain link fencing shall be poly-coated vinyl and black or green in color. The pool shall not be constructed during Phase 1 and is not to be constructed for at least five (5) years after final zoning approval.

6.8 The Applicant shall comply with conditions 4.10 and 10.4 relating to lighting and Bill Sadowski Park.

7. Landscaping:

7.1 The Applicant shall meet all the minimum requirements of Division 30-100 of the Village's Code of Ordinances, Chapter 24 of the Miami-Dade County Code and specifically comply with all conditions imposed by Miami-Dade County DERM.

7.2 The Applicant shall covenant that no improvements, other than as provided for in recommendation 7.3, shall be permitted within the confines of the buffer area (i.e. no roads, parking, storage sheds, recreational, sports, or any other use that may negatively impact the buffer).

7.3 The buffer shall be landscaped in accordance with the Applicant's revised landscape plan received by the Village on April 19, 2010. In addition, the Applicant shall construct a three and a half foot (3.5 ft.) berm on the interior, internal to the site, adjacent to the six foot (6 ft.) CBS wall to be constructed along the eastern and western perimeter of 8001 SW 184<sup>th</sup> Street. The berm shall be approved by the Planning & Zoning staff as part of the landscape plan review. The landscape buffer, as indicated on Sheet 39, shall be installed along the entire eastern and western perimeter throughout the 75 foot buffer for the area known as 8001 SW 184<sup>th</sup> Street. The berm shall be incorporated into the buffer design, found at Sheet 39 (maintenance path shall be reduced in width as provided in these conditions). The layout found at Sheet 39 shall not be limited to solely the parking area adjacent to the buffer, but rather throughout the buffer fringe – creating a solid hedge along the interior edge of the buffer.

7.4 The eastern and western buffers along 8001 SW 184<sup>th</sup> Street may contain a meandering pedestrian path, within the innermost/interior 25 feet of the 75 foot buffer. The Applicant shall limit the meandering walking path to a maximum width of six feet (6 ft.). The pedestrian path shall solely be used for pedestrian/walking/ running purposes.

7.5 Where practicable, the maintenance path and the meandering walking path shall be the same path, along the eastern and western buffers for 8001 SW 184<sup>th</sup> Street. Final determination/approval of "where practicable" shall be made by the Village's Planning & Zoning Director. Otherwise, the maintenance path shall be limited to a maximum width of eight feet (8 ft.) and should be used solely for maintenance purposes. The Maintenance portion of the "joint-path" shall not be paved [the increase to eight (8) feet – a two-foot non-paved area surrounding the six foot (6 ft.) pedestrian path]. All other buffers shall solely contain an unpaved, up to eight (8) foot maintenance path.

7.6 The eastern and western perimeters of 8001 SW 184<sup>th</sup> Street shall contain a concrete wall six, feet (6 ft.) in height, finished on both sides and maintained by the Applicant. The southern boundary at SW 184<sup>th</sup> Street and northern boundaries at SW 176<sup>th</sup> Street shall provide a six foot (6 ft.) wrought iron fence with masonry columns. The eastern and western perimeters of 7900 SW 176<sup>th</sup> Street already contain a six foot (6 ft.) concrete wall that shall be required to be maintained, on both sides.

7.7 The Applicant shall provide and/or replace landscaping improvements along SW 184 Street and SW 176 Street fronting the school in compliance with the Village's Street Tree Master Plan prepared by O'Leary Richards Design Associates, Inc., and in coordination with the Village's Public Works and Planning & Zoning Departments.

7.8 The Applicant shall preserve existing trees (including native trees) during the development of the project, wherever possible. If the trees must be removed, the Applicant shall be required to mitigate the impact in accordance with Village and DERM requirements. If the relocated trees do not survive, the Applicant shall be required to replace the trees in compliance with DERM and Village requirements.

7.9 The Applicant shall install additional oaks and planting materials on the northwest perimeter of buildings no. 16 and 18 in order to provide additional screening to the adjacent

neighborhood located on the western boundary of the property. The Applicant is to provide two (2) native trees and a cluster of palms.

7.10 The pool area shall be landscaped as provided under section 6.7, above.

7.11 The Applicant shall prohibit parking by faculty, visitors, and students on the rights-of-way bordering the school by planting and maintaining landscaping along the rights-of-way in accordance with Village requirements. The Applicant shall work with the Village and County to install “No Parking” signs for the right-of-way along SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street.

7.12 Applicant shall maintain the areas identified herein as “buffer” and shall be required to perpetually maintain the landscaping within the buffer with the identified native species and other plantings provided in the landscape plan. At no point shall structures be constructed within the buffer area. The buffer shall consist of the 75 foot set aside along the east, west and southern perimeters of 8001 SW 184<sup>th</sup> Street; and the 50 foot set aside along the east, west, and northern perimeters of 7900 SW 176<sup>th</sup> Street.

7.13 Applicant shall provide annual update, plan, as to the maintenance for the buffer areas.

7.14 Buildings 16 and 18 shall require Live Oak trees, or comparable trees, every 20 feet on center for the length of the structures. Each tree shall have an overall height of 16 feet. For Building 16 the trees shall be planted along the west façade and for Building 18 along the east façade.

## 8. Traffic:

8.1 The Applicant shall be responsible for compliance with the Land Development Regulations relating to traffic concurrency requirements.

8.2 The Applicant shall hire one (1) police officer, or equivalent, during regular session, (per entrance) to control traffic during peak morning and afternoon school hours for each entrance to the school (SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street). The school shall also utilize a police officer for special events, as is required under condition 6.2.

8.3 The Applicant shall install traffic calming devices along the internal circulation driveways and roadways in compliance with the Site Plan and Traffic Study prepared by David Plummer & Associates, Applicant’s traffic expert.

8.4 The Applicant shall control the entry points to the school by directing student, teacher, and staff vehicles to enter and exit the school from SW 184 Street driveway. The entrance to SW 176<sup>th</sup> Street shall solely serve as the drop-off and pick-up location for students. This process will be implemented through a decal program. The different color decals will be distributed and assigned to a specific driveway. The security gatehouse at each driveway will monitor for proper use of the decal. Violators shall be contacted by the school master and security to ensure proper enforcement.

8.5 The Applicant shall fund a series of peak hour intersection turning movement counts, and 72 hour link counts to be taken by the Village along SW 176 Street and at the school driveway entrance on that street. These are to occur on a random basis once each semester of school operations in perpetuity at the discretion of the Village.

8.6 If either the 1370 trip daily volume or 960 combined trip volume peak thresholds are violated, the Applicant will be notified in writing and be required to enact measures to bring the traffic volumes into compliance. To do so, the Village will require the school to propose at least three (3) imitative measures that would be enacted should the situation arise. Some of the mitigation measures that could be considered are color coded decal system (see condition 8.4); limiting access to/from SW 176<sup>th</sup> Street to the east only; license plate numbers entrance assignment; lottery assignment; controls/prohibitions/signing; and, closing internal roads so driveway entered must be exited. If the corrective action is not implemented within three (3) weeks of the school being noticed of the violation, the Village will require the entrance be closed until corrective action is implemented by the school. The Village will then verify that the actions to correct the violation are working through additional Village traffic counts paid for by the School.

8.7 The Applicant shall keep the entrance to SW 176<sup>th</sup> Street closed to vehicular traffic on weekends, holidays and all days when school is not in regular session.

8.8 The SW 176<sup>th</sup> Street entrance shall not be used for the delivery of goods or services to the school or by commercial vehicles. All buses and vans used to transport students to and from the property shall use SW 184 Street as ingress and egress.

8.9 The SW 176<sup>th</sup> Street entrance shall be closed at 7:00 p.m. everyday.

8.10 The Applicant shall develop an alternative transit mode feasibility program within three (3) years after receiving the zoning approval. The program should provide incentives for the student to use alternative mode of transportation such as carpool, public transportation or private mass transit to get to and from school.

8.11 The Applicant shall be responsible for implementing the following mitigation initiatives, as delineated in the David Plummer & Associates Report (Applicant's traffic expert), dated April 22, 2010:

- (a) Old Cutler Road/ SW 184 Street – Add a southbound right turn lane; signal phasing adjustments.
- (b) SW 184 Street at the project driveway – Construct an eastbound left turn lane.
- (c) SW 184 Street at the project driveway – Construct a westbound right turn lane.
- (d) Provide one off-duty police officer at each driveway during morning drop-off and afternoon pick-up periods to monitor/control traffic.

8.12 Applicant shall be responsible for all expenses relating to traffic control, police involvement, and police participation in traffic movements (the traffic plan). The traffic plan relating to the daily school use and/or for any special events at the school for the roadways shall

be subject to approval of Village Police Department and Village Police Officers are to be hired by and paid for by Applicant to manage traffic at entrance(s) to school and off-site locations affected by traffic conditions.

8.13 Applicant shall install a “No Left Turn” sign at the exit to SW 176<sup>th</sup> Street and shall preclude left-hand turns onto SW 176<sup>th</sup> Street, westbound, from the Applicant’s SW 176<sup>th</sup> entrance. This condition shall be required, at a minimum, during peak hours.

8.14 If vehicle stacking/queuing spills-over onto SW 176<sup>th</sup> Street, the applicant shall be required to provide additional on-site stacking to accommodate the spill-over. This would require a modification of the circulation plan, which shall be reviewed by the appropriate Village Departments for Compliance. The Applicant shall not be required to obtain Council approval to make the necessary stacking related, circulation modifications to the interior of the property.

8.15 Applicant shall comply with the “safe routes to school” requirements of 1006.23, Florida Statutes.

8.16 Applicant shall install public sidewalks within the Rights-of Way fronting Applicant’s properties – 7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street, after receiving approval from the appropriate governmental agencies (County and Village).

8.17 The Village shall bi-annually (every six (6) months) test to ensure that there is a limitation of neighborhood cut-through traffic. The Village shall analyze the traffic data and determine corrective measures to limit such cut-through traffic. Based upon the testing, the Village shall implement such corrective measures needed to enforce the Village’s goal (for example, installing no turn signs at certain hours, etc.). This is an obligation of the Village.

8.18 As part of Phase I, per exhibit D, the Applicant shall complete the turning lanes at the new SW 184<sup>th</sup> Street entrance.

9. Parking Related Conditions

9.1 Comply with condition 7.11 relating to precluding right-of-way (ROW) parking. Cross-reference with section 7.9, above.

9.2 No parking of vehicles in any of the interior buffers to the property (7900 SW 176<sup>th</sup> Street or 8001 SW 184<sup>th</sup> Street).

9.3 The Applicant shall install pavers in the parking lot to minimize the stormwater runoff impacts, rather than asphaltting the entire parking area, in compliance with Section 28-6(b)(1), of the Village’s Code of Ordinances.

9.4 No loud radios shall be allowed within the parking areas of the entire site.

9.5 Lighting shall be consistent with conditions 10.2 and 10.3, below.

9.6 That the Applicant shall maintain a sign prohibiting bus traffic, bus parking, student, faculty or visitor parking along the swales/entrances to the Applicant's property.

9.7 Proposed installation of 48 sable palms to be planted in the northwestern corner of 8001 SW 184<sup>th</sup> Street shall be replaced with Live Oak Trees, or other trees acceptable to the Village, as the Oaks shall reduce the "heat island effect," shall enhance the buffering of the site, and increase the tree canopy for the site. The landscaping for the parking lot shall be reviewed at permitting by the Planning and Zoning Department as to the number and type of trees.

9.8 A continuous hedge shall be incorporated around all parking areas and shall meet all requirements of Chapter 18A, subsections (I) and (J).

9.9 Applicant is not to create any additional, unimproved, temporary or permanent parking areas on the property.

10. Lighting & Energy:

10.1 The Applicant shall not install lighting for outdoor use other than for parking and/or Code required emergency lighting. The interior of the pool, below the water surface, may contain lights.

10.2 Applicant shall install and maintain parking area light fixtures which project the light rays directly to the parking surface, and shall include shields which restrict projection of light rays outward to adjacent properties and also restrict the upward projection of light rays into the night sky. Outdoor parking lot area light fixtures shall not cast more than 1/2 ft. candle at the property line.

10.3 The parking lot lights and all other outdoor lighting (whether for security, roadway or parking) should have a maximum overall height of 15 feet.

10.4 The Applicant shall not interfere with night programming at Bill Sadowski Park and no athletic field lighting shall be permitted so as preclude adverse effects to the night programming at the Park and residential community.

10.5 The Applicant shall be required to comply with the conditions of Section 28-6, of the Village's Code of Ordinances relating to the "Minimum Green Standards" (relating to LED lighting, pavers, energy saving fixtures and water conservation).

10.6 The Applicant shall provide roof location in those structures with flat roofs to install conduit from the electrical room for future Photovoltaic System (PV) installation. A minimum of 300 sq. ft. or larger of roof area in a south or west direction shall be dedicated and clear of vent pipes and other obstructions to allow for the installation of a future PV system. The submitted plans must note compliance with this provision.

10.7 The parking lot and internal circulation lights shall be placed on a timer consistent with the termination of operational hours and consistent with applicable codes.

11. Noise:

11.1 Noise emanating from athletic fields and bleachers shall not generate a direct sound pressure level in excess of 65 decibels at the school's boundaries, as provided under the Village's Code Section 30-60.29, as may be amended. The Village will notify the school and the Community Relations Committee of any violations of the noise ordinance. The Village and Applicant will immediately work together to develop corrective action(s). If the corrective action(s) is/are not implemented within three (3) weeks of its adoption, the Village will require that all after-hours field activities be temporarily postponed until the corrective actions are implemented by the school.

11.2 The Applicant shall install and maintain signs reading: "No radios beyond this point" at the guard house or other location approved by the Village's Planning & Zoning Department. Any student found by the Applicant's administration to have violated the sound restriction, after a warning, would be disciplined within the Palmer Trinity Rules and Procedures.

11.3 At 7900 SW 176<sup>th</sup> Street, the Applicant shall ensure bells, pulses, buzzers, or other sounds to signal class times during school operating hours on days when school is in session shall not generate a direct sound pressure level in excess of 65 decibels above ambient sound measured by the A-weighted scale at the school's boundaries, as provided under the Village's Code, Section 30-60.29, as may be amended.

11.4 At 8001 SW 184<sup>th</sup> Street, the Applicant shall use digital signage system or other non-noise devices approved and recommended by the American with Disability Act (ADA) and the ADA Standards for Accessible Design, to signal change of class times and announcements.

11.5 Any temporary public address speaker system or similar amplified sound device in the athletic fields shall not be operated between the hours of 5:00 p.m. and 10:00 a.m. (Monday thru Friday). On Saturday, the temporary public address speaker system or similar amplified sound device in the athletic fields shall not be operated between the hours of 2:00 p.m. and 10:00 a.m. The temporary public address speaker system shall be used in compliance with the Village's noise Ordinance 30-60.29, as amended, and shall not generate a direct sound pressure level in excess of 65 decibels at the school's boundaries.

11.6 Code Compliance shall bi-annually (every six months) test the noise levels of the Applicant's property from various locations and report back to the Community Relations Committee. The Applicant shall work with Code Compliance and the Committee to cure any violations of the Village's noise ordinance.

12. Environmental:

12.1 The Applicant shall provide a space for the collection and storage of recyclables. This provision provides convenient access to recycling facilities and encourages building occupants to utilize the recycling programs to their fullest. Projects shall comply with the minimum solid waste and recyclables storage requirements. Applicant shall depict the collection and storage area(s) location on submitted plans.

12.2 The Applicant shall use interior paints and wood finishes with low volatile organic compound levels that do not exceed 50 grams per liter flat, or 150 grams per liter non-flat. This shall be noted on the approved plans.

12.3 The Applicant shall hire an archeological consultant to execute a Phase 1 Archeological Survey prior to development. This will determine whether potential archeological sites exist within the property. A list of archeological consultants has been provided to the Applicant. The selected archeological consultant shall work closely with Miami-Dade County, Office of Historic and Archeological Resources, during this process. In the event, archeological resources are found, the archeological consultant and the Applicant shall contact the County's Office of Historic and Archeological Resources for guidance regarding additional testing and/or archeological monitoring. If unmarked human remains are located, Florida State Statutes 875.05 (Florida's Unmarked Human Burial Act) shall apply and all work shall cease. The State Archeologist shall then be notified.

13. Operations.

13.1 Service and delivery vehicles, including solid waste pick-up, shall be restricted to Monday through Friday, between the hours of 7:00 a.m. to 7:00 p.m. [consistent with 30-60.29(e)(7), of the Code]. Saturday deliveries would be allowed from 10:00 a.m. to 1:00 p.m. Service and delivery vehicles shall use the SW 184<sup>th</sup> Street entrance. This requirement shall be implemented upon the construction of the SW 184<sup>th</sup> Street entrance.

13.2 Service, delivery and storage areas and equipment shall be adequately screened and located away from view of adjacent properties, in accordance with the proposed site plan.

13.3 That interior use of school facilities shall be restricted to the hours of operation between 6:00 am and 10:00 pm, provided that the use is by the Applicant for school-related purposes.

13.4 The property shall not be used for commercial leasing purposes. Commercial leasing purposes shall mean any use not directly affiliated with the school operations of the Applicant. In addition, it shall mean the use of the Applicant's property, buildings and facilities for economic value or profit through third-parties.

13.5 Service, delivery and storage areas and equipment shall be adequately screened and located away from view of adjacent properties, in accordance with the proposed site plan.

14. Structures.

14.1 The two (2) longer structures (building 16, the gymnasium and building 18, the performing arts building) should be modified as follows: the wider portion of these structures are approximately (260 ft x 149 ft.). The Southern portion of each building provides a "tail-like" continuation/extension of approximately 110 feet. These "tail-like" extensions should be setback/offset six feet (6 ft.) from the wider portions of each building. As to Building 16, the six foot (6 ft.) setback/offset should be towards the east boundary. As to Building 18, the six foot (6 ft.) setback should be setback towards the west boundary.

14.2 In addition, along the 110 foot setback portion of Buildings 16 and 18, there should be a colonnade or arcade, with first floor roof-like structure, to break-up the monolithic volume.

14.3 In compliance with section 7.12, Live Oak trees, or other equivalent type trees, with an overall size of 16 feet in height, should be planted along the remaining east side of Building 18 and along the remaining west side of Building 16, every 20 feet on-center for the length of the structures (area not covered by the first floor roof-like arcade structured area). The 16 foot trees should be root pruned to encourage their ability to survive the shock of planting.

15. Enforcement.

15.1 Non compliance with the approved site plan shall result in the denial of future permits and may result in a daily fine, per violation, as provided under section 15.2, below.

15.2 A violation of any of the development approvals and/or conditions of the Village Council will result in a \$500.00 a day fine, per violation. The Village shall provide Applicant with a reasonable period of time to cure. The Applicant is entitled to an appeal of the notice of civil citation pursuant to the procedures for the Village Special Magistrate, found at section 2-205 of the Village's Code.

15.3 Cross-reference with specific enforcement provisions relating to section 4.6 as to student population and removal of portables under section 5.11.

15.4 Authorization for the Village of Palmetto Bay to Withhold Permits and Inspections. In the event the terms herein are not being complied with, in addition to any other remedies available, the Village is authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as the conditions contained herein are complied with. The Village shall provide Applicant with a reasonable notice to cure period. The Applicant may follow the procedures for the Village Special Magistrate regarding any appeal.

15.5 Cross-reference with section 11.6.

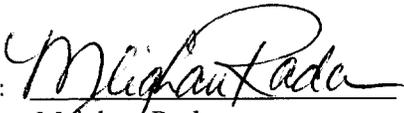
This is a final order.

**Section 5. Record.**

The record shall consist of the notice of hearing, the application, documents submitted by the applicant and the applicant's representatives to the Village of Palmetto Bay Planning and Zoning Department in connection with the applications, the Village's recommendation and attached cover sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the Village Clerk.

**Section 6.** This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 4<sup>th</sup> day of May, 2010. (Executed May 17<sup>th</sup>, 2010)

Attest:   
Meighan Rader  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis,  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Shelley Stanczyk	<u>NO</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>NO</u>

**RESOLUTION 2010-48**  
**EXHIBIT "A"**



Village of Palmetto Bay

ZONING ANALYSIS

APPLICANT: Palmer Trinity Private School, Inc.

PH: VPB-07-012-B

PROPERTY ADDRESS: 7900 SW 176<sup>th</sup> Street,  
8001 SW 184<sup>th</sup> Street

ITEM: 2

ZIP CODE: 33157

HEARING DATE: May 4, 2010

SECTION: 34-55-40

CONTINUED FROM ORIGINAL HEARING DATE: April 14, 2008

COUNCIL DISTRICT: 3

HEARING DATE: February 25, 2008

---

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; **APPROVING/DENYING** THE APPLICATION OF PALMER TRINITY PRIVATE SCHOOL, LOCATED AT 7900 SW 176<sup>TH</sup> STREET THROUGH 8001 SW 184<sup>TH</sup> STREET; **APPROVING/DENYING** THE SPECIAL EXCEPTION REQUEST TO EXPAND THE SCHOOL TO INCLUDE AN ADDITIONAL 32.2 ACRES, AND AN ADDITIONAL 550 STUDENTS AS PROVIDED FOR UNDER 33-151, ET SEQ., OF THE COUNTY CODE; AND PURSUANT TO SECTION 33-311 OF THE MIAMI-DADE COUNTY CODE FOR A SITE PLAN MODIFICATION ON PROPERTY ZONED E-M, LOCATED IN PALMETTO BAY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

1  
2       **A. INTRODUCTION**

3  
4           •       **REQUEST(S):**

5  
6           1.       **Special exception for the expansion of a private school to**  
7 **increase the enrollment from 600 to 1,150 students** [Original plan from 2008  
8 hearings proposed 1,400 students on 55 acres (from 22.5 acres). See analysis  
9 from the 2008 hearings as to the original details of the student expansion]. See  
10 Exhibit 1, the April 19, 2010 plan.

11  
12 The expansion plan proposes one of two alternatives – (1) an expansion of  
13 students to include grammar school children - kindergarten through grade 5 and  
14 increase the enrollment of students in grades 6 through 12; or, alternatively (2)  
15 solely an increase in middle school and high school students (grades 6-12). In  
16 the proposed revised site plan, dated April 19, 2010, the Applicant removed the  
17 daycare, and preschool components. In either proposal, the total number of  
18 students has been voluntarily reduced by the Applicant from 1,400, which had  
19 been requested in the 2008 application, to a total of 1,150 students.

20  
21           2.       **Modification of a previously approved site plan;**

22  
23           The Applicant has submitted a master plan, which has been revised since  
24 its original submittal<sup>1</sup>. The final site plan to be reviewed is dated April 19, 2010  
25 and provides for the future use of the entire 55 acre site as a private school and  
26 includes its long-range plan for the school's expansion. See Exhibit 1.  
27 Accordingly, the Applicant is requesting a modification of its previously approved  
28 site plan from 1999, approval is documented at Miami-Dade County resolution  
29 C-ZAB-132-99, to reflect Applicant's vision for the school. See analysis from  
30 2008 hearings as to original site plan details, which can be found at Exhibit 2.

31  
32 Staff review of the special exception and site plan modification is based upon the  
33 assumption that the district boundary change request (rezoning) of the site  
34 known as 8001 SW 184<sup>th</sup> Street from AG and E-2 zoning to E-M is approved.  
35 Denial of the rezoning would preclude review of the requests contained herein.

36  
37           3.       The 2008 application contained a request for a non-use variance of  
38 parking requirements to permit parking on natural terrain, where not permitted.  
39 This request has been eliminated from the modified site plan dated April 19,  
40 2010. [See analysis from the 2008 hearings as to the original details of the  
41 variance request]. **This request has been withdrawn.**

42  

---

<sup>1</sup> Applicant filed its application in 2006. The 2006 plan had been modified prior to the February and April 2008 quasi-judicial hearings ("original plan"). The final plan being reviewed is dated April 19, 2010.

1           4.     The original 2008 application contained variance requests for  
2 height and number of stories to allow a maximum height of 50'-7" for certain  
3 proposed new buildings to include a chapel, a performing arts center, a  
4 library/media center/administration building and a gymnasium where 35 ft. is  
5 permitted, as well as to allow three (3) stories where two (2) is permitted for the  
6 library/media center/administration multi-purpose building. These requests have  
7 been eliminated from the April 19, 2010 plan. [See analysis from the 2008  
8 hearings as to the original details of the height and story variances request.]  
9 **These requests have been withdrawn.**

10  
11 The 2008 plan included a steeple up to 70 feet in height. Under the County  
12 Code, no variance was required for the steeple, as it would have been permitted  
13 "as of right." **The Applicant has voluntarily withdrawn its request for a**  
14 **steeple/church tower and the request is considered withdrawn.**

15  
16 The Palmer Trinity Private School Campus Master Plan, as revised and dated  
17 April 19, 2010, and prior submittals are on file and may be examined in the  
18 Planning and Zoning Department of the Village of Palmetto Bay. Plans may be  
19 modified prior to and at the public hearing.

20  
21           •     **LOCATION:** 7900 SW 176 Street and 8001 SW 184<sup>th</sup> Street,  
22 Miami-Dade County, Palmetto Bay, Florida.

23  
24           •     **LOT SIZE:** 55+/- Acres  
25  
26

27 **B. NEIGHBORHOOD CHARACTERISTICS:**

28  
29 **ZONING**

**LAND USE DESIGNATION**

30 **Subject Property:**

31  
32  
33 E-M (existing private school)  
34 Estate Modified Single-Family  
35 (minimum 15,000 sq.ft. lot area)

Estate Density Residential;  
less than 2.5 d.u. per gross acre

36  
37 AG (mango grove)  
38 Agricultural

Estate Density Residential;  
less than 2.5 d.u. per gross acre

39  
40 E-2 (mango grove)  
41 Estate Single-Family  
42 (minimum 5 acres lot area)

Estate Density Residential;  
less than 2.5 d.u. per gross acre

43  
44 **Surrounding Properties:**

45  
46 **NORTH:** E-M; Estate Modified

Estate Density Residential;

1	Single-Family	less than 2.5 d.u. per gross acre
2	(minimum 15,000 sq.ft.	
3	lot area)	
4		
5	<b>SOUTH:</b> Town of Cutler Bay	
6		
7	<b>EAST:</b> Bill Sadowski Park;	Parks and Recreation
8	E-M; Estate Modified	Estate Density Residential;
9	Single-Family	less than 2.5 d.u. per gross acre
10	(minimum 15,000 sq.ft.	
11	lot area);	
12	E-1; Single-Family	Estate Density Residential;
13	(minimum one acre lot size)	less than 2.5 d.u. per gross acre
14		
15	<b>WEST:</b> E-M; Estate Modified	Estate Density Residential
16	Single-Family	less than 2.5 d.u. per gross acre
17	(minimum 15,000 sq.ft.	
18	lot area);	
19	E-1; Single-Family	Estate Density Residential;
20	(minimum one acre lot size)	less than 2.5 d.u. per gross acre
21		

22 The Applicant's property is comprised of a 55-acre parcel of land, that was  
 23 previously zoned under three (3) different zoning classifications (AG, E-2, and E-  
 24 M), and is surrounded by the Estate-Modified (E-M) Single-Family zoning district.  
 25 Prior to hearing the application for special exception and site plan modification,  
 26 the Applicant requested that the 32.22 acres property bearing address 8001 SW  
 27 184<sup>th</sup> Street be rezoned from AG and E-2 to E-M. The zoning analysis contained  
 28 herein presupposes that the rezoning has occurred. Failure to rezone the  
 29 property shall result in termination of review of the Applicant's requests for the  
 30 special exception and site plan modification.

31  
 32 The Town of Cutler Bay is located to the south of Applicant's property. The 8001  
 33 SW 184<sup>th</sup> Street property adjoins the "northern" portion of the property bearing  
 34 the address 7900 SW 176<sup>th</sup> Street. Except for the Applicant's existing private  
 35 school at 7900 SW 176<sup>th</sup> Street, and Bill Sadowski Park bordering the  
 36 northeastern portion of the Applicant's property, the surrounding neighborhood is  
 37 characterized predominantly by detached single-family homes. Canals are  
 38 located to the west (between SW 84<sup>th</sup> Avenue and SW 83<sup>rd</sup> Court) and north  
 39 (between SW 173 Terrace and SW 175<sup>th</sup> Street). To the east of the property is  
 40 Old Cutler Road. To the south of the property is SW 184<sup>th</sup> Street (Eureka Drive).  
 41 The canals and roadways serve as immediate natural borders for the residential  
 42 neighborhood surrounding the Applicant's property and school use. The lots  
 43 immediately to the east and west along the southern edge of the subject property  
 44 on S.W. 184<sup>th</sup> Street are zoned E-1, Single-Family, (one unit per gross acre) and  
 45 are comprised of single-family homes. To the east and along Old Cutler Road  
 46 there is a church, a pre-school and kindergarten, Village Library, VMU (Village

1 Mixed-Use), a commercial and residential use, district, and both the E-1 and E-M  
2 sized lots containing single-family home uses.

3  
4  
5 **C. SITE AND BUILDINGS:**

6  
7 **Site Plan Review:**

8  
9 Scale/Utilization of Site: Acceptable with conditions  
10 Location of Buildings: Acceptable with conditions  
11 Height of Buildings: Acceptable  
12 Compatibility: Acceptable with conditions  
13 Landscape Treatment: Acceptable with conditions  
14 Open Space: Acceptable with conditions  
15 Buffering: Acceptable with conditions  
16 Access: Acceptable with conditions  
17 Parking Layout/Circulation: Acceptable with conditions  
18 Visibility/Visual Screening: Acceptable with conditions  
19 Service Areas: Acceptable with conditions  
20 Signage: As required under the County Code, Section  
21 33-100.

22  
23 Art in Public Places: Not a part of this application. The Village requires  
24 compliance with Art in Public Places ordinance.

25  
26  
27 **D. NEIGHBORHOOD SERVICES**

28  
29 **DERM** No objections, subject to conditions  
30 stated in attached report.

31  
32 **Public Works** Objections raised in 2008 by Miami-  
33 Dade County Public Works, as stated in  
34 the attached report. Objections were  
35 addressed by Applicant.

36  
37 Objections raised by Village Public  
38 Works during 2008 hearings. See  
39 analysis from 2008 for further details.  
40 Applicant submitted updated traffic  
41 report, which has been reviewed by the  
42 Village's Traffic Engineering Consultant,  
43 The Corradino Group. All reports  
44 attached. Corradino's recommendation  
45 is to approve, with conditions.  
46

1	<b>Parks</b>	Comments requested from Miami-Dade County Parks & Recreation; no objections subject to condition 4.9.
2		
3		
4		
5	<b>Fire Rescue</b>	No objections, subject to conditions stated in attached report.
6		
7		
8	<b>Code Compliance</b>	In 2008, the site was found to have code violations and corrective action was undertaken by Applicant. At this time, the sole item remaining to come into compliance is the removal of the two (2) portable classrooms that were to be removed according to the year 2000 substantial compliance review. The portables have not been removed. In 2008-9, Applicant sought a second substantial compliance review, in which Applicant proposed a timetable for bring the portables into compliance by constructing one of the structures from the 1999 plan and then eliminating the portables. Thereafter, in 2009, Applicant sought a construction permit to begin construction on the structure. However, the permit was not processed due to the Village's one (1) year construction moratorium implemented in order to enact the Village's Land Development Code. Applicant includes the building as part of this application and has represented that the structure shall be completed during Phase 1. Thereafter, the portables would be removed.
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36	<b>Archeological Compliance</b>	Miami-Dade County's Office of Historical and Archeological Resources on April 28, 2010, advised the Village that it has recently discovered archeological artifacts within the Bill Sadowski Park, adjacent to the Applicant's property. As a result, in compliance with County and State law, the County has requested an Archeological Survey, and cooperation from the Applicant should any archeologically significant finds be made
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		

1 on the Applicant's site. See attached  
2 request. No objection subject to  
3 condition 12.3.  
4

5 **E. IMPACT OF APPLICATION:**  
6

7 **PHYSICAL IMPACT:** The Applicant currently operates a private school for 600  
8 students on 22.5 acres located at 7900 SW 176<sup>th</sup> Street. The zoning district  
9 boundary change, if approved on May 4, 2010, to E-M would then allow review of  
10 the Application to physically expand and construct new buildings and additions to  
11 serve the future needs of the school by incorporating the 32.22 acres of land  
12 located at 8001 SW 184<sup>th</sup> Street into the proposed master plan.  
13

14 The modification to the previously approved site plan (site plan approval was in  
15 1999 for 7900 SW 176<sup>th</sup> Street) will allow the school's expansion program to  
16 proceed (to expand through to 8100 SW 184<sup>th</sup> Street). The approval of the  
17 special exception and site plan modification applications will allow the Applicant  
18 to increase enrollment from 600 to 1,150 students and to build facilities to  
19 accommodate a kindergarten through grade 5 elementary school; along with an  
20 increase in student enrollment in grades 6 through 12; or alternatively to provide  
21 for increased student population in grades 6-12 and eliminating the elementary  
22 school component to the site<sup>2</sup>. The 55-acre master plan (including both 7900  
23 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street) would provide for a performing arts  
24 center, chapel, library, visual arts center, pool house, media center, gymnasium,  
25 updated dining hall, administrative offices, and new classrooms. Academic  
26 studies will remain predominantly 7900 SW 176 Street, with the 8001 SW 184  
27 Street addition to be used for parking and recreational uses. The master plan,  
28 and revisions thereto, has been designed by the firm of Duany Plater-Zyberk. In  
29 2008, the landscape architectural plans were presented by Jorge L. Hernandez,  
30 of Sanchez & Maddux, Inc. The 2010 landscape design plans have been  
31 prepared by Robert Parsely, A.S.L.A., Geomantic Designs, Inc., and are included  
32 in the submitted April 19, 2010, revised master plan.  
33

34 The 55-acre site is proposed to accommodate 1150 students at a ratio of 2,083  
35 sq.ft. per student. The following provides an enrollment and square footage/per  
36 student comparison to other public and private school located in the area:

---

<sup>2</sup> The site plan requirements would change as it relates to parking and class room space due to what grade is to be utilized. The Applicant has not made a final determination as to the grade expansion. As such, the Applicant's April 19, 2010 plans reflect alternate parking and spacing requirements. Regardless of which use is ultimately provided, elementary or simply enhance middle and senior high school grades, the Applicant has provided the greater accommodation on the plans to ensure that no variances would ever be sought.

1

Schools <sup>1,2</sup>	Size (Acres)	Square Feet	Enrollment			Square Feet per Student		
			2007	2008	2009	2007	2008	2009
Southwood Middle School	18	784,080	1,665	1,610	1,512	471	487	519
Coral Reef Elementary	9.1	396,396	881	878	928	450	451	427
Perrine Elementary	9	392,040	809	840	857	485	467	457
Miami Palmetto Senior High	20	871,200	3260	3167	3087	267	275	282
Westminster Christian	24.2	1,054,152	1280	1160	1160	824	909	909
Coral Reef Senior High	65	2,831,400	2976	3027	2999	951	935	944

Note:

<sup>1</sup> The public school enrollment was provided by Miami-Dade County Public School.

<sup>2</sup> The private school enrollment was provided by the Florida Council of Independent Schools.

2

3 The Applicant's master plan, as revised and dated April 19, 2010, proposes  
 4 enhanced 50 ft. landscape buffers around the northern perimeter (7900 SW 176<sup>th</sup>  
 5 Street); and 75 ft. buffers on the southern perimeter (8001 SW 184<sup>th</sup> Street) of  
 6 the property as shown on sheets 11 through 12. The April 19, 2010, landscape  
 7 plan depicts five (5) different planting concepts using an array of trees (Applicant  
 8 is required to provide 1,019 trees and has actually provided 1,128 trees), shrubs  
 9 and ground cover (required: 10,190; provided: 11,456), depending upon the  
 10 planting location. The master plan maintains open space throughout the campus  
 11 by clustering principal structures within the central portion of the site. The  
 12 landscape buffers and open space between the school and the neighboring  
 13 residences should minimize impacts to adjacent properties. Based on the April  
 14 19, 2010 plan, 1,439,333 sq.ft. (33 acres or 60% of the site) shall contained open  
 15 space. The master plan proposes lot coverage at 9.4 percent, where 30 percent  
 16 is allowed under E-M zoning.

17

18 To accommodate the increase in the number of students and administration, the  
 19 master plan reflects a traffic circulation plan with on-site parking, and separate  
 20 circulation pathways. The zoning code requires 837 parking spaces and the plan  
 21 provides 852 parking spaces. Due to the nature of the use, it would be rare that  
 22 837 spaces would be required at any one time. In order not to seek a variance,

1 the Applicant has withdrawn its request for a variance to park on natural terrain.  
2 Applicant intends to use either asphalt or brick pavers, depending upon cost and  
3 availability. The pavers would assist in drainage of the site. The Village has  
4 used pavers, rather than asphalt, in several areas of the Village, including the  
5 roundabout of the Village's Library and several traffic circles. The Applicant is  
6 providing bicycle parking spaces to accommodate 72 bicycles.

7  
8 Approval of the special exception and site plan modification would create certain  
9 traffic impacts as documented in the attached traffic analysis from the Applicant,  
10 and supported by the Corradino Group's analysis (the Village's expert traffic  
11 consultant). The updated report reflects the 1150 students and associated trips  
12 relating to travel to and from the site and proposed mitigation factors. The 8001  
13 SW 184<sup>th</sup> Street site would provide two (2) driveways through approximately, the  
14 middle of the property, for middle and high school student and teacher driving  
15 and parking uses; stacking (note: the number of auto stacking spaces provided is  
16 130, while 5 is required) to store vehicles as they enter the SW 184<sup>th</sup> Street  
17 property; signalization modifications at Old Cutler Road and elsewhere; signage  
18 modifications; and right and left turning lanes (deceleration lanes) into the school  
19 from SW 184<sup>th</sup> Street. The existing north entrance off SW 176<sup>th</sup> Street is to be  
20 reconfigured and is to be used exclusively for parent drop-off of children. The  
21 plan proposes the use of decals separating drop-off vehicles from teacher  
22 vehicles and upper class student vehicles that are entitled to park on the  
23 property. Drop-off decal vehicles may use the SW 176<sup>th</sup> Street entrance.  
24 Student and teacher decal vehicles shall solely use SW 184<sup>th</sup> Street.  
25 Deliveries are to be made through SW 184<sup>th</sup> Street.

26  
27 **ECONOMIC IMPACT:** The proposed expansion of Palmer Trinity Private  
28 School onto the adjacent 32.5 acres, consists of an existing agricultural grove. In  
29 2007, the land was valued at \$16.2 million, of which the school pays taxes on  
30 \$580,000. This result in an annual property tax assessment of \$11,814.74. The  
31 Village's tax share was approximately \$1,400, annually.\* In 2008 and 2009, the  
32 market value of the land was \$13,950,000 and \$7,110,000, respectively. This  
33 results in an annual property tax assessment of \$523,000 and \$295,000,  
34 respectively. The reported Village's tax shares for fiscal years 2008 and 2009  
35 were approximately \$1,280.00 and \$721.86, respectively. Approval of the  
36 expansion of the private school onto 8001 SW 184<sup>th</sup> Street will remove the  
37 property from the property tax roles. If the property was re-zoned to E-M and  
38 developed for single-family usage, the property would be subdivided into  
39 approximately 79 single-family homes at 15,000 sq.ft. minimum lot size.

40  
41 *\*Dollar amount is based on the 2007, 2008 and 2009 assessed property taxes for*  
42 *the subject parcel.*  
43  
44

1           **F. ZONING HEARING HISTORY: (2-ZAB-85-61; 4-ZAB-159-79; 4-ZAB-**  
2           **177-85; 4-ZAB-179-88; and C-ZAB-132-99)**

3  
4           7900 SW 176<sup>th</sup> Street :

5  
6           On November 22<sup>nd</sup>, 1961, the Miami-Dade County Zoning Appeals Board  
7           approved a special exception to permit a school use and facilities incidental  
8           thereto, including but not limited to classrooms, dormitories, library, cafeteria,  
9           chapel, gymnasium, athletic field, and swimming pool at the EU-M zoned  
10          property.

11  
12          On April 12, 1979, the Miami Dade County Zoning Appeals Board approved, via  
13          resolution 4-ZAB-159-79, under the special exception process, the request to  
14          expand the private school and granted an unusual use to permit outdoor table  
15          dining area for the student population.

16  
17          On May 15, 1985, the Miami-Dade County Zoning Appeals Board approved, via  
18          resolution 4-ZAB-177-85, a modification of Condition no 2 to Resolution 4-ZAB-  
19          159-79, under the special exception process, to revise the site plan for the  
20          existing private school to include a school classroom building expansion and an  
21          additional parking area.

22  
23          On April 27, 1988, the Miami-Dade County Zoning Appeals Board via zoning  
24          resolution no. 4-ZAB-179-88, approved the application to modify Condition no.: 2  
25          to Resolution 4-ZAB-159-79, to revise, under the special exception process, the  
26          site plan for the existing private school to allow for the construction of a two-story  
27          library/administration/classroom structure; a redistribution of classroom and  
28          parking areas (allow a non-use variance to permit 152 parking spaces where 174  
29          was required); continued use (under a non-use variance request) of the 19 ft.  
30          wide, two-way drive where 22 ft. is required with fewer parking spaces than  
31          previously provided; and, to allow for an addition of 200 students for a total of  
32          600 students.

33  
34          On March 16, 1999, the Miami-Dade County Zoning Appeals Board, via zoning  
35          resolution no. C-ZAB-132-99 approved, a modification of Condition no. 2, to  
36          resolution 4-ZAB-177-85 and resolution 4-ZAB-179-88 to allow a plan  
37          modification to provide a non-use variance of parking requirements to provide  
38          205 parking spaces where 363 were required, a non-use variance of setback  
39          requirements to allow the existing basketball and tennis courts to remain at 18 ft.  
40          the deletion of the Fine Arts Building from the plan, and to limit the height of the  
41          chapel steeple to 35 ft.

42  
43          8001 SW 184<sup>th</sup> Street:

44  
45          The zoning history summarized above is related to the existing school's 22.5 +/-  
46          acre parcel. No public hearings with regard to site plan approval have taken

1 place related to the 32.5 +/- acre parcel, 8001 SW 184<sup>th</sup> Street, acquired by the  
2 school in 2003 is adjacent to the existing school site. The 2008 hearings resulted  
3 in a ruling solely as to the Applicant's district boundary change request. On April  
4 14, 2008, the Village Council denied the Applicant's request for a zoning change  
5 from AG and E-2 to E-M. The decision not to rezone the property precluded the  
6 council from ruling on the physical expansion of the Applicant's school and  
7 associated modification of the site plan request.

8  
9 Thereafter, a Petition for Certiorari review (appeal) was timely filed. The Village  
10 Council decision was affirmed by the Circuit Court Appellate Division. Applicant  
11 filed a second tiered Petition for Writ of Certiorari (second tiered appeal) to the  
12 Third District Court of Appeal. On March 24, 2010, the Third District Court of  
13 Appeal issued an opinion in Applicant's favor. On appeal to the Third District, the  
14 Applicant contended that the Circuit Court departed from the essential  
15 requirements of law in upholding Ordinance 08-06 because the current zoning  
16 classification of the surrounding properties renders Parcel B [8001 SW 184<sup>th</sup>  
17 Street] an "island" or "peninsula" resulting in impermissible "reverse spot zoning."  
18 The Third District agreed with the Applicant's arguments and concluded that the  
19 Circuit Court Appellate Division's decision upholding Village Ordinance 08-06  
20 constituted a departure from the essential requirements of the law resulting in a  
21 miscarriage of justice. (Note: Reverse spot zoning occurs when a zoning  
22 ordinance prevents a property Applicant from utilizing his or her property in a  
23 certain way, when virtually all of the adjoining neighbors are not subject to such a  
24 restriction).

## 25 26 **G. COMPREHENSIVE PLAN**

27  
28 1. Goal 1 of the Future Land Use Element is to guide the Village from birth to  
29 early maturity as an outstanding and truly livable community by building upon,  
30 and improving, the existing land use blueprint through visionary planning and  
31 place-making, cost-efficient provision of high quality facilities and services,  
32 quality neighborhood protection and enhancement of its unique and beautiful  
33 coastal environmental resources.

34  
35 2. The adopted 2005 Village of Palmetto Bay Future Land Use Plan of the  
36 Comprehensive Plan designates the site Estate Density Residential (EDR).  
37 Pursuant to policy 1.1.1, the residential densities allowed in this category shall  
38 not exceed 2.5 dwelling units per gross acre. This density category is  
39 characterized solely<sup>3</sup> by detached single-family homes on relatively large lots.

40  

---

<sup>3</sup> The language of the Comprehensive Plan indicates "solely" single-family. In actuality, the majority of the Village's EDR designated area encompasses solely detached single-family units (no duplexes or multi-family units). As can be seen from the zoning map there are public and private schools, churches, etc, within or surrounding the detached single-family units in the EDR designated area. Additionally, other provisions of the Comprehensive Plan allow public schools and churches in the EDR designation.

1 3. Pursuant to policy 1.1.5, houses of worship and other permitted non-  
2 residential uses continue to be allowed in all land use categories on the Future  
3 Land Use Map (FLUM); however, if located in or near neighborhoods, adverse  
4 impacts to the tranquility of the residents around the allowed use and in the  
5 surrounding neighborhood must be minimized to the maximum extent possible.  
6 Therefore, in residential land use areas, houses of worship and other permitted  
7 non-residential uses, including private and public schools, are allowed, on a  
8 conditional basis (zoning requires a special exception application).

9  
10 4. Pursuant to policy 2A.1.7, the issuance of all development orders for new  
11 development or significant expansions of existing development shall be  
12 contingent upon compliance with the level of service standards contained in the  
13 Comprehensive Plan.

14  
15 5. Pursuant to policy 2A.5.4, the Village is committed to providing safe routes  
16 to school for local elementary schools within municipal boundaries consistent  
17 with the rules and regulations of Chapter 1006.23, of the Florida Statutes.

18  
19 6. Pursuant to policy 2C.1.4, the Village is to coordinate with Miami-Dade  
20 County to determine the feasibility for widening SW 184<sup>th</sup> Street from two-lane to  
21 five-lanes with bicycle lanes and sidewalks to enhance access to the Florida  
22 Turnpike and relieve pressure on the already over-capacity section of Old Cutler  
23 Road within municipal boundaries. Furthermore, emphasis for improvements to  
24 this corridor should also consider a streetscape master plan for the corridor with  
25 common signage, landscaping, street lighting, and pavement treatments that  
26 help reinforce this street as a gateway into Palmetto Bay.

27  
28 7. Pursuant to policy 4A.3.3, the Village shall encourage the use of water-  
29 saving “xeriscape” plants, watering techniques and landscape designs in existing  
30 and future developed areas of the Village.

31  
32 8. Pursuant to policies 4B.1.1, 4D.1.3, and 11.1.4 all development orders  
33 shall ensure the Village’s adopted sanitary sewer, solid waste and potable water  
34 LOS standards are maintained both during construction and operation(s).

35  
36 9. Pursuant to policy 4C.3.1, a primary objective of the Village’s Stormwater  
37 Master Plan is protection of surface water through the Land Development Code  
38 requirements that mandate acceptable paving and drainage plans, adequate  
39 open (pervious) space areas, and stormwater detention and retention in private  
40 development projects.

41  
42 10. Pursuant to policy 6.5.5, any new project or development is to  
43 demonstrate that it does not create a substantial adverse impact to the  
44 environment.

1 11. Pursuant to policy 6.7.5, native trees shall be preserved during  
2 development or redevelopment wherever possible, and if any native tree must be  
3 removed, at least two (2) native trees shall be planted to replace the removed  
4 tree.

5  
6 **H. PERTINENT REQUIREMENTS/STANDARDS<sup>4</sup>:**

7  
8  
9 **1. Special Exception**

10 An application for a private school to be placed in a residential district requires a  
11 public hearing. The Applicant must comply with section 33-151.11 through 33-  
12 151.22 of the Miami Dade County Code, as adopted by the Village<sup>5</sup>.

13  
14 All day nurseries, kindergartens, after school care, and private school (regardless  
15 of grade) uses must comply with Division 33-151 of the County Code. The term  
16 "private school" or "nonpublic educational facility" shall mean an institution that  
17 provides child care and/or instruction from the infant level through the college  
18 level and which does not come under the direct operation and administration of  
19 the Miami-Dade County School Board or the State of Florida. Only such uses are  
20 intended to be controlled by this article and include, but are not limited to, the  
21 following:

22  
23  
24 (a) *Day nurseries:* Child care for infants and children up to and  
25 including age six (6). [Applicant withdrew request for day nursery].

26  
27 (b) *Kindergartens.* Child care and preschool programs for children  
28 ages four (4) through six (6).

29 \* \* \*

30  
31 (g) *Private school:* This term as used herein refers to any private  
32 institution providing child care and/or instruction at any level from infants through  
33 the college level.

34  
35 (h) *Child, student, pupil.* The terms "child," "student," "pupil," and their  
36 plurals are used interchangeably in this article.

37  
38 (i) *Elementary, junior and senior high schools:* References to these  
39 schools are to be loosely interpreted to encompass any schools, graded or un-  
40 graded, whose students are within the age ranges typically found at these school  
41 levels.

<sup>4</sup> See Exhibits 8 and 9 relating to case law memorandum and C.V. of George Knox.

<sup>5</sup> The Applicant filed its application on September 6, 2006, prior to the adoption of the Village's Land Development Code, Division 30-110, entitled "Private Schools and Child Care Facilities." The Village's Code provisions mirrors Miami-Dade County, section 33-151-11 through 33-151-22. The County Code shall be utilized in reviewing the special exception request.

1  
2 Pursuant to section 33-151.13, all such private schools facilities must meet the  
3 requirements of Division 33-151, and the requirements of the particular zoning  
4 district in which they are located, if that district is one (1) in which the facility is a  
5 permitted use.

6  
7 As a condition of approving the use or site plan as required by Section 33-  
8 151.15, the Director shall require a recorded covenant establishing (A) the  
9 calculations and conditions upon which the additional square footage has been  
10 permitted; and (B) restricting the area designated for child care to child care use,  
11 only.

12  
13 Pursuant to section 33-151.15, the Applicant is to provide certain detailed  
14 calculations and information related to the use. This information was included in  
15 the zoning agenda package of February 25<sup>th</sup>, 2008, and in the April 19, 2010 plan  
16 submittal, under the "Childcare Checklist Requirements for a Zoning Hearing."  
17 This information includes: (1) total size of the site; (2) maximum number of  
18 students to be served; (3) number of teachers, administrative and clerical  
19 personnel; (4) number of classrooms and total square footage of classroom  
20 space; (5) total square footage of non-classroom space; (6) amount of exterior  
21 recreational/play area in square footage; (7) number and type of vehicles that  
22 will be used in conjunction with the operation of the facility; (8) number of  
23 parking spaces provided for staff, visitors, and transportation vehicles, and  
24 justification that those spaces are sufficient for this facility; (9) grades or age  
25 groups that will be served; (10) days and hours of operation; (11) means of  
26 compliance with requirements by the Miami-Dade County Fire Department,  
27 Miami-Dade County Department of Public Health, the Department of Health and  
28 Rehabilitative Services, and any federal guidelines applicable to the specific  
29 application; and (12) graphic information as to the site and its uses. Staff has  
30 incorporated by reference the information contained in the completed Child Care  
31 Checklist application(s) under the April 19, 2010, submittal for alternative uses K-  
32 12 or 6-12.

33  
34 As part of the analysis, pursuant to section 33-151.16, staff is to calculate the  
35 physical space requirements for multiple-use facilities, where a private  
36 educational facility is to be operated in a structure simultaneously used as a  
37 residence, church or other facility. As such, the area which will be specifically  
38 used for a private school or child care facility during the hours of operation shall  
39 be clearly defined. The area so delineated shall be used as the basis for  
40 determining physical space requirements as provided in this article. No physical  
41 space credit will be given for interior or exterior areas that are not restricted to the  
42 school or childcare use during the hours of operation of said facility. No day-care  
43 or child care uses are proposed in the April 19, 2010 plan.  
44

1 Thereafter, staff is to adhere to the standards found at section 33-151.18, which  
2 establishes the criteria in determining whether the application meets the County's  
3 physical standards for private schools. In particular:

4  
5 (a) *Outdoor areas.* Outdoor recreation/play areas shall be in  
6 accordance with the following minimum standards, calculated in  
7 terms of the proposed maximum number of children for attendance  
8 at the school at any one time unless otherwise indicated.

9  
10 Minimum Standards for Outdoor Recreation Playground/Play Areas:

11

<i>School categories</i>	<i>Required area</i>
Day nursery/kindergarten and preschool and after-school care	45 sq.ft. per child calculated in terms of half of the proposed maximum number of children for attendance at the school at one time
Elementary school (grades 1--6)	500 sq.ft. per student for the first 30 students; thereafter, 300 sq.ft. per student
Junior and senior high school (grades 7--12)	800 sq. ft. per student for the first 30 students; 300 sq.ft. per student for the next 300 students; thereafter, 150 sq.ft. per student

12  
13 Where there are category combinations, each classification shall be  
14 calculated individually.

15  
16 (b) *Signs.* Signs shall comply with district regulations as  
17 contained in Chapter 33 of the Miami-Dade County Code; provided,  
18 however, that the total square footage of all freestanding signs in  
19 any residential district shall not exceed six square feet (6 sq.ft.) in  
20 size. This application does not include a sign request. Signage will  
21 be reviewed for compliance as part of the building permit process.

22  
23 (c) *Auto stacking.* Stacking space, defined as that space in  
24 which pickup and delivery of children can take place, shall be  
25 provided for a minimum of two (2) automobiles for schools with 20  
26 to 40 children; schools with 40 to 60 [children] shall provide four (4)  
27 spaces; thereafter there shall be provided a space sufficient to  
28 stack five (5) automobiles.  
29

1 (d) *Parking requirements.* Parking requirements shall be as  
2 provided in the Miami-Dade County Zoning Code, Section 33-  
3 124(1).

4  
5 (e) *Classroom size.* All spaces shall be calculated on the  
6 effective net area usable for instruction or general care of the group  
7 to be housed. This space shall not include kitchen areas,  
8 bathrooms, hallways, teachers' conference rooms, storage areas,  
9 or any other interior space that is not used for instruction, play, or  
10 other similar activities. The minimum classroom space shall be  
11 determined by multiplying the maximum proposed number of pupils  
12 for attendance at any one (1) time by the minimum square  
13 footages, (1) through (4) below. Where a private educational facility  
14 is non-graded, calculations shall be based on the age level that  
15 corresponds to the grade level in the public school system. Where  
16 a school includes more than one (1) of the following categories,  
17 each category shall be individually computed:

- 18  
19 (1) Day nursery and kindergarten, preschool and after  
20 school care, 35 sq.ft., per pupil.  
21 (2) Elementary (grades 1--6), 30 sq.ft., per pupil.  
22 (3) Junior high and senior high (grades 7--12), 25 sq.ft.,  
23 per pupil.  
24 (4) Baby-sitting service, 22 sq.ft. of room area, per child.

25  
26 (f) *Height.* The structure height shall not exceed the height  
27 permitted for that site by the existing zoning.

28  
29 (g) *Trees.* Landscaping and trees shall be provided in  
30 accordance with Chapter 18A of this Code.

31 \* \* \*

32  
33 Finally, after all this information is analyzed and a determination is made by  
34 Staff, the Village Council, pursuant to section 33-151.19, shall review the special  
35 exception request to place/expand the private school under the following  
36 standards, during a public hearing:

37  
38 (a) *Study guide.* The study entitled "Physical Standards for Proposed  
39 Private Educational Facilities in Unincorporated Miami-Dade County," date  
40 1977, shall be used as a general guide in the review of proposed  
41 nonpublic educational facilities; provided, however, that in no case shall  
42 the educational philosophy of a school be considered in the evaluation of  
43 the application.

44  
45 (b) *Planning and neighborhood studies.* Planning and neighborhood  
46 studies accepted or approved by the Village Council that include

1 recommendations relevant to the facility site shall be used in the review  
2 process.

3  
4 (c) *Scale.* Scale of proposed nonpublic educational facilities shall be  
5 compatible with surrounding proposed or existing uses and shall be made  
6 compatible by the use of buffering elements.

7  
8 (d) *Compatibility.* The design of the nonpublic educational facilities  
9 shall be compatible with the design, kind and intensity of uses and scale of  
10 the surrounding area.

11  
12 (e) *Buffers.* Buffering elements shall be utilized for visual screening  
13 and substantial reduction of noise levels at all property lines where  
14 necessary.

15  
16 (f) *Landscape.* Landscape shall be preserved in its natural state  
17 insofar as is practicable by minimizing the removal of trees or the  
18 alteration of favorable characteristics of the site. Landscaping and trees  
19 shall be provided in accordance with Chapter 18A of this Code.

20  
21 (g) *Circulation.* Pedestrian and auto circulation shall be separated  
22 insofar as is practicable, and all circulation systems shall adequately serve  
23 the needs of the facility and be compatible and functional with circulation  
24 systems outside the facility.

25  
26 (h) *Noise.* Where noise from such sources as automobile traffic is a  
27 problem, effective measures shall be provided to reduce such noise to  
28 acceptable levels.

29  
30 (i) *Service areas.* Wherever service areas are provided they shall be  
31 screened and so located as not to interfere with the livability of the  
32 adjacent residential properties.

33  
34 (j) *Parking areas.* Parking areas shall be screened and so located as  
35 not to interfere with the livability of the adjacent residential properties.

36  
37 (k) *Operating time.* The operational hours of a nonpublic educational  
38 facility shall be such that the impact upon the immediate residential  
39 neighborhood is minimized.

40  
41 (l) *Industrial and commercial.* Where schools are permitted in  
42 industrial or commercial areas it shall be clearly demonstrated in graphic  
43 form how the impact of the commercial or industrial area has been  
44 minimized through design techniques.

45

1 (m) *Fences and walls.* Recreation and/or play areas shall be enclosed  
2 with fences and/or walls.  
3

4  
5 **2. Site Plan Modification of the 1999 Site Plan approved after**  
6 **public hearing.**  
7

8 In evaluating a site plan modification application, section 33-311, of the Miami-  
9 Dade County Code provides that the Applicant must establish that:

10  
11 1. The development application conforms to the  
12 Comprehensive Plan for the Village of Palmetto Bay, Florida; is  
13 consistent with applicable area or neighborhood studies or plans;  
14 and would serve a public benefit warranting the granting of the  
15 application.  
16

17 (2) The development permitted by the application, if granted, will  
18 have a favorable or unfavorable impact on the environmental and  
19 natural resources of [the Village of Palmetto Bay], including  
20 consideration of the means and estimated cost necessary to  
21 minimize the adverse impacts; the extent to which alternatives to  
22 alleviate adverse impacts may have a substantial impact on the  
23 natural and human environment; and whether any irreversible or  
24 irretrievable commitment of natural resources will occur as a result  
25 of the proposed development;  
26

27 (3) The development permitted by the application, if granted, will  
28 have a favorable or unfavorable impact on the economy of  
29 [Palmetto Bay];  
30

31 (4) The development permitted by the application, if granted, will  
32 efficiently use or unduly burden water, sewer, solid waste disposal,  
33 recreation, education or other necessary public facilities which have  
34 been constructed or planned and budgeted for construction;  
35

36 (5) The development permitted by the application, if granted, will  
37 efficiently use or unduly burden or affect public transportation  
38 facilities, including mass transit, roads, streets and highways which  
39 have been constructed or planned and budgeted for construction,  
40 and if the development is or will be accessible by public or private  
41 roads, streets or highways.  
42  
43  
44  
45

1 Additionally, pursuant to section 33-311(A)(7), in order to obtain a site plan  
2 modification the Applicant must demonstrate that the modification of the  
3 underlying zoning resolution would not:

- 4
- 5 1. generate excessive noise or traffic;
- 6
- 7 2. tend to create a fire or other equal or greater dangerous hazard;
- 8
- 9 3. provoke excessive overcrowding of people;
- 10
- 11 4. tend to provoke a nuisance; and,
- 12
- 13 5. be incompatible with the area concerned, when considering  
14 the necessity and reasonableness of the modification, in relation to  
15 the present and future development of the area concerned.
- 16
- 17

18 **I. ANALYSIS:**

- 19
- 20 **1. Special exception to permit an expansion of an existing private**  
21 **school onto 32.2 additional acres, including the addition of 550 additional**  
22 **students (kindergarten through 5<sup>th</sup> grade and additional students in grades**  
23 **6 through 12; or alternatively, an across the board increase of existing**  
24 **grades).**

25

26 *Staff analysis:* The Applicant is required to comply with all the provisions of  
27 Division 33-151, of the Miami-Dade County Code. Staff incorporates by  
28 reference the Applicant's April 19, 2010 plan and the responses required under  
29 to the Child Care Checklist Requirements for Zoning Hearing. See Exhibit 4. The  
30 record from the 2008 hearings, including transcripts of those hearings, are on  
31 disk and incorporated by reference. See Exhibit 3. This checklist, which has  
32 been analyzed by staff, is confirmed to contain accurate information. It also  
33 provides documentation that the Applicant has complied with the minimum  
34 requirements of Division 33-151.11, .12, .13, .15, .16 and .18. Additionally, Staff  
35 finds that the Applicant has complied with the criteria of section .19. Specifically,  
36 Staff analyzed the April 19, 2010 master plan, according to those criteria. The  
37 specifics of the criteria are as follows:

- 38
- 39 (a) Study guide. The study entitled "Physical Standards for  
40 Proposed Private Educational Facilities in Unincorporated Miami-  
41 Dade County," (1977), shall be used as a general guide in the  
42 review of proposed nonpublic educational facilities; provided,  
43 however, that in no case shall the educational philosophy of a  
44 school be considered in the evaluation of the application.
- 45

1 *Staff analysis.* The 55-acre property accommodates the proposed 1,150  
2 students required for complying with the Code's physical space requirements per  
3 student.

4  
5 *(b) Planning and neighborhood studies. Planning and*  
6 *neighborhood studies accepted or approved by the Village Council*  
7 *that include recommendations relevant to the facility site shall be*  
8 *used in the review process.*

9  
10 *Staff analysis:* Other than the Comprehensive Plan of the Village, the Village  
11 has no other neighborhood studies approved or accepted by the Village Council  
12 specifically relating to this neighborhood. The Village previously approved a  
13 charrette plan for the VMU Future Land Use Designation, which developed into  
14 the VMU zoning district in the Village's Land Development Code. The VMU  
15 district, a mixed-use (commercial and residential) is adjacent to the subject  
16 neighborhood; across Old Cutler Road. The Applicant's request complies with  
17 the Village's Comprehensive Plan. See section G, above.

18  
19 *(c) Scale. Scale of the proposed expansion of the private*  
20 *school is compatible with surrounding proposed or existing uses*  
21 *and maintains that compatibility by the use of buffering elements.*

22  
23 *Staff analysis:* In order to provide guidance to reviewing and analyzing  
24 subsection (c), staff has sought out and defined "scale", "compatibility,"  
25 "maintain," and "buffer."

## 26 **Definitions**

27  
28 Scale is defined as "1a. A system of ordered marks at fixed intervals used as a  
29 reference standard in measurement... c. a standard of measurement or  
30 judgment; a criterion. 2. a proportion used in determining the dimension  
31 relationship of a representation to that which it represents. b. a calibrated line, as  
32 on a map or an architectural plan, indicating such a proportion. c. proper  
33 proportion: a new house that seemed out of scale with its surroundings. A  
34 progressive classification, as of size, amount, importance or rank. 4. A relative  
35 level or degree." The American Heritage Dictionary of the English Language (4<sup>th</sup>  
36 Ed. Houghton Mifflin Co. 2000).

37  
38 "Compatible" is defined as "capable of living or performing in harmonious,  
39 agreeable, or congenial combination with another or others." The American  
40 Heritage Dictionary (2<sup>nd</sup> College Ed. 1985). The Random House Dictionary of  
41 the English Language 417 (2<sup>nd</sup> Ed. Unabridged 1987) similarly defines  
42 "compatible" as "1. capable of existing or living together in harmony... 2. able to  
43 exist together with something else." The American Heritage Dictionary of the  
44 English Language (4<sup>th</sup> Ed. Houghton Mifflin Co. 2000) defines "compatible", as:  
45 "adj. 1. capable of existing or performing in harmonious, agreeable, or congenial  
46 combination with another or others; 2. capable of orderly efficient integration and

1 operation with other elements in a system with no modification or conversion  
2 required.”

3  
4 “Maintain” is defined as “1. to keep in an existing state (as of repair); 2. to  
5 sustain against opposition or danger; 3. to continue in : carry on; and 4. to  
6 provide for : support.” The Franklin, Merriam-Webster Dictionary (2007).

7  
8 A “buffer” is defined as “1. something that lessens or absorbs the shock of an  
9 impact. 2. one that protects by intercepting or moderating adverse pressures or  
10 influences.” The American Heritage Dictionary of the English Language (4<sup>th</sup> Ed.  
11 Houghton Mifflin Co. 2000).

12  
13 *Analysis Continued:*

14  
15 The issue of scale and compatibility as it applies to this project are addressed  
16 both through (1) location of the structures in relation to the surrounding  
17 residential use; and (2) the architectural style proposed in the Applicant’s master  
18 plan.

19  
20 **1. Location of Structures**

21  
22 The school use was designed to concentrate buildings in a centralized location in  
23 order to preserve as much land for green open space and to minimize impacts.  
24 The buffer is intended to shield the neighbors from the buildings and normal uses  
25 associated with the operations of a school. The principal buildings are actually  
26 located in the middle of the 55-acre parcel, and clustered together to maintain the  
27 educational elements in one, compact location. By locating the buildings towards  
28 the middle of the property, the noise from the students should be minimized as  
29 the students are not near the borders/edges of the property, adjacent to single-  
30 family homes. The structures themselves should serve as acoustic barriers  
31 interfering with the free distribution of sound. The buildings and parking across  
32 are not adjacent to homes or property lines. The buffers are intended to shield  
33 the view of the school from surrounding homes. The areas described as buffers  
34 are located at the east, west, and south 75 foot perimeters of 8001 SW 184<sup>th</sup>  
35 Street, and the north, east and west 50 foot perimeters of 7900 SW 176<sup>th</sup> Street  
36 (hereinafter “buffers”).

37  
38 **2. Compatibility**

39  
40 The architecture of the proposed buildings is consistent with typical South Florida  
41 architectural elements found in the community. The revised plan (April 19, 2010)  
42 reflects “hipped roofs.” The larger buildings (Buildings 16 and 18) have flat roofs.  
43 The Applicant’s use of flat roofs was intended to ensure that the interior space is  
44 available for sports and/or performing art reasons and to ensure that the  
45 structures comply with the 35 foot height limitation of the E-M zoning district. The  
46 slope of the “hipped roofs” is at approximately 6:12 slope, which is in keeping

1 with traditional slopes found on most structures. Gable ends are used sparingly  
2 and only used where a building is intended to provide a civic entrance or  
3 presence. The buildings, themselves, are designed to create and enclose  
4 outdoor spaces. The larger two (2) buildings, along with the chapel, are intended  
5 to create a formal entry to the school while the remaining buildings define  
6 “outdoor rooms” within which the students may socialize between classes.

7  
8 The buildings are either a single-story or two–stories in height. The clustering of  
9 the buildings around the “outdoor rooms” creates this “centralized” social area  
10 internal to the site and away from the buffered areas. No structure exceeds 35  
11 feet (two stories), which is consistent with the zoning for E-M, and the height of  
12 several of the two-story homes surrounding the school.

13  
14 These buildings will be screened from view due to the extensive landscape  
15 buffering. Some of the buildings are over 200 feet from the property line. The  
16 closest structure, the maintenance building, is 50 feet from the nearest property  
17 line (7900 SW 176<sup>th</sup> Street). The buildings are consistent in architectural style to  
18 the single-family residences surrounding the site.

19  
20 In comparison to the extensively gabled roofs as proposed back in 2008, which  
21 have a more prominent presence at the front elevation, the roofs from the 2010  
22 plans tend to be lower in perspective due to the use of hipped roofs. The 2008  
23 plans also provided for three (3) major structures over 56 feet in height. In other  
24 words, the proposed roofs are less prominent and tend to blend in more with the  
25 surroundings. These structures are designed using best practices for hurricane  
26 resistance and sustainability with breezeways, arcades, and traditional  
27 proportions.

28  
29 In the center of the property is a long building, with an atrium dividing the  
30 structure midway, attached to two (2) shorter, side buildings. On the plans, these  
31 structures are identified as Buildings 14 and 15 to be utilized as new classrooms.  
32 The longest portion of building 14 faces north and does not provide a long view  
33 of the building along the eastern and western sides of the property. The north  
34 face is visually “broken up” by having other buildings located in front of it, thus  
35 limiting the visual impact of these structures to the community. The buildings are  
36 actually united by breezeways and are divided mid-way by the breezeways. The  
37 building mass has been divided or separated, ensuring that the structures are not  
38 monolithic in nature or of uniform height (three separate heights provided). The  
39 buildings do not exceed 35 feet in height, consistent with E-M zoning  
40 requirements.

41  
42 The two (2) longer structures (Building 16, the gymnasium and Building 18, the  
43 performing arts building) are also 35 feet in height. These buildings should be  
44 modified in order to preclude any possibility of the structures being considered a  
45 “big box.” The wider portion of these structures are approximately (260 ft x 149  
46 ft.). The southern portion of each building provides a “tail-like”

1 continuation/extension of approximately 110 feet. These “tail-like” extensions  
2 should be set back six feet (6 ft.) from the principal portion of the structures. As  
3 to Building 16, the six foot (6 ft.) setback should be located six feet (6 ft.) towards  
4 the east boundary. As to Building 18, the six foot (6 ft.) setback should be  
5 setback/offset six feet (6 ft.) towards the west boundary. In addition, along these  
6 110 foot setback/offset portion of the two (2) structures, there should be a  
7 colonnade/arcade, with roof like structures at the first floor level, to break-up the  
8 monolithic volume of the structure. Moreover, Live Oak trees, or other  
9 equivalent type trees, with an overall size of 16 feet in height, should be planted  
10 along the remaining portion of the buildings where the colonnade/arcade is not  
11 situated, at every 20 feet on-center.  
12

13 It is important to note that the Village has already approved a 35 foot gymnasium  
14 for Westminster Christian Private School, which educates 1160 students on 24  
15 acres. Because of the intended function of these buildings it would not be  
16 practical or possible to reduce the size, or length of Buildings 16 and 18. These  
17 structures are intended to hold an adequate portion of the student body during  
18 performances and/or gymnastic activities. In fact, the structures are intended for  
19 multi-purpose use, including locker rooms, coaches’ offices, training facilities,  
20 storage, restrooms and actual gymnasium area. All of these uses are tied to  
21 each other. The two (2) larger buildings allow for the centralization of the  
22 student/educational activities, thus focusing the students in one centralized area  
23 versus sending the students all over the 55 acres, and precluding interference  
24 with the preserved buffer areas and adjacent residential uses (quiet enjoyment).  
25

26 Staff also analyzed the lengths of other private and public schools located in the  
27 Village:  
28

29 (1) Westminster Private School provides a gymnasium that is 172 feet  
30 by 168 feet; a multipurpose room that is 150 feet by 146 feet. Both are 35 feet  
31 tall. There are additional structures that measure 95 feet by 187 feet (elementary  
32 school) and the administrative/classroom building which is measured at 203 feet.  
33 This property consists of 24.2 acres.  
34

35 (2) Coral Reef Elementary provides a building that is 350 feet by 200  
36 feet, one-story; and a two-story building of 187 feet by 73 feet, two story. This  
37 property consists of nine (9.1) acres.  
38

39 (3) Southwood Middle School provides a building that is 299 feet by  
40 298 feet, at two stories in height. It also provides an additional two-story building  
41 at 75 feet by 225 feet on 18 acres.  
42

43 (4) Perrine Elementary School provides a building that is 251 feet by  
44 193 feet, at two-stories; and an additional one-story building at 100 feet by 150  
45 feet on nine (9) acres.  
46

1 All measurements are approximate. See attached composite Exhibit no.: 13.  
2 The buildings proposed by applicant are overall consistent in scale with other  
3 school buildings.

4  
5 The Applicant provides small class room settings, with approximately 15 students  
6 per classroom, thus requiring 94 class rooms and a total square footage of  
7 classroom area of 91,941 square feet. The smaller the classroom, the more  
8 limited the noise interference by school operations. The smaller classroom and  
9 centralization of the educational facilities reduces the impact of noise to the  
10 community.

11  
12 Going back to the definitions provided above, it is Staff's position that the  
13 proportional dimensions of the school, its scale – as planned, with a cluster of  
14 educational structures (classrooms) surrounded by fields and sport training areas  
15 is compatible with the neighborhood. The conditions delineated below ensure  
16 that the application, if implemented, is capable of performing in a harmonious,  
17 agreeable and congenial manner with the surrounding community. The school  
18 may be efficiently integrated, operated, and maintained, particularly due to the  
19 extensive buffer provided in the plans. Based upon the foregoing, staff finds that  
20 the application for the physical expansion of the private school use and location  
21 of buildings would be compatible with the surrounding community, provided the  
22 buffers are installed and maintained, and the conditions found at section J are  
23 adhered to.

24  
25 (d) *Compatibility. The design of the private school is compatible*  
26 *with the design, kind and intensity of uses and scale of the*  
27 *surrounding area.*

28  
29 *Staff analysis:* Please refer back to the definitions and analysis of design  
30 compatibility in subsection (c), above. As to intensity of use, the private school  
31 facility, with 55 acres and its proposed 1,150 student population is of sufficient  
32 size, design, and population to be compatible with other school uses within and  
33 surrounding the Village. It is actually a less intense use, per square foot/per  
34 student, as compared to the other public and/ or private (Westminster Christian)  
35 schools located in the Village. See the chart of student populations and  
36 associated acreage/square footage, found supra, at page 8 of this memorandum.  
37 While a private school is an allowable use within E-M, E-M is generally  
38 characterized by estate, detached, single-family homes on approximately a third  
39 of an acre.

40

1           (e) *Buffers. Buffering elements shall be utilized for visual*  
2           *screening and substantial reduction of noise levels at all property*  
3           *lines where necessary.*

4  
5 *Staff analysis:* As indicated earlier, at subsection (c), the principal structures are  
6 clustered in the center of the 55 acre parcel and the perimeter of the entire site is  
7 surrounded by either the 55 or 75 foot buffered areas. Please see the cross-  
8 section at Sheet 39 of the plans for details as to the 75 foot buffer. The Applicant  
9 has agreed to landscape the entire 75 foot buffer area with native and existing  
10 plants and/or trees. In addition, the Applicant is proposing a six foot (6 ft) wall  
11 along the perimeter of 8001 SW 184<sup>th</sup> Street. The eastern and western  
12 perimeters of the 7900 SW 176<sup>th</sup> Street site have already been fenced and  
13 landscaped. The buffers are intended to reduce noise and impacts to the  
14 adjacent detached single-family homes. The wall and the underbrush should  
15 preclude much of the sound emanating the property from traveling offsite. The  
16 master plan reflects a six foot (6 ft.) high, solid masonry wall and enhanced  
17 buffering along the eastern and western property lines of 7900 SW 176<sup>th</sup> Street  
18 and 8001 SW 184<sup>th</sup> Street. The southern boundary at SW 184<sup>th</sup> Street and  
19 northern boundaries at SW 176<sup>th</sup> Street shall provide a six foot (6 ft.) wrought iron  
20 fence with masonry columns. The eastern and western perimeters of 7900 SW  
21 176<sup>th</sup> Street already contain a six foot (6 ft.) concrete wall that shall be required to  
22 be maintained, on both sides. The wall also provides a safety barrier between the  
23 neighborhood and the school. A six foot (6 ft.) wall is permitted, as of right, under  
24 the E-M zoning district. Anything higher than six feet (6 ft.) would require a  
25 variance. No lighting or recreational fields shall be permitted within the buffer.

26  
27 The landscaping will consist of Green Buttonwood, Royal Poinciana, Sable  
28 Palms, Live Oak, Pink Tabebuia Mahogany, and Ironwood trees, along with  
29 existing Mango trees. Shrubbery and grasses include: Jasmine, Bimp, and  
30 Plumbago. The Hammock Plantings include: Bahama Coffee, Cocoplum,  
31 Firebush, Fakahatchee Grass, Gamma Grass, Saw Palmetto, Star Jasmine, and  
32 Philodendron Sell, amongst others. The Sable Palm is one of the recommended  
33 species that would grow quite dense in combination with the existing, mature  
34 mango trees. The Royal Poinciana also grows quickly. The Jasmine, Grasses,  
35 and Philodendron are rapid growing plants. One of the advantages of having a  
36 diverse plant grouping (plant community) is that it provides a visual barrier. It  
37 insulates the school and provides an attractive view for the school students. The  
38 diverse plant life ensures that the landscaping can thrive (taller trees need light,  
39 shade plantings underneath – for example, ferns – thus ensuring that there will  
40 not be any open space deterioration due to the environmental conditions (need  
41 shade/require direct sunlight) required for each type of plant in the densely  
42 landscaped area. This grouping will serve as a native habitat for wildlife  
43 including, butterflies, and migratory birds, thereby enhancing the natural  
44 environment of the surrounding areas. Other than an unpaved maintenance  
45 path of eight (8) feet, the first 50 feet of the buffer adjacent to the property line  
46 shall not be utilized for anything but landscaped buffer. See maintenance path

1 recommendation below – as the sole intrusion in the 50 foot buffer. The  
2 maintenance path is recommended in order to ensure that the property can be  
3 accessed with the appropriate vehicles should trees be destroyed or fall during  
4 normal maintenance and/or due to hurricane or other weather related event.  
5 The interior 25 feet of the 75 foot buffer may contain a six foot (6 ft. ) paved  
6 pedestrian walking path along both the eastern and western portion of 8001 SW  
7 184<sup>th</sup> Street.

8  
9 Please note, that no existing public or private school in the Village provides a  
10 lush or dense landscape between the school and the surrounding residential  
11 neighborhood. The public schools simply provide a chain link fence with no  
12 hedge or landscaping. Westminster is partially enclosed by a wall and the  
13 remainder is enclosed by a fence. The western portion of the Westminster site  
14 provides approximately 20 feet of “buffer.” The Village Council wanted a portion  
15 of the fields to be visible to the community. There is little landscaping or  
16 buffering along the remaining perimeter of Westminster. The houses of worship  
17 in the community have sparse perimeter landscaping. Nor are a majority of the  
18 houses of worship walled in or fenced. Although not required under the code,  
19 and although there is no precedent in the Village to require a 75 foot dense  
20 buffer, the Applicant has voluntarily agreed to buffer the property extensively.

21  
22 Staff recommends no interference within the confines of the buffer be permitted  
23 except for: the six (6 ft.) wide walking path within the innermost 25 feet of the  
24 eastern and western buffers of 8001 SW 184<sup>th</sup> Street; and the unpaved eight (8)  
25 foot hurricane recovery and maintenance path (in all buffers). No construction of  
26 overflow parking, tennis courts, and other structures or uses is recommended.  
27 The frontage along SW 184<sup>th</sup> Street is buffered with a 75 foot area accompanied  
28 by a low wall, in conjunction with a railing on top of the wall in accordance with  
29 code.

30  
31  
32 (f) *Landscape. Landscape shall be preserved in its natural*  
33 *state insofar as is practicable by minimizing the removal of trees or*  
34 *the alteration of favorable characteristics of the site. Landscaping*  
35 *and trees shall be provided in accordance with Chapter 18A of the*  
36 *Code.*

37  
38 *Staff analysis:* DERM has provided comments as to the landscaping plan, which  
39 comments staff adopts and incorporates by reference. Applicant shall  
40 additionally comply with the requirements of Chapter 18A of the Code and the  
41 South Florida Water Management District (SFWMD) water restrictions relating to  
42 water usage for residential properties. Other permitted water usage shall be in  
43 accordance with the SFWMD regulations for new landscaping, existing  
44 landscaping, and for recreational fields. The landscaping buffer as described  
45 above, along the eastern and western sides of the property appears to enhance  
46 the site and shall minimize disturbance to the neighbors. Where possible the

1 existing mango trees shall be replanted in the buffer areas. Any native tree loss  
2 shall also be replanted in the buffer, as required under Code. Any tree loss from  
3 replanting grove shall be restored on the property within the 50 ft. and 75 ft.  
4 buffer zones. The replacement trees are recommended to be native,  
5 noninvasive, and drought resistant species. The landscaping plan shall  
6 incorporate xeriscape principles required under the Village's Land Development  
7 Code, Division 30-100. Applicant shall comply with the details of the landscape  
8 site plan found at Page 11, 12, and 39. The Code requires Applicant to provide  
9 12 trees per net acre, for a total of 1019 trees. The Applicant provides 1128  
10 trees. The Code requires Applicant to provide 10 shrubs for each tree required,  
11 for a total of 10,190. Applicant has provided 11,456 shrubs. The plan provides  
12 756,618 square feet of grassy area, including fields, and 862,713 square feet of  
13 lawn area.

14  
15  
16 (g) *Circulation. Pedestrian and auto circulation shall be*  
17 *separated insofar as is practicable, and all circulation systems shall*  
18 *adequately serve the needs of the facility and be compatible and*  
19 *functional with circulation systems outside the facility.*

20  
21 *Staff analysis:* The circulation plan, including pedestrian and vehicle circulation,  
22 is intended to serve the school facility needs. The Village's Public Works Traffic  
23 Impact Analysis – Issued by The Corradino Group. The David Plummer &  
24 Associates updated traffic report and Corradino's Review shall be marked  
25 Composite Exhibit 5, and incorporated by reference, herein. Compliance with  
26 the recommendations of The Corradino Group enables compliance with the Level  
27 of Service required by the Comprehensive Plan. The existing school has access  
28 to the external roadway network through one driveway on SW 176<sup>th</sup> Street. The  
29 proposed master plan reflects a two (2) lane driveway principal entrance off SW  
30 184<sup>th</sup> Street (principal entrance), with a proposed capability of stacking 108  
31 vehicles in-bound. The SW 176<sup>th</sup> Street entrance is intended to be modified to  
32 provide stacking for 22 in-bound vehicles. Moreover, the entrance off of SW  
33 176<sup>th</sup> Street would be connected to the SW 184<sup>th</sup> Street entrance, by the  
34 proposed interior circulation roads. This, along with the turning lanes on SW  
35 184<sup>th</sup> Street, and police presence during peak hours should alleviate the vehicle  
36 use of SW 176<sup>th</sup> Street, and should eliminate all the Applicant related cut-through  
37 traffic on SW 82<sup>nd</sup> Avenue and other neighborhood roads as to accessing the SW  
38 176<sup>th</sup> Street entrance by all existing students. In addition, the decal system shall  
39 require students and teachers to drive into and park at the school from the SW  
40 184<sup>th</sup> Street entrance should eliminate all other Applicant related cut-through  
41 traffic along SW 82<sup>nd</sup> Avenue and/or SW 176<sup>th</sup> Street. Ultimately, the number of  
42 cars on SW 176<sup>th</sup> Street, at build-out, will remain the same number as today.  
43 However, with the increase stacking, second exit from the site, and police officer  
44 direction, the impacts on the street should be minimized.

1 The Applicant has complied with the Village's Code as it relates to bicycle  
2 parking spaces, and has provided 72 bicycle parking spaces.

3  
4 The Corradino Group has advised that 17-19 percent of the students utilize bus  
5 service. The public school system solely uses approximately six (6) percent bus  
6 service.

7  
8 Lighting fixtures used for interior circulation roads, stacking, and parking areas  
9 shall project the light rays directly to the parking surface, and shall include  
10 shields which restrict projection of light rays outward to adjacent properties and  
11 also restrict the upward projection of light rays into the night sky. Outdoor lighting  
12 shall not cast more than 1/2 ft. candle at the property line.

13  
14  
15 (h) *Noise. Where noise from such sources as automobile traffic*  
16 *is a problem, effective measures shall be provided to reduce such*  
17 *noise to acceptable levels.*

18  
19 *Staff analysis:* Due to the extent of the proposed expansion and the type  
20 of school (K through 12 or in the alternative expanded 6-12), it is recommended  
21 that where noise from such sources as automobile traffic and athletic fields is a  
22 problem, effective measures shall be provided to reduce the noise to acceptable  
23 levels. In order to minimize noise pollution from affecting the adjacent properties,  
24 it is recommended that the Applicant install and maintain a six foot (6 ft.) high  
25 concrete wall along the western and eastern property lines, as indicated on the  
26 revised master plan. The wall and expanded buffers shall further assist in  
27 keeping vehicle headlights from spilling onto adjacent properties. The E-M  
28 district provides for a sound dBA of 65 during the day and 60 during the evening  
29 hours as measured from the school's boundaries. See Village's Code Section  
30 30-60.29, as may be amended.<sup>6</sup> "dBA" is the American National Standards  
31 Institute (ANSI) sound level measurement used by the Village to determine  
32 appropriate sound levels. Please note, that the Village's Code, at 30-60.29(d)  
33 provides that the limits set "may not be exceeded by any single incident  
34 representing the normal usual operation of the sound source, during any three  
35 (3) sampling intervals, the duration of which shall be no less than one-half (1/2)  
36 minute, within any one (1/2) hour period." This means that there may be times  
37 within an hour that the noise may exceed the permitted level, but cannot do so  
38 for more than 30 seconds, and not more than three (3) times in the hour.

39  
40 Regarding noise from athletic fields and school activities, the school shall orient  
41 fields, and athletic bleachers away from residential buffers. The proposed  
42 landscaping buffering recommendations delineated below for the pool should

---

<sup>6</sup> Section 30-60, of the Village's Code, relating to Noise, provides an objective noise standard for the E-M district. The 2008 Planning and Zoning staff report provided a 40 dBA standard to the site, which is contrary to the enacted code. Enforcement must be based upon the enacted code.

1 reduce any noise impacts from the pool's use. The pool is not recommended to  
2 be moved from its current location.

3  
4 No permanent public address speaker system may be installed. Temporary  
5 speakers, for events, are to be situated away from residential buffers. Applicant  
6 shall install and maintain signs reading "No radios beyond this point" at all entries  
7 to the property. The Village's Noise Ordinance, Section 30-60.29(g)(2), exempts  
8 noise relating to sports events.

9  
10 As to the existing structures, the use of bells, pulses, buzzers, or other sounds to  
11 signal class times shall be regulated to school operating hours only on days  
12 when school is in session (vested use). Pursuant to section 30-60.29 (3)(2), for  
13 the Applicant to use a loud speaker system, it is required to seek a special permit  
14 from the Village. Staff recommends that no permit be issued for the new  
15 structures. Staff recommends that the new structures use digital signage system  
16 or other non-noise oriented devise to signal change of class times or  
17 announcement. No amplified sound alert system should be used. Portable loud  
18 speakers are only allowed at approved special events.

19  
20  
21 (i) *Service areas. Wherever service areas are provided for*  
22 *under the master plan, they shall be screened and so located as*  
23 *not to interfere with the livability of the adjacent residential*  
24 *properties.*

25  
26 *Staff analysis:* Service, delivery and storage areas and equipment should be  
27 adequately screened and located away from view of adjacent properties. No  
28 service or delivery vehicles, including solid waste pick-up, shall occur prior to  
29 7:00 a.m. and no later than 7:00 p.m., limited to Monday through Friday.

30  
31 Consistent with the analysis above, lighting fixtures used for maintenance,  
32 service, delivery and/or storage areas shall be of a type that project the light rays  
33 directly to the land surface, and include shields that restrict projection of light rays  
34 outward to adjacent properties and also restrict the upward projection of light  
35 rays into the night sky. Outdoor lighting shall not cast more than 1/2 ft. candle at  
36 the property line. The lighting fixtures should be no taller than 15 feet in height.

37  
38  
39 (j) *Parking areas. Parking areas shall be screened and so*  
40 *located as not to interfere with the livability of the adjacent*  
41 *residential properties.*

42  
43 *Staff analysis:* The zoning code requires 837 parking spaces if there are 1150  
44 students in the following grades: K-12. The Code requires 832 parking spaces if  
45 there are 1150 students in the following grades: 6-12. In either scenario,  
46 Applicant has requested 852 parking spaces. Due to the nature of the use, it

1 would be rare that 852 spaces would be required at any one time. The Applicant  
2 is seeking to place the greater parking for the faculty and student population on  
3 asphalt. Staff recommends pavers, which will assist in drainage and percolation  
4 at the site on pervious surfaces. Applicant's request to park on natural terrain,  
5 which requires a variance, has been withdrawn.  
6

7 Applicant does not propose any parking within the buffered areas. Staff  
8 recommends no parking be allowed within the 50 foot buffers of 7900 SW 176<sup>th</sup>  
9 Street, nor within the 75 foot buffers of 8100 SW 184<sup>th</sup> Street. Staff recommends  
10 a covenant running with the land be recorded confirming that no parking shall be  
11 permitted in the buffer areas. Additionally, Applicant shall preclude parking in the  
12 swale areas fronting either entrance to the school. Applicant shall install "No  
13 parking" signs along these right-of-way areas after obtaining Village and County  
14 authorization. Overflow parking is located at 8001 SW 184<sup>th</sup> Street, along the  
15 two (2) lane driveway/road, adjacent to the east 75 foot buffer. Staff in 2008,  
16 originally requested that the overflow be placed on the northern fields of 7900  
17 SW 176<sup>th</sup> Street, solely for event purposes. However, as the variance for natural  
18 terrain has been withdrawn, this recommendation is withdrawn. The majority of  
19 the student and teacher parking is located in the northwestern portion of 8001  
20 SW 184<sup>th</sup> Street, adjacent to the proposed gymnasium. Some additional parking  
21 is located adjacent to the southwestern exit of SW 184<sup>th</sup> Street. Additional  
22 parking surrounds the circular two-lane road and adjacent to the performance  
23 field and track.  
24

25 In conjunction with the parking plan, Applicant shall comply with the David  
26 Plummer's parking recommendations as it relates to decals. See Internal  
27 Circulation recommendations at subsection (g), above.  
28

29 The Applicant does not propose a parking garage.  
30

31 *(k) Operating time. The operational hours of a nonpublic*  
32 *educational facility shall be such that the impact upon the*  
33 *immediate residential neighborhood is minimized.*  
34

35 *Staff analysis:* Interior use of school facilities is restricted to the hours of  
36 operation between 7:00 a.m. and 10:00 p.m., provided that the use is by the  
37 Applicant for school related or operational activities. The property shall not be  
38 used for commercial leasing purposes. See other subsections relating to  
39 deliveries, solid waste, field use, etc. Limiting the hours of operation should  
40 minimize noise, lighting and other impacts to the adjacent residential  
41 neighborhood. Precluding outdoor athletic lighting shall minimize field use and  
42 sporting activities. This should prevent the property from exceeding E-M  
43 residential noise levels (60 p.m./65 a.m. dBA), and ensure that the sports  
44 activities exempt from the noise ordinance do not interfere with residential quiet  
45 enjoyment.  
46

1 (l) *Industrial areas –*

2  
3 *Staff Analysis.* This section is inapplicable to this application.

4  
5 (m) *Fences and Walls. Recreation and/or play areas shall be*  
6 *enclosed with fences and/or walls.*

7  
8 *Staff analysis:* The master plan reflects a six foot (6 ft.) high, solid masonry wall  
9 and enhanced buffering along the eastern and western property lines of 7900  
10 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street. The northern property line of 7900  
11 SW 176<sup>th</sup> Street, and the southern property line of 8001 SW 184<sup>th</sup> Street shall  
12 consist of a six foot (6 ft.) wall that will be partially wrought iron. All recreation,  
13 athletic fields, and/or play areas are enclosed within the property's boundary wall.  
14 The tennis center is to be fenced. The pool shall be enclosed with a fence and/or  
15 wall and comply with the safety barrier requirements of section 33-151.11  
16 through .22 of the Code. Staff additionally recommends a six foot (6 ft.) ficus or  
17 other hedge along the southwestern perimeter of the fenced pool area to assist  
18 with noise buffering.

19  
20 In 2008, the athletic fields were oriented towards the property's interior. Based  
21 upon input from the community, the fields now face towards the property lines.  
22 The community believes that the new orientation would keep spectators away  
23 from the buffer. No additional fencing is required or recommended for the fields.  
24 Any interior chain link fencing shall be poly-coated vinyl and black or green in  
25 color. Both sides of any walls shall be finished and maintained by the Applicant.  
26 Cross-reference with the buffer and landscaping subsections above.

27  
28 **2. Site Plan modification**

29  
30 Analysis of each applicable subsection of section 33-311:

31  
32 1. *The development application conforms to the*  
33 *Comprehensive Plan for the Village of Palmetto Bay, Florida; is*  
34 *consistent with applicable area or neighborhood studies or plans:*  
35 *and would serve a public benefit warranting the granting of the*  
36 *application.*

37  
38 *Staff analysis:* Other than the Comprehensive Plan there are no other  
39 neighborhood studies or plans for this specific area. Along Old Cutler Road there  
40 is an area that was the subject of a charrette and was later rezoned consistent  
41 with that charrette to the "VMU", Village Mixed Use, zoning district.

42  
43 E-M zoning is a qualified zoning district that complies with the density  
44 requirements of the Estate Density Residential (EDR) Future Land Use  
45 Designation. Goal 1 of the Future Land Use Element encourages the Village to  
46 develop a "truly livable community by building on, and improving, the existing

1 land use blueprint through visionary planning and place-making, cost efficient  
2 provision of high-quality facilities and services, and neighborhood protection.”  
3 The Comprehensive Plan provides for houses of worship, public schools, other  
4 institutional uses, and detached single-family residents within the EDR  
5 designation. See policy 1.1.1 and 1.1.5. If the institutional use is located in or  
6 near neighborhoods, adverse impacts to the tranquility of the residents around  
7 the allowed use and in the surrounding neighborhood should be minimized to the  
8 maximum extent possible. See policy 1.1.5. Based upon the foregoing, in  
9 residential land use areas, houses of worship and other permitted non-residential  
10 uses, including private and public schools, are allowed on a conditional basis  
11 (zoning requires a special exception application). The proposed master plan, as  
12 revised by the recommendation found below, should mitigate those elements that  
13 may adversely impact the tranquility of the neighborhood. See also Footnote 3,  
14 above, relating to Policy 1.1.1 and interplay of that policy with policy 1.1.5. Staff  
15 has also analyzed the Comprehensive Plan of the City of Doral, which plan uses  
16 the same language (“solely”) and which plan was created by the same consulting  
17 firm as utilized by the Village, Kimley-Horn & Associates, Inc. The term solely  
18 has been determined by professional planners in the Village and City of Doral to  
19 mean that the area is characterized by detached single-family homes; not  
20 duplexes or multi-family uses. The Comprehensive Plan provides for other uses  
21 in the EDR designation, as indicated above.

22  
23 The Comprehensive Plan at policy 2A.1.7, requires the Applicant receiving a  
24 development order to comply with applicable concurrency standards contained in  
25 the Land Development Code, which implements the Comprehensive Plan levels  
26 of service.

27  
28 The Plan recommends that public schools comply with policy 2A.5.4, which  
29 ensures safe routes to school consistent with the requirements of Chapter  
30 1006.23, Florida Statutes. Private schools should also comply with this condition  
31 since the intent of the policy is to provide a safe route to school for all children.

32  
33 Policy 2C.1.4 requires compliance with the Village’s streetscape plans for SW  
34 184<sup>th</sup> Street, as that road is an entryway to the Village. Applicant should comply  
35 with the Village’s Street Tree Master Plan in order to maintain landscape  
36 consistency throughout the gateways of the Village.

37  
38 Policy 4A.3.3 proposes water-saving “xeriscape” plants, watering techniques and  
39 landscape designs in existing and future developed areas of the Village. The  
40 intent of this policy is to ensure that all entities in the Village adhere to water  
41 conservation measures and best practices.

42  
43 Policies 4B.1.1, 4D.1.3, and 11.1.4 require that all development orders ensure  
44 compliance, both during construction and operation, with the Village’s adopted  
45 sanitary sewer, solid waste and potable water concurrency requirements  
46 implementing the Village’s LOS standards.

1  
2 Policy 4C.3.1, contained in the Village's Stormwater Master Plan seeks to protect  
3 surface water through the Land Development Code requirements that mandate  
4 acceptable paving and drainage plans, adequate open (pervious) space areas,  
5 and stormwater detention and retention in private development projects. This is  
6 one of the rationales supporting the use of pavers instead of asphalt for parking  
7 purposes.

8  
9 Policy 6.7.5 requires, whenever possible, to preserve native trees during  
10 development or redevelopment. Should native trees be removed, at least two (2)  
11 native trees shall be planted to replace the removed tree. The intent of this policy  
12 is to preserve the Village's existing native habitat. This ensures the Village's  
13 commitment to protecting the natural resources and consistent with state and  
14 federal policies relating to protecting of native habitats and resources.

15  
16  
17 *(2) The development permitted by the application, if granted, will*  
18 *have a favorable or unfavorable impact on the environmental and*  
19 *natural resources of [the Village of Palmetto Bay], including*  
20 *consideration of the means and estimated cost necessary to*  
21 *minimize the adverse impacts; the extent to which alternatives to*  
22 *alleviate adverse impacts may have a substantial impact on the*  
23 *natural and human environment; and whether any irreversible or*  
24 *irretrievable commitment of natural resources will occur as a result*  
25 *of the proposed development;*

26  
27 *Staff analysis:* See Subsection (1) above relating to the environmental/natural  
28 resources requirements contained in the Comprehensive Plan. The site plan  
29 provides 10 percent lot coverage, versus the 30 percent that is allowed under the  
30 E-M zoning district. The staff recommends pavers versus asphalt, thus allowing  
31 additional percolation and drainage. The plan requires over 1000 trees and  
32 10,000 plantings. Based upon the foregoing, the environmental and natural  
33 resource impacts on the Applicant's site are minimized.

34  
35 The E-M zoned use would not have an unfavorable impact on the environmental  
36 and natural resources of the Village. The site plan modification, consistent with  
37 the special exception request, would allow the Applicant to clear the mango  
38 grove and other vegetation found on site. The Applicant intends to pave  
39 approximately 12.8 acres of the 32.22 acres to accommodate the construction of  
40 several new structures (a gymnasium, library, media center, performance arts  
41 center, chapel, pool building, and field house/storage), sports facilities (tennis  
42 courts, basketball courts, track, and swimming pool), road network and  
43 associated parking. The remaining acreage would be set aside as pervious area.  
44 The pervious areas will be part of the development's open space/recreational  
45 and buffer areas. The buffer areas are located in the west, east and southern  
46 portions of the property. These areas will be landscaped with native vegetation

1 and maintained by the Applicant to ensure that no exotics penetrate the buffer or  
2 that the trees do not impact adjacent neighbors. The buffers as well as other  
3 landscaping efforts proposed by the Applicant, will provide a natural habitat for  
4 native plants, birds, and wildlife that are attracted to the area. The cost of  
5 creating and maintaining the buffers and landscape will be the sole responsibility  
6 of the Applicant. The Applicant's proposed landscaping will minimize and/or  
7 mitigate the impacts on the natural and human environment. The project should  
8 not create an irreversible or irretrievable commitment of natural resources. The  
9 introduction of native vegetations will provide a positive impact on the project  
10 area natural resources.

11  
12 *(3) The development permitted by the application, if granted, will*  
13 *have a favorable or unfavorable impact on the economy of*  
14 *[Palmetto Bay];*

15  
16 *Staff analysis:* The development permitted by the application, if granted, will have  
17 a minimal impact in the annual property taxes collected by the Village since the  
18 property is subject to an agricultural tax exemption. See the economic impact,  
19 above. The unfavorable impact on the economy of the Village would result from  
20 removal of land from the tax rolls with a private school use.

21  
22  
23 *(4) The development permitted by the application, if granted, will*  
24 *efficiently use or unduly burden water, sewer, solid waste disposal,*  
25 *recreation, education or other necessary public facilities which have*  
26 *been constructed or planned and budgeted for construction;*

27  
28 *Staff analysis:* The development, as proposed, meets the Comprehensive Plan's  
29 level of service relating to roadways and other public facilities, which requires  
30 consistency with the County's concurrency levels. See reports enclosed from  
31 various review agencies.

32  
33  
34 *(5) The development permitted by the application, if granted, will*  
35 *efficiently use or unduly burden or affect public transportation*  
36 *facilities, including mass transit, roads, streets and highways which*  
37 *have been constructed or planned and budgeted for construction,*  
38 *and if the development is or will be accessible by public or private*  
39 *roads, streets or highways.*

40  
41 *Staff analysis:* The development, as proposed, will not have impact on the  
42 existing public transportation facilities which have been constructed or planned  
43 and budgeted for construction.

44  
45 In addition to the foregoing, review of subsection (A)(7) *requires the Applicant to*  
46 *demonstrate that the site plan modification does not:*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

1. *generate excessive noise or traffic;*

*Staff analysis:* Pursuant to section 4.1 of the David Plummer traffic analysis, as reviewed by the Corradino Group, Old Cutler Road is a “D” LOS Service at both SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street. SW 176<sup>th</sup> Street and 82 and/or 83<sup>rd</sup> Avenue is at an “E” Level of Service. SW 184 Street at either 82<sup>nd</sup> or 83<sup>rd</sup> Avenue is a “D” level west bound, and “E” level north bound. David Plummer & Associates is the traffic consultant for Applicant. The Corradino Group is the Village’s traffic consultant. The Plummer and Corradino reports are incorporated by reference herein. The Corradino Group proposes certain mitigation factors and recommendations which are incorporated below, as recommendations. According to their reports, the traffic generated if the application is approved meets the Village’s proposed levels of service, after mitigation. The mitigation factors should resolve the issues relating to level of service impacts to the community. Additionally, please review the analysis under the special exception review above, at subsection (g), relating to circulation and the comments relating to use of SW 184<sup>th</sup> Street entrance/exit and effects on cut-through traffic. Additionally, as SW 176<sup>th</sup> Street is of concern to the community and traffic consultants, and as there has been cut-through traffic onto SW 80<sup>th</sup> and SW 82<sup>nd</sup> Avenue, staff recommends the installation of a “No Left Turn” sign at the exit to the SW 176<sup>th</sup> Street entrance and to preclude left hand turns from the exit, at a minimum, during peak hours. This should eliminate 54 vehicles from re-entering the neighborhood during the peak a.m. hours.

2. *tend to create a fire or other equal or greater dangerous hazard;*

*Staff analysis:* Not applicable to this application. See reports enclosed from various review agencies.

3. *provoke excessive overcrowding of people;*

*Staff analysis:* The school use will eliminate the agricultural use; generate an increase in the number of students on the 55 acres; and may provide additional persons on the site, above the student expansion numbers due to a special event. According to the Merriam-Webster’s Dictionary, “over” “crowd” means “so as to exceed or surpass in numbers; excessive throng, excessively.” As the Applicant’s student population does not exceed the County Code requirements, and as the recommendations below limit the number of special events, per year, and/or time period, there should be no excessive overcrowding of people at any time. With 55 acres and a projected student population of 1150 students over a 15-25 year period, there is more than sufficient space to preclude overcrowding of the school site. The clustering of the buildings, shall keep the population

1 (student and/or visitor) within the center of the property. If the population is  
2 present for a specific sporting event, the population will be concentrated in those  
3 areas of the property adjacent to the event. The recommendations delineated  
4 below preclude more than one event at a time and limits the hours of operations.  
5 The preclusion of lighting further limits outdoor sporting events. Finally, the  
6 Village shall review and approve special event plans consistent with the Village's  
7 Code.

8  
9 4. *tend to provoke a nuisance; and,*

10  
11 *Staff analysis:* This provision is inapplicable to the underlying application, as the  
12 County Code (implemented at the time of the application's submittal) provides  
13 three (3) definitions of a "nuisance." The Applicant's uses do not implicate the  
14 definitions. Below are the three definitions, as provided under the County Code:

15  
16 The first reference to nuisance is found at Section 24-5, under "Definitions" and  
17 provides as follows:

18  
19 Nuisance shall mean and include the use of any property,  
20 facilities, equipment, processes, products or compounds, or  
21 the commission of any acts or any work that causes or  
22 materially contributes to:

23 (1) The emission into the outdoor air of dust, fume, gas,  
24 mist, odor, smoke or vapor, or any combination thereof, of a  
25 character and in a quantity as to be detectable by a  
26 considerable number of persons or the public so as to  
27 interfere with their health, repose or safety, or cause severe  
28 annoyance or discomfort, or which tends to lessen normal  
29 food and water intake, or produces irritation of the upper  
30 respiratory tract, or produces symptoms of nausea, or is  
31 offensive or objectionable to normal persons because of  
32 inherent chemical or physical properties, or causes injury or  
33 damage to real property, personal property or human, animal  
34 or plant life of any kind, or which interferes with normal  
35 conduct of business, or is detrimental or harmful to the  
36 health, comfort, living conditions, welfare and safety of the  
37 inhabitants of this County.

38 (2) The discharge into any of the waters of this County of  
39 any organic or inorganic matter or deleterious substance or  
40 chemical compounds, or any effluent containing the  
41 foregoing, in such quantities, proportions or accumulations  
42 so as to interfere with the health, repose or safety of any  
43 considerable number of persons or the public, or to cause  
44 severe annoyance or discomfort, or which tends to lessen  
45 normal food and water intake, or produces symptoms of

1           nausea, or is offensive or objectionable to normal persons  
2           because of inherent chemical or physical properties, or  
3           causes injury or damage to real property, personal property,  
4           human, plant or animal life of any kind, or which interferes  
5           with normal conduct of business, or is detrimental or harmful  
6           to the health, comfort, living conditions, welfare and safety of  
7           the inhabitants of this County.

8           (3) Any violation of provisions of this chapter which  
9           becomes detrimental to health or threatens danger to the  
10          safety of persons or property, or gives offense to, is injurious  
11          to, or endangers the public health and welfare, or prevents  
12          the reasonable and comfortable use and enjoyment of  
13          property by any considerable number of the public.

14          (4) Adverse environmental impact to a coastal or  
15          freshwater wetlands.

16          (5) Cumulative adverse environmental impact to a  
17          coastal or freshwater wetlands.

18          (6) Adverse environmental impact to environmentally-  
19          sensitive tree resources.

20          (7) Cumulative adverse environmental impact to  
21          environmentally-sensitive tree resources.

22  
23          The second County nuisance definition can be found at section 24-28, relating to  
24          "Sanitary Nuisances" which section states:

25  
26                 The following conditions existing, permitted, maintained, kept  
27                 or caused by any individual, municipal organization or  
28                 corporation, governmental or private, shall constitute a  
29                 sanitary nuisance:

30                 (a) Untreated or improperly treated or disposed of human  
31                 waste, garbage, offal, dead animals or dangerous waste  
32                 materials.

33                 (b) Improperly built or maintained septic tanks, water  
34                 closets or privies.

35                 (c) Discharging, or allowing the discharge of septic tank  
36                 pump-out wastes into streams, or surface waters or  
37                 underground aquifers or into ditches, drainage structures or  
38                 on the ground surface.

39  
40          The third definition is found at section 33-4 (contained within the zoning code)  
41          provides the following code provision entitled "Offensive color, design, smoke,  
42          noise, etc.: nuisances, moves and locations to be approved; location on lands  
43          subject to flooding," which states:

44  
45                 Nothing shall be allowed on the premises in any district  
46                 which would in any way be offensive or obnoxious by reason

1 of color, design, or the emission of odors, liquids, gases,  
2 dust, smoke, vibration or noise. Nor shall anything be  
3 placed, constructed or maintained that would in any way  
4 constitute an eyesore or nuisance to adjacent property  
5 owners, residents, or to the community. No structure shall be  
6 erected, altered, structurally altered or moved except by  
7 methods and on locations as approved by the Director.

8 Arguably, this section could be applied to Applicant's site plan requests. The  
9 Village's noise ordinance provides objective criteria and standards, which have  
10 been applied, above. Additionally, staff is unaware of an obnoxious colors,  
11 designs, or odor emissions. Nor does the Village have a design review board  
12 and/or regulations that would preclude a certain color palette or style of structure.  
13 During construction there may be some vibration, noise, or dust, but that shall be  
14 regulated by the construction conditions cited below and the Village Code. Based  
15 upon the foregoing, section 33-4 of the County Code does not apply to this  
16 application.

17  
18 *5. be incompatible with the area concerned, when*  
19 *considering the necessity and reasonableness of the*  
20 *modification, in relation to the present and future*  
21 *development of the area concerned.*

22  
23 *Staff analysis:* Planning principals for neighborhoods, in traditional zoning  
24 analyses, provide for schools within the residential districts. See "*Planning the*  
25 *Built Environment*" Anderson, Larz T. (Planners Press, American Planning  
26 Association 2000) at Chapter 15. See Exhibit 8. The County zoning code does  
27 not provide a cap on the number of students allowed in a private school – other  
28 than providing a square footage requirement, per student and other specific site  
29 plan review criteria. As such, the square footage calculations are a minimum  
30 requirement and no maximum is contemplated, provided the level of service is  
31 met. The Applicant could potentially provide much more than 1150 students on  
32 the subject site – solely by a square footage calculation. See also above, at  
33 Page 7.

34  
35 *6. Supplying potable water without providing disinfection*  
36 *by a public water supply system.*

37  
38 *Staff analysis:* Not applicable to this application.

39  
40 *7. Air pollution which is harmful to human beings, animal*  
41 *life, or plant life.*

42  
43 *Staff analysis:* Not applicable to this application. See reports enclosed  
44 from various review agencies.

45

1                   8.     *Water pollution which is harmful to human beings,*  
2                    *animal life, or plant life.*

3  
4     *Staff analysis:* Not applicable to this application. See reports enclosed from  
5 various review agencies.

6  
7                   9.     *Ground pollution which is harmful to human beings,*  
8                    *animal life, or plant life.*

9  
10    *Staff analysis:* Not applicable to this application. See reports enclosed  
11 from various review agencies

12  
13                  10.    *Objectionable odors which are harmful to human*  
14                  *beings or animal life.*

15  
16    *Staff analysis:* Not applicable to this application. See reports enclosed from  
17 various review agencies. See also analysis relating to nuisances and odor.

18  
19  
20  
21  
22  
23  
24  
25                   **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**  
26

1           **J.     RECOMMENDATIONS:**  
2  
3

4     The requests for a special exception and site plan modification for school use,  
5     expansion, and number of students is recommended for approval, as modified by  
6     the conditions delineated below. Staff therefore, pursuant to Section 33-  
7     311(A)(7) determines as follows, related to the plans entitled Palmer Trinity  
8     Private School Campus Master Plan as prepared by Duany Plater-Zyberk & Co.,  
9     consisting of 36 sheets, dated stamped received November 1, 2007, as revised  
10    by the plans entitled Palmer Trinity Private School Campus Master Plan as  
11    prepared by Duany Plater-Zyberk & Co., consisting of 48 sheets, dated stamped  
12    received April 19, 2010, with the following conditions:  
13

14           1. All variance requests have been withdrawn and are hereby  
15           specifically recognized as withdrawn. This includes all height, story and natural  
16           terrain parking variances. The 2008 plan included a steeple up to 70 feet in  
17           height. No variance was needed for the steeple, it would have been permitted, as  
18           of right. The Applicant has voluntarily withdrawn its request for a steeple/church  
19           tower and said request is considered withdrawn.  
20

21           2. The special exception to expand the non-public school use onto  
22           parcel B is recommended for approval.  
23

24           3. The special exception to increase the non-public school number of  
25           students to 1150 is recommended for approval.  
26

27  
28           4.     Preliminary Conditions:  
29

30           4.1 The Applicant shall execute a unity of title document to be recorded  
31           in the public records of Miami-Dade County, which unity of title shall covenant (or  
32           provide a covenant in lieu of unity of title) the property holder(s) to join the  
33           parcels together as one parcel, in a form approved by the Village Attorney,  
34           consistent with the requirements of the Village's Land Development Code<sup>7</sup>. The  
35           covenant shall be in final form for recording within 45 days of final approval. No  
36           permits shall issue until the covenant/unity of title is recorded.  
37

38           4.2 The Applicant shall record an acceptable and approved restrictive  
39           covenant running with the land for specific conditions, which covenant shall exist  
40           for 30 years, and automatically renew for 10 year periods, thereafter.  
41

---

<sup>7</sup> Although a unity of title, or covenant in lieu of, shall be required, in order to facilitate understanding the conditions contained in this application, the addresses of 7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street shall be utilized.

1           4.3 Any substantial modification [pursuant to 30-30.3(c) of the Village's  
2 Code of Ordinances] or abandonment of the attached site plan shall require  
3 public hearing. The term "substantial compliance" for the purposes of this  
4 approval shall mean a modification or substitute site plan of equal, or lesser  
5 intensity including floor area ratio, lot coverage, square footage, and height; and  
6 provide equal or greater setbacks, buffering, landscaping and amenities. In no  
7 way shall student enrollment be expanded due to a substantial compliance  
8 review.

9  
10           4.4 Cap of Intensity of Uses and Student Population. Applicant shall  
11 limit future development and agrees that it shall not seek any further  
12 development approvals to increase the intensity of uses, to increase lot  
13 coverage, square footage, heights of structures, or exceed 1150 students for 30  
14 years following the recording of this covenant. Specifically, no buildings shall  
15 exceed two (2) stories or a roof elevation of 35 feet in height measured from  
16 finished floor.

17  
18           4.5 Student Enrollment Defined and Reporting. Applicant shall not  
19 exceed 1,150 students in enrollment. Applicant agrees to submit an executed  
20 affidavit from the Headmaster of the School each year to the Village Manager,  
21 within 30 days of the first day of the applicable school year, identifying the  
22 number of students enrolled for the academic school year and attesting the  
23 number of students enrolled in the school. This information shall be provided to  
24 the Village, annually, for as long as a school is located on the site. Applicant  
25 agrees and acknowledges that the "maximum number of students" shall mean  
26 the actual number of students enrolled at the school as reported to the State of  
27 Florida and the Florida Council of Independent Schools and shall not be the daily  
28 average attendance, nor exclude any students that may be traveling/studying  
29 abroad. The Applicant shall provide a copy of the FCIS to the Village once it  
30 becomes available. The maximum number of students shall include all student  
31 transfers during the school year. Any increase in students enrolled at the school  
32 after the initial annual enrollment is disclosed shall be reported to the Village  
33 within five (5) business days of the event.

34  
35           4.6 Should Applicant violate section 4.5 relating to the number of  
36 students enrolled by exceeding 1150, and should Applicant fail to cure the  
37 excess enrollment within 30 days of written notice, such an act shall constitute a  
38 false statement or misrepresentation of fact that would permit the Village to  
39 revoke the most recent building permit or certificate of occupancy issued by the  
40 Village.

41  
42           4.7 Student expansion shall comply with the timetable provided under  
43 Exhibit 7.

44  
45           4.8 Community Relations Committee. The Applicant shall create a  
46 Community Relations Committee that will be charged with the responsibility of

1 facilitating future discussions with neighbors (properties within 2500 feet) in an  
2 effort to avoid or resolve potential disputes between the Applicant, the neighbors,  
3 and the Village. The Applicant agrees to cooperate and act in good faith with the  
4 Community Relations Committee in an effort to avoid or resolve potential  
5 disputes in the Community as it relates to the Applicant's property. The  
6 Committee shall be a voluntary group, with three (3) representatives from the  
7 Applicant, and three (3) representatives from the neighborhood, as selected by  
8 the Village Council, and a representative from the Village Manager's Office. The  
9 group shall meet as needed, but not less than twice a year. The Village shall be  
10 provided with prior written notice of all such meetings, if possible at least two  
11 weeks in advance of any such meeting(s). The actions of the group shall not be  
12 binding. Rather, the group meetings are intended to be a mechanism for  
13 communication, discussion and resolution of any pending items.

14  
15 4.9 The Applicant agrees and affirms that there will be no objection  
16 now or in the future to controlled burns conducted by Miami-Dade County at Bill  
17 Sadowski Park for the park's management. The Applicant further agrees not to  
18 interfere, due to lighting issues, with night program schedules for Bill Sadowski  
19 Park. The Village will attempt to coordinate with Miami-Dade County to provide  
20 the Applicant with prior notice of controlled burns.

21  
22 4.10 The Applicant shall comply with all applicable State, County, and  
23 Village Codes and Ordinances, including but not limited to the Village's Art in  
24 Public Places Ordinance.

25  
26 4.11 Unpermitted and unconstructed portions of prior development  
27 approvals (1999 plans, 2000 and 2010 substantial compliance reviews) shall be  
28 considered withdrawn and abandoned.

29  
30 4.12 An official inspector of the Village, or its agents duly authorized,  
31 have the privilege, at any time during normal working hours, of entering and  
32 inspecting the use of the premises to determine whether or not the requirements  
33 of the building and zoning regulations and the conditions contained herein are  
34 being complied with.

35  
36  
37 4.13 Applicant shall comply with the Land Development Regulations for  
38 maintain the sanitary sewer concurrency levels, during construction and  
39 throughout operations.

40  
41 4.14 In compliance with the requirements of Section 33-151.51, of the  
42 County Code, the Applicant shall record a covenant running with the land that  
43 ensures compliance with the minimum footage requirements, calculations and  
44 conditions upon which the additional square footage has been permitted.  
45  
46

1           5       Pre Construction – Construction – Build Out Conditions:

2  
3  
4           5.1    All components of the approved site plan shall be completed  
5 according to the schedule attached hereto, which provides that the approved  
6 construction shall not be completed earlier that 15 years and no later than 25  
7 years from the date of zoning approval. The Preliminary Construction Schedule  
8 for Phase 1 is enclosed as Exhibit 6. This recommendation is consistent with the  
9 newly adopted Land Development Code, Section 30-30.2(d)(16) and (k), relating  
10 to requiring a construction plan and timetable.

11  
12           5.2    Staggering of Student population.    The increase in student  
13 population to 1150 shall comply with Exhibit 7, which reflects the schedule of  
14 proposed annual increased in student population, which total increase to 1150  
15 shall occur no earlier than 15 years after zoning approval.

16  
17           5.3    Construction Staging:

18  
19           5.3.1   The Applicant shall annually submit a construction staging plan for  
20 review and approval prior to commencement of construction. Phase 1 is  
21 enclosed as Exhibit 6.

22  
23           5.3.2   Construction staging shall take place as preapproved by the  
24 Village's Planning & Zoning and Building Directors, on the property known  
25 as 8001 SW 184<sup>th</sup> Street, where possible, towards the center of the  
26 property, away from the proposed 75 foot buffers.

27  
28           5.3.3   Construction trailers for staging area are permitted under the  
29 Village's Code.

30  
31           5.3.4   The staging area may be cleared during Phase 1 of the  
32 construction plan.

33  
34           5.3.5   Construction shall comply with the noise controls provided in the  
35 Village's Code of Ordinances, section 30-60.29.

36  
37           5.3.6   The driveway area may also be cleared during Phase 1.

38  
39           5.3.7   Access points by construction vehicles shall be identified as part of  
40 the Construction Plan for Village approval. No construction vehicle shall  
41 access through the neighborhood. Unless necessary for a specific item,  
42 no construction vehicles shall access through SW 176th Street. All other  
43 construction vehicles must use the SW 184<sup>th</sup> Street once that entrance is  
44 constructed under the Phase 1 Construction Plan.  
45

1           5.4    Permitting and Property Clearance. The Applicant shall not remove  
2 any trees outside the 75 ft. buffer, unless a building permit and/or tree removal  
3 permit, if required, have been secured for the construction of the work being  
4 requested. At no time shall the entire 8001 SW 184<sup>th</sup> Street site be clear all at  
5 once.

6  
7           5.5    Construction Air Quality Management Plan. The Applicant shall  
8 provide a Construction Air Quality Management Plan on the construction  
9 drawings that, at a minimum, includes protecting ducts during construction and  
10 changing the filters and vacuuming ducts prior to occupancy. The submitted  
11 plans must note compliance with this provision.

12  
13           5.6    MOT Plan. A construction and Maintenance of Traffic (MOT) Plan  
14 shall be provided to the Building and Public Works Departments for approval.

15  
16           5.7    The Applicant shall comply with the Village's demolition and  
17 construction fencing ordinance.

18  
19           5.8    The entrance and roadway onto 8001 SW 184<sup>th</sup> Street may be  
20 constructed prior to any other improvements. However, the required perimeter  
21 walls (eastern and western property lines) and 75 ft. buffers, to be located at  
22 8001 SW 184<sup>th</sup> Street, with required landscaping shall be installed and/or  
23 constructed prior to the commencement of construction of any additional  
24 structures or improvements. The wall shall be constructed, and then the buffer  
25 shall be installed, no later than two (2) years of receiving the final zoning  
26 approval. One extension of time, not to exceed six (6) months, may be granted  
27 by the Planning & Zoning Director, upon a showing of good cause. "Good  
28 cause" would include timely request for permits, submitting for inspections and  
29 reviews, diligent efforts to adhere to the construction schedule, and force  
30 majeure type events (weather delays or civil unrest).

31  
32           5.9    The Applicant shall work with the Village and County to install "Do  
33 not Block Intersection" signs along SW 184<sup>th</sup> Street from SW 82<sup>nd</sup> Avenue to Old  
34 Cutler Road.

35  
36           5.10   The existing portable classrooms trailers located along the western  
37 edge of 7900 SW 176<sup>th</sup> Street shall be eliminated as soon as replacement  
38 facilities are constructed, and within 18 months after final zoning approval. One  
39 extension of time, not to exceed six (6) months, may be granted by the Planning  
40 & Zoning Director, upon a showing of good cause. "Good cause" would include  
41 timely request for permits, submitting for inspections and reviews, diligent efforts  
42 to adhere to the construction schedule, and force majeure type events (weather  
43 delays or civil unrest).

44  
45           5.11   Failure to construct the replacement facilities for the portables  
46 described at section 5.10 within the time period provided therein shall require that

1 the portables be removed immediately upon the expiration of the 18 month  
2 period. One extension of time, not to exceed six (6) months, may be granted by  
3 the Planning & Zoning Director, upon a showing of good cause. "Good cause"  
4 would include timely request for permits, submitting for inspections and reviews,  
5 diligent efforts to adhere to the construction schedule, and force majeure type  
6 events (weather delays or civil unrest). Failure to remove the portables shall also  
7 result in the denial of future permits due to site plan violations in addition to any  
8 other remedy provided below under Section 15, "Enforcement."  
9

10  
11 6. Athletic Fields and Amenities:  
12

13 6.1 The Applicant shall not use the athletic fields for commercial  
14 purposes such as renting, leasing, or allowing third-parties unaffiliated with the  
15 operation of the school (no third-party organizations or groups) to use the  
16 recreational facilities. Applicant shall annually provide proof of existing division-  
17 type play, tournaments, organized sports and uses of its facilities to the Village.  
18 Prior to the beginning of each season, for each sport, the Applicant shall provide  
19 the Village with a list of proposed events – tournaments and league play.  
20

21 6.2 The Applicant shall submit a proposed list of school special events  
22 planned for each school year to the Village Manager not later than August 15<sup>th</sup> of  
23 the applicable school year for Village administrative review. Any other/additional  
24 special event shall require advanced notice for review as a special event under  
25 the Village's procedures. A police officer, or equivalent, shall be required to be  
26 present at all special events held at the school, if required by the Village's Code,  
27 after review as a special event permit.  
28

29 6.3 Solely one (1) athletic tournament, jamboree, or division-type play  
30 (where numbers of spectators and opposing team(s) are invited to play on site)  
31 shall take place at one time on the property (7900 SW 176<sup>th</sup> Street through 8001  
32 SW 184<sup>th</sup> Street). To be clear, this condition relates to holding one event. Not  
33 several events, different sports, at same time. Any athletic tournaments, etc.,  
34 may take place after normal school operating hours (after 3:00 p.m.) and  
35 weekends from 10:00 a.m. and 3:00 p.m.  
36

37 6.4 No bleachers shall be located adjacent to the eastern and western  
38 buffers of 7900 SW 176<sup>th</sup> Street and 8100 SW 184<sup>th</sup> Street. Adjacent shall mean  
39 not within 20 feet of the buffers.  
40

41 6.5 The Applicant shall provide fencing for the tennis center.  
42

43 6.6 The Applicant shall not install lighting for outdoor uses other than  
44 the parking areas, and any emergency lighting requirements of the Code. The  
45 interior of the pool may contain lights.  
46

1           6.7     The pool shall be enclosed with a fence and hedge with a minimum  
2 height of six feet (6 ft.) and comply with the safety barrier requirements of 33-  
3 151.11 through .22 of the Code. Any interior chain link fencing shall be poly-  
4 coated vinyl and black or green in color. The pool shall not be constructed during  
5 Phase 1 and is not to be constructed for at least five (5) years after final zoning  
6 approval.

7  
8           6.8     The Applicant shall comply with condition 10.4 relating to lighting  
9 and Bill Sadowski Park.

10  
11  
12           7.     Landscaping:

13  
14           7.1     The Applicant shall meet all the minimum requirements of Division  
15 30-100 of the Village's Code of Ordinances, Chapter 24 of the Miami-Dade  
16 County Code and specifically comply with all conditions imposed by Miami-Dade  
17 County DERM.

18  
19           7.2     The Applicant shall covenant that no improvements, other than as  
20 provide in recommendation 7.3, shall be permitted within the confines of the  
21 buffer area (i.e. no roads, parking, storage sheds, recreational, sports or any  
22 other use that may negatively impact the buffer).

23  
24           7.3     The buffer shall be landscaped in accordance with the Applicant's  
25 revised landscape plan received by the Village on April 19, 2010. In addition, the  
26 Applicant shall construct a three and a half foot (3.5 ft.) berm on the interior,  
27 internal to the site, adjacent to the six foot (6 ft.) CBS wall to be constructed  
28 along the eastern and western perimeter of 8001 SW 184<sup>th</sup> Street. The berm  
29 shall be approved by the Planning & Zoning staff as part of the landscape plan  
30 review. The landscape buffer as indicated on Sheet 39 shall be installed along  
31 the entire eastern and western perimeter as depicted therein throughout the 75  
32 foot buffer for the area known as 8001 SW 184<sup>th</sup> Street. The berm shall be  
33 incorporated into the buffer design, found at Sheet 39 (maintenance path shall be  
34 reduced in width as provided in these conditions). The layout found at Sheet 39  
35 shall not be limited to solely the parking area adjacent to the buffer, but rather  
36 throughout the buffer fringe – creating a solid hedge along the interior edge of the  
37 buffer.

38  
39           7.4     The eastern and western buffers along 8001 SW 184<sup>th</sup> Street may  
40 contain a meandering pedestrian path, within the innermost/interior 25 feet of the  
41 75 foot buffer. The Applicant shall limit the meandering walking path to a  
42 maximum width of six feet (6 ft.). The pedestrian path shall solely be used for  
43 pedestrian/walking/ running purposes.

44  
45           7.5     Where practicable, the maintenance path and the meandering  
46 walking path shall be the same path, along the eastern and western buffers for

1 8001 SW 184th Street. Final determination/approval of “where practicable” shall  
2 be made by the Village’s Planning & Zoning Director. Otherwise, the  
3 maintenance path shall be limited to a maximum width of eight feet (8 ft.) and  
4 should be used solely for maintenance purposes. The Maintenance portion of  
5 the “joint-path” shall not be paved [the increase to eight (8) feet – a two-foot non-  
6 paved area surrounding the six foot (6 ft.) pedestrian path]. All other buffers  
7 shall solely contain an unpaved, up to eight (8) foot maintenance path.  
8

9 7.6 The eastern and western perimeters of 8001 SW 184<sup>th</sup> Street shall  
10 contain a concrete wall six, feet (6 ft.) in height, finished on both sides and  
11 maintained by the Applicant. The southern boundary at SW 184<sup>th</sup> Street and  
12 northern boundaries at SW 176<sup>th</sup> Street shall provide a six foot (6 ft.) wrought iron  
13 fence with masonry columns. The eastern and western perimeters of 7900 SW  
14 176<sup>th</sup> Street already contain a six foot (6 ft.) concrete wall that shall be required to  
15 be maintained, on both sides.  
16

17 7.7 The Applicant shall provide and/or replace landscaping  
18 improvements along SW 184 Street and SW 176 Street fronting the school in  
19 compliance with the Village’s Street Tree Master Plan prepared by O’Leary  
20 Richards Design Associates, Inc., and in coordination with the Village’s Public  
21 Works and Planning & Zoning Departments.  
22

23 7.8 The Applicant shall preserve existing trees (including native trees)  
24 during the development of the project, wherever possible. If the trees must be  
25 removed, the Applicant shall be required to mitigate the impact in accordance  
26 with Village and DERM requirements. If the relocated trees do not survive, the  
27 Applicant shall be required to replace the trees in compliance with DERM and  
28 Village requirements.  
29

30 7.9 The Applicant shall install additional oaks and planting materials on  
31 the northwest perimeter of buildings no. 16 and 18 in order to provide additional  
32 screening to the adjacent neighborhood located on the western boundary of the  
33 property. The Applicant is to provide two (2) native trees and a cluster of palms.  
34

35 7.10 The pool area shall be landscaped as provided under section 6.7,  
36 above.  
37

38 7.11 The Applicant shall prohibit parking by faculty, visitors and students  
39 on the rights-of-way bordering the school by planting and maintaining  
40 landscaping along the rights-of-way in accordance with Village requirements.  
41 The Applicant shall work with the Village and County to install “No Parking” signs  
42 for the right-of-way along SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street.  
43

44 7.12 Applicant shall maintain the areas identified herein as “buffer” and  
45 shall be required to perpetually maintain the landscaping within the buffer with  
46 the identified native species and other plantings provided in the landscape plan.

1 At no point shall structures be constructed within the buffer area. The buffer shall  
2 consist of the 75 foot set aside along the east, west and southern perimeters of  
3 8001 SW 184<sup>th</sup> Street; and the 50 foot set aside along the east, west, and  
4 northern perimeters of 7900 SW 176<sup>th</sup> Street.  
5

6 7.13 Applicant shall provide annual update, plan, as to the maintenance  
7 for the buffer areas.  
8

9 7.14 Buildings 16 and 18 shall require Live Oak trees, or comparable  
10 trees, every 20 feet on center for the length of the structures. Each tree shall  
11 have an overall height of 16 feet. For Building 16 the trees shall be planted along  
12 the west façade and for Building 18 along the east façade.  
13

14  
15 8. Traffic:  
16

17 8.1 The Applicant shall be responsible for compliance with land  
18 Development Regulations relating to traffic concurrency requirements.  
19

20 8.2 The Applicant shall hire one (1) police officer, or equivalent, during  
21 regular session, (per entrance) to control traffic during peak morning and  
22 afternoon school hours for each entrance to the school (SW 176<sup>th</sup> Street and SW  
23 184<sup>th</sup> Street). The school shall also utilize a police officer for special events, as is  
24 required under condition 6.2.  
25

26 8.3 The Applicant shall install traffic calming devices along the internal  
27 circulation driveways and roadways in compliance with the Site Plan and Traffic  
28 Study prepared by David Plumber & Associates.  
29

30 8.4 The Applicant shall control the entry points to the school by  
31 directing student, teacher and staff to enter and exit the school from SW 184  
32 Street driveway. The entrance to SW 176<sup>th</sup> Street shall solely serve as the drop-  
33 off and pick-up location for students. This process will be implemented through a  
34 decal program. The different color decals will be distributed and assigned to a  
35 specific driveway. The security gatehouse at each driveway will monitor for  
36 proper use of the decal. Violators shall be contacted by the school master and  
37 security to ensure proper enforcement.  
38

39 8.5 The Applicant shall fund a series of peak hour intersection turning  
40 movement counts, and 72 hour link counts to be taken by the Village along SW  
41 176 Street and at the school driveway entrance on that street. These are to  
42 occur on a random basis each semester of school operations in perpetuity at the  
43 discretion of the Village.  
44

1           8.6    If either the 1370 trip daily volume or 960 combined trip volume  
2 peak thresholds are violated, the Applicant will be notified in writing and be  
3 required to enact measures to bring the traffic volumes into compliance. To do  
4 so the Village will require the school to propose at least three (3) mitigative  
5 measures that would be enacted should the situation arise. Some of the  
6 mitigation measures that could be considered are color coded decal system (see  
7 condition 8.4); limiting access to/from SW 176<sup>th</sup> Street to the east only; license  
8 plate numbers entrance assignment; lottery assignment;  
9 controls/prohibitions/signing; and closing internal roads so driveway entered must  
10 be exited. If the corrective action is not implemented within three (3) weeks of  
11 the school being noticed of the violation, the Village will require the entrance be  
12 closed until corrective action is implemented by the school. The Village will then  
13 verify that the actions to correct the violation are working through additional  
14 Village traffic counts paid for by the School.

15  
16           8.7    The Applicant shall keep the entrance to SW 176<sup>th</sup> Street closed to  
17 vehicular traffic on weekends, holidays and all days when school is not in regular  
18 session.

19  
20           8.8    The SW 176<sup>th</sup> Street entrance shall not be used for the delivery of  
21 goods or services to the school or by commercial vehicles. All buses and vans  
22 use to transport students to and from the property should use SW 184 Street as  
23 ingress and egress.

24  
25           8.9    The SW 176<sup>th</sup> Street entrance shall be closed at 7:00pm everyday.

26  
27           8.10   The Applicant shall develop an alternative transit mode feasibility  
28 program within three (3) years after receiving the zoning approval. The program  
29 should provide incentives for the student to use alternative mode of  
30 transportation such as carpool, public transportation or private mass transit to get  
31 to and from school.

32  
33           8.11   The Applicant shall be responsible for implementing the following  
34 mitigation initiatives, as delineated in the David Plummer & Associates Report,  
35 dated April 22, 2010:

- 36  
37           (a)    Old Cutler Road/ SW 184 Street – Add a southbound right turn  
38 lane; signal phasing adjustments.  
39           (b)    SW 184 Street at the project driveway – Construct an eastbound  
40 left turn lane.  
41           (c)    SW 184 Street at the project driveway – Construct a westbound  
42 right turn lane.  
43           (d)    Provide one off –duty police officer at each driveway during  
44 morning drop-off and afternoon pick-up periods to monitor/control traffic.  
45

1           8.12 Applicant shall be responsible for all expenses relating to traffic  
2 control, police involvement, and police participation in traffic movements (the  
3 traffic plan). The traffic plan relating to the daily school use and/or for any special  
4 events at the school for the roadways shall be subject to approval of Village  
5 Police Department and Village Police Officers are to be hired by and paid for by  
6 Applicant to manage traffic at entrance(s) to school and off-site locations affected  
7 by traffic conditions.  
8

9           8.13 Applicant shall install a “No Left Turn” sign at the exit to SW 176<sup>th</sup>  
10 Street and shall preclude left-hand turns onto SW 176<sup>th</sup> Street, westbound, from  
11 the Applicant’s SW 176<sup>th</sup> entrance. This condition shall be required, at a  
12 minimum, during peak hours.  
13

14           8.14 If vehicle stacking/queuing spills-over onto SW 176<sup>th</sup> Street, the  
15 applicant shall be required to provide additional on-site stacking to accommodate  
16 the spill-over. This would require a modification of the circulation plan, which  
17 shall be reviewed by the appropriate Village Departments for Compliance. The  
18 Applicant shall not be required to obtain Council approval to make the necessary  
19 stacking related, circulation modifications to the interior of the property.  
20

21           8.15 Applicant shall comply with the “safe routes to school” requirements  
22 of 1006.23, Florida Statutes.  
23

24  
25           9.     Parking Related Conditions  
26

27           9.1 Comply with condition 7.11 relating to precluding right-of-way  
28 (ROW) parking. Cross-reference with section 7.9, above.  
29

30           9.2 No parking of vehicles in any of the interior buffers to the property  
31 (7900 SW 176<sup>th</sup> Street or 8001 SW 184<sup>th</sup> Street).  
32

33           9.3 The Applicant shall install pavers in the parking lot to minimize the  
34 stormwater runoff impacts, rather than asphaltting the entire parking area, in  
35 compliance with Section 28-6(b)(1), of the Village’s Code of Ordinances.  
36

37           9.4 No loud radios shall be allowed within the parking areas of the  
38 entire site.  
39

40           9.5 Lighting shall be consistent with conditions 10.2 and 10.3, below.  
41

42           9.6 That the Applicant shall maintain a sign prohibiting bus traffic, bus  
43 parking, student, faculty or visitor parking along the swales/entrances to the  
44 Applicant’s property.  
45

1           9.7 Proposed installation of 48 sable palms to be planted in the  
2 northwestern corner of 8001 SW 184<sup>th</sup> Street shall be replaced with Live Oak  
3 Trees, or other trees acceptable to the Village, as the Oaks shall reduce the  
4 “heat island effect,” shall enhance the buffering of the site, and increase the tree  
5 canopy for the site. The landscaping for the parking lot shall be reviewed at  
6 permitting by the Planning and Zoning Department as to the number and type of  
7 trees.

8  
9           9.8 A continuous hedge shall be incorporated around all parking areas  
10 and shall meet all requirements of Chapter 18A, subsections (I) and (J).

11  
12           9.9 Applicant is not to create any additional, unimproved temporary or  
13 permanent parking areas on the property.

14  
15  
16           10.    Lighting & Energy:

17  
18           10.1 The Applicant shall not install lighting for outdoor use other than for  
19 parking and/or Code required emergency lighting. The interior of the pool, below  
20 the water surface, may contain lights.

21  
22           10.2 Applicant shall install and maintain parking area light fixtures which  
23 project the light rays directly to the parking surface, and shall include shields  
24 which restrict projection of light rays outward to adjacent properties and also  
25 restrict the upward projection of light rays into the night sky. Outdoor parking lot  
26 area light fixtures shall not cast more than 1/2 ft. candle at the property line.

27  
28           10.3 The parking lot lights and all other outdoor lighting (whether for  
29 security, roadway or parking) should have a maximum overall height of 15 feet.

30  
31           10.4 The Applicant shall not interfere with night programming at Bill  
32 Sadowski Park and no athletic field lighting shall be permitted so as preclude  
33 adverse effects to the night programming at the Park and residential community.

34  
35           10.5 The Applicant shall be required to comply with the conditions of  
36 Section 28-6, of the Village’s Code of Ordinances relating to the “Minimum Green  
37 Standards” (relating to LED lighting, pavers, energy saving fixtures and water  
38 conservation).

39  
40           10.6 The Applicant shall provide roof location in those structures with flat  
41 roofs to install conduit from the electrical room for future Photovoltaic System  
42 (PV) installation. A minimum of 300 sq. ft. or larger of roof area in a south or west  
43 direction shall be dedicated and clear of vent pipes and other obstructions to  
44 allow for the installation of a future PV system. The submitted plans must note  
45 compliance with this provision.  
46

1           10.7 The parking lot and internal circulation lights shall be placed on a  
2 timer consistent with the termination of operational hours and consistent with  
3 applicable codes.  
4

5  
6           11.    Noise:  
7

8           11.1 Noise emanating from athletic fields and bleachers shall not  
9 generate a direct sound pressure level in excess of 65 decibels at the school's  
10 boundaries, as provided under the Village's Code Section 30-60.29, as may be  
11 amended. The Village will notify the school and the Community Relations  
12 Committee of any violations of the noise ordinance. The Village and Applicant  
13 will immediately work together to develop corrective action(s). If the corrective  
14 action(s) is/are not implemented within three (3) weeks of its adoption, the Village  
15 will require that all after-hours field activities be temporarily postponed until the  
16 corrective actions are implemented by the school.  
17

18           11.2 The Applicant shall install and maintain signs reading: "No radios  
19 beyond this point" at the guard house or other location approved by the Village's  
20 Planning & Zoning Department. Any student found by the Applicant's  
21 administration to have violated the sound restriction, after a warning, would be  
22 disciplined within the Palmer Trinity Rules and Procedures.  
23

24           11.3 At 7900 SW 176<sup>th</sup> Street, the Applicant shall ensure bells, pulses,  
25 buzzers, or other sounds to signal class times during school operating hours on  
26 days when school is in session shall not generate a direct sound pressure level  
27 in excess of 65 decibels above ambient sound measured by the A-weighted  
28 scale at the school's boundaries, as provided under the Village's Code, Section  
29 30-60.29, as may be amended.  
30

31           11.4 At 8100 SW 184<sup>th</sup> Street, the Applicant shall use digital signage  
32 system or other non-noise devices approved and recommended by the American  
33 with Disability Act (ADA) and the ADA Standards for Accessible Design, to signal  
34 change of class times and announcements.  
35

36           11.5 Any temporary public address speaker system or similar amplified  
37 sound device in the athletic fields shall not be operated between the hours of  
38 5:00 p.m. and 10:00 a.m. (Monday thru Friday). On Saturday, the temporary  
39 public address speaker system or similar amplified sound device in the athletic  
40 fields shall not be operated between the hours of 2:00 p.m. and 10:00 a.m. The  
41 temporary public address speaker system shall be used in compliance with the  
42 Village's noise Ordinance 30-60.29, as amended, and shall not generate a direct  
43 sound pressure level in excess of 65 decibels at the school's boundaries.  
44

1           12.    Environmental:

2  
3           12.1   The Applicant shall provide a space for the collection and storage  
4 of recyclables. This provision provides convenient access to recycling facilities  
5 and encourages building occupants to utilize the recycling programs to their  
6 fullest. Projects shall comply with the minimum solid waste and recyclables  
7 storage requirements. Applicant shall depict the collection and storage area(s)  
8 location on submitted plans.

9  
10          12.2   The Applicant shall use interior paints and wood finishes with low  
11 volatile organic compound levels that do not exceed 50 grams per liter flat, or  
12 150 grams per liter non-flat. This shall be noted on the approved plans.

13  
14          12.3   The Applicant shall hire an archeological consultant to execute a  
15 Phase 1 Archeological Survey prior to development. This will determine whether  
16 potential archeological sites exist within the property. List of archeological  
17 consult has been provided to the Applicant. The selected archeological  
18 consultant shall work closely with Miami-Dade County, Office of Historic and  
19 Archeological Resources, during this process. In the event, archeological  
20 resources are found, the archeological consultant and the Applicant shall contact  
21 the County's Office of Historic and Archeological Resources for guidance  
22 regarding additional testing and/or archeological monitoring. If unmarked human  
23 remains are located, Florida State Statutes 875.05(Florida's Unmarked Human  
24 Burial Act) shall apply and all work shall cease. The State Archeologist shall  
25 then be notified.

26  
27  
28          13.    Operations.

29  
30          13.1   Service and delivery vehicles, including solid waste pick-up, shall  
31 be restricted to Monday through Friday, between the hours of 7:00 a.m. to 7:00  
32 p.m. [consistent with 30-60.29(e)(7), of the Code]. Saturday deliveries would be  
33 allowed from 10:00 a.m. to 1:00 p.m. Service and delivery vehicles shall use the  
34 SW 184<sup>th</sup> Street entrance. This requirement shall be implemented upon the  
35 construction of the SW 184<sup>th</sup> Street entrance.

36  
37          13.2   Service, delivery and storage areas and equipment shall be  
38 adequately screened and located away from view of adjacent properties, in  
39 accordance with the proposed site plan.

40  
41          13.3   That interior use of school facilities shall be restricted to the hours  
42 of operation between 6:00 am and 10:00 pm, provided that the use is by the  
43 Applicant for school-related purposes.

44  
45          13.4   The property shall not be used for commercial leasing purposes.  
46 Commercial leasing purposes shall mean any use not directly affiliated with the

1 school operations of the Applicant. In addition, it shall mean the use of the  
2 Applicant's property, buildings and facilities for economic value or profit through  
3 third-parties.

4  
5 13.5 Service, delivery and storage areas and equipment shall be  
6 adequately screened and located away from view of adjacent properties, in  
7 accordance with the proposed site plan.

8  
9  
10 14. Structures.

11  
12 14.1 The two (2) longer structures (building 16, the gymnasium and  
13 building 18, the performing arts building) should be modified as follows: the wider  
14 portion of these structures are approximately (260 ft x 149 ft.). The Southern  
15 portion of each building provides a "tail-like" continuation/extension of  
16 approximately 110 feet. These "tail-like" extensions should be setback/offset six  
17 feet (6 ft.) from the wider portions of each building. As to Building 16, the six foot  
18 (6 ft.) setback/offset should be towards the east boundary. As to Building 18, the  
19 six foot (6 ft.) setback should be setback towards the west boundary.

20  
21 14.2 In addition, along the 110 foot setback portion of Buildings 16 and  
22 18, there should be a colonnade or arcade, with first floor roof-like structure, to  
23 break-up the monolithic volume.

24  
25 14.3 In compliance with section 7.12, Live Oak trees, or other equivalent  
26 type trees, with an overall size of 16 feet in height, should be planted along the  
27 remaining east side of Building 18 and along the remaining west side of Building  
28 16, every 20 feet on-center for the length of the structures (area not covered by  
29 the first floor roof-like arcade structured area). The 16 foot trees should be root  
30 pruned to encourage their ability to survive the shock of planting.

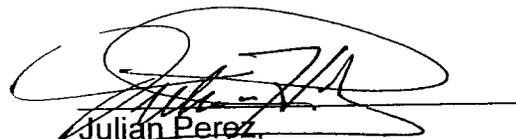
31  
32  
33 15. Enforcement.

34  
35 15.1 Non compliance with the approved site plan shall result in the  
36 denial of future permits and may result in a daily fine, per violation, as provided  
37 under section 15.2, below.

38  
39 15.2 A violation of any of the development approvals and/or conditions  
40 of the Village Council will result in a \$500.00 a day fine, per violation. The Village  
41 shall provide Applicant with a reasonable notice to cure period. The Applicant is  
42 entitled to an appeal of the notice of civil citation pursuant to the procedures for  
43 the Village Special Magistrate, found at section 2-205 of the Village's Code.

44  
45 15.3 Cross-reference with specific enforcement provisions relating to  
46 section 4.6 as to student population and removal of portables under section 5.11.

15.4 Authorization for the Village of Palmetto Bay to Withhold Permits and Inspections. In the event the terms herein are not being complied with, in addition to any other remedies available, the Village is authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as the conditions contained herein are complied with. The Village shall provide Applicant with a reasonable notice to cure period. The Applicant may follow the procedures for the Village Special Magistrate regarding any appeal.



Julian Perez,  
Planning and Zoning Director

## Julian Perez

---

**From:** Nathan Kogon [Nathan.Kogon@cityofdoral.com]  
**Sent:** Friday, April 30, 2010 12:23 PM  
**To:** Julian Perez  
**Cc:** Eve Boutsis; Efren Nunez  
**Subject:** RE: Request for Information

Julian,

There are other policies which permit uses like, churches, schools, congregate living facilities and small-scale public facilities in residential land use categories such as the EDR. Specifically with schools.. Pursuant to Policy 1.4.1. of the City of Doral Comprehensive Development Master Plan (CDMP), "Public Schools are allowed in all land use categories shown on the adopted Future Land Use Map and all zoning districts contained in the LDC." Additionally, Policy 7.3.4 of the City's CDMP states "Schools shall be allowed in all land use categories on the adopted Future Land Use Map and all zoning districts in the Land Development Code."

Regards,

**From:** Julian Perez [mailto:jperez@palmettobay-fl.gov]  
**Sent:** Friday, April 30, 2010 11:58 AM  
**To:** Nathan Kogon  
**Cc:** Eve Boutsis; Efren Nunez  
**Subject:** RE: Request for Information

Nathan:

Thank you for your response. Based on your explanation. Can you please inform us if schools and/or other permitted uses are allowed in your EDR. Thank you for the information.

Julian H. Perez  
Director  
Planning & Zoning Department  
8950 SW 152nd Street  
Palmetto Bay, FL 33157  
305-259-1260

---

**From:** Nathan Kogon [mailto:Nathan.Kogon@cityofdoral.com]  
**Sent:** Friday, April 30, 2010 11:44 AM  
**To:** Julian Perez  
**Cc:** Eve Boutsis; Ron Williams; Efren Nunez  
**Subject:** RE: Request for Information

Julian,

I interpret the "EDR" Future Land Use Category pursuant to Policy 1.1.1. of the City of Doral's Comprehensive Development Master Plan as to mean that residential development in this category shall only permit single-family homes with a maximum of 6 units per acre and a maximum of two stories. Having said that, the City does have other policies which allow other specific uses to be permitted in land use categories, including this one. Please let me know if this helps.

4/30/2010

Regards,

**From:** Julian Perez [mailto:jperez@palmettobay-fl.gov]  
**Sent:** Friday, April 30, 2010 9:08 AM  
**To:** Nathan Kogon  
**Cc:** Eve Boutsis; Ron Williams; Efren Nunez  
**Subject:** Request for Information

Nathan:

Good morning. Hope this e-mail finds you well. In reviewing your "Land Use Element and FLUM, I noticed that both the Village and the City of Doral have a similar policy and definition related to Estate Density Residential (EDR).

Land Use Element:

City of Doral

Policy 1.1.1. Estate Density Residential (EDR) - The residential densities allowed in this category shall not exceed 6 dwelling units per gross acre. This density category is characterized solely by detached single-family homes on relatively large lots. No attached residential units are allowed in this category. Building height is limited to two floors.

Village of Palmetto Bay

Policy 1.1.1. Estate Density Residential (EDR) - The residential densities allowed in this category shall not exceed 2.5 dwelling units per gross acre. This density category is characterized solely by detached single family homes on relatively large lots.

***Can you please inform us how the City of Doral interprets Policy 1.1.1 of your Land Use Element?***

Regards

Julian H. Perez  
Director  
Planning & Zoning Department  
8950 SW 152nd Street  
Palmetto Bay, FL 33157  
305-259-1260

---

\*\*\*Please note that the State of Florida's Public Records Laws provide that most written communications to or from the City of Doral regarding government business are public records available to the public upon request. This e-mail communication may therefore be subject to public disclosure.\*\*\*

---

\*\*\*Please note that the State of Florida's Public Records Laws provide that most written communications to or from the City of Doral regarding government business are public records available to the public upon request. This e-mail communication may therefore be subject to public disclosure.\*\*\*

4/30/2010

## Efren Nunez

---

**From:** Efren Nunez  
**Sent:** Thursday, April 29, 2010 10:32 AM  
**To:** Julian Perez  
**Subject:** FW: Palmer Trinity VPB-07-012

-----Original Message-----

**From:** Ransom, Jeff (DP&Z) [mailto:JRANSOM@miamidade.gov]  
**Sent:** Thursday, April 29, 2010 10:09 AM  
**To:** Efren Nunez  
**Cc:** Kauffman, Kathleen (DP&Z)  
**Subject:** RE: Palmer Trinity VPB-07-012

Hi Efren,

Here's my suggestion for the language:

The applicant shall hire an archaeological consultant to execute a Phase I Archeological Survey prior to development. This will determine whether potential archeological sites exist within the property. A list of archaeological consultants shall be provided to the applicant. The selected archaeological consultant shall work closely with the applicant and the Miami-Dade County Office of Historic and Archeological Resources during this process. In the event, archeological resources are found, the archaeological consultant and the applicant shall contact the County's Office of Historic and Archeological Resources for guidance regarding additional testing and/or archaeological monitoring. If unmarked human remains are located, Florida State Statute 875.05 (Florida's Unmarked Human Burial Act) shall apply and all work shall cease. The State Archaeologist shall then be notified.

Please let me know if you have any questions or concerns.

Regards,

Jeff

Jeff B. Ransom  
County Archaeologist  
Department of Planning and Zoning  
Office of Historic and Archaeological Resources  
111 N.W. First Street Suite 695  
Miami, Florida 33128  
Direct Line: (305) 375-3412  
Main Office: (305) 375-4958  
Fax: (305) 372-6394  
"Delivering Excellence Every Day"

-----Original Message-----

**From:** Efren Nunez [mailto:enunez@palmettobay-fl.gov]  
**Sent:** Wednesday, April 28, 2010 4:25 PM  
**To:** Ransom, Jeff (DP&Z)  
**Cc:** Julian Perez; Eve Boutsis  
**Subject:** RE: Palmer Trinity VPB-07-012

Good afternoon Jeff,

This is sent to follow up on our meeting earlier today regarding the Palmer Trinity application. As the representative of Miami-Dade County Office of Historic and Archeological Resources, you requested that the Village incorporate the following language into its conditions for the Palmer Trinity Application.

**Efren Nunez**

---

**From:** Ahmed, Zafar (MDPR) [ZNA@miamidade.gov]  
**Sent:** Thursday, April 29, 2010 9:11 AM  
**To:** Efren Nunez; jperez@palmettobay-fl.org  
**Cc:** Nardi, Maria (MDPR); Gregg, W. Howard (MDPR)  
**Subject:** FW: Palmer Trinity Application -VPB- 07-012-B

Miami-Dade County park and Recreation Department has reviewed the subject application and county staff has met with the Village of Palmetto Bay's Planning and Zoning staff to discuss the application. The Department has no objection to the approval of the application based on the revisions and the agreements proffered by the applicant to mitigate impacts of the proposed expansion of the school. There will be no adverse effect on night programming at Bill Sadowski Park since the applicant has agreed to eliminate all exterior lighting, except as required by code for security and parking. Elimination of Athletic Field lighting will remove concern that ambient light after dark would adversely affect park programs. Additionally, Palmer Trinity's has provided acknowledgement of no objection now or in the future to controlled burns

Miami-Dade Park and Recreation has a particular interest in this application because the Southern portion of Bill Sadowski Preserve, at 1755 SW 79 Ave, abuts the eastern property line of the existing school property. Therefore, the following conditions **must be included** in any approval of the proposed development at Palmer Trinity :

1. Management of the Property requires periodic controlled burns. Should the plan be approved, it would be imperative that the school cooperate with the County in the planning and execution of prescribed burns.
2. Park Programming includes evening events. The Southern Cross Astronomical Society has regularly scheduled and special event star gazing evenings in the northern part of the preserve. Other evening programs at the park include outdoor storytelling and night nature walks. Thus the plans, if approved, must be on condition that there will be no athletic court or field lighting that would adversely affect night programming at the park.

---

**From:** Nardi, Maria (MDPR)  
**Sent:** Thursday, April 29, 2010 9:06 AM  
**To:** Ahmed, Zafar (MDPR)  
**Subject:** RE: Palmer Trinity Application -VPB- 07-012-B

Looks good. please forward to the person you contacted at Zoning.

**Maria I. Nardi, Chief  
 Planning and Research Division  
 Miami-Dade County Parks and Recreation**  
 275 NW 2nd Street, Miami, Florida 33128  
 Phone 305-755-7860 Fax 305-755-7864  
[www.miamidade.gov/parks](http://www.miamidade.gov/parks)

*"Delivering Excellence Everyday"*

*"Building a livable community, one green space at a time."  
 2008 Parks and Open Space System Master Plan*

4/30/2010

 Save a tree. Don't print this e-mail unless it's really necessary.

---

**From:** Ahmed, Zafar (MDPR)  
**Sent:** Wednesday, April 28, 2010 12:18 PM  
**To:** Nardi, Maria (MDPR)  
**Subject:** RE: Palmer Trinity Application -VPB- 07-012-B

The following is a draft for comment:

TO: [enunez@Palmettobay-fl.org](mailto:enunez@Palmettobay-fl.org); [jperez@palmettobay-fl.org](mailto:jperez@palmettobay-fl.org)

Miami-Dade County park and Recreation Department has reviewed the subject application and county staff has met with the Village of Palmetto Bay's Planning and Zoning staff to discuss the application. The Department has no objection to the approval of the application based on the revisions and the agreements proffered by the applicant to mitigate impacts of the proposed expansion of the school. There will be no adverse effect on night programming at Bill Sadowski Park since the applicant has agreed to eliminate all exterior lighting, except as required by code for security and parking. Elimination of Athletic Field lighting will remove concern that ambient light after dark would adversely affect park programs. Additionally, Palmer Trinity's has provided acknowledgement of no objection now or in the future to controlled burns

Miami-Dade Park and Recreation has a particular interest in this application because the Southern portion of Bill Sadowski Preserve, at 1755 SW 79 Ave, abuts the eastern property line of the existing school property. Therefore, the following conditions **must be included** in any approval of the proposed development at Palmer Trinity :

3. Management of the Property requires periodic controlled burns. Should the plan be approved, it would be imperative that the school cooperate with the County in the planning and execution of prescribed burns.
4. Park Programming includes evening events. The Southern Cross Astronomical Society has regularly scheduled and special event star gazing evenings in the northern part of the preserve. Other evening programs at the park include outdoor storytelling and night nature walks. Thus the plans, if approved, must be on condition that there will be no athletic court or field lighting that would adversely affect night programming at the park.

---

**From:** Ahmed, Zafar (MDPR)  
**Sent:** Tuesday, April 27, 2010 3:51 PM  
**To:** Nardi, Maria (MDPR)  
**Subject:** RE: Miami-Dade County Public Records request - Palmer Trinity Application - vpb 07-012

I met with the Village of Palmetto Bay Planning and Zoning Director and his staff this morning. The Director provided me with an advance copy of the zoning analysis by the Village staff. In addition to the Palmer Trinity's application on a CD ROM, he also shared with me the mandate by the Third District Court of Appeal.

Village staff requested that we send an e-mail as part of Public Comment that ends COB, tomorrow and will be published before the Zoning Hearing on Thursday the 29<sup>th</sup>.

The revised application includes the following modifications, applicable to Miami-Dade County's park Programs and property at Bill Sadowski Park:

1. The applicant agrees and affirms that there will be no objection now or in the future to controlled burns conducted by Miami-Dade County at Bill Sadowski Park for the park's management.

4/30/2010

2. The applicant shall not to interfere with night program schedules for Bill Sadowski Park and no athletic lighting will be permitted, so as to preclude adverse effects to the night programming at the park and residential community.
3. The applicant agrees not to install lighting for outdoor uses other than that needed for parking areas, and emergency lighting requirements of the code. Only the interior of the pool may contain lights.

Recommended Comment To the Village:

The Department has no objection to the approval of the application based on the revisions and the agreements proffered by the applicant to mitigate impacts of the proposed expansion of the school. There will be no adverse effect on night programming at Bill Sadowski Park since the applicant has agreed to eliminate all exterior lighting, except as required by code for security and parking. Additionally, Palmer Trinity's has provided acknowledgement of no objection now or in the future to controlled burns

---

**From:** Ahmed, Zafar (MDPR)  
**Sent:** Tuesday, April 27, 2010 8:45 AM  
**To:** Nardi, Maria (MDPR)  
**Subject:** Fw: Miami-Dade County Public Records request - Palmer Trinity Application - vpb 07-012

I am going to Palmetto Bay Village Hall to pick up the Palmer Trinity application.

Sent via BlackBerry by AT&T

---

**From:** "Efren Nunez" <enunez@palmettobay-fl.gov>  
**Date:** Mon, 26 Apr 2010 17:52:30 -0400  
**To:** Ahmed, Zafar \ (MDPR) <ZNA@miamidade.gov>  
**Subject:** RE: Miami-Dade County Public Records request - Palmer Trinity Application - vpb 07-012

We have your request ready for pick-up...

---

**From:** Ahmed, Zafar (MDPR) [mailto:ZNA@miamidade.gov]  
**Sent:** Friday, April 23, 2010 4:28 PM  
**To:** Efren Nunez  
**Subject:** Palmer Trinity Application - vpb 07-012

As discussed, Miami-Dade Park and Recreation Department would like a copy of the revised application by Palmer Trinity School. Please also provide me with a copy of previous request from Miami-Dade Park and Recreation as well a copy of our previous input, that you may have in your record. Once you advise me of the availability of my request, I will pick up the documents from your office. Thanks.

*Zafar Ahmed*

GIS Database Asset Manager and  
 Park Planner 3  
 305-755-7997  
 Miami Dade Park and Recreation Department  
 Planning and Research Division  
 " *Delivering Excellence Every Day* "

4/30/2010

**RESOLUTION 2010-48**  
**EXHIBIT "B"**

































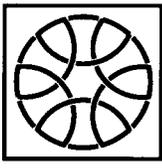
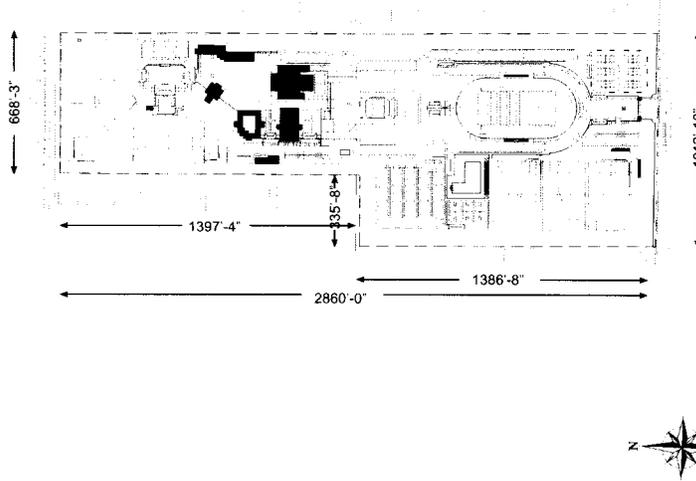
# LANDSCAPE PLANS

Consultant

Master Plan Key

Zoning Legend

**GEOMANTIC DESIGNS, INC.**  
LANDSCAPE ARCHITECTURE  
**ROBERT PARSLEY A.S.L.A.**  
LA 0000705  
6800 S.W. 81 STREET MIAMI, FL. 33143  
PHONE: 305-665-9688 FAX: 305-668-8426

Private School - ZONING LEGEND

SPCS NUMBER	LOT INFORMATION	SETBACK REQUIREMENTS	PROVIDE
1	FRONT	FRONT	FRONT
2	REAR	REAR	REAR
3	SIDE	SIDE	SIDE
4	ADJACENT	ADJACENT	ADJACENT
5	MINIMUM	MINIMUM	MINIMUM
6	MAXIMUM	MAXIMUM	MAXIMUM
7	MINIMUM	MINIMUM	MINIMUM
8	MAXIMUM	MAXIMUM	MAXIMUM
9	MINIMUM	MINIMUM	MINIMUM
10	MAXIMUM	MAXIMUM	MAXIMUM
11	MINIMUM	MINIMUM	MINIMUM
12	MAXIMUM	MAXIMUM	MAXIMUM
13	MINIMUM	MINIMUM	MINIMUM
14	MAXIMUM	MAXIMUM	MAXIMUM
15	MINIMUM	MINIMUM	MINIMUM
16	MAXIMUM	MAXIMUM	MAXIMUM
17	MINIMUM	MINIMUM	MINIMUM
18	MAXIMUM	MAXIMUM	MAXIMUM
19	MINIMUM	MINIMUM	MINIMUM
20	MAXIMUM	MAXIMUM	MAXIMUM
21	MINIMUM	MINIMUM	MINIMUM
22	MAXIMUM	MAXIMUM	MAXIMUM
23	MINIMUM	MINIMUM	MINIMUM
24	MAXIMUM	MAXIMUM	MAXIMUM
25	MINIMUM	MINIMUM	MINIMUM
26	MAXIMUM	MAXIMUM	MAXIMUM
27	MINIMUM	MINIMUM	MINIMUM
28	MAXIMUM	MAXIMUM	MAXIMUM
29	MINIMUM	MINIMUM	MINIMUM
30	MAXIMUM	MAXIMUM	MAXIMUM
31	MINIMUM	MINIMUM	MINIMUM
32	MAXIMUM	MAXIMUM	MAXIMUM
33	MINIMUM	MINIMUM	MINIMUM
34	MAXIMUM	MAXIMUM	MAXIMUM
35	MINIMUM	MINIMUM	MINIMUM
36	MAXIMUM	MAXIMUM	MAXIMUM
37	MINIMUM	MINIMUM	MINIMUM
38	MAXIMUM	MAXIMUM	MAXIMUM
39	MINIMUM	MINIMUM	MINIMUM
40	MAXIMUM	MAXIMUM	MAXIMUM
41	MINIMUM	MINIMUM	MINIMUM
42	MAXIMUM	MAXIMUM	MAXIMUM
43	MINIMUM	MINIMUM	MINIMUM
44	MAXIMUM	MAXIMUM	MAXIMUM
45	MINIMUM	MINIMUM	MINIMUM
46	MAXIMUM	MAXIMUM	MAXIMUM
47	MINIMUM	MINIMUM	MINIMUM
48	MAXIMUM	MAXIMUM	MAXIMUM
49	MINIMUM	MINIMUM	MINIMUM
50	MAXIMUM	MAXIMUM	MAXIMUM
51	MINIMUM	MINIMUM	MINIMUM
52	MAXIMUM	MAXIMUM	MAXIMUM
53	MINIMUM	MINIMUM	MINIMUM
54	MAXIMUM	MAXIMUM	MAXIMUM
55	MINIMUM	MINIMUM	MINIMUM
56	MAXIMUM	MAXIMUM	MAXIMUM
57	MINIMUM	MINIMUM	MINIMUM
58	MAXIMUM	MAXIMUM	MAXIMUM
59	MINIMUM	MINIMUM	MINIMUM
60	MAXIMUM	MAXIMUM	MAXIMUM
61	MINIMUM	MINIMUM	MINIMUM
62	MAXIMUM	MAXIMUM	MAXIMUM
63	MINIMUM	MINIMUM	MINIMUM
64	MAXIMUM	MAXIMUM	MAXIMUM
65	MINIMUM	MINIMUM	MINIMUM
66	MAXIMUM	MAXIMUM	MAXIMUM
67	MINIMUM	MINIMUM	MINIMUM
68	MAXIMUM	MAXIMUM	MAXIMUM
69	MINIMUM	MINIMUM	MINIMUM
70	MAXIMUM	MAXIMUM	MAXIMUM
71	MINIMUM	MINIMUM	MINIMUM
72	MAXIMUM	MAXIMUM	MAXIMUM
73	MINIMUM	MINIMUM	MINIMUM
74	MAXIMUM	MAXIMUM	MAXIMUM
75	MINIMUM	MINIMUM	MINIMUM
76	MAXIMUM	MAXIMUM	MAXIMUM
77	MINIMUM	MINIMUM	MINIMUM
78	MAXIMUM	MAXIMUM	MAXIMUM
79	MINIMUM	MINIMUM	MINIMUM
80	MAXIMUM	MAXIMUM	MAXIMUM
81	MINIMUM	MINIMUM	MINIMUM
82	MAXIMUM	MAXIMUM	MAXIMUM
83	MINIMUM	MINIMUM	MINIMUM
84	MAXIMUM	MAXIMUM	MAXIMUM
85	MINIMUM	MINIMUM	MINIMUM
86	MAXIMUM	MAXIMUM	MAXIMUM
87	MINIMUM	MINIMUM	MINIMUM
88	MAXIMUM	MAXIMUM	MAXIMUM
89	MINIMUM	MINIMUM	MINIMUM
90	MAXIMUM	MAXIMUM	MAXIMUM
91	MINIMUM	MINIMUM	MINIMUM
92	MAXIMUM	MAXIMUM	MAXIMUM
93	MINIMUM	MINIMUM	MINIMUM
94	MAXIMUM	MAXIMUM	MAXIMUM
95	MINIMUM	MINIMUM	MINIMUM
96	MAXIMUM	MAXIMUM	MAXIMUM
97	MINIMUM	MINIMUM	MINIMUM
98	MAXIMUM	MAXIMUM	MAXIMUM
99	MINIMUM	MINIMUM	MINIMUM
100	MAXIMUM	MAXIMUM	MAXIMUM

## PLANTING SPECIFICATIONS AND WARRANTIES

- The demolition of existing plant material must be raised with spray paint by Landscape Architect (L.A.) reviewed and approved by L.A.
- Plant list is for information only. If there are any discrepancies between plant quantities on plan versus plant list, the plan will take priority. Please notify L.A. of any discrepancies.
- All plant material must be Florida # or better unless specified as "character" or with written approval from Landscape Architect.
- Planting beds must be free of surface rock over 1/4" diameter prior to mulching.
- Planting beds must be free of "A" grade mulch or equivalent to be approved by L.A.
- Fertilize all plants with Complete "Super Blend" (8-10-10) 1/4 round ball for 1-3 gallons 1 round ball for 7-10 gallon and 4 round balls for ball and burrhead (B) material.
- Fertilize all BB material with 10 "Agrifon" tablets or equal.
- Mulch all landscape areas with 2 1/2" x 3" of Eucalyptus mulch or Cypress bark "Grade B".
- All sod areas laid with 5" Augustine "Palmetto" to be hand raked prior to installing the sod.
- All sod areas to be top dressed with 2" of 20-20 Laka Waxes since sand Fla. peat prior to sodding.
- Plant material to be watered as follows: shrubs and ground covers for 30 days, large shrubs (over 10 Gall) and trees for 60 days.
- All warranties to run concurrently beginning at final sign-off by the contractor.
- Contractor (G.C.) requires construction phasing beyond control of the installer.
- Installer to notify Owner, G.C. and L.A. of any partial completion due to phasing.
- All materials stored on site are the property of the installer until accepted by Owner. Owner is not responsible for theft unless notified in writing prior to installation and security arrangement agreed to.
- Installer is responsible for the safety of the installer during the installation and until final acceptance.
- Installer is responsible for the safety of the installer during the installation and until final acceptance.
- Ground: The owner or G.C. must be notified in writing of any problems with irrigation phasing or performance.
- Any existing irrigation to be brought to a good functioning standard to ensure proper watering of new material.
- All landscape areas to be on an automatic sprinkler system 100% coverage 100% overlaps with rain sensor per city codes. Irrigation shop drawings to be submitted for approval by L.A. & UNICC. Rainbird heads should be used.
- There need to be consistent with existing university irrigation systems and standards.
- The contractor shall be responsible for the safety of the installer during the installation and until final acceptance.
- Contractor and other construction events are removed from the job. Contractor to assure that all construction contaminants and other construction events are removed from the job.
- In planting beds, particularly by buildings, Landscape contractor to excavate existing soils to a minimum depth of 12" and backfilled with planting soil. In sod areas, Landscape contractor to decompact soil with back hoe teeth to a depth of 6" and add 2" min. of top soil for sodding.

## TRANSPLANTING SPECIFICATIONS

- Root prune all trees and palms to a minimum depth of 24" for the palms and 48" for the trees.
- Lim frayed roots with clippers saw or similar and leave clean cuts.
- Lim frayed roots with side plastic back filling with shredded peat moss fill up voids between plastic & ball, covering all cut roots.
- Backfill with existing soil to hold plastic firmly against newly wrapped ball. Keep 2" deep trench exposed so as to find root ball when harvesting.
- Water trees times per week for next 2 months or until trees are ready to move.
- Harvest palms after 5 weeks minimum and trees after 8 to 10 weeks depending on size. Consult with L.A. prior to removal.
- Reclog holes within 5 days of removal of trees.
- Reclog holes outside the plastic plant wrap being careful not to disturb or tear preserving root ball.
- When digging trees break off large piece of existing coral rock 4" x 36" deep as feasible by under cutting ball. Do Not "Feet Ball" or Rock. If necessary, the horizontal chipping or drilling may be required to break off specimen Oak ball at a minimum 30" depth.
- Plant transplanted trees and palms at correct height in new location keeping original ball top exposed.
- Lim frayed roots with clippers saw or similar and leave clean cuts.
- Lim frayed roots with side plastic back filling with shredded peat moss fill up voids between plastic & ball, covering all cut roots.
- Plants that are not properly lifted and die due to girdling, compression or excessive damage to the cambium layer will be charged to the G.C. and Sub-contractor at a rate of \$500 per caliber inch.
- Remove plastic backfill with 50% existing soil blended with 50% planting soil plus 1/4 bale of Canadian peat moss for palms and 1/2 bale for trees.
- Track as the plan. Agrifon fertilizer tablets per recommendations. Brace and trim broken branches and frayed roots.
- Water daily for duration of overall job will be required having bubblers as part of automatic irrigation system for post-contractor care supplement additional watering but are not a substitution.

Private School - ZONING LEGEND

SPCS NUMBER	LOT INFORMATION	SETBACK REQUIREMENTS	PROVIDE
1	FRONT	FRONT	FRONT
2	REAR	REAR	REAR
3	SIDE	SIDE	SIDE
4	ADJACENT	ADJACENT	ADJACENT
5	MINIMUM	MINIMUM	MINIMUM
6	MAXIMUM	MAXIMUM	MAXIMUM
7	MINIMUM	MINIMUM	MINIMUM
8	MAXIMUM	MAXIMUM	MAXIMUM
9	MINIMUM	MINIMUM	MINIMUM
10	MAXIMUM	MAXIMUM	MAXIMUM
11	MINIMUM	MINIMUM	MINIMUM
12	MAXIMUM	MAXIMUM	MAXIMUM
13	MINIMUM	MINIMUM	MINIMUM
14	MAXIMUM	MAXIMUM	MAXIMUM
15	MINIMUM	MINIMUM	MINIMUM
16	MAXIMUM	MAXIMUM	MAXIMUM
17	MINIMUM	MINIMUM	MINIMUM
18	MAXIMUM	MAXIMUM	MAXIMUM
19	MINIMUM	MINIMUM	MINIMUM
20	MAXIMUM	MAXIMUM	MAXIMUM
21	MINIMUM	MINIMUM	MINIMUM
22	MAXIMUM	MAXIMUM	MAXIMUM
23	MINIMUM	MINIMUM	MINIMUM
24	MAXIMUM	MAXIMUM	MAXIMUM
25	MINIMUM	MINIMUM	MINIMUM
26	MAXIMUM	MAXIMUM	MAXIMUM
27	MINIMUM	MINIMUM	MINIMUM
28	MAXIMUM	MAXIMUM	MAXIMUM
29	MINIMUM	MINIMUM	MINIMUM
30	MAXIMUM	MAXIMUM	MAXIMUM
31	MINIMUM	MINIMUM	MINIMUM
32	MAXIMUM	MAXIMUM	MAXIMUM
33	MINIMUM	MINIMUM	MINIMUM
34	MAXIMUM	MAXIMUM	MAXIMUM
35	MINIMUM	MINIMUM	MINIMUM
36	MAXIMUM	MAXIMUM	MAXIMUM
37	MINIMUM	MINIMUM	MINIMUM
38	MAXIMUM	MAXIMUM	MAXIMUM
39	MINIMUM	MINIMUM	MINIMUM
40	MAXIMUM	MAXIMUM	MAXIMUM
41	MINIMUM	MINIMUM	MINIMUM
42	MAXIMUM	MAXIMUM	MAXIMUM
43	MINIMUM	MINIMUM	MINIMUM
44	MAXIMUM	MAXIMUM	MAXIMUM
45	MINIMUM	MINIMUM	MINIMUM
46	MAXIMUM	MAXIMUM	MAXIMUM
47	MINIMUM	MINIMUM	MINIMUM
48	MAXIMUM	MAXIMUM	MAXIMUM
49	MINIMUM	MINIMUM	MINIMUM
50	MAXIMUM	MAXIMUM	MAXIMUM
51	MINIMUM	MINIMUM	MINIMUM
52	MAXIMUM	MAXIMUM	MAXIMUM
53	MINIMUM	MINIMUM	MINIMUM
54	MAXIMUM	MAXIMUM	MAXIMUM
55	MINIMUM	MINIMUM	MINIMUM
56	MAXIMUM	MAXIMUM	MAXIMUM
57	MINIMUM	MINIMUM	MINIMUM
58	MAXIMUM	MAXIMUM	MAXIMUM
59	MINIMUM	MINIMUM	MINIMUM
60	MAXIMUM	MAXIMUM	MAXIMUM
61	MINIMUM	MINIMUM	MINIMUM
62	MAXIMUM	MAXIMUM	MAXIMUM
63	MINIMUM	MINIMUM	MINIMUM
64	MAXIMUM	MAXIMUM	MAXIMUM
65	MINIMUM	MINIMUM	MINIMUM
66	MAXIMUM	MAXIMUM	MAXIMUM
67	MINIMUM	MINIMUM	MINIMUM
68	MAXIMUM	MAXIMUM	MAXIMUM
69	MINIMUM	MINIMUM	MINIMUM
70	MAXIMUM	MAXIMUM	MAXIMUM
71	MINIMUM	MINIMUM	MINIMUM
72	MAXIMUM	MAXIMUM	MAXIMUM
73	MINIMUM	MINIMUM	MINIMUM
74	MAXIMUM	MAXIMUM	MAXIMUM
75	MINIMUM	MINIMUM	MINIMUM
76	MAXIMUM	MAXIMUM	MAXIMUM
77	MINIMUM	MINIMUM	MINIMUM
78	MAXIMUM	MAXIMUM	MAXIMUM
79	MINIMUM	MINIMUM	MINIMUM
80	MAXIMUM	MAXIMUM	MAXIMUM
81	MINIMUM	MINIMUM	MINIMUM
82	MAXIMUM	MAXIMUM	MAXIMUM
83	MINIMUM	MINIMUM	MINIMUM
84	MAXIMUM	MAXIMUM	MAXIMUM
85	MINIMUM	MINIMUM	MINIMUM
86	MAXIMUM	MAXIMUM	MAXIMUM
87	MINIMUM	MINIMUM	MINIMUM
88	MAXIMUM	MAXIMUM	MAXIMUM
89	MINIMUM	MINIMUM	MINIMUM
90	MAXIMUM	MAXIMUM	MAXIMUM
91	MINIMUM	MINIMUM	MINIMUM
92	MAXIMUM	MAXIMUM	MAXIMUM
93	MINIMUM	MINIMUM	MINIMUM
94	MAXIMUM	MAXIMUM	MAXIMUM
95	MINIMUM	MINIMUM	MINIMUM
96	MAXIMUM	MAXIMUM	MAXIMUM
97	MINIMUM	MINIMUM	MINIMUM
98	MAXIMUM	MAXIMUM	MAXIMUM
99	MINIMUM	MINIMUM	MINIMUM
100	MAXIMUM	MAXIMUM	MAXIMUM









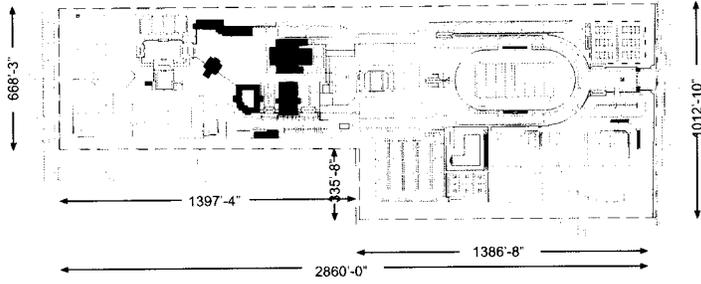


# SCHEMATIC ARCHITECTURE

## Building Information

Building Number: 9.2  
 Building Use: Elementary School - Classrooms  
 Proposed Area: 9,580 SF  
 Ground Floor Area: 4,856 SF  
 Classrooms: 12  
 Classroom Area: 3,816 SF  
 Number of Floors: 2  
 Height to Eave: 24'-0"  
 Height to Top of Roof: 32'-2"  
 Comments:

## Master Plan Key



\* All building designs are schematic

## Zoning Legend

### Private School - ZONING LEGEND

SETBACK REQUIREMENTS	REAR	FRONT	SIDE	MINIMUM	MAXIMUM
REAR	5'	5'	5'	5'	5'
FRONT	5'	5'	5'	5'	5'
SIDE	5'	5'	5'	5'	5'
MINIMUM	5'	5'	5'	5'	5'
MAXIMUM	5'	5'	5'	5'	5'

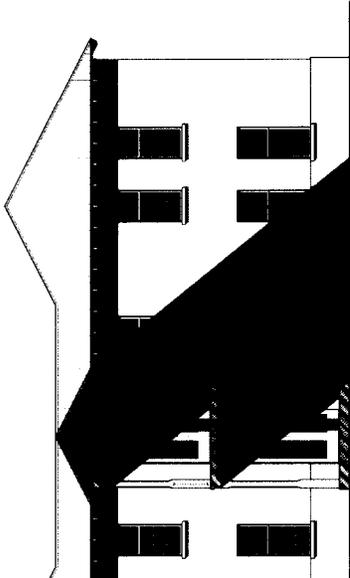
VEHICLE	SURFACING	TRANSPORT
VEHICLE	VEHICLE	VEHICLE
SURFACING	SURFACING	SURFACING
TRANSPORT	TRANSPORT	TRANSPORT

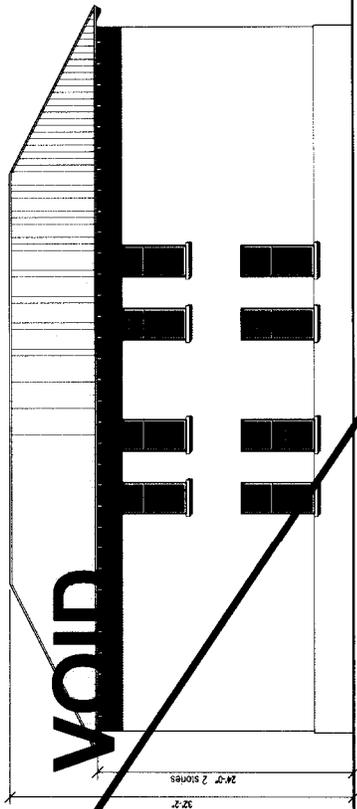
LOT INFORMATION	LOT AREA				
LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA
LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA
LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA
LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA	LOT AREA

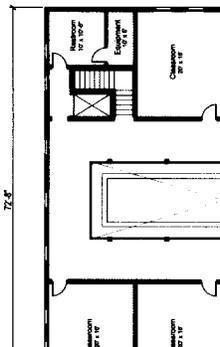
MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS
MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS
MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS
MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS
MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS	MINIMUM LOT REQUIREMENTS



NORTHWEST ELEVATION



SOUTHWEST ELEVATION















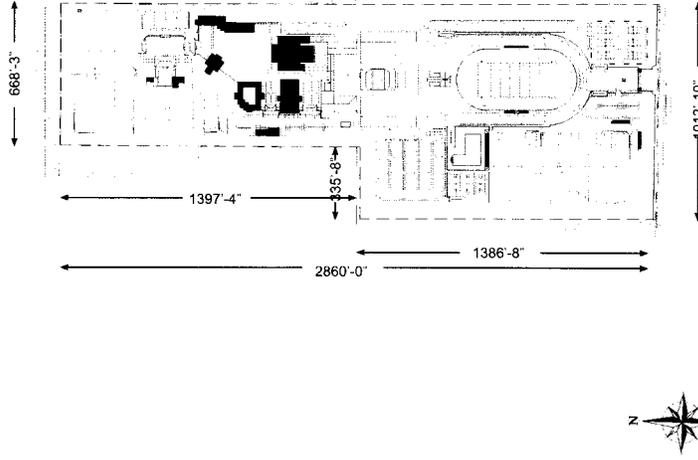


# SCHEMATIC ARCHITECTURE

## Building Information

Building Number: 10.2  
 Building Use: Field Storage  
 Proposed Area: 2,524 SF  
 Ground Floor Area: 1,492 SF  
 Classrooms: n/a  
 Classroom Area: n/a  
 Number of Floors: 2  
 Height to Eave: 21'-2"  
 Height to Top of Roof: 26'-7"  
 Comments:

## Master Plan Key



\* All building designs are schematic.

## Zoning Legend

### Private School - ZONING LEGEND

SETBACK TYPE	REQUIRED	PROVIDED
FRONT	5'	20'
REAR	5'	20'
SIDE STREET	5'	20'
INTERIOR	5'	10'
SETBACK DISTANCE	5'	34'
SETBACK DISTANCE	5'	27' min

ACCESSORY BUILDINGS	FRONT	REAR	SIDE STREET	INTERIOR	SETBACK DISTANCE
FRONT	5'	5'	5'	5'	5'
REAR	5'	5'	5'	5'	5'
SIDE STREET	5'	5'	5'	5'	5'
INTERIOR	5'	5'	5'	5'	5'
SETBACK DISTANCE	5'	5'	5'	5'	5'

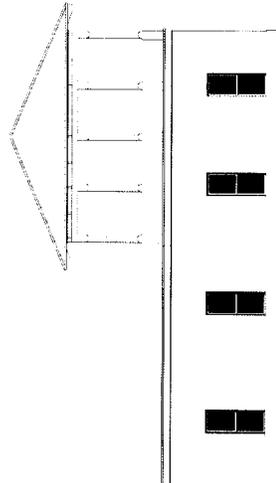
MAXIMUM FLOOR AREA (SQ FT) PER 1,000 SQ FT OF BUILDING FOOTPRINT	FRONT	REAR	SIDE STREET	INTERIOR
FRONT	1.11	1.11	1.11	1.11
REAR	1.11	1.11	1.11	1.11
SIDE STREET	1.11	1.11	1.11	1.11
INTERIOR	1.11	1.11	1.11	1.11

MINIMUM LOT REQUIREMENTS	FRONT	REAR	SIDE STREET	INTERIOR
FRONT	1.11	1.11	1.11	1.11
REAR	1.11	1.11	1.11	1.11
SIDE STREET	1.11	1.11	1.11	1.11
INTERIOR	1.11	1.11	1.11	1.11

VEHICLES	SUPPORT	TRANSPORT
VEHICLES	2	2
SUPPORT	2	2
TRANSPORT	2	2



SOUTH ELEVATION





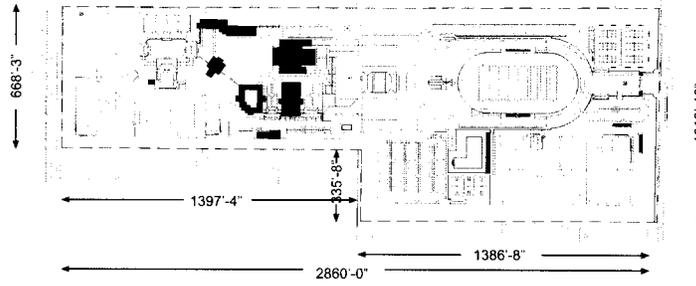
# SCHEMATIC ARCHITECTURE

(10.5) POOL

## Building Information

**Building Number:** 10.5  
**Building Use:** Pool Storage and Bleachers  
**Proposed Area:** 800 SF  
**Ground Floor Area:** 800 SF  
**Classrooms:** 0  
**Classroom Area:** 0  
**Number of Floors:** 1  
**Height to Eave:** 14'-0"  
**Height to Top of Roof:** 19'-5"  
**Comments:**

## Master Plan Key



\* All building designs are schematic

## Zoning Legend

### Private School - ZONING LEGEND

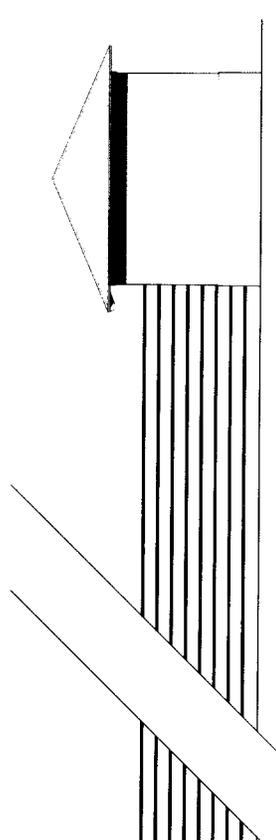
Zoning District: EUM		SETBACK REQUIREMENTS		PROVIDED	
SETBACK TYPE	REQUIRED	SETBACK TYPE	REQUIRED	PROVIDED	DIFF.
FRONT	5'	FRONT	5'	5'	0'
REAR	5'	REAR	5'	5'	0'
SIDE (LEFT)	5'	SIDE (LEFT)	5'	5'	0'
SIDE (RIGHT)	5'	SIDE (RIGHT)	5'	5'	0'
MAXIMUM FLOOR AREA RATIO (FAR) (NO. OF BUILDING STORIES)	2.0	MAXIMUM FLOOR AREA RATIO (FAR) (NO. OF BUILDING STORIES)	2.0	2.0	0.0
MAX. HEIGHT OF PROPOSED BUILDING	35'	MAX. HEIGHT OF PROPOSED BUILDING	35'	35'	0'
MAX. HEIGHT OF BUILDING NOW USED	35'	MAX. HEIGHT OF BUILDING NOW USED	35'	35'	0'
MAX. NUMBER OF STORIES PROPOSED	2	MAX. NUMBER OF STORIES PROPOSED	2	2	0
MAX. NUMBER OF STORIES NOW USED	2	MAX. NUMBER OF STORIES NOW USED	2	2	0
MIN. LOT DEPTH	25'	MIN. LOT DEPTH	25'	25'	0'
MIN. LOT WIDTH	25'	MIN. LOT WIDTH	25'	25'	0'

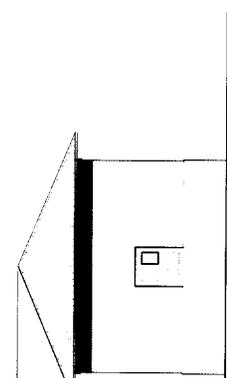
LOT INFORMATION		MINIMUM LOT REQUIREMENTS	
PARAMETER	VALUE	PARAMETER	VALUE
LOT AREA (SQ. FT.)	1,000	MINIMUM LOT AREA (SQ. FT.)	1,000
LOT WIDTH (FT.)	25	MINIMUM LOT WIDTH (FT.)	25
LOT DEPTH (FT.)	40	MINIMUM LOT DEPTH (FT.)	25
AVG. LOT COVER (PERCENT)	10	MINIMUM LOT COVER (PERCENT)	10
AVG. LOT OPEN SPACE (PERCENT)	90	MINIMUM LOT OPEN SPACE (PERCENT)	90
AVG. LOT OPEN SPACE (PERCENT)	90	MINIMUM LOT OPEN SPACE (PERCENT)	90
AVG. LOT OPEN SPACE (PERCENT)	90	MINIMUM LOT OPEN SPACE (PERCENT)	90

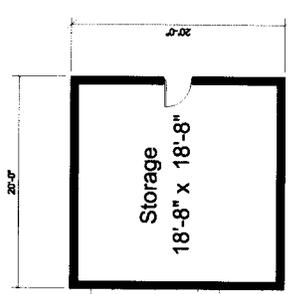
VEHICLES	
SCHOOL	TRANSPORT
100	100
100	100
100	100
100	100



NORTH ELEVATION



SIDE ELEVATION



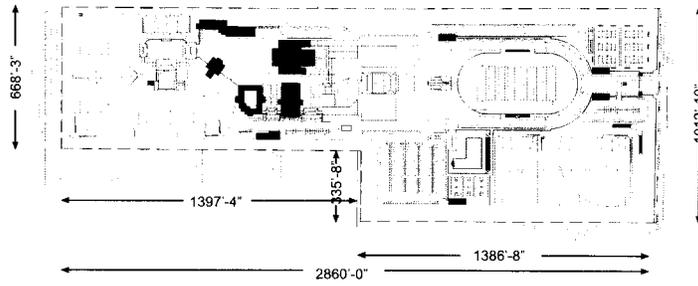
FLOOR PLAN

# SCHEMATIC ARCHITECTURE

## Building Information

**Building Number:** 10.6  
**Building Use:** Fieldhouse - Storage  
**Proposed Area:** 1,799 SF  
**Ground Floor Area:** 1,799 SF  
**Classrooms:** 0  
**Classroom Area:** 0  
**Number of Floors:** 1  
**Height to Eave:** 10'-0"  
**Height to Top of Roof:** 16'-1"  
**Comments:** This plan includes 4 of these buildings

## Master Plan Key



\* All building designs are schematic

## Zoning Legend

### Private School - ZONING LEGEND

SETBACK TYPE	REQUIRED	PROVIDED
FRONT	5'	20'
REAR	5'	20'
SIDE	5'	20'
ADJACENT	5'	20'
MINIMUM ELEVATION	15'	15'
MINIMUM LOT REQUIREMENTS		
MINIMUM LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
MINIMUM LOT WIDTH	100 FT.	100 FT.
MINIMUM LOT DEPTH	100 FT.	100 FT.
MINIMUM LOT COVERAGE	10%	10%
MINIMUM LOT AREA RATIO (F.A.R.)	1.0	1.0
MINIMUM LOT AREA RATIO (F.A.R.) PER NO. OF BUILDING STORES		
1-4	1.0	1.0
5-11	1.0	1.0
12-19	1.0	1.0
20-29	1.0	1.0
30-39	1.0	1.0
40-49	1.0	1.0
50-59	1.0	1.0
60-69	1.0	1.0
70-79	1.0	1.0
80-89	1.0	1.0
90-99	1.0	1.0
100-109	1.0	1.0
110-119	1.0	1.0
120-129	1.0	1.0
130-139	1.0	1.0
140-149	1.0	1.0
150-159	1.0	1.0
160-169	1.0	1.0
170-179	1.0	1.0
180-189	1.0	1.0
190-199	1.0	1.0
200-209	1.0	1.0
210-219	1.0	1.0
220-229	1.0	1.0
230-239	1.0	1.0
240-249	1.0	1.0
250-259	1.0	1.0
260-269	1.0	1.0
270-279	1.0	1.0
280-289	1.0	1.0
290-299	1.0	1.0
300-309	1.0	1.0
310-319	1.0	1.0
320-329	1.0	1.0
330-339	1.0	1.0
340-349	1.0	1.0
350-359	1.0	1.0
360-369	1.0	1.0
370-379	1.0	1.0
380-389	1.0	1.0
390-399	1.0	1.0
400-409	1.0	1.0
410-419	1.0	1.0
420-429	1.0	1.0
430-439	1.0	1.0
440-449	1.0	1.0
450-459	1.0	1.0
460-469	1.0	1.0
470-479	1.0	1.0
480-489	1.0	1.0
490-499	1.0	1.0
500-509	1.0	1.0
510-519	1.0	1.0
520-529	1.0	1.0
530-539	1.0	1.0
540-549	1.0	1.0
550-559	1.0	1.0
560-569	1.0	1.0
570-579	1.0	1.0
580-589	1.0	1.0
590-599	1.0	1.0
600-609	1.0	1.0
610-619	1.0	1.0
620-629	1.0	1.0
630-639	1.0	1.0
640-649	1.0	1.0
650-659	1.0	1.0
660-669	1.0	1.0
670-679	1.0	1.0
680-689	1.0	1.0
690-699	1.0	1.0
700-709	1.0	1.0
710-719	1.0	1.0
720-729	1.0	1.0
730-739	1.0	1.0
740-749	1.0	1.0
750-759	1.0	1.0
760-769	1.0	1.0
770-779	1.0	1.0
780-789	1.0	1.0
790-799	1.0	1.0
800-809	1.0	1.0
810-819	1.0	1.0
820-829	1.0	1.0
830-839	1.0	1.0
840-849	1.0	1.0
850-859	1.0	1.0
860-869	1.0	1.0
870-879	1.0	1.0
880-889	1.0	1.0
890-899	1.0	1.0
900-909	1.0	1.0
910-919	1.0	1.0
920-929	1.0	1.0
930-939	1.0	1.0
940-949	1.0	1.0
950-959	1.0	1.0
960-969	1.0	1.0
970-979	1.0	1.0
980-989	1.0	1.0
990-999	1.0	1.0
1000-1009	1.0	1.0
1010-1019	1.0	1.0
1020-1029	1.0	1.0
1030-1039	1.0	1.0
1040-1049	1.0	1.0
1050-1059	1.0	1.0
1060-1069	1.0	1.0
1070-1079	1.0	1.0
1080-1089	1.0	1.0
1090-1099	1.0	1.0
1100-1109	1.0	1.0
1110-1119	1.0	1.0
1120-1129	1.0	1.0
1130-1139	1.0	1.0
1140-1149	1.0	1.0
1150-1159	1.0	1.0
1160-1169	1.0	1.0
1170-1179	1.0	1.0
1180-1189	1.0	1.0
1190-1199	1.0	1.0
1200-1209	1.0	1.0
1210-1219	1.0	1.0
1220-1229	1.0	1.0
1230-1239	1.0	1.0
1240-1249	1.0	1.0
1250-1259	1.0	1.0
1260-1269	1.0	1.0
1270-1279	1.0	1.0
1280-1289	1.0	1.0
1290-1299	1.0	1.0
1300-1309	1.0	1.0
1310-1319	1.0	1.0
1320-1329	1.0	1.0
1330-1339	1.0	1.0
1340-1349	1.0	1.0
1350-1359	1.0	1.0
1360-1369	1.0	1.0
1370-1379	1.0	1.0
1380-1389	1.0	1.0
1390-1399	1.0	1.0
1400-1409	1.0	1.0
1410-1419	1.0	1.0
1420-1429	1.0	1.0
1430-1439	1.0	1.0
1440-1449	1.0	1.0
1450-1459	1.0	1.0
1460-1469	1.0	1.0
1470-1479	1.0	1.0
1480-1489	1.0	1.0
1490-1499	1.0	1.0
1500-1509	1.0	1.0
1510-1519	1.0	1.0
1520-1529	1.0	1.0
1530-1539	1.0	1.0
1540-1549	1.0	1.0
1550-1559	1.0	1.0
1560-1569	1.0	1.0
1570-1579	1.0	1.0
1580-1589	1.0	1.0
1590-1599	1.0	1.0
1600-1609	1.0	1.0
1610-1619	1.0	1.0
1620-1629	1.0	1.0
1630-1639	1.0	1.0
1640-1649	1.0	1.0
1650-1659	1.0	1.0
1660-1669	1.0	1.0
1670-1679	1.0	1.0
1680-1689	1.0	1.0
1690-1699	1.0	1.0
1700-1709	1.0	1.0
1710-1719	1.0	1.0
1720-1729	1.0	1.0
1730-1739	1.0	1.0
1740-1749	1.0	1.0
1750-1759	1.0	1.0
1760-1769	1.0	1.0
1770-1779	1.0	1.0
1780-1789	1.0	1.0
1790-1799	1.0	1.0
1800-1809	1.0	1.0
1810-1819	1.0	1.0
1820-1829	1.0	1.0
1830-1839	1.0	1.0
1840-1849	1.0	1.0
1850-1859	1.0	1.0
1860-1869	1.0	1.0
1870-1879	1.0	1.0
1880-1889	1.0	1.0
1890-1899	1.0	1.0
1900-1909	1.0	1.0
1910-1919	1.0	1.0
1920-1929	1.0	1.0
1930-1939	1.0	1.0
1940-1949	1.0	1.0
1950-1959	1.0	1.0
1960-1969	1.0	1.0
1970-1979	1.0	1.0
1980-1989	1.0	1.0
1990-1999	1.0	1.0
2000-2009	1.0	1.0
2010-2019	1.0	1.0
2020-2029	1.0	1.0
2030-2039	1.0	1.0
2040-2049	1.0	1.0
2050-2059	1.0	1.0
2060-2069	1.0	1.0
2070-2079	1.0	1.0
2080-2089	1.0	1.0
2090-2099	1.0	1.0
2100-2109	1.0	1.0
2110-2119	1.0	1.0
2120-2129	1.0	1.0
2130-2139	1.0	1.0
2140-2149	1.0	1.0
2150-2159	1.0	1.0
2160-2169	1.0	1.0
2170-2179	1.0	1.0
2180-2189	1.0	1.0
2190-2199	1.0	1.0
2200-2209	1.0	1.0
2210-2219	1.0	1.0
2220-2229	1.0	1.0
2230-2239	1.0	1.0
2240-2249	1.0	1.0
2250-2259	1.0	1.0
2260-2269	1.0	1.0
2270-2279	1.0	1.0
2280-2289	1.0	1.0
2290-2299	1.0	1.0
2300-2309	1.0	1.0
2310-2319	1.0	1.0
2320-2329	1.0	1.0
2330-2339	1.0	1.0
2340-2349	1.0	1.0
2350-2359	1.0	1.0
2360-2369	1.0	1.0
2370-2379	1.0	1.0
2380-2389	1.0	1.0
2390-2399	1.0	1.0
2400-2409	1.0	1.0
2410-2419	1.0	1.0
2420-2429	1.0	1.0
2430-2439	1.0	1.0
2440-2449	1.0	1.0
2450-2459	1.0	1.0
2460-2469	1.0	1.0
2470-2479	1.0	1.0
2480-2489	1.0	1.0
2490-2499	1.0	1.0
2500-2509	1.0	1.0
2510-2519	1.0	1.0
2520-2529	1.0	1.0
2530-2539	1.0	1.0
2540-2549	1.0	1.0
2550-2559	1.0	1.0
2560-2569	1.0	1.0
2570-2579	1.0	1.0
2580-2589	1.0	1.0
2590-2599	1.0	1.0
2600-2609	1.0	1.0
2610-2619	1.0	1.0
2620-2629	1.0	1.0
2630-2639	1.0	1.0
2640-2649	1.0	1.0
2650-2659	1.0	1.0
2660-2669	1.0	1.0
2670-2679	1.0	1.0
2680-2689	1.0	1.0
2690-2699	1.0	1.0
2700-2709	1.0	1.0
2710-2719	1.0	1.0
2720-2729	1.0	1.0
2730-2739	1.0	1.0
2740-2749	1.0	1.0
2750-2759	1.0	1.0
2760-2769	1.0	1.0
2770-2779	1.0	1.0
2780-2789	1.0	1.0
2790-2799	1.0	1.0
2800-2809	1.0	1.0
2810-2819	1.0	1.0
2820-2829	1.0	1.0
2830-2839	1.0	1.0
2840-2849	1.0	1.0
2850-2859	1.0	1.0
2860-2869	1.0</	

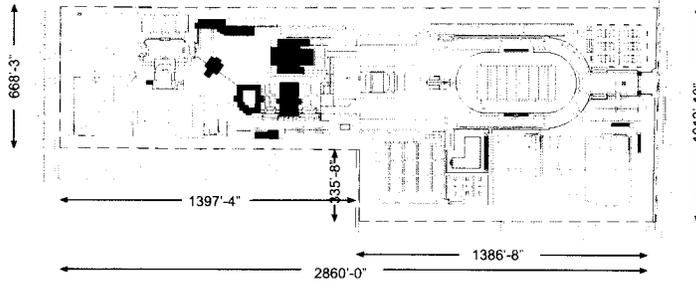


# SCHEMATIC ARCHITECTURE

## Building Information

**Building Number:** 12  
**Building Use:** Classrooms  
**Proposed Area:** 7,836 SF  
**Ground Floor Area:** 3,954 SF  
**Classrooms:** 9  
**Classroom Area:** 4,428 SF  
**Number of Floors:** 2  
**Height to Eave:** 26'-10"  
**Height to Top of Roof:** 35'-0"  
**Comments:**  
 Comments: 9 Classrooms added to current Middle School classroom stock.

## Master Plan Key

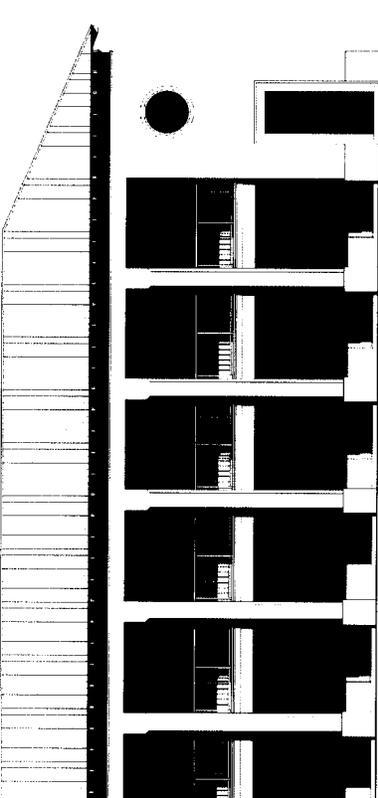


\* All building designs are schematic

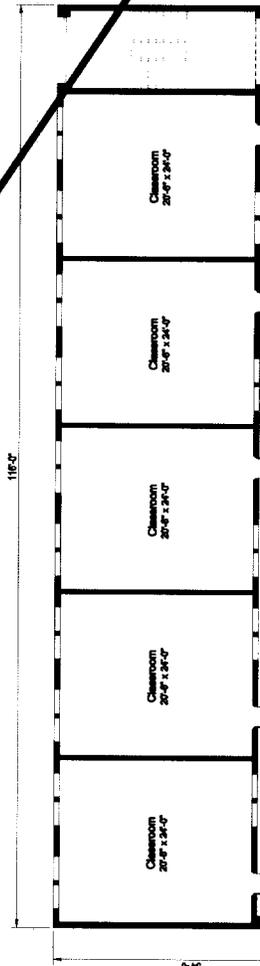
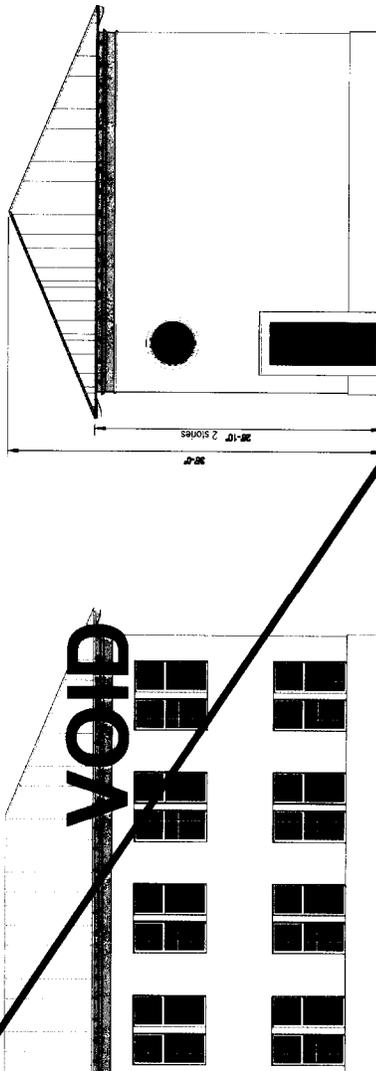
## Zoning Legend

Private School - ZONING LEGEND	
<b>Zoning District:</b> EU-M	<b>Private School - ZONING LEGEND</b>
<b>LOT INFORMATION</b>	<b>SETBACK REQUIREMENTS</b>
LOTS PER ACRES: 1.0 LOT AREA: 1.0 ACRES LOT WIDTH: 100 FT LOT DEPTH: 100 FT LOT AREA: 10,000 SQ FT LOT WIDTH: 100 FT LOT DEPTH: 100 FT	FRONT: 0' REAR: 0' SIDE: 0' CORNER: 0'
<b>LOT REQUIREMENTS</b>	<b>ACCESSORY BUILDINGS</b>
MINIMUM LOT AREA: 10,000 SQ FT MINIMUM LOT WIDTH: 100 FT MINIMUM LOT DEPTH: 100 FT MINIMUM LOT AREA: 10,000 SQ FT MINIMUM LOT WIDTH: 100 FT MINIMUM LOT DEPTH: 100 FT	FRONT: 0' REAR: 0' SIDE: 0' CORNER: 0'
<b>VEHICLES</b>	<b>VEHICLES</b>
SCHOOL: 10 SUPPORT: 10 TRANSPORT: 10	FRONT: 0' REAR: 0' SIDE: 0' CORNER: 0'
<b>PHYSICAL CHARACTERISTICS</b>	<b>PHYSICAL CHARACTERISTICS</b>
MAXIMUM FLOOR AREA RATIO (F.A.R.): 1.0 MAXIMUM HEIGHT: 35 FT MAXIMUM NUMBER OF STORIES: 2 MAXIMUM NUMBER OF UNITS PER LOT: 10	MAXIMUM FLOOR AREA RATIO (F.A.R.): 1.0 MAXIMUM HEIGHT: 35 FT MAXIMUM NUMBER OF STORIES: 2 MAXIMUM NUMBER OF UNITS PER LOT: 10

WEST ELEVATION



NORTH ELEVATION











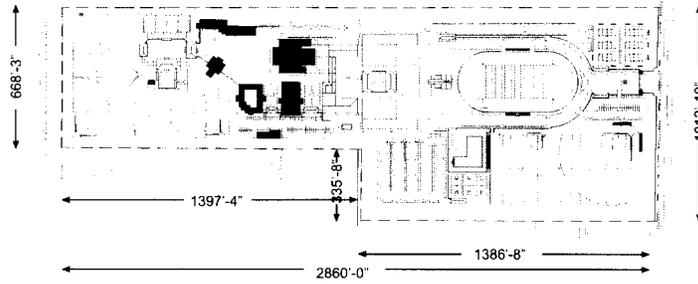


# SCHEMATIC ARCHITECTURE

## Building Information

Building Number: 20  
 Building Use: Service Building  
 Proposed Area: 5,000 SF  
 Ground Floor Area: 5,000 SF  
 Classrooms: n/a  
 Classroom Area: n/a  
 Number of Floors: 1  
 Height to Eave: 14'-2"  
 Height to Top of Roof: 25'-8"  
 Comments:

## Master Plan Key



\* All building designs are schematic

## Zoning Legend

SETBACK REQUIREMENTS	REQUIRED	PROVIDED
FRONT	5'	25'
REAR	5'	75'
BETWEEN BUILDINGS	5'	30'
MINIMUM SETBACK	5'	25'

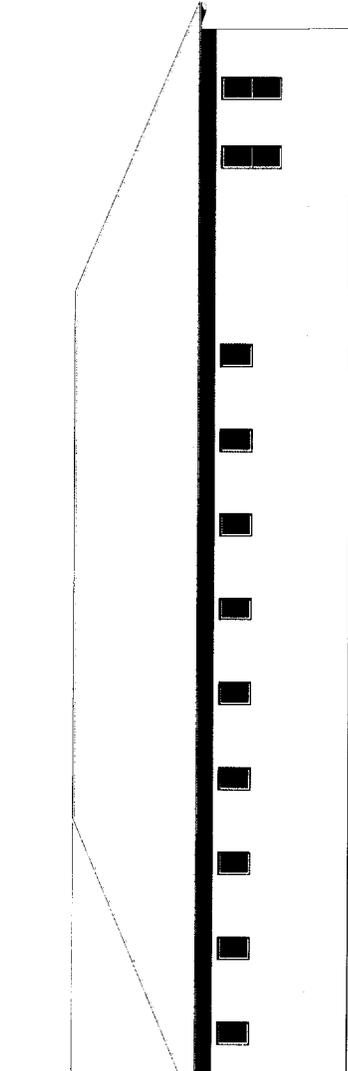
ACCESSORY BUILDINGS	REQUIRED	PROVIDED
FRONT	0'	0'
REAR	0'	0'
BETWEEN BUILDINGS	0'	0'

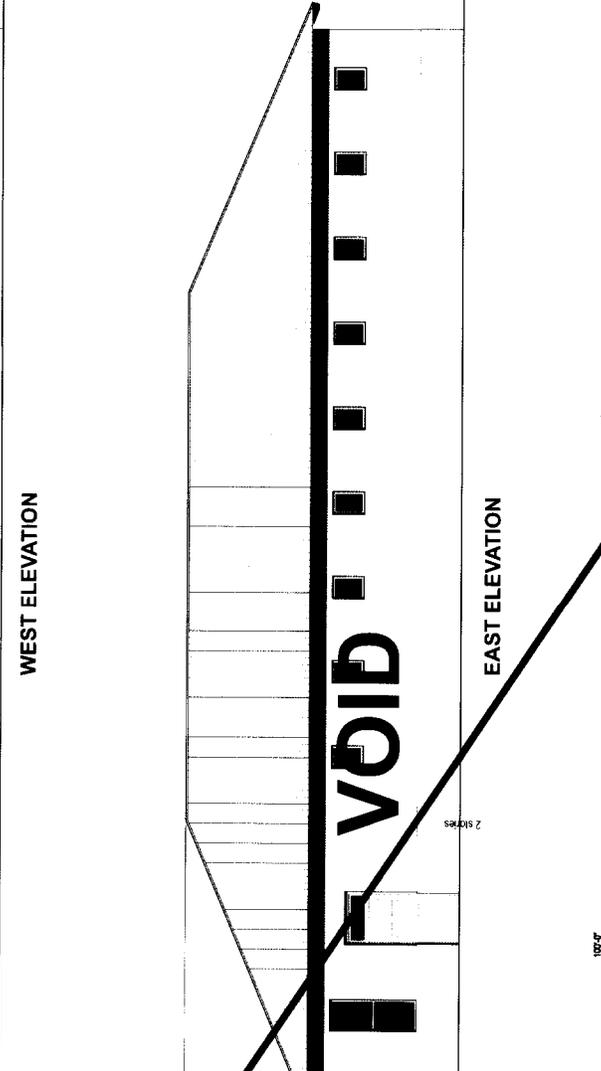
MAXIMUM FLOOR AREA RATIO (F.A.R.) (FARMS OR BUILDING STORES)	REQUIRED	PROVIDED
MAXIMUM FLOOR AREA RATIO (F.A.R.) (FARMS OR BUILDING STORES)	0.5	0.5

## Zoning District: EU-M

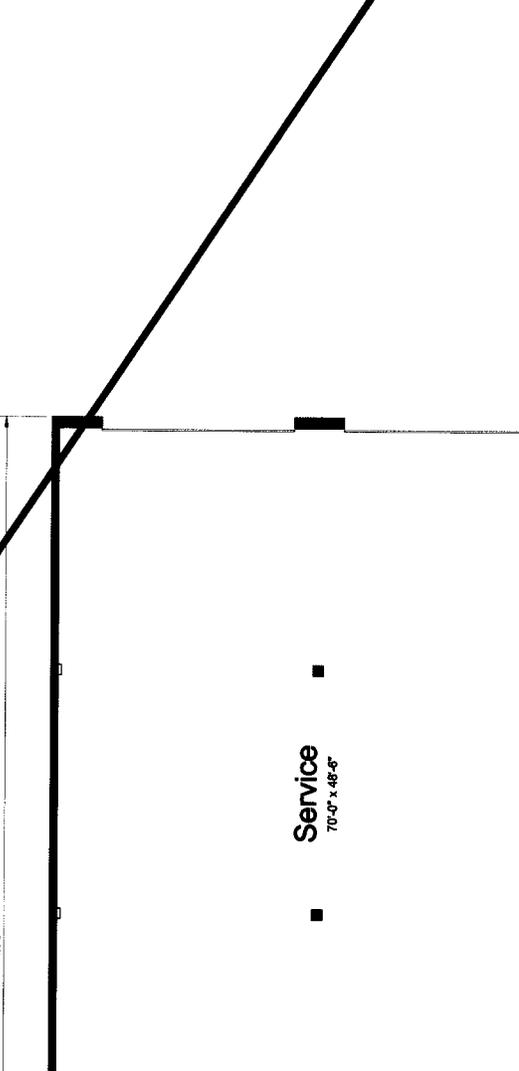
LOT INFORMATION	MINIMUM LOT REQUIREMENTS
MINIMUM LOT AREA: 5,000 SF	5,000 SF
MINIMUM LOT WIDTH: 100 FT	100 FT
MINIMUM LOT DEPTH: 50 FT	50 FT
MINIMUM LOT FRONT SETBACK: 5 FT	5 FT
MINIMUM LOT REAR SETBACK: 5 FT	5 FT
MINIMUM LOT SIDE SETBACK: 5 FT	5 FT
MINIMUM LOT FRONT YARD SETBACK: 5 FT	5 FT
MINIMUM LOT REAR YARD SETBACK: 5 FT	5 FT
MINIMUM LOT SIDE YARD SETBACK: 5 FT	5 FT
MINIMUM LOT FRONT SETBACK: 5 FT	5 FT
MINIMUM LOT REAR SETBACK: 5 FT	5 FT
MINIMUM LOT SIDE SETBACK: 5 FT	5 FT
MINIMUM LOT FRONT YARD SETBACK: 5 FT	5 FT
MINIMUM LOT REAR YARD SETBACK: 5 FT	5 FT
MINIMUM LOT SIDE YARD SETBACK: 5 FT	5 FT



WEST ELEVATION



EAST ELEVATION



Service  
70'-0" x 48'-5"















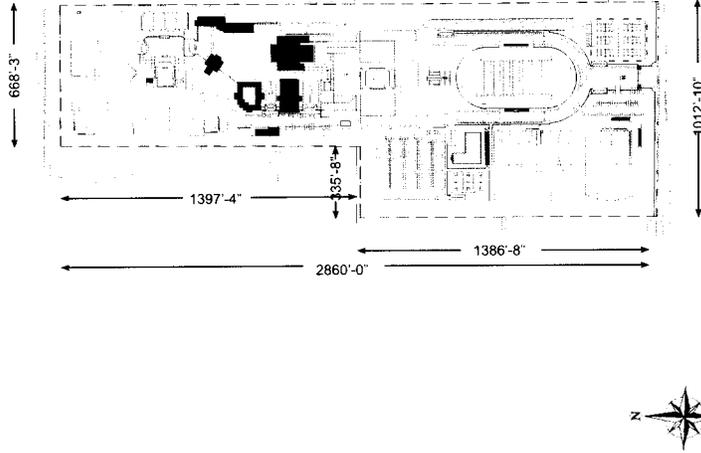
# APPENDIX

LAND

Consultant

Master Plan Key

Zoning Legend



Private School - ZONING LEGEND

SETBACK TYPE	REQUIRED	PROPOSED
FRONT	10'	10'
REAR	5'	5'
SIDE STREET	5'	5'
INTERIOR	5'	5'
REAR	5'	5'
EXISTING BUILDING	5'	5'

ACCESSORY BUILDINGS	MAXIMUM FLOOR AREA (SQ. FT.) PER 100 OF BUILDING STORIES
10'	200
15'	300
20'	400
25'	500
30'	600
35'	700
40'	800
45'	900
50'	1000

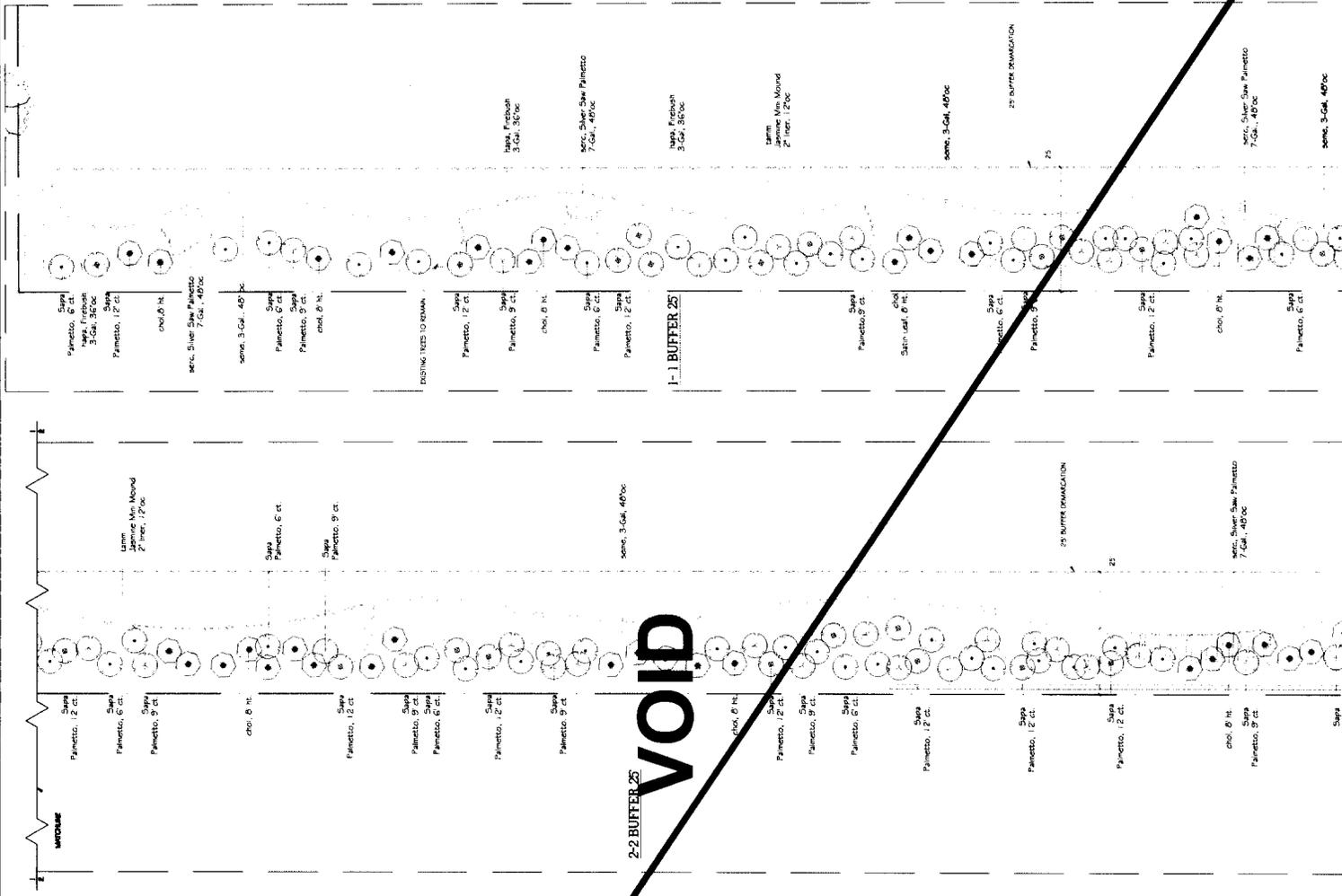
MINIMUM LOT REQUIREMENTS	MINIMUM LOT AREA (SQ. FT.)	MINIMUM LOT WIDTH (FT.)	MINIMUM LOT DEPTH (FT.)
10'	10,000	30	100
15'	15,000	45	150
20'	20,000	60	200
25'	25,000	75	250
30'	30,000	90	300
35'	35,000	105	350
40'	40,000	120	400
45'	45,000	135	450
50'	50,000	150	500

VEHICLES	SUPPORT	TRANSFERT
See EUPH' A'	See EUPH' A'	See EUPH' A'

MINIMUM LOT REQUIREMENTS	MINIMUM LOT AREA (SQ. FT.)	MINIMUM LOT WIDTH (FT.)	MINIMUM LOT DEPTH (FT.)
10'	10,000	30	100
15'	15,000	45	150
20'	20,000	60	200
25'	25,000	75	250
30'	30,000	90	300
35'	35,000	105	350
40'	40,000	120	400
45'	45,000	135	450
50'	50,000	150	500



Minimum Size	Minimum Area	Minimum Width	Minimum Depth
10'	10,000	30	100
15'	15,000	45	150
20'	20,000	60	200
25'	25,000	75	250
30'	30,000	90	300
35'	35,000	105	350
40'	40,000	120	400
45'	45,000	135	450
50'	50,000	150	500

















**RESOLUTION 2010-48**  
**EXHIBIT "C"**

FROM DATE OF  
FIRST C/O

School Year	Total Enrollment	Additional students from prior year	Percentage Increase from prior year
2009-2010	640		
2010-2011	660	20	3.13%
2011-2012	680	20	3.03%
2012-2013	700	20	2.94%
2013-2014	720	20	2.86%
2014-2015	740	20	2.78%
2015-2016	840	100	13.51%
2016-2017	890	50	5.95%
2017-2018	942	52	5.84%
2018-2019	994	52	5.52%
2019-2020	1036	42	4.23%
2020-2021	1063	27	2.61%
2021-2022	1090	27	2.54%
2022-2023	1117	27	2.48%
2023-2024	1157	40	4.79%
2024-2025	1150	13	1.14%

**RESOLUTION 2010-48**  
**EXHIBIT "D"**



RECEIVED  
Zoning Department

April 27, 2010 @ 6:28 pm

Village of Palmetto Bay  
Building & Zoning Department

By: *Jay C. Jantana*

Alexandra L. Deas, Esq.  
Tel: 305.350.72  
Fax: 305.351.21  
adeas@bilzin.c

April 27, 20

**Via E-Mail**

Julian H. Perez, Department Director of Planning and Zoning  
Village of Palmetto Bay  
8950 S.W. 152 Street  
Palmetto Bay, Florida 33157

**Re: Palmer Trinity Private School, Inc. ("Applicant")  
Village Zoning Application: VPB 07-012 ("Application")**

Dear Mr. Perez:

Please be advised that if the Application is approved, the Phase 1 improvements will be as follows:

1. Seek permits for the opening of the school driveway on SW 184th St. and internal roadway connecting the 7900 SW 176th St. parcel to the 8001 SW 184th St. parcel within six months of final zoning approval and prior to the issuance of any certificate of occupancy for any structure;
2. Once a certificate of occupancy is issued for the first new classroom building, remove the modular classrooms, but no later than 18 months following final zoning approval;
3. Construct the wall on Parcel B within two years of final zoning approval and complete planting the buffer within three years of final zoning approval; and
4. The pool will not be part of Phase 1 and will be constructed no sooner than five years following final zoning approval.

Thank you for your attention to this matter and please do not hesitate to contact me if you have any questions or comments.

Sincerely,

Alexandra L. Deas

cc: Sean Murphy  
Stanley Price, Esq.  
Eileen Mehta, Esq.