OFFICIAL ZONING AGENDA

VILLAGE OF PALMETTO BAY COUNCIL

VILLAGE OF PALMETTO BAY COUNCIL
MEETING OF TUESDAY, JULY 19, 2011

CHRIST FELLOWSHIP CHURCH
8900 SW 168 STREET, PALMETTO BAY, FLORIDA

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 6:30 P.M., AND ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE VILLAGE OF PALMETTO BAY COUNCIL SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE VILLAGE OF PALMETTO BAY COUNCIL BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COUNCIL BE GRANTED BY THE MAJORITY VOTE OF THE COUNCIL MEMBERS PRESENT.

THE NUMBER OF CORRESPONDENCE RECEIVED IN SUPPORT OF AN APPLICATION AND THE NUMBER OF CORRESPONDENCE RECEIVED AGAINST AN APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE VILLAGE OF PALMETTO BAY ZONING HEARING MEETING DATE FOR THIS COUNCIL.

SWEARING IN OF WITNESSES

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1. **PALMER TRINITY PRIVATE SCHOOL, INC. (VPB-07-012) (PUBLIC HEARING REQUIRED)**

   A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; ON REMAND FROM THE 11TH JUDICIAL CIRCUIT AFTER THE ISSUANCE OF THE MANDATE FROM THE CIRCUIT COURT'S ORDER OF FEBRUARY 11, 2011, IN THAT ACTION ENTITLED PALMER TRINITY V. VILLAGE OF PALMETTO BAY UNDER APPELLATE CASE NO: 10-259 AP; AMENDING RESOLUTION 2010-48, RELATING TO THE SPECIAL EXCEPTION AND A SITE PLAN MODIFICATION ON PROPERTY ZONED E-M; LOCATED IN PALMETTO BAY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

Property Address:	7900 SW 176 Street and 8001 SW 184th Street, Palmetto Bay, Florida
Size of Lot:	Approximately 55 acres
Current Zoning:	Agricultural District (AG) and Estate Single Family Five-Acre District (E-2)

THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Village of Palmetto Bay Council (VPB) are appealed to the Circuit Court. Appeals to Circuit Court must be filed within 30 days of the execution of the Village of Palmetto Bay resolution.

Further information and assistance may be obtained by contacting the Legal Counsel's office for the Department of Planning & Zoning at 305-235-9344, or the Village Clerk at (305) 259-1234. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 375-5955.

To: Mayor and Village Council Date: June 30, 2011

From: Eve A. Boutsis, Village Attorney Re: Recusal and due process

Defining procedural due process:

Procedural due process, in the context of a quasi-judicial hearing, and review on appeal via a petition for certiorari, requires proper notice and a fair opportunity to be heard in the quasi-judicial process. See generally Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993) and Jennings v. Dade County, 589 So. 2d 1337 (Fla. 3rd DCA 1991). An individual's procedural due process rights are violated when a deprivation of a right has occurred without notice and an opportunity to be heard. Joshua v. City of Gainesville, 768 So. 2d 432 (Fla. 2000); LaChance v. Erickson, 522 U.S. 262, (1998); and Mathews v. Eldridge, 424 U.S. 319, 332-333 (1976). When assessing whether or not a violation of due process has occurred, "a court must first decide whether the complaining party has been deprived of a constitutionally protected liberty or property interest. Absent such a deprivation, there can be no denial of due process." Economic Dev. Corp. v. Stierheim, 782 F. 2d 952, 953-954 (11th Cir. 1986). The requirements of procedural due process are reasonable notice and a fair opportunity to be heard. These requirements are flexible concepts to be discerned from the facts of each case. There is no single, unchanging test which may be applied to determine whether the requirements of procedural due process have been met. Housing Authority of Tampa v. Robinson, 464 So. 2d 158 (Fla. 2d DCA 1985); and Logan v. Zimmerman Brush, Co., 455 U.S. 422 (1982).

There are several treatises on zoning and the exercise of police powers, including Antieau on Local Government, Second Edition (2011, Matthew Bender & Company, Inc.). As a general statement of law Antieau advises that "[i]t is a fundamental rule ... that a person appearing before a local administrative body is entitled to an impartial tribunal and that the denial of an impartial tribunal constitutes a denial of due process." Antieau, at section 26.07: Requirement of an Impartial Tribune at page 1. How an impartial tribunal is determined various from state to state. For example, a Connecticut court found that no private conflict of interest should conflict with a public duty and should it interfere then, the tribunal is not impartial. Low v. Town of Madison, 60 A. 2d 690 (1948). Antieau also identifies that an elected official's direct pecuniary interest in a matter is a reason for recusal from the process as there cannot be a fair hearing under such a circumstance. Johnson v. Milk Mktg. Bd., 295 N.W. 346 (Mich. 1940). Bias is also considered another reason for recusal or disqualification of an elected official due to a perceived denial of due process. Barsczcz v. Board of Trustees, 400 F. Supp. 675 (ND Ill. 1975).

A determination of recusal is up to the individual elected official as that official must determine whether s/he can be fair and impartial on the application. Such a determination does not preclude a court, in a certiorari action from finding that there was a violation of due process

during the quasi-judicial hearing process. The determination as to procedural due process is a factual determination based upon the record and evidence presented during the hearing and during appellate review of the record.

State law relating to voting abstention:

The Florida Legislature created Section 112.313, of the Florida Statutes, relating to recognized conflict of interests and how an elected official is to recuse him/herself from a vote based upon a legally recognized conflict of interest. The state law encapsulates the legal requirement of recuse when an elected official has a direct pecuniary interest in a matter, or certain relationships with a party. Generally, no county, municipal or other local public officer (i.e. council person acting in a quasi-judicial capacity) can vote in an official capacity upon any measure that inures to the officer's "special private gain or loss" or to the special private gain or loss of any private entity by whom s/he is retained, or is retained by a relative or business associate of the elected official. Section 112.313 does not specifically address procedural due process during a quasi-judicial proceeding. It addresses those situations that are considered to be a legal conflict of interest. However, the case cited below does provide guidance relating to alleged person bias, not recognized under section 112.313. However, note Section 286.012, Florida Statutes, an officer may only abstain where there is or appears to be a conflict of interest under Sections 112.311, 112.313, 112.3143, Florida Statutes.

In George v. City of Cocoa, 78 F. 3d 494 (Fla. 11th Cir. 1996), the Federal District Court addressed a voting rights matter relating to a request for an elected person's abstention form a redistricting decision. The court ultimately reviewed and relied upon Section 112.313, Florida Statutes, and the mandatory abstention requirements of that statute, and cited to Izaak Walton League of America v. Monroe County, 448 So. 2d 1170 (Fla. 3d DCA 1984)(see below for further information on the Izaak Walton League case) for the rule that the statute does not apply to "bias or prejudice on the part of a public officer based on other than private economic interests or relationships. The court also cited to several Florida Commission on Ethics opinions for this same proposition, particularly Op. Fla. Comm. Ethics 79-14 (1979) holding that a City council member may not abstain from voting on matters involving his personal foe and stating that "it is clear that, when adopting the Code of Ethics, the Legislature was concerned primarily with the effect of public officials economic interests and relationship upon the performance of his public duties, rather than the effect of his personal preferences or animosities." Id. at 497. The court found that an "ideological victory is not the kind of 'special private gain' that disqualifies an elected official's vote." Id. The position of the federal court in George was also utilized by the Miami-Dade County Commission on Ethics and Public Trust in opinion C07-30, entitled In re: Frantz Pierre (Legal precedent in Florida holds that ideological gains are not the kind of special benefit that disqualifies an elected official from voting.).

Request for Recusal:

Counsel for Palmer Trinity has raised the issue of recusal. At the May 4, 2010 hearing Palmer Trinity filed a motion to recuse then Council Person Stanczyk. Palmer Trinity is currently raising the issue of procedural due process arguing that Council Person Joan Lindsay should be recused. Palmer Trinity argues that a Section 112.313 does not address an elected officials responsibilities as a quasi-judicial officer. As of this date no motion has been filed for recusal relating to the July 19th hearing. The Palmer Trinity motion filed in 2010 argues certain alleged facts relating to then Council Person Stanczyk (she spoke against Palmer Trinity's application in 1999, and Palmer Trinity accused her of bias based on the placement of her campaign signs and its belief of bias or prejudice). Palmer Trinity cited to the requirement that a quasi-judicial hearing should afford due process, provide basic fairness and an impartial decision maker. Below is a listing of the cases cited by Palmer Trinity:

1. State ex rel. Allen v. Bd of Public Instruction, 214 So. 2d 7 (Fla. 4th DCA 1968), which involved an administrative proceeding under the Florida Administrative Procedures Act (APA), and the application of a statute relating to disqualification of an elected person as to a hearing on discharge of teachers or relators. The sole use of this case is the citation to the fact that a quasi-judicial proceeding should be impartial. The remainder of the case addressed statutory requirements not applicable to elected Village officials who are not subject to the APA.

2. Pelle v. Diners Club, 287 So. 2d 737 (Fla. 3d DCA 1974), which in a trial over a credit card debt the defendant never received the opportunity to provide a defense. There is language in the opinion that states "it is fundamental that the constitutional guarantee of due process, which extends into every proceeding requires that the opportunity to be heard be full and fair, not merely colorable or illusive." Id. at 738. Palmer Trinity presented evidence and experts and extensive documentation during the May 4, 2010 hearing.

3. Cherry v. Bronson, 384 So. 2d 169 (Fla. 5th DCA 1980), in which the court held that a party is entitled to a fair hearing. As such, the court allowed a declaratory action to proceed despite the Plaintiff's failure to adhere to the doctrine of "exhausting administrative remedies" due to his allegations of partiality of one of the participants in the hearing process. As seen below, the proper review of a quasi-judicial proceeding is not through declaratory relief, but rather certiorari review. Florida Water Services Corp. v. Robinson, 856 So. 2d 1035, 1040 (Fla. 5th DCA 2003); Woodard v. State, 351 So. 2d 1096 (Fla. 3d DCA 1977).

4. Livingston v. State, 441 So. 2d 1083, 1087 (Fla. 1983) which dealt with the disqualification of a judge. Judges are to comply with a state law relating to disqualification in a criminal proceeding and is cited for the proposition that "the question of disqualification focuses on those matters from which a party to a proceeding may reasonably question a trier of fact's partiality rather than the quasi-judicial officer's own perception of his or her ability to act fairly and impartially."

5. Izaak Walton League of America v. Monroe County, 448 So. 2d 1170 (Fla. 3d DCA 1984), and acknowledges that the courts have previously expressed reluctance to require recusal in the context of legislative zoning hearings, and attempted to distinguish the case as being legislative and not quasi-judicial in nature. However, the rezoning request was for an individual's property, which due to the limited nature of the request would now be considered a quasi-judicial and not a legislative decision making process.

Palmer Trinity predominantly relied on cases that provided statutory requirements and standards relating to recusal and/or disqualification. Palmer Trinity did not address the requirements of the State Ethics Code, found at chapter 112, Florida Statutes, or Section 286.112, Florida Statutes, which requires elected officials to vote unless prohibited under Chapter 112, Florida Statutes.

Florida case law relating to requests for recusal and/or a finding of a violation of procedural due process rights:

As far as Florida case law relating to recusal due to a procedural due process claim, below is a listing of the cases and holdings from those cases as to procedural due process claims based upon bias or prejudice, and or holdings relating to this issue.

The Jennings ruling acknowledges that there should be a fair, impartial decision maker in a quasi-judicial zoning hearing. Moreover, a "participant in a quasi-judicial proceeding is clearly entitled to some measure of due process." Cherry Communications, Inc. v. Deason, 652 So. 2d 803 (Fla. 995) (while administrative proceedings need not match the judicial model, an impartial decision maker is a basic component of minimum due process); Charlotte County v. IMC - Phosphates Co., 824 So. 2d 298 (Fla. 1st DCA 2002) (an impartial decision maker is a basic component of minimum due process in an administrative proceeding).

"The issue of what process is due depends on the function of the proceeding as well as the nature of the interests affected." Florida Water Services Corp. v. Robinson, 856 So. 2d 1035, 1040 (Fla. 5th DCA 2003); Woodard v. State, 351 So. 2d 1096 (Fla. 3d DCA 1977). Review of a claim of bias and motivation by self-interest is to seek certiorari review of the decision and to present the due process claims to the circuit court. Robinson at 1040; Seminole Entertainment, Inc. v. City of Casselberry, **(Rachel's I)** 8111 So. 2d 693 (Fla. 5th DCA 2001); Seminole Enter. v. Casselberry, **(Rachel's 2)** 813, So. 2d 186 (Fla. 5th DCA), *rev. denied,* 835 So. 2d 269 (Fla. 2002), *Cert. denied,* 539 US 915 (2003).

In the Rachel's 1 and 2 cases, the applicant alleged bias and moved to disqualify the City Commission, and argued that it had been denied due process at the hearing. One elected official had run for office on a platform against Rachel's. Another Commissioner had participated in an undercover investigation of Rachel's by the City police department. The court, on a motion for a temporary injunction against the City held that Rachel's established "more than mere political

bias or an unfriendly political atmosphere. Rather, the evidentiary rulings by the mayor reflected a bias so pervasive "as to render the proceedings violative of the basic fairness component of due process." Rachel's I, 811 So. 2d at 697, cited in Robinson at 1140. The court then stayed proceedings so that the certiorari petition could be heard and the Circuit Court denied the petition and affirmed the City Commission decision, which caused the injunction to expire. Since then, the court has found that it would be improper to allow a temporary injunction hearing on such a matter, as the matter would be properly before the court in a petition for certiorari. Robinson at 1041. Similarly, in Robinson, the court found that a "writ of prohibition" could not issue to disqualify the board from considering an application, proper review is through a petition for certiorari. Id.

The Third District in Izaak Walton League v. Monroe County, 448 So. 2d 1170 (Fla. 3d DCA 1994) overturned a lower court decision that prevented local Commissioners from voting on a zoning appeal in a matter which they had stated opinions, citing the requirement that local officials vote. The court held that in the absence of a statute that permitted or required disqualification, the lower court had usurped the Commissioners from voting and stated:

> It is fundamental to our system that the members of a county Commission or any governing body of a political subdivision who act in that capacity do not do so as judges - - subject to judicial canons and standards -- but rather, using the term it is Aristotelian sense, as politicians. Any supposed errors in the substance of their views or the manner in which their opinions are expressed are therefore ordinarily subject only to relief at the polls, not in the courts.

Id at 1171. The court went on to say that "the basic doctrine of the separation of governmental powers precludes judicial interference with the vote even of a Commissioner with an identifiable person interest in the particular issue. Id; see also City of Miami Beach v. Schauer, 104 So. 2d 129 (Fla. 3d DCA 1958), *cert. discharged*, 112 So. 2d 838 (Fla. 1959). The court continued its analysis, and stated:

> the law is clear is clear that political officeholders may not be prevented from performing the duties they have been elected to discharge merely because, as occurred in this instance, they have previously expressed, publicly or otherwise, an opinion on the subject of their vote. This court has specifically so held ... in City of Opa Locka v. State ex rel. Tepper, 257 So. 2d 100 (Fla. 3d DCA 1972). There, the Opa Locka City Commission had unanimously requested City manager Tepper's resignation at an open meeting. ...[Appellant] argued bias and prejudice. On appeal, we reversed on the ground that the trial court had erroneously determined that the three Commissioners' predetermination to vote for the resolution removing the City manager either required or justified their recusal. ... Accordingly, the cases have almost unanimously declined even to consider disqualification of a responsible official merely because he has

> expressed, or even committed, himself publicly on a zoning issue before a formal vote has taken place. This is true both when the acts complained of are committed prior to the time the official takes office, Furtney v. Simsbury Zoning Commission, 271 S. 2d 319 (Conn. 1970) (Commissioner who, three years earlier, had expressed opinion supporting suitability of residential tract for shopping mall was not disqualified from hearing application to rezone property); Pearce v. Lorson, 393 S.W. 2d 851 (Mo. App. 1965)(fact that member of board which had revoked permit authorizing commercial use of residence had, before taking office, drafted and signed petition for change in zoning law precluding such use held insufficient to constitute grounds of bias or prejudice); and when his preconceived notions are aired during a political campaign. Thus, in City of Farmers Branch v., Hawnco, Inc., 435 S.W. 2d 288 (Tex. Civ. App. 1968), the court responded to the contention that the mayor and two councilmen who ran on a political platform opposing high density construction were disqualified from participating in the vote ... by stating: "We do not agree. Campaign promises made in political races do not disqualify the successful candidates from exercising the duties of their offices after the election. To so hold would mean that very few successful candidates for political office would be able to qualify for their office or to perform their official duties. Under our theory of government the voters desire and even demand to be informed as to how candidates stand on the issue of the campaign ... In any event public officials are not legally required to keep their campaign promises and whether they do nor not they are answerable to the voters at the next election, not to a particular private property owner."
>
> The same rule applies when, as here, the official states his views on zoning questions or similar matters of community policy during his term of office. Binford v. Western Electric Co., 133 S.E. 2d 361 (1963) (claim that Commissioners passing upon application to rezone property had declared publicly that they favored such application in advance of proceedings held insufficient to void their action); Kramer v. Board of Adjustment, 212 A. 2d 153 (1965) (no inference of bias or prejudice drawn from fact that member of board which granted variance for hotel construction had endorsed political candidates adopting positions favorable to hotel's developer); City of Fairfield v. Superior Court of Solano County, 537 P. 2d 375, 382 (1975) ("A councilman has not only a right but an obligation to discuss issues of vital concern with his constituents and to state his views on matters of public importance.") (disapproving Saks & Co. v. City of Beverly Hills, 237 P. 2d 32 (1951)); compare and contrast Barbara Realty Co. v. Zoning Board of Review of Cranston, 128 A. 2d 342 (1957).

Id. at 1172, citing to Hawnco, 435 S.W. at 292. The court concluded "the same rule applies when, as here, the official states his views on zoning questions or similar matters of community policy during his term of office. Id. The court then analyzed section 112.313, Florida Statutes,

relating to the statutory criteria for mandatory recusal by an elected official and found no violation of that law. See discussion, above under George v. City of Cocoa, 78 F. 3d 494 (1996)

In Ridgewood Properties, Inc. v. Dept. of Cmty. Affairs, 562 So. 2d 322 (Fla. 1990), the Secretary of DCA, under Fla. Administrative Procedures Act, was found potentially to be biased because he provided substantive testimony in the formal hearing on the specific item.

In Seminole Entm't v. City of Casselberry, 811 So. 2d 693, 696 (Fla. 5th DCA 2001), the court, citing to a US Supreme Court case, Hortonville Joint Sch. Dist. No. 1 v. Hortonville Educ. Ass'n, 426 U.S. 482 (1976), pointed out that there is authority for the proposition that mere political bias or an adverse political philosophy is not sufficient to invalidate a quasi-judicial proceeding or disqualify members of a municipal council.

City of Opa Locka v. State ex rel. Tepper, 257 So. 2d 100 (Fla. 3d DCA 1972) Appellant City Commissioners began a hearing to remove appellee City manager from office. Appellee, complaining of bias on the part of three-fifths of the City Commission, obtained a writ of prohibition against the hearing. The court reversed the writ and remanded. The court first explained that the interpretation given to the Charter of the City of Opa Locka, Fla., art. I, § 3 and art. II, §§ 9, 28, by the trial court would tend to defeat the Commissioner-manager form of government. The court held that courts should not interpret legislative acts so as to defeat the legislative purpose. The court next held that the resolution to remove appellee from office was a legislative, not quasi-judicial, act. The court held that it was error to consider appellant Commissioner's motivation for seeking appellee's removal. The issue was one of authority, not motive. Furthermore, the court held that the recusal provisions of Fla. Stat. ch. 120.09 were particularly inapplicable to City Commissions and should not be applied or construed to govern the legislative deliberations of City Commissions. In dicta, the court, in Izaak Walton, 448 So. 2d 1170, 1174 indicate that the Opa Lock case was arguably quasi-judicial.

The 18th Judicial Circuit in Florida Institute of Technology, Inv. v. City of Melbourne, Brevard, County, Florida, Circuit Case no: 05-2001-AP-600016 (Fla. Cir. Ct. 2001), in a final order on a petition for certiorari, relating to procedural due process prong of the petition, stated (without citation to authority):

> Another issue raised by [Petitioner] was the obvious bias and partiality of [the councilperson] and her participation in the proceedings. The court is not unmindful of the pressures that are placed on public officials. On one hand they are pressed to allow growth only if it is consistent with available roads and services. On the other hand, they are pressured by landowners who wish to develop their property in such a manner that results in the largest return of capital or pleasure, and still they are subject of pressure from the neighbors of property to be developed, who are quite understandably upset by the slightest change and use of adjoining vacant property. All these interests make it difficult to make a

> decision in cases such as this. However, being a member of City Council does carry certain responsibilities and one of those responsibilities is to follow the law and in a quasi-judicial proceeding, to be an impartial hearing officer. In this case [the council person] clearly showed bias and partiality in that she appeared at the Planning and Zoning Board and advocated against the proposed project, she marshaled opposition to the project to be presented to the Council and she appeared at the Department of Transportation hearing on the issue of a curbcut on [a] street. All of these add up to showing of bias on her part against the proposed project prior to the hearing. Based upon those factors, [the council person] should have disqualified herself as a participant in the proceeding. Fundamental due process requires that a person appearing before a public body is entitled to have the issues determined by an impartial panel. In any future proceedings on this particular project, [the council person] should disqualify herself and not participate in the proceedings.

Conclusion:

Based upon 112.313, Florida Statutes, and the holding in George v. City of Cocoa, Florida, 78 F. 3d 494 (Fla. 11th Cir. 1996), "bias or prejudice on the part of a public officer based on other than private economic interests or relationships and therefore does not require recusal under state law. The Third District Court of Appeal in Izaak Walton League v. Monroe County, 448 So. 2d 1170 (Fla. 3d DCA 1994) also found that a local Commissioner could not be precluded from voting on a zoning appeal in a matter which he had stated opinions, citing the requirements under 112.313, Florida Statutes, that local officials vote. The court held that in the absence of a statute that permitted or required disqualification, the lower court had usurped the Commissioners from voting. In reviewing the decision, it is important to note that the Third District found the decision of the City Commission to be a legislative action. However, precedent now indicates that a site specific rezoning application should be considered quasi-judicial in nature and not legislative. Board of County Comm'rs of Brevard County v. Snyder, 627 So.2d 469, 474 (Fla. 1993) ("Generally speaking, legislative action results in the formulation of a general rule of policy, whereas judicial action results in the application of a general rule of policy."). Additionally, the court cited to City of Opa Locka v. State ex rel. Tepper, 257 So. 2d 100 (Fla. 3d DCA 1972), and indicated that although, the court in that decision found the City Commission action to be legislative in nature, the decision was really quasi-judicial. The Third District in Izaak cited to City of Opa Locka as a supporting decision for the proposition that the Commissioner should not have been recused.

Ultimately, the decision whether an individual council person should recuse him/herself is a decision that elected official has to make pursuant to section 112.313, Florida Statutes, and if an elected official elects to abstain from a vote s/he has to file the appropriate, Florida Ethics Form 8B. Additionally, should an elected official determine s/he is biased and cannot be impartial during the hearing process that elected official may abstain from voting and recuse him/herself.

Additionally, there is clear direction from the appellate court system as to what is a "conflict of interest" under state law. The Fourth District Court of Appeal in Fanizza v. State, Comm'n on Ethics, 927 So.2d 23 (Fla. 4th DCA 2006) ruled that there was no violation of law under Section 112.313, Florida Statutes. In this case, the attorney challenged the findings of conflict filed against her by the State Ethics Commission, claiming error. The appellate pane found no such conflict. As to the first case, the court found that the attorney's representation to resolve the attorney's fees and costs after her election did not create a continuing or frequently recurring conflict or one which would impede the full and faithful discharge of her public duties. Further, even if she had withdrawn as counsel in the first case and pursued her fees by retaining other counsel, she would still have had the conflict which required her to abstain from voting when the matter came before the City Council. In the second action, her involvement did not violate the statutory conflict of interest standards for public officials. Again, the court found that her involvement in the litigation did not create a continuing or frequently recurring conflict, nor did it impede the full and faithful discharge of appellant's public duties. All that the record showed was that she was unable to attend one private session at which the City Council and its lawyer discussed resolving the petition for certiorari. Finally, the case did not actually require her to miss any portion of even one public meeting.

There has been litigation in quasi-judicial matters relating to an alleged violation of procedural due process, and those decisions have been documented in this memorandum. There is one case that did find a violation of due process. In that decision from the 18th Florida Judicial Circuit, Florida Institute of Technology, Inv. v. City of Melbourne, Brevard, County, Florida, Circuit Case no: 05-2001-AP-600016, The court did find a violation of due process. As that decision was not again appealed, on a second tiered certiorari petition, that holding became law for that case. That case has no controlling precedential value in this district. It is unclear whether, if it had been appealed that the decision would have been upheld. A second tier certiorari petition is a review as to whether procedural due process was provided, and/or whether the essential requirements of law were adhered to. Florida Power and Light v. City of Dania, 761 So. 2d 1089, 1092 (Fla. 2000).

To: Mayor and Village Council Date: June 29, 2011

From: Eve A. Boutsis, Village Attorney Re: Quasi-Judicial Procedures

Below are the Village's enacted Code relating to disclosure of ex parte communications and the procedures for quasi-judicial proceedings. Please review these procedures and disclosure requirements prior to the July 19, 2011 hearing and be prepared to provide disclosures at the beginning of the hearing. In short, each council person should disclose any and all communications they have received while in office relating to the development application. The disclosure should identify the substance of the communication, who made the communication, how the communication was made, and whether the council person can remain impartial despite the receipt of the communication.

Staff has compiled all email communications received from Council Persons relating to the application. I have asked staff to compile, on a disk, all communications relating to the application from 2006 forward. The communications prior to the May 4, 2010 were previously produced prior to that hearing, and the 2008 hearings.

Over the past year I have continuously asked the Council to forward to the Clerk the communications they have been receiving from third parties relating to the application, and staff is compiling those disclosures as part of the record for the hearing on July 19th, 2011. I believe it impracticable for each council person to read into the record each one of those emails, letters and/or communications. Therefore, the documents will be produced on a disk, and the Council are to simply reference that disk, and the process in place each council person had relating to providing all disclosures, the diligence of each council person in doing the disclosure(s), and whether the communications were actually read or simply passed on for record keeping purposes, and whether each council person can remain impartial. Rather than paraphrase the requirements of our Ordinance, below I have provided the entire procedures and protocol and have bolded the disclosure requirements. Please review same.

Obviously any discussions with the Village Attorney and a council person are confidential. If any communications have been had with an expert, including a village expert, I recommend disclosure of that communication. Palmer Trinity has previously argued that such communications, without disclosure, is a violation of our ordinance.

<u>Sec. 2-106. - Ex parte communications.</u>

(a) *Intention.* Pursuant to F.S. § 286.0115, this section is intended to eliminate the presumption of prejudice that may result from ex parte communications with village council and board members and to permit site visits, the receipt of expert opinions, and the reading of mail and

other communications relating to applications for zoning and other land development orders, and appeals of administrative orders and code enforcement citations.

(b) *Definitions.* As used in this section, the following terms shall be defined as follows:

Applicant means an individual, corporation or other authorized representative, including the village staff, that files an application or an appeal which initiates a quasi-judicial proceeding.

Application means an application for a site-specific rezoning, variance, special exception, conditional use permit or other request for land development approval, an appeal of an administrative order or a denial of an application, as authorized by the village's land development regulations, or an appeal of a code enforcement citation.

Chair means the mayor, unless otherwise provided, and the chair person of any planning and zoning board, or code enforcement board.

Member means a village councilmember and a member of any planning and zoning board, or code enforcement board.

Public participant means a person who appears at any quasi-judicial hearing, including but not limited to a member of a homeowner's association, an officer or member of an environmental, homebuilding or development association, or a concerned citizen's organization, an official or employee of a governmental entity other than the village, a developer, a property owner, or an interested citizen, as well as any representative or attorney for any of the foregoing. A public participant does not include the applicant, a village official or village staff.

Quasi-judicial hearing means a public proceeding on an application for a zoning designation or map change, or any other land development permit, or an appeal from an administrative action on an application for a land development permit, substantial compliance determination, an appeal from a code enforcement citation, or any other matter in which the village is required by law to give notice and an opportunity to be heard to parties and adversely affected persons, to investigate facts, and to make findings of fact and conclusions of law.

Site visit means an inspection of the real property by a council or board member that is the subject of an application for a quasi-judicial order, determination or appeal. The mere act of driving by a site in the regular course of driving to a particular location, such as to work or shopping, which is not undertaken for the purpose of inspecting the particular property is not a site visit for purposes of this chapter.

Village official means a member of the village council or any board that is authorized to make findings of fact, conclusions of law and to enter an order on any application or appeal that requires a quasi-judicial hearing.

Village staff means an employee or agent of the village.

(c) ***Ex parte communications between village officials, applicants and public participants.*** If any person not otherwise prohibited by statute, charter, or ordinance communicates with any village official in any manner other than publicly at a quasi-judicial hearing regarding the merits of any matter on which action may be taken by the council or a board on which the village official is a member, the communication shall not create a presumption of prejudice provided that the following disclosure is made:

(1) A village official shall disclose the name of the communicator, and the time, place and substance of the communication. The disclosure shall be made a part of the record before final action is taken on the matter.

(2) A village official may read a written communication from any person; provided, however, a written communication that relates to a quasi-judicial action pending before the official shall be made a part of the record before final action is taken on the matter.

(3) A village official may communicate with an expert witness, village staff member, or consultant, conduct an investigation, make site visits and receive expert opinions regarding quasi-judicial action pending before him or her, provided that the activities and the existence of the investigations, site visits, or expert opinions are disclosed and made a part of the record before final action is taken on the matter.

(4) Disclosure, either written or oral, made pursuant to subsections (c)(1), (2), and (3) of this section must be made before or during the public meeting at which a vote is taken and must be made a part of the record. Persons who have opinions contrary to those expressed in the ex parte communication shall be given a reasonable opportunity to refute or respond to the communication.

Sec. 2-107. - Quasi-judicial hearing procedures.

(a) *Purpose*. It is the purpose of this section to provide a fair, open and impartial procedure for the conduct of quasi-judicial hearings by the village council, planning and zoning board, and code enforcement board. Unless otherwise provided by law, quasi-judicial hearings shall be conducted substantially as provided in this section.

(b) *Proceedings.*

(1) *Legal representation.* Applicants may be represented by legal counsel. The village council, and the code enforcement board may be advised by the village attorney, special counsel or other designated counsel (collectively referred to as "village attorney").

(2) *Participants at hearings.* All persons who testify on any application must sign in and be sworn by the presiding officer, clerk or counsel. All persons testifying subject themselves to cross examination. Each person who addresses the village council, planning and zoning board, or code enforcement board, other than members of village staff, shall provide the following information: his, or her, name and address; state whether the person speaks on his, or her, own behalf, or on behalf of another person, association or entity (third party); if the person represents a third party, the person shall also identify the third party and whether the person is authorized to speak on its behalf and whether the view expressed by the speaker represents an established policy of the third party that has been approved by the principal or its governing body; and whether the person is, or will receive, compensation for appearing at the hearing, and whether the person or any immediate family member, or an entity in which he or she has a controlling interest, has a financial interest in the pending matter.

(c) *Conduct of hearing.* All quasi-judicial hearings shall be recorded by mechanical means. A court reporter may be retained and paid for by any interested person to transcribe the proceedings. Any person may order and pay for a transcript of the proceedings. The court reporter shall identify himself or herself to the village attorney before the hearing. The order of hearing shall be as follows:

(1) The chair shall read a preliminary statement once at the beginning of the quasi-judicial public hearing agenda, announce the particular agenda item, and open the public hearing. The chair shall conduct the meeting, and all questions shall be asked through the chair;

(2) The applicant, witnesses, village staff and all participants asking to speak shall be sworn at the time the matter is brought on for hearing. Attorneys shall not be sworn unless an attorney intends to testify to facts or to offer an expert opinion;

(3) The chair shall decide any parliamentary objections and objections to evidentiary matters with the advice of the village attorney;

(4) The village staff shall present its report, which shall be made part of the record;

(5) The applicant shall present its case;

(6) Participants in support of the application shall present their testimony and any evidence;

(7) Opponents shall have the right to cross examine individual speakers;

(8) Opposition shall present their testimony and evidence;

(9) The applicant shall have the right to cross examine individual speakers;

(10) Members may ask questions of a speaker at any time through the chair;

(11) Village staff shall be given time for rebuttal if requested. Village staff shall have the right to cross examine the applicant and others participants who present testimony and evidence and shall be subject to cross examination;

(12) The applicant shall be provided time for rebuttal if requested; and

(13) The chair shall close the public hearing. Members shall discuss the matter in public, make or accept proposed findings of fact and conclusions of law, and render a decision. No further presentations or testimony shall be permitted unless directed by the village attorney.

(d) *Record of the hearing*. Following the final disposition of the application or appeal, all evidence admitted at the hearing, the application or appeal file, staff reports, the approved order and ex parte disclosures shall be maintained in a separate file which shall constitute the record on the matter. The record will be made available to the public for inspection upon request at any time during normal business hours.

STATE OF FLORIDA

PAM BONDI
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
Opinions Division

PL 01 The Capitol
Tallahassee, Florida 32399-1050
Telephone (850) 245-0158
Fax (850) 922-3969

February 10, 2011

Ms. Eve A. Boutsis
Palmetto Bay Village Attorney
18001 Old Cutler Road, Suite 533
Miami, Florida 33157

Dear Ms. Boutsis:

You have requested the opinion of both this office and the Florida Commission on Ethics as to whether an elected village council member has a voting conflict of interest under the factual scenarios you set forth in your letter.

As you note, section 112.3143(3)(a), Florida Statutes, provides:

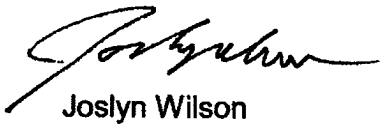
> No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.[1]

Questions, however, as to what constitutes a "conflict of interest" as that term is used in the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes, should be submitted to the Florida Commission on Ethics, which has the authority to interpret the provisions of the Code of Ethics. *See* section 112.322(3), Florida Statutes. As stated in this office's statement concerning Attorney General Opinions, a copy of which is enclosed, when an opinion request is received on a

question falling within the statutory jurisdiction of some other state agency such as the Florida Commission on Ethics, the Attorney General will transfer the request to that agency or advise the requesting party to contact the other agency. Thus, by contacting the Florida Commission on Ethics, you have contacted the appropriate body to respond to your inquiry.

Thank you for considering this office as a source of assistance.

Sincerely,



Joslyn Wilson
Assistant Attorney General

JW/tsh

Enclosure: Statement Policy

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[1] *And see* s. 286.012, Fla. Stat., providing:

> No member of any state, county, or municipal governmental board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s. 112.311, s. 112.313, or s. 112.3143. In such cases, said member shall comply with the disclosure requirements of s. 112.3143.

DEPARTMENT OF LEGAL AFFAIRS
Attorney General Opinions

I. General Nature and Purpose of Opinions

Issuing legal opinions to governmental agencies has long been a function of the Office of the Attorney General. Attorney General Opinions serve to provide legal advice on questions of statutory interpretation and can provide guidance to public bodies as an alternative to costly litigation. Opinions of the Attorney General, however, are not law. They are advisory only and are not binding in a court of law. Attorney General Opinions are intended to address only questions of law, not questions of fact, mixed questions of fact and law, or questions of executive, legislative or administrative policy.

Attorney General Opinions are not a substitute for the advice and counsel of the attorneys who represent governmental agencies and officials on a day to day basis. They should not be sought to arbitrate a political dispute between agencies or between factions within an agency or merely to buttress the opinions of an agency's own legal counsel. Nor should an opinion be sought as a weapon by only one side in a dispute between agencies.

Particularly difficult or momentous questions of law should be submitted to the courts for resolution by declaratory judgment. When deemed appropriate, this office will recommend this course of action. Similarly, there may be instances when securing a declaratory statement under the Administrative Procedure Act will be appropriate and will be recommended.

II. Types of Opinions Issued

There are several types of opinions issued by the Attorney General's Office. All legal opinions issued by this office, whether formal or informal, are persuasive authority and not binding.

Formal numbered opinions are signed by the Attorney General and published in the Annual Report of the Attorney General. These opinions address questions of law which are of statewide concern.

This office also issues a large body of informal opinions. Generally these opinions address questions of more limited application. Informal opinions may be signed by the Attorney General or by the drafting assistant attorney general. Those signed by the Attorney General are generally issued to public officials to whom the Attorney General is required to respond. While an official or agency may request that an opinion be issued as a formal or informal, the determination of the type of opinion issued rests with this office.

III. Persons to Whom Opinions May Be Issued

The responsibility of the Attorney General to provide legal opinions is specified in section 16.01(3), Florida Statutes, which provides:

> Notwithstanding any other provision of law, shall, on the written requisition of the Governor, a member of the Cabinet, the head of a department in the executive branch of state government, the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, or the Minority Leader of the Senate, and may, upon the written requisition of a member of the Legislature, other state officer, or officer of a county, municipality, other unit of local government, or political subdivision, give an official opinion and

legal advice in writing on any question of law relating to the official duties of the requesting officer.

The statute thus requires the Attorney General to render opinions to "the Governor, a member of the Cabinet, the head of a department in the executive branch of state government, the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, or the Minority Leader of the Senate . . . ."

The Attorney General may also issue opinions to "a member of the Legislature, other state officer, or officer of a county, municipality, other unit of local government, or political subdivision." In addition, the Attorney General is authorized to provide legal advice to the state attorneys and to the representatives in Congress from this state. Sections 16.08 and 16.52(1), Florida Statutes.

Questions relating to the powers and duties of a public board or commission (or other collegial public body) should be requested by a majority of the members of that body. A request from a board should, therefore, clearly indicate that the opinion is being sought by a majority of its members and not merely by a dissenting member or faction.

IV. When Opinions Will Not Be Issued

Section 16.01(3), Florida Statutes, does not authorize the Attorney General to render opinions to private individuals or entities, whether their requests are submitted directly or through governmental officials. In addition, an opinion request must relate to the requesting officer's own official duties. An Attorney General Opinion will not, therefore, be issued when the requesting party is not among the officers specified in section 16.01(3), Florida Statutes, or when an officer falling within section 16.01(3), Florida Statutes, asks a question not relating to his or her own official duties.

In order not to intrude upon the constitutional prerogative of the judicial branch, opinions generally are not rendered on questions pending before the courts or on questions requiring a determination of the constitutionality of an existing statute or ordinance. Opinions generally are not issued on questions requiring an interpretation only of local codes, ordinances or charters rather than the provisions of state law. Instead such requests will usually be referred to the attorney for the local government in question. In addition, when an opinion request is received on a question falling within the statutory jurisdiction of some other state agency, the Attorney General may, in the exercise of his or her discretion, transfer the request to that agency or advise the requesting party to contact the other agency. For example, questions concerning the Code of Ethics for Public Officers and Employees may be referred to the Florida Commission on Ethics; questions arising under the Florida Election Code may be directed to the Division of Elections in the Department of State.

However, as quoted above, section 16.01(3), Florida Statutes, provides for the Attorney General's authority to issue opinions "[n]otwithstanding any other provision of law," thus recognizing the Attorney General's discretion to issue opinions in such instances. Other circumstances in which the Attorney General may decline to issue an opinion include:

- questions of a speculative nature;
- questions requiring factual determinations;
- questions which cannot be resolved due to an irreconcilable conflict in the laws although the Attorney General may attempt to provide general assistance;

questions of executive, legislative or administrative policy;
matters involving intergovernmental disputes unless all governmental agencies concerned have joined in the request; moot questions;
questions involving an interpretation only of local codes, charters, ordinances or regulations; or
where the official or agency has already acted and seeks to justify the action.

V. Form In Which Request Should Be Submitted

Requests for opinions must be in writing and should be addressed to:

Bill McCollum
Attorney General
Department of Legal Affairs
The Capitol
Tallahassee, Florida 32399-1050

The request should clearly and concisely state the question of law to be answered. The question should be limited to the actual matter at issue. Sufficient elaboration should be provided so that it is not necessary to infer any aspect of the question or the situation on which it is based. If the question is predicated on a particular set of facts or circumstances, these should be fully set out.

The response time for requests for Attorney General Opinions has been substantially reduced. This office attempts to respond to all requests for opinions within 30 days of their receipt in this office. However, in order to facilitate this expedited response to opinion requests, this office requires that the attorneys for public entities requesting an opinion supply this office with a memorandum of law to accompany the request. The memorandum should include the opinion of the requesting party's own legal counsel, a discussion of the legal issues involved, together with references to relevant constitutional provisions, statutes, charter, administrative rules, judicial decisions, etc. Input from other public officials, organizations or associations representing public officials may be requested. Interested parties may also submit a memorandum of law and other written material or statements for consideration. Any such material will be attached to and made a part of the permanent file of the opinion request to which it relates.

VI. Miscellaneous

This office now provides access to formal Attorney General Opinions through a searchable database on the Attorney General's Internet home page at:

http://myfloridalegal.com/

Persons who do not have access to the Internet and wish to obtain a copy of a previously issued formal opinion should contact the Florida Legal Resource Center of the Attorney General's Office. Copies of informal opinions can be obtained from the Opinions Division of the Attorney General's Office.

As an alternative to requesting an opinion, officials may wish to use the informational pamphlet prepared by this office on dual office-holding for public officials. Copies of the pamphlet can be obtained by contacting the Opinions Division of the Attorney General's Office. In addition, the Attorney General, in cooperation with the First Amendment Foundation, has prepared the Government in the Sunshine Manual which explains the law under which Florida ensures public access to the meetings and records of state and local government. Copies of this manual can be obtained through the First Amendment

Foundation.
Please visit our searchable database of attorney general advisory opinions.
Order form for Attorney General Reports.
Officials may wish to use the informational pamphlet prepared by this office on dual officeholding.
Additional information may be obtained by contacting the Opinions Section of the Attorney General's Office at 850-245-0158.

Roy Rogers
Chair
Robert J. Sniffen
Vice Chair
Morgan R. Beatley
Cheryl Forchilli
I. Martin Ford
Jean M. Larsen
Susan Horovitz Maurer

State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709
Tallahassee, FL 32317-5709

3600 Maclay Blvd., South, Suite 201
Tallahassee, FL 32312

Philip Claypool
Executive Director

Virlindia Doss
Deputy Executive Director

(850) 488-7864 Phone
(850) 488-3077 (FAX)
www.ethics.state.fl.us

February 21, 2011

Eve A. Boutsis, Esquire
Village Attorney
18001 Old Cutler Road
Suite 533
Miami, Florida 33157-6416

Re: Your inquiry for Councilmember Lindsay[1]

Dear Ms. Boutsis:

Philip Claypool, Executive Director and General Counsel of the Florida Commission on Ethics, has requested that I respond to your above-referenced inquiry.

Initially, it is noted that Ms. Lindsay's situation, as described in the information submitted, does not, under prior decisions of the Commission on Ethics and the courts, appear to create a prohibited conflict of interest for her under Section 112.313(7)(a), Florida Statutes. This is based on her interests being personal, not hired, their arising before her election to the Council, and her removing herself from rank-and-file membership in, and offices and directorships of, interested organizations. See, for example, Fanizza v. State, Commission on Ethics, 927 So. 2d 23 (Fla. 4th DCA 2006).

[1] Thank you for supplying via email additional information. The additional information and the information in your original correspondence will be referred to, in material part, in answering your inquiry via this letter. If I have misunderstood the facts of your inquiry, please inform me; it is my intent to provide guidance herein to Ms. Lindsay, regarding the State ethics statutes.

Thus, going forward, the portion of the State Code of Ethics primarily at issue for Ms. Lindsay is the voting conflicts law applicable to local, elective public officers, such as Village Councilmembers, Section 112.3143(3)(a), Florida Statutes. The legal standard under the law is that Ms. Lindsay is required to orally announce her private interest(s) regarding a vote/measure of the Council prior to a vote being taken, is required to abstain from the vote, and is required to timely file CE Form 8B (memorandum of voting conflict), regarding votes/measures which would directly cause special private gain or loss to her, to her relative, to her employer/client, to her business associates[2], or to certain other persons or entities listed in the statute. However, whether this legal standard will apply to a given vote/measure will depend on the particular facts of the measure at the time of the vote.

Based on decisions of the Commission in situations arguably somewhat similar to that of Ms. Lindsay (see, for example, CEO 07-14 and CEO 07-15, Question 4), it appears that if a vote/measure of the Council would affect a lawsuit or matter in which she is a party (e.g., a vote to request rehearing by the Circuit Court, a vote to appeal the Court's decision, or a vote to send the underlying matter for a public hearing), that she should orally announce, abstain from voting, and file Form 8B. This is because such votes have the likely potential to cause her to have to keep litigating, to do away with her need to litigate further, or to cause her to have to pay costs or fees in maintenance of her end of the litigation, even if costs/fees are not payable by her as court sanctions.

Further, if the Council is presented with a vote/measure to settle the litigation or otherwise to settle the underlying matter, Ms. Lindsay should declare, abstain, and file, if the vote would affect a lawsuit or matter in which she is a party. However, if the vote would cause a land use or zoning result which would affect the private school but which would not cause an increase or decrease in the market value of Ms. Lindsay's property and which otherwise would not cause an economic type of effect on either Ms. Lindsay, her husband (relative), or any other person or entity listed in Section 112.3143(3)(a), then she apparently would not be presented with a voting conflict.

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[2] "Business associate" is defined in Section 112.312(4), Florida Statutes.

In sum, upcoming votes/measures should be evaluated by you and Ms. Lindsay with an eye toward whether the particular measure goes to litigation or matters in which she has a party status, or whether a particular measure would create a reality affecting her financial/economic interests or such interests of persons or entities connected to her as listed in the statute; these types of matters will trigger the requirements of the voting conflicts law. However, if a vote/measure only will result in a "moral victory," a win or loss for proper zoning law application, or a similar "intangible" effect for her or the listed others, then the law will not be triggered.

If particular measures/votes present themselves in the future and you or Ms. Lindsay would like additional guidance, please telephone me.

Sincerely,

C. Christopher Anderson, III
Chief Assistant General Counsel

Florida Attorney General
Advisory Legal Opinion

Number: INFORMAL
Date: June 9, 2011
Subject: Abstension from voting

Mr. Edward Rodgers
Chairman, Palm Beach County
Commission on Ethics
2633 Vista Parkway
West Palm Beach, Florida 33411

Dear Mr. Rodgers:

On behalf of a majority of members of the Palm Beach County Commission on Ethics, you have requested our assistance in determining whether a member of a local commission on ethics who is present at a meeting of the board may abstain from voting on a measure to avoid creating an appearance of impropriety. Attorney General Bondi has asked me to respond to your letter.

Initially, I must advise you that this office is limited by section 16.01(3), Florida Statutes, to providing legal opinions on questions of state law. Thus, the discussion herein is based on an examination of statutes and case law involving section 286.012, Florida Statutes. This office has no authority to comment on the procedures established by local ordinance for the conduct of meetings or hearings of the Palm Beach County Commission on Ethics. You may wish to discuss your concerns with the county attorney who can more fully explore any procedures established in the ordinance or charter provision creating the commission and describing its procedures.

Section 286.012, Florida Statutes, provides:

"Voting requirement at meetings of governmental bodies.—No member of any state, county, or municipal governmental board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s. 112.311, s. 112.313, or s. 112.3143. In such cases, said member shall comply with the disclosure requirements of s. 112.3143."

Thus, the Legislature has determined that a member of a county board or commission may only abstain from voting "when, with respect to any such member there is, or appears to be, a possible conflict of interest under the provisions of" sections 112.311, 112.313, or 112.3143, Florida Statutes. It is a rule of statutory construction that express exceptions in a statute provide a strong inference that no other exceptions were intended.[1] The phrase "conflict of interest" as used in sections 112.311, 112.313, and 112.3143, Florida Statutes, means "a situation in which regard for a private interest tends to lead to disregard of a public duty or interest."[2] However, as this office has advised on a number of occasions, any question as to what fact situations may constitute a "conflict of interest" under this statutory definition must be directed to the Florida Commission on Ethics.[3]

An opinion of the Ethics Commission, citing opinions of this office, stated that "it is clear that, when adopting the Code of Ethics (which contains the statutes referenced in section 286.012), the Legislature was concerned primarily with the effect of a public official's economic interests and relationships upon the performance of his public duties. . . . "[4] This opinion was cited by the court in *Izaak Walton League of America v. Monroe County*,[5] in its holding that section 286.012, Florida Statutes, did not permit disqualification from voting of a county commissioner on the grounds of predisposition amounting to bias and prejudice.

I would note that other boards and commissions, including quasi-judicial administrative bodies, conduct quasi-judicial proceedings under section 286.012, Florida Statutes. In Attorney General Opinion 88-62, this office was asked to consider under what circumstances a member of a municipal code enforcement board could recuse himself. Once created, the board was required to adopt rules relating to the conduct of meetings, but the opinion points out that any such rules adopted by the board would be required to conform to section 286.012, Florida Statutes. The opinion reviewed the provisions of Chapter 162, Florida Statutes, for the creation of these quasi-judicial administrative boards and noted that nothing in that chapter provided for the disqualification of a member or members of the code enforcement board from consideration of matters coming before the board. Thus, the opinion concludes that a member of the code enforcement board may not disqualify himself from considering a matter before the board and that, as provided in section 286.012, Florida Statutes, a member who is present at a meeting must vote unless a conflict or interest exists or appears to exist.

While the Commission on Ethics has no jurisdiction to administer section 286.012, Florida Statutes, it has interpreted the "appears to be a possible conflict" language of that statute. As the Commission

advised in its letter to Mr. Farach of June 2, 2011, "non-economic bias or prejudice on the part of a public officer toward someone affected by a measure would not constitute a basis for a valid abstention pursuant to Section 286.012."[6] This office would concur in the Commission's analysis and conclusion.

Thank you for considering the Florida Attorney General's Office as a source for assistance in this matter. I trust that these informal comments will be helpful to you. This informal advisory opinion is provided in an effort to be of assistance. The comments expressed herein are those of the writer and do not constitute a formal Opinion of the Florida Attorney General.

Sincerely,

Gerry Hammond
Senior Assistant Attorney General

GH/tsh

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[1] *See Biddle v. State Beverage Department*, 187 So. 2d 65 (Fla. 4th DCA 1966); and *State Road Department v. Levato*, 192 So. 2d 35 (Fla. 4th DCA 1966), *cert. discharged*, 199 So. 2d 714 (Fla. 1967).

[2] Section 112.312(8), Fla. Stat.

[3] *See e.g.*, Op. Att'y Gen. Fla. 87-17 (1987), 86- 61 (1986), and 85-40 (1985); *and see* s. 112.322(3), Fla. Stat., providing that public officers seeking interpretations of the Code of Ethics or the applicability of these statutes may request an advisory opinion of the Commission on Ethics.

[4] *See* CEO 79-14, dated March 22, 1979.

[5] 448 So. 2d 1170 (Fla. 3d DCA 1984).

[6] Letter to Manual Farach from Virlindia Doss, Florida Commission on Ethics, dated June 2, 2011.

ATTACHMENT A

FEBRUARY 11, 2011

11TH JUDICIAL CIRCUIT COURT

OPINION

Village of Palmetto Bay

ZONING ANALYSIS

APPLICANT: Palmer Trinity Private School, Inc. **PH: VPB-07-012-B**

PROPERTY ADDRESS: 7900 SW 176th Street,

8001 SW 184th Street

ZIP CODE: 33157

SECTION: 34-55-40 **HEARING DATE:** July 19, 2011

REMANDED BY THE 11TH JUDICIAL CIRCUIT COURT

DATE ITEM LAST HEARD: May 4, 2010

COUNCIL DISTRICT: 3 **ITEM:** 1

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; ON REMAND FROM THE 11TH JUDICIAL CIRCUIT AFTER THE ISSUANCE OF THE MANDATE FROM THE CIRCUIT COURT'S ORDER OF FEBRUARY 11, 2011, IN THAT ACTION ENTITLED PALMER TRINITY V. VILLAGE OF PALMETTO BAY UNDER APPELLATE CASE NO: 10-259 AP; AMENDING RESOLUTION 2010-48, RELATING TO THE SPECIAL EXCEPTION AND A SITE PLAN MODIFICATION ON PROPERTY ZONED E-M; LOCATED IN PALMETTO BAY, FLORIDA; PROVIDED AN EFFECTIVE DATE.

A. REQUEST

An amendment to Resolution 2010-48, on remand from, the 11th Judicial Circuit Court after the issuance of the mandate from the Circuit Courts Order of February 11, 2011, whereby the Court quashed the conditions that (1) capped student enrollment at 900 and (2) restricted any further modification of the Palmer Trinity site plan for a period of thirty (30) years.

B. BACKGROUND

On May 4, 2010, the Council approved Resolution 2010-48 with conditions, granting a Special Exception and Modified Site Plan to Palmer Trinity (the Applicant) for a proposed private

school expansion on their existing 21.92 acre facility and the adjacent undeveloped 33.22 acre parcel. Palmer Trinity subsequently filed its appeal with the 11th Judicial Circuit Court acting in its appellate capacity those conditions which pertain to an enrollment cap of 900 students and to a 30 year prohibition limiting any future development of the property beyond the Site Plan approval bound by Resolution 2010-48. On February 11, 2011, a three Judge Panel unanimously ruled (Attachment A) the enrollment cap to be an arbitrary action of the Council as the evidence submitted at the Zoning Hearing did not support the Council's decision. They further found the 30 year site plan modification restriction to be "unreasonable" as it, "constitute[d] a departure from the essential requirements of law." Thus, Palmer Trinity prevailed as the Court quashed both items and remanded the petition back to the Council for corrective action. Subsequent Orders issued on March 3, 2011 and May 5, 2011 mandated enforcement of the original Order dated February 11, 2011(Attachment B).

On May 18, 2011, the Village requested clarification of the 11th Judicial Circuit Court's Order as to what the scope of the subsequent public hearing may include when the Village Council convenes to take, as per the Court, "appropriate action to remove ... or otherwise render ... ineffectual" those conditions subject to the Palmer Trinity appeal. The Court's response on June 1, 2011 and included herein as Attachment C reaffirmed its prior Order of May 5, and Ordered the Village to "take no further action...inconsistent with [their May 5, 2011] Order."

C. ANALYSIS AND RECOMMENDATION

The above Background section is included in its entirety into this section herein by reference. Per the 11th Judicial Circuit Court's Orders referenced above, the only remaining action the Council should take is to "remove the two quashed conditions from the Resolution or otherwise render those conditions ineffectual **and take no further action** (emphasis added) that would be inconsistent with [the] Court's" Orders. Given the foregoing, it is incumbent upon staff to realign Condition 4.4 of staff's recommendation for approval as submitted with the original staff report as heard on May 4, 2010. That condition read as follows:

> "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 1,150 students for 30 years following the recordation of this covenant. Specifically, no buildings shall exceed two (2) stories or a roof elevation of 35 feet in height measured from finished floor."

The language of Condition 4.4 is stricken from that report and student enrollment shall be as proposed by the applicant at 1,150 as per their Special Exception and Modification of Site Plan requests. Timing and growth of enrollment to the number of students shall continue to be governed per the phasing of the approved development as proposed in the application. In compliance with the 11th Judicial Circuit Court's Order, changes to Resolution 2010-48 should be modified as recommended by the Village Attorney's memo dated July 19, 2011.

Darby P. Delsalle, AICP
Planning and Zoning Director

Norma S Lindsey 2-9-11
3/10/11
Joel W. Brown 2/10/2011

NOT FINAL UNTIL TIME EXPIRES
TO FILE MOTION FOR REHEARING,
AND IF FILED, DISPOSED OF

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

APPELLATE DIVISION
CASE NO. 10-259 AP
ZONING RESOLUTION NO. 2010-48

PALMER TRINITY PRIVATE
SCHOOL, INC.,
Petitioner,
vs.

VILLAGE OF PALMETTO BAY,
Appellee.
_____/

2011 FEB 11 PM 12: 11
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
CIVIL #101
JACQUELINE ABELLA

Opinion filed February 11, 2011

On appeal from a decision of the Village of Palmetto Bay, Florida.

Eileen Ball Mehta, Esq. for Petitioner.

Eve A. Boutsis, Esq. for Respondent.

Tucker Gibbs, Esq. for Intervenors, Concerned Citizens of Old Cutler, Inc. and Betty Pegram.

Before JOEL BROWN, C.J., JOSEPH FARINA AND NORMA S. LINDSEY, JJ.

(PER CURIAM)

This appeal arises out of the adoption of Zoning Resolution No. 2010-48 (the "Resolution") by the Village of Palmetto Bay (the "Village"). Petitioner, Palmer Trinity Private School, Inc. ("Palmer Trinity"), seeks by way of certiorari review to quash and remove two provisions incorporated into Condition 4.4 of the

Resolution, specifically: (1) the cap on the permissible number of students at the school at 900; and (2) the imposition of a thirty-year (30) prohibition on the filing of any applications for development approvals on the school's 55-acre site. We have jurisdiction pursuant to Article V, Section 5, Florida Constitution, and Rules 9.030(c) and 9.100 of the Florida Rules of Appellate Procedure.

Palmer Trinity argues that the above provisions are unlawful and should be quashed and removed from the Resolution in that: (1) the cap on the number of students permitted at the school was arbitrary, not supported by competent substantial evidence, and departed from the essential requirements of law; and (2) the thirty-year prohibition on future development applications violated Palmer Trinity's due process rights because it constituted a *de facto* moratorium for which neither notice nor opportunity to be heard was given, that the Village departed from the essential requirements of law in approving the prohibition, and that the Village failed to support the thirty-year prohibition with substantial competent evidence.

The Village disagrees and seeks to dismiss Palmer Trinity's Petition. For the reasons set forth below, we QUASH the two provisions contained in the Resolution, as set forth above, adopted by the Village and REMAND to the Village with instructions to conduct further proceedings on this matter in accordance with this decision.

Procedural and Factual Background

Palmer Trinity has owned and operated a private school on 22.5 acres of land located within the Village ("Parcel A") for almost five decades. In 1988,

Palmer Trinity applied for and obtained approval of a modification of its site plan for the purpose of increasing its enrollment to 600 students. In 2003, Palmer Trinity purchased an additional 32.5 acres also located within the Village ("Parcel B") that was zoned half Agricultural ("AU") and half Estate Single Family per Five Acres ("EU-2"). Parcel B had an Estate Density Residential ("EDR") future land use designation, allowing for less than 2.5 dwelling units per acre. In 2006, Palmer Trinity filed an application (the "Application") under the Miami-Dade County Code to rezone Parcel B to Estate Modified Single Family allowing for one home per 15,000 square feet ("EU-M"). As part of the Application, Palmer Trinity also sought a special exception to increase the student enrollment from 600 to 1400 and certain variances concerning further development on both Parcel A and B. As a result of the incorporation of the Village as a municipality, the Application was transferred from the County to the Village.

In 2008, the Village held a hearing on the Application. Consideration of the rezoning request was bifurcated from the other requests in the Application. At the 2008 hearing, the Village adopted Ordinance 08-06 denying the requested rezoning. Palmer Trinity appealed this denial in a petition for certiorari review to the Circuit Court, acting in its appellate capacity, which upheld, without opinion, the Village's decision. Palmer Trinity then took an appeal to the Third District Court of Appeal which reversed the Circuit Court, thereby overturning the Village's denial of the rezoning request. *See Palmer Trinity Private School, Inc. v. Village of Palmetto Bay*, 31 So. 3d 260 (Fla. 3d DCA 2010) ("*Palmer I*").

After the Third District issued the decision in *Palmer I*, Palmer Trinity revised its plans, eliminating some of the previously requested non-use variances and reducing its requested student enrollment from 1400 to 1150. Palmer Trinity also voluntarily offered to expand its student population from 600 to 1150 in gradual increments over a fifteen year period. In addition, the proposed site plan was modified to reflect the reduced student enrollment request of 1150, the proposed new development on Parcel B was redesigned and relocated toward the center, setbacks were increased and additional landscaping was added.

On April 28, 2010, the Village conducted a public hearing on the first reading of the rezoning component of the Application. On May 4, 2010, the Village conducted a public hearing on second reading of the rezoning request and approved the rezoning by adopting Ordinance 2010-09. Also at that hearing, the Village heard the request for the special exceptions and site plan modification components of the Application.

Prior to the hearing, the professional staff of the Village (the "Village Staff") reviewed the Application and recommended approval with certain conditions (the "Recommendation"). The Recommendation contained a total of approximately 80 conditions, one of which, as set forth below, was included in the Resolution and forms the basis of this appeal. The Village Staff specifically recommended that Palmer Trinity's request for a special exception to expand the school onto Parcel B and to increase the student enrollment from 600 to 1150 be approved. The 900 number, which the Village later adopted, was not mentioned in the Recommendation.

As part of its Recommendation, the Village Staff included Condition 4.2, which required Palmer Trinity to "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." Condition 4.4 of the Recommendation further provides:

> 4.4 Cap on 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 1150 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.

At the May 4, 2010 hearing, the Village's Planning Director (the "Director") presented the Recommendation. The Director stated that Condition 4.4 was "a condition running with the land as to conditions in perpetuity, no modifications as to uses, increases, increases as to square footage or students for 30 years." (the "30 Year Prohibition"). Although various other individuals addressed the Village Council, there was no other testimony or evidence presented with respect to the 30 Year Prohibition. With respect to the 1150 student cap on enrollment, the Village's expert traffic consultant, Joseph Corradino, reviewed the traffic study included in Palmer Trinity's Application and recommended approval, finding that, based on 1150 students, the Application satisfied the relevant traffic level of service standards.

Palmer Trinity's counsel objected to several of the conditions contained in the Recommendation, including Condition 4.4, which contained the 30 Year

Prohibition, as being "overreaching." Palmer Trinity's counsel then presented its requests for the special exceptions and introduced documentary evidence along with lay and expert witnesses.

The Village Attorney presented an Overview of Zoning Law as a guide to the Village Council. The County Manager also engaged special council who addressed the Village Council regarding their duties and obligations as quasi-judicial officers. The attorney for Concerned Citizens of Old Cutler, Inc. ("CCOCI") and Betty Ingram, Intervenors, presented argument and testimony from several individuals and introduced, Mr. Mark Alvarez, a planner, as an expert. Other individual witnesses spoke both for and against the Application. The Village Council then allowed Palmer Trinity an opportunity for rebuttal.

At the conclusion of the evidentiary portion of the hearing, the Village Council began its deliberations. Several amendments to the conditions recommended by the Village Staff were made. Council Person Stanczyk made a motion to reduce the number of students permitted to 900. This was the first time the number 900 was ever mentioned at the public hearing or in the entire record preceding the public hearing. Thereafter, the Mayor and Council Person Stanczyk had a brief discussion as to whether the 900 number was arbitrary. At the conclusion of the hearing on May 4, 2010, the Village adopted the Resolution with conditions, including the reduction in the number of students from 1150 to 900, with Council Member Stanczyk voting against. The only modification to the language of the version of Condition 4.4 contained in the Recommendation to the language in the version of Condition 4.4, as included in the Resolution, was the

reduction in the number of students permitted from 1150 to 900. The language providing for the 30 Year Prohibition on Palmer Trinity's ability to seek further development approvals remained the same. Specifically, Condition 4.4 in the Resolution states:

> 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.

Subsequent to the Village's adoption of the Resolution, Palmer Trinity filed its timely Petition to invoke this Court's jurisdiction.

Conclusions of Law

First tier certiorari review of a quasi-judicial zoning decision, such as the Resolution at issue here, is a matter of right. *Miami-Dade County v. Omnipoint Holdings, Inc.*, 863 So.2d 195, 198 (Fla. 2003). A three-part standard governs this Court's review: (1) whether procedural due process is accorded; (2) whether the essential requirements of law have been observed; and (3) whether the administrative findings and judgment are supported by competent substantial evidence. *Id.* at 199.

A. The 30 Year Prohibition

While it is not the function of the court to rezone property, "[r]estrictions on private property must be kept within the limits of necessity for the public welfare or it will be recognized as an unlawful taking." *Burritt v. Harris*, 172 So.2d 820, 822 and 823 (Fla. 1965).

In *Cap's-On-The-Water, Inc. v. St. Johns County, et al.*, 841 So.2d 507, 508 (Fla. 5th DCA 2003), cited by the Village, the Court held that the standard applicable to the imposition of conditions on a special use in an application for development is whether the use should be controlled "in relation to the neighborhood." The Court explained:

> We note, however, that in the application of this provision, the conditions imposed must bear a relationship to the goal of compatibility between the special use and the surrounding area. Should the owners decide to challenge the conditions as unreasonable restrictions, the court can consider whether the conditions are whimsical or capricious. Conditions on a use, just like exceptions to a rule, can swallow or drown the use which was intended to be approved in the first place. Owners are entitled to fair play; their properties, which may represent their life fortunes, should not be subjected to whimsical or capricious conditions.

Id. at 508-509.

In support of the 30 Year Prohibition, which prohibits Palmer Trinity from even asking for additional development approvals for the next thirty years – that is, until 2040 -- the Village argues that the condition is necessary to "manage the possibility of increased noise and nuisances that would be incompatible with the health, safety and welfare of the community." *See Village's Response to Petition for Writ of Certiorari at 49.* Moreover, the Village claims that "[i]t sought to develop trust." *Id.* Palmer Trinity counters that such a restriction constitutes an illegal and *de facto* moratorium on development, and is an arbitrary, *ad hoc* decision that is an unacceptable and unconstitutional means of restricting private property rights.

Irrespective of the label attached, there is simply no legal authority cited to support such an extreme and unreasonable restriction on a private property owner.

Thus, the 30 Year Prohibition constitutes a departure from the essential requirements of law. This is so because neither the Village Council nor the current residents of the area surrounding Parcel B can know what the future holds. There are a myriad of potential circumstances - - unknown and even unimaginable at this time -- which could arise in the future which could necessitate Palmer Trinity asking for additional development approvals.[1] Without the ability to see into the future, the Village cannot know what the neighborhood will be like and, hence, what would be compatible or incompatible. Indeed, the Village's contention that the 30 Year Prohibition is necessary to "manage the ***possibility*** of increased noise and nuisances that would be incompatible with the health, safety and welfare" imposes an unreasonable restriction on Palmer Trinity, particularly in light of the fact that the circumstances sought to be managed may or may not occur. (Emphasis added.)

In addition, the Village cited no legal authority to regulate land use based on a municipality's desire for trust with a landowner. In as much, the 30 Year Prohibition leaves no room for trust because it operates as an out right ban on Palmer Trinity's ability to even ask for additional development approvals. Accordingly, the Court holds that the provision in Condition 4.4 of the Resolution, which not only prohibits development, but *even* applications for development, for the next 30 years constitutes a departure from the essential requirements of law and should be quashed.

1. Thirty years ago today, the internet was not available for use by the general public and there were no cellular telephones.

B. The 900 Student Cap on Enrollment

Palmer Trinity argues that the 900 student cap contained in Condition 4.4 of the Resolution is not supported by competent substantial evidence and constitutes a departure from the essential requirements of law. We agree. The record contains no mention of the 900 number at the May 4, 2010 hearing until after the close of public comment when the Mayor, Council, and Village Counsel had the following exchange:

> COUNCIL MEMBER STANCZYK: Yeah and I'm having a little trouble again. The original student number that was listed as a recommendation was 1150, and I would like to reduce it to 900, staged incrementally over the entire term of the project. I'd like to make that as a motion.
> MAYOR FLINN: That's a tough one. I mean, I don't know how we can just arbitrarily do that, but - -
> COUNCIL MEMBER STANCZYK: Well, 1150 was an arbitrary number.
> MAYOR FLINN: Well, 1150 is what they voluntarily dropped to, but - -
> COUNCIL MEMBER STANCZYK: Well - -
> MAYOR FLINN: But, anyway, is there a second for that?
> VICE MAYOR PARISER: I'll second it.
> MAYOR FLINN: All right, it's been seconded. Any discussions on it?
> COUNCIL MEMBER FELLER: Read the motion.
> MAYOR FLINN: Reduce to 900 students.
> COUNCIL MEMBER FELLER: In discussion by - - I had gotten a number, by state number or by density or some numbers. Theoretically, what is the maximum the school would be allowed to by the total acreage? Is there such a thing, Eve?
> MS. BOUTSIS: Under the special exception process, they have to meet certain numbers. The answer is over 2,000.
> COUNCIL MEMBER FELLER: It's over 2,000.
> MAYOR FLINN: I think it was 2100 at one point. All right all in favor indicate by saying aye.
> COUNCIL MEMBERS: Aye.
> MAYOR FLINN: Any opposed?
> COUNCIL MEMBER FELLER: Nay.
> COUNCIL MEMBER TENDRICH: Nay.
> MAYOR FLINN: Three/two. All right next item.

See Transcript of May 4, 2010, Hearing at pp. 297:16 – 299:12.

The Village relies upon the testimony of Mr. Mark Alvarez, the planner retained by the Intervenors, and the comments by neighboring residents with respect to traffic and noise. The only specific testimony offered by Mr. Alvarez' that could arguably support the Village's position is his statement that "[t]he school, and what I'm going to point out, is I believe that the use, as a school, is not consistent with what the Village's comprehensive plan says." *See May 4, 2010 Hearing Transcript at p. 168.* He further testified that school would be "increasing the population density of Parcel B well above "what's expected for that zoning category." *Id. at 183:7-17.* Palmer Trinity contends that Mr. Alvarez' testimony does meet the standard for competent substantial evidence.

The Florida Supreme Court has defined competent substantial evidence as follows:

> Substantial evidence has been described as such evidence as will establish a substantial basis of fact from which the fact at issue can be reasonably inferred. We have stated it to be such relevant evidence as a reasonable mind would accept as adequate to support a conclusion. In employing the adjective 'competent' to modify the word 'substantial,' we are aware of the familiar rule that in administrative proceedings the formalities in the introduction of testimony common to the courts of justice are not strictly employed. We are of the view, however, that the evidence relied upon to sustain the ultimate finding should be sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached. To this extent the 'substantial' evidence should also be 'competent.'

De Groot v. Sheffield, 95 So. 2d 912, 916 (Fla. 1957).

An applicant seeking a special exception must demonstrate to the decision-making body that its proposal is consistent with the county's land use

plan; that the uses are specifically authorized in the applicable zoning district; and that the requests meet with the applicable zoning code standards of review. *See Jesus Fellowship v. Miami-Dade County, Florida,* 752 So.2d 708, 710. (Fla. 3d DCA 2000). If an applicant meets this burden, then the request must be granted unless the opponent carries its burden to demonstrate that the applicant's request does not meet the standards and are in fact adverse to the public interest. *Id.*

The facts herein are analogous to those presented in *Jesus Fellowship*. In that case, the Third District quashed a circuit court decision which affirmed a decision of the Miami-Dade County Commission denying a portion of a church's zoning application. In the zoning application at issue therein, the church sought to rezone land in a residential area to permit expansion of the church's religious facilities and to permit a private school and day care center. Although the County Staff had recommended approval of 524 students, the Commission approved the rezoning but limited the number of students to 150 as a result of a "suggestion" by the opponents' attorney after the close of the evidentiary hearing.

Here, as in *Jesus Fellowship*, the first mention of even the reduction in the number of students permitted occurred after the close of the evidentiary portion of the public hearing. And like the "suggestion" by the opponent's counsel in *Jesus Fellowship*, the 900 number here materialized in the form of a motion for which no discussion on the record had been had nor foundation had been laid. Other than the brief discussion between the Mayor and Council Person Stanczyk, wherein the 900 number was admittedly arbitrary, there is no mention of that number, nor any mathematical calculation from which it could have been derived,

contained in either the record or transcript preceding the adoption of the Resolution. Neither the testimony of Mr. Alvarez, nor of any of the individuals living in the neighborhood surrounding the school, provides a competent substantial basis for the 900 student cap on enrollment. Accordingly, this Court holds that the 900 student cap is not supported by competent substantial evidence.

For the reasons set forth above, the provisions contained in Resolution 2010-48 relating to the 30 Year Prohibition on any future development or applications for development approvals and the 900 student cap on enrollment are QUASHED and this matter is REMANDED to the Village of Palmetto Bay for proceedings in accordance with this decision.

COPIES FURNISHED TO COUNSEL
OF RECORD AND TO ANY PARTY
NOT REPRESENTED BY COUNSEL.

ATTACHMENT B

MARCH 3, 2011 and MAY 5, 2011

11TH JUDICIAL CIRCUIT COURT

ORDERS

M A N D A T E

FROM CIRCUIT COURT
APPELLATE DIVISION
ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

APPELLATE CASE #:10-259 AP

THE ORIGINAL FILED
IN THE OFFICE OF
MAR 03 2011

PALMER TRINITY PRIVATE SCHOOL, INC.

vs.

VILLAGE OF PALMETTO BAY, FLORIDA, CONCERNED CITIZENS OF OLD CUTLER, INC. AND BETTY PEGRAM

This cause having been brought to this Court by appeal, and after due consideration the court having issued its opinion;

YOU ARE HEREBY COMMANDED that such further proceedings be had in said cause in accordance with the opinion of this COURT attached hereto and incorporated as part of this order, and with the rules of procedure and laws of the STATE OF FLORIDA.

Lower Tribunal Case Number(s): 2010-48

WITNESS the Honorable Mark King Leban, Administrative Judge of the Appellate Division of the Circuit Court of the Eleventh Judicial Circuit of Florida and the seal of the said Circuit Court at Miami, this 3RD day of March, 2011.

A True Copy
Attest
Harvey Ruvin
Clerk of Courts

By: Jacqueline Abu-Nassar
Deputy Clerk

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

APPELLATE DIVISION
CASE NO. 10-259 AP
LOWER COURT CASE NO. 2010-48

FILED FOR RECORD
2011 MAY -6 AM 11:24
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
CIVIL #85

PALMER TRINITY PRIVATE
SCHOOL, INC.,
Petitioner,
vs.

VILLAGE OF PALMETTO BAY,
FLORIDA, et al.,
Respondents.

Upon consideration by the court, Petitioner's Motion to Enforce Mandate is hereby: GRANTED.

The opinion filed February 11, 2011, in this case contains a scrivener's error beginning on line 10 of page 11 as follows: "Palmer Trinity contends that Mr. Alvarez' testimony does meet the standard for competent substantial evidence."

That sentence is corrected as follows: "Palmer Trinity contends that Mr. Alvarez' testimony does not meet the standard for competent substantial evidence."

JOSEPH P. FARINA, JOEL H. BROWN, C.J., AND NORMA S. LINDSEY, JJ. CONCUR

It is so ordered this 5th day of May, 2011.

JOSEPH P. FARINA

JOEL H. BROWN

NORMA S. LINDSEY

CC: STANLEY B. PRICE, ESQ.
EILEEN BALL MEHTA, ESQ.
EVE A. BOUTSIS, ESQ.
W. TUCKER GIBBS, ESQ.

ATTACHMENT C

JUNE 1, 2011

11TH JUDICIAL CIRCUIT COURT

CLARIFICATION OF ORDER

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

APPELLATE DIVISION
CASE NO. 10-259 AP
LOWER COURT CASE NO. 2010-48

PALMER TRINITY PRIVATE
SCHOOL, INC.,
Petitioner,
vs.

VILLAGE OF PALMETTO BAY,
FLORIDA, et al.,
Respondents.
_____/

FILED FOR RECORD
2011 JUN -3 PM 2:36
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
CIVIL #85

Upon consideration by the Court, Respondent's Motion for Clarification as to this Court's Order Dated May 5, 2011 is hereby: GRANTED.

This Court entered an order granting Petitioner's Motion to Enforce Mandate on May 5, 2011. In its Motion, Petitioner, Palmer Trinity Private School, Inc. ("Palmer Trinity"), had argued that the "Village should be instructed that "proceedings in accordance with this decision [the Court's February 11, 2011 opinion]" means that the Village should take appropriate action to remove the two quashed conditions from the Resolution or otherwise render those conditions ineffectual." Petitioner's Motion to Enforce Mandate at p. 20.

On May 18, 2011, in response to the Court's Order of May 5, 2011, Respondent, Village of Palmetto Bay, Florida, et al. (the "Village"), filed its Motion for Clarification as to this Order. In its Motion, the Village contended that it understands the Court's May 5 Order to direct the Village to "act consistent with the Panel's direction striking of the 30 year prohibition as contrary to law" and "hold a public hearing, the record of which shall include but not be limited to all the evidence already in the record for a final decision as to the entire application -- not just as to the two items litigated on appeal, ..." Respondent's Motion for Clarification at p. 4. The Village bases its understanding of the May 5 Order on its assertion that the Resolution at issue "did not have a severability provision, so the entire matter is to be heard at public hearing." Id. at Note 1, citing Auerbach v. City of Miami, 929 So.2d 693, 694 (Fla. 3d DCA 2006). In Auerbach, the resolution at issue contained a severability clause. However, the Auerbach opinion does not state that, absent a severability clause in a resolution, the entire matter must be reheard.

Accordingly, the Court finds that the original opinion in this matter issued February 11, 2011 is clear and unambiguous. The Village of Palmetto Bay shall forthwith commence the required proceedings to remove the two quashed conditions from the Resolution or otherwise render those conditions ineffectual and take no further action that would be inconsistent with this Court's prior Order of May 5, 2011 and this Order.

JOSEPH P. FARINA, JOEL H. BROWN, C.J., AND NORMA S. LINDSEY, JJ. CONCUR

It is so ordered this 1st day of June, 2011.

JOSEPH P. FARINA

JOEL H. BROWN

NORMA S. LINDSEY

CC: STANLEY B. PRICE, ESQ.
EILEEN BALL MEHTA, ESQ.
EVE A. BOUTSIS, ESQ.
W. TUCKER GIBBS, ESQ.

To: Mayor and Village Council Date: July 19, 2011

From: Eve A. Boutsis, Village Attorney Re: Palmer Trinity July 19, 2011 Hearing.

BACKGROUND AND ANALYSIS:

The Florida 11th Judicial Circuit, Appellate Panel, on February 11, 2011, granted the certiorari petition filed by Palmer Trinity Private School. A Petition for Certiorari review in a zoning matter, is the "appeal" of a zoning decision. The review by a court is as to three criteria: whether the party was provided procedural due process (proper notice of hearing provided and an ability to be heard); that there is competent substantial evidence in the record to support the decision; and that the essential requirements of law are complied with (correct law used). In reviewing the petition, the Panel quashed the two conditions in the Village's May 4, 2010 zoning resolution and found:

That Condition 4.4 "which contained the 30 year prohibition" "operates as an out right ban on Palmer Trinity's ability to even ask for additional development approvals. Accordingly, the Court holds that the provision in Condition 4.4 of the Resolution, which not only prohibits development, but even the submittal of applications for development, for the next 30 years constitutes a *departure from the essential requirements of law* and should be quashed."

As to the second condition, related to the number of students, 900, the Court found that the "900 Student Cap on Enrollment" should be quashed, as there was "no competent substantial basis for the 900 student cap on enrollment. Accordingly, this Court holds that the 900 student cap is *not supported by competent substantial evidence in the record.*"

Thereafter, the Court, on March 3, 2011 issued the mandate which ordered the Village to hold "such further proceedings ... in accordance with the opinion of this Court [per the February 11, 2011 order]."

On April 12, 2011, Palmer Trinity filed its motion to enforce the Court's mandate, and argued that failure to comply with the mandate was a "miscarriage of justice." Palmer Trinity argued that there could not be a hearing on the entire application, simply a proceeding to overturn the two quashed conditions from the May 4, 2010 resolution. Palmer Trinity also argued administrative res judicata, which they believed would preclude a new hearing on the Palmer Trinity application. Palmer Trinity additionally argued that the "law of the case" doctrine applied as to the remainder of the zoning resolution. Finally, Palmer Trinity argued that the Village's upcoming hearing required "purely a ministerial action" by the Village Council. Based upon the foregoing, Palmer Trinity requested "on remand, [that] the Village should adhere to the

Court's decision quashing the two conditions by removing those conditions from the resolution" and argued that the Village should take no further action.

Palmer Trinity attempted to distinguish the holding of Broward County v. G.B.V. International, Ltd., 787 So. 2d 838, 844 (Fla. 2001), which had been cited by the Village. In GBV International, the Florida Supreme Court had held that "[w]hen the order is quashed, ... it leaves the subject matter that is the controversy pending before the ... commission. ...The appellate court has no power in exercising its jurisdiction in certiorari to enter a judgment on the merits of the controversy under consideration nor to direct the respondent to enter any particular order or judgment." The Village understood this holding to mean that upon remand a hearing is held. Additionally, as there was no severability provision in the resolution, the entire application had to be reviewed. Palmer Trinity additionally attempted to assert bias by certain members of the existing/current Village Council.

On May 6, 2011, the Court granted Palmer Trinity's motion to enforce mandate, without opinion[1].

Subsequently, the Village filed a motion for clarification regarding the May 6th, 2011 order enforcing mandate, asking for direction as to the Appellate Panel's direction to hold "further proceedings." The Village believed, pursuant to Broward County v. G.B.V. International, Ltd., 787 So. 2d 838, 844 (Fla. 2001), and its progeny, that the Appellate court is limited as to what it can direct upon remand. The Village again argued that the appellate court has no authority to direct the lower court to enter contrary orders or to direct the Village to enter a specific order. The Village argued, that the appellate court could not enter judgment on the merits or direct the lower tribunal to enter any particular order. As such, the Village believed that it should adhere to its hearing process, and hold a new hearing on Palmer Trinity's application, while also utilizing the record from the May 4, 2011 hearing.

Additionally, the Village argued that its proposed action of holding a hearing would be consistent with Parker Family Trust I v. City of Jacksonville, 804 So. 2d 493, 498 (Fla. 1st DCA 2001), in which the Court held that a subsequent hearing may develop different facts or issues, resulting in a change in circumstances that would preclude the application of the "law of the case" doctrine. The Village argued, that during the 2011 quasi-judicial hearing, the Village could determine that there had been a substantial change in the facts. The Village indicated that the change in circumstances could be a result of the evidence presented by the community, and/or by the new Village planner that has been hired.

Finally, the Village contended, as there was no severability provision in the original resolution, the entire resolution must be considered at the public hearing. The Village cited to Auerbach v. City of Miami, 929 So. 2d 693, 694 (Fla. 3d DCA 2006) as support for this proposition.

[1] One scrivener's error was recognized in the opinion. No written opinion issued by the Court other than "Granted."

On June 3, 2011, the Appellate panel granted the Village's motion for clarification, rejected the Village's severability argument and stated:

> "Accordingly, the Court finds that the original opinion in this matter issued February 11, 2011 is clear and unambiguous. The Village of Palmetto Bay shall forthwith commence the required proceedings to remove the two quashed conditions from the Resolution or otherwise render those conditions ineffectual and take no further action that would be inconsistent with the Court's prior Order of May 5, 2011 and this Order."

Based upon the foregoing direction of the Appellate Panel solely the two conditions appealed and quashed are to be reviewed by the Village Council. The Appellate Court quashed the Village's two conditions: (1) 30 year prohibition and (2) 900 cap on the number of students.

RECOMMENDATION:

Based upon the authority and the facts presented herein, that the Village Council should rely upon the evidence and proof obtained during its original hearing of May 4, 2010, and thereby rely upon the existing record, rather than proceed forward with a new hearing and upon new proof.

As a threshold matter, the Circuit Court's order granting Palmer Trinity's petition for certiorari, effectively quashed the two conditions referenced above. Broward County v. GBV International, Ltd., 787 So. 2d 838, 844 (Fla. 2001) (the Court can either quash the petition or order - the Court cannot enter judgment on the merits and cannot direct the respondent to take any action); and National Adver. Co. v. Broward County, 491 So. 2d 1262, 1263 (Fla. 4th DCA 1986).

Therefore, the Circuit Court's decision is limited to a finding that the Village's condition as to the 30 year prohibition departed from the essential requirements of law; and that the 900 student cap was "not supported by competent substantial evidence."

The Florida Supreme Court has addressed of the scope and parameters of certiorari review, in GBV International, Ltd., 787 So. 2d at 844. Based upon this decision, once the Village' Council's two conditions were quashed, it left that decision/order "as if no order or judgment had been entered [as to those conditions]." Id. at 844. More importantly, as a result of the quashing "the parties stand upon the pleadings and proof as it existed when the order was made with the right of all parties to proceed further as they may be advised to protect or obtain the enjoyment of their rights under the law in the same manner and to the same extent which they might have proceeded had the order reviewed not been entered." Id. Based upon the Florida Supreme Court's holding, the Circuit Court's order should have returned all parties in this matter to the status quo at the time the Village Council determined the two conditions, and with the existing record upon which the Council made its decision.

The position of the Village Attorney is consistent with the position taken by the City Attorney of the City of Ft. Lauderdale, Harry A. Stewart, who took this position on March 10, 2011, in a similar situation with a similar order from the Appellate Court. Mr. Stewart, was also the County Attorney for Broward County for many years. The Miami-Dade County Attorney's office has advised that in a zoning action remanded to the County, the County Attorney's office directs the applicable zoning board/appellate board to hold a hearing -- but to simply strike the items quashed and to take no further action.

However, the Commission may decide the issue based on the facts in the record at the time, or it may reopen the public hearing to accept evidence on the only relevant issues (two conditions), and in doing so should adhere to the criteria delineated below.

RECOMMENDATION AS TO PROPOSED REVISIONS TO ZONING RESOLUTION 2010-048:

Please note that the Village Council's decision to grant the site plan modification, with conditions, and the physical expansion remain in effect under the zoning resolution 2010-48. The only Certiorari challenges were as to two above referenced conditions.

Condition 1: The 30 year prohibition should be stricken due to the Court's ruling that the condition is a departure from the essential requirements of law and should be quashed. Based upon the foregoing, condition 4.4 should be stricken as follows:

~~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.~~

Condition 2: The remaining issue is as to the "Cap of 900 students." The Appellate Panel used the term "Cap of 900 students". The only time the resolution uses the word "Cap" can be found in section 4.4 relating to the "Cap of Intensity of Uses and Student Population." Section 4.4 is to be quashed by the direction of the Appellate Panel. However, Palmer Trinity did not cite to a specific condition when referencing the 900 students and the 900 number is referenced through out the zoning resolution. To be consistent with the Court's order, all references to the 900 students should be stricken. Below are listed the references to the 900 number:

(a) The Village Council's zoning resolution, at its second Conclusion of Law, found at page A5, Section 3(2) stated:

"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 to 8001 SW 184th 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 184th Street from 7900 SW 176th 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."

Based upon the Appellate ruling the third sentence should be stricken:

~~However, the Applicant's request for a special exception to expand onto 8001 SW 184th Street from 7900 SW 176th Street and to increase the number of students from 600 6to 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.~~

(b) The Council at Section 4(B)(3), also held that "[t]he request to increase the non-public school number of students to 1150 is denied. A condition to allow expansion to 900 students is granted." The cap at 900 should be stricken.

(c) The number of students at subsection (4)(4.5), found at page A.7, should be stricken.
(d) The number of students should be stricken from subsection 4.6
(e) The number of students should also be stricken from subsection 4.7 (as to the increase of 300 students to 550 students).
(f) The number of students should be stricken from subsection 5.

Legal standards for reviewing the record or at Council request holding a limited hearing:

For any zoning application to be approved, it must be consistent with the Comprehensive Plan and it must adhere to the applicable zoning regulations. As to the first prong of the analysis, the Village Council, at page A2 and A5 of the zoning resolution 2010-048 (May 4, 2010) found that the entire application is consistent with the Village's Comprehensive Plan. That Conclusion of Law was not stricken by the Appellate Panel and is not open for review.

The question, then, becomes should the Village Council approve the number of students requested by the applicant, Palmer Trinity, for 1150 students. The Court found that the record would not support 900 and that a "Cap" was not supported by the record.

Palmer Trinity argues, therefore, if 900 is not supported by the record, it has met its burden as to approving a special exception for 1150 students. The transcript from the May 4, 2010 hearing

reflects the argument of Palmer Trinity's counsel that it had met the burden required under the special exception standard and that it was now the Council's burden, if there was opposition to the application, to find that the application was a detriment to the public interest. [Page 83, at lines 15-24; page 256, lines 7-15]. This standard was first enunciated by the Florida Supreme Court in Irvine v. Duval County Planning Com., 495 So. 2d 167 (Fla. 1986).

The Appellate Panel agreed with Palmer Trinity as to the standard of review. See page 12 of the February 11, 2011 order of the Court: "If an applicant meets this burden, then the request must be granted unless the opponent carries its burden to demonstrate that the applicant's request does not meet the standards and are in fact adverse to the public interest." Additionally, the Appellate Panel, at page 12, referenced Jesus Fellowship v. Miami-Dade County, 752 So.2d 708, 710 (Fla. 3d DCA 2000) and stated: "Here, as in *Jesus Fellowship,* the first mention of even the reduction in the number of students permitted occurred after the close of the evidentiary portion of the public hearing. And like the "suggestion" by the opponent's counsel in *Jesus Fellowship,* the 900 number here materialized in the form of a motion for which no discussion on the record had been had nor foundation had been laid."

The Panel, by referencing the burden shifting standard appears to have implicitly found that Palmer Trinity has met its burden of proof of meeting the applicable zoning regulations. For the Village to reject Palmer Trinity's application as to 1150 students, particularly, after the ruling of February 11, 2011, and the citations to authority in that opinion the Village Council will need to support such a decision, with competent substantial evidence that Palmer Trinity's application for 1150 students is a detriment to the public interest. Public interest is ordinarily considered the "health safety and welfare of the public" and is the mechanism for triggering the municipality's police powers. Police powers are what allow a municipality to create and enforce a zoning code. *See* Powell on Real Property; Relations Between The Owner Of A Permissible Interest In Land And The Community (Chs. 69-79g); Chapter 79C Zoning ; *12-79C Powell on Real Property § 79C.13 (2011*, Matthew Bender & Company, Inc.). See also Zoning and Land Use Controls; *8-44 Zoning and Land Use Controls § 44.04 (2011* Matthew Bender & Company, Inc) (It has been generally held that the standard of "*absence of substantial detriment to the public good,*" an alternate form of the health and welfare standard, refers primarily to the weighing of the admitted general utility of the use and the public convenience of the requested location against the effect of adverse factors on other uses in the area. In considering the welfare of the "community" when reviewing an application for a special use permit, that requirement contemplates the community at large, not just the immediate neighborhood. Essentially, the standard requires a showing by the applicant that the proposed use will not be detrimental to the health, safety or welfare of the community.). Based upon the foregoing, the Village Council is to rely on competent and substantial evidence in the existing record that there was a "substantial detriment to the public good," that the "health safety and welfare of the public at large" was affected; or more specifically that there was a "detriment to the public interest."

If the Village should decide to ask for argument of council, and ask questions of experts, staff, and general public, the item may be reopened for a public hearing, as to the number of students. However, despite what may be introduced, the number of students may only be altered if: there is evidence that the application is detrimental, or adverse to the public interest. See Irvine v. Duval County Planning Com., 495 So. 2d 167 (Fla. 1986).

Additionally, due to the "law of the case" doctrine the Village Council would need to find that there was either a substantial change in circumstances, thus requiring further evidence or there would be an act of manifest injustice to proceed. Parker Family Trust I v. City of Jacksonville, 804 So. 2d 493 (Fla. 1st DCA 2001) (Although the law of the case doctrine is a self-imposed restraint that courts abide by, once made by the appellate court, such decisions will seldom be reconsidered or reversed, even though they appear to have been erroneous. Reconsideration will occur only when manifest injustice will result from a strict and rigid adherence to the rule.). The Court, in Parker Family Trust explained:

> "The doctrine of the law of the case is . . . a principle of judicial estoppel." Fla. Dep't of Transp. v. Juliano, 801 So. 2d 101, 2001 Fla. LEXIS 2275, 26 Fla. L. Weekly S784, S785 (Fla. 2001). It applies when "successive appeals are taken in the same case." Id. It requires that questions of law actually decided on appeal must govern the case in the appellate court and in the lower tribunal in all subsequent stages of the proceeding. Id. Its purpose is "to lend stability to judicial decisions and the jurisprudence of the state, as well as to avoid 'piecemeal' appeals and to bring litigation to an end as expeditiously as possible." Strazzulla v. Hendrick, 177 So. 2d 1, 3 (Fla. 1965). Although the doctrine is "a self-imposed restraint that courts abide by," State v. Owen, 696 So. 2d 715, 720 (Fla. 1997), once made by the appellate court, such decisions "will seldom be reconsidered or reversed, even though they appear to have been erroneous." McGregor v. Provident Trust Co. of Philadelphia, 162 So. 323, 327 (1935). Reconsideration will occur only when "'manifest injustice' will result from a strict and rigid adherence to the rule." Strazzulla, 177 So. 2d at 4. "Under the law of the case doctrine, a trial court is bound to follow prior rulings of the appellate court as long as the facts on which such decision are based continue to be the facts of the case." Juliano, 26 Fla. L. Weekly at S785. The doctrine has no application, however, "when a subsequent hearing or trial develops different facts and different issues." Steele v. Pendarvis Chevrolet, Inc., 220 So. 2d 372, 376 (Fla. 1969). Here, the doctrine applies to the circuit court's first order because the City Council's action was quasi-judicial and the circuit court's review was appellate in nature. *See generally* Tamiami Trail Tours, Inc. v. R.R. Comm'n, 128 Fla. 25, 32, 174 So. 451, 454 (1937) (Davis, J., concurring specially) (noting that rulings on questions of law made on certiorari review of an administrative agency's decision constitute the "law of the case" in subsequent proceedings before the lower tribunal); Wood

v. Dep't of Prof'l Regulation, 490 So. 2d 1079, 1081 (Fla. 1st DCA 1986) (holding that "administrative agencies are required to adhere to the law of the case").

Conclusion:

In the appellate history for the Palmer Trinity Certiorari action, the Appellate Panel referenced the burden shifting standard delineated in Irvine, and found that there was no evidence supporting a cap on the number of students. Moreover, the Court has ruled that the two items are quashed and for the Village to take no further action. The Village, due to law of the case, should adhere to these rulings of the appellate panel. The only way to overcome the law of the case is if the law has changed (manifest injustice) or there has been a substantial change in circumstances since May 4, 2010, or the existing record reflects that the expansion in students should be denied as a detriment to the public interest. Without such evidence, and without addressing the Irvine standard (burden shifting to Village to show a detriment to the community), there is a strong possibility that any action taken by the Village other than to quash the two conditions as mandated by the Court will not be upheld in any appeal (certiorari review by the 11th Circuit).

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 176TH STREET THROUGH 8001 SW 184TH 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 184th Street from AG and E-2 to E-M; (2) a special exception to expand the existing private school located at 7900 SW 176th Street with 600 students, onto the adjacent property known as 8001 SW 184th Street with 32.2 acres, and 1400 students; (3) a site plan modification of the approved 1999 plan for 7900 SW 176th 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 184th 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 184th 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 176TH Street and 8001 SW 184th Street, Palmetto Bay, Florida.

In 1999, the Applicant sought a site plan modification for 7900 SW 184th 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.

Page 57, line 14 – 1999 hearing Transcript:

> 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[1]. 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.

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[1] 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 184th 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 184th 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 184th Street to E-M.

The Town of Cutler Bay is located to the south. The 8001 SW 184th Street property adjoins the northern parcel zoned E-M, also owned by the Applicant that bears the address 7900 SW 176th 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 84th Avenue and SW 83rd Court) and north (between SW 173 Terrace and SW 175th Street). To the east of the property is Old Cutler Road. To the south of the property is SW 184th 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. 184th 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. (CCOCI); 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 184th 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 176th 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 184th 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 184th Street from 7900 SW 176th 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 184th 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 176th Street and 8001 SW 184th Street] as one parcel, in a form approved by the Village Attorney, consistent with

the requirements of the Village's Land Development Code[2]. 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

[2] 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 176th Street and 8001 SW 184th 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 184th 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 176th Street. All other construction vehicles must use the SW 184th 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 184th 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 184th 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 184th 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 184th Street from SW 82nd Avenue to Old Cutler Road.

5.10 The existing portable classrooms trailers located along the western edge of 7900 SW 176th 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 184th Street – Add a southbound right turn lane; signal phasing adjustments"].

6. <u>Athletic Fields and Amenities:</u>

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 15th 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 176th Street through 8001 SW 184th 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 176th Street and 8001 SW 184th 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 that 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. <u>Landscaping</u>:

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 184th 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 184th 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 184th 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 184th 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 184th 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 184th Street and northern boundaries at SW 176th Street shall provide a six foot (6 ft.) wrought iron fence with masonry columns. The eastern and western perimeters of 7900 SW 176th 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 176th Street and SW 184th 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 184th Street; and the 50 foot set aside along the east, west, and northern perimeters of 7900 SW 176th 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 office, or equivalent, during regular session, (per entrance) to control traffic during peak morning and afternoon school hours for each entrance to the school (SW 176th Street and SW 184th 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 176th 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 176th 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 176th Street closed to vehicular traffic on weekends, holidays and all days when school is not in regular session.

8.8 The SW 176th 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 176th 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 176th Street and shall preclude left-hand turns onto SW 176th Street, westbound, from the Applicant's SW 176th entrance. This condition shall be required, at a minimum, during peak hours.

8.14 If vehicle stacking/queuing spills-over onto SW 176th 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 176th Street and 8001 SW 184th 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 184th 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 176th Street or 8001 SW 184th Street).

9.3 The Applicant shall install pavers in the parking lot to minimize the stormwater runoff impacts, rather than asphalting 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 184th 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 176th 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 184th 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 184th Street entrance. This requirement shall be implemented upon the construction of the SW 184th 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 4th day of May, 2010. (Executed May 17th, 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	YES
Council Member Howard J. Tendrich	YES
Council Member Shelley Stanczyk	NO
Vice-Mayor Brian W. Pariser	YES
Mayor Eugene P. Flinn, Jr.	NO

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 176th Street,
8001 SW 184th 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 176TH STREET THROUGH 8001 SW 184TH 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.

A. INTRODUCTION

- **REQUEST(S):**

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

The expansion plan proposes one of two alternatives – (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, alternatively (2) solely an increase in middle school and high school students (grades 6-12). In the proposed revised site plan, dated April 19, 2010, the Applicant removed 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 requested in the 2008 application, to a total of 1,150 students.

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

The Applicant has submitted a master plan, which has been revised since its original submittal[1]. The final site plan to be reviewed is dated April 19, 2010 and provides 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. See Exhibit 1. Accordingly, the Applicant is requesting a modification of its previously approved site plan from 1999, approval is documented at Miami-Dade County resolution C-ZAB-132-99, to reflect Applicant's vision for the school. See analysis from 2008 hearings as to original site plan details, which can be found at Exhibit 2.

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

3. 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 has been eliminated from the modified site plan dated April 19, 2010. [See analysis from the 2008 hearings as to the original details of the variance request]. **This request has been withdrawn.**

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[1] 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.

4. 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 have been eliminated from the April 19, 2010 plan. [See analysis from the 2008 hearings as to the original details of the height and story variances request.] **These requests have been withdrawn.**

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

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

- **LOCATION:** 7900 SW 176 Street and 8001 SW 184th Street, Miami-Dade County, Palmetto Bay, Florida.

- **LOT SIZE:** 55+/- Acres

B. NEIGHBORHOOD CHARACTERISTICS:

ZONING	LAND USE DESIGNATION
Subject Property:	
E-M (existing private school) Estate Modified Single-Family (minimum 15,000 sq.ft. lot area)	Estate Density Residential; less than 2.5 d.u. per gross acre
AG (mango grove) Agricultural	Estate Density Residential; less than 2.5 d.u. per gross acre
E-2 (mango grove) Estate Single-Family (minimum 5 acres lot area)	Estate Density Residential; less than 2.5 d.u. per gross acre
Surrounding Properties:	
NORTH: E-M; Estate Modified	Estate Density Residential;

	Single-Family (minimum 15,000 sq.ft. lot area)	less than 2.5 d.u. per gross acre
SOUTH:	Town of Cutler Bay	
EAST:	Bill Sadowski Park;	Parks and Recreation
	E-M; Estate Modified Single-Family (minimum 15,000 sq.ft. lot area);	Estate Density Residential; less than 2.5 d.u. per gross acre
	E-1; Single-Family (minimum one acre lot size)	Estate Density Residential; less than 2.5 d.u. per gross acre
WEST:	E-M; Estate Modified Single-Family (minimum 15,000 sq.ft. lot area);	Estate Density Residential less than 2.5 d.u. per gross acre
	E-1; Single-Family (minimum one acre lot size)	Estate Density Residential; less than 2.5 d.u. per gross acre

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 (E-M) 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 184th Street be rezoned from AG and E-2 to E-M. The zoning analysis contained herein presupposes that the rezoning has occurred. Failure to rezone the property shall result in termination of review of the Applicant's requests for the special exception and site plan modification.

The Town of Cutler Bay is located to the south of Applicant's property. The 8001 SW 184th Street property adjoins the "northern" portion of the property bearing the address 7900 SW 176th Street. Except for the Applicant's existing private school at 7900 SW 176th Street, 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 84th Avenue and SW 83rd Court) and north (between SW 173 Terrace and SW 175th Street). To the east of the property is Old Cutler Road. To the south of the property is SW 184th Street (Eureka Drive). The canals and roadways serve as immediate natural borders for the residential neighborhood surrounding the Applicant's property and school use. The lots immediately to the east and west along the southern edge of the subject property on S.W. 184th Street are zoned E-1, Single-Family, (one unit per gross acre) 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), a commercial and residential use, district, and both the E-1 and E-M sized lots containing single-family home uses.

C. SITE AND BUILDINGS:

Site Plan Review:

Scale/Utilization of Site:	Acceptable with conditions
Location of Buildings:	Acceptable with conditions
Height of Buildings:	Acceptable
Compatibility:	Acceptable with conditions
Landscape Treatment:	Acceptable with conditions
Open Space:	Acceptable with conditions
Buffering:	Acceptable with conditions
Access:	Acceptable with conditions
Parking Layout/Circulation:	Acceptable with conditions
Visibility/Visual Screening:	Acceptable with conditions
Service Areas:	Acceptable with conditions
Signage:	As required under the County Code, Section 33-100.

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

D. NEIGHBORHOOD SERVICES

DERM	No objections, subject to conditions stated in attached report.
Public Works	Objections raised in 2008 by Miami-Dade County Public Works, as stated in the attached report. Objections were addressed by Applicant. Objections raised by Village Public Works during 2008 hearings. See analysis from 2008 for further details. Applicant submitted updated traffic report, which has been reviewed by the Village's Traffic Engineering Consultant, The Corradino Group. All reports attached. Corradino's recommendation is to approve, with conditions.

Parks	Comments requested from Miami-Dade County Parks & Recreation; no objections subject to condition 4.9.
Fire Rescue	No objections, subject to conditions stated in attached report.
Code Compliance	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.
Archeological Compliance	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

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

E. IMPACT OF APPLICATION:

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

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

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

[2] 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.

			Enrollment			Square Feet per Student		
Schools [1,2]	Size (Acres)	Square Feet	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:
[1.] The public school enrollment was provided by Miami-Dade County Public School.
[2.] The private school enrollment was provided by the Florida Council of Independent Schools.

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

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

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

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

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

**Dollar amount is based on the 2007, 2008 and 2009 assessed property taxes for the subject parcel.*

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

<u>7900 SW 176th Street</u> :

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

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

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

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

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

<u>8001 SW 184th Street</u>:

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

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

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

G. COMPREHENSIVE PLAN

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

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

[3] 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.

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

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

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

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

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

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

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

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

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

H. PERTINENT REQUIREMENTS/STANDARDS[4]:

1. Special Exception

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

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

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

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

* * *

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

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

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

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[4] See Exhibits 8 and 9 relating to case law memorandum and C.V. of George Knox.

[5] 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.

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

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

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

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

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

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

Minimum Standards for Outdoor Recreation Playground/Play Areas:

School categories	*Required area*
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

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

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

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

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

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

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

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

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

* * *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. <u>Site Plan Modification of the 1999 Site Plan approved after public hearing.</u>

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

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

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

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

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

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

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

1. generate excessive noise or traffic;

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

3. provoke excessive overcrowding of people;

4. tend to provoke a nuisance; and,

5. be incompatible with the area concerned, when considering the necessity and reasonableness of the modification, in relation to the present and future development of the area concerned.

I. ANALYSIS:

1. Special exception to permit an expansion of an existing private school onto 32.2 additional acres, including the addition of 550 additional students (kindergarten through 5th grade and additional students in grades 6 through 12; or alternatively, an across the board increase of existing grades).

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

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

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

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

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

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

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

Definitions

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

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

operation with other elements in a system with no modification or conversion required."

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

A "buffer" is defined as "1. something that lessens or absorbs the shock of an impact. 2. one that protects by intercepting or moderating adverse pressures or influences." The American Heritage Dictionary of the English Language (4th Ed. Houghton Mifflin Co. 2000).

Analysis Continued:

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

1. **Location of Structures**

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

2. **Compatibility**

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

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

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

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

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

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

The two (2) longer structures (Building 16, the gymnasium and Building 18, the performing arts building) are also 35 feet in height. These buildings should be modified in order to preclude any possibility of the structures being considered a "big box." 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 set back six feet (6 ft.) from the principal portion of the structures. As to Building 16, the six foot (6 ft.) setback should be located six feet (6 ft.) towards the east boundary. As to Building 18, the six foot (6 ft.) setback should be setback/offset six feet (6 ft.) towards the west boundary. In addition, along these 110 foot setback/offset portion of the two (2) structures, there should be a colonnade/arcade, with roof like structures at the first floor level, to break-up the monolithic volume of the structure. Moreover, Live Oak trees, or other equivalent type trees, with an overall size of 16 feet in height, should be planted along the remaining portion of the buildings where the colonnade/arcade is not situated, at every 20 feet on-center.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Lighting fixtures used for interior circulation roads, stacking, and parking areas shall 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 lighting shall not cast more than 1/2 ft. candle at the property line.

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

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

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

[6] 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.

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

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

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

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

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

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

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

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

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

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

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

The Applicant does not propose a parking garage.

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

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

(l) *Industrial areas –*

Staff Analysis. This section is inapplicable to this application.

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

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

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

2. Site Plan modification

Analysis of each applicable subsection of section 33-311:

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

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

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

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

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

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

Policy 2C.1.4 requires compliance with the Village's streetscape plans for SW 184th Street, as that road is an entryway to the Village. Applicant should comply with the Village's Street Tree Master Plan in order to maintain landscape consistency throughout the gateways of the Village.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 176th Street and SW 184th Street. SW 176th Street and 82 and/or 83rd Avenue is at an "E" Level of Service. SW 184 Street at either 82nd or 83rd 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 184th Street entrance/exit and effects on cut-through traffic. Additionally, as SW 176th Street is of concern to the community and traffic consultants, and as there has been cut-through traffic onto SW 80th and SW 82nd Avenue, staff recommends the installation of a "No Left Turn" sign at the exit to the SW 176th 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

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

4. tend to provoke a nuisance; and,

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

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

> Nuisance shall mean and include the use of any property, facilities, equipment, processes, products or compounds, or the commission of any acts or any work that causes or materially contributes to:
>
> (1) The emission into the outdoor air of dust, fume, gas, mist, odor, smoke or vapor, or any combination thereof, of a character and in a quantity as to be detectable by a considerable number of persons or the public so as to interfere with their health, repose or safety, or cause severe annoyance or discomfort, or which tends to lessen normal food and water intake, or produces irritation of the upper respiratory tract, or produces symptoms of nausea, or is offensive or objectionable to normal persons because of inherent chemical or physical properties, or causes injury or damage to real property, personal property or human, animal or plant life of any kind, or which interferes with normal conduct of business, or is detrimental or harmful to the health, comfort, living conditions, welfare and safety of the inhabitants of this County.
> (2) The discharge into any of the waters of this County of any organic or inorganic matter or deleterious substance or chemical compounds, or any effluent containing the foregoing, in such quantities, proportions or accumulations so as to interfere with the health, repose or safety of any considerable number of persons or the public, or to cause severe annoyance or discomfort, or which tends to lessen normal food and water intake, or produces symptoms of

> nausea, or is offensive or objectionable to normal persons because of inherent chemical or physical properties, or causes injury or damage to real property, personal property, human, plant or animal life of any kind, or which interferes with normal conduct of business, or is detrimental or harmful to the health, comfort, living conditions, welfare and safety of the inhabitants of this County.
>
> (3) Any violation of provisions of this chapter which becomes detrimental to health or threatens danger to the safety of persons or property, or gives offense to, is injurious to, or endangers the public health and welfare, or prevents the reasonable and comfortable use and enjoyment of property by any considerable number of the public.
>
> (4) Adverse environmental impact to a coastal or freshwater wetlands.
>
> (5) Cumulative adverse environmental impact to a coastal or freshwater wetlands.
>
> (6) Adverse environmental impact to environmentally-sensitive tree resources.
>
> (7) Cumulative adverse environmental impact to environmentally-sensitive tree resources.

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

> The following conditions existing, permitted, maintained, kept or caused by any individual, municipal organization or corporation, governmental or private, shall constitute a sanitary nuisance:
>
> (a) Untreated or improperly treated or disposed of human waste, garbage, offal, dead animals or dangerous waste materials.
>
> (b) Improperly built or maintained septic tanks, water closets or privies.
>
> (c) Discharging, or allowing the discharge of septic tank pump-out wastes into streams, or surface waters or underground aquifers or into ditches, drainage structures or on the ground surface.

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

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

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

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

> *5. be incompatible with the area concerned, when considering the necessity and reasonableness of the modification, in relation to the present and future development of the area concerned.*

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

> 6. Supplying potable water without providing disinfection by a public water supply system.

Staff analysis: Not applicable to this application.

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

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

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

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

9. Ground pollution which is harmful to human beings, animal life, or plant life.

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

10. Objectionable odors which are harmful to human beings or animal life.

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

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J. RECOMMENDATIONS:

The requests for a special exception and site plan modification for school use, expansion, and number of students is recommended for approval, as modified by the conditions delineated below. Staff therefore, pursuant to Section 33-311(A)(7) determines as follows, related 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, with the following conditions:

1. All variance requests have been withdrawn and are hereby 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 parcel B is recommended for approval.

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

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 as one parcel, in a form approved by the Village Attorney, consistent with the requirements of the Village's Land Development Code[7]. 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.

[7] 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 176th Street and 8001 SW 184th Street shall be utilized.

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 compliance" 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 compliance 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 1150 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 1,150 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 1150, 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 under Exhibit 7.

4.8 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 feet) 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 in an effort to avoid or resolve potential disputes in the Community as it relates to the Applicant's property. 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. 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 pending items.

4.9 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 Applicant further agrees not to interfere, due to lighting issues, with night program schedules for Bill Sadowski Park. The Village will attempt to coordinate with Miami-Dade County to provide the Applicant with prior notice of controlled burns.

4.10 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.

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

4.12 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.

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

4.14 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 that 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 6. 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 1150 shall comply with Exhibit 7, which reflects the schedule of proposed annual increased in student population, which total increase to 1150 shall occur no earlier than 15 years after zoning approval.

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 6.

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 184th Street, where possible, towards 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 176th Street. All other construction vehicles must use the SW 184th 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, have been secured for the construction of the work being requested. At no time shall the entire 8001 SW 184th Street site be clear 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 184th 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 184th 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 184th Street from SW 82nd Avenue to Old Cutler Road.

5.10 The existing portable classrooms trailers located along the western edge of 7900 SW 176th 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."

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 15th 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 176th Street through 8001 SW 184th 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 176th Street and 8100 SW 184th 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 that the parking areas, and any emergency lighting requirements of the Code. The interior of the pool may contain lights.

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 condition 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 provide 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 an 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 184th 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 as depicted therein throughout the 75 foot buffer for the area known as 8001 SW 184th 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 184th 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 184th 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 184th 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 184th Street and northern boundaries at SW 176th Street shall provide a six foot (6 ft.) wrought iron fence with masonry columns. The eastern and western perimeters of 7900 SW 176th 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 176th Street and SW 184th 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 184th Street; and the 50 foot set aside along the east, west, and northern perimeters of 7900 SW 176th 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 land Development Regulations relating to traffic concurrency requirements.

8.2 The Applicant shall hire one (1) police office, or equivalent, during regular session, (per entrance) to control traffic during peak morning and afternoon school hours for each entrance to the school (SW 176th Street and SW 184th 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 Plumber & Associates.

8.4 The Applicant shall control the entry points to the school by directing student, teacher and staff to enter and exit the school from SW 184 Street driveway. The entrance to SW 176th 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 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) mitigative 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 176th 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 176th Street closed to vehicular traffic on weekends, holidays and all days when school is not in regular session.

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

8.9 The SW 176th Street entrance shall be closed at 7:00pm 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, 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 176th Street and shall preclude left-hand turns onto SW 176th Street, westbound, from the Applicant's SW 176th entrance. This condition shall be required, at a minimum, during peak hours.

8.14 If vehicle stacking/queuing spills-over onto SW 176th 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.

9. <u>Parking Related Conditions</u>

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 176th Street or 8001 SW 184th Street).

9.3 The Applicant shall install pavers in the parking lot to minimize the stormwater runoff impacts, rather than asphalting 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 184th 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 176th 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 8100 SW 184th 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.

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. List of archeological consult 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 184th Street entrance. This requirement shall be implemented upon the construction of the SW 184th 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 notice to cure period. 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.

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.

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 characterizes solely by detached single-family homes on relatively large lots. No attached residential units are allowed in this category. Building height is limited 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 interpret 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.

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

"Delivering Excellence Everyday"

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

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; 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 29th.

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.

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

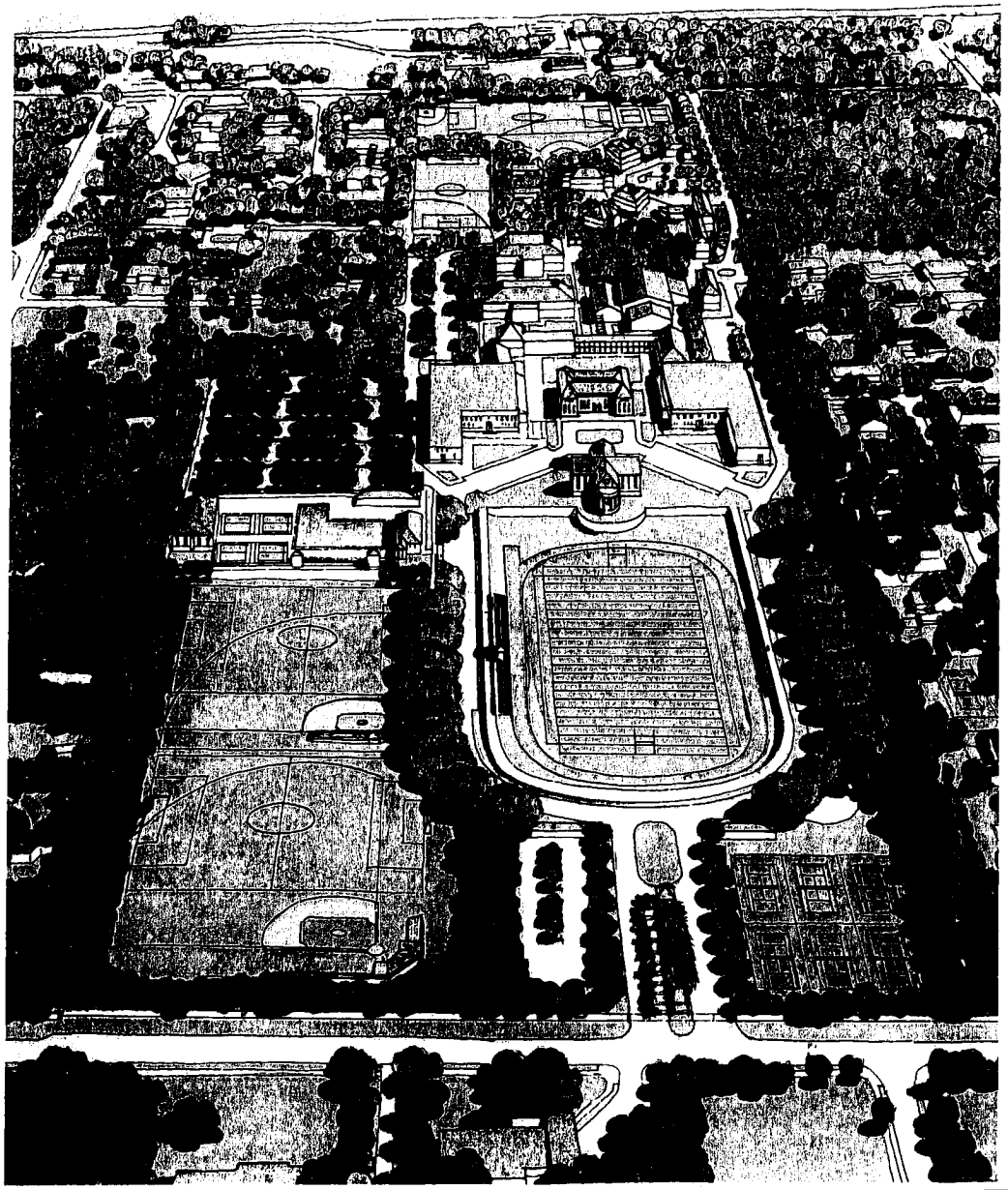
As discussed, Miami-Dade Park and Recreation Department would like a copy of the revised application by Palmer Trinity School. Please also provide me with a copy of previous request from Miami-Dade Park and Recreation as well a copy of our previous input, that you may have in your record. Once you advise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

RESOLUTION 2010-48
EXHIBIT "B"

Exhibit 1



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PALMER TRINITY SCHOOL CAMPUS MASTER PLAN

Project Team

PROJECT TEAM:

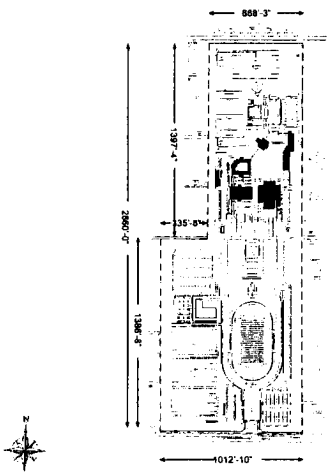
Master Planner:
Duany Plater-Zyberk & Company, LLC

Zoning Attorney:
Bilzin Sumberg Baena Price & Axelrod, LLP

Landscape Architect:
Geomantic Designs, Inc.

Traffic Engineer:
David Plummer & Associates

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
[illegible]	[illegible]	EU-M
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]	

DETACH REQUIREMENTS		
DETACH TYPE	REQUIRED	PROVIDED
FRONT	[illegible]	[illegible]
1 ST STREET	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
REAR	[illegible]	[illegible]
BETWEEN BUILDINGS	-	[illegible]

ACCESSORY BUILDING		
FRONT	[illegible]	[illegible]
1 ST STREET	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
REAR	[illegible]	[illegible]
BETWEEN BUILDINGS	[illegible]	[illegible]

MAXIMUM LOT REQUIREMENTS		
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
[illegible]	See Exhibit "A"	
[illegible]		
[illegible]		
[illegible]		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS								
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	BUILDING AREA	RECREATION AREA	CLASSROOM AREA	
[illegible]	[illegible]	See Exhibit "A"						
[illegible]								
[illegible]								
[illegible]								
[illegible]								
TOTAL								

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

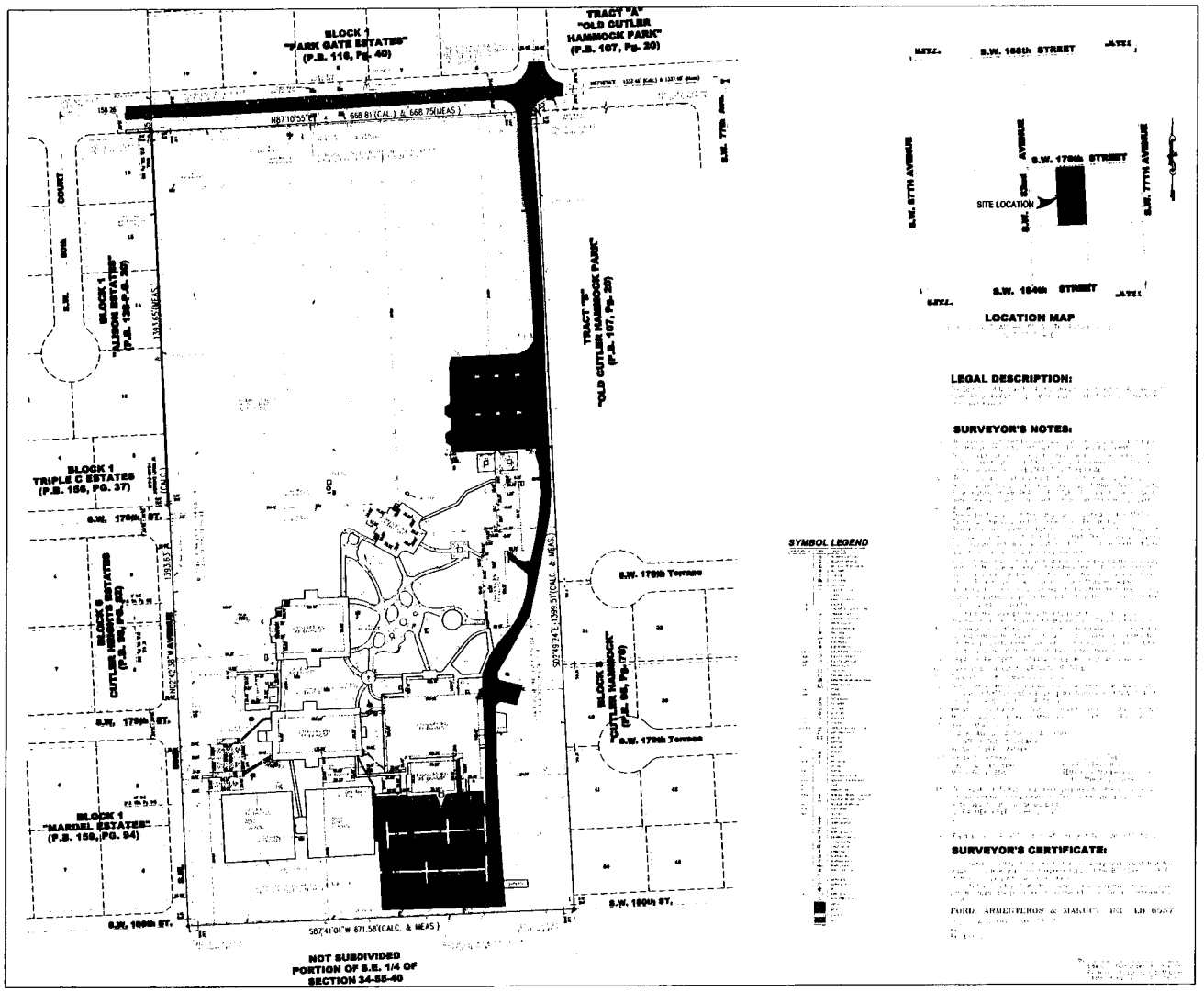
SHEET
1
4.19.2010

Prepared By

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

EXISTING CONDITIONS

BOUNDARY SURVEY
7900 SW 176 ST



LOCATION MAP

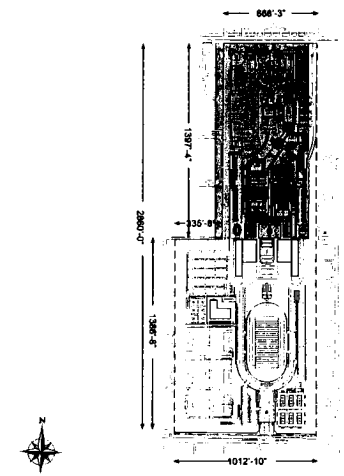
LEGAL DESCRIPTION:

SURVEYOR'S NOTES:

SYMBOL LEGEND

SURVEYOR'S CERTIFICATE:

FORD, ARMENTEROS & MALUCI INC LB 6557



Master Plan Key

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (SF/SQ.FT.)	33.14 ac	EU-M
LESS R/W	1.37 ac	
LESS WATER	0	
LESS OPEN SPACE	0	
NET AREA sec 1-1	2,300,311.34 sf	
LAND CO-ZONING (0% max)	216,000 sf	9.39%
PA-AND AREA	2,084,311.34 sf	90.61%
LANDSCAPED OPEN SPACE	1,413,000.00 sf	67.80%
AVERAGE SHADED AC-GE	2 STORIES	
MINIMUM LANDSCAPED OPEN SPACE	25% - 0.; Exhibit "A"	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	25'	50'
S.W. STREET	25'	50'
WEST LOT	25'	50'
REAR	25'	50'
SETBACK BETWEEN BLDGS		20' min.

ACCESSORY BUILDINGS		
FRONT	25	50'
S.W. STREET	25	50'
WEST LOT	25	50'
REAR	15	40'
SETBACK BETWEEN BLDGS	10	20' min.

MAXIMUM LOT REQUIREMENTS		
FRONTAGE TOP WIDTH (FEET)	150	1,357'
LOT AREA TOP WIDTH (SF/AC)	43,560 s.f.	1,148,240 s.f.
LOT DEPTH TOP WIDTH (FEET)	200	1000'
Ex-Lot 43.3 ac	33 ac	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 STORY	2 TO 4 STORIES	5+ STORIES PER AC
1.0	0.11	0.15
MAX. AC OVER 1st PROPOSED BUILDING		33'
MAX. AC OVER 2nd BUILDING FROM TOP		33'
MAX. NUMBER OF STORIES PER TOP		2
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. PROV'D TOTAL		0.08
F.A.R. PROPOSED		0.08

VEHICLES		
MODEL	SUPPORT	TRANSPORT
SUBURBAN / SIGNL VEHICLE F-L	See Exhibit "A"	
LARGE SCHOOL VEHICLE 1-L		
MIDI SCHOOL VEHICLE 1-10		
SUBTOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PARKING	OUTDOOR AREA	DRY AREA	RECREATION AREA	CLASSROOM AREA
SUBURBAN HIGH SCHOOL (F-L)	7:00 AM to 11:00 PM (Mon. - Sat.)	See Exhibit "A"					
SUBURBAN MIDI (F-S)							
TOTAL							

Prepared By

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
2
4.19.2010

DUANY PLATER-ZYBERK & CO.
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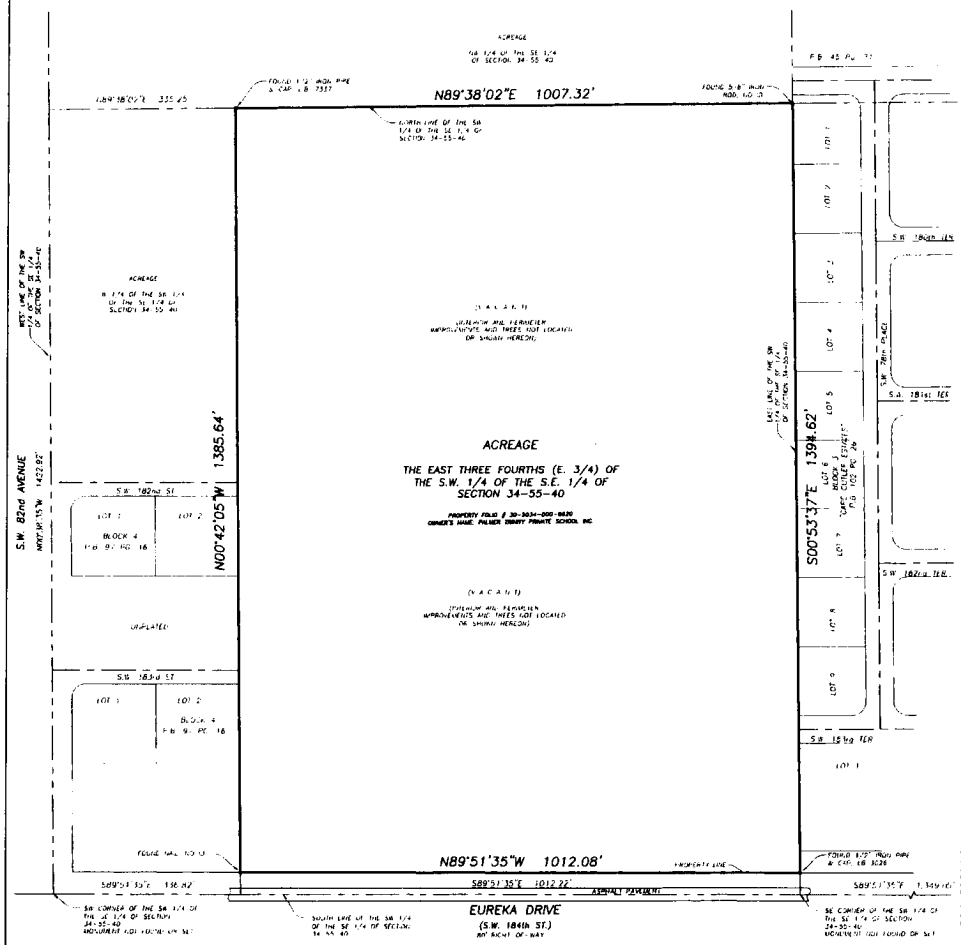
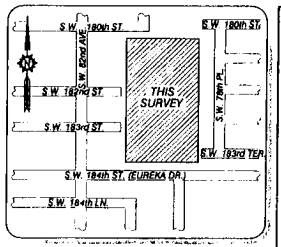
NORTH SITE SURVEY - EXISTING SCHOOL PROPERTY





LOCATION MAP
NOT TO SCALE

SCALE: 1" = 100'
GRAPHIC SCALE

LEGEND:

	WOOD POWER POLE
	ANCHOR
— OHW —	OVERHEAD WIRES
L.B.	LICENSED BUSINESS

LEGAL DESCRIPTION:

THE EAST THREE-QUARTERS (E 3/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING WITHIN MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 40 FEET FOR ROAD RIGHT-OF-WAY.

SURVEY NOTES:

1. THIS SURVEY REPRESENTS A BOUNDARY SURVEY AS DEFINED BY MINIMUM TECHNICAL STANDARDS FOR SURVEYING AND MAPPING, CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODES.

2. AT THE REQUEST OF THE CLIENT INTERIOR AND PERIMETER IMPROVEMENTS NOT LOCATED OR SHOWN HEREON.

3. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

4. THE BEARINGS SHOWN HEREON ARE ASSUMED AND ARE BASED ON S.88°31'32"E., ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 34-55-40.

5. THE SYMBOLS REFLECTED IN THE LEGEND AND ON THIS SURVEY MAY HAVE BEEN ENLARGED FOR CLARITY. THE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.

6. THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULTS OF A FIELD SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS A REPRESENTATION OF THE GENERAL CONDITIONS EXISTING AT THAT TIME.

7. THE PROPERTY SHOWN HEREON CONTAINS 33.22 ACRES (1,403,487 SQUARE FEET), MORE OR LESS.

8. THE SURVEYOR DID NOT INSPECT THE PROPERTY SHOWN HEREON FOR ENVIRONMENTAL HAZARDS.

9. THE INFORMATION CONTAINED IN THIS DOCUMENT WAS PREPARED BY EXACTA COMMERCIAL SURVEYORS, INC. EXACTA HAS TAKEN ALL REASONABLE STEPS TO ENSURE THE ACCURACY OF THIS DOCUMENT. WE CANNOT GUARANTEE THAT ALTERATIONS AND/OR MODIFICATIONS WILL NOT BE MADE BY OTHERS AFTER IT LEAVES OUR POSSESSION. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY (WHICH BEARS THE RAISED SURVEYOR'S CERTIFICATION SEAL IF APPLICABLE) TO ENSURE THE ACCURACY OF THE INFORMATION CONTAINED HEREON AND TO FURTHER ENSURE THAT ALTERATIONS AND/OR MODIFICATIONS HAVE NOT BEEN MADE. EXACTA MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCURACY OF THE INFORMATION CONTAINED IN THIS OR ANY DOCUMENT TRANSMITTED OR REVIEWED BY COMPUTER OR OTHER ELECTRONIC MEANS. CONTACT EXACTA DIRECTLY FOR VERIFICATION OF ACCURACY.

10. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

THIS SURVEY IS CERTIFIED TO:

PALMER TRINITY SCHOOL

CERTIFICATE:

THIS IS TO CERTIFY THAT THIS BOUNDARY SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAMES DE LA ROCHA
PROFESSIONAL SURVEYOR AND MAPPER NO. 6080
STATE OF FLORIDA

EXACTA COMMERCIAL SURVEYORS, INC. L.B. 7551

EXACTA
COMMERCIAL LAND SURVEYORS
1035 STATE ROAD 17 - SUITE 515-23, WELLINGTON, FL 33414

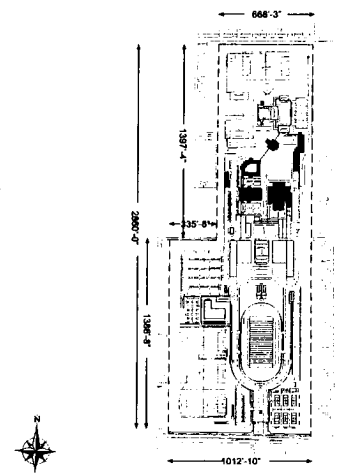
SEAL
NOT VALID UNLESS SEALED HERE WITH AN EMBOSSED SURVEYOR'S SEAL

SKETCH OF BOUNDARY SURVEY OF:
THE E 3/4 OF SECTION 34
TOWNSHIP 55 SOUTH, RANGE 40 EAST
7900 SW 176th STREET
VILLAGE OF PALMETTO BAY, FL 33157

CLIENT: PALMER TRINITY SCHOOL
DATE: 04-19-10
DRAWN BY: JECH, PL
CHECK BY:
LAST FIELD DATE: 4-12-10
REVISIONS:
JOB NO.: FL0903-1088
FIELD BK.: 01 OF 01

BOUNDARY SURVEY
8001 SW 184 ST

Sealed survey by Exacta attached separately.



Master Plan Key

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (+/-POSS)	33.14 ac	
LESS R.O.W.	1.41 ac	
NERA ACRES	1	EU-M
LESS OTHER	1	
NET AREA (ac +/-)	31.73 ac	
LOT CO. REMAIN (20% max)	316,500 sf	4.50%
PAVED AREA	200,000 SF	20.00%
LANDSCAPED OPEN SPACE	1,403,487 SF	91.00%
OVERALL BUILD SQUARE FOOT	1,000,000 SF	
OVERALL LANDSCAPED OPEN SPACE	50% - By Ordinance	

MINIMUM LOT REQUIREMENTS		
Frontage: NOT WITHIN CIRCLE	60'	>1,000'
LOT AREA: NOT WITHIN CIRCLE	15,000 s.f.	>1,403,487 s.f.
LOT DEPTH: NOT WITHIN CIRCLE	150	1000'
WIDTH/DEPTH RATIO	1/2.5 to 1	

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMER CAMP		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	40'	50'
SIDE STREET	25'	25'
SIDE-OTH	15'	15'
REAR	50'	50'
SETBACK BUILDING	50' min	

ACCESSORY BUILDING		
FRONT	25'	25'
SIDE STREET	25'	25'
SIDE-OTH	10'	10'
REAR	10'	10'
SETBACK BUILDING	10' min	10' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 story bldg	3+ story bldg
1.1	0.11	2.25

MAX. NO. OF BLDG. OF PROPOSED BUILDINGS	10
MAX. NO. OF BLDG. OF EXISTING BUILDINGS	10
MAX. NUMBER OF STORIES EXISTING TYPE	1
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. EXISTING	0.042
F.A.R. PROPOSED	0.202

PERMITTED BUILDING PHYSICAL CHARACTERISTICS						
LEVEL	MEANS OF EGRESS	STAIRWAYS	PASSAGEWAYS	BUILDING AREAS	SITE AREA	RECREATION AREA	CLASSROOM AREA
BUILDING TYPE						
ADDITIONS						
BUILDING F.A.R.						
AL GROSS SQ FOOT						
P.B.						
TOTAL						

See Exhibit "A"

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 3
4.19.2010

Prepared By

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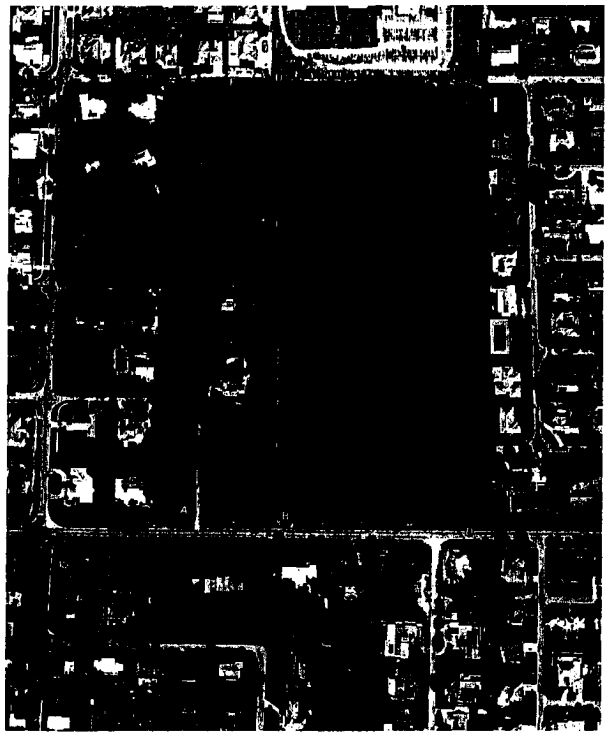
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

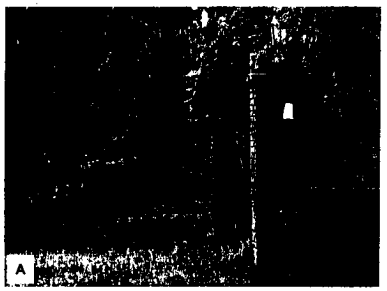
EXISTING CONDITIONS

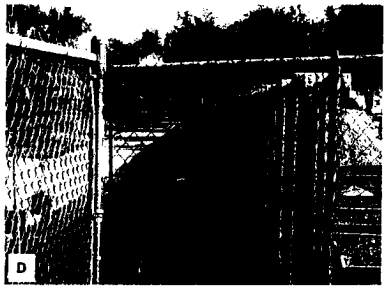
SOUTH SITE BOUNDARY SURVEY

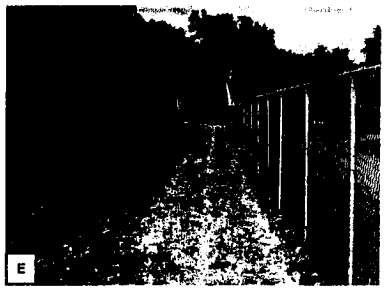
EXISTING CONDITIONS

SITE PHOTOGRAPHS





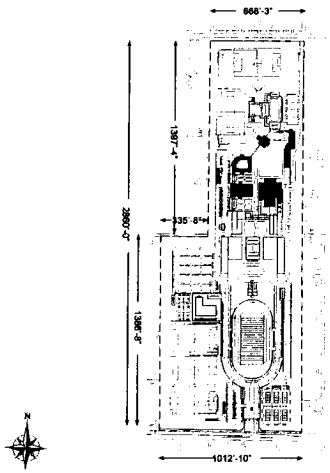




Master Plan Key

BOUNDARY SURVEY
8001 SW 184 ST

Sealed survey by Exacta attached separately.



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-S

LOT INFORMATION		
GROSS AREA (ACRES):	16.14 ac	EU-M
LESS R.O.W.	1.47 ac	
LESS H.C.W.	0	
LESS OTHER	0	
NET AREA (ac.)	14.67 ac	
GROSS FLOOR AREA	2,066,261.00 sf	
GROSS AREA	2,066,261.00 sf	
LANDSCAPED OPEN SPACE	1,408,000.00 sf	2.00%
21 SHADE SAND HAS NO UNIT	2 SPACES	
24 MAIN LANDSCAPED OPEN SPACE	20% - 6/Submit Pa	

SETBACK REQUIREMENTS		
MAXIMUM FOR WIDER STREET	15	1,000'
1.5 FOR WIDER WIDER STREET	15 (22.5')	1,500,000 s.f.
2.0 FOR WIDER WIDER STREET	110	1,500'
SHADED 1.25	12 (22.5')	

SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
SIDE STREET	15	15'
INTERIOR	15	15'
REAR	50	50'
SETBACK (PARKING)		10' min

ACCESSORY BUILDING		
FRONT	25	75'
SIDE STREET	15	15'
INTERIOR	10	10'
REAR	10	10'
SHADE	10	10'
SETBACK (PARKING)	10	10' min

VEHICLES		
SCHOOL	SUPPORT	MAINTENANCE
ELEMENTARY (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMER ACT. VEH.		

MAXIMUM FLOOR AREA RATIO F.A.R. (per SQ. OF BUILDING STORIES)		
1 story	2 to 3 stories	3+ story (+10 sq)
0.4	0.75	0.9
MAX. NO. OF OUT OF PROPOSED BUILDINGS		37
MAX. NO. OUT OF BUILDINGS FROM TREE		37
MAX. NUMBER OF STORIES FROM TREE		1
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. PERMITTED		0.75
F.A.R. PROPOSED		0.55

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	ENROLLMENT	PERSONNEL	INTERIOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	16 x 12 = 11 Buses/Bus.	See Exhibit "A"					
ELEMENTARY (1-5)							
JR. HIGH (6) HIGH (7-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
3.1
4.19.2010

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MASTER PLAN

PROGRAM CHART

Existing Buildings

Building #	Ground Floor (SF)	Building (SF)	Classrooms	Classroom Area (SF)	Stories	Description
1	1,000 sf	1,000 sf	0	0 sf	1	Existing Concession / Falcon's Nest
2	8,900 sf	8,842 sf	0	0 sf	2	Existing Library / Administration
3	20,900 sf	22,986 sf	10	16,000 sf	2	Existing Classroom Building
4	14,331 sf	26,119 sf	16	24,000 sf	2	Existing Classroom Building
5	13,833 sf	25,002 sf	20	22,000 sf	2	Existing Classroom Building
6	21,000 sf	21,000 sf	0	0 sf	1	Existing Gymnasium
7	4,547 sf	4,547 sf	0	0 sf	1	Existing Band Room
22	0 sf	0 sf	0	0 sf	0	Art rooms - TO BE REMOVED
23	0 sf	0 sf	0	0 sf	0	Trailers - TO BE REMOVED
24	3,000 sf	3,000 sf	0	0 sf	1	Existing Cafeteria
Subtotal	86,411 sf	112,196 sf	46	64,000 sf		

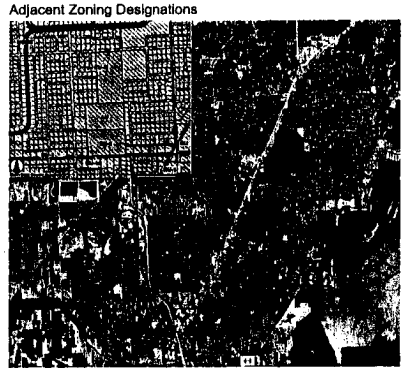
Proposed Buildings

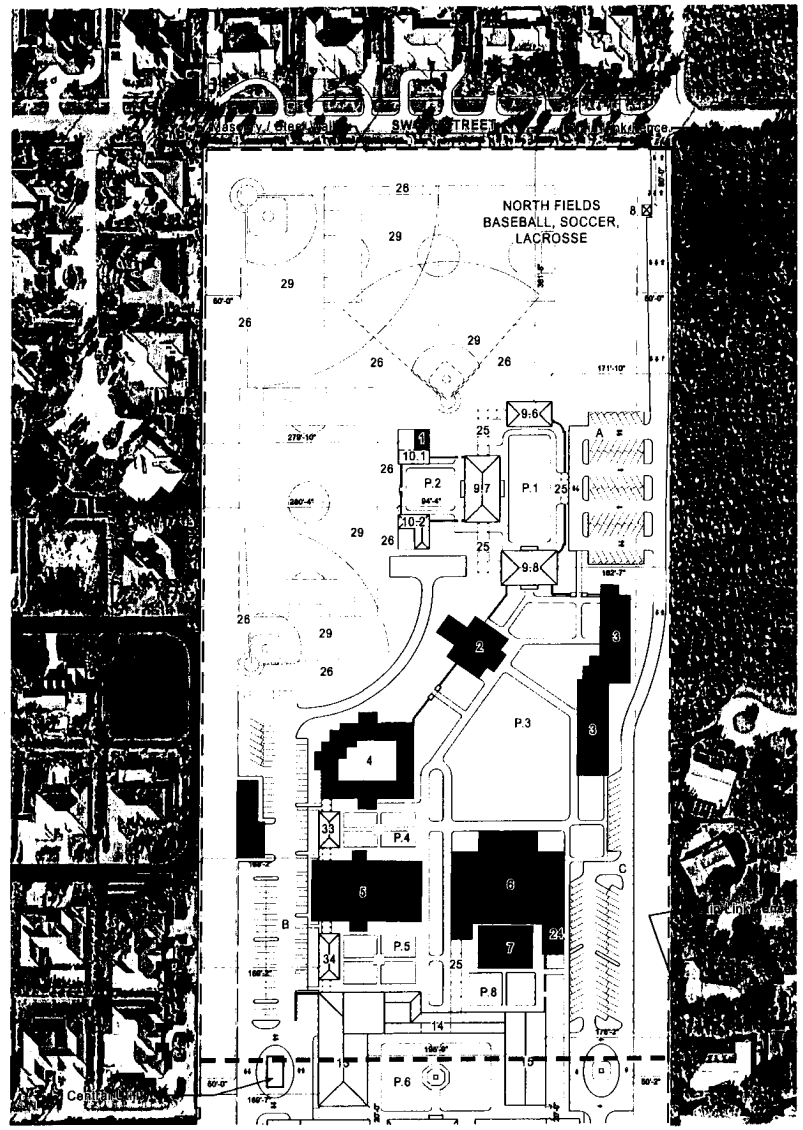
Building #	Ground Floor (SF)	Building (SF)	Classrooms	Classroom Area (SF)	Stories	Description
8 (2)	392 sf	392 sf	0	0 sf	1	Guard Houses
9.1	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
9.2	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
9.3	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
9.4	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
9.5	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
9.6	2,304 sf	4,608 sf	2	1,144 sf	2	New Dining Hall / Classroom Building
9.7	4,608 sf	9,216 sf	14	8,800 sf	2	New Classroom Building
9.8	2,272 sf	9,216 sf	4	2,400 sf	2	New Classroom Building
10.1	1,492 sf	1,492 sf	0	0 sf	1	New Field Storage
10.2	1,492 sf	1,492 sf	0	0 sf	1	New Field Storage
10.3	2,475 sf	2,475 sf	0	0 sf	1	New Field Storage
10.4	380 sf	380 sf	0	0 sf	2	New Video Box
10.5	600 sf	600 sf	0	0 sf	1	New Bleachers
10.6 (4)	7,166 sf	7,166 sf	0	0 sf	1	New Field Storage (4 of these units)
11	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
12	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
13			0	0 sf	2	New Dining Hall and Student Center
14	28,740 sf	48,942 sf	14	10,100 sf	2	New Classroom Building
15			6	4,329 sf	2	New Classroom Building
16	28,812 sf	47,251 sf	0	0 sf	2	New Gymnasium
17	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
18	28,812 sf	47,251 sf	0	0 sf	2	New Performing Arts Building
19	5,477 sf	5,477 sf	0	0 sf	1	New Chapel
20	0 sf	0 sf	0	0 sf	0	NOT IN SUBMITTAL
21	4,000 sf	4,000 sf	0	0 sf	1	New Pool Support Building
33	1,813 sf	3,130 sf	4	1,868 sf	2	New Classroom Building
34	2,272 sf	4,010 sf	4	2,400 sf	2	New Classroom Building
35	5,000 sf	9,000 sf	0	0 sf	2	New Library and Administration
36	5,000 sf	9,000 sf	0	0 sf	2	New Media Center and Administration
Subtotal	132,917 sf	212,309 sf	48	27,941 sf		
TOTAL	219,328 sf	324,503 sf	94	91,941 sf		

Additional Elements

Tag Number		Notes
26	Trellises	
28	Bleachers	
27	NOT IN SUBMITTAL	
28	Playground	
29	Sports Field	
30	Tennis Courts	
31	Basketball Courts	
32	Pool	

Adjacent Zoning Designations





EXISTING BUILDINGS
PROPOSED BUILDINGS
LANDSCAPED BUFFER
BOUNDARY

80 0 80 160

Master Plan Key

1. Existing Concession
2. Existing Library/ Administration
3. Existing Classroom Building
4. Existing Classroom Building
5. Existing Classroom Building
6. Existing Gymnasium
7. Existing Band Room
8. New Guard Houses (2)
9.1. NOT IN SUBMITTAL
9.2. NOT IN SUBMITTAL
9.3. NOT IN SUBMITTAL
9.4. NOT IN SUBMITTAL
9.5. NOT IN SUBMITTAL
9.6. New Dining / Classroom Building
9.7. New Classroom Building
9.8. New Classroom Building
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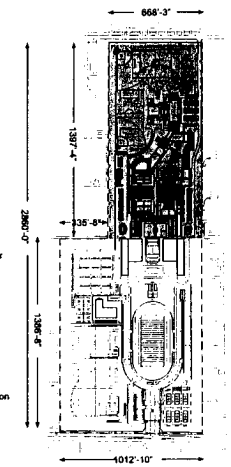
34. New Classroom Building
35. New Library and Administration
36. New Media Center and Administration



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	35.74 ac	EU-M
LESS R.O.W.	1.47 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA (ac.)	34.27	
LOT CO-GRADE (pervious)	74,250 sf	0.50%
PAVED AREA	656,000.00 sf	35.00%
BUILDING (FOOT PRINT)	1,000,000.00 sf	53.00%
IN-GRADE (PLAZA AND SIT SAT)	2,000,000	
MINIMUM LANDSCAPED OPEN SPACE	25% - 5 Student Pkg	

MAXIMUM LOT DIMENSIONS		
TRIANGLE FOR VISIBILITY LOT	10'	1.25'0"
ALL AREA NOT VISIBLE LOT	10,000 s.f.	1,000,000.00 sf
MAX. DEPTH TO WIDTH RATIO LOT	1:4	1:4
MAX. LOT SIZE	10,000 s.f.	1,000,000.00 sf

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	10'	50'
S.W. STREET	10'	10'
STREET	10'	10'
REAR	10'	30'
BETWEEN BUILDINGS		30' min

ACCESSORY BUILDINGS		
FRONT	10'	10'
S.W. STREET	10'	10'
STREET	0'	10'
REAR	10'	10'
BETWEEN BUILDINGS	10'	30' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per no. OF BUILDING STORIES		
1 story	1 floor above	2 floors above
0.4	0.75	0.90
MAX. HT. OF PROPOSED BUILDING		50'
MAX. HT. OF PROPOSED BUILDING		50'
MAX. NUMBER OF STORIES PERMITTED		2
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. PERMITTED		0.75
F.A.R. PROPOSED		0.00

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES 1-4)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 5-7)		
HIGH SCHOOL (GRADES 8-12)		
SUBTOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	SQUARE OF GROUND	STUDENTS	PERSONNEL	OUTDOOR AREA	ARTS AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY (1-4)	See Exhibit "A"						
JR. HIGH (5-7)							
HIGH (8-12)							
TOTAL							

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 4

4.19.2010

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1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

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NORTH SITE PLAN

MASTER PLAN

SOUTH SITE PLAN

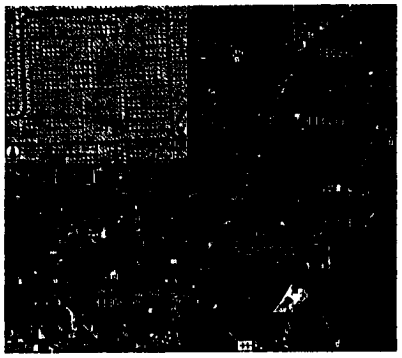
Master Plan Key

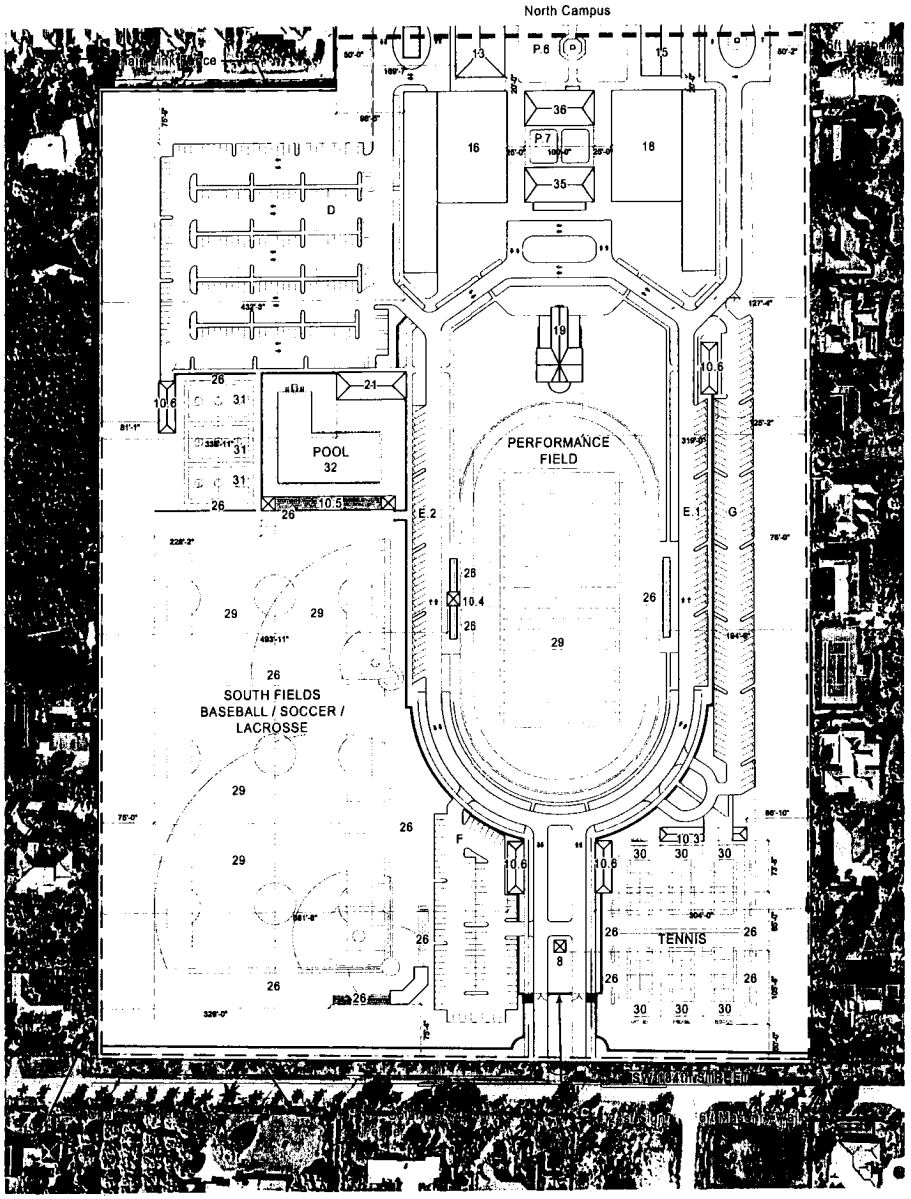
Zoning Legend

IMPERMEABLE AREAS		
LOCATION	AREA SF	AREA AC
Building Coverage (footprint from Program Chart)	218,328 sf	5.01 ac
Parking Area A	21,888.21 sf	0.5 ac
Parking Area B	48,067.4 sf	1.1 ac
Parking Area C	20,158.11 sf	0.46 ac
Parking Area D	95,889.49 sf	2.2 ac
Parking Area E	34,964.97 sf	0.8 ac
Parking Area F	31,133.8 sf	0.71 ac
Parking Area G	37,471.83 sf	0.86 ac
Roads (some counted in parking areas above)	104,795 sf	2.41 ac
Sidewalks and paths	169,906.17 sf	3.88 ac
Total Impermeable (minus impermeable sidewalks)	761,369.96 sf	17.34 ac
LANDSCAPED BUFFER		
LOCATION	AREA SF	AREA AC
Buffer, North Site, North	45,632.02 sf	1.05 ac
Buffer, North Site, East	100,991.79 sf	2.32 ac
Buffer, North Site, South	23,312.18 sf	0.54 ac
Buffer, North Site, West	100,281.61 sf	2.3 ac
Buffer, South Site, East	36,101.11 sf	0.83 ac
Buffer, South Site, South	30,937.31 sf	0.71 ac
Buffer, South Site, West	69,526.42 sf	1.61 ac
Total Buffer	406,782.63 sf	9.34 ac
RECREATION AREAS		
LOCATION	AREA SF	AREA AC
North Athletic Fields	365,431.38 sf	8.39 ac
South Athletic Fields	274,836.38 sf	6.31 ac
Performance Field	196,348.96 sf	4.51 ac
Tennis Courts	57,021.47 sf	1.31 ac
Basketball Courts	27,408.41 sf	0.63 ac
Pool Area	32,781.42 sf	0.75 ac
Area P 1	9,256.75 sf	0.21 ac
Area P 2	4,230.5 sf	0.1 ac
Area P 3	50,323.3 sf	1.16 ac
Area P 4	5,113.8 sf	0.12 ac
Area P 5	7,430.12 sf	0.17 ac
Area P 6	13,473.22 sf	0.31 ac
Area P 7	6,510.06 sf	0.14 ac
Area P 8	3,136.38 sf	0.07 ac
Total Recreation	972,896.86 sf	22.33 ac
LOT AREA		
LOT	AREA SF	AREA AC
7900 SW 176th St	934,414.51 sf	21.45 ac
8001 SW 184th St	1,403,497 sf	32.22 ac
Combined Site	2,337,911.51 sf	53.67 ac
AGGREGATE TOTALS		
	AREA SF	AREA AC
Net Lot Area	2,337,911.51 sf	53.67 ac
Non-Programmed Landscaped Open Space	178,884.87 sf	4.08 ac
Recreational Open Space*	806,485.76 sf	18.54 ac
Landscaped Buffer	406,782.63 sf	9.34 ac
Paved Areas	680,250.26 sf	15.62 ac
Building Footprints	218,328 sf	5.01 ac
FAR	0.093	0.093
LANDSCAPED OPEN SPACE	0.515	0.515
PAVED AREA	0.291	0.291
TOTAL VERIFICATION	1.000	1.000

* Recreational Open Space is the total from the section above minus the impervious pool area, basketball courts, and tennis courts. These are removed here as this number counts towards the landscaped open space.

Adjacent Zoning Designations





EXISTING BUILDINGS
PROPOSED BUILDINGS
LANDSCAPED BUFFER
BOUNDARY

80 0 80 160

1. Existing Concession
2. Existing Library/ Administration
3. Existing Classroom Building
4. Existing Classroom Building
5. Existing Classroom Building
6. Existing Gymnasium
7. Existing Band Room
8. New Guard Houses (2)
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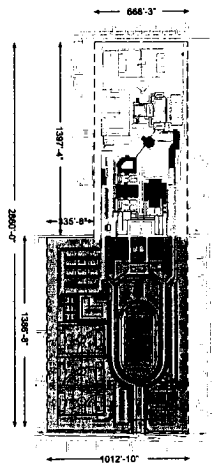
36. New Media Center and Administration



Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA - ACRES	53.67 ac	EU-M
LESS R-O-W	1.47 ac	
LESS WATER	0	
LESS OW-SB	0	
NET AREA ac. *	52.20	
NET AREA sq. ft.	2,337,911.51 sf	
NET AREA - SUBJECT TO SUBDIVISION	2,337,911.51 sf	100%
PAVED AREA	680,250.26 sf	29.09%
LANDSCAPED OPEN SPACE	1,085,884.87 sf	46.44%
OPEN SPACE SUBJECT TO OPEN SPACE	1,085,884.87 sf	
% OPEN SPACE LANDSCAPED OPEN SPACE	100%	57% - By Sheet P-4

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	25'	50'
SIDE OW	15'	15'
REAR	15'	34'
SETBACK BUILDING		25' min

ACCESSORY BUILDING		
FRONT	75'	50'
SIDE STREET	75'	50'
SIDE OW	5'	15'
REAR	15'	15'
SETBACK BUILDING	10'	25' min

PARKING LOT SETBACK REQUIRED		
SETBACK FOR VEHICULAR USE	25'	1,320'
SAT AREA FOR VEHICULAR USE	15,000 s.f.	1,000,000 s.f.
SAT DEPTH FOR VEHICULAR USE	15'	1320'
SAT DEPTH FOR VEHICULAR USE	15,000 s.f.	

PARKING FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	1 level below	2 levels above
F.A.R.	0.11	0.23
MAX. NO. OF OCCUPIED BUILDINGS		10
MAX. NO. OF OCCUPIED BUILDINGS		10
MAX. NO. OF OCCUPIED FIRM TYPE		1
MAX. NUMBER OF STORIES FIRM TYPE		1
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. FIRM TYPE		0.093
F.A.R. PROPOSED		0.093

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
GRADES NO. 1 TO 8		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	MPA AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY	7:30 AM to 10:00 PM Daily	See Exhibit "A"					
JUNIOR HIGH							
HIGH SCHOOL							
ELEMENTARY							
JR. HIGH							
HIGH							
Notes							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
5
4.19.2010

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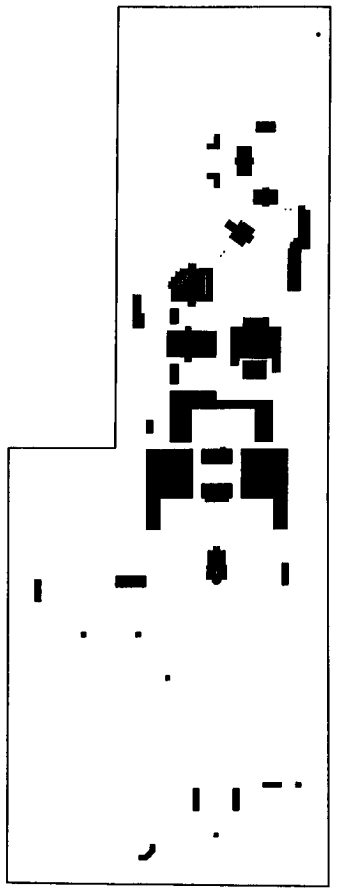

Figure Ground Diagram: Existing (grey) and Proposed (black) Buildings

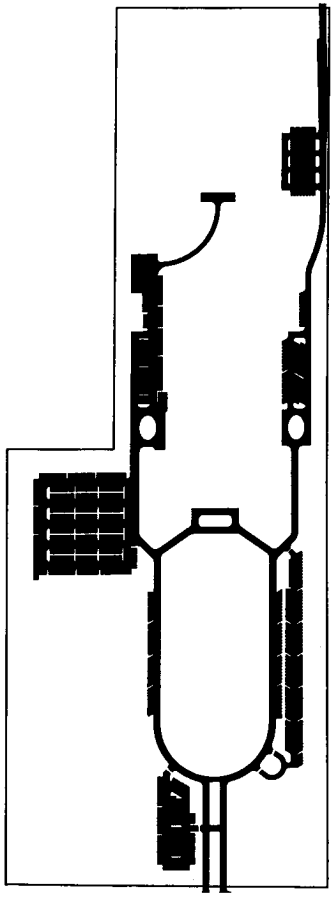

Figure Ground Diagram: Parking areas and street paving

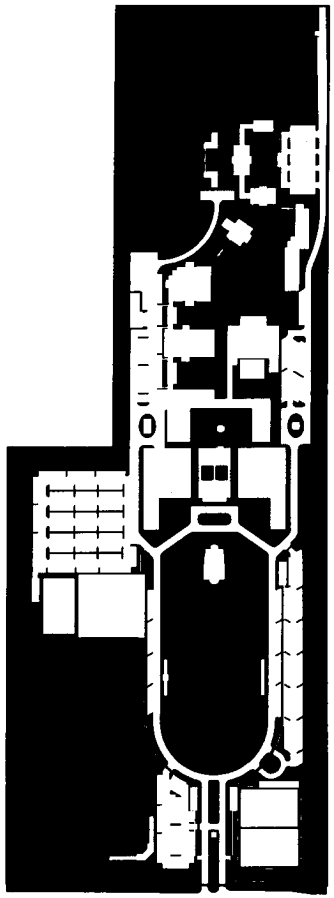

Figure Ground Diagram: Greenspace

Master Plan Key

1. Existing Concession
2. Existing Library/ Administration
3. Existing Classroom Building
4. Existing Classroom Building
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7. Existing Band Room
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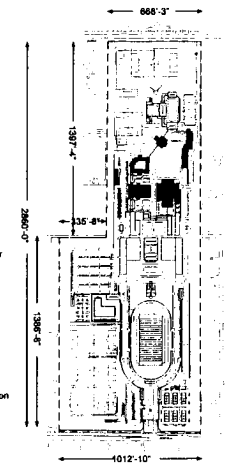

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	52.14 ac	EU-M
LESS S.R.O.W.	1.41 ac	
LESS C-PDD	0	
LESS EW-SR	0	
NET AREA (ac. *1)	2,342,314.24 sf	
LAKE (CC-SPAND [SIR, P.O.S])	316,288 sf	3.20%
PAVED AREA	884,294.45 sf	38.04%
LANDSCAPED OPEN SPACE	1,443,342.14 sf	61.96%
IN GROSS SQUARE HE SHF	2 STOR ES	
SHAW SJ LANDSCAPED OPEN SPACE		21% - SL Sweet Pay

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
SIDE STREET	50	50'
INTERIOR	10	10'
REAR	50	50'
SETBACK FROM ZONE		50' min

ACCESSORY BUILDINGS		
FRONT	50	50'
SIDE STREET	50	50'
INTERIOR	10	10'
REAR	10	10'
SETBACK FROM ZONE	0'	0' min

MINIMUM LOT REQUIREMENTS		
Platted Lot: WIDE (DLOT	50'	1,250'
LOT AREA FOR WIDE (DLOT	14,000 s.f.	1,562,500 s.f.
LOT DEPTH FOR WIDE (DLOT	100'	100'
Min Lot Size	12,000 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per SQ. 50' BUILDING STORIES		
1 story	2 story above	3 & 3 story
2.4	0.4	0.35

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED FACILITIES		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY SCHOOL (GRADES K-5)	7:30 AM to 11:00 PM Daily	See Exhibit "A"					
JUNIOR HIGH SCHOOL (GRADES 6-8)							
HIGH SCHOOL (GRADES 9-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
5.1
4.19.2010

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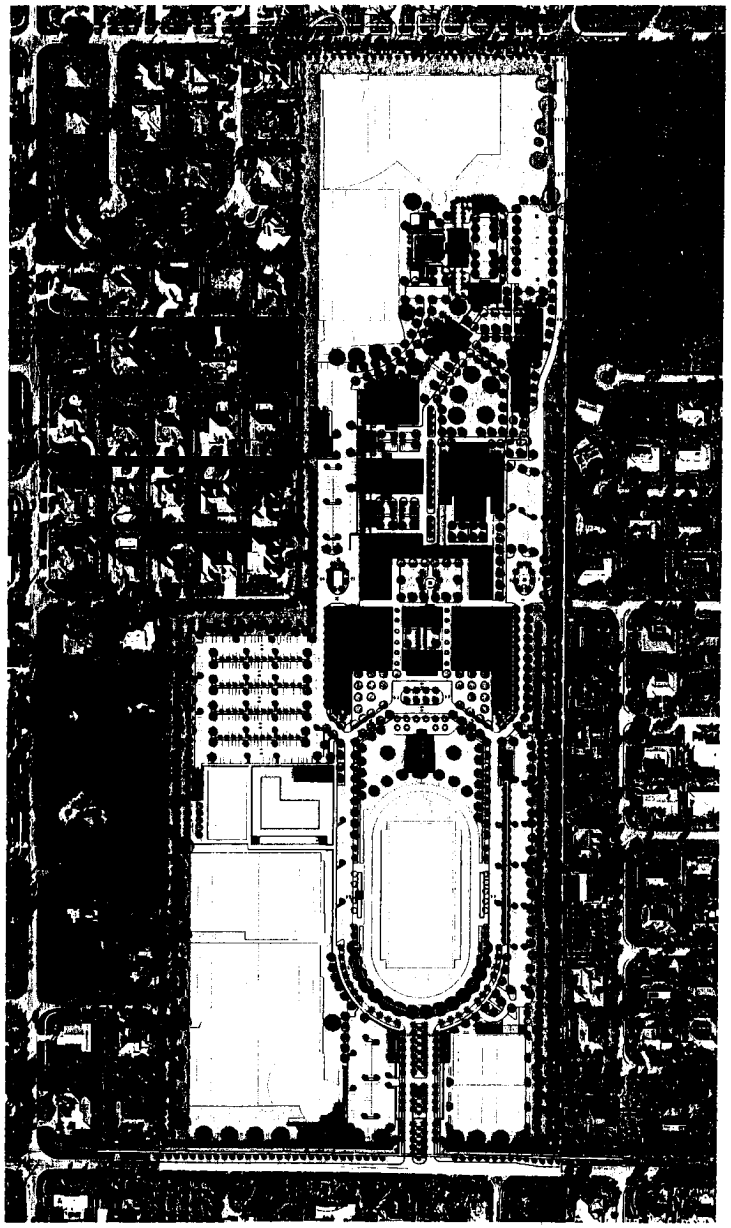
P. 305.644.1023 F. 305.644.1021

Prepared By

MASTER PLAN

MASTER PLAN DIAGRAMS



EXISTING BUILDINGS

PROPOSED BUILDINGS

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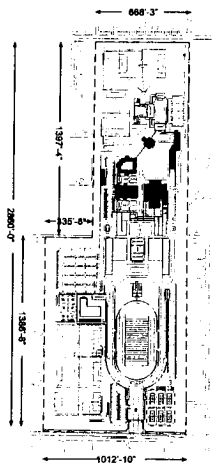


Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	29.14 ac	EU-M
LESS R.O.W.	1.47 ac	
LESS WATER	0	
LESS OWNER	0	
NET AREA (ac. ?)	1,391,391.00 sf	
LOT COVERAGE (bldg. area)	216,000 sf	15.50%
F.A.R. AREA	600,000.00 sf	43.00%
LANDSCAPED OPEN SPACE	1,012,000.00 sf	61.00%
H. Bldgs. (to plate) not over	2 STORIES	
M. Unit or Landsc. Open Space	231 - Sq. Footage/ P.S.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	50'	50'
INTERIOR	30'	30'
REAR	50'	50'
BETWEEN BUILDINGS	-	20' min

ACCESSORY BUILDINGS		
FRONT	50'	50'
SIDE STREET	50'	50'
INTERIOR	30'	30'
REAR	10'	10'
BETWEEN BUILDINGS	10'	10' min

PARKING LOT REQUIREMENTS		
PARKING FOR NON ON LOT	0%	- 0.00%
LOT AREA - NON ON LOT	0.00 ac *	= 0.00 sq.ft.
LOT DEPTH - NON ON LOT	0'-0"	0'-0"
PARKING # 2	0.00 ac *	

BUILDING FLOOR AREA RATIO (F.A.R.) per No. OF BUILDING STORIES		
1 STY.	0 to 0 stories	0% (1 story) of
2 "	0 to	0 to
MAX. % OF PROPOSED BUILDING		30
MAX. % OF 1st STORY for a MULTI-STORY PROJ.		30
MAX. NUMBER OF STORIES ALLOWED TYPE		2
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. ALLOWED TYPE		0.300
F.A.R. PROPOSED		0.300

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL GRADES K-5	See Exhibit "A"	
JUNIOR SCHOOL GRADES 6-8		
HIGH SCHOOL GRADES 9-12		
GRADES PK-12 TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
EXPLORER (1-3) GRADES PRE-K	TIC Bldg. or Other Bldg.	See Exhibit "A"					
ELEMENTARY (1-5) GRADES K-5							
JR. HIGH (6-8) GRADES 6-8							
H.S. GRADES 9-12							
TOTAL							

Zoning Legend

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
5.2
4.19.2010

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

Prepared By

MASTER PLAN

ILLUSTRATIVE MASTER PLAN

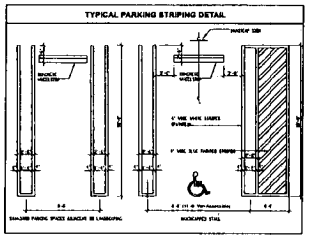
MASTER PLAN

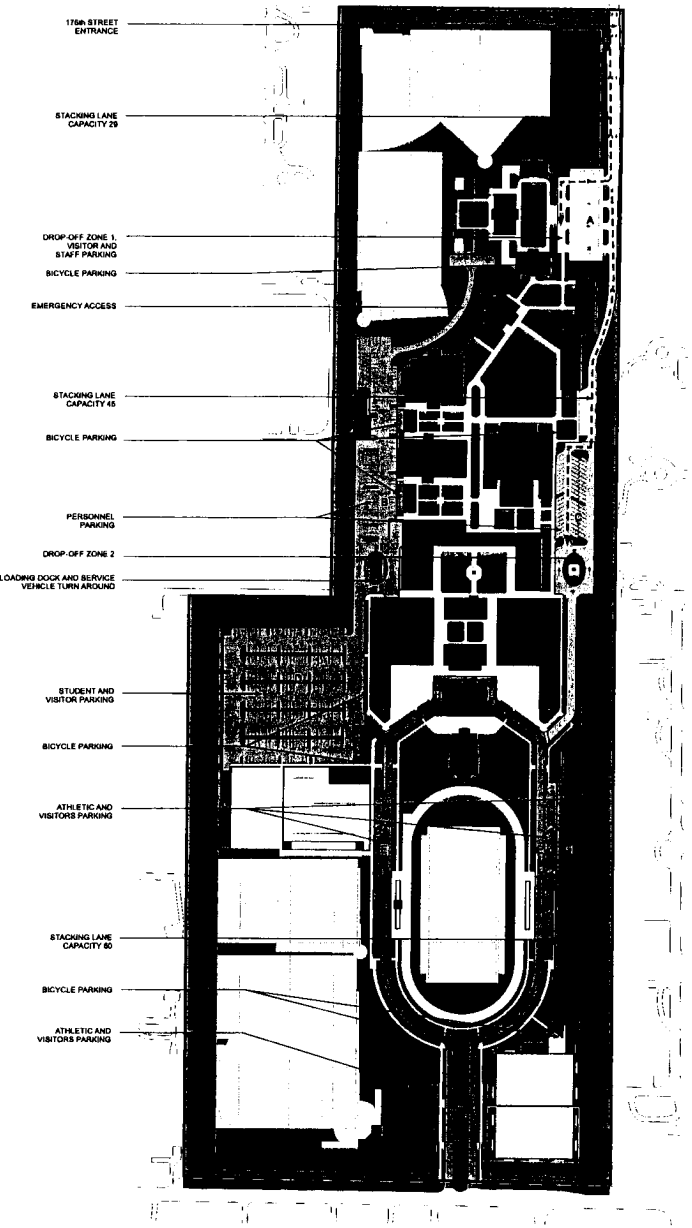
CAMPUS CIRCULATION / PARKING OVERVIEW

For Parking Requirement Calculations
See Exhibit "A"

PARKING PROVIDED				
LOT	STANDARD SPACES	HANDICAP: STANDARD	HANDICAP: VAN	ASSIGNMENT
A	98	0	0	Personnel / Visitor
B	93	13	4	Personnel / Visitor
C	86	0	0	Personnel / Visitor
D	290	19	3	Student Parking / Event
E	76	0	0	Athletic / Event
F	109	0	0	Athletic / Event
G	120	0	0	Athletic / Event
SUBTOTAL	813	32	7	TOTAL VEHICULAR 852

TYPICAL PARKING STRIPING DETAIL

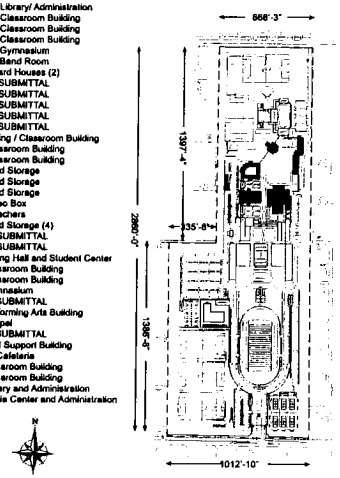




CIRCULATION ZONE 1
CIRCULATION ZONE 2
CIRCULATION ZONE 3
PRIMARY PARKING AREA
EVENT ASSOCIATED
STACKING

Master Plan Key

1. Existing Concession
2. Existing Library/ Administration
3. Existing Classroom Building
4. Existing Classroom Building
5. Existing Classroom Building
6. Existing Gymnasium
7. Existing Band Room
8. New Guard Houses (2)
9.1. NOT IN SUBMITTAL
9.2. NOT IN SUBMITTAL
9.3. NOT IN SUBMITTAL
9.4. NOT IN SUBMITTAL
9.5. NOT IN SUBMITTAL
9.6. New Dining / Classroom Building
9.7. New Classroom Building
9.8. New Classroom Building
10.1. New Field Storage
10.2. New Field Storage
10.3. New Field Storage
10.4. New Video Box
10.5. New Bleachers
10.6. New Field Storage (4)
11. NOT IN SUBMITTAL
12. NOT IN SUBMITTAL
13. New Dining Hall and Student Center
14. New Classroom Building
15. New Classroom Building
16. New Gymnasium
17. NOT IN SUBMITTAL
18. New Performing Arts Building
19. New Chapel
20. NOT IN SUBMITTAL
21. New Pool Support Building
24. Existing Cafeteria
33. New Classroom Building
34. New Classroom Building
35. New Library and Administration
36. New Media Center and Administration



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	28.16 ac	EU-M
LESS R-O-W	1.47 ac	
LESS R-TBD	0	
LESS OR-OS	0	
NET AREA (ac.)	26.69 (1.16 ac)	
LOT COVERAGE (50% max)	316,200 sf	2.34%
FAR (0.25)	290,200.20 sf	25.00%
LANDSCAPED OPEN SPACE	1,163,200.20 sf	10.00%
ALLOWED BUILDING LOT COVERAGE	2,000,000.00	
MIN. OPEN SPACE	30% - Sq. Footer Fee	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	25'	25'
AREA OR	25	25'
REAR	50	50'
SETBACK/ANGLE	30' min	

ACCESSORY BUILDINGS		
FRONT	25'	50'
SIDE STREET	25'	25'
AREA OR	25	25'
REAR	10	25'
SETBACK/ANGLE	0'	25' min

MAXIMUM LOT DIMENSIONS		
FRONAGE FOR AREA OR LOT	100	1 LINT
LOT AREA FOR AREA OR LOT	10,000 s.f.	1,000,000 s.f.
LOT DEPTH FOR AREA OR LOT	100'	1000'
BUILDING T.B.	11,000 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 STY.	2 Stor. F.A.R.	Stor.-F.A.R. (ref.-c)
1-4	0.25	0.25

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES 1-5)	See Exhibit "A"	
JUN CR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED FACILITIES		

MAXIMUM HEIGHT	
MAX. HT. BLDG OF PRIVATE SCHOOL PROP.	35'
MAX. HT. BLDG OF PUBLIC SCHOOL PROP.	35'
MIN. NUMBER OF STORIES IN PRIVATE	1
MIN. NUMBER OF STORIES IN PUBLIC	1
F.A.R. PRIVATE	0.25
F.A.R. PUBLIC	0.25

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	PARKING AREA	BUS AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	7:30 AM - 11:00 PM Sun.	See Exhibit "A"					
ELEMENTARY (1-5)							
JR. HIGH (6-8)							
P-12							
NONE							

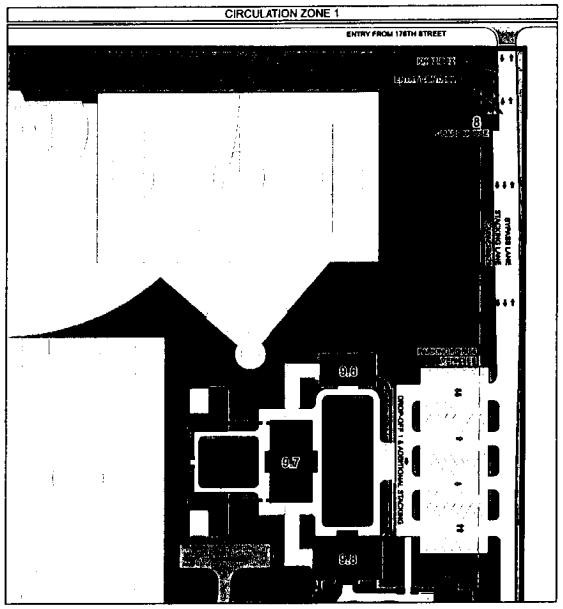
PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

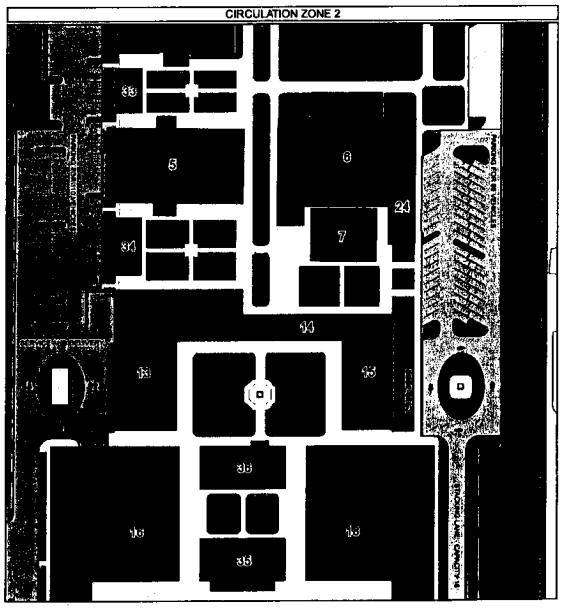
SHEET
6
4.19.2010

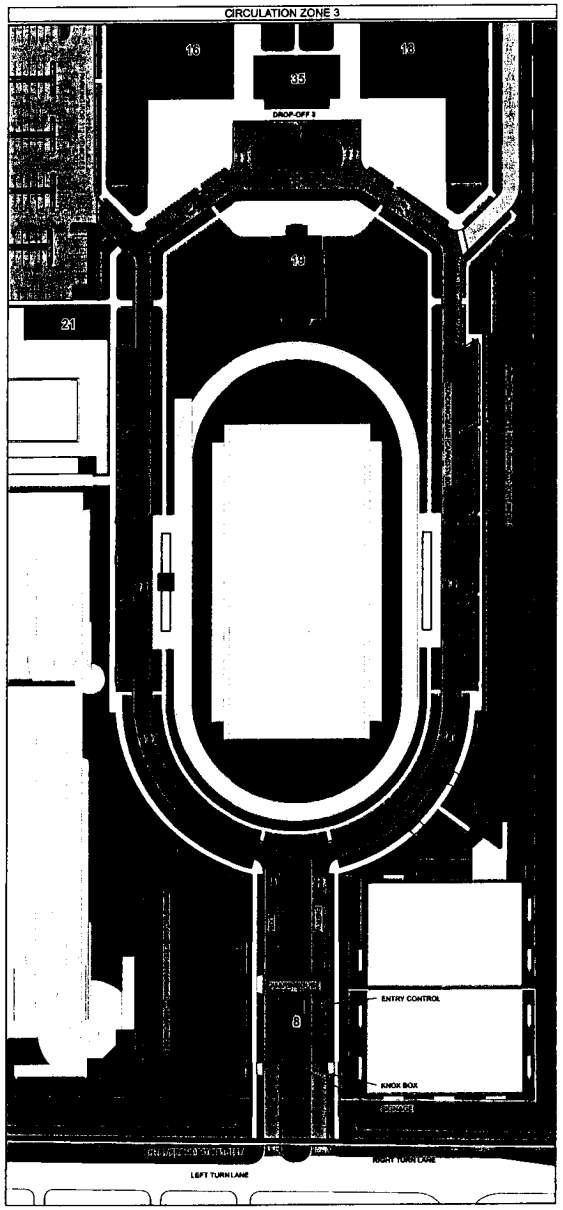
Prepared By
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

MASTER PLAN

CAMPUS CIRCULATION / PARKING DETAILS







CIRCULATION ZONE 1

CIRCULATION ZONE 2

CIRCULATION ZONE 3

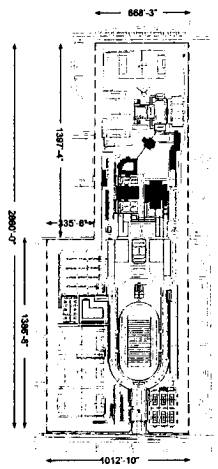
PRIMARY PARKING AREA

EVENT ASSOCIATED

STACKING

Master Plan Key

1. Existing Concession
2. Existing Library/ Administration
3. Existing Classroom Building
4. Existing Classroom Building
5. Existing Classroom Building
6. Existing Gymnasium
7. Existing Band Room
8. New Guard Houses (2)
9.1. NOT IN SUBMITTAL
9.2. NOT IN SUBMITTAL
9.3. NOT IN SUBMITTAL
9.4. NOT IN SUBMITTAL
9.5. NOT IN SUBMITTAL
9.6. New Dining / Classroom Building
9.7. New Classroom Building
9.8. New Classroom Building
10.1. New Field Storage
10.2. New Field Storage
10.3. New Field Storage
10.4. New Video Box
10.5. New Bleachers
10.6. New Field Storage (4)
11. NOT IN SUBMITTAL
12. NOT IN SUBMITTAL
13. New Dining Hall and Student Center
14. New Classroom Building
15. New Classroom Building
16. New Gymnasium
17. NOT IN SUBMITTAL
18. New Performing Arts Building
19. New Chapel
20. NOT IN SUBMITTAL
21. New Pool Support Building
24. Existing Cafeteria
33. New Classroom Building
34. New Classroom Building
35. New Library and Administration
36. New Media Center and Administration



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-S

LOT INFORMATION		
GROSS AREA (METES)	50.54 ac	
LESS R-O-W	1.47 ac	
LESS H-AREA	0	EU-M
LESS OTHER	0	
NET AREA ac. *	1,045,814.34 sf	
NET CO-ZONED (SUP) AREA	216,000 sf	9.00%
PAVED AREA	355,000.00 sf	33.94%
LANDSCAPED OPEN SPACE	474,814.34 sf	45.39%
ALTERNATE BASE SCHOOL SUP	2 (2006 CZ)	
MAXIMUM LANDSCAPED OPEN SPACE	25% - By Engineering	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	25'	50'
S.W. STREET	25'	25'
WEST LN	25'	25'
REAR	10'	50'
SETBACK BUILDING		25' min

ACCESSORY BUILDINGS		
FRONT	25'	50'
S.W. STREET	25'	25'
WEST LN	25'	25'
REAR	10'	50'
SETBACK BUILDING	10'	25' min

MAXIMUM LOT DEVELOPMENT		
TOTAL NO. WEST STALLS	125	1,270*
MIN. AREA PER WEST STALL	10 (20) L.F.	1,1,400 (20) L.F.
MIN. DEPTH PER WEST STALL	18	18'0"
MIN. AISLE WIDTH	12 (20) L.F.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	0.5 floor area	35-40% FAR ac
2 s.	0.4 s.	0.60
MAX. NO. OF STORIES PROPOSED		2*
MAX. HEIGHT OF PROPOSED BUILDINGS		35'
MAX. NO. OF SUP SCHOOL PER TRIP		1
MAX. NUMBER OF STORIES PER TRIP		2
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. PER TRIP		0.242
F.A.R. PROPOSED		0.284

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL ARRIVES P.M.	See Exhibit "A"	
JUNIOR SCHOOL ARRIVES 8:30		
HIGH SCHOOL ARRIVES 8:30		
SUMMER ALL - TIME		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATIONS	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
SUPPORT FOR TRANSLATION	7:00 AM to 11:00 PM Mon.	See Exhibit "A"					
ELEMENTARY (1-5)							
JR. HIGH (6-8)							
HIGH (9-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
7
4.19.2010

Prepared By

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

CIVIL ENGINEERING

Consultant

Master Plan Key

Zoning Legend

WATER

Prepared by

VOID

Footprint Chart

Existing Buildings		Length x Width	Existing Building Area	Area Percentage Ratio
1	Gymnasium	35'-0' x 35'-7'	1,600 SF	0.04 %
2	Middle School and Administration (former Library and Center Administration)	160'-0' x 58'-0	9,282 SF	0.26 %
3	Middle School Classrooms	316'-3 x 72-0	22,896 SF	1.09 %
4	Multi-Purpose Auditorium	123'-4 x 160'-0	20,110 SF	1.13 %
5	Humanities (Upper School)	156'-11' x 67'-2'	30,020 SF	1.07 %
6	Middle School Gymnasium		31,200 SF	0.90 %
	(former Main Gymnasium and Administration)			
7	Band Room	70'-0 x 50'-10'	4,047 SF	0.20 %
24	Cafeteria	60'-0 x 30'-3'	2,000 SF	0.12 %
			Sub-total 112,155 SF	4.86 %
Proposed Buildings			**Proposed Building Area**	
8	Guest Houses	14'-0' x 20'-0' (12)	365 SF	0.01 %
9	Elementary School		30,370 SF	1.6 %
	Library	80-0 x 50'-0'		
	Music Room	50'-0' x 50'-0'		
	Classrooms	77-0 x 50' 10'		
	Day Care Center	50'-0' x 50'-3'		
10	Fieldhouses		13,998 SF	0.68 %
	Existing Fieldhouse Hour w Addition	44'-0 x 20'-0'		
	Fieldhouse - Storage	60-3 x 44'-0 (2)		
	Fieldhouse - Storage	113'-0' x 30'-0'		
	Fieldhouse - Press Box	30'-0' x 10'-0'		
	Fieldhouse - Pool Storage	30-0' x 20'-0 (2)		
	Fieldhouse - Storage	70-0 x 24'-0 (2)		
11	Faculty Lounge	42-0 x 42-0	3,351 SF	0.13 %
12	Additional Middle School Classrooms	110'-0' x 34'-0	7,530 SF	0.33%
*13	Dining Hall / Student Center-Bookstore	161-6 x 172-0	*43,942 SF	1.96 %
*14	Visual Arts Center	185'-0' x 80'-0		
*15	Additional Upper School Classrooms	135-0 x 60-0		
16	New Upper School Gymnasium	270'-0' x 140'-0	44,872 SF	1.81 %
17	New Main Library / Middle Center / Central Administration	140'-0' x 110'-0	34,646 SF	1.68 %
18	Performing Arts Center	370-0 x 140'-0'	86,668 SF	3.47 %
19	Chapel	144'-0' x 132'-0	12,704 SF	0.54 %
20	Service Building	160'-0 x 50'-0'	8,000 SF	0.21 %
21	Pool House	160'-0' x 40'-0	4,000 SF	0.17 %
			Sub-total 399,846 SF	16.44 %
			Total Master Plan 399,241 SF	16.21 %

Buildings to be Demolished	
22	Arts Room
23	Tennis

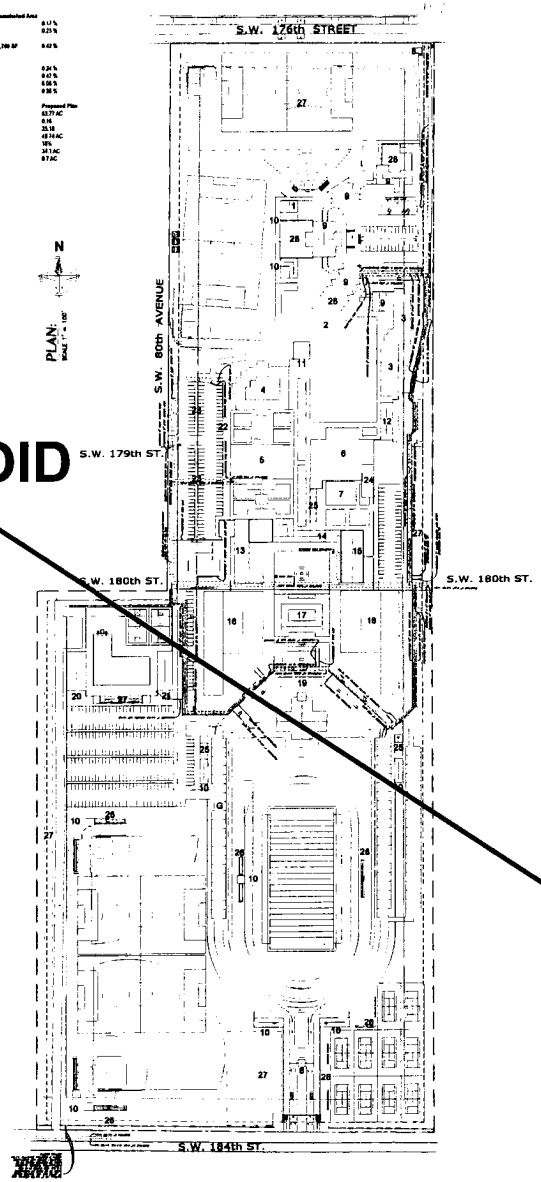
Buildings to be Demolished Area	
1,600 SF	0.07 %
6,700 SF	0.25 %
Sub-total (less) 8,300 SF	0.32 %

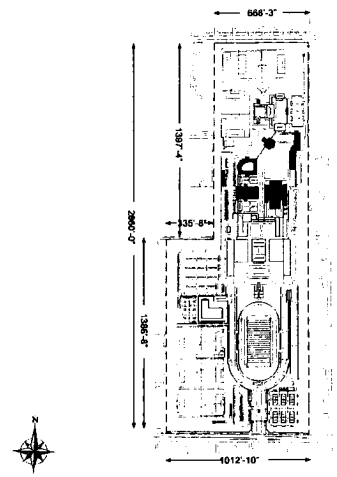
Others Area	
5,720 SF	0.24 %
10,921 SF	0.45 %
169,267 SF	6.96 %
6,375 SF	0.26 %

Others	
35	Tool shed
36	Bleachers
37	Areas for Overflow Parking
38	Playground

Master Plan Data	Proposed Plan	Proposed Plan
Net Acreage	21.36	63.77 AC
Floor Area Ratio	0.13	0.16
Students Per Acre	28.09	25.18
Open Space Acres		45.74 AC
% Of Gross Acreage Built Up		18%
Impervious Surface		34 AC
Impervious Surface		57 AC

*These functions are part of a single structure defined on sheet 22





1. EXISTING WATER MAIN 12 FT EASEMENTS ON SITE TO MIAMI-DADE COUNTY AS PER FOLLOWING RECORDED INSTRUMENTS
   A) ORB 19471-182
   B) ORB 10307-1565-1567
   C) ORB 19456-2564-2566
   LOCATIONS ARE APPROXIMATE ON THIS SCALE
2. EXISTING WATER MAIN LOCATIONS ARE APPROXIMATE. REFER TO MIAMI-DADE WATER AND SEWER DEPARTMENT FOLLOWING AS-BUILTS
   A) E 14-07-4
   B) E 14-07-4
   C) E 7072
   D) DW 3000-132
3. ALL DETECTOR CHECK VALVES FOR BUILDING FIRE LINE SPRINKLERS SHALL BE PRIVATELY OWNED AND MAINTAINED.
4. ALL BACKFLOW PREVENTORS FOLLOWING ALL NEW DOMESTIC WATER METERS WILL BE AS PER PLUMBING CODE AND PRIVATE OWNERSHIP
5. MAIN PORTION OF EXISTING WATER MAIN TO BE RELOCATED
   A) PROPOSED BUILDINGS NO 15, 16, AND 17 ADJUSTED SO AS NOT TO ENCROACH ON EXISTING WATER EASEMENT.
6. FINAL LOCATIONS AND LAYOUT OF FIRE DETECTOR CHECK VALVES WATER METERS BACKFLOW PREVENTORS SHALL BE DESIGNED AS PER INDIVIDUAL BUILDING LAYOUT AT TIME OF BUILDING CONSTRUCTION.
7. ALIGNMENT OF ALL UTILITIES, WITHIN PROPOSED ROADWAYS SHALL BE DETERMINED AT TIME OF DESIGN OF EACH INDIVIDUAL PHASE.

Administration (1 per 200 SF)	61
Upper School	
Classrooms (1 per 200 SF of classroom area)	317
Personnel (1 per 4 personnel)	1
Basketball court stadium (1 per 4 seats)	138
	456
Middle School	
Personnel (1.25 per personnel)	66
Vehicles (1.25 per vehicle)	7
Basketball court stadium (1 per 4 seats)	69
	150
Shared Facilities	
Library/Middle Center/Computer Center (1 per 200 SF)	136
Middle School Library (1 per 200 SF)	48
Auditorium: Performing Arts Center (1 per 100 SF seating)	75
Visual Arts Center (1 per 200 SF classroom)	44
Dining Hall/Student Center/Bookstore (1 per 200 SF)	41
Day Care (1 per personnel)	6
Pool (1 per 4 seats)	60
Faculty Lounge (1 per 300 SF)	12
Chapel (1 per 80 SF seating)	(300)*
Open Fields/Pitches (1 per 4 seats)	(1800)*
	410

*concurrent with parking for other facilities

ELEMENTARY SCHOOL	
Personnel (1 per personnel)	62
Vehicles (1 per vehicle)	5
	67
Total Required	1166
Total Provided in Plan (including overflow parking)	1316
A.	80
B.	123
C.	61
D.	27
E.	276
F.	34
G.	76
H.	52
Sub-total	679
overflow	637
Total with overflow	1,316

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	63.77 AC	EU-M
LESS R-O-W	1.87 AC	
LESS SITE	0	
LESS OTHER	0	
NET AREA AC *1	3,397,894.20 #	
LOT COVERAGE (50% MAX)	845,300 #	1.000%
PA-BIO AREA	2,552,594.20 #	75.150%
ALLOWABLE OPEN SPACE	1,401,785.70 #	41.290%
MAXIMUM BUILDING HEIGHT	2 STORIES	
M.S.L.R. UNDERLAYED OPEN SPACE	27'-0, Points F &	

SETBACK REQUIREMENTS	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	25'	25'
INSIDE SIDE	25'	25'
REAR	50'	50'
BETWEEN BUILDINGS		20' min

ACCESSORY BUILDINGS		
FRONT	25'	50'
SIDE STREET	25'	50'
INSIDE SIDE	20'	25'
REAR	10'	50'
BETWEEN BUILDINGS	10'	20' min

MINIMUM LOT REQUIREMENTS		
*PROPERTY FOR INSTITUTIONAL	50	1,000'
LOT AREA FOR INSIDE OR LOT	3,000 s.f.	1,000,000 s.f.
LOT WIDTH FOR INSIDE OR LOT	150'	1000'
R-O-W NO 1 AC	12,000 s.f.	

MAXIMUM IN GROSS AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 Story Allow	3+ story Allow
0.1	0.15	0.20

Max. HT EXIT 30" PROPOSED BUILDINGS	30'
Max. HT EXIT 30' BUILDING FROM TRIM	30'
MAX. NUMBER OF STORIES BUILDING TRIM	3
MAX. NUMBER OF STORIES PROPOSED	3
F.A.R. FROM TRIM	0.04
F.A.R. PROPOSED	0.03

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	FACILITIES	OUTDOOR AREA	SITE AREA	INCREASING AREA	CLASSROOM AREA
NURSERY PRE KINDERGARTEN	7:30 AM to 11:00 PM M-F	See Exhibit "A"					
ELEMENTARY (P-5)							
JR. HIGH (6, 7, 8th)							
TOTAL							

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 8

4.19.2010

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

CIVIL ENGINEERING

Consultant

Master Plan Key

Zoning Legend

SEWER

Prepared by

VOID

Persons Chart

Existing Buildings		Length x Width	Existing Building Area	Area Percentage Ratio
1	Cafeteria	25'-0" x 30'-0"	1,000 SF	0.04 %
2	Middle School and Administration (Former Lab School / Central Administration)	180'-0" x 50'-0"	9,000 SF	0.34 %
3	Middle School Classroom	370' x 70'-0"	32,900 SF	1.24 %
4	Middle/Lower Upper School	133'-4" x 300'-0"	39,110 SF	1.12 %
5	Northside Upper School	150'-11" x 87'-2"	25,000 SF	1.07 %
6	Middle School Gymnasium (Former Mini Gymnasium and Admin.)		21,000 SF	0.80 %
7	Band Room	76'-0" x 60'-10"	4,547 SF	0.20 %
24	Cabana	80'-0" x 30'-0"	3,000 SF	0.13 %
			Sub-Total 112,103 SF	4.09 %
			Proposed Building Area	
8	Guest House		365 SF	0.01 %
9	Elementary School	141'-11" x 87'-2"/18	36,379 SF	1.3 %
	Library	80'-0" x 60'-0"		
	Music Room	80'-0" x 50'-0"		
	Classroom	37'-0" x 60'-10"		
	Day Care Center	62'-0" x 50'-2"		
10	Fieldhouse		13,948 SF	0.50 %
	Existing Fieldhouse West of Addition	44'-0" x 30'-0"		
	Fieldhouse - Storage	50'-2" x 14'-0"/2)		
	Fieldhouse - Storage	12'-0" x 30'-0"		
	Fieldhouse - Photo Box	30'-0" x 10'-0"		
	Fieldhouse - Pool Storage	30'-0" x 30'-0"/2)		
	Fieldhouse - Storage	70'-0" x 30'-0"/2)		
11	Faculty Lounge	42'-0" x 41'-0"	3,261 SF	0.12 %
12	Additional Middle School Classrooms	144'-0" x 54'-0"	7,936 SF	0.33%
*13	Dining Hall / Student Center/Bookstore	168'-0" x 72'-0"	*10,943 SF	0.39 %
*14	Visual Arts Center	168'-0" x 48'-0"		
*15	Additional Upper School Classrooms	170'-0" x 90'-0"		
16	New Upper School Gymnasium	270'-0" x 140'-0"	44,872 SF	1.61 %
17	New Main Library / Media Center / Central Administration	140'-0" x 150'-0"	34,248 SF	1.48 %
18	Performing Arts Center	210'-0" x 140'-0"	58,800 SF	2.42 %
19	Chapel	144'-0" x 120'-0"	12,704 SF	0.64 %
20	Service Building	160'-0" x 50'-0"	8,000 SF	0.31 %
21	Pool House	100'-0" x 40'-0"	4,000 SF	0.17 %
			Sub-Total 350,846 SF	15.44 %
			Total Master Plan 462,949 SF	19.53 %

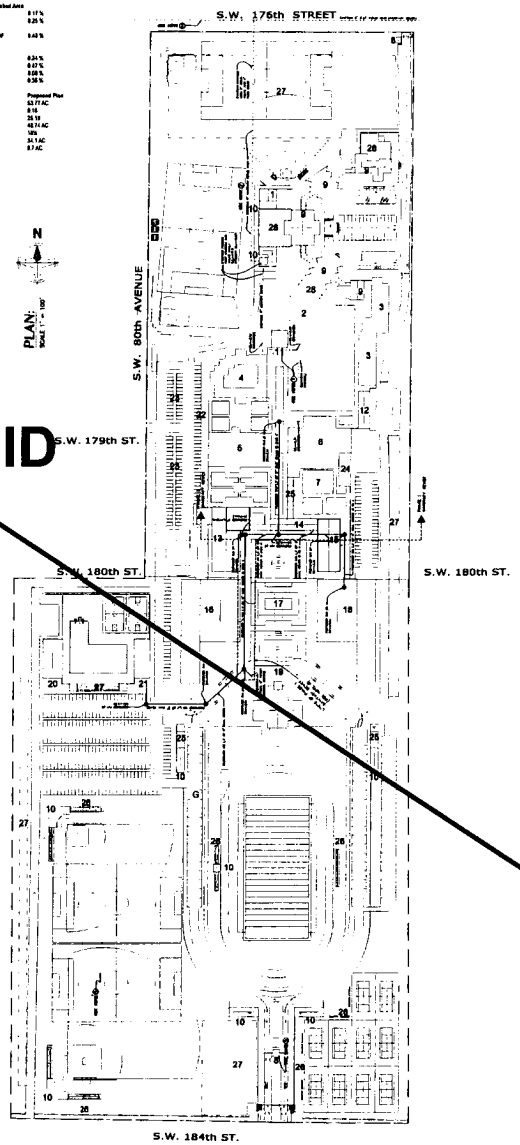
Buildings to be Demolished	
22	Jury Room
23	Tavern

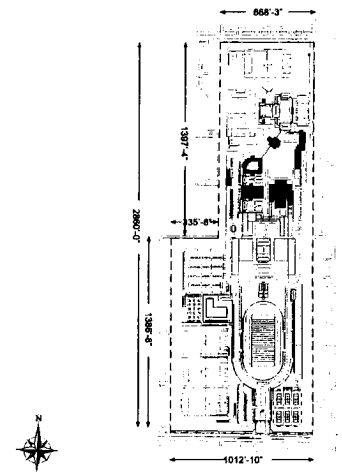
Buildings to be Demolished Area	
4,000 SF	0.17 %
5,760 SF	0.25 %
Sub-Total (Area) 9,760 SF	0.42 %

Others Area	
25	Tool sale
26	Bleachers
27	Areas for Overflow Parking
28	Playground

Master Plan Data	Proposed Plan
Net Acreage	53.77 AC
Floor Area Ratio	0.16
Students Per Acre	25.19
Open Space Acres	18.74 AC
% Of Total Acreage Set Up	34%
Pervious Surface	34.1 AC
Impervious Surface	37 AC

*These functions are part of a single structure defined on sheet 23





Notes

1) EXISTING WATER MAINS 12 FT EASEMENTS ON SITE TO MIAMI-DADE COUNTY AS PER FOLLOWING RECORDED INSTRUMENTS
A) ORB 19475-1652
B) ORB 20500-3660-1647
C) ORB 24436-3664-3666
LOCATIONS ARE APPROXIMATE ON THIS SCALE

2) EXISTING WATER MAINS LOCATIONS ARE APPROXIMATE REFER TO MIAMI-DADE WATER AND SEWER DEPARTMENT FOLLOWING AS-BUILTS:
A) EE 34-0-6
B) E 14-50-4
C) E 2022
D) SW 30-50-132

3) ALL DETECTOR CHECK VALVES FOR BUILDING FIRE LINE SPRINKLERS SHALL BE PRIVATELY OWNED AND MAINTAINED.

4) ALL BACKFLOW PREVENTORS FOLLOWING ALL NEW DOMESTIC WATER METERS WILL BE AS PER PLUMBING CODE AND PRIVATE OWNERSHIP.

5) THE PORTION OF EXISTING WATER MAIN TO BE:
A) RELOCATED
B) PROPOSED BUILDINGS NO 13, 15, AND 17 ADJUSTED SO AS NOT TO ENCROACH ON EXISTING WATER EASEMENT.

6) FINAL LOCATIONS AND LAYOUT OF FIRE DETECTOR CHECK VALVES, WATER METERS, BACKFLOW PREVENTORS SHALL BE DESIGNED AS PER INDIVIDUAL BUILDING LAYOUT AT TIME OF BUILDING'S CONSTRUCTION

7) ALIGNMENT OF ALL UTILITIES WITHIN PROPOSED ROADWAYS SHALL BE DETERMINED AT TIME OF DESIGN OF EACH INDIVIDUAL PHASE

PARKING REQUIREMENTS *(as per Dade County Standards)*

Administration (1 per 300 SF)	61
Upper School	
Classrooms (1 per 200 SF of classroom area)	317
Personnel (1 per 4 personnel)	1
Basketball court stadium (1 per 4 seats)	138
	456
Middle School	
Personnel (1.25 per personnel)	85
Vehicles (1.25 per vehicle)	7
Basketball court stadium (1 per 4 seats)	96
	188
Shared Facilities	
Library/Media Center/Computer Center (1 per 300 SF)	136
Middle School Library (1 per 300 SF)	48
Auditorium: Performing Arts Center (1 per 100 SF seating)	75
Visual Arts Center (1 per 200 SF classrooms)	64
Dining Hall/Student Center/Bookstore (1 per 250 SF)	41
Day Care (1 per personnel)	5
Pool (1 per 4 seats)	80
Faculty Lounge (1 per 300 SF)	12
Chapel (1 per 50 SF seating)	(300)*
Open Fields/Pitches (1 per 4 seats)	(1500)*
	418

*concurrent with parking for other facilities

ELEMENTARY SCHOOL	
Personnel (1 per personnel)	82
Vehicles (1 per vehicle)	9
	87
Total Required	1148
Total Provided in Plan (including overflow parking)	1318
A.	50
B.	123
C.	61
D.	27
E.	275
F.	24
G.	76
H.	52
Sub-total	678
overflow	637
Total with overflow	1,315

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (SCHOOL)	53.77 AC	EU-M
LESS R.O.W.	1.87 AC	
LESS WATER	-	
LESS OPEN	-	
NET AREA (ac.)	51.90	
LOT COVERAGE (SF) (max)	210,200 SF	9.30%
FLOOR AREA	350,846.00 SF	15.53%
LANDSCAPED OPEN SPACE	1,513,000.00 SF	67.00%
% OF OPEN SPACE NO CHT	2,000,000	
% OF NATIVE LANDSCAPED OPEN SPACE	27% - 5 Acres Pine	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	40'	50'
S.W. STREET	25'	50'
SIDE (S)	25	50
REAR	50'	50'
SETBACK BUILDING		20' (S)

ACCESSORY BUILDINGS		
FRONT	75	50'
S.W. STREET	25	50'
SIDE (S)	25	50'
REAR	15	15'
SETBACK MAXIMUM	25	15' max

MAXIMUM LOT DIMENSIONS		
Minimum FOR VIEW ON LOT	100	1,320'
LOT AREA FOR VIEW ON LOT	43,560 s.f.	1,452,000 s.f.
LOT DEPTH FOR VIEW ON LOT	100	1000'
RA-M FAR 0.32	15,000 s.f.	

PARKING FLOOR AREA RATIO F.A.R. per NO. OF BUILDING STORIES		
1 story	2 floor below	3 floor and up
0.4	0.35	0.25
MAX. % OF SITE OF PROPOSED BUILDINGS		37
MAX. % OF SITE OF BUILDINGS NEW TYPE		37
MAX. NUMBER OF STORIES NEW TYPE		3
MAX. NUMBER OF STORIES PROPOSED		3
F.A.R. PERMITTED		0.32
F.A.R. PROPOSED		0.16

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit 'A'	
MIDDLE SCHOOL (GRADES 6-8)		
UPPER SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GRADES OF SCHOOL	STUDENTS	PERSONNEL	OUTDOOR AREA	BED AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN		See Exhibit 'A'					
ELEMENTARY (1-5)	1 Bus/Car x 1.1 Per Bus						
JR. HIGH (6-8)							
HIGH (9-12)							

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 9

4.19.2010

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

PALMER - TRINITY SCHOOL

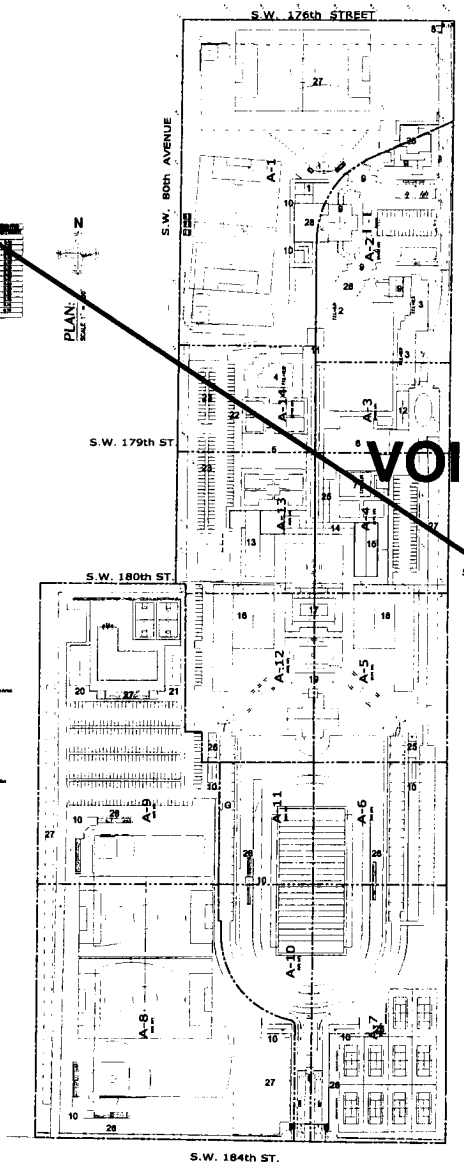
STORM DRAINAGE TRIBUTARY AREA

MIAMI-DADE COUNTY, FLORIDA

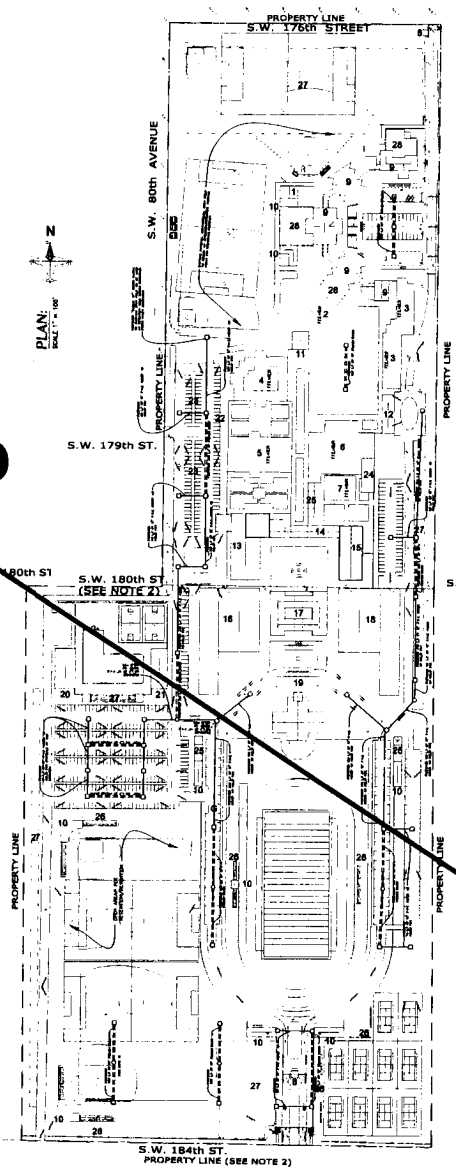
PALMER - TRINITY SCHOOL

STORM DRAINAGE MASTER PLAN

MIAMI-DADE COUNTY, FLORIDA



STORM DRAINAGE TRIBUTARY AREA



STORM DRAINAGE MASTER PLAN

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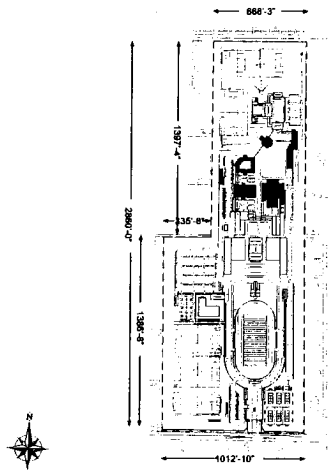

Private School - ZONING LEGEND

Zoning District, EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	8.14 ac	EU-M
LESS R-O-W	1.47 ac	
LESS A-1 [illegible]	4	
LESS [illegible]	4	
NET AREA (ac +/-)	1,246,414.4 sf	
LOT CO. STATUS (SFL-cond)	276,000 sf	3.50%
PALMER AREA	285,000.00 sf	15.00%
LANDSCAPED OPEN SPACE	1,000,000.00 sf	21.00%
AVERAGE SHADE HOUSE SHF	2 STORIES	
M-A-A.M LANDSCAPED OPEN SPACE	[illegible]	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	10'	20'
1-SIDE STREET	15'	15'
1-SIDE OR	10'	10'
REAR	10'	20'
SETBACK-SIDE-YARD	-	20' min

ACCESSORY BUILDINGS		
FRONT	15	15'
1-SIDE STREET	15	15'
1-SIDE OR	10'	10'
REAR	10	10'
SETBACK-SIDE-YARD	10	10' min

BUILDING LOT REQUIREMENTS		
PACKAGING TOTAL WIDTH ON LOT	100'	1,000'
LOT AREA TOTAL WIDTH ON LOT	15,000 s.f.	1,000,000 s.f.
LOT DEPTH TOTAL WIDTH ON LOT	100	1000'
BUILDING S.M.	15 MUN +	

MAXIMUM FLOOR AREA RATIO F.A.R. per SQ. OF BUILDING FRONTS		
1 STY.	2 Story Bldgs	3 Story
0.4	0.45	0.5
SQ. FT. OF PROPOSED BUILDING		20'
SQ. FT. OF BUILDING FRONTS		20'
MAX. NUMBER OF STORIES PERMITTED		3
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. PERMITTED		0.50
F.A.R. PROPOSED		0.05

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (REVISED F.A.)	See Exhibit "A"	
HIGH SCHOOL (REVISED SH)		
SCHOOL CLASSROOMS & SH		
SUBTOTAL / TBD		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	SEATING OF SPACES	SPACE/LOTS	PERSONNEL	BARRIOR AREA	SIZE AREA	RECREATION AREA	CLASSROOM AREA
ENROLLMENT LTD						
ENROLLMENT LTD						
ELEMENTARY (1-6)	110 SEAT 11 EQPM Bldg	See Exhibit "A"				
EL. SEC. EL. SEC. (7-8)						
TOTAL						

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET

10

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1023 SW 25TH AVE, MIAMI FL. 33135

P. 305.644.1023 F. 305.644.1021

Consultant

Master Plan Key

Zoning Legend

Prepared by

CIVIL ENGINEERING

DRAINAGE

LANDSCAPE PLANS

PALMER TRINITY *MASTER PLAN* PLANT LIST

QTY.		COMMON NAME	BOTANICAL NAME	POT SIZE	PLANTED SIZE	4/19/2010 PLANT SPACING
TREES AND PALMS						
29		Bismarck Palms	*Bismarckia nobilis 'silver'*	300 gal	12' x 8'	as shown
6		Sandbox trees	*Adenanthera pavonina*	300 gal	12' x 8'	as shown
80		Calophyllum trees	*Calophyllum brasiliense*	35 gal	12' x 8'	as shown
16		Canary Island Date Palms	*Phoenix canariensis*	B&B	34' x 16'	as shown
80	*	Florida Thatch Palms	*Thrinax radiata*	25 gal	8' x 4'	as shown
250	*	Green Buttonwood trees	*Conocarpus erectus'*	25 gal	12' x 8'	as shown
80	*	Gumbo Limbo trees	*Bursera simaruba'*	B&B	16' x 7'	as shown
60	*	Ironwood trees	*Krugiodendron ferreum*	45 gal	12' x 8'	as shown
34		Kapok trees	*Ceiba pentandra*	B&B	34' x 12'	as shown
250	*	Live Oak trees	*Quercus virginiana'*	300 gal	18' x 8'	as shown
120	*	Mahogany trees	*Swietenia mahagoni'*	45 gal	12' x 8'	as shown
66		Montgomery palms	*Veitchia montgomeryana*	B&B	16' x 12'	as shown
30	*	Orange Geiger trees	*Cordia sebestena*	45 gal	12' x 8'	as shown
50		Pink Tabebuia trees	*Tabebuia pallida*	45 gal	12' x 8'	as shown
36		Queen Crape Myrtles trees	*Lagerstroemia speciosa*	45 gal	12' x 8'	as shown
179	*	Royal Palms	*Roystonea elata'*	B&B	30' x 16'	as shown
17		Royal Poinciana trees	*Delonix regia*	45 gal	12' x 8'	as shown
85	*	Sabal Palms	*Sabal palmetto*	B&B	varies	as shown
20	*	Satinleaf tree	*Chrysophyllum oliviforme*	45 gal	12' x 8'	as shown
50	*	Silver Buttonwood trees	*Conocarpus erectus sericeus'*	35 gal	12' x 8'	as shown
50	*	Simpson Stopper trees	*Myrciantes fragrans*	25 gal	12' x 8'	as shown
20		Yellow tabebuia trees	*Tabebuia caraiba*	45 gal	12' x 8'	as shown
30		Yoon wood trees	*Bulnesia arborea*	45 gal	12' x 8'	as shown
	*	Denotes native species				
1126		*Total new trees (36% native)*				
426		*Total new palms*				
1552		*Total new trees and palms (per 50% of total allowed)*				
SHRUBS, GROUNDCOVER AND VINES						
600		Annual Flowers		4-1/4" pots	full	8" o.c.
250	*	Bahama coffee, 'Igualdiffa'	*Psychotria ligustrifolia*	7 gal	24" x 18"	24" o.c.
3000	*	Boston Fern	*Nephrolepis exaltata*	1 gal	10" x 8"	12" o.c.
3000	*	Cocoplum 'Red Tip'	*Chrysobalanus icaco'*	7 gal	36" x 30"	36" o.c.
180		Coleus Blue	*Coleus scutellarioides*	14 gal	36" x 36"	42" o.c.
600	*	Dwarf Cocoplum	*Chrysobalanus icaco*	7 gal	36" x 36"	48" o.c.
300	*	Dwarf Fiddleleaf	*Hamelia patens 'compacta'*	3 gal	18" x 14"	36"
6		Fakka Agave	*Furcraea foetida 'mediopicta'*	15 gal	36" x 36"	as shown
450	*	Fakahatchee grass	*Vipecarum fakahatchee*	3 gal	18" x 14"	48" o.c.
1300		Float 'Green Island'	*Ficus microcarpa 'green island'*	3 gal	12" x 12"	24" o.c.
3500	*	Gamma grass	*Tripsacum dactyloides*	3 gal	12" x 12"	30" o.c.
600		Ilex Schilling 'Stokes dwarf'	*Ilex vomitoria 'Stokes Dwarf'*	3 gal	12" x 12"	12" o.c.
8480		Jasmine simp	*Jasminum volubile*	3 gal	18" x 14"	24" o.c.
1800		Macho Fern	*Nephrolepis biserata*	3 gal	18" x 14"	24" o.c.
400		Monstera vine	*Monstera deliciosum*	3 gal	18" x 14"	24" o.c.
300		Philodendron selloum	*Philodendron selloum*	3 gal	24" x 18"	36" o.c.
1600	*	Plumbago	*Plumbago auriculata*	3 gal	18" x 14"	36" o.c.
900	*	Saw palmetto	*Serenoa repens*	15 gal	24" x 24"	36" o.c.
800		Star Jasmine	*Jasminum nitidum*	3 gal	18" x 14"	36" o.c.
4000		Wart Fern	*Microsorum scolopendrium*	1 gal	12" x 8"	18" o.c.
	*	Denotes native species				
11486		*Total shrubs (40% native +/-)*				
8996		*Total groundcovers (40% native +/-)*				

GRAPHIC LEGEND

- ROYAL POINCIANA
- SABBAS TREES
- LIVE OAK TREE
- MAHOGANY TREE
- MUAHAGRO TREE
- YELLOW TABEBUIA / PINK TABEBUIA
- GRAVINE GUMBO
- GREEN BUTTONWOOD
- SILVER BUTTONWOOD
- VERAWOOD TREE
- ROYAL PALM
- SAVE PALM
- SHOWTIMEHAY PALM
- SABAL PALM
- THRINAX RADIATA

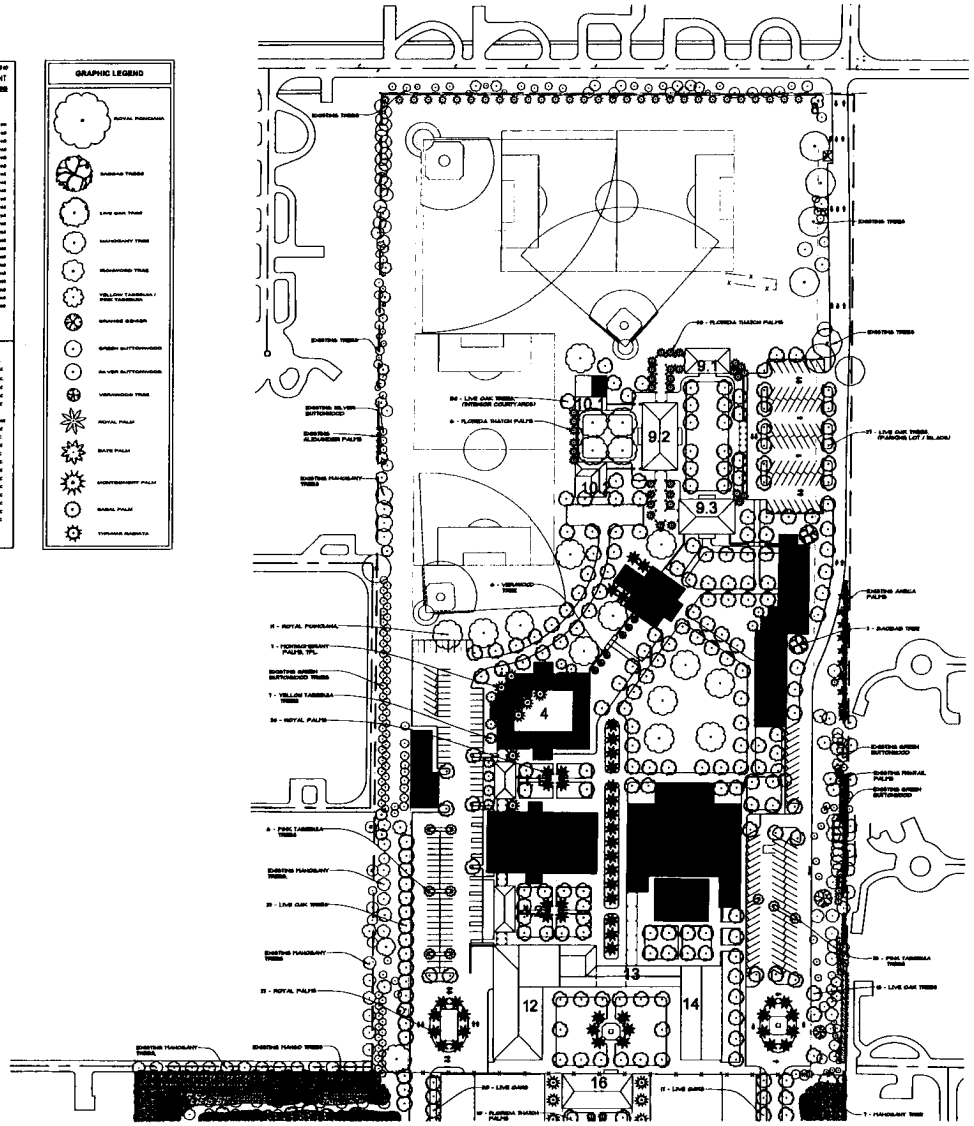
PALMER TRINITY SCHOOL

LANDSCAPE LEGEND

Zoning District: EU-M (75' Buffer) Net Lot Area: 63.67 acres (3,337,911 s.f.)
Sports Fields: 17.37 acres (756,618 s.f.)

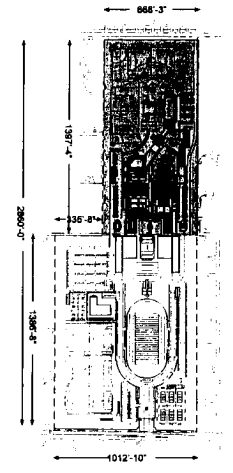
OPEN SPACE	REQUIRED	PROVIDED
Square feet of open space as required by Chapter 33, as indicated on site plan:	836,184	1,438,331
Net Lot Area = 2,337,911 s.f. X 40% = 935,164 s.f.		
Square Feet of parking open space required by Chapter 18A, as indicated on site plan:		
No. of parking spaces 1200 X 10 s.f. per parking space = 12,000 s.f.	12,000	
Total s.f.of landscaped open space required by Chapter 33: A+B =	947,164	1,438,331
LAWN AREA CALCULATION		
Maximum sod area per percentage of open space = 40% X 1,438,331 s.f =	575,732	575,000*
TREES		
No. of trees required per net lot acre (Not including sports fields)		
63.67 - 17.3 = 36.37 acres x 29 trees per acre =	1,019	1,126
less existing number of tree meeting minimum requirements	-426	426
Total trees and palms	594	1,552
30% palms allowed: No. trees provided X 30%, ≥ 2 = 608	366	214
% Natives required: No. trees required X 30% =	366	770
STREET TREES		
Street trees (maximum average spacing of 35' o.c.		
861 linear feet along 176 street / 35 =	30	27
Street trees located directly beneath power lines (max. average spacing of 25' o.c.)		
1012 linear feet along 184 street / 25' oc =	41	42
SHRUBS		
No. of trees required X 10 = No. of shrubs required	10,150	11,486
No. of shrubs allowed X 30% = No. of native shrubs required	3,045	5,008
IRRIGATION PLAN	no	YES
s.f. required by Chapter 33	(yes/no)	(yes/no)

* The Childcare Checklist lists a lawn area of 662,713sf. The lawn area calculated here represents the maximum area of that 662,713sf to be covered by sod. The remainder is to be covered by native ground cover



GEOMANTIC DESIGNS, INC.
LANDSCAPE ARCHITECTURE
ROBERT PARSLEY A.S.L.A.
LA 0000705
6800 S.W. 81 STREET MIAMI, FL. 33143
PHONE: 305-665-9686 FAX: 305-666-8426

Consultant



Master Plan Key

Private School - ZONING LEGEND

Zoning Division: EU-M

LOT INFORMATION		
GROSS AREA ACRES	63.44 ac	EU-M
LESS ROWS	1.91 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA ac. +	3,338,041.00 sf	
LOT COVERAGE 20% max	218,000 sf	3.20%
PAVED AREA	206,205.00 sf	20.00%
LANDSCAPED OPEN SPACE	1,441,326.00 sf	51.00%
LANDSCAPED OPEN SPACE	1,000,000.00	
NATURAL LANDSCAPE OPEN SPACE	20% Sq. Footage	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	75'	75'
SIDE STREET	75'	75'
SIDE OR	25'	75'
REAR	75'	300'
SETBACKS BUILDINGS	30' min	

ACCESSORY BUILDINGS		
REAR	25'	25'
SIDE STREET	25'	25'
SIDE OR	25'	25'
REAR	15'	25'
SETBACK BUILDINGS	10'	25' min

MINIMUM LOT REQUIREMENTS		
REQUIRED PER ZONE DISTRICT	10'	1 UNIT
LOT AREA PER UNIT SF/UNIT	21,000 s.f.	1 UNIT/ACRE
LOT WIDTH PER ZONE DISTRICT	110'	200'
Sq.Ft/40 X 43	12,000 s.f.	-

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 to 5 stories	6 to 10 stories
.11	1.15	2.50

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit 'A'	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
GRAND TOTAL		

MAX. HT. OF PROPOSED BUILDING	35'
MAX. HT. OF CP BUILDING FROM TOP	35'
MAX. NUMBER OF TIER ON FRONT	1
MAX. NUMBER OF STORIES PROPOSED	3
T.A.R. FROM TREE	0.20
T.A.R. PROPOSED	0.50

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	GROSS SF OPERATION	STORIES	PARKING	GROSS AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
NURSERY (0-5) KINDERGARTEN ELEMENTARY (1-5) JR. HIGH (6-8) HIGH (9-12)	110 sq.ft. x 11 sq.ft.	See Exhibit 'A'					
TOTAL							

Zoning Legend

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 11

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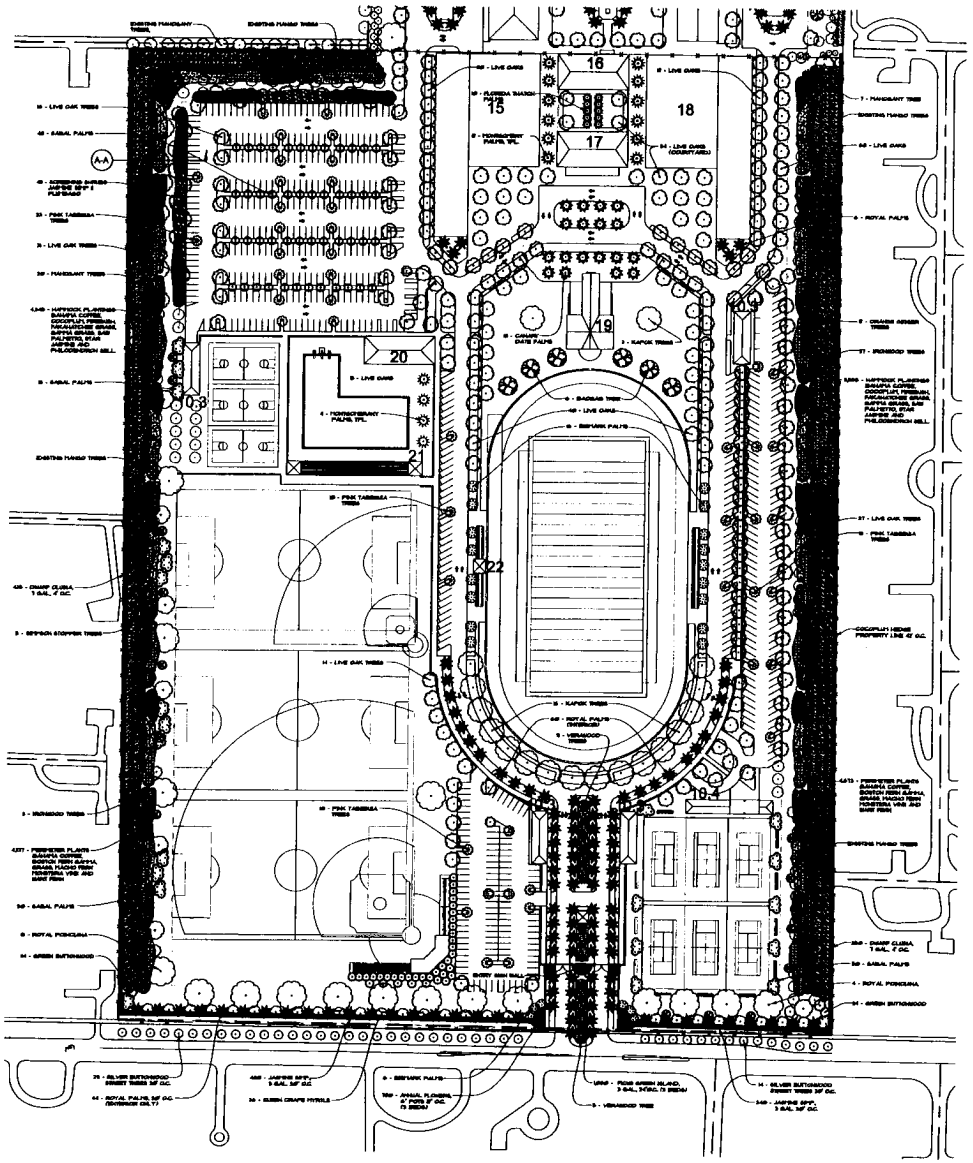
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

Prepared By

NORTH SITE LANDSCAPE PLAN

LANDSCAPE PLANS

SOUTH SITE LANDSCAPE PLAN



PALMER TRINITY SCHOOL

LANDSCAPE LEGEND

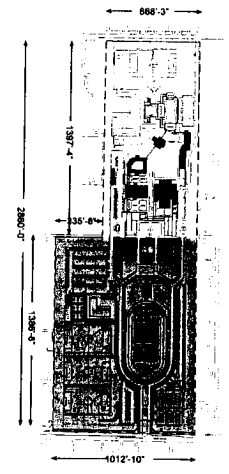
Zoning Distict: EU-M (75' Buffer) Net Lot Area: 53.87 acres (2,337,911 s.f.)
Sports Fields: 17.37 acres (756,618 s.f.)

OPEN SPACE	REQUIRED	PROVIDED
Square feet of open space as required by Chapter 33, as indicated on site plan. Net Lot Area = 2,337,911 s f X 40% = 935,164 s f	935,164	1,438,331
Square Feet of parking open space required by Chapter 18A, as indicated on site plan. No of parking spaces 1300 X 10 s f. per parking space = 12,000 s f	12,000	
Total s f of landscaped open space required by Chapter 33: A+B =	947,164	1,438,331
LAWN AREA CALCULATION		
Maximum sod area per percentage of open space = 40% X 1,438,331 s f =	575,732	575,666*
TREES		
No of trees required per net lot acre (Not including sports fields) 53.87 - 17.3 = 36.57 acres x 28 trees per acre =	1,010	1,128
less existing number of trees meeting minimum requirements	-425	425
Total trees and palms	594	1,553
30% palms allowed: No. trees provided X 30% = 2 = 806	308	314
% Native required No. trees required X 30% =	308	770
STREET TREES		
Street trees (maximum average spacing of 30' o.c. 461 linear feet along 176 street / 30 =	30	27
Street trees located directly beneath power lines (max. average spacing of 30' o.c.) 1012 linear feet along 184 street / 30' oc =	41	43
SHRUBS		
No. of trees required X 10 = No. of shrubs required	10,100	11,430
No. of shrubs allowed X 30% = No. of native shrubs required	3,030	5,944
IRRIGATION PLAN	no	YES
s.f. required by Chapter 33	(yes/no)	(yes/no)

* The Checklist Checklist lists a lawn area of 862 713s/f. The lawn area calculated here represents the maximum area of that 862 713s/f to be covered by sod. The remainder is to be elevated by native ground cover.

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: 305-668-9426

Consultant



Master Plan Key

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION	
GROSS AREA in ACRES	53.70 ac
LESS S.R.O.W.	1.87 ac
LESS S-1000	0
LESS OTHER	0
NET AREA (ac.)	51.83 ac
NET AREA (s.f.)	2,257,511.01 sf
LOT COVERAGE (s.f.)	374,700 sf 16.60%
FLOOR AREA	256,000 sf 11.34%
LANDSCAPED OPEN SPACE	1,438,331 sf 63.70%
1 SPACE PER 500 SQ.FT. OF GFA	512 SPACES
30 % OF LANDSCAPED OPEN SPACE	30% of Parking Area

SIGNAGE LOT REQUIRED VERSUS		
FRONTAGE FOR WIDE SIGNS	100	1,012'
LOT AREA FOR WIDE SIGNS	10,000 s.f.	1,438,331 s.f.
LOT DEPTH FOR WIDE SIGNS	100	1387
SIGNAGE S.R.O.W.	10,000 s.f.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	200'
1 ST STREET	50	50'
WEST SIDE	50	50'
REAR	50	50'
REFERENCE/NOTES	*	50' min

ACCESSORY BUILDINGS		
FRONT	50	50'
1 ST STREET	50	50'
WEST SIDE	50	50'
REAR	10	50'
REFERENCE/NOTES	10	50' min

MAXIMUM PLANER AREA RATIO (F.A.R.) per NO. OF SIDE WALL STORIES		
1 story	2 to 3 stories	10 or mg and up
1 s	2 s.s	3 ss
100% 10' 0-4 (P.P.) PROVIDED/MAXIMUM		10'
100% 10' 0-4 (P.P.) PROVIDED/MAXIMUM		10'
100% NUMBER OF STORIES PER TRIP		1
100% NUMBER OF STORIES PER TRIP		1
100% NUMBER OF STORIES PROVIDED		1
F.A.R. PER TRIP		0.00
F.A.R. PROVIDED		0.00

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
KINDERGARTEN SCHOOL ADMISSIONS S.A.	See Exhibit 'A'	
JUNIOR SCHOOL ADMISSIONS S.A.		
HIGH SCHOOL ADMISSIONS S.A.		
SHARING NO. 1 TAX		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	7:30 AM to 11:00 AM Daily	See Exhibit 'A'					
ELEMENTARY							
JR. HIGH							
SR. HIGH							
TOTAL							

Prepared By

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
12
4.19.2010

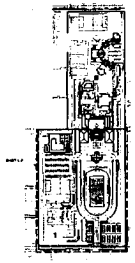
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

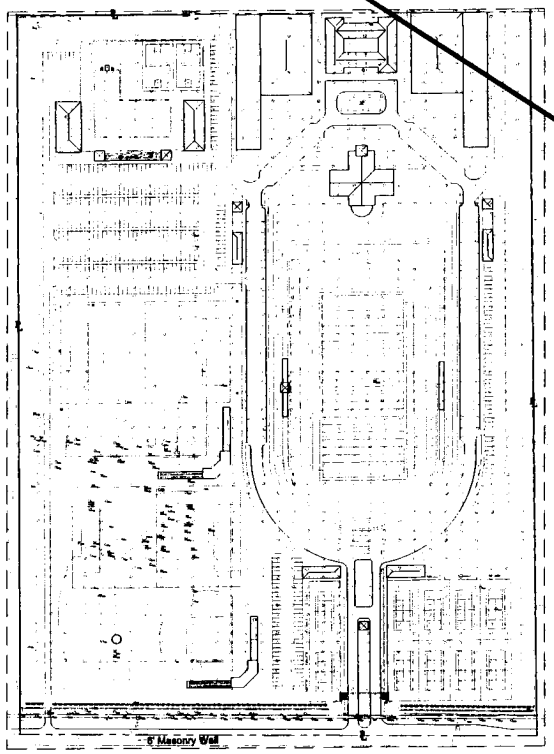
LANDSCAPE PLANS

TREE REMOVAL DIAGRAM

TREE RELOCATION STANDARDS

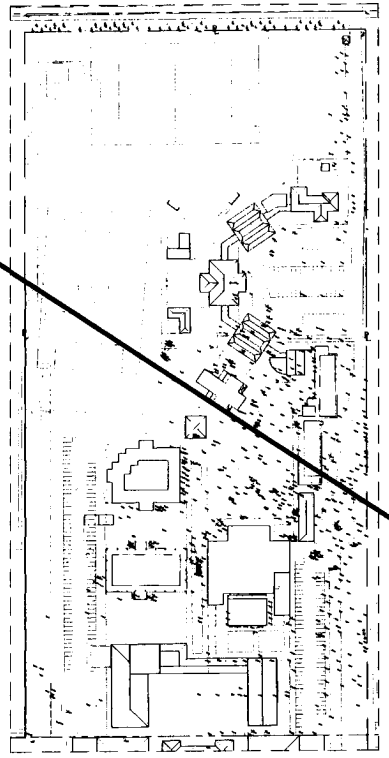
TREE RELOCATION STANDARDS (MIAMI - DADE COUNTY ORD. 24-49.4)
The relocation of any tree that is subject to the provisions of the article shall be consistent with the following minimum standards:
(1) Trees other than palms:
(a) Tree roots shall be severed in such a manner as to provide a root ball which is sufficient to ensure survival of the tree when relocated. A sufficiently sized planting hole shall be provided at the relocation site to ensure successful regrowth.
(b) After root severing, adequate time shall be allowed prior to replanting to ensure survival of the tree(s). After root severing and prior to relocation, tree(s) shall be watered a minimum of twice weekly. After relocation, tree(s) shall be watered a minimum of twice weekly until tree(s) are established.
(c) During removal and transportation of the tree, the root ball and vegetative portions of the tree shall be protected from damage from wind or injury
(d) Any tree that dies or becomes removable within one (1) year of relocation shall be replaced according to the standards set forth in Section 24-49.4(E).
(2) Palms
(a) A ball of earth at least one (1) foot from the base of the tree shall be moved with the tree
(b) Panels shall be securely tied around the bud prior to relocation and shall remain securely tied around the bud during the entire relocation processes and for a minimum of one (1) week after relocation
(c) The bud shall be protected from damage or injury during relocation.
(d) Any palm that dies or becomes removable within one (1) year of relocation shall be replaced according to the standards set forth in Section 24-49.4(E)





TREE REMOVAL DIAGRAM - SOUTH SITE

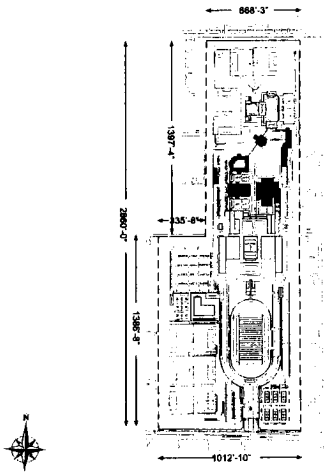
VOID



TREE REMOVAL DIAGRAM - NORTH SITE

GEOMANTIC DESIGNS, INC.
LANDSCAPE ARCHITECTURE
ROBERT PARSLEY A.S.L.A.
LA 0000703
6800 S.W. 81 STREET MIAMI, FL. 33143
PHONE: 305-663-9688 FAX: 305-668-8426

Consultant



Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA IN ACRES	69.16 ac	EU-M
LESS R-O-W	1.47 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA (ac. +-)	3,223,311.34 sf	
LOT CO-GRADE (SFR only)	216,320 sf	6.80%
BUILDING AREA	594,000.00 sf	18.43%
PAVED AREA OPEN SPACE	1,015,345.00 sf	31.50%
LANDSCAPED OPEN SPACE	1,418,000	44.00%
MINIMUM LOT FRONTAGE (FEET)	10	1 UNIT
MIN. AREA PER UNITS ON LOT	43,560 s.f.	1,000,000 s.f.
MIN. DEPTH PER UNITS ON LOT	110	100'
BUILDING S.F.	42,000 s.f.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
SIDE STREET	25	50'
INTERIOR	25'	25'
REAR	50'	50'
SETBACK BUILDING		50' min

ACCESSORY BUILDINGS		
FRONT	25'	50'
SIDE STREET	25	50
INTERIOR	25	25
REAR	10	50'
SETBACK BUILDING	10	50' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per SQ. OF BUILDING STORIES		
1 Story	2 HIGH RISE	On a per story
F.A.R.	F.A.R.	F.A.R.
MAX. NO. OF PARKING SPACES		50'
MAX. NO. OF SPACES ALLOWED FOR TRUCKS		50'
MAX. NUMBER OF STORIES ALLOWED		3
MAX. NUMBER OF PROPOSED PROPOSED		3
F.A.R. PERMITTED		0.250
F.A.R. PROPOSED		0.020

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY (GRADES K-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GROSS SF OF SCHOOL	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
SUPERVISED						
ELEMENTARY (K-5)						
JR. HIGH (6-8)						
SR. HIGH (9-12)						
TOTAL		See Exhibit "A"				

Zoning Legend

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
13
4.19.2010

Prepared by
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

PLANTING SPECIFICATIONS AND WARRANTEES

1. The demolition of existing plant material must be marked with spray paint by Landscape Architect (L.A.)
2. All trees and palms to be laid out by Landscape contractor in the field with stakes and spray paint. To be reviewed and approved by (L.A.)
3. Plant list is for information only. If there are any discrepancies between "plant quantities" on plan versus "plant list", "the plans" will take priority. Please notify L.A. of any discrepancies.
4. All plant material must be Florida #1 or better unless specified as "character" or with written approval from Landscape Architect.
5. All planting beds must be free of surface rock over ½" diameter, prior to mulching.
6. Planting beds should receive 4" of "quarters six" planting soil, or equal (to be approved by L.A.).
7. Fertilize all plants with Osmocote "Sierra Blend" 18-7-10; ½ hand full for 1 - 3 gallons, 1 hand full for 7-20 gallon, and 4 hands full for ball and burlapped (B & B) material.
8. Fertilize all B&B material with 10 "Agriform" tablets or equal.
9. Mulch all landscape areas with 2 ½" - 3" of Eucalyptus mulch or Cypress bark, "Grade B".
10. All sod areas laid with St. Augustine "Palmetto" to be hand raked prior to installing the sod.
11. All sod areas to be top dressed with 2" of 80/20 Lake Wales silica sand/ Fla. peat prior to sodding.
12. Plant material to be warranted as follows: shrubs and ground covers for 90 days, large shrubs (over 10 gal.) and small palms for 180 days, and B&B material for 360 days.
13. All warrantees to run concurrently, beginning at final acceptance of the installation, unless owner or general contractor (G.C.) requires construction phasing beyond control of the installer.
14. Installer to notify Owner, G.C. and / or L.A. of any partial completion due to phasing.
15. 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.
16. Watering is the responsibility of the installer during the installation and until final acceptance.
17. Installer is responsible to assure irrigation installation is properly progressing, and in the end adequate for good growth. The owner or G.C. must be notified in writing of any problems with irrigation phasing or performance.
18. Any existing irrigation to be brought to a good functioning standard to ensure proper watering of new material.
19. 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. & UNICO. Rainbird heads should be specified to be consistent with existing University irrigation systems and standards.
20. The Landscape contractor is responsible for working with the general contractor to assure that all cementitious contaminants and other construction debris are removed from all soils.
21. 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

1. Root prune all trees and palms to a minimum depth of 24" for the palms and 48" for the trees.
2. Trim frayed roots with clippers saws or similar and leave clean cuts.
3. Wrap balls with shrink wrap plastic, back filling with Shredded peat moss, fill up voids between plastic & ball, covering all cut roots.
4. 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.
5. Water three times per week for next 2 months or until trees are ready to move.
6. Harvest palms after 5 weeks minimum and trees after 8 to 10 weeks depending on size. Consult with LA prior to moving on schedule.
7. Re-dig holes well outside the pastic plant wrap being careful not to disturb or tear, preserving root ball, re-wrap if needed for transplanting.
8. When digging trees, break off large piece of existing coral rock, +/- 36" deep as feasible, by under cutting ball Do Not Peel Ball off Rock. If necessary, the horizontal chipping or drilling may be required to break off specimen Oak ball at a minimum 30" depth
9. Replant transplanted trees and palms at correct height in new location keeping original ball top exposed.
10. Properly wrap and hook-up trees and palms to lifting equipment in such a way as to not tear cambium layer and excessivly disfigure appearance.
11. 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 1500 per caliper inch.
12. Remove plastic, backfill with 50% existing soil blended with 50% planting soil plus ¼ bale of Canadian peat moss for palms and ½ bale for trees.
13. Backfill, sink, place in Agriform fertilizer tablets per recommendations, brace, and trim broken branches and fronds as needed. Brace per specification.
14. Water daily for duration of overall job will be required. Having bubblers as part of automatic irrigation system for post construction can supplement additional drenching, but are not a sustitution.

PALMER TRINITY SCHOOL
LANDSCAPE LEGEND

Zoning Distict: EU-M (75' Buffer) — Net Lot Area: 53.67 acres (2,337,911 s.f.) — Sports Fields: 17.37 acres (756,610 s.f.)

OPEN SPACE	REQUIRED	PROVIDED
Square feet of open space as required by Chapter 33, as indicated on site plan:	935,164	1,438,331
Net Lot Area = 2,337,911 s.f. X 40% = 935,164 s.f		
Square Feet of parking open space required by Chapter 18A, as indicated on site plan		
No of parking spaces 1200 X 10 s.f. per parking space = 12,000 s.f	12,000	
Total s.f. of landscaped open space required by Chapter 33 A+B =	947,164	1,438,331
LAWN AREA CALCULATION		
Maximum sod area per percentage of open space = 40% X 1,439,331 s.f =	575,732	575,000*
TREES		
No of trees required per net lot acre (Not including sports fields)		
53.67 - 17.3 = 36.37 acres x 28 trees per acre =	1,019	1,128
less existing number of tree meeting minimum requirements	-425	425
Total trees and palms	594	1,553
30% palms allowed: No. trees provided X 30% x 2 = 606	306	214
% Natives required: No. trees required X 30% =	306	770
STREET TREES		
Street trees (maximum average spacing of 35' o.c.		
661 linear feet along 176 street / 36 =	20	27
Street trees located directly beneath power lines (max. average spacing of 25' o.c.)		
1012 linear feet along 184 street / 25' oc =	41	43
SHRUBS		
No. of trees required X 10 = No. of shrubs required	10,190	11,450
No. of shrubs allowed X 30% = No. of native shrubs required	3,056	4,066
IRRIGATION PLAN	no	YES
s.f. required by Chapter 33	(yes/no)	(yes/no)

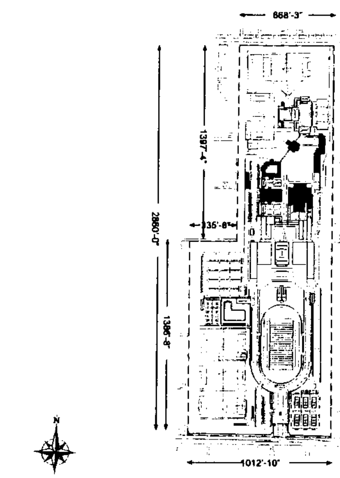
* The Childcare Checklist lists a lawn area of 582,713sf. The lawn area calculated here represents the maximum area of that 582,713sf to be covered by sod. The remainder is to be covered by native ground cover

LANDSCAPE PLANS

Consultant

GEOMANTIC DESIGNS, INC.
LANDSCAPE ARCHITECTURE
ROBERT PARSLEY A.S.L.A.
LA 0000705
6600 S.W. 81 STREET MIAMI, FL. 33143
PHONE: 305-665-9688 FAX: 305-668-8426

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

EU-M

LOT INFORMATION — SETBACK REQUIREMENTS — MINIMUM LOT REQUIREMENTS — ACCESSORY BUILDINGS — VEHICLES — MAXIMUM FLOOR AREA RATIO (F.A.R.) — PRIVATE SCHOOL PHYSICAL CHARACTERISTICS

See Exhibit "A"

LANDSCAPE SPECIFICATIONS

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
14
4.19.2010

Prepared By

DUANY PLATER-ZYBERK & CO.
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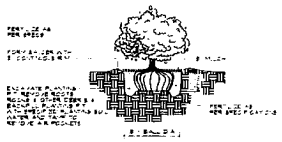
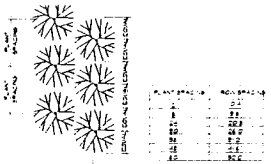
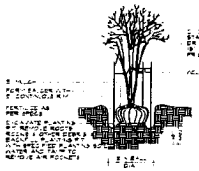
P. 305.644.1023 F. 305.644.1021

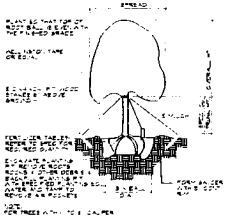


SHRUB PLANTING DETAIL

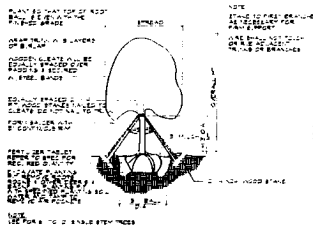




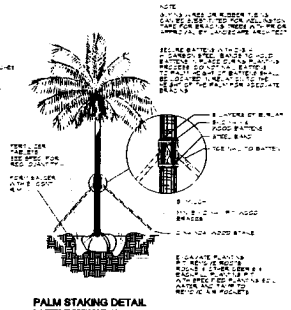
MULTI-TRUNK TREE STAKING



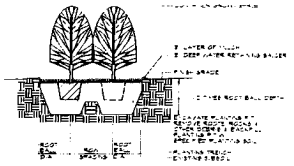
TREE PLANTING - GUY WIRES



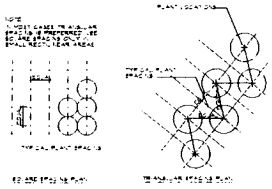
TREE BRACING DETAIL

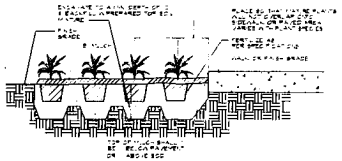


PALM STAKING DETAIL

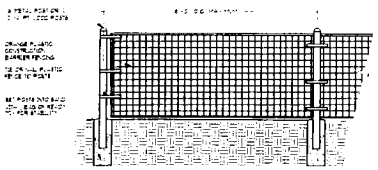


HEDGE & MASS PLANTING DETAIL

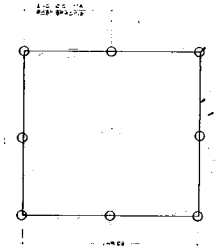




GROUND COVER PLANTING DETAIL



TRANSPLANT PROTECTION DETAIL



TRANSPLANT PROTECTION PLAN

PALMER TRINITY SCHOOL

LANDSCAPE LEGEND

Zoning District: EU-M (75' Buffer) Net Lot Area: 53.87 acres (2,337,911 s.f.)
Sports Fields: 17.37 acres (756,618 s.f.)

OPEN SPACE	REQUIRED	PROVIDED
Square feet of open space as required by Chapter 33: as indicated on site plan: Net Lot Area = 2,337,911 s f X 40% = 935,164 s f	935,164	1,439,331
Square Feet of parking open space required by Chapter 18A: as indicated on site plan: No of parking spaces 1200 X 10 s f per parking space = 12,000 s f	12,000	
Total s f of landscaped open space required by Chapter 33: A+B =	947,164	1,439,331
LAWN AREA CALCULATION		
Maximum sod area per percentage of open space = 40% X 1,439,331 s f =	575,732	575,000*
TREES		
No of trees required per net lot acre (Not including sports fields): 53.87 - 17.3 = 36.57 acres x 35 trees per acre =	1,018	1,126
less existing number of tree meeting minimum requirements	-425	425
Total trees and palms	594	1,553
30% palms allowed: No trees provided X 30% = 3 = 906	305	314
% Natives required: No. trees required X 30% =	305	770
STREET TREES		
Street trees (maximum average spacing of 35' o c 861 linear feet along 176 street / 35 =	30	27
Street trees located directly beneath power lines (max. average spacing of 35' o c) 1012 linear feet along 184 street / 25' oc =	41	43
SHRUBS		
No. of trees required X 10 = No. of shrubs required	10,180	11,488
No. of shrubs allowed X 30% = No. of native shrubs required	3,054	6,888
IRRIGATION PLAN	no	YES
s f required by Chapter 33	(yes/no)	(yes/no)

* The Childcare Checklist has a town area of 662.713sf. The town area calculated here represents the maximum area of due 662.713sf to be covered by sod. The remainder is to be covered by native ground cover.

GEOMANTIC DESIGNS, INC.
LANDSCAPE ARCHITECTURE
ROBERT PARSLEY A.S.L.A.
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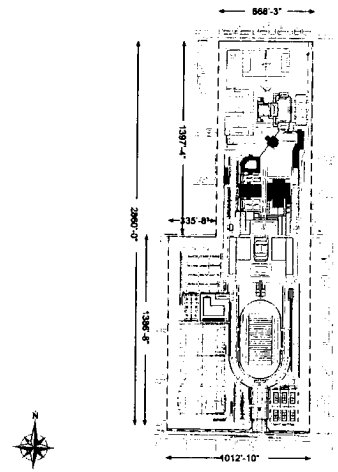
6400 S.W. 81 STREET MIAMI, FL. 33143
PHONE: 305-665-9688 FAX: 305-666-8426

Consultant



Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	59.24 ac	EU-M
LESS R-O-W	5.37 ac	
LESS WETLANDS	0	
LESS OTHER	0	
NET AREA ac. + /	53.87 ac	
NET AREA sq. ft. + /	2,337,911 sf	
LOT CO VERAGE (SFR only)	210,330 sf	9.00%
FLOOR AREA	600,000 sf	25.66%
A-LANDSCAPED OPEN SPACE	1,439,331 sf	61.58%
A-GRASS SUCH AS SOD	2 GRASS	
IN NATIVE UNDERVIEW OPEN SPACE		30% 5/1=6+4=7%

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
1 ST STREET	25'	25'
SIDE (S)	15'	15'
SIDE	50'	50'
SETBACK BUILDING		50' min.

ACCESSORY BUILDING		
FRONT	50	50'
1 ST STREET	25	50'
SIDE (S)	15	50'
SIDE	15	50'
SETBACK BUILDING	10	50' min.

MAXIMUM LOT COVERAGE REQUIREMENTS		
PROGRAMS FOR WHICH ZONED	EU	- 1.00%
LOT AREA NOT WITHIN ON LOT	10,000 s f	- 1,000,000 s f
LOT DEPTH FOR WHICH ZONED	100	1,000'
IN BLOCK 0 of B	10 Blks f	-

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 half stories	3+ story and up
2 s	2.5	3.0
Max. HE GHT OF PROPOSED BUILDINGS		50'
Max. HE GHT OF SECURITY FENCE		50'
Max. NUMBER OF STORIES FROM TOP		3
Max. NUMBER OF STORIES PROPOSED		3
F.A.R. PERMITTED		0.500
F.A.R. PROPOSED		0.256

VEHICLES		
MODEL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHREW FACL TIES		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SEE AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY (K-5)	See Exhibit "A"						
JUNIOR HIGH (6-8)							
HIGH SCHOOL (9-12)							
TOTAL							

Zoning Legend

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 15

4.19.2010

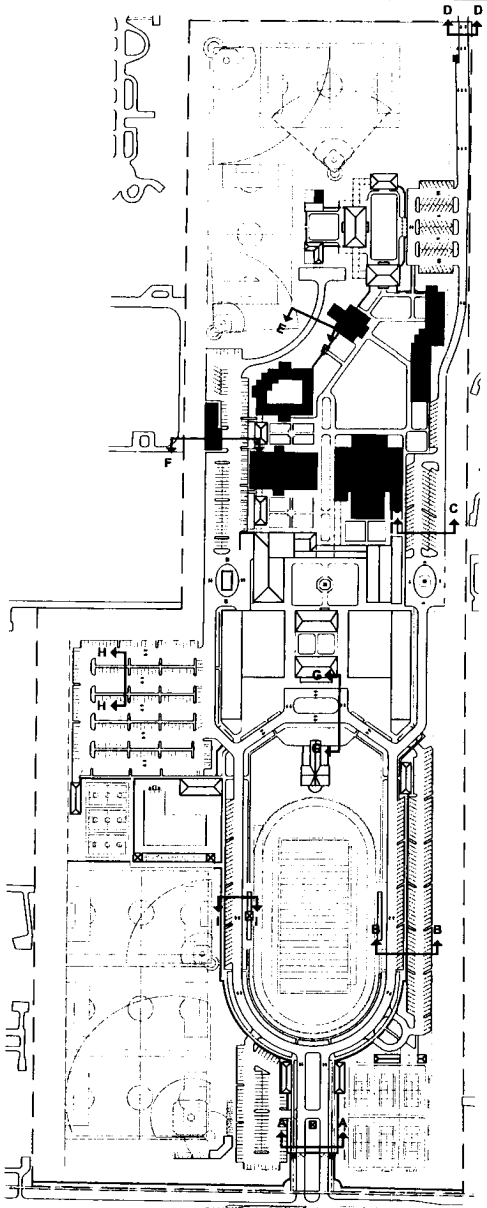
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

Prepared By

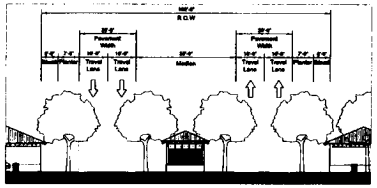
LANDSCAPE PLANS

LANDSCAPE DETAILS

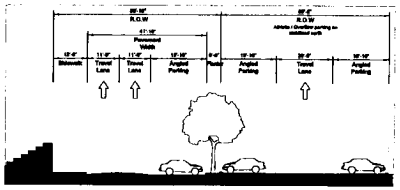
PRIVATE STREET SECTIONS



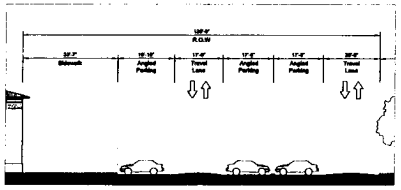
KEY MAP (NOT TO SCALE)



SECTION A-A



SECTION B-B



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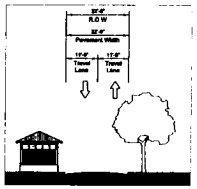

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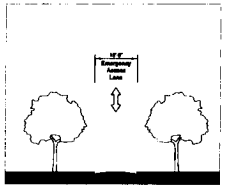

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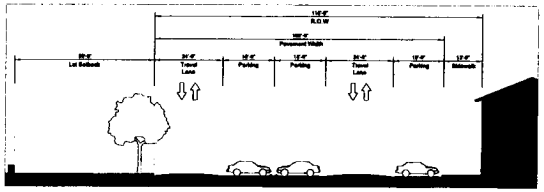
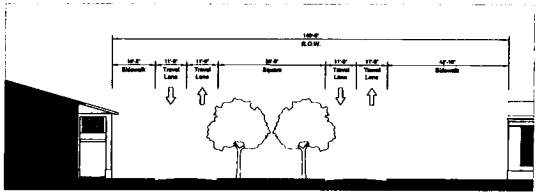


SECTION F-F



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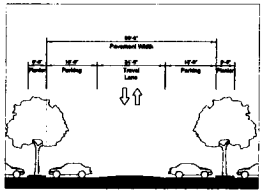
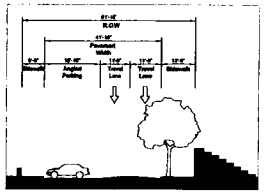
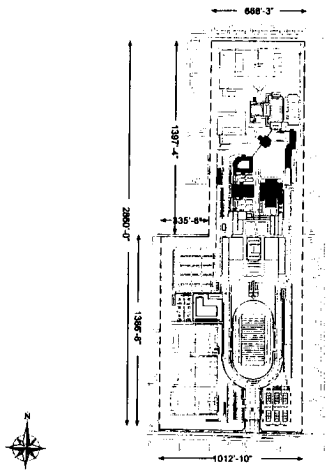


SECTION H-H



SECTION I-I

20 0 20 40



Master Plan Key

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	55.94 ac	EU-M
LEASE (in ac)	5.81 ac	
LESS (in ac)	0	
LESS (in ac)	0	
NET AREA (ac ±)	3,381,614.33 sf	
SUP CO VOUCHER (SPA area)	243,200 sf	5.58%
PAVED AREA	484,500.00 sf	14.32%
LANDSCAPED OPEN SPACE	1,654,314.33 sf	48.91%
U-150 AREA (SUCH AS NAT. AR)	2,000.00	
MINIMUM LANDSCAPED OPEN SPACE	30% (L.D. Code Req)	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	25'	30'
SIDE STREET	25'	30'
INTERIOR	10'	30'
REAR	10'	30'
SPRINKLER ENCROACH		10' min

ACCESSORY BUILDINGS	
FRONT	30'
SIDE STREET	30'
INTERIOR	10'
REAR	10'
BETWEEN BUILDINGS	10' 40' min

MINIMUM LOT DIMENSIONS		
FRONTAGE FOR INTERIOR LOT	50'	1,320'
LOT AREA FOR INTERIOR LOT	43,560 s.f.	1,320,000 s.f.
LOT DEPTH FOR INTERIOR LOT	110'	1000'
BUILDING S.B.	25 ZCA s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 and 3 stories	75 story and up
0.4	0.5	0.6

MAX. NO. OF PROPOSED BUILDINGS	30
MAX. NO. OF PROPOSED PARK TIER	30
MIN. NUMBER OF STORIES PARK TIER	2
MIN. NUMBER OF STORIES PROPOSED	2
F.A.R. PARK TIER	0.25
F.A.R. PROPOSED	0.25

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMARY (TOT)		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GRADE OF EDUCATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	NEIGHBORHOOD AREA	CLASSROOM AREA
ELEMENTARY		See Exhibit "A"					
JUNIOR HIGH							
HIGH SCHOOL							
TOTAL							

Prepared By

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7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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4.19.2010

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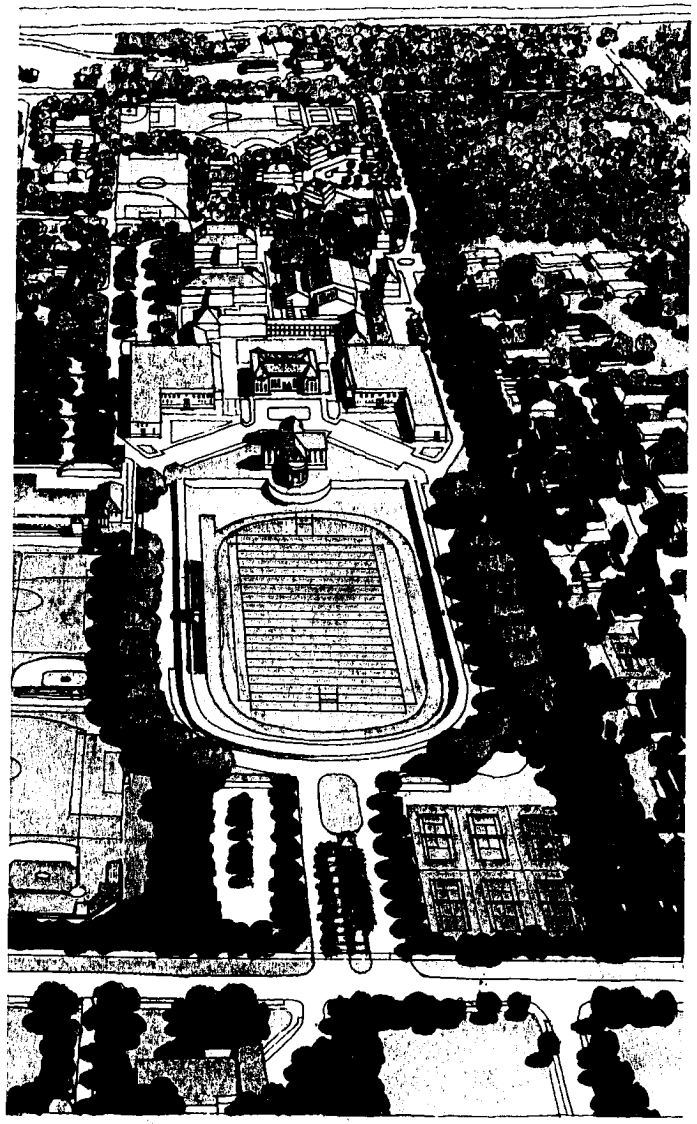
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

PRIVATE STREET SECTIONS

ILLUSTRATIONS



Aerial Perspective of the Palmer Trinity Campus Looking North

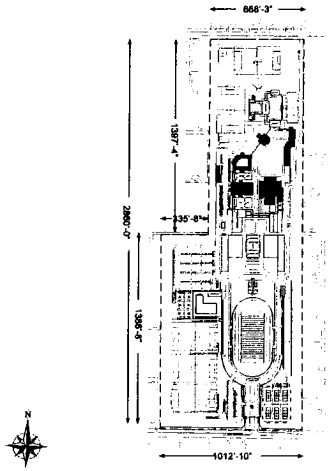
View of new classroom buildings and an associated outdoor seating area.
This view is taken at a pedestrian level from the edge of the existing sports fields looking southeast.

View of the square and drop-off area at the new main entrance of campus.
This view is taken at a pedestrian level from the chapel looking towards the media center and administration building.

Pedestrian level view of the main campus square.
The library, media center, and administration buildings are depicted at the center with the chapel seen beyond.

Legend

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	22.44 ac	EU-M
LESS R-O-W	1.47 ac	
LESS SWMA	0	
LESS ROW-GR	0	
NET AREA (ac *1)	2,147,314.24 sf	
LOT COVERAGE (50% max)	518,200 sf	24.0%
PAVED AREA	325,200.00 sf	15.00%
LANDSCAPED OPEN SPACE	1,404,341.24 sf	65.00%
ACTIVE SUB FUND OS	3.0000-01	
MINIMUM LANDSCAPED OPEN SPACE	25% - 5 (Approx)	

MINIMUM LOT REQUIREMENTS		
FRONAGE TOT. WIDTH (50 gf)	100'	1,270'
LOT AREA TOT. SIZE (20,000 sf)	20,000 s.f.	1,445,314 s.f.
LOT DEPTH TOT. DEPTH (150 gf)	110'	1000'
25% OF NO. 2 (2)	15 EDU s.f.	-

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50'	50'
S.W. STREET	30'	30'
NORTH OS	25'	70'
REAR	50'	50'
BETWEEN BUILDINGS	10'	10'

ACCESSORY BUILDINGS		
FRONT	50'	50'
S.W. STREET	30'	30'
NORTH OS	25'	25'
REAR	75	50'
BETWEEN BUILDINGS	10	10' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 Total stories	3+ story stories
0.4	0.10	0.05
Max. 15.00% OF PROPOSED F.A.R.=0		30'
Max. 15.00% OF 2+ STORIES NEW TRIP		30'
Max. NUMBER OF STORIES EXISTING TRIP		2
Max. NUMBER OF STORIES EXPROPOSED		3
F.A.R. PERMITTED		0.200
F.A.R. PROPOSED		0.200

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMER PLT 100		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	SQUARE OF SPECIALTY	STUDENTS	PERSONNEL	OUTDOOR AREA	SPORT AREA	RECREATION AREA	CLASSROOM AREA
NURSERY (18)				See Exhibit "A"			
KINDERGARTEN (5)							
ELEMENTARY (5-8)	7 BLDG x 11 SQFT/BLDG						
JR. HIGH (9-12)							
TOTAL							

Prepared By

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ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

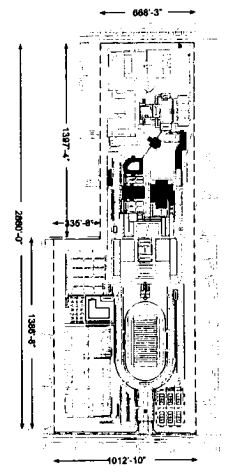
SCHEMATIC ARCHITECTURE

(8) GUARD HOUSE

Building Information

Building Number:	8
Building Use:	Guard House
Proposed Area:	196 SF
Ground Floor Area:	196 SF
Classrooms:	0
Classroom Area:	0
Number of Floors:	1
Height to Eave:	10'-9"
Height to Top of Roof:	14'-1/2"
Comments:	The plan includes 2 Guard Houses

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT DEFORMATION		
GROSS AREA (ACRES)	35.14 ac	EU-M
LESS R-O-W	1.41 ac	
LESS WATER	0	
LESS OWNER	0	
NET AREA sq. ft.	3,067,011.01 sf	
LOT COVERAGE (SFR only)	170,000 sf	5.54%
PAVED AREA	600,000.00 sf	19.56%
A.C.U.E. PER SF DWELLING	1,400,000.00 sf	45.66%
A-1 GRASS BASE HOME SIZE	2 (NON EU)	
MAXIMUM LOS BEDROOMS (PER DWELLING)		0% - 0 to 0 bedrooms

BUILDING LOT REQUIREMENTS		
MINIMUM PER AREA EU-M	10	1.43/ac
LOT AREA PER UNIT EU-M	43,560 s.f.	1.43/0.5=2.0
LOT WIDTH PER AREA EU-M	150	150'
MAX. HT. EU-M	42,500 s.f.	

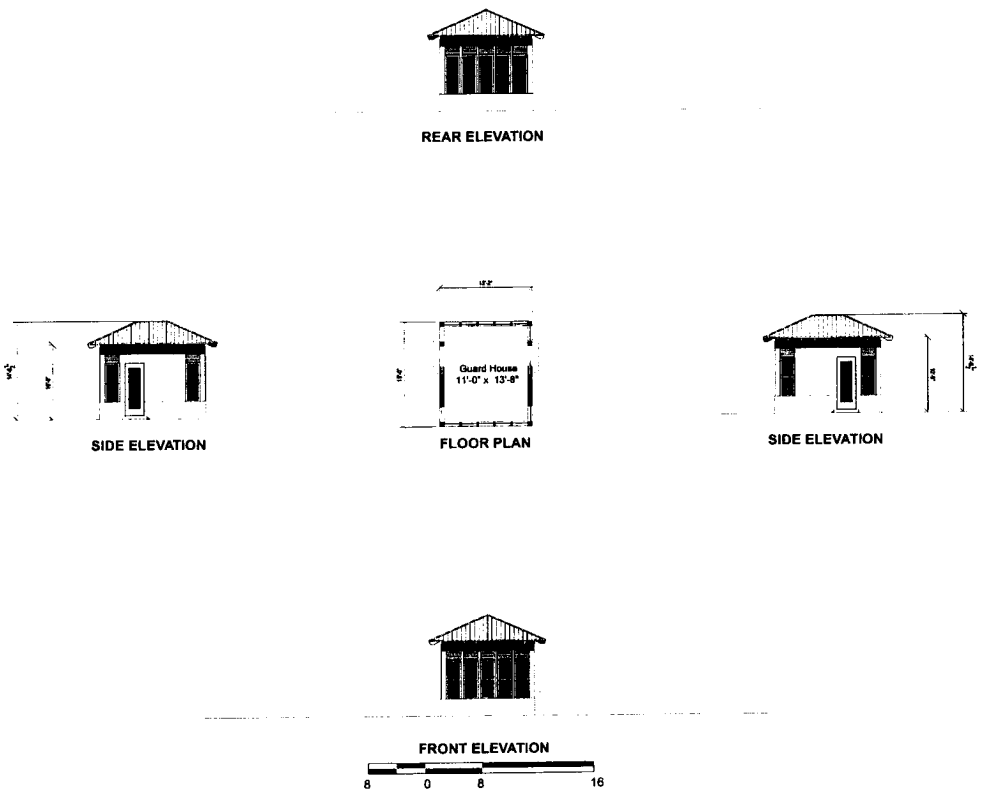
SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
SIDE STREET	25	25'
SIDE OR	8	10'
REAR	10	10'
BETWEEN BUILDINGS		20' min

ACCESSORY BUILDINGS		
FRONT	25	50'
SIDE STREET	25	50'
SIDE OR	10	10'
REAR	10	10'
BETWEEN BUILDINGS	10	10' min

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY HIGH (EU-M/EU-S)	See Exhibit 'A'	
JUNIOR HIGH (EU-M/EU-S)		
HIGH SCHOOL (EU-M/EU-S)		
SUBTOTAL		

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	1 floor area	35 floor area sq. ft.
2	0.11	0.22
MAX. HT. EU-M (IF PROPOSED BUILDING)		50'
MAX. HT. EU-M (IF BUILDING NEW TYPE)		50'
MAX. NUMBER OF STORIES (NEW TYPE)		3
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. NEW TYPE		0.242
F.A.R. PROPOSED		0.242

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	NUMBER OF SPECIALISTS	STUDENTS	PERSONNEL	OUTDOOR AREA	NET AREA	RECREATION AREA	CLASSROOM AREA
EARLY CHILDHOOD							
ELEMENTARY							
ELEMENTARY (P.E.)							
JR. AND SR. HIGH (P.E.)							
TOTAL							



PALMER TRINITY SCHOOL
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ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

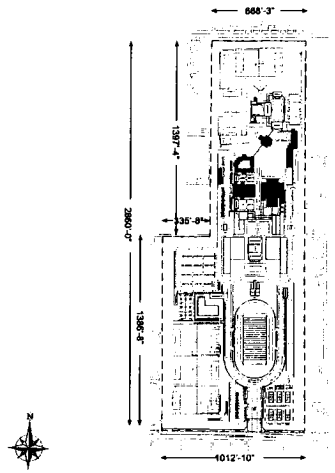
SCHEMATIC ARCHITECTURE

(9.1) MUSIC AND PHYSICAL EDUCATION

Building Information

Building Number: 9.1
Building Use: Elementary School - Music and Physical Education
Proposed Area: 2,640 SF
Ground Floor Area: 2,640 SF
Classrooms: 2
Classroom Area: 1,621 SF
Number of Floors: 1
Height to Eave: 24'-0"
Height to Top of Roof: 33'-10"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (NOTES)	SU M	EU-M
AREA R-W	1.47 ac	
LESS AVES	0	
LESS OR-ES	0	
NET AREA (ac ±)	2,591,341.34 sf	
LOT CV (SPACE OFF) (min)	110,000 sf	1.50%
PV-LED (min)	552,203.20 sf	20.00%
LANDSCAPED OPEN SPACE	1,448,000.20 sf	51.00%
H-BRAND SUND HE HE SEF	1 SPACES	
M SHAM LANDSC OPEN SPACE	37% - By Public Park	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
S-E STREET	25'	50'
WEST OR	25'	50'
REAR	50'	50'
BETWEEN BUILDINGS		30' min

ACCESSORY BUILDINGS		
FRONT	50'	50'
S-E STREET	25'	50'
WEST OR	25'	50'
REAR	10'	50'
BETWEEN BUILDINGS	10'	30' min

BUILDING LOT REQUIREMENTS		
PROXIMITY FOR WEST OR LOT	50'	1,250'
LOT AREA PER WEST OR LOT	43,000 s.f.	1,448,000 s.f.
LOT DEPTH PER WEST OR LOT	150'	1000'
M-LO-HO 2.30	10 (Dis 1)	-

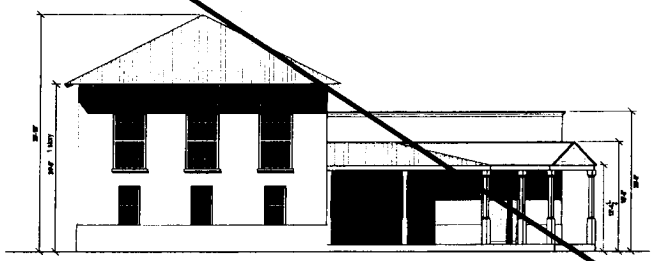
BUILDING FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 to 4 story	24 story and up
F.A.	1.11	3.50

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SPECIALS (1-12)		

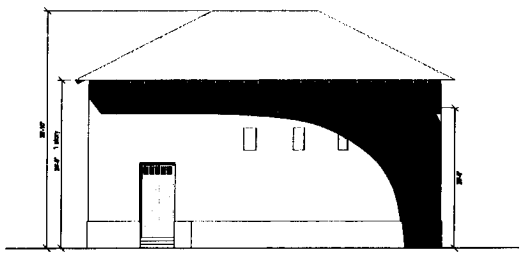
MAX HEIGHT OF PROFESSIONAL HOME	35'
MAX HEIGHT OF A-U-HOME PERMITTED	35'
MAX NUMBER OF PROFESSIONAL TRUCKS	1
MAX NUMBER OF STORE CO-PROPOSED	1
F.A.R. PERM PROP	0.04
F.A.R. PROPOSED	0.05

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PARKING	BUILDING AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
EARLY CHILDHOOD (PK)	7:00 AM to 11:00 PM (Min)	See Exhibit "A"					
KINDERGARTEN							
ELEMENTARY (1-5)							
JR. HIGH (6-8) HIGH (9-12)							
TOTAL							

Building Plan

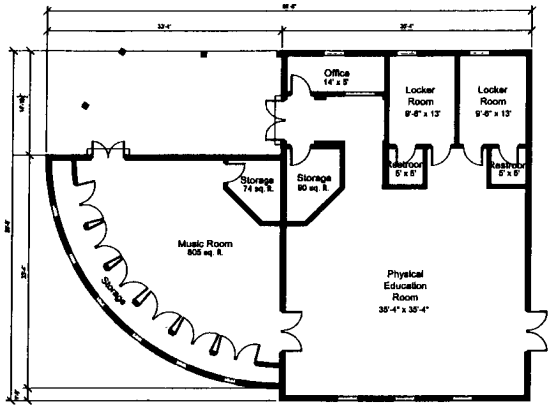


NORTH ELEVATION



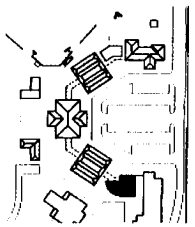
WEST ELEVATION

VOID



FIRST FLOOR PLAN

8 0 8 16



ELEMENTARY SCHOOL KEY

100 0 100 200

N

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ARCHITECTS AND TOWN PLANNERS
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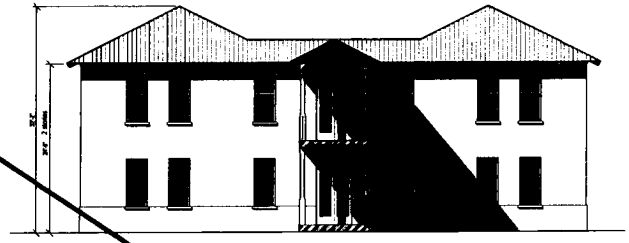
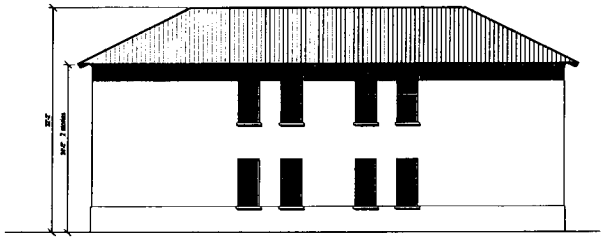
SCHEMATIC ARCHITECTURE

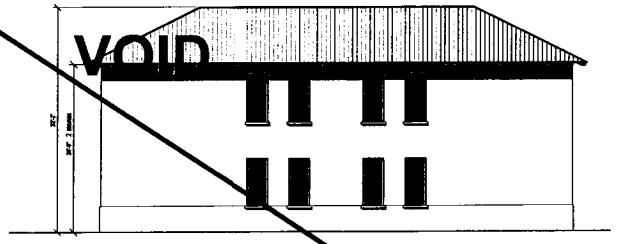
(9.2) CLASSROOM BUILDING



NORTHWEST ELEVATION



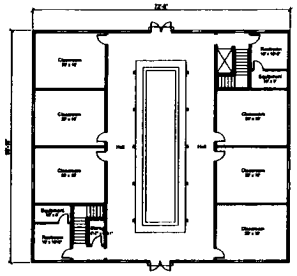
NORTHEAST ELEVATION



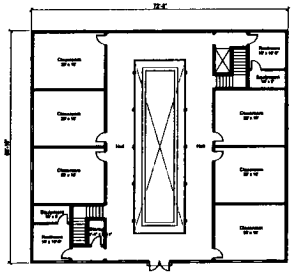
SOUTHWEST ELEVATION

VOID

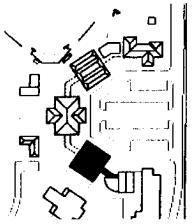
8 0 8 16



FIRST FLOOR PLAN



SECOND FLOOR PLAN



ELEMENTARY SCHOOL KEY

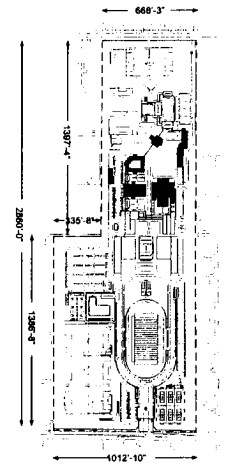
16 0 16 32

100 0 100 200

Building Information

Building Number:	9.2
Building Use:	Elementary School - Classrooms
Proposed Area:	9,580 SF
Ground Floor Area:	4,858 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

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	35.14 ac	EU-M
LESS R-o-w	1.07 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA sec 1	2,291,211.21 sf	
LAND DEVELOPMENT (DEP) req	216,000 sf	0.10%
PAVED AREA	200,000.00 sf	10.00%
LANDSCAPED OPEN SPACE	1,425,000.00 sf	71.00%
1 SPACE PER 10 SEAT CAP	1 SPACE EA	
50 % MAX LANDSCAPED OPEN SPACE	EA. 5 Indoor Pkg	

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR WIDE DRIVER	120	1,320'
LOT AREA FOR WIDE DRIVER	10.00 ac.*	1,000,000 s.f.
LOT DEPTH FOR WIDE DRIVER	110	1000'
MAX HEIGHT ft 35	12.00 s.f.	

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
ALL SCHOOLS		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	25'	25'
WIDE SIDE	25'	25'
REAR	50'	50'
SETBACK BUFFER		50' min

ACCESSORY BUILDINGS		
FRONT	N	50'
SIDE STREET	25	25'
WIDE SIDE	25'	25'
REAR	11'	50'
SETBACK BUFFER	0	50' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 Stry.	2 and above	10 s.f. per story
0.4	0.11	0.10

Bldg. HT. EAVE OF PROPOSED BUILDINGS	35'
Bldg. HT. RIDGE OF BUILDINGS PERMITTED	35'
MAX. NUMBER OF STORIES PERMITTED	2
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. PERMITTED	0.274
F.A.R. PROPOSED	0.200

PERMITTED SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PARKING	INTERIOR AREA	GYM AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY SCHOOL (GRADES P-5)	7:30 AM to 11:30 PM Daily	See Exhibit "A"					
JUNIOR SCHOOL (GRADES 6-8)							
HIGH SCHOOL (GRADES 9-12)							
ALL SCHOOLS							
TOTAL							

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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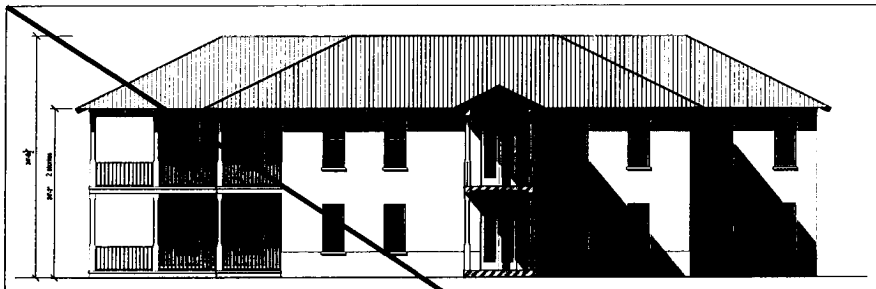
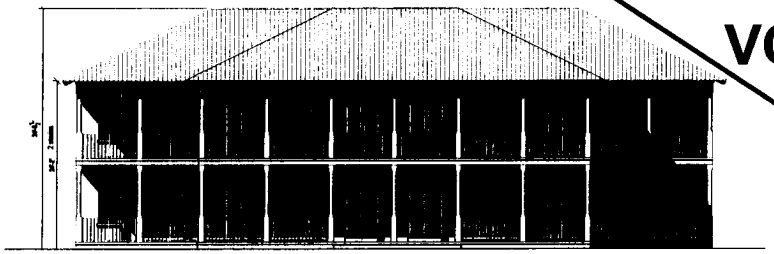
SCHEMATIC ARCHITECTURE

(9.3) LIBRARY, DINING, CLASSROOM BUILDING

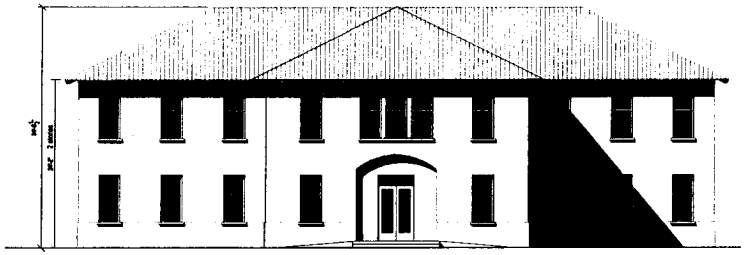
VOID



SOUTH ELEVATION

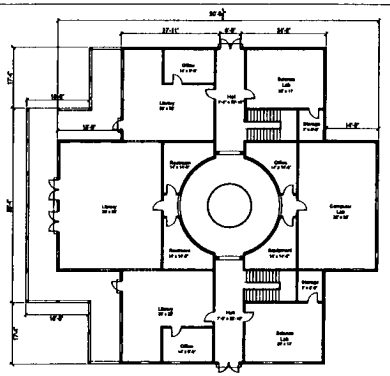


WEST ELEVATION

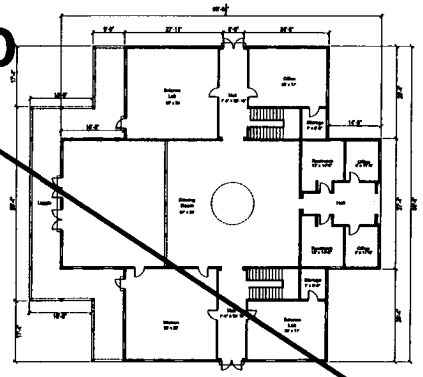


EAST ELEVATION

8 0 8 16

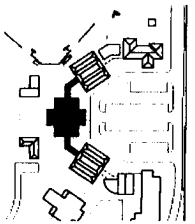


SECOND FLOOR PLAN



FIRST FLOOR PLAN

16 0 16 32



ELEMENTARY SCHOOL KEY

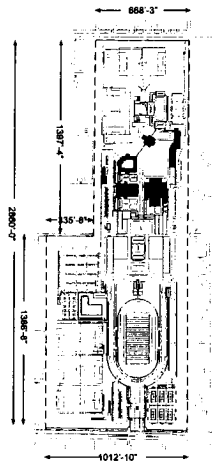
100 0 100 200

N

Building Information

Building Number:	9.3
Building Use:	Elementary School Library and Dining Hall
Proposed Area:	12,621 SF
Ground Floor Area:	7,569 SF
Classrooms:	5
Classroom Area:	2,547 SF
Number of Floors:	2
Height to Eave:	24'-2"
Height to Top of Roof:	34'-6.5"
Comments:	

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	22.12 ac	EU-M
WIDTH (Ft)	1,01 ac	
LEAD (Ft)	0	
LENG (Ft)	0	
NET AREA (ac.)	1,101 (54,00 sf)	
LOT COVERAGE (Sq.mtrs)	14,00 sf	5,000
PAVED AREA	20,000.00 sf	20,000
LANDSCAPED OPEN SPACE	1,101,00 sf	11,000
ALTERNATE BUILDING OPEN SPACE	2 STORIES	
MINIMUM LANDSCAPED OPEN SPACE	25% - 5,1 (Ft.)/Ft.Sq	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	10	30'
SIDE STREET	10	30'
INSIDE LOT	10	30'
REAR	30	30'
SETBACKS/BUILDINGS	-	30' min

ACCESSORY BUILDINGS		
FRONT	30	30'
SIDE STREET	30	30'
INSIDE LOT	30	30'
REAR	10	10'
SETBACKS/BUILDINGS	10	10' min

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR AREA GROUP	100	1,012'
LOT AREA FOR AREA GROUP	10,000 s.f.	1,101,000 s.f.
LOT DEPTH FOR AREA GROUP	100	1361'
BUILDING FOOTPRINT	12,000 s.f.	-

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 STORY	2 TO 4 STORY	5 to 7 (Ft.) Sq.mtrs
0.4	0.45	0.55
MAX. % OFF OF PROPERTIES SHALL FACE		50'
MAX. % OFF OF BUILDINGS FROM TREE		50'
MAX. NUMBER OF FOUR EVENTS PER		3
MAX. NUMBER OF STAR EQ PROPOSED		3
T.A.R. PERMITTED		0.45
T.A.R. PROPOSED		0.55

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-4)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 5-8)		
HIGH SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	NAME OF SCHOOL	STUDENTS	PLAYGROUND	PARKING AREA	BUS AREA	RECREATION AREA	CLASSROOM AREA
NURSERY/PRE							
KINDERGARTEN							
ELEMENTARY (1-4)							
JR. AND SR. HIGH (5-8)							
TOTAL							

See Exhibit "A"

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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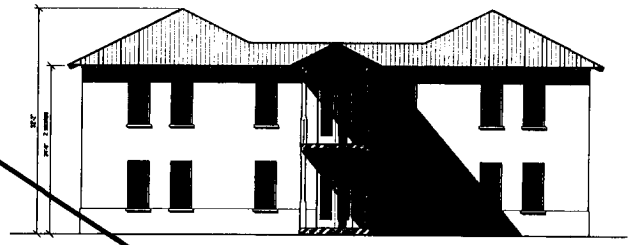
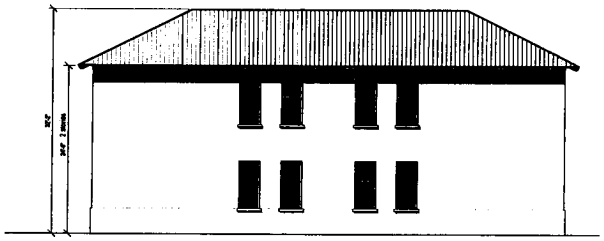
(9.4) CLASSROOM BUILDING

Building Information

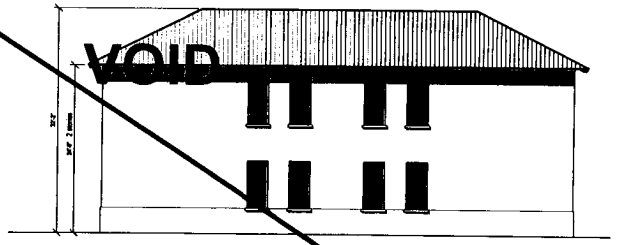
Building Number: 9.4
Building Use: Elementary School - Classroom
Proposed Area: 9,580 SF
Ground Floor Area: 4,586 SF
Classrooms: 12
Classroom Area: 3,816 SF
Number of Floors: 2
Height to Eave: 24'-0"
Height to Top of Roof: 32'-2"
Comments:



NORTHWEST ELEVATION

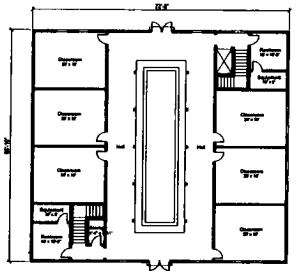


NORTHEAST ELEVATION

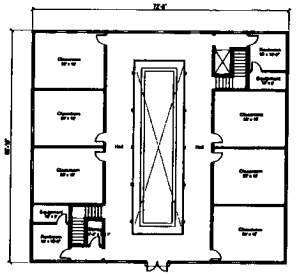


SOUTHWEST ELEVATION

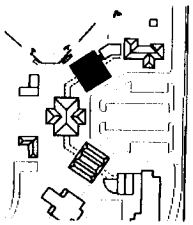
8 0 8 16



FIRST FLOOR PLAN



SECOND FLOOR PLAN

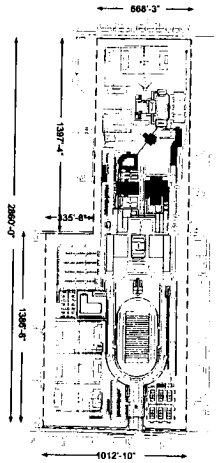


ELEMENTARY SCHOOL KEY

16 0 16 32

100 0 100 200

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	20.44 ac	EU-M
LESS R.O.W.	1.41 ac	
LESS AVIGATION	0	
LESS OTHER	0	
NET AREA (ac.) *	1,287,211.24 sf	
LOT COVERAGE (SFR only)	374,200 sf	9.00%
FA-GB AREA	200,000.00 sf	15.00%
LANDSCAPED OPEN SPACE	1,012,000.00 sf	31.00%
IN GROUND SHADE AREA	2 PROS EQ	
IN HARD LANDSCAPED OPEN SPACE	50% - By Related Proj.	

MINIMUM LOT DIMENSIONS		
FRONTAGE *ON ARTERIAL*	60	* LAND
LOT AREA *ON ARTERIAL*	10,000 s.f. *	* LAND PER AC
LOT DEPTH *ON ARTERIAL*	100'	100'
W x D (sf)	10,000 s.f.	

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUBTOTAL 1-12		

SETBACK REQUIREMENTS		
SETBACK TYPE	Required	Provided
FRONT	50'	200'
1 ST STREET	50'	50'
OTHER ON	50	50'
REAR	50'	50'
BETWEEN BUILDINGS	-	30' min.

ACCESSORY BUILDINGS		
FRONT	50	50'
1 ST STREET	50	50'
OTHER ON	50	50'
REAR	10	50'
BETWEEN BUILDINGS	10'	30' min.

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 story areas	3 story areas
0.4	0.45	0.55

MAX. HEIGHT OF SIGNS (FREE STANDING)	30'
MAX. HEIGHT OF SIGNS (ATTACHED TYPE)	30'
MAX. NUMBER OF SIGNS (FREE STANDING)	1
MAX. NUMBER OF SIGNS (ATTACHED)	1
F.A.R. (FREE STANDING)	0.016
F.A.R. (ATTACHED)	0.008

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	TEACHERS	OUTDOOR AREA	SITE AREA	SECRETARIAL AREA	CLASSROOM AREA
KINDERGARTEN	7:45 AM to 12:30 PM Mon.	See Exhibit "A"					
PRE-KINDERGARTEN							
ELEMENTARY (K-5)							
JR. HIGH (6-8)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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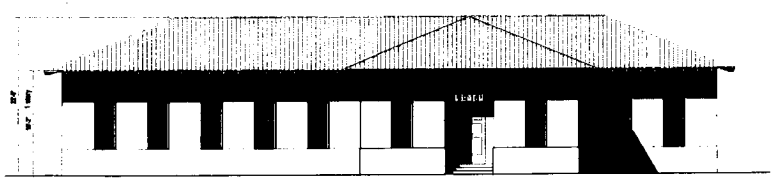
(9.5) DAYCARE BUILDING

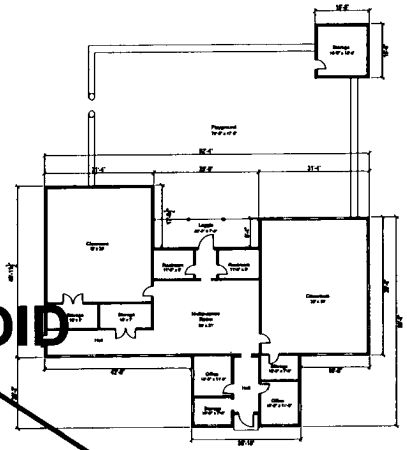
VOID

NORTH ELEVATION



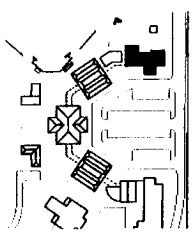
SOUTH ELEVATION

8 0 8 16



FIRST FLOOR PLAN

16 0 16 32



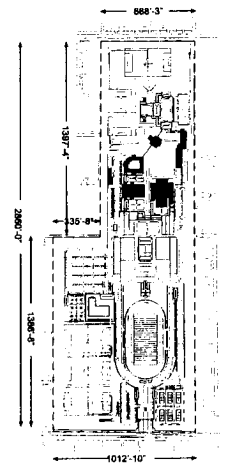
ELEMENTARY SCHOOL KEY

100 0 100 200

Building Information

Building Number: 9.5
Building Use: Elementary School - Daycare Center
Proposed Area: 4,558 SF
Ground Floor Area: 4,558 SF
Classrooms: 3
Classroom Area: 2,754 SF
Number of Floors: 1
Height to Eave: 15'-2"
Height to Top of Roof: 22'-9"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (SQ.FT.)	35.11 ac	EU-M
LEGAL DWELLING	1.00 ac	
LEGAL STORIES	1	
LEGAL STRUCTURE	2	
NET AREA (ac.)	1,529,241.51 sf	
LOT COVERAGE (SQ.FT.)	215,281 sf	14.08%
FLOOR AREA	450,365.00 sf	29.45%
LANDSCAPED OPEN SPACE	1,063,876.51 sf	69.55%
PAVED AREA (0.12 PG 42 SP)	2,000.00	
PERVIOUS/PERVIOUS OPEN SPACE	57% / 0% (Pulverized)	

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR WIDER CLEAR	100'	1,529'
LOT AREA FOR WIDER CLEAR	43,560 sf	1,529,241.51
LOT DEPTH FOR WIDER CLEAR	200	1,529'
Non-residential 2.00	30,000 sf	-

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	868'
S.W. STREET	50'	50'
WIDER SIDE	25'	50'
REAR	50'	50'
SETBACK/BUILDING		50' min

ACCESSORY BUILDINGS		
FRONT	25'	50'
S.W. STREET	25'	50'
WIDER SIDE	25'	50'
REAR	15'	25'
SETBACK/BUILDING	10'	25' min

MAXIMUM FLOOR AREA (SQ.FT. OF A.R.) per NO. OF BUILDING STORIES		
1 story	2 to 4 story	5 to 7 story and up
1 x	2 x	3 x

Zone: AE (SHE OF PROPOSED BUILDING)	50'
Zone: AE (SHE OF BUILDING FROM TREE)	50'
Zone: NUMBER OF STORIES FROM TREE	1
Zone: NUMBER OF STORIES PROPOSED	1
* A.R. PERMITTED	5,000
* A.R. PROPOSED	4,558

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
MIDDLE OR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SPECIAL (1-12)		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PARKING	OUTDOOR AREA	SITE AREA	PACKAGE/MIN AREA	CLASSROOM AREA
EARLY PRE (NURSERY/PRE-K)						
ELEMENTARY (P-5)	7:30 AM to 11:30 PM (Sun)	See Exhibit "A"				
JR. AND SR. HIGH (6-12)						
	Notes:					

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7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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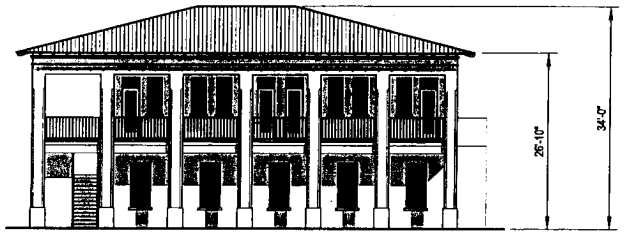
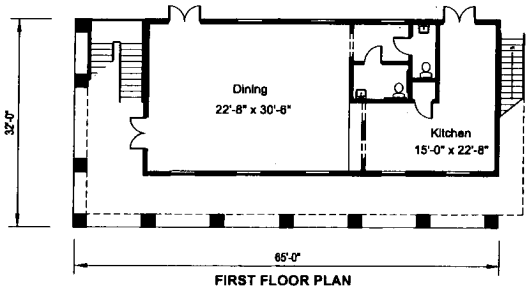
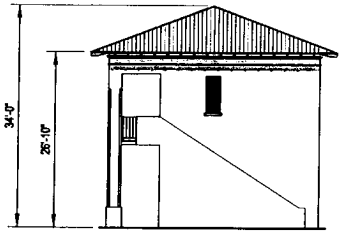


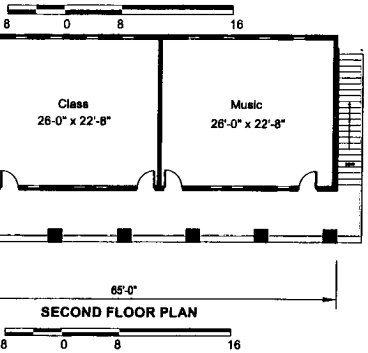
SOUTH ELEVATION



FIRST FLOOR PLAN

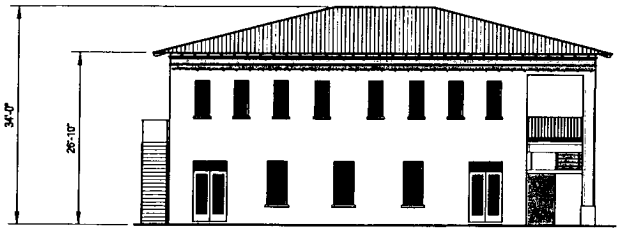


WEST ELEVATION



SECOND FLOOR PLAN

EAST ELEVATION

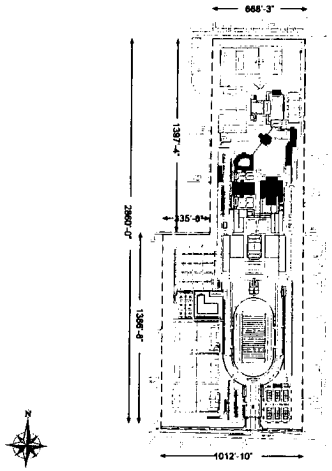


NORTH ELEVATION

Building Information

Building Number: 9.6
Building Use: Classroom and Dining Building
Proposed Area: 4,608 SF
Ground Floor Area: 2,304 SF
Classrooms: 1
Classroom Area: 572 SF
Number of Floors: 2
Height to Eave: 26'-10"
Height to Top of Roof: 34'-0"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	10.16 ac	EU-M
LESS R.O.W.	1.41 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA (ac.)	8.75	
LOT COVERAGE (25% max)	24,300 sf	6.00%
FLOOR AREA	54,204.33 sf	13.00%
PLANTED/PRESERVED OPEN SPACE	1,404,205.33 sf	61.00%
ALLOWABLE PLACES OF USE	2 PLACES	
25 % PLANTED/RESERVED OPEN SPACE	25% - 6, Student Pop	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
1 ST STREET	50	50'
WINDOW	50	50'
REAR	50	50'
SETBACK BETWEEN BUILDINGS		30' min

ACCESSORY BUILDINGS		
FRONT	50	50'
1 ST STREET	50	50'
WINDOW	50	50'
REAR	15	50'
SETBACK BUILDINGS	10	30' min

MINIMUM LOT REQUIREMENTS		
FRONAGE FOR OPEN CHART	150	1 - 5,000
LOT AREA FOR OPEN ON LOT	10,000 s.f.	1,000,000 s.f.
LOT WIDTH FOR OPEN ON LOT	100	1000'
Sec.33-151.3.3E	12.150 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 floor above	3d or more story
0.4	0.35	0.25
MAX. HT. EAVE OF PROPOSED BUILDINGS		30'
MAX. HT. EAVE OF BUILDING FROM TREE		30'
MAX. NUMBER OF STORIES FROM TREE		2
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. PERMITTED		0.35
F.A.R. PROPOSED		0.02

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY / SCHOOL ADMIRES F.A.	See Exhibit 'A'	
JUN OR SCHOOL ADMIRES F.A.		
H SH SCHOOL ADMIRES F.A.		
SHARE PER L.T.S.		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY	7 AM-6 PM M-F	See Exhibit 'A'					
JUNIOR HIGH							
ELEMENTARY 9 to 5							
JR. HIGH OR HIGH 9-12							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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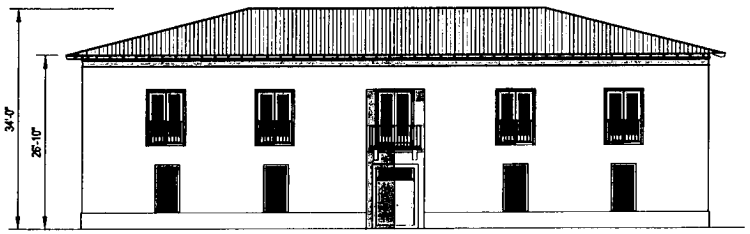
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

SCHEMATIC ARCHITECTURE

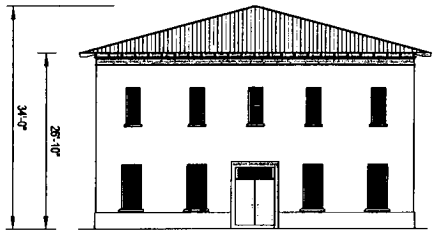
(9.6) CLASSROOM AND DINING BUILDING

SCHEMATIC ARCHITECTURE

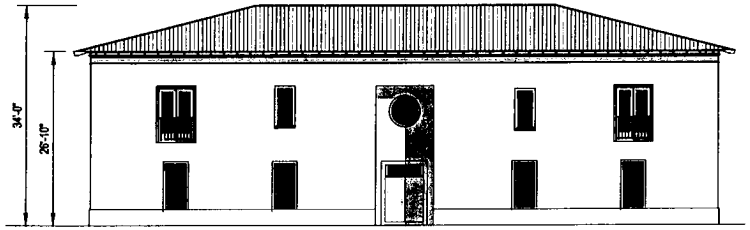
(9.7) CLASSROOM BUILDING



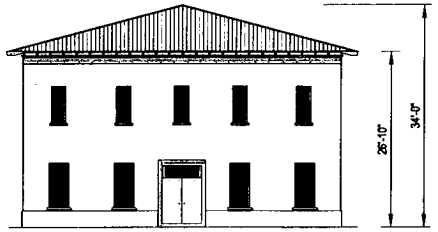
EAST ELEVATION



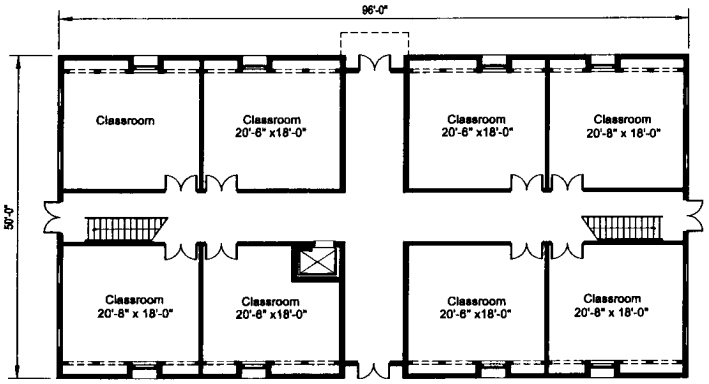
NORTH ELEVATION



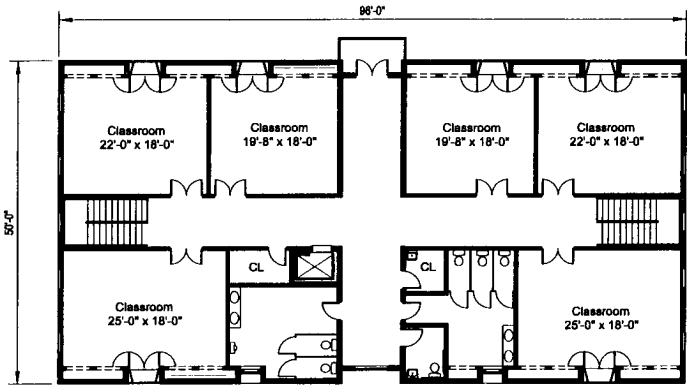
WEST ELEVATION



SOUTH ELEVATION



FIRST FLOOR PLAN



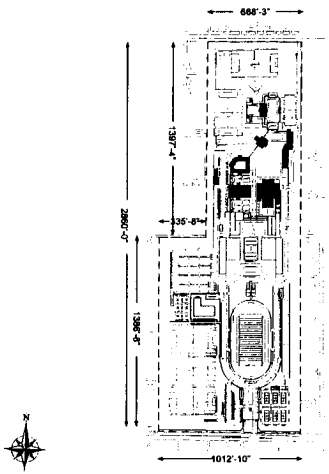
SECOND FLOOR PLAN

8 0 8 16

Building Information

Building Number: 9.7
Building Use: Classroom Building
Proposed Area: 9,216 SF
Ground Floor Area: 4,608 SF
Classrooms: 14
Classroom Area: 5,600 SF
Number of Floors: 2
Height to Eave: 26'-10"
Height to Top of Roof: 35'-0"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	15.11 ac	EU-M
LESS R-O-W	1.41 ac	
LESS N-O-W	0	
LESS OR-WB	0	
NET AREA (ac.)	13,182,411.00 sf	
LOT COVERAGE (SF) (%)	74,300 sf	0.56%
PAVED AREA	69,200.00 sf	52.50%
LANDSCAPED OPEN SPACE	1,423,211.00 sf	41.00%
% OF LANDSCAPED OPEN SPACE	1 PER 2.5	37% - By Student Pop
% OF PLANTED AREAS OPEN SPACE		

DIMENSIONAL LOT REQUIREMENTS		
FRONTAGE FOR OPEN USE	100	- 1,319'
LOT AREA FOR OPEN USE	43,560 s.f.	- 1,382,241 s.f.
LOT DEPTH FOR OPEN USE	150	1000'
MIN LOT WIDTH (ft)	12,000 s.f.	-

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
JUNIOR HIGH (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED FACILITIES		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50'	200'
SIDE STREET	25	50'
SIDE OR	25	50
REAR	50	300'
BETWEEN BUILDINGS		50' min.

ACCESSORY BUILDINGS		
FRONT	25	50'
SIDE STREET	25	50'
SIDE OR	25'	50'
REAR	25	50'
BETWEEN BUILDINGS	10	50' min.

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 story	3+ story and up
1.0	2.0	2.5

MAX. NO. OF PROFESSIONAL/FLOOR	50
MAX. NO. OF PLAYFIELD PER TEN	20
MAX. NUMBER OF STORIES PERMITTED	2
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. PERMITTED	0.50
F.A.R. PROPOSED	0.05

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	AREAS OF SPECIALTIES	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
NURSERY PRE-KINDERGARTEN	FIL. Kids + LYNCH Dist.	See Exhibit "A"					
ELEMENTARY (1-5)							
JR. HIGH (6-8)							
SR. HIGH (9-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
23.2
4.19.2010

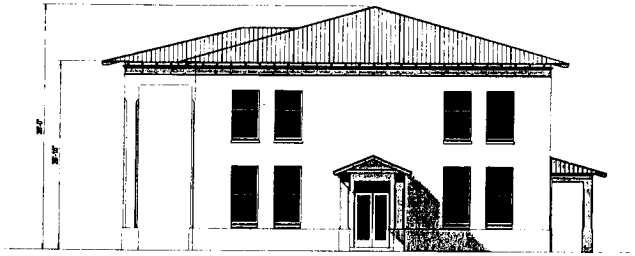
Prepared By

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

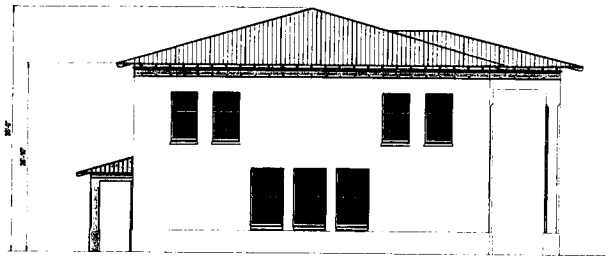
SCHEMATIC ARCHITECTURE

(9.8) CLASSROOM, LIBRARY AND LAB BUILDING

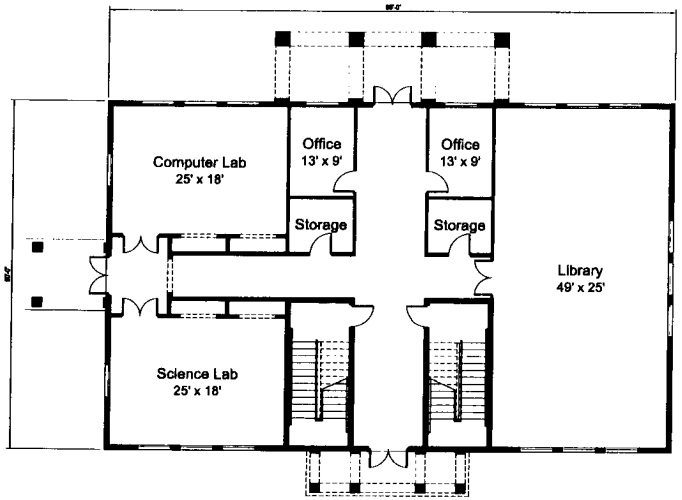
NORTH ELEVATION



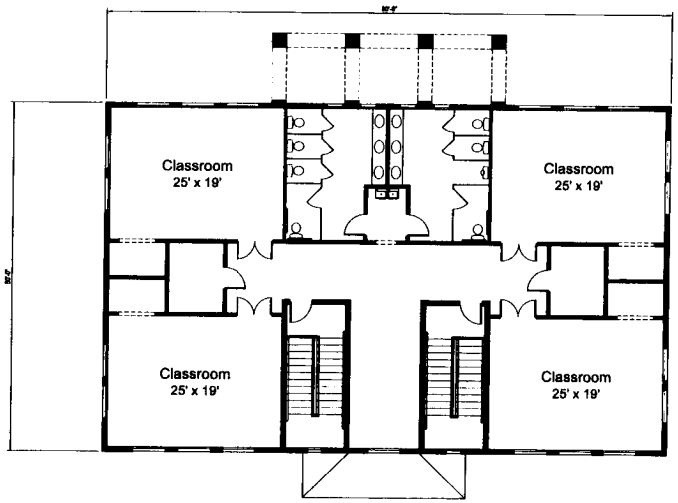
WEST ELEVATION



EAST ELEVATION



FIRST FLOOR PLAN



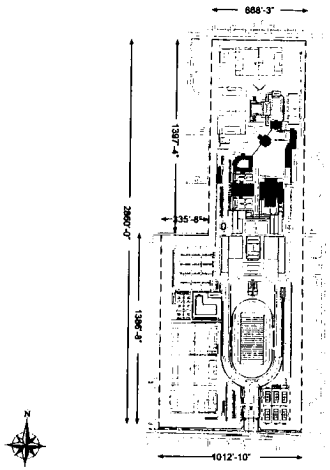
SECOND FLOOR PLAN

8 0 8 16

Building Information

Building Number: 9.8
Building Use: Classroom, Library and Lab Building
Proposed Area: 9,216 SF
Ground Floor Area: 2,272 SF
Classrooms: 4
Classroom Area: 2,400 SF
Number of Floors: 2
Height to Eave: 26'-10"
Height to Top of Roof: 35'-0"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA-ACRES	55.54 ac	EU-M
LESS R-O-W	5.07 ac	
LESS SWMP	0	
LESS OPEN SPACE	0	
NET AREA-AC (*)	1,200,314.31 sf	
LOT COVERAGE (BR+AB)	20,480 sf	1.70%
PAVED AREA	600,000.00 sf	50.00%
LANDSCAPED OPEN SPACE	1,413,386.31 sf	51.00%
LARGE SHADE PLANT SHT	2 PER 25	
MINIMUM LANDSCAPED OPEN SPACE	30% - By Exhibit "A"	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	50	50'
SIDE OR	15	15'
REAR	50	50'
BETWEEN BLDG HGT		30' min

ACCESSORY BUILDINGS		
FRONT	50	50'
SIDE STREET	50	50'
SIDE OR	30	30'
REAR	7.5	50'
BETWEEN BLDG HGT	15	30' min

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR PRIN BLDG	50'	1,000'
LOT AREA FOR PRIN BLDG	10,000 s.f.	1,200,314.31 ac
LOT DEPTH FOR PRIN BLDG	100'	1200'
RATIO 0.3 SE	0.3 SC = 1	-

MAXIMUM FLOOR AREA RATIO F.A.R. per NO. OF BUILDING STORIES		
1 story	2 floor 2 stories	3 floor and up
F.A.R.	0.1	0.15
MAX. NO. OF STORIES PROPOSED (BUILDING)		2
MAX. NO. OF STORIES BUILDING PERMITTED		3
MAX. NUMBER OF STORIES PROPOSED		2
MAX. NUMBER OF STORIES PERMITTED		3
F.A.R. PERMITTED		0.20
F.A.R. PROPOSED		0.03

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED YES / NO		

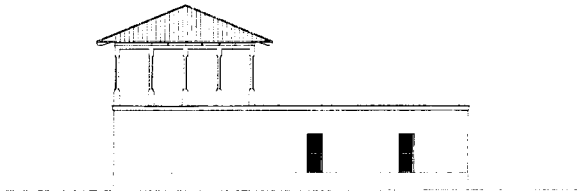
PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	INTERIOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
ENTRANCE LEVEL						
GROUND LEVEL						
ELEMENTARY (1-5)	7:30 AM to 11:00 PM Mon.	See Exhibit "A"				
JR. HIGH (6-8)						
SR. HIGH (9-12)						
TOTAL						

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

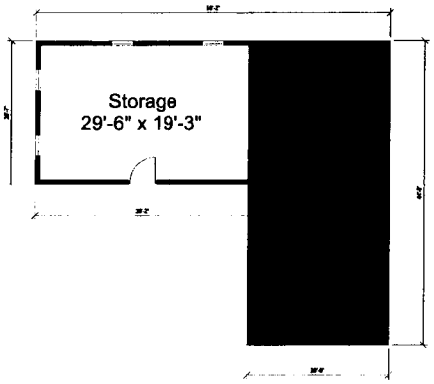
SHEET
23.3
4.19.2010

Prepared By

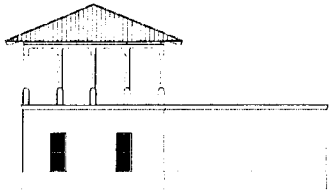
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021



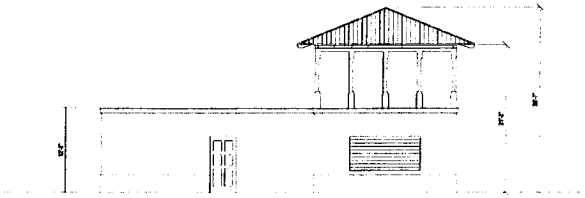
EAST ELEVATION



FLOOR PLAN



NORTH ELEVATION

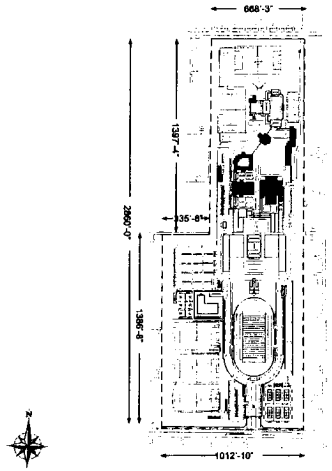


WEST ELEVATION

8 0 8 16

Building Number:	10.1
Building Use:	Field Storage (Addition)
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:	

Building Information



* All building designs are schematic

Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (+ROW)	32.14 ac	EU-M
LESS R-O-W	1.41 ac	
LESS WATER	0	
LESS OPEN SP.	0	
NET AREA (sq.ft.)	1,397,314.31 sf	
LOT COVERAGE (50% max)	314,358 sf	5.00%
PAVED AREA	255,408.32 sf	18.00%
LANDSCAPED OPEN SPACE	1,024,548.39 sf	61.00%
ACTUAL Total FLOOR AREA	2 EXISTING	
IN PROPORTION OPEN SPACE	27% - By Student Reg.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	300
1-100 STREET	75	75'
1-100 AVE	75	75'
REAR	50	50'
SETBACK DIVISIONS		37 min

ACCESSORY BUILDINGS		
FRONT	75	75'
1-100 STREET	50	50'
1-100 AVE	50	50'
REAR	15	15'
SETBACK Bldg.(min)	10	10' min

MINIMUM LOT DEVELOPED (NOTE)		
PROCEDURE FOR LESS OR LOT	10	~ 1,000'
LOT AREA FOR LESS OR LOT	10,000 s.f.	~ 1,000,000 s.f.
LOT DEPTH FOR LESS OR LOT	100	1000'
SH=(0.10) X D	12.000 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 and 3 story	20 Cont'd st.
0.1	0.12	0.15

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMER(ACT.) T.C.		

MAXIMUM ALLOWABLE	
SHU 30 SH OF PROPOSED HEIGHT	30'
SHU 30 SH OF SH OF PROPOSED HEIGHT	30'
MAX. NUMBER OF STORIES PROPOSED	2
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. PERMITTED	0.50
F.A.R. PROPOSED	0.05

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	MEANS OF SPREADING	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	1 Cl. 10' x 11' (Pre-Sch.)	See Exhibit "A"					
ELEMENTARY P-5							
JR. HIGH 6-8 HIGH P-12							
TOTAL							

Zoning Legend

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
24
4.19.2010

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

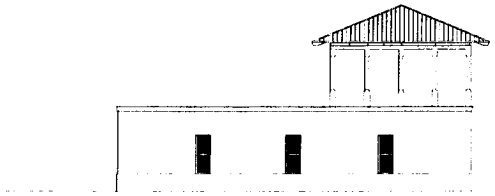
Prepared By

SCHEMATIC ARCHITECTURE

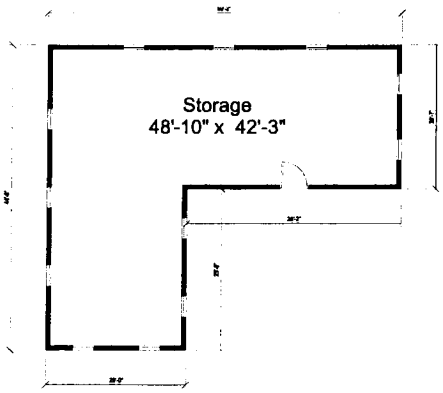
(10.1) FIELD STORAGE (ADDITION)

SCHEMATIC ARCHITECTURE

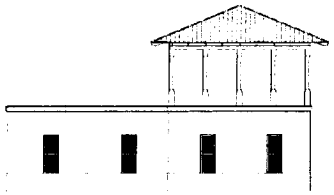
(10.2) FIELD STORAGE



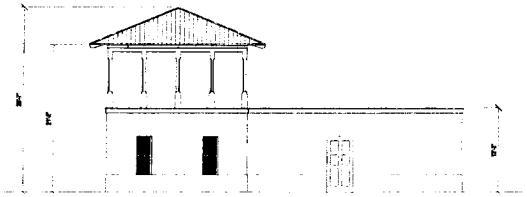
EAST ELEVATION



FLOOR PLAN



SOUTH ELEVATION



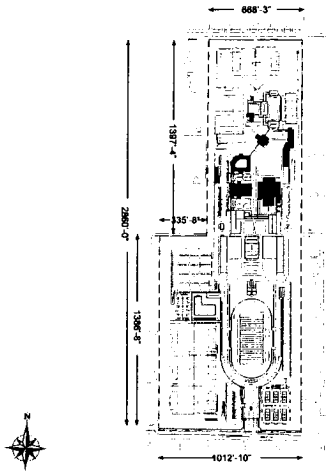
WEST ELEVATION

8 0 8 16

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

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (+/-TOTAL)	52.14 ac	EU-M
LENGTH	1,87 m	
LENGTH	2	
LENGTH	1	
NET AREA (+/-)	5,207,614.24 sf	
LOT COVERAGE (50% max)	116,320 sf	0.22%
FAR (0) AREA	304,304.30 sf	58.40%
A-AREA (AND OPEN SPACE)	1,443,302.30 sf	27.70%
A-DRIVE (BUILT-NUTS)	3 STORIES	
U-MAXIMUM LANDSCAPED OPEN SPACE	30% - 0, 1 Indoor Pkg	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	0	50'
S-SE STREET	0	10'
WEST-LR	0	10'
REAR	0	50'
SETBACK BUILDING	0	10' min

MAXIMUM LOT REQUIREMENTS		
FRONTAGE FOR WIDE-CELLS	50	+ 1,250'
LOT AREA FOR WIDE-CELLS	10,000 s.f.	+ 1,000,000 s.f.
LOT DEPTH FOR WIDE-BALLS	40'	+ 100'
BUILDING 2.00	12,000 s.f.	

ACCESSORY BUILDINGS	
FRONT	50'
S-SE STREET	10'
WEST-LR	10'
REAR	10'
SETBACK BUILDING	10' PG

MAXIMUM FLOOR AREA RATIO (F.A.R.) per SQ. OF BUILDING STORIES		
1.0%	2 Sq.F.Area	50 F.Ab.Sq.Ft.
1.1	2.1	0.0

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMER PROJECTS		

MAX. HEIGHT OF PROPOSED BUILDING	30'
MAX. HEIGHT OF ANY HIGH FENCE TYPE	10'
MAX. NUMBER OF FENCE TYPES	2
MAX. NUMBER OF GATES PROPOSED	7
F.A.R. TOTAL TYPE	0.296
F.A.R. PURPOSE	0.00

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	NAME OF SPECIALTY	STUDENTS	PERSONNEL	OUTDOOR AREA	ART AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	1 SF/SM x 1.1 SQFT/Stu.	See Exhibit "A"					
ELEMENTARY (1-5)							
JR. HIGH (6-8)							
HIGH (9-12)							
TOTAL							

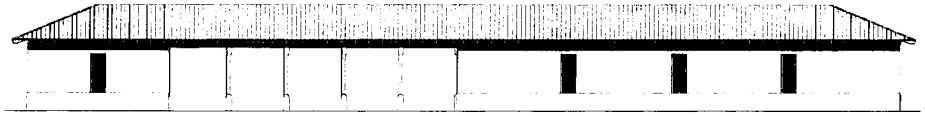
PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
25
4.19.2010

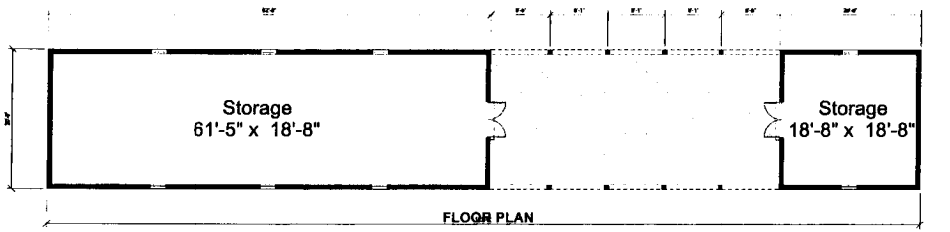
Prepared By
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

SCHEMATIC ARCHITECTURE

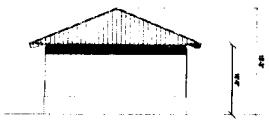
(10.3) FIELD STORAGE



NORTH ELEVATION

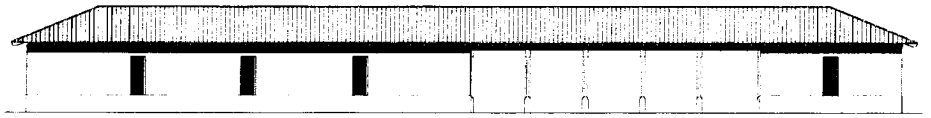


FLOOR PLAN



WEST ELEVATION

EAST ELEVATION



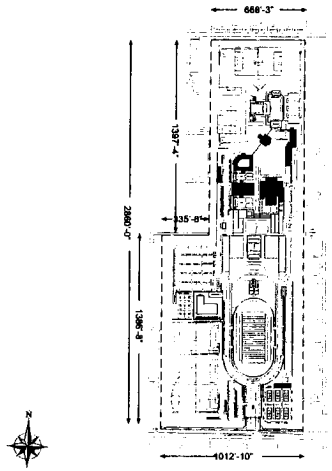
SOUTH ELEVATION

8 0 8 16

Building Information

Building Number:	10.3
Building Use:	Field Storage
Proposed Area:	2,475 SF
Ground Floor Area:	2,475 SF
Classrooms:	n/a
Classroom Area:	n/a
Number of Floors:	1
Height to Eave:	10'-0"
Height to Top of Roof:	15'-3"
Comments:	

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (+ROW)	[illegible]	EU-M
LESS ROW	[illegible]	
LESS WATER	[illegible]	
LESS OW-SR	[illegible]	
NET AREA sq. ft.	[illegible]	
OT OR GRAND (50% max)	[illegible]	[illegible]
PAVED AREA	[illegible]	[illegible]
LANDSCAPED OPEN SPACE	[illegible]	[illegible]
PERVIOUS RATIO NO E SR	[illegible]	
TOTAL LANDSCAPED OPEN SPACE	[illegible]	[illegible]

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	[illegible]	[illegible]
2nd STREET	[illegible]	[illegible]
INSIDE	[illegible]	[illegible]
REAR	[illegible]	[illegible]
BETWEEN BUILDINGS		[illegible]

MAXIMUM LOT HEIGHT/DENSITY		
MAXIMUM FAR WITH BONUS	[illegible]	[illegible]
LOT AREA PER UNIT (SQ.FT.)	[illegible]	[illegible]
LOT DEPTH PER UNIT (SQ.FT.)	[illegible]	[illegible]
Bldg Ht Ref 2.28	[illegible]	

ACCESSORY BUILDINGS		
FRONT	[illegible]	[illegible]
2nd STREET	[illegible]	[illegible]
INSIDE	[illegible]	[illegible]
REAR	[illegible]	[illegible]
BETWEEN BUILDINGS	[illegible]	[illegible]

MAXIMUM FLOOR AREA RATIO (F.A.R.) per SQ. OF BUILDING STORIES		
1 STORY	2 STORY GROSS	3 or 4 STORY GROSS
1.4	0.42	0.42

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL GRADES K-5	See Exhibit 'A'	
MIDDLE SCHOOL GRADES 6-8		
HIGH SCHOOL GRADES 9-12		
SPECIFICS, TYPE		

MAX # OF OUT OF PROPOSED BUILDINGS	[illegible]
MAX # OF OUT OF BUILDING FIRM TYPE	[illegible]
MAX NUMBER OF STORIES FIRM TYPE	[illegible]
MAX NUMBER OF STORIES PROPOSED	[illegible]
F.A.R. FIRM TYPE	[illegible]
F.A.R. PROPOSED	[illegible]

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PURPOSING	OVERDOG AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	[illegible]	See Exhibit 'A'					
ELEMENTARY (K-5)							
JR. HIGH (6-8)							
SR. HIGH (9-12)							
TOTAL							

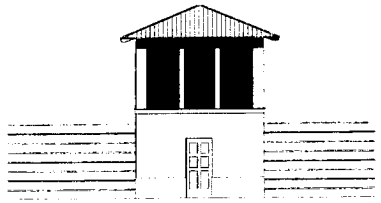
PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
26
4.19.2010

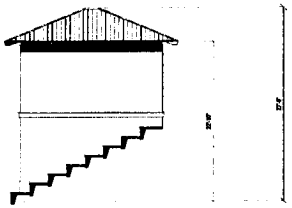
Prepared By
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

SCHEMATIC ARCHITECTURE

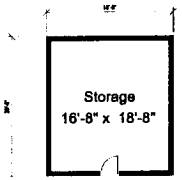
(10.4) VIDEO BOX



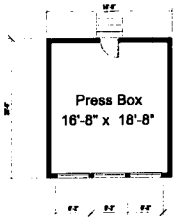
EAST ELEVATION



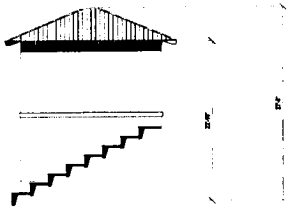
SOUTH ELEVATION



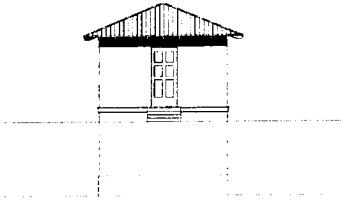
FIRST FLOOR PLAN



SECOND FLOOR PLAN



NORTH ELEVATION



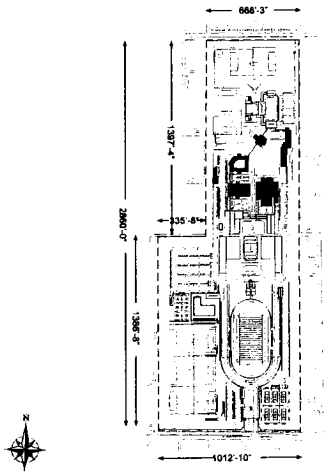
WEST ELEVATION

8 0 8 16

Building Information

Building Number: 10.4
Building Use: Video Box
Proposed Area: 360 SF
Ground Floor Area: 360 SF
Classrooms: 0
Classroom Area: 0
Number of Floors: 2
Height to Eave: 22'-10"
Height to Top of Roof: 27'-8"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	55.11 ac	EU-M
LESS R-O-W	5.49 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA (ac) (1)	3,225,241.56 sf	
LOT COVERAGE (Bldg Area)	115,338 sf	3.58%
PV LOT AREA	555,555.55 sf	24.00%
LANDSCAPED OPEN SPACE	1,443,765.24 sf	44.80%
PERVIOUS SURFACE AREAS	1,224,415	
(1) PERVIOUS LANDSCAPED OPEN SPACE	50% - EL Public Pro	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	50'	50'
SIDE(S)	50'	50'
REAR	50'	50'
SETBACK BUILDING		50' min

ACCESSORY BUILDINGS		
FRONT	50'	50'
SIDE STREET	50'	50'
SIDE(S)	50'	50'
REAR	50'	50'
SETBACK BUILDINGS	10'	10' min

MAXIMUM LOT DEVELOPMENT		
PROPOSED FLOOR AREA RATIO (FAR)	1.0	0.017
FLOOR AREA PER STORY OF LOT	37,500 s.f.	1,000,000 s.f.
LOT DEPTH PER STORY OF LOT	150	1000
FAR (of lot) (1.0)	37,500 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 level stories	3+ (10) and up
F.A.R.	0.75	1.0
Max. no. gross of proposed floor(s) area		37
Max. no. gross of 50 x 50 = 2,500 per floor		37
Max. number of stories allowed per floor		1
Max. number of stories proposed		1
F.A.R. permitted		0.015
F.A.R. proposed		0.015

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED FACILITIES		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	ENROLLMENT	PLAYGROUND	GYMNASIUM AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	7:30 AM to 11:30 AM/PM	See Exhibit "A"					
PRE-KINDERGARTEN							
ELEMENTARY (1-5)							
JR. HIGH (6-8)							
HIGH (9-12)							
TOTAL							

PALMER TRINITY SCHOOL
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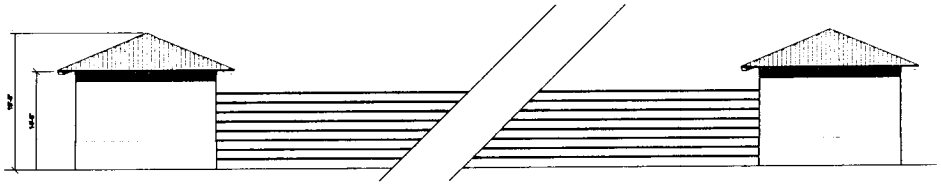
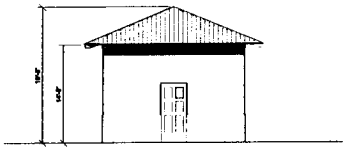
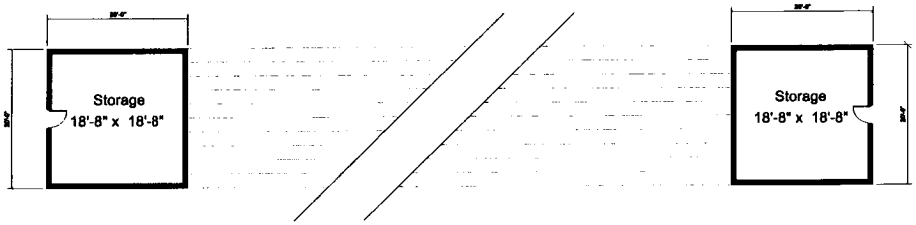
P. 305.644.1023 F. 305.644.1021



NORTH ELEVATION



SIDE ELEVATION

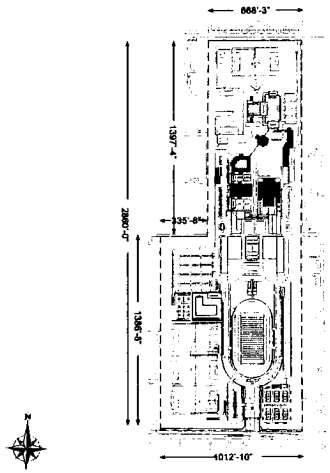


FLOOR PLAN

8 0 8 16

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:	

Building Information



* All building designs are schematic

Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA IN ACRES:	55.44 ac	EU-M
LESS: R-O-W	1.47 ac	
LESS: A-1/EE	0	
LESS: OPEN SPACE	0	
NET AREA (ac) (*)	3,308,341.36 sf	
LOT COVERAGE (SFR's only)	316,000 sf	9.55%
FLOOR AREA	600,000.00 sf	18.00%
LANDSCAPED OPEN SPACE	1,400,000.00 sf	42.00%
ALTERNATE SOIL N.O.S. SFR	1.00/25.00	
MAXIMUM LANDSCAPED OPEN SPACE	37% - 2x Public Park	

MINIMUM LOT REQUIREMENTS		
PROPOSED NET AREA (ac)	55	1.207
LOT AREA PER AREA (sf)	55,000 s.f.	1,000,000 s.f
LOT DEPTH PER AREA (ft)	125	1000'
BUILD-TO LINE	12.00 ft *	-

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL ATHLETICS S.A.	See Exhibit "A"	
JUN OR SCHOOL ATHLETICS J.A.		
HIGH SCHOOL ATHLETICS H.A.		
SUMMER CAMP		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50	50'
S.W. STREET	30	72'
N.W. 176	30	72'
REAR	50	50'
SETBACK/BUILDING		30' min

ACCESSORY BUILDINGS		
FRONT	50	50'
S.W. STREET	30	72'
N.W. 176	30	72'
REAR	10	50'
SETBACK/BUILDING	30	30' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 story zone	Pre-K only zone
0.4	0.55	0.35

MAX HT OF PROPOSED BLDG(S)	19'
MAX HT OF SURROUNDING TREE	30'
MAX NUMBER OF FROM SURROUND TREE	1
MAX NUMBER OF FROM PROPOSED	1
F.A.R. FROM TREE	0.016
F.A.R. PROPOSED	0.02

PUBLIC SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PARKING	NATURAL AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY (P.S.)	7:30 AM TO 3:00 PM	See Exhibit "A"					
TOTAL							

Zoning Legend

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
28
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P. 305.644.1023 F. 305.644.1021

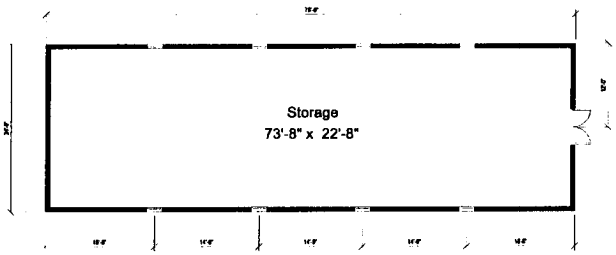
Prepared By

SCHEMATIC ARCHITECTURE

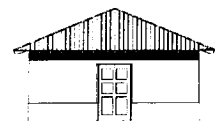
(10.5) POOL STORAGE AND BLEACHERS

SIDE ELEVATION

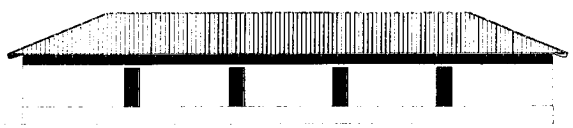
REAR ELEVATION



FLOOR PLAN



FRONT ELEVATION

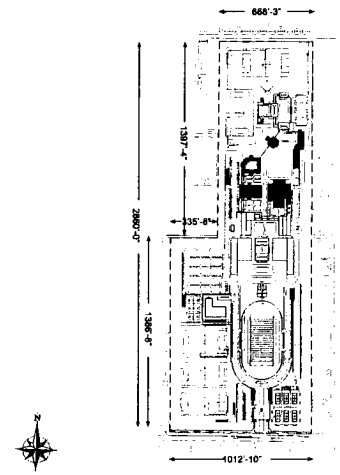


SIDE ELEVATION

8 0 8 16

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

Building Information



* All building designs are schematic

Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA ACRES:	15.14 ac	EU-M
USE 5-0-0	1.47 ac	
USE 24-0-0	1	
USE 29-0-0	1	
NET AREA see 1-L	3,207,914.34 sf	
LAKE CO.-DRAINAGE (50% max)	242,300 sf	7.55%
BUILDING AREA	65,200.00 sf	20.00%
LANDSCAPED OPEN SPACE	1,433,201.20 sf	44.69%
HORSES (5/AC VALUE 5)*	2 (5/ac 0)	
MINIMUM LANDSCAPED OPEN SPACE	50% - by Subdivision	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
S-SE STREET	75	75'
WEST-SE	75	75'
REAR	50	50'
SETBACKS BUILDINGS	-	30' min
	-	15' min

MAXIMUM LOT DIMENSIONS		
FRONTAGE FOR WEST STREET	50	1,320'
LOT AREA FOR WEST STREET	43,560 s.f.	1,000,000 s.f.
LOT DEPTH FOR WEST STREET	100'	1000'
RA (2/1-0) 1 (2)	2.5 (0 s.f.)	

ACCESSORY BUILDINGS		
FRONT	75	75'
S-SE STREET	75	75'
WEST-SE	75	75'
REAR	15	20'
SETBACKS BUILDINGS	10	10' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 level above	3+ lvls (sf s)
1.1	0.10	0.50
MAX. NO. OF PROPOSED BUILDINGS		30'
MAX. NO. OF STORIES IN ANY NEW TRIM		30'
MAX. NUMBER OF STORIES FOR TRIM		3
MAX. NUMBER OF STORIES PROPOSED		3
F.A.R. NEW TRIM		0.05
F.A.R. PROPOSED		0.05

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY / SCHOOL ADVANCED S.C.	See Exhibit "A"	
JUNIOR SCHOOL ADVANCED S.C.		
HIGH SCHOOL ADVANCED S.C.		
SHARED FACILITIES		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	BUILDING AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	7:30 AM to 11:00 PM daily	See Exhibit "A"					
ELEMENTARY (1-5)							
JR. HIGH (6-8)							
H. HIGH (9-12)							
TOTAL							

Zoning Legend

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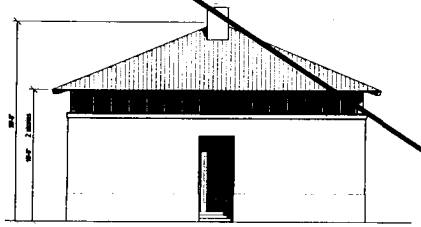
Prepared By

SCHEMATIC ARCHITECTURE

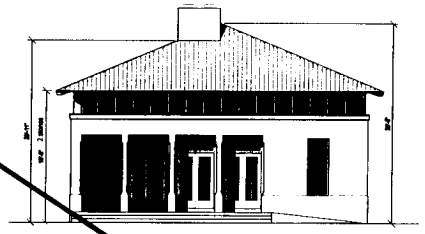
(10.6) FIELD STORAGE

SCHEMATIC ARCHITECTURE

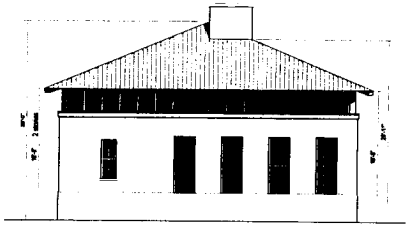
(11) FACULTY LOUNGE



SOUTH ELEVATION

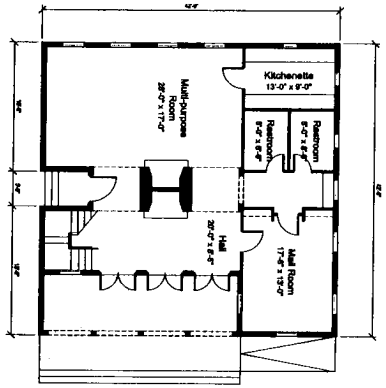


EAST ELEVATION

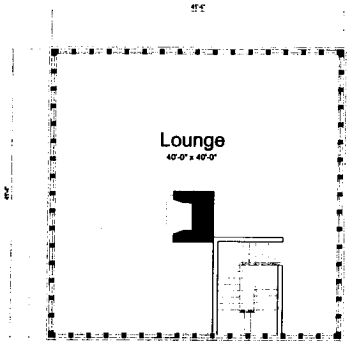


WEST ELEVATION

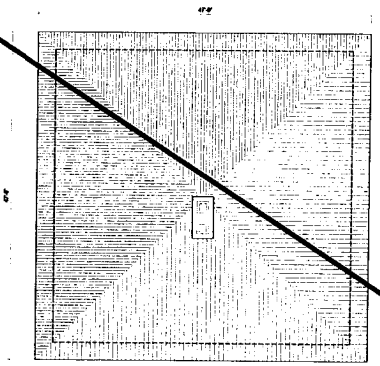
VOID



FIRST FLOOR PLAN



SECOND FLOOR PLAN

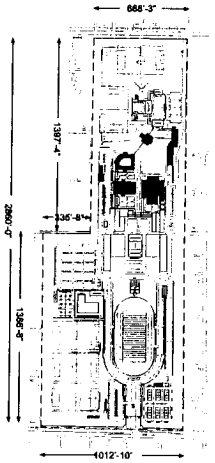


ROOF PLAN

Building Information

Building Number: 11
Building Use: Faculty Lounge
Proposed Area: 3,201 SF
Ground Floor Area: 1,957 SF
Classrooms: n/a
Classroom Area: n/a
Number of Floors: 2
Height to Eave: 18'-9"
Height to Top of Roof: 28'-5"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (SQ.FEET)	55,14 ac	EU-M
LEASE (S-N)	1,47 ac	
LEASE (E-W)	0	
LEASE (DIA.)	0	
NET AREA (sq. ft.)	1,957,01 ac	
LOT COVERAGE (SFR only)	216,00 sf	11.00%
FA AREA (sq.)	393,000.00 sf	20.00%
LANDSCAPED OPEN SPACE	1,062,000.00 sf	54.00%
AVERAGE (S-N) (E-W)	2 FEET(S)	
IN WHICH LANDSCAPED OPEN SPACE	87% - S. Dixie Hwy	

MINIMUM LOT REQUIREMENTS		
FRONAGE THE WIDTH (FT)	50	1,000'
LOT AREA (SQ. FEET) WITHOUT CO-LOT	10,000 s.f.	1,000,000 s.f.
LOT DEPTH (FEET) WITHOUT CO-LOT	110	1000'
IN CO-LOT D.B.	10,000 s.f.	

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SCHOOL TYPE		

SETBACK REQUIREMENTS		
SETBACK TYPE	MINIMUM	PROPOSED
FRONT	40'	50'
SIDE STREET	20'	50'
SIDE LOT	20'	50'
REAR	30'	50'
SETBACKS (Sec.3-4-A)		50' min

ACCESSORY BUILDINGS		
FRONT	40'	50'
SIDE STREET	20'	50'
SIDE LOT	20'	50'
REAR	10'	50'
SETBACKS (Sec.3-4-A)	10'	40' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES			
1 story	2 thru 3 stories	4 thru 10 stories	10 stories and up
2.4	4.14	3.0	
Max. HT OFF OF PROPOSED SHLD HWY			50'
Min. HT OFF OF SHLD HWY FROM TRD			50'
MAX. NUMBER OF STORIES FROM TRD			5
MIN. NUMBER OF STORIES PROPOSED			1
F.A.R. FROM TRD			0.200
F.A.R. PROPOSED			0.03

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	GRADE OF SCHOOL	STUDENTS	PERSONNEL	EXTERIOR AREA	GYM AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN							
ELEMENTARY (1-4)							
ELEMENTARY (5-8)							
JR. AND SR. HIGH (9-12)							
TOTAL							

See Exhibit "A"

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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P. 305.644.1023 F. 305.644.1021

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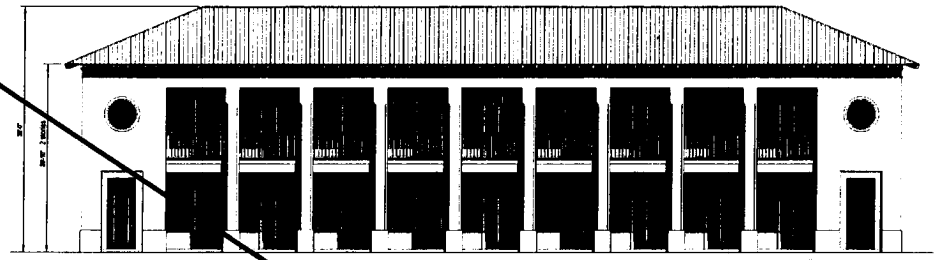
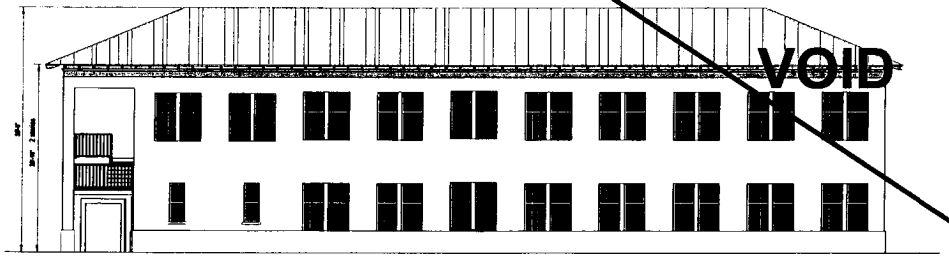
SCHEMATIC ARCHITECTURE

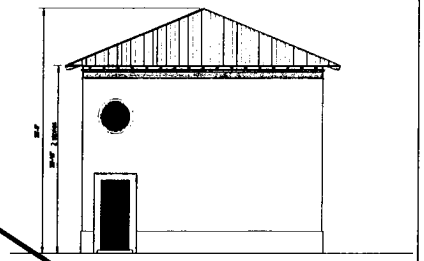
(12) CLASSROOM BUILDING



WEST ELEVATION



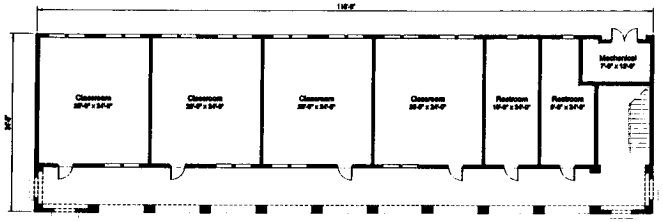
EAST ELEVATION



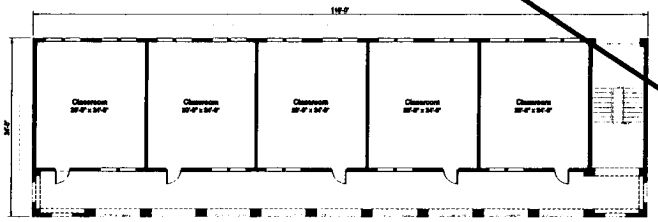
NORTH ELEVATION

VOID

8 0 8 16



FIRST FLOOR PLAN



SECOND FLOOR PLAN

N

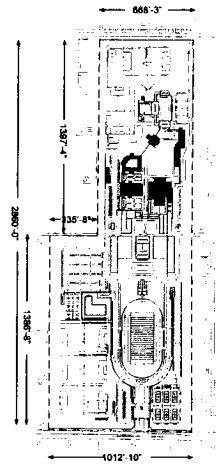
10 0 10 20

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

Zoning District: EUM

LOT INFORMATION		
GROSS AREA HORIZ.	8/14 ac	EU-M
LESS S.-A.	1,47 ac	
LESS S-AER	0	
LESS STAIR	0	
NET AREA ac. (*)	6,87 (51,37 s)	
LOT COVERAGE (Bldg. Area)	24,000 s	9,00%
PAVED AREA	49,000 s	22,00%
LANDSCAPED OPEN SPACE	1,000,00 s	71,00%
PUBLIC SUBJECT TO SIDE SET	2 STOR 25	
MINIMUM LANDSCAPED OPEN SPACE	25% - Subject to Pg	

MINIMUM LOT REQUIREMENTS		
Required FOR OPEN SPACE	15	1 / 1,000
EST. AREA FOR OPEN SPACE	(51,37) s	1,000,00 s
EST. DEPTH FOR OPEN SPACE	110	1000'
Ac. x 43,560 s. ft.	12,000 s	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	25'	30'
S.W. STREET	7'	10'
N.W. STREET	10	30'
REAR	10'	30'
SETBACK BUILD NEA		20' min.

ACCESSORY BUILDINGS		
FRONT	75	10'
S.W. STREET	25	10'
N.W. STREET	25	10'
REAR	15	10'
SETBACK BUILD NEA	15	10' min.

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES 1-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUBTOTAL 1 TEU		

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
F.A.R.	1 Story F.A.R.	2 Story F.A.R.
F.A.	0.11	0.22
MAX. FLOOR AREA PROPOSED BUILDING		10'
MAX. FLOOR AREA PROPOSED BUILDING		10'
MAX. NUMBER OF STOR CLASSRM TYPE		1
MAX. NUMBER OF STOR CLASSRM PROPOSED		1
F.A.R. PERM TYPE		0.00
F.A.R. PROPOSED		0.00

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	GFA AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	See Exhibit "A"						
PRE-SCHOOL							
ELEMENTARY (K-5)							
JR. HIGH (6-8)							
JR. HIGH (9-12)							
TOTAL							

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PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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SCHEMATIC ARCHITECTURE

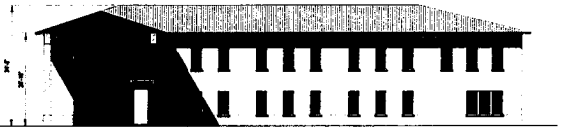
(13, 14, 15) MULTIPLE USE PHASED BUILDING

SOUTH ELEVATION

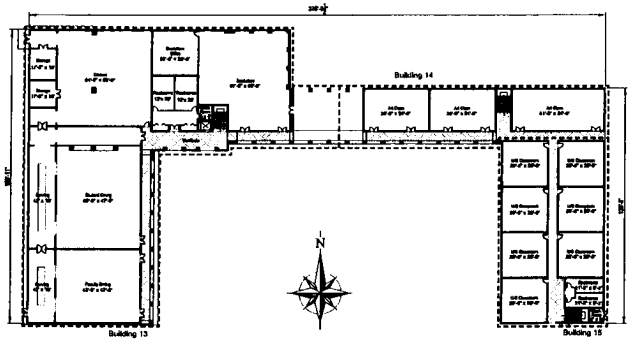
NORTH ELEVATION

16 0 16 32

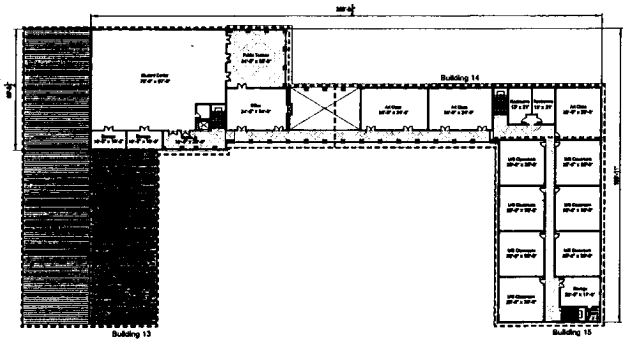
NORTH-SOUTH SECTION LOOKING WEST



NORTH-SOUTH SECTION LOOKING EAST



FIRST FLOOR PLAN



SECOND FLOOR PLAN

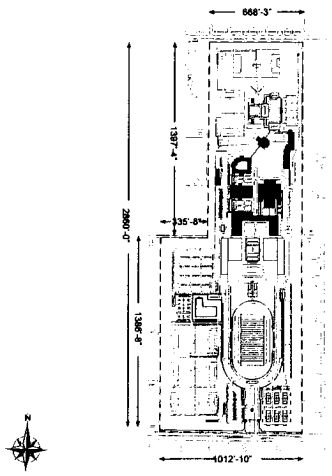
32 0 32 64

Building Information

Building Number:	13, 14, 15
Building Use:	Multiple Use
Proposed Area:	45,942 SF
Ground Floor Area:	28,740 SF
Classrooms:	20
Classroom Area:	14,429
Number of Floors:	2
Height to Eave:	26'-10"
Height to Top of Roof:	35'-0"
Comments:	

Comments:
This building is intended to be completed in three phases as indicated in the site plan.
Bldg.13: Multiple Use, No classrooms, 25,252 SF
Bldg. 14: Multiple Grade Level Classrooms, 8,789 SF
Bldg. 15: High School Class. 12,228 SF

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	65.14 ac	EU-M
LESS R-O-W	1.47 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA (ac +/-)	1,836,811.24 sf	
LOT COVERAGE (25% max)	314,248 sf	0.00%
FYI: GSF AREA	200,000.00 sf	10.89%
A-VAILABLE OPEN SPACE	1,636,811.24 sf	89.11%
A-BOVE BASE SCALE GSF	1 DROP 2 S	
W A-VAILABLE LANDSCAPED OPEN SPACE	25% - SL Indem Pg	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	30'	30'
S.W. STREET	25'	75'
WEST-OB	25	30'
REAR	30	30+
BETWEEN BUILDINGS		30' min

ACCESSORY BUILDINGS		
FRONT	25'	30'
S.W. STREET	30'	30'
WEST-OB	5'	25'
REAR	25'	30'
BETWEEN BUILDINGS	30'	30' min

MINIMUM LOT REQUIREMENTS		
FRONAGE FOR WEST-OB LOT	100'	1,000'
LOT AREA FOR WEST-OB LOT	10,000 s.f.	1,836,811 s.f.
LOT DEPTH FOR WEST-OB LOT	100'	1000'
BUILDING FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 floor areas	Per Pg 240 ac
1.1	2.10	0.50
MAX. HEIGHT OF PROPOSED BUILDINGS		35'
MAX. HEIGHT OF SPACE AND HIGH TOWER		35'
MAX. NUMBER OF STORIES FOR TOWER		3
MAX. NUMBER OF STORIES FOR HOUSE		3
F.A.R. PERMITTED		0.50
F.A.R. PROPOSED		0.50

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUPPORT FACILITIES		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	GFA AREA	RECREATION AREA	CLASSROOM AREA
SUPPORTING FIT	7:30 AM to 11:00 PM Daily	See Exhibit "A"					
PRESCHOOL/DAY CARE							
ELEMENTARY (K-5)							
JR. HIGH (6, 7, 8)							
JR. HIGH (9, 10, 11, 12)							
Total							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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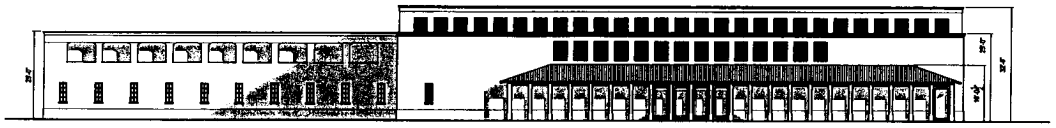
P. 305.644.1023 F. 305.644.1021

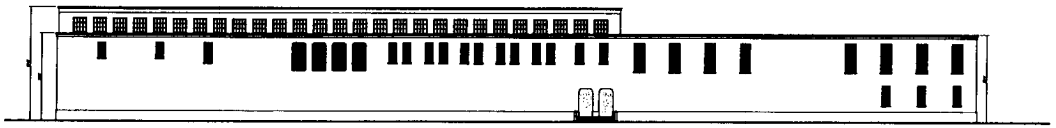
SCHEMATIC ARCHITECTURE

(16) GYMNASIUM

SOUTH ELEVATION

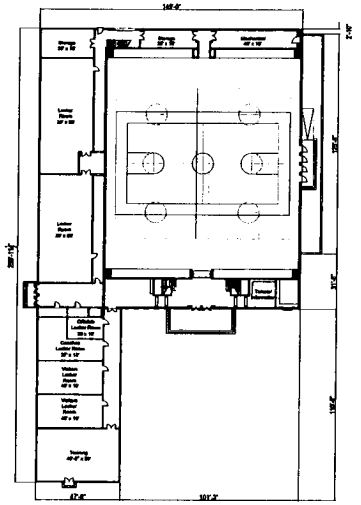


EAST ELEVATION

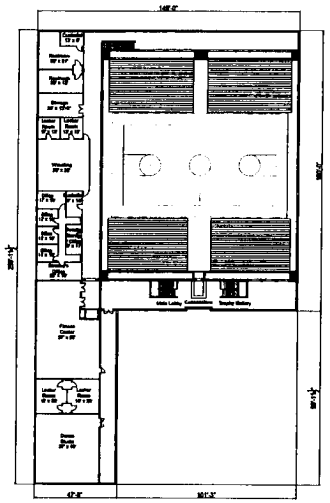


WEST ELEVATION

16 0 16 32



FIRST FLOOR PLAN



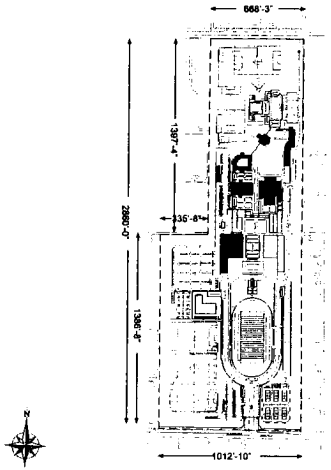
SECOND FLOOR PLAN

32 0 32 64

Building Information

Building Number: 16
Building Use: Gymnasium
Proposed Area: 47,251 SF
Ground Floor Area: 28,612 SF
Classrooms: 3
Classroom Area: 4,500
Number of Floors: 2
Height to Eave: 32'-6"
Height to Top of Roof: 32'-6"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	22.14 ac	EU-M
AREA IN sq.ft	1,000 sq.ft	
LEAD SYSTEM	1	
LEAD ZONE	1	
NET AREA (sq.ft.)	2,887,814.24 sf	
TOT CO (BUILDING SQFT) (max)	774,200 sf	0.26%
PAVED AREA	256,200.00 sf	20.00%
LANDSCAPED OPEN SPACE	1,455,201.25 sf	51.00%
ALL OTHER (NON-VEHICULAR USE)	2,700.00 ft	
MINIMUM LANDSCAPED OPEN SPACE	50% - (L.O.S.+0.5*P.S)	

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR VEHICULAR	50	1,200'
LOT AREA FOR VEHICULAR	10,000 s.f.	1,455,201.25 s.f.
LOT DEPTH FOR VEHICULAR	100'	1000'
(N-1)*50 + 10	12,500 s.f.	

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY (K-5th GRADES)	See Exhibit "A"	
JUNIOR HIGH (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUMMER TRAILER		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	25'	75'
INTERIOR	50'	50'
REAR	50'	50'
BETWEEN BUILDINGS	-	20' min

ACCESSORY BUILDINGS		
FRONT	50'	50'
SIDE STREET	25'	50'
INTERIOR	25'	50'
REAR	10'	50'
BETWEEN BUILDINGS	10'	20' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	0.50 s.f. minus	50 s.f. only
1.1	0.11	0.05
MAX HT OFF OF PROPOSED BUILDING		30'
MAX HT OFF OF BUILDING FROM TREE		30'
MAX NUMBER OF STORIES FROM TREE		2
MAX NUMBER OF STORIES PROPOSED		2
F.A.R. PERMITTED		0.50
F.A.R. PROPOSED		0.50

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	PARKING AREA	BUS AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	7:30 AM to 11:00 PM (Mon. - Fri.)	See Exhibit "A"					
PRE-KINDERGARTEN							
ELEMENTARY (1st - 5th)							
JR. AND SR. HIGH (6th - 12th)							
TOTAL							

Building Information

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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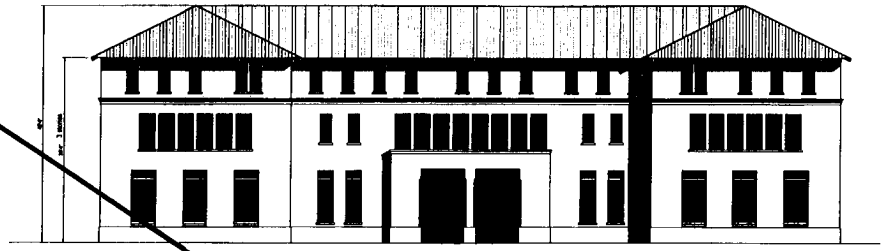
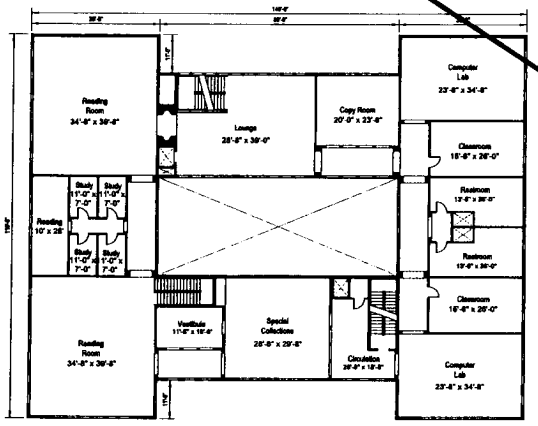
SCHEMATIC ARCHITECTURE

(17) LIBRARY, MEDIA CENTER, ADMINISTRATION

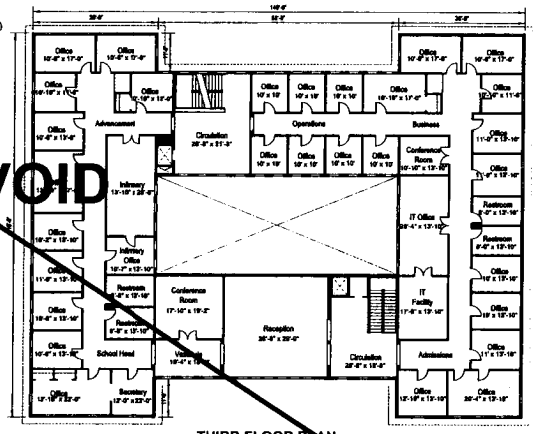


SOUTH ELEVATION

10 0 10 20

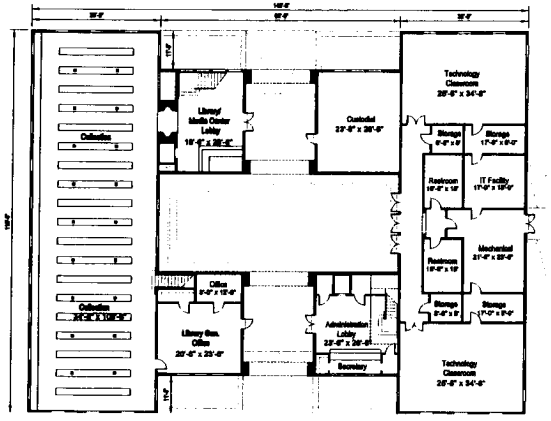


SECOND FLOOR PLAN

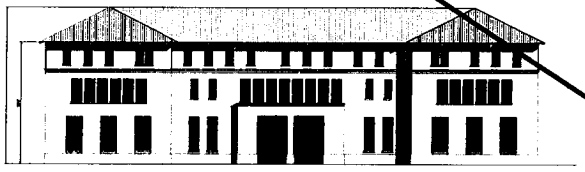


THIRD FLOOR PLAN

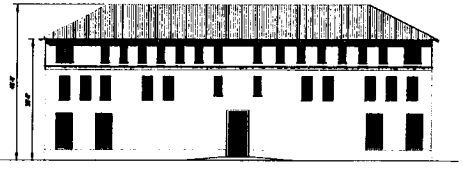
VOID



FIRST FLOOR PLAN



NORTH ELEVATION



EAST ELEVATION

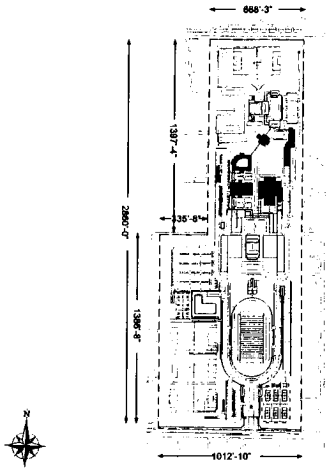
16 0 16 32

Building Information

Building Number:	17
Building Use:	Library / Media Center
Proposed Area:	34,848 SF
Ground Floor Area:	13,904 SF
Classrooms:	4
Classroom Area:	2,590 SF
Number of Floors:	3
Height to Eave:	35'-0"
Height to Top of Roof:	45'-0"
Comments:	

This building functions as the main library, media center with advanced technology classrooms, and central administration for the school as a whole .

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION	
GROSS AREA (ACRES)	10.41 ac
LEAS Buffer	1.41 ac
LEES S-FEET	0
LEES SIDE(S)	0
NET AREA (ac.)	9.00 (391,910 sf)
LOT CO (PARKS OPEN AREA)	216,344 sf 55.20%
PAVED AREA	154,204.25 sf 39.36%
LANDSCAPED OPEN SPACE	140,000.25 sf 35.74%
ACTUAL DWELLING UNIT	1 (RESIDE)
MINIMUM LANDSCAPED OPEN SPACE	35% - By Ordinance

EU-M

MINIMUM LOT DESIGN DATA		
FRONTAGE FOR WIDE-RIB LOT	15	1 LOT
LOT AREA FOR WIDE-RIB LOT	15,000 s.f.	1 LOT(391,910 s.f.)
LOT DEPTH FOR WIDE-RIB LOT	110'	1000'
RA (0.50 X 2.5)	12,500 s.f.	-

VEHICLES		
SCHOOL	SUPPORT	EQUIPMENT
ELEMENTARY SCHOOL (GRADES K-5)		
MIDDLE SCHOOL (GRADES 6-8)	See Exhibit "A"	
SECONDARY SCHOOL (GRADES 9-12)		
SCHOOL TOTAL		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	40'	200'
S.E. STREET	75	90'
WEST-SIDE	25	90'
NORTH	50	90'
BETWEEN BUILDINGS		30' min.

ACCESSORY BUILDINGS		
FRONT	75	90'
S.E. STREET	30	90'
WEST-SIDE	25	90'
REAR	15	90'
BETWEEN BUILDINGS	10	30' min.

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 Story Above	Three and up
0.4	0.5	0.6
MAX. ALLOW. FLOOR AREA		90'
MAX. ALLOW. FLOOR AREA PER TRIM		90'
MAX. NUMBER OF STORIES ALLOWED		3
MAX. NUMBER OF STORIES PROPOSED		3
F.A.R. PER TRIM		0.345
F.A.R. PROPOSED		0.345

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GROSS-SF BUILDING	STUDENTS	PERSONNEL	OUTDOOR AREA	SIDE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN						
ELEMENTARY (1-4)						
ELEMENTARY (5-6)						
JR. HIGH (7-8)						
TOTAL		See Exhibit "A"				

PALMER TRINITY SCHOOL
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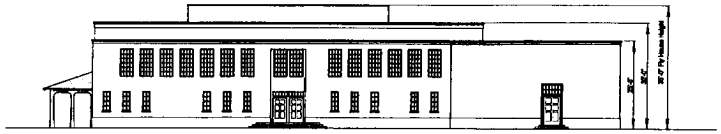
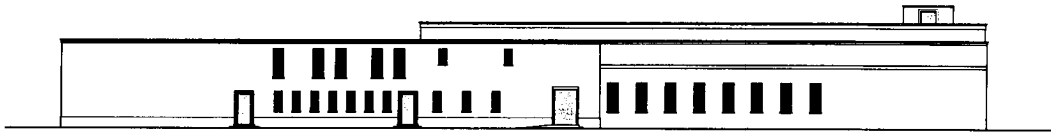
Prepared by



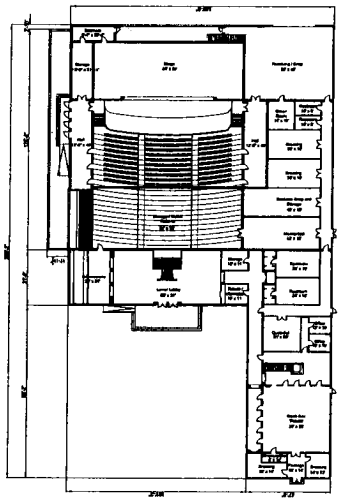
SOUTH ELEVATION



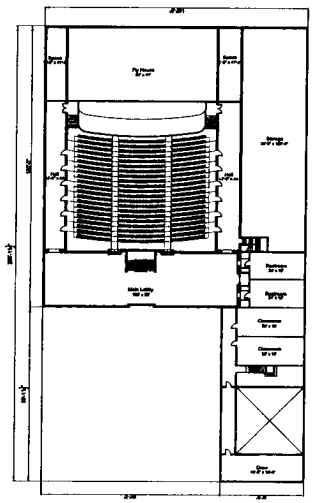
EAST ELEVATION

WEST ELEVATION

16 0 16 32



FIRST FLOOR PLAN



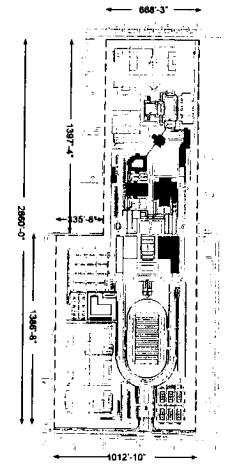
SECOND FLOOR PLAN

32 0 32 64

Building Information

Building Number:	18
Building Use:	Performing Arts
Proposed Area:	47,251 SF
Ground Floor Area:	28,612 SF
Classrooms:	3
Classroom Area:	2,194 SF
Number of Floors:	2
Height to Eave:	30'-4"
Height to Top of Roof:	30'-4"
Comments:	

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	25.45 ac	EU-M
LENGTH (Feet)	1,346 ft	
LENS (LAYER)	0	
LENS (FRONT)	0	
NET AREA (sq. ft.)	2,347,211.31 sf	
NET OPEN SPACE (50% of NA)	773,200 sf	0.00%
FA (100% AREA)	550,000.00 sf	23.00%
A.R.E.C. OPEN SPACE	1,000,000.00 sf	31.00%
A.S.E.W. BUILDABLE AREA	1,000,000.00 sf	
MAXIMUM ALLOWABLE OPEN SPACE	50% - 4% Student Pop	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	25'	50'
S.W. STREET	25'	25'
REAR	25'	25'
SIDE	15'	30'
SETBACK FROM LAKE		30' min

ACCESSORY BUILDINGS		
FRONT	25'	50'
S.W. STREET	25'	25'
REAR	25'	25'
SIDE	15'	30'
SETBACK FROM LAKE	25'	50' min

MAXIMUM LOT REQUIREMENTS		
PROPOSED FOR AREA (SQ.FT)	NA	1.1242
A.R. AREA - FOR AREA (SQ.FT)	25,000 s.f.	1,000,000 s.f.
A.R. DEPTH - FOR AREA (SQ.FT)	150'	1000'
BUILDING S.B.	12,000 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 Story	2 Story (Fabrica)	75,000, (NA) sq
0.4	0.5	0.6

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JR.H.S. SCHOOL (GRADES 6-8)		
H.S. SCHOOL (GRADES 9-12)		
SHARE/PUC = 1:20		

MAXIMUM ALLOWABLE	
MAX. NO. OF BLDG. PROPOSED (BUILDING)	30'
MAX. NO. OF BUILDING HEIGHT	30'
MAX. NUMBER OF STORIES HEIGHT	1
MAX. NUMBER OF STORIES PROPOSED	1
F.A.R. PERMITTED	3,000
F.A.R. PROPOSED	3,000

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GROUND OF OPERATIONS	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
NURSERY / PM						
KINDERGARTEN						
ELEMENTARY (1-5)			See Exhibit "A"			
JR. HIGH (6-8)						
SR. HIGH (9-12)						
TOTAL						

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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ARCHITECTS AND TOWN PLANNERS
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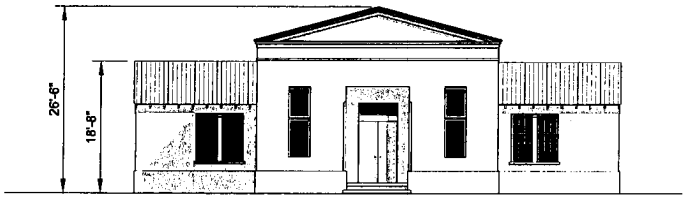
P. 305.644.1023 F. 305.644.1021

SCHEMATIC ARCHITECTURE

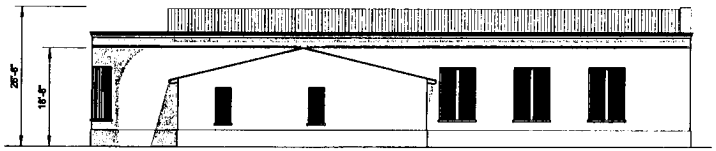
(18) PERFORMING ARTS BUILDING

SCHEMATIC ARCHITECTURE

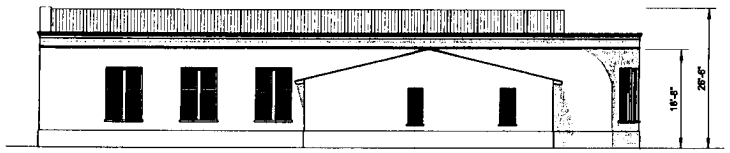
(19) CHAPEL



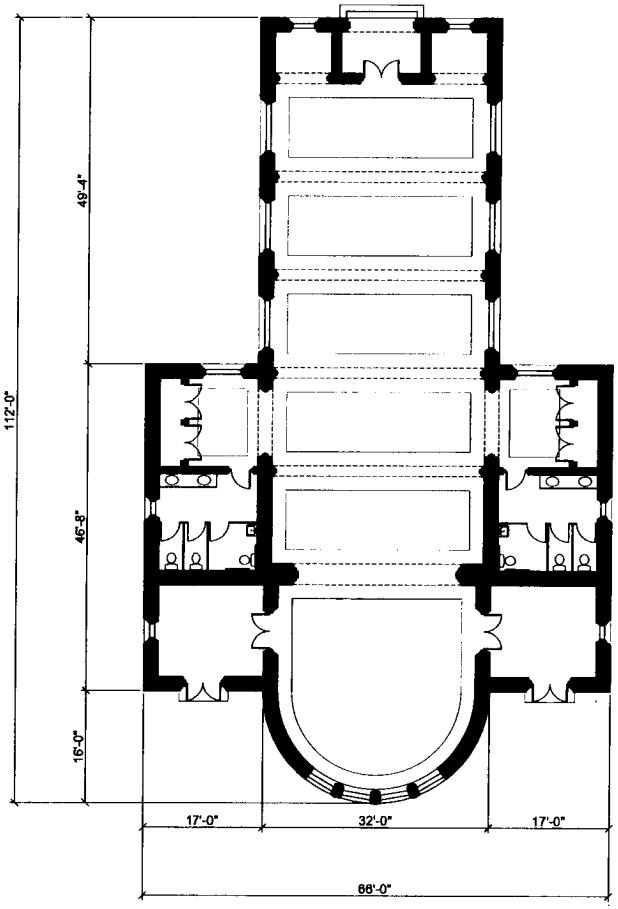
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



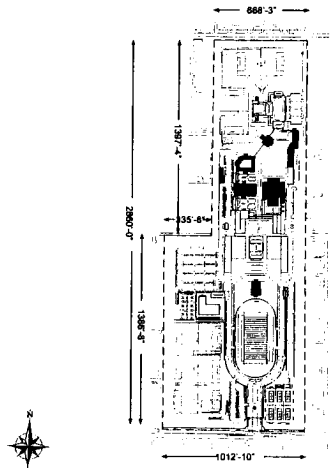
FIRST FLOOR PLAN

8 0 8 16

Building Information

Building Number:	19
Building Use:	Chapel
Proposed Area:	5,477 SF
Ground Floor Area:	5,477 SF
Classrooms:	0
Classroom Area:	0
Number of Floors:	1
Height to Eave:	18'-8"
Height to Top of Roof:	28'-0"
Comments:	

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	18.14 ac	EU-M
LESS R.O.W.	1.47 ac	
LESS S.ROW	0	
LESS SWMP	0	
NET AREA (ac.)	16.67	
NET AREA (sq.ft.)	726,265.20 sf	
NET CO-SPACE (sq.ft. max)	218,000 sf	0.300%
FYI: 2D AREA	200,000.00 sf	27.500%
LANDSCAPED OPEN SPACE	1,452,530.40 sf	41.000%
IN-BOUND SUBJECT TO THE SUM	7,979.42	
MINIMUM LANDSCAPED OPEN SPACE	20% - (b) Student Pop	

SETBACK MEASUREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50	242
SIDE STREET	25	75'
SIDE OR	25	75'
REAR	50	84
BETWEEN BUILDINGS	-	50' min

ACCESSORY BUILDING	
FRONT	50'
SIDE STREET	30'
SIDE OR	30'
REAR	30'
BETWEEN BUILDINGS	10' 20' min

MINIMUM LOT REQUIRED WIDTH		
MINIMUM WIDTH UNDER DEVLPT	100'	1,320'
LOT AREA FOR WIDER DEVLPT	11,000 s.f.	1 ACRE(43,560)
LOT DEPTH FOR WIDER DEVLPT	100'	100'
IN-LINE LOT D.B.	11,000 s.f.	-

MINIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 (for 2 story)	3 (for 3 story)
0.1	0.15	0.2
Min. 10 SHT OF PROPOSED Sq.Ft.BLDG		10'
Min. 10 SHT OF 2nd FLOOR PROP TYPE		10'
MAX. NUMBER OF STORIES PERMITTED		3
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. PERMITTED		0.200
F.A.R. PROPOSED		0.075

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES 1-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SCHOOL NO. 1 TOTAL		

PERMITTED SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	GRADE OF EDUCATION	STUDENTS	PERSONNEL	INTERIOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
SANCTUARY							
AUDITORIUM/GYM							
CLASSROOM (K & 1)	1 SCHOOL, 11 BLDG Bldg.	See Exhibit "A"					
K, 1ST 2D TIER (P-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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ARCHITECTS AND TOWN PLANNERS
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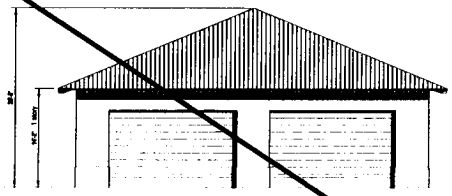
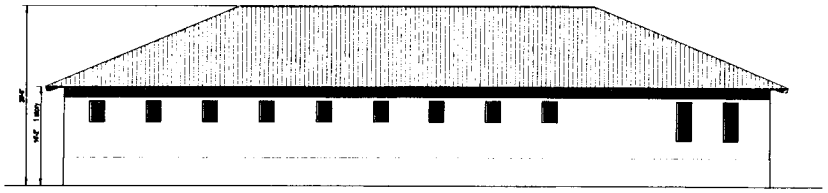
P. 305.644.1023 F. 305.644.1021

SCHEMATIC ARCHITECTURE

(20) SERVICE BUILDING

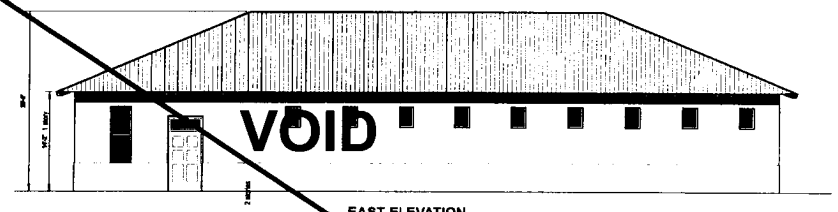


NORTH ELEVATION

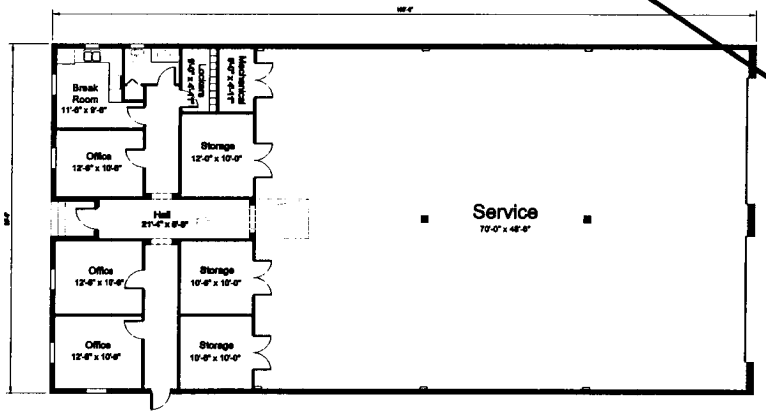


WEST ELEVATION

SOUTH ELEVATION



EAST ELEVATION

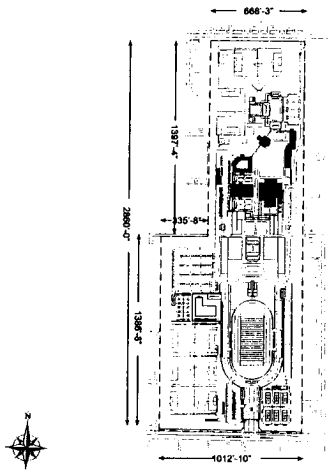


FLOOR PLAN

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

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	10.14 ac	EU-M
LESS 0.5-ST	1.47 ac	
LESS ROW	0	
LESS OW-BD	0	
NET AREA (ac.)	8.67 (21.21 A)	
BYPOD (ROAD (50% max)	10,000	0.26%
PA-BD AREA	3,000,000	33.00%
LANDSCAPED OPEN SPACE	1,000,000	11.00%
IN GROUND SOLID POND SAT	2,000,000	
MINIMUM LANDSCAPED OPEN SPACE	21'-0" (5 Feet/Ac)	

MINIMUM LOT REQUIREMENTS		
PRINCIPAL USE AREA (ACRE)	NC	1 ac
LOT AREA PER AREA (SQ.FT)	21,000 s.f.	1,000,000 s.f.
LOT WIDTH PER AREA (SQ.FT)	140	1000'
MIN LENGTH OF LOT	150 (2 x 75')	-

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SCHOOL TOTAL		

SETBACK REQUIREMENTS		
SETBACK TYPE	STANDARD	PROPOSED
FRONT	30'	60'
2 ND STREET	25'	30'
AREA OW	25'	30'
SIDE	12'	30'
SETBACK BUILDING		10' min.

ACCESSORY BUILDINGS	
FRONT	25'
2 ND STREET	25'
AREA OW	25'
SIDE	12'
SETBACK BUILDING	10' min.

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF OVERLAYED STORIES		
1 Story	2 to 3 Stories	50-Story (F.A.R.)
0.1	0.11	0.15
MAX. AT 50% OF PROPERTIES BUILT		30'
MAX. AT 50% OF BUILDINGS FROM TREE		30'
MAX. NUMBER OF STORIES EXISTING TREE		3
MAX. NUMBER OF STORIES PROPOSED		3
F.A.R. FROM TREE		0.200
F.A.R. PROPOSED		0.200

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GRADE OF SPECIES	STUDENTS	TEACHERS	BUILDING AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	See Exhibit "A"					
ELEMENTARY (1-5)						
JR. HIGH (6-8)						
SR. HIGH (9-12)						
TOTAL						

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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ARCHITECTS AND TOWN PLANNERS
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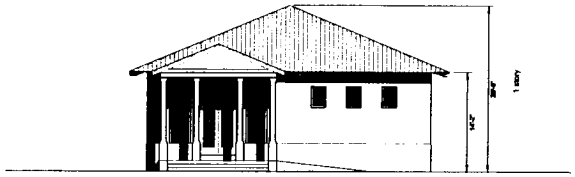
P. 305.644.1023 F. 305.644.1021

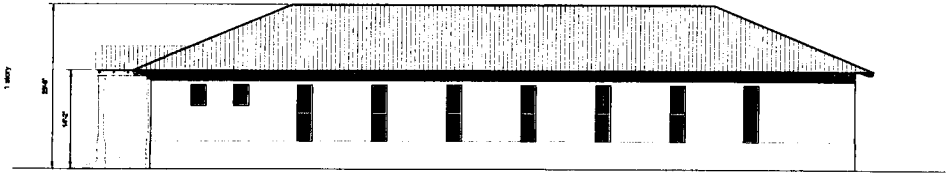
SCHEMATIC ARCHITECTURE

(21) POOL SUPPORT BUILDING

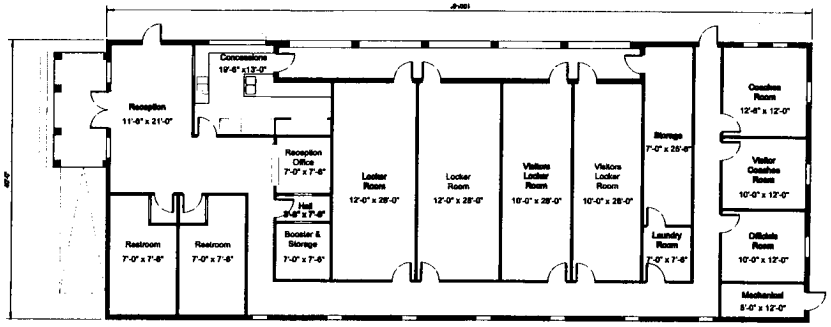


EAST ELEVATION

SOUTH ELEVATION



NORTH ELEVATION



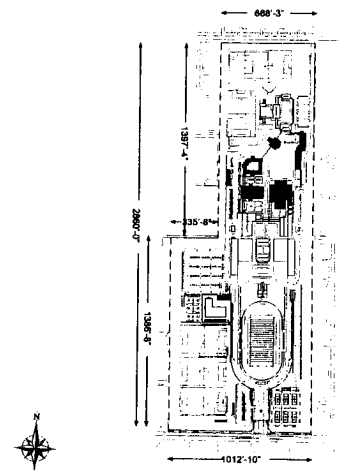
FLOOR PLAN

8 0 8 16

Building Information

Building Number:	21
Building Use:	Pool Support Building
Proposed Area:	4,000 SF
Ground Floor Area:	4,000 SF
Classrooms:	0
Classroom Area:	0
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

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	65.14 ac	EU-M
LESS 1/2 R/W	1.81 ac	
LESS R/W	1	
LESS OTHER	0	
NET AREA (ac.)	1,836,204.44 sf	
LOT COVERAGE (SF)	24,000 sf	1.30%
PAVED AREA	450,000.00 sf	24.50%
LANDSCAPED OPEN SPACE	1,362,204.44 sf	74.20%
IN FRONT SETBACK	1,000011	
IN REAR LANDSCAPED OPEN SPACE	20,- ft. Existing	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	300'
SIDE STREET	50	50'
INTERIOR	10	10
REAR	50	300'
SETBACK BUILDING	-	20' min

ACCESSORY BUILDINGS		
FRONT	50	50'
SIDE STREET	50	50'
INTERIOR	10'	10'
REAR	10	10'
SETBACK BETWEEN BUILDINGS	10'	10' min

PARKING LOT REQUIREMENTS		
PARKING PER VEHICLE	10'	10'x20'
# OF REQ. VEH PARK SPACE	11 EA.*	1,436,204.44
LOT DEPTH PER VEHICLE	20'	20'
SPACES REQ	11 EA.*	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 and 3 stories	10-15 story and up
0.7	0.11	0.22
Max. # OF STORIES PROPOSED/REQ.		1
Max. HEIGHT OF BUILDING FROM TOP		25'
Max. NUMBER OF STAIR CLIMBS FROM TOP		3
Max. NUMBER OF STAIR CLIMBS PROPOSED		3
F.A.R. PERMITTED		0.070
F.A.R. PROVIDED		0.062

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SUBTOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	GRADE OF OPERATION	ENROLLMENT	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN							
PRIMARY/JUNIOR							
ELEMENTARY (1-5)							
JR. AND SR. HIGH (6-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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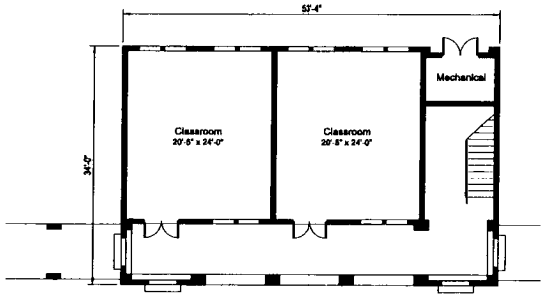
SCHEMATIC ARCHITECTURE

(33) CLASSROOM BUILDING

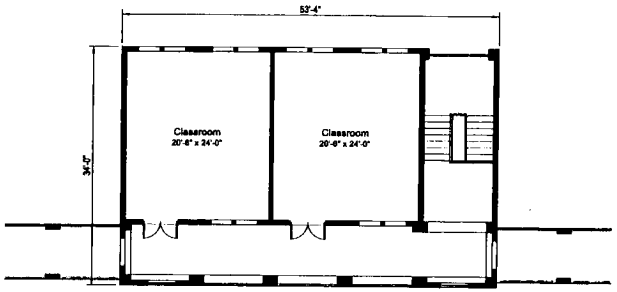
EAST ELEVATION

8 0 8 16



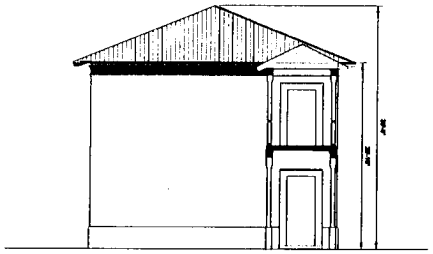
FIRST FLOOR PLAN

8 0 8 16



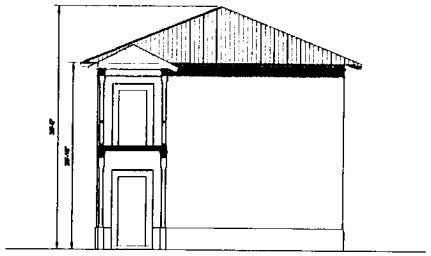
SECOND FLOOR PLAN

8 0 8 16



SOUTH ELEVATION

8 0 8 16



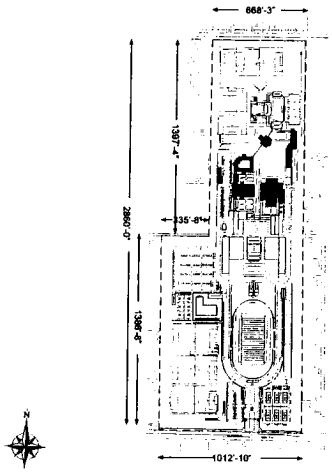
NORTH ELEVATION

8 0 8 16

Building Information

Building Number:	33
Building Use:	Classroom Building
Proposed Area:	3,130 SF
Ground Floor Area:	1,813 SF
Classrooms:	6
Classroom Area:	1,968 SF
Number of Floors:	2
Height to Eave:	26'-10"
Height to Top of Roof:	35'-0"

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Existing District: EU-M

LOT INFORMATION		
GROSS AREA (AFTER)	55.12 ac	EU-M
LESS R-O-W	1.87 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA (ac.)	3.30 (141,61 sf)	
F.A.R. CALCULATED (SEE NOTE)	0.02	0.50%
F.A.R. PROPOSED	0.02	50.00%
LANDSCAPED OPEN SPACE	1,000,000.00 sf	31.00%
1st ORDER SAND HAB. AVE.	0 (0%) 0.0	
2nd HABITABLE/ACCESS OPEN SPACE	31% - By Student Eng.	

SETBACK REQUIREMENTS	REQUIRED	PROPOSED
FRONT	50'	200'
LESS STREET	25'	50'
OPEN CIR	25	30'
REAR	50'	300'
SETBACK(S) FROM R-O-W	-	50' min

ACCESSORY BUILDINGS		
FRONT	25	50'
LESS STREET	25	50'
OPEN CIR	25'	50'
REAR	10	50'
SETBACK(S) FROM R-O-W	10	50' min

MINIMUM LOT REQUIREMENTS		
TRACT AREA FOR USES (ac.)	20'	1 UNIT
NET AREA FOR USES (ac.)	10 (435,600 s.f.)	1 UNIT/0.44 s.f.
NET DEPTH FOR USES (ft.)	150	1000'
NET LO HTD 0 (ft)	10 (435 s.f.)	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 Story	2 Story (Max)	3 Story (Max)
0.4	0.75	0.90
MAX. NO. OF STORIES PROPOSED (1,2,3)		2
MAX. NO. OF STORIES FROM TRIP		2
MAX. ALLOWABLE F.A.R. (S) FROM TRIP		2
MAX. ALLOWABLE F.A.R. (S) PROPOSED		2
F.A.R. FROM TRIP		0.02
F.A.R. PROPOSED		0.02

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUN OR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED FACILITIES		

PRIMARY SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	BUILDING AREA	CLASSROOM AREA
NURSERY PK							
PRESCHOOL							
ELEMENTARY (K-5)							
JR. HIGH (6) HIGH (7-8)							
TOTAL							

See Exhibit "A"

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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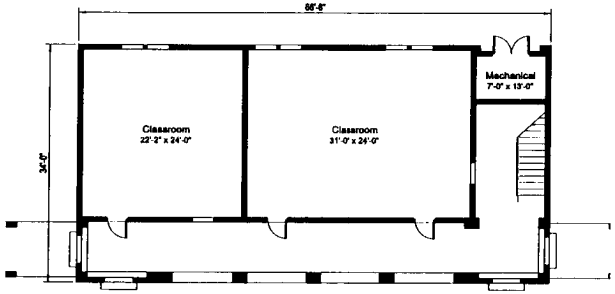
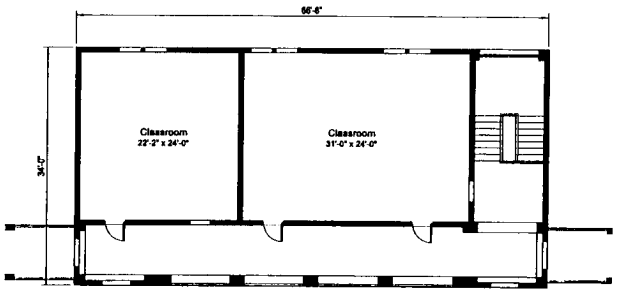
EAST ELEVATION

8 0 8 16



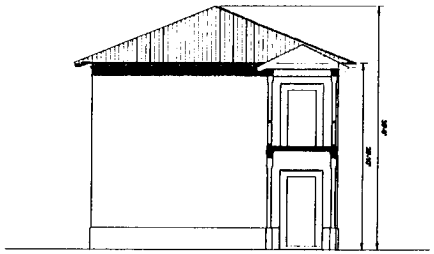
FIRST FLOOR PLAN

8 0 8 16



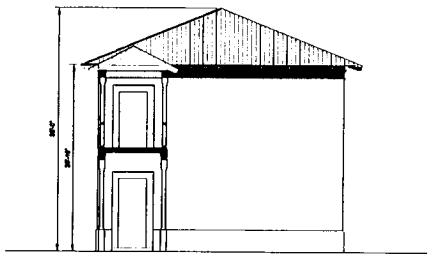
SECOND FLOOR PLAN

8 0 8 16



SOUTH ELEVATION

8 0 8 16

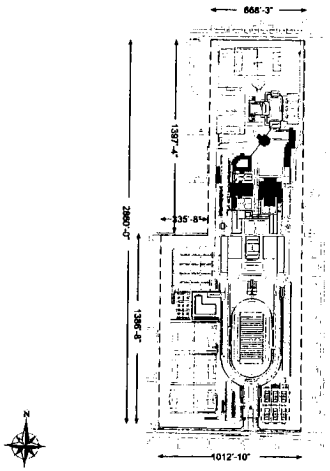


NORTH ELEVATION

8 0 8 16

Building Number:	34
Building Use:	Classroom Building
Proposed Area:	4,010 SF
Ground Floor Area:	2,272 SF
Classrooms:	4
Classroom Area:	2,400 SF
Number of Floors:	2
Height to Eave:	26'-10"
Height to Top of Roof:	35'-0"
Comments:	

Building Information



* All building designs are schematic

Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	15.14 ac	EU-M
LESS R-O-W	1.07 ac	
LESS W-WER	0	
LESS OPEN SPACE	0	
NET AREA (ac ")	1,232,201.20 sf	
EXT CO. STANDARD (SF/unit)	21,000 sf	6.00%
PALMS AREA	184,830.30 sf	15.00%
LANDSCAPED OPEN SPACE	1,232,201.20 sf	100.00%
2-STORIES SHADE NO. OF STRY	1 STORY	
30 % MIN. LANDSCAPED OPEN SPACE	30% - 5 Trees/1,000 S.F.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50	50'
S.W. STREET	50	50'
STREET	50	50'
REAR	50	50'
SETBACK BUILDING	-	50' min

ACCESSORY BUILDINGS		
FRONT	50	50'
S.W. STREET	50	50'
STREET	50	50'
REAR	10	10'
SETBACK BUILDING	10	10' min

BUILDING LOT REQUIREMENTS		
FRONTAGE FOR WIDE-CELLS	45	1,000'
LOT AREA FOR WIDE-CELLS	10,000 s.f.	1,000,000 sf
LOT DEPTH FOR WIDE-CELLS	100'	1000'
BUILDING % (I)	35% (I) s.f.	

BUILDING FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 STRY.	2 Story / Above	3 Story / Above
F.A.R.	0.35	0.45
MAX. HT. OFF 0" PROPOSED BUILDING		30'
MAX. HT. OFF 0" BUILDING PERMITTED		35'
MAX. NUMBER OF STORIES PERMITTED		3
MAX. NUMBER OF STORIES PROPOSED		2
* A.R. PERMITTED		0.450
* A.R. PROPOSED		0.350

VEHICLES		
SCHOOL	SUPPORT	TRANSFER
ELEMENTARY SCHOOL GRADES 0-5	See Exhibit "A"	
JUNIOR SCHOOL GRADES 6-8		
HIGH SCHOOL GRADES 9-12		
SHARED TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	SEATING OF OPERATION	STUDENTS	PARKING	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN			See Exhibit "A"			
ELEMENTARY						
JR. HIGH SCHOOL						
SR. HIGH SCHOOL						
TOTAL						

Zoning Legend

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET

38.2

4.19.2010

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

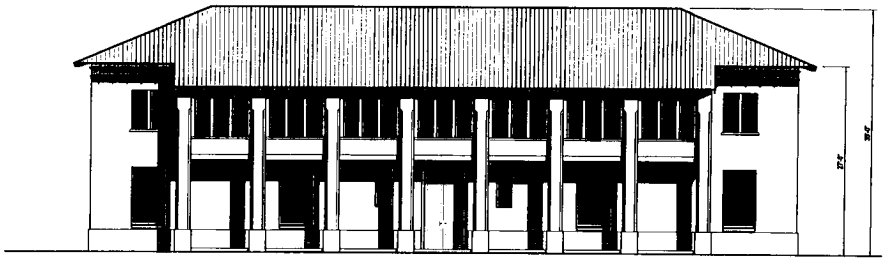
Prepared By

SCHEMATIC ARCHITECTURE

(34) CLASSROOM BUILDING

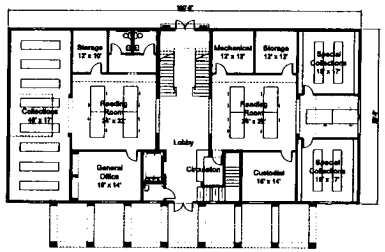
SCHEMATIC ARCHITECTURE

(35) LIBRARY AND ADMINISTRATION



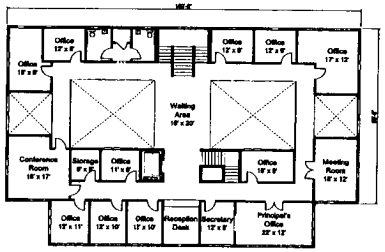
SOUTH ELEVATION

8 0 8 16



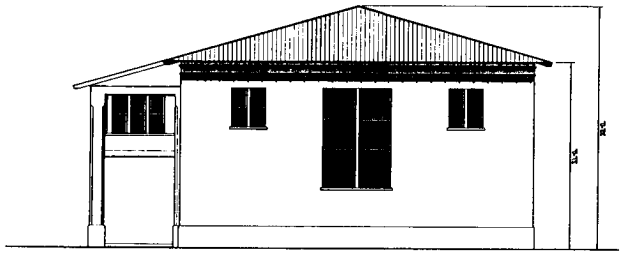
FIRST FLOOR PLAN

16 0 16 32



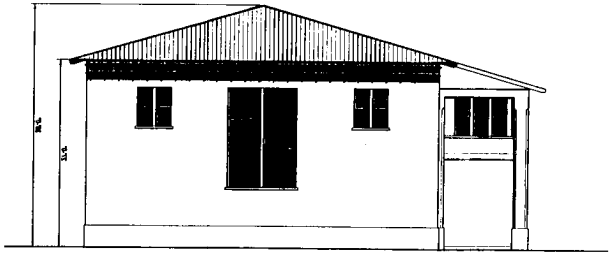
SECOND FLOOR PLAN

16 0 16 32



EAST ELEVATION

8 0 8 16



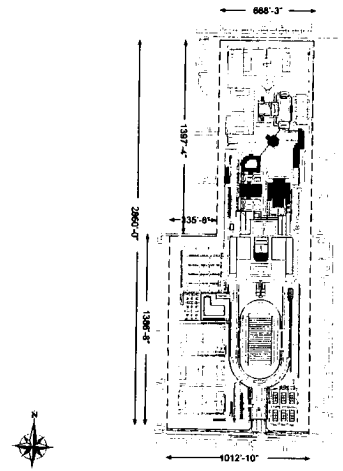
WEST ELEVATION

8 0 8 16

Building Information

Building Number: 35
Building Use: Library and Administration
Proposed Area: 9,000 SF
Ground Floor Area: 5,000 SF
Classrooms: 0
Classroom Area: 0 SF
Number of Floors: 2
Height to Eave: 27'-0"
Height to Top of Roof: 35'-0"
Comments:

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	[illegible] ac	EU-M
LESS R-O-W	1.47 ac	
LESS WATER	0	
LESS OPEN SPACE	0	
NET AREA (AC *)	[illegible] ac	
GROSS FLOOR AREA (SF) (Total)	[illegible] sf	[illegible]
PLAN AREA	[illegible] sf	[illegible]
LANDSCAPED OPEN SPACE	[illegible] sf	[illegible]
1st Floor (S.F.) 10 ft. O/S	1 (10,000)	
MINIMUM LANDSCAPED OPEN SPACE	20% - 5, Parked P.A.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	200'
SIDE STREET	25'	29'
SIDE OR	25	50'
REAR	50	300'
SETBACK FROM LAKES	-	20' min

ACCESSORY BLDG. SETBACK		
FRONT	25	50'
SIDE STREET	25'	50'
SIDE OR	25'	50'
REAR	10	50'
SETBACK FROM LAKE	0	20' min

MINIMUM LOT REQUIREMENTS		
FRONTAGE THE WIDEST LOT	100'	- 1,000'
LOT AREA THE WIDEST LOT	10,000 s.f.	- 1,000,000 s.f.
LOT DEPTH THE WIDEST LOT	100	1000'
MAXIMUM F.A.R.	0.25 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 Story	2 Story Bldg	3 or more Bldg
0.4	0.11	0.10
MAX. NO. OF OUT OF PROPORTIONAL [illegible]		30'
MAX. NO. OUT OF PROPORTIONAL FIRST FIRE		30'
MAX. NUMBER OF FIRST ELEVATION FIRE		1
MAX. NUMBER OF FIRST ELEVATIONS PROPOSED		1
F.A.R. PERMITTED		0.25
F.A.R. PROPOSED		0.25

VEHICLES		
SECTION	DEPARTMENT	TRANSPORT
ELEMENTARY SCHOOL (GRADES 1-5)	See Exhibit "A"	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
SHARED NO. 1 TYPE		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
SHARED VIA						
PRESCHOOL/DAY CARE						
ELEMENTARY (1-5)		See Exhibit "A"				
JR. HIGH (6-8)						
HIGH (9-12)						
Note:						

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
38.3
4.19.2010

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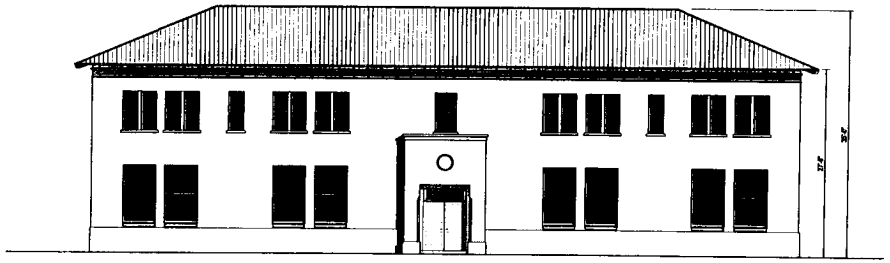
SCHEMATIC ARCHITECTURE

(36) MEDIA CENTER AND ADMINISTRATION

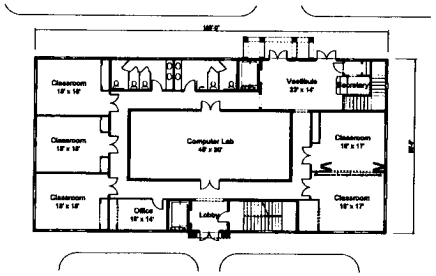
Building Information

Building Number: 36
Building Use: Media Center and Administration
Proposed Area: 9,000 SF
Ground Floor Area: 5,000 SF
Classrooms: 0
Classroom Area: 0 hSF
Number of Floors: 2
Height to Eave: 27'-0"
Height to Top of Roof: 35'-0"
Comments:



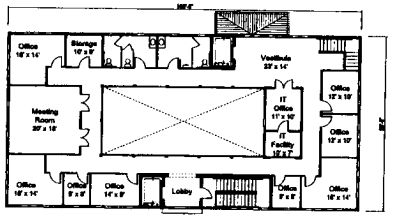
WEST ELEVATION

8 0 8 16



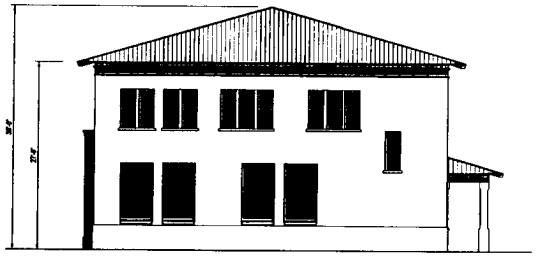
FIRST FLOOR PLAN

16 0 16 32



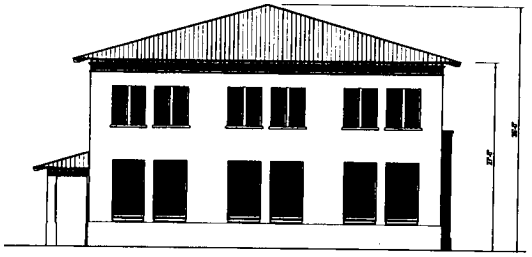
SECOND FLOOR PLAN

16 0 16 32



NORTH ELEVATION

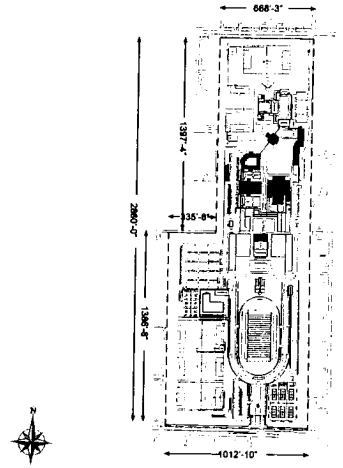
8 0 8 16



SOUTH ELEVATION

8 0 8 16

Master Plan Key



* All building designs are schematic

Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	39.14 ac	EU-M
LESS R-O-W	1.77 ac	
LESS A-1 RES	0	
LESS OPEN	0	
NET AREA (ac.) (1)	2,305,211.21 sf	
LOT COVERAGE (SFR only)	210,000 sf	9.00%
PO LOS AREA	600,000.00 sf	26.00%
LANDSCAPED OPEN SPACE	1,045,000.20 sf	45.00%
IN SHADE SQ.FT.@ 50 sf/ SHT	3 (PER EX)	
IN SHADE UNDER LPO (TREES*40)		20% - 5 (Total=7*)

SETBACK REQUIREMENTS		
SETBACK TYPE	MINIMUM	PROVIDED
FRONT	50'	50'
S.W. STREET	50'	50'
NORTH SIDE	15'	50'
SOUTH SIDE	15'	50'
SETBACK BUILDINGS		30' min.

ACCESSORY BUILDINGS		
FRONT	50'	50'
S.W. STREET	50'	50'
NORTH SIDE	15'	50'
SOUTH SIDE	15'	50'
SETBACK BUILDINGS	10'	30' min.

PARKING LOT GROSS RATIO		
PARKING FOR NORTH SIDE	32	1 / 1,000'
LOT AREA FOR NORTH SIDE	10,000 s.f.	1 / 1,000 s.f.
LOT DEPTH FOR NORTH SIDE	100'	100'
BUILD-TO 1.2	12,000 s.f.	100'

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
JUNIOR SECONDARY (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
PRESENT FLT (1)		

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	1 floor area	30,000 sq. ft.
2+	0.10	2.00
MAX. SF OUT OF PROPOSED BUILDING		10'
MAX. SF OUT OF BUILDING PERIMETER		10'
MIN. NUMBER OF STORY'S PER TREE		2
MIN. NUMBER OF STORY'S PROPOSED		2
F.A.R. PER TREE		5,000
F.A.R. PROPOSED		5,000

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	7:30 AM to 11:00 PM Daily	See Exhibit "A"					
PRE-KINDERGARTEN							
ELEMENTARY (1-5)							
JR. HIGH SCHOOL (6-8)							
HIGH SCHOOL (9-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
38.4
4.19.2010

Prepared By
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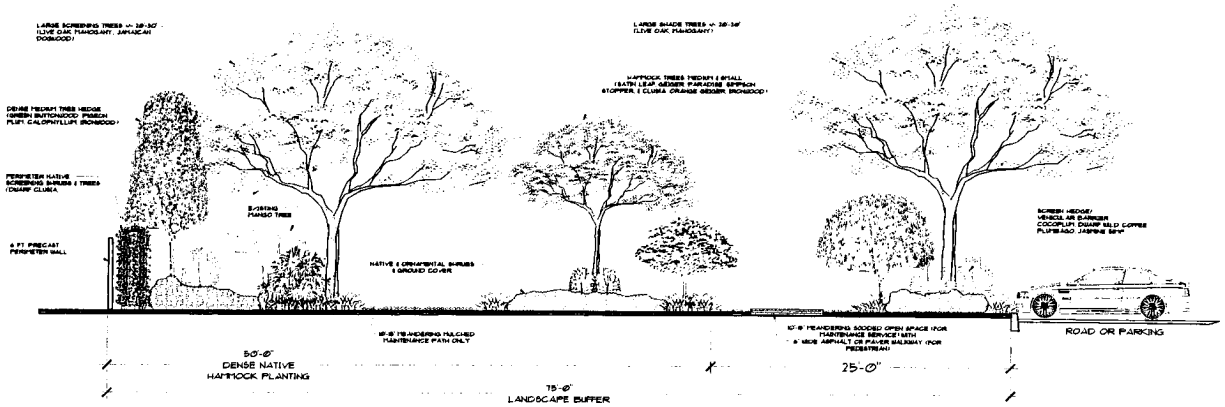
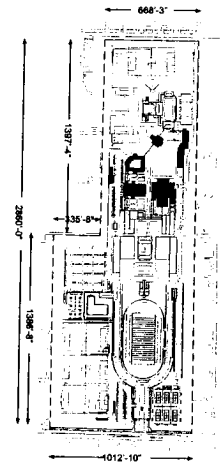
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021



75' LANDSCAPE BUFFER - SECTION

GEOMANTIC DESIGNS, INC.
LANDSCAPE ARCHITECTURE
ROBERT PARSLEY A.S.L.A.
LA 0000705
6600 S.W. 81 STREET MIAMI, FL. 33143
PHONE: 305-665-9648 FAX: 305-668-8426

Consultant



Master Plan Key

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	50.14 ac	EU-M
LESS R-O-W	1.41 ac	
LESS W/ERB	1	
ADD. R-O-W	1	
NET AREA ac.	1.41	
NET AREA sq. ft.	1,401,911.41 sf	
NET CO-GRADE (50% max)	703,955 sf	50.20%
PAVED AREA	184,324.20 sf	13.00%
LANDSCAPED OPEN SPACE	1,401,911.41 sf	51.00%
ALTERNATE NON-PAVED SPACE	2,500,000 s	
MINIMUM LANDSCAPED OPEN SPACE	50% - 2,500,000 s.f.	

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR WIDER OR MAP	100	1,000'
LOT AREA FOR WIDER OR LOT	15,000 s.f.	1,000,000 s.f.
LOT DEPTH FOR WIDER OR LOT	100	100'
BUILDING # 2	10,000 s.f.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50'	50'
SIDE STREET	25'	50'
INTERIOR	25'	50'
REAR	50'	50'
SETBACK (PARKING)		20' min.

ACCESSORY BUILDINGS		
FRONT	75'	75'
SIDE STREET	50'	50'
INTERIOR	25'	25'
REAR	25'	25'
SETBACK (PARKING)	25	25' min

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 story above	3+ story and up
0.4	0.45	0.50

MAX. HT. OUT OF PROPERTY (FLAT RO	30'
MAX. HT. OUT OF 25' (IN LIEU NEW TREE	30'
MIN. NUMBER OF STORIES REPH TREE	1
MIN. NUMBER OF STORIES PROPOSED	1
F.A.R. REPH TREE	0.50
F.A.R. PROPOSED	0.00

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit 'A'	
JUNIOR SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
(GRADES P-12)		

PERMITTED SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
SUPPORT LEVEL							
TRANSPORT							
ELEMENTARY (P-5)	1 DAY x 11 HOURS/DAY	See Exhibit 'A'					
JR. HIGH (6, 7, 8) (P-8)							
TOTAL							

Zoning Legend

PALMER TRINITY SCHOOL

7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET 39

4.19.2010

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

Prepared By

APPENDIX

LANDSCAPE - BUFFER SECTIONS

APPENDIX

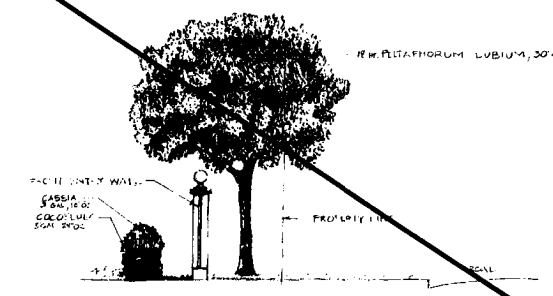
LANDSCAPE - BUFFER SECTIONS

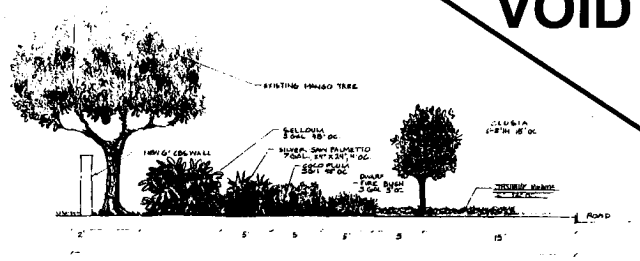
Consultant

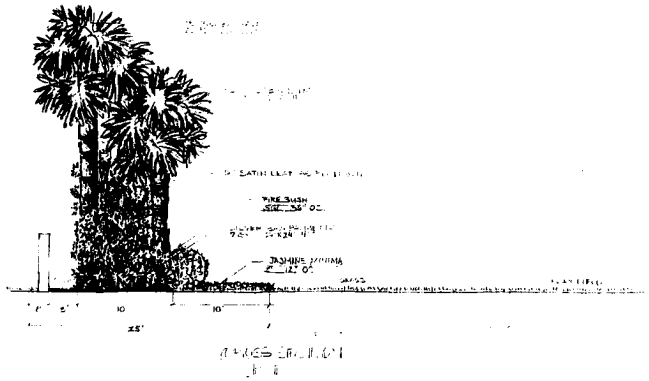
Master Plan Key

Zoning Legend

Prepared by







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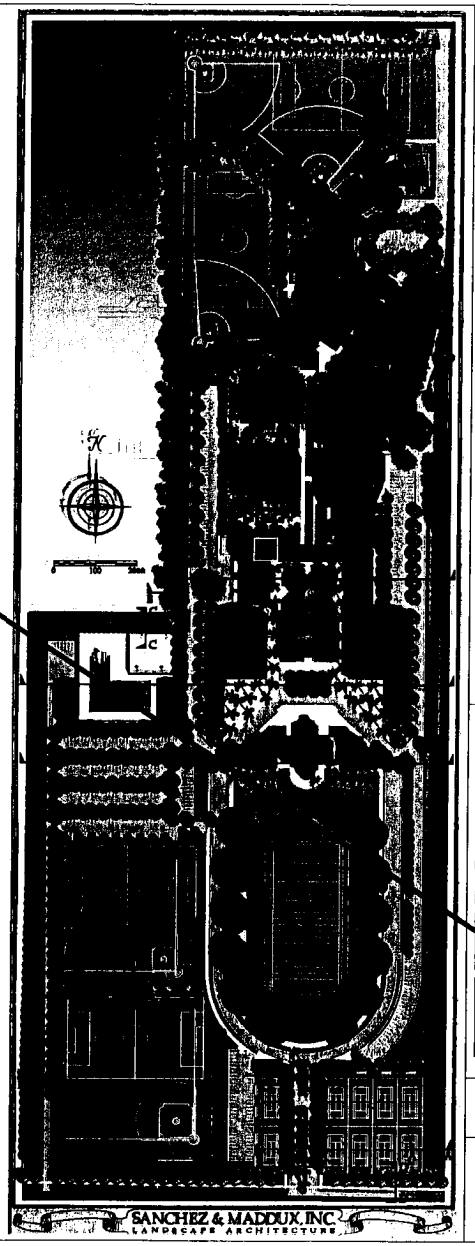

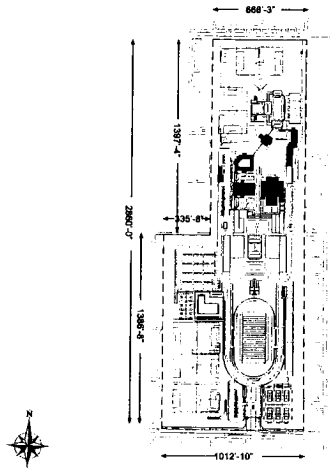

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	50.31 ac	EU-M
LESS R-O-W	1.47 ac	
LESS WATER	0	
LESS OTHER	0	
NET AREA ac. / sf	2,191,311.24 sf	
LOT COVERAGE (SFR) MAX	219,131 sf	10.00%
PAVED AREA	656,393.24 sf	29.95%
LANDSCAPED OPEN SPACE	1,315,386.24 sf	60.05%
MIN/MAX BUILDING HEIGHT	2 STORIES	
MINIMUM LANDSCAPED OPEN SPACE		25% - By Instrument

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	30'	30'
SIDE STREET	30'	30'
SIDE OR	30'	30'
REAR	30'	30'
SETBACK BUILDING		30' min

ACCESSORY BUILDINGS		
FRONT	30	30'
SIDE STREET	30	30'
SIDE OR	30	30'
REAR	10	10'
SETBACK BUILDING	30	30' min

MAXIMUM LOT REQUIREMENTS		
MAXIMUM FOR NON-CO LIE	40	1,000'
LOT AREA FOR NON-CO LIE	43,560 s.f.	1,000,000 s.f.
LOT DEPTH FOR NON-CO LIE	150'	1000'
MAXIMUM R-O-W	12,000 s.f.	

MAXIMUM FLOOR AREA RATIO F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 floor plans	3+ floor plans
F.A.R.	0.10	0.20
MAX. HEIGHT OF PROPOSED BUILDING		30'
MIN. HEIGHT OF BUILDINGS NEW TREE		20'
MAX. NUMBER OF STORIES NEW TREE		2
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. NEW TREE		0.200
F.A.R. PROPOSED		0.200

VEHICLES		
SCHOOL	SUPPORT	CHAUFFEURS
ELEMENTARY SCHOOL GRADES K-5	See Exhibit 'A'	
MIDDLE SCHOOL GRADES 6-8		
HIGH SCHOOL GRADES 9-12		
SUBTOTAL TBD		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	NAME OF SPECIALTY	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN (PRE-KINDERGARTEN)				See Exhibit 'A'			
ELEMENTARY (K-5)							
JR. HIGH (6-8)							
HIGH (9-12)							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
40
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APPENDIX

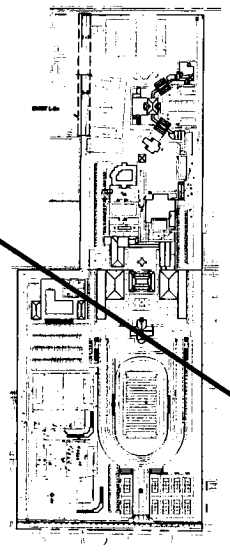
LANDSCAPE - BUFFER DETAILS

Consultant

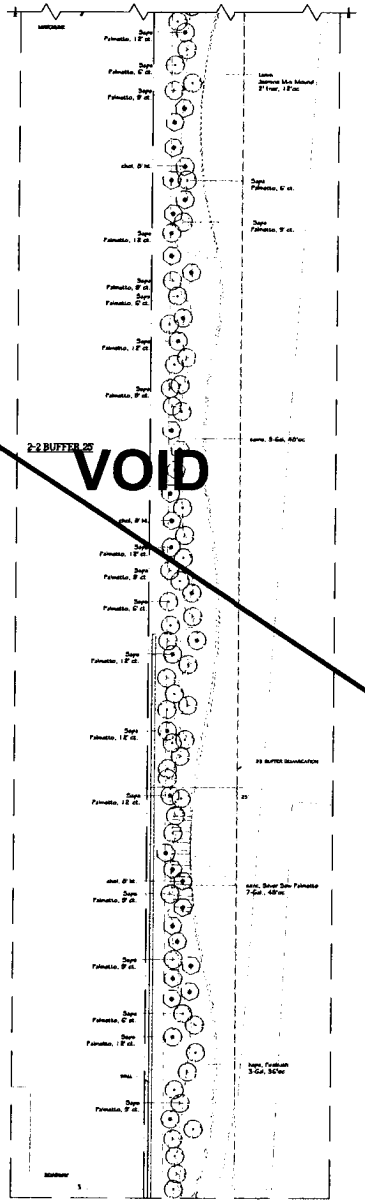
Master Plan Key

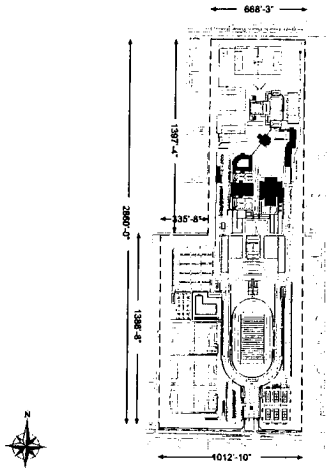
Zoning Legend

Prepared by



MAP KEY
SCALE: 1"=300'





PLANT LIST

Code	Quantity	Scientific Name	Common Name	Planting Size
bmv	27	Bambusa vulgare vittata	Vietnam Bamboo	10-Gal, 12'oc
bmg	82	Bougainvillea Mini Sunset	Mini Sunset Bougainvillea	7-Gal, vine to 25'ft
cag	68	Caesalpinia granadilla	Bucket Vine Tree	10' x 10', 25'oc
cam	46	Caryota mitis	Fishtail Palm	10'oc, 7'oc
cas	7	Cassia alatissima	Argentine Shower	12' x 12'
cspo	13	Cassia polystachya	Sugarb tree	Solid selected 12'C
chw	1,072	Chrysobalanus icaco 'Red Tip'	Cocoplum	3-Gal,40'oc
chd	1,61	Chrysophyllum oliviforme	Satin Leaf	8' ht.
clg	535	Clusia guttifera	Small Leaf Clusia	25 gal., 8'-0" ht.
dyb	6	Dypsis lutescens	Areca Palm	25-Gal, 8'oc
fagr	3,000	Ficus microcarpa	Chapel Fieldstone	Dwarf, 3-Gal, 30'oc
fam	80	Ficus aurea	Gulfstream	10' ht. 5" cal, 30'oc
lyc	6	Lycium barbarum	Wild Tomatoes	15' x 15'
lmo	161	Mimusops elengi	Spanish Cherry	3-Gal, 40'oc
pado	48	Pithecellobium dioicum	Tamaytamon	15'ht, 30'oc
Pbed	674	Pithecellobium keteniam	Bahama pithecellobium	3-Gal, 40'oc
Qvi	71	Quercus virginiana	Southern live oak	8'ht, 1-1/2' cal.
rsf	63	Sabal palmetto	Florida Royal Palm	10'clear
Sapa	55	Sabal palmetto	Palmetto	12' ct.
Sapp	124	Sabal palmetto	Palmetto	6' ct.
Sapa	90	Sabal palmetto	Palmetto	9' ct.
sep	548	Serenoa repens	Florida Saw Palmetto	3-Gal, 24'H, 36'oc
serre	2,410	Serenoa repens cluyanus	Cuban Saw Palmetto	3-Gal, 40'oc
sere	8,100	Serenoa repens 'Cinerea'	Silver Saw Palmetto	7 gal., 48" oc.
tbtu	41	Tabebuia heterophylla	Pink Trumpet Tree	12' ht
tsma	1,679	Trachelospermum asiaticum 'Variegat'	Asian Jasmine	2' liner, 12'oc

Private School - ZONING LEGEND

Zoning District: EU-M

LOT DIMENSIONS		
GROSS AREA (ACRES)	78.94 ac	EU-M
LESS 1/2 ROW	1.41 ac	
LESS WETS	0	
LESS OTHER	0	
NET AREA ac.	77.53 ac	
NET AREA sq. ft.	3,377,417.4 sf	
LOT COVERAGE (SFR ONLY)	210,000 sf	6.22%
PAVED AREA	506,000 sf	15.00%
PERVIOUS OPEN SPACE	1,871,000 sf	55.40%
IMPERVIOUS BUILDING SQ.	1,000,000	
MINIMUM PERVIOUS OPEN SPACE	25% - By Exhibit Plan	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50'	50'
SIDE STREET	25'	50'
SIDE (S)	25'	50'
SIDE (N)	25'	50'
REAR	50'	50'
SETBACK Graphic		50' min

ACCESSORY BUILDINGS		
FRONT	25'	50'
SIDE STREET	25'	50'
SIDE (S)	10'	50'
REAR	10'	50'
SETBACK BUILDING	10'	50' min

MINIMUM LOT DIMENSIONS		
FRONAGE PER STREET GRAGE	100'	- 1,000'
LOT AREA PER STREET GRAGE	43,560 s.f.	1,000,000 s.f.
LOT DEPTH PER STREET GRAGE	150'	1000'
SITE AREA IN ac.	43,560 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	0.15 sf/sf/ac	0.15 sf/sf/ac
2 s	0.15	0.30
MAX. NO. OF STORIES PROPOSED BUILDINGS		2
MAX. HT. OF PROPOSED BUILDINGS		30'
MAX. HT. OF EXISTING PERM. TREE		30'
MAX. NUMBER OF STORIES PERM. TREE		3
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. PERM TREE		0.00
F.A.R. PROPOSED		0.00

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL GRADES K-5	See Exhibit 'A'	
MIDDLE SCHOOL GRADES 6-8		
HIGH SCHOOL GRADES 9-12		
SUBTOTAL - 1-12		

HIGH-TE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	HOURS OF OPERATION	STUDENTS	PARKING	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
NURSERY HS						
KINDERGARTEN						
ELEMENTARY (K-5)						
M. (6-8)						
H. (9-12)						
TOTAL						

See Exhibit 'A'

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
41
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APPENDIX

Consultant

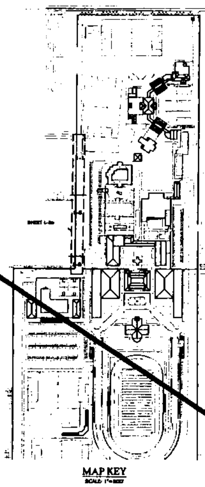
Master Plan Key

Zoning Legend

LANDSCAPE - BUFFER DETAILS

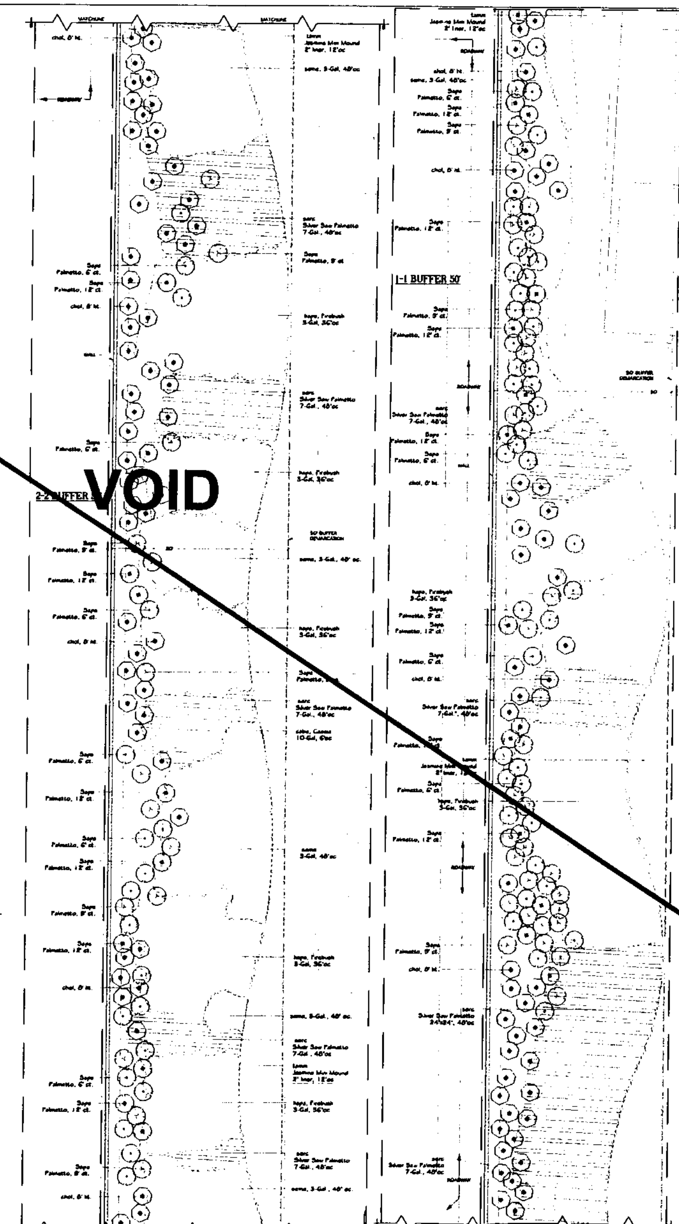
Prepared by

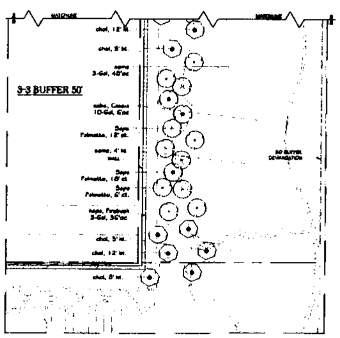
VOID

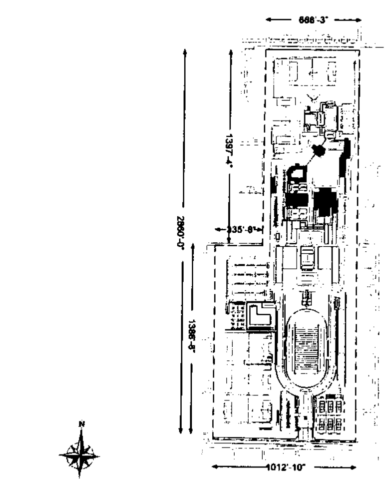


PLANT LIST

Code Name	Quantity	Scientific Name	Common Name	Planting Size
[illegible]	87	Bambusa vulgaris vittata	[illegible] Bamboo	15-Gal, 15'oc
[illegible]	22	Bougainvillea 'New River'	New River Bougainvillea	7-Gal, [illegible]
[illegible]	36	Caesalpinia granadillo	Bridal Veil Tree	10' x 10', [illegible]
[illegible]	45	Caryota mitis	Fishtail Palm	10oa, 7oa
[illegible]	7	Cassia [illegible]	Apple Blossom Shower	12' x 12'
[illegible]	12	Ceiba pentandra	Kapok tree	field selected spp
[illegible]	1072	Chrysobalanus icaco 'Red Tip'	Cocoplum	3-Gal, 48"oc
[illegible]	154	Chrysophyllum oliviforme	Satin Leaf	8' ht.
[illegible]	325	Clusia guttifera	Small Leaf Clusia	25 gal., 6'-8' ht.
[illegible]	6	Dypsis lutescens	Areca Palm	25-Gal, [illegible]
[illegible]	2006	Hamelia patens	Dwarf Firebush	Dwarf, 3-Gal, 36"oc
[illegible]	80	Ilex cassine	Dahoon	10' ht. 3" cal, 25'oc
[illegible]	6	Lysiloma latisiliquum	Wild Tamarind	12' x 12'
[illegible]	161	Monstera deliciosa	Splitleaf philodendron	3-Gal, 48"oc
[illegible]	46	Peltophorum pterocarpum	Peltophorum	16ht, 20'oc
[illegible]	374	Philodendron selloum	Selloum philodendron	3-Gal, 48"oc
[illegible]	71	Quercus virginiana	Southern live oak	8ht, 1-1/2 cal
[illegible]	68	Roystonea elata	Florida Royal Palm	10'gw
[illegible]	95	Sabal palmetto	Palmetto	12' ct.
[illegible]	124	Sabal palmetto	Palmetto	6' ct.
[illegible]	80	Sabal palmetto	Palmetto	9' ct.
[illegible]	546	Sambucus [illegible]	Florida Elderberry	3-Gal, [illegible]
[illegible]	1410	Senna mexicana chapmanii	Cassia bahamensis	3-Gal, 48"oc
[illegible]	2107	Serenoa repens 'Cinerea'	Silver Saw Palmetto	7 gal., 48" oc.
[illegible]	41	Tabebuia heterophylla	Pink Trumpet Tree	12' ht.
[illegible]	16761	Trachelospermum asiaticum 'Minima'	Asian Jasmine	2" liner, 12"oc







Private School - ZONING LEGEND

Zoning District: EU-M

EU-M

See Exhibit 'A'

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
42
4.19.2010

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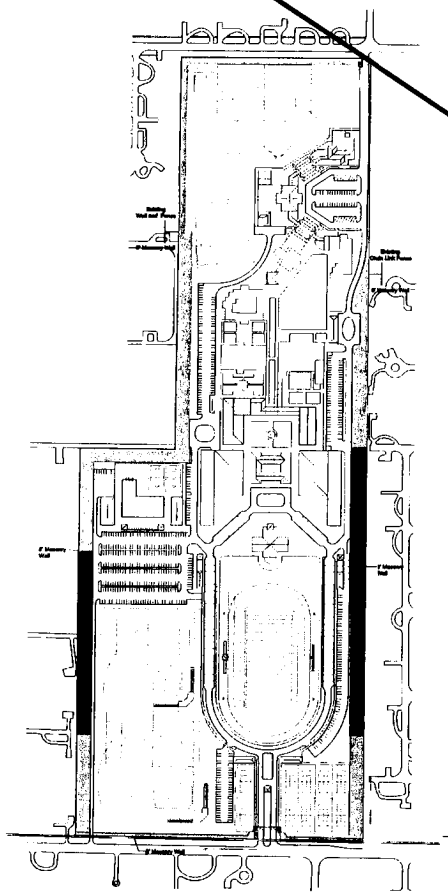
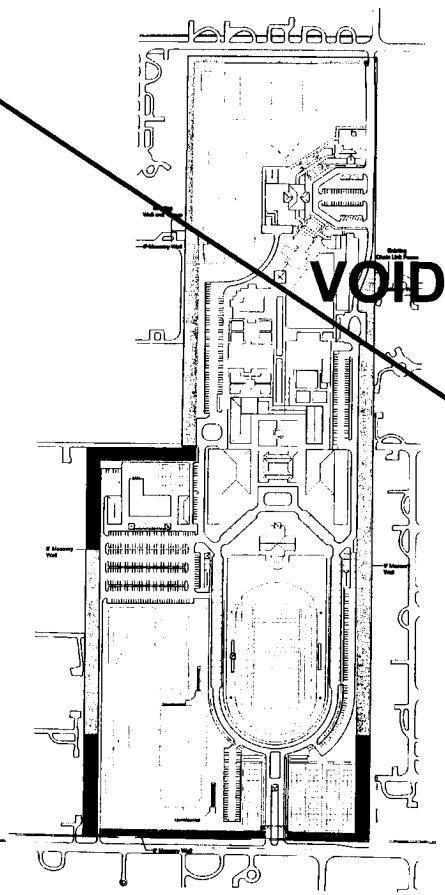
APPENDIX

LANDSCAPE - BUFFER PHASING

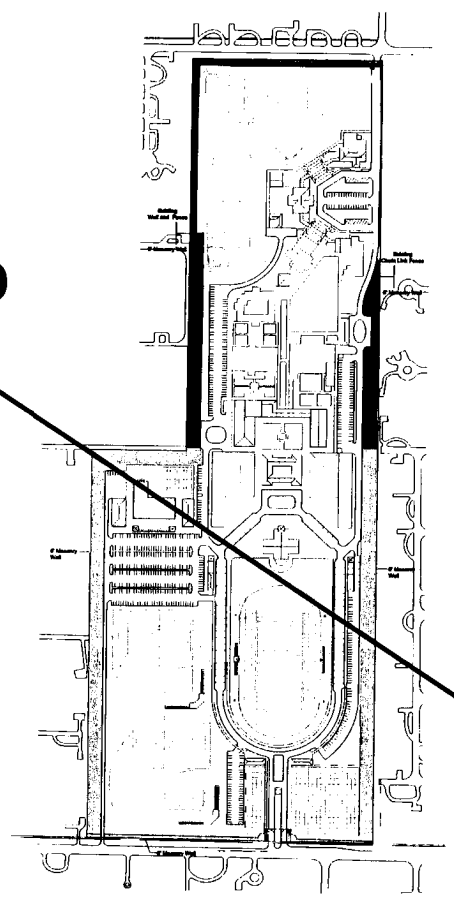
VOID



PHASE 3 - FULL BUILD-OUT AT 5 YEARS



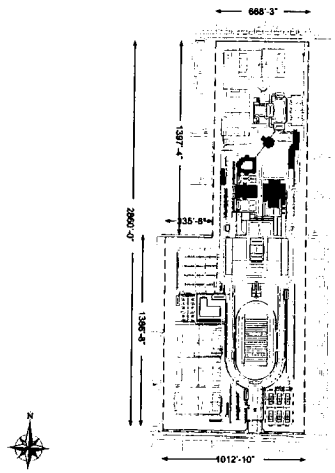
PHASE 2 - CONCURRENT WITH CONSTRUCTION OF FIELDS AND SERVICE FACILITY



PHASE 1 - CONCURRENT WITH CONSTRUCTION OF DINING HALL

Consultant

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION	
GROSS AREA (ACRES)	50.50 ac
LESS R-O-W	1.37 ac
LESS WATER	4
LESS OPEN SPACE	4
NET AREA (sq. ft.)	2,197,241.20 sf
NET DEV SPACE (20% max)	319,300 sf / 3.00%
FA-LED AREA	68,200.20 sf / 31.00%
LANDSCAPED OPEN SPACE	1,215,301.20 sf / 41.00%
25 SPACE SHARE AS AT EAR	2 PRKG SPS
25 SPACE LANDSCAPED OPEN SPACE	2% - 5, Fudent Pop

BUILDING LOT REQUIREMENTS		
FRONTAGE FOR WIDE ON LOT	12	1,242'
LOT AREA FOR WIDE ON LOT	12,000 sf	1,242,000 sf
LOT DEPTH FOR WIDE ON LOT	150'	1,000'
BUILDING S. SE	12,500 sf	

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY / SCHOOL (GRADES 6-8)	See Exhibit "A"	
SENIOR SCHOOL (GRADES 9-12)		
PRE-SCHOOL (GRADES 3 & 4)		
ELEMENTARY (1-5)		

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	50'	50'
1-50 STREET	50'	50'
WIDE ON	25'	50'
REAR	50'	50'
BETWEEN BUILDINGS	-	30' min

ACCESSORY BUILDINGS	
FRONT	50'
0-50 STREET	50'
WIDE ON	50'
REAR	15
BETWEEN BUILDINGS	15' 40' min

BUILDING FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES	
1 story	2 floor areas
0.1	0.15
MAX. HT. OF PROPOSED BUILDING	30'
MAX. HT. OF BLDG IN 1/2 MILE FROM TRIB	30'
MAX. NUMBER OF STORIES FROM TRIB	1
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. FROM TRIB	0.010
F.A.R. PROPOSED	0.002

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	NAME OF SPECIAL	STUDENTS	PLANNING	INDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
SUPERIOR		See Exhibit "A"					
ELEMENTARY (1-5)							
ELEMENTARY (6-8)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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SHEET
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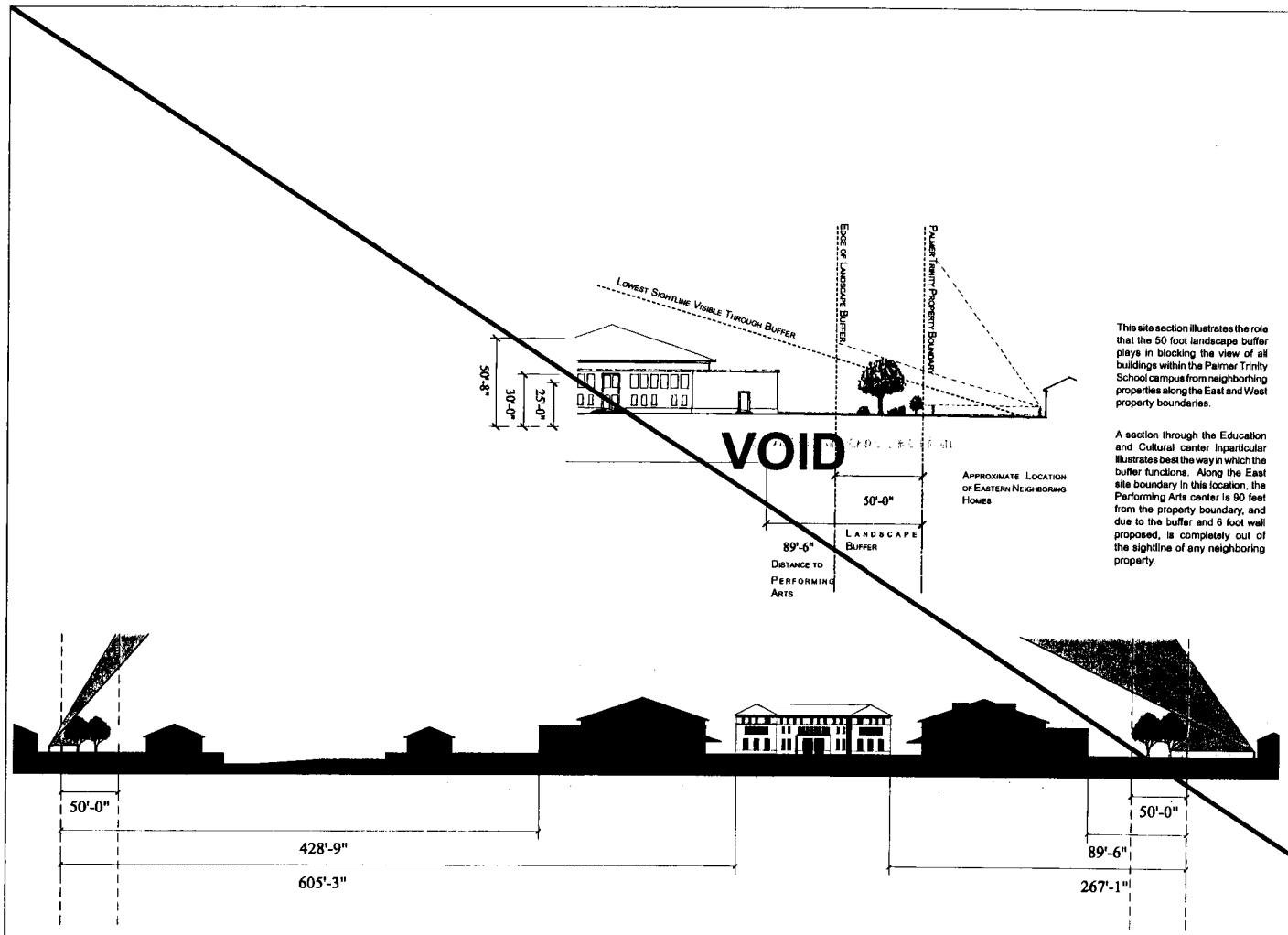
APPENDIX

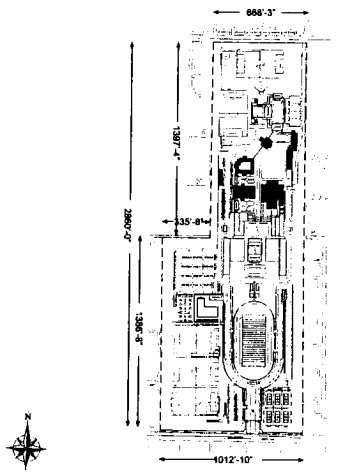
SIGHTLINE SECTIONS



This site section illustrates the role that the 50 foot landscape buffer plays in blocking the view of all buildings within the Palmer Trinity School campus from neighborhing properties along the East and West property boundaries.

A section through the Education and Cultural center inparticular illustrates best the way in which the buffer functions. Along the East site boundary in this location, the Performing Arts center is 90 feet from the property boundary, and due to the buffer and 6 foot wall proposed, is completely out of the sightline of any neighboring property.

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	65.94 ac	
LAND SQ.M	1,07 ac	
DEDICATIONS	0	
LAND STRUCTURE	0	
NET AREA sq. ft.	2,872,264.26 sf	
LAND COVERAGE (BUILDINGS)	313,338 sf	10.90%
PAVED AREA	494,268.26 sf	17.20%
LANDSCAPED OPEN SPACE	1,870,153.33 sf	51.90%
ACTIVE OPEN SPACE OR LAKE	2,000 ft	
TOTAL LANDSCAPED OPEN SPACE	371, 15 Dunam Pa	

EU-M

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	30'	200'
SIDE STREET	30	30'
SIDE CR	30	30'
REAR	10	317
BETWEEN BUILDINGS		30' min

ACCESSORY BUILDINGS	
FRONT	30
SIDE STREET	30
SIDE CR	30
REAR	10
BETWEEN BUILDINGS	10

MINIMUM LOT REQUIREMENTS		
PROVIDED FOR MEMBERSHIP	NO	* UNIT
NET AREA / 100 MEMBERS	10,000 s.f.	= 1,000,000 s.f.
LOT DEPTH PER MEMBER	100	200'
SQ.FT.OF NET Z.B.	10,000 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 Story	2 Story & higher	No. of sq. and sf
F.A.	F.A.R.	
MAX. NO. OUT OF PROPERTY LINES		30'
MAX. NO. OUT OF BUILD. NOT PERM. TREE		30'
MAX. NUMBER OF STORIES ABOVE TREE		2
MAX. NUMBER OF STORIES BELOW TREE		2
* A.R. PERM TREE		4,000
* A.R. PROPOSED		4,000

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES K-4)	See Exhibit 'A'	
MIDDLE SCHOOL (GRADES 5-8)		
HIGH SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	GOALS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
NURSERY (N)							
KINDERGARTEN							
ELEMENTARY (E-5)							
JR. HIGH (6) - MIDDLE (7-8)							
HIGH (9-12)							
TOTAL			See Exhibit 'A'				

PALMER TRINITY SCHOOL
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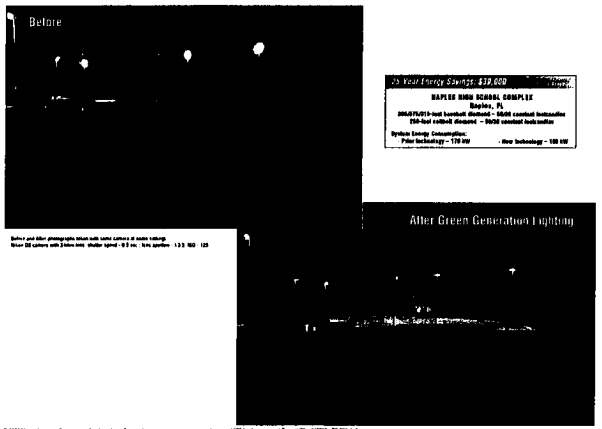
Consultant

Prepared by

APPENDIX

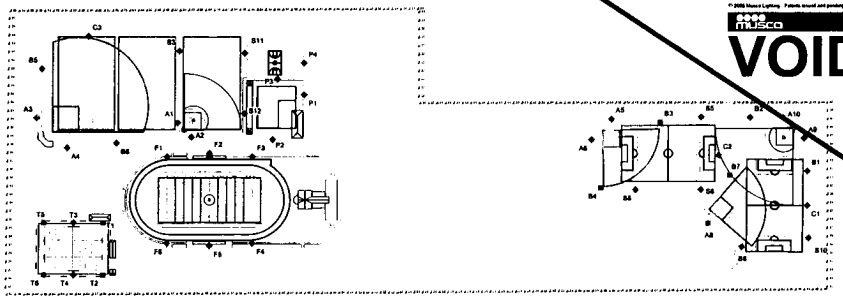
LIGHTING - SPORTSFIELDS OVERVIEW

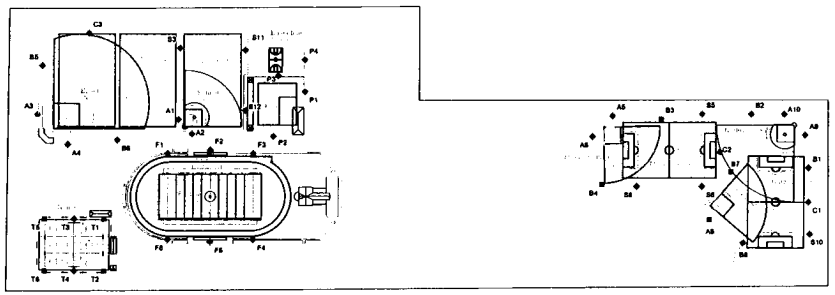


musco

Light-Structures

VOID





SCALE IN FEET 1 : 200

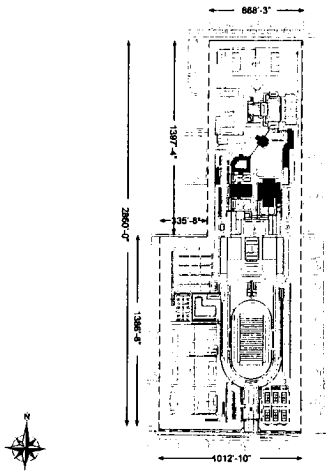
Lighting as designed for the sports fields is intended to provide safety to those athletes engagin in sports at Palmer Trinity. Musco has provided these lighting plans and specifications using Green Generation Lighting, which nearly eliminates all lighting spill over to adjacent properties and even adjacent fields on campus.

The images portrayed here illustrate how Green Generation Lighting reduces spill-over and uplighting in actual application.

Consultant

MUSCO SPORT LIGHTING
100 1st Avenue West
P.O. Box 808
Oskaloosa, Iowa 52577
P. 800.825.6030

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	26.14 ac	EU-M
LESS R-O-W	1.01 ac	
LESS ALLEYS	0	
LESS OTHER	0	
NET AREA sq. ft.	1,138,251.10 sf	
LOT COVERAGE (SF/% max)	115,200 sf	5.00%
PAVED AREA	600,000.00 sf	26.00%
LANDSCAPED OPEN SPACE	1,000,251.10 sf	43.00%
BUILDING (NUMBER OF)	2 BUILDS	
MINIMUM LANDSCAPED OPEN SPACE	30% - 5 Trees/Acre	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	100'
1-ND STREET	25'	25'
2ND ST	25'	25'
SIDE	10'	30'
REAR	10'	30'
SETBACK BUILDING		25' min

ACCESSORY BUILDINGS		
FRONT	25	10'
1-ND STREET	25	10'
2ND ST	25	10'
SIDE	10	10'
SETBACK BUILDING	10	10' min

MINIMUM LOT REQUIREMENTS		
PARKING FOR 1ND OF LOT	50	- 1,000'
LOT AREA FOR 1ND OF LOT	10 EU-1 *	- 1,000,000 sf
LOT DEPTH FOR 1ND OF LOT	100'	100'
EU-1 IN A B	10 EU-1 *	-

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF SUB DIST STORIES		
1 story	1 half story	2+ stories
0.1	0.11	0.12

VEHICLES		
REGIONAL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL VEHICLES	See Exhibit "A"	
MIDDLE SCHOOL VEHICLES		
HIGH SCHOOL VEHICLES		
SUBTOTAL		

MAXIMUM NO. OF STORIES PROPOSED	
MAX. HEIGHT OF PROPOSED BUILDING	30'
MAX. HEIGHT OF BUILDING FOR TRIM	30'
MAX. NUMBER OF STORIES FOR TRIM	2
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. PERMITTED	0.50
F.A.R. PROPOSED	0.05

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	HOURS OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
DAYCARE/PK							
KINDERGARTEN							
ELEMENTARY (1-5)							
JR. HIGH (6-8) MIDDLE (9-10)							
HIGH							
TOTAL							

Prepared by

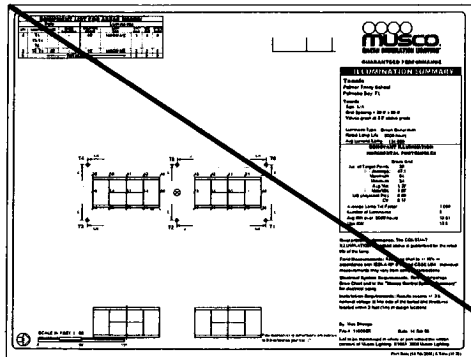
PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

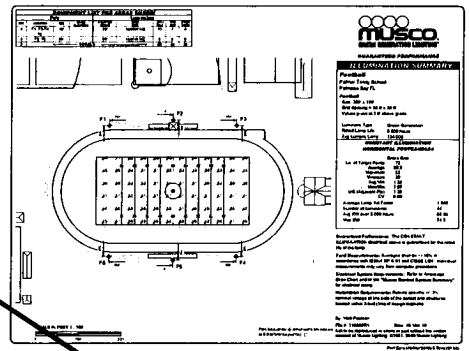
SHEET
45
4.19.2010

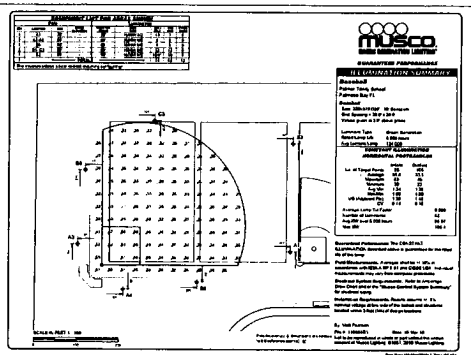
DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

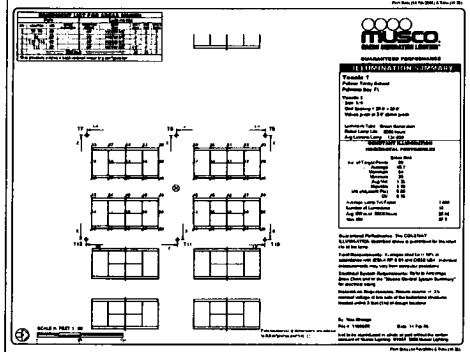
APPENDIX

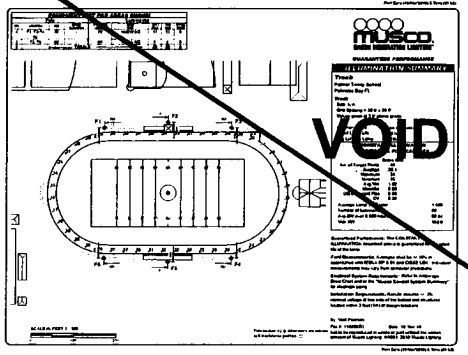
LIGHTING - SOUTH FIELD LIGHTING

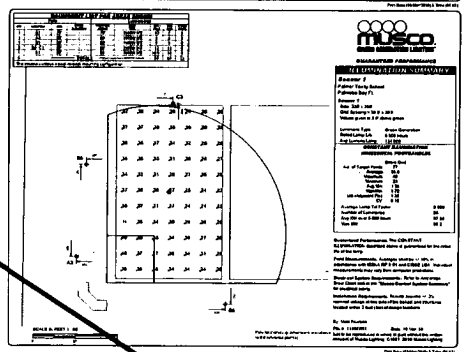


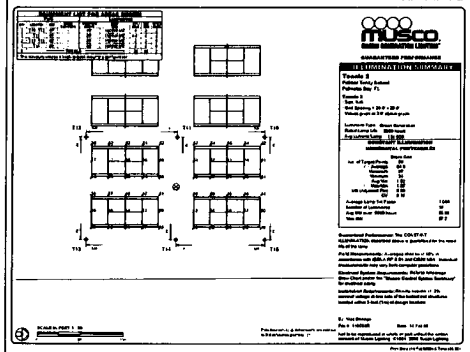












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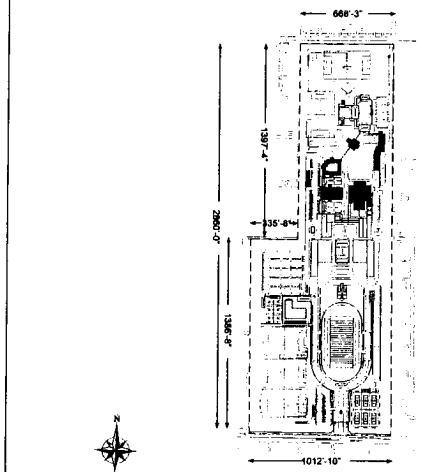
Consultant

MUSCO SPORT LIGHTING
100 1st Avenue West
P.O. Box 808
Oskaloosa, Iowa 52577
P. 800.825.6030

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	55.14 ac	EU-M
LESS R-O-W	1.97 ac	
LESS R-TWY	4	
LESS SW-WB	4	
NET AREA (ac.)	2,391,811.07 sf	
LOT COVERAGE (0% max)	374,202 sf	0.00%
FH-2D AREA	200,000.00 sf	30.00%
LANDSCAPED OPEN SPACE	1,436,000.00 sf	60.00%
ACTIVE OPEN SPACE	2,000,000.0	
NATURAL LANDSCAPED OPEN SPACE	0% - 0, (required)	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	25'	50'
SIDE STREET	25	25'
SIDE-OB	25	25
REAR	25	25
Mod	11'	50'
SETBACK/SEPARATION		25' min

ACCESSORY BUILDINGS		
FRONT	25	25'
SIDE STREET	25	25'
SIDE-OB	25	25'
REAR	25	25'
SETBACK/SEPARATION	25'	25' min

MINIMUM LOT REQUIREMENTS		
PROPOSED FOR SINGLE STORY	25	1,000'
ACT. AREA PER SINGLE STORY	10,000 s.f.	1,000,000 s.f.
LOT DEPTH FOR SINGLE STORY	110	1000'
SIDE-OB 2 ST	10 SQ.FT.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 to 4 stories	5 to 8 stories
0.4	0.33	0.25
MAX. FF SQ.FT OF PROPOSED BUILDING		50'
MAX. FF SQ.FT OF BUILDING FROM TREE		25'
MAX. NUMBER OF STORIES FROM TREE		1
MAX. NUMBER OF STORIES PROPOSED		1
F.A.R. FROM TREE		0.04
F.A.R. PROPOSED		0.04

VEHICLES		
SCHOOL	SUPPORT	TRANSFERS
ELEMENTARY SCHOOL (GRADES K-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	SQUARE OF SPACE	STUDENTS	PERSONNEL	OUTDOOR AREA	SPORT AREA	RECREATION AREA	CLASSROOM AREA
ELEMENTARY (K-5)		See Exhibit "A"					
MIDDLE (6-8)							
HIGH (9-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

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46
4.19.2010

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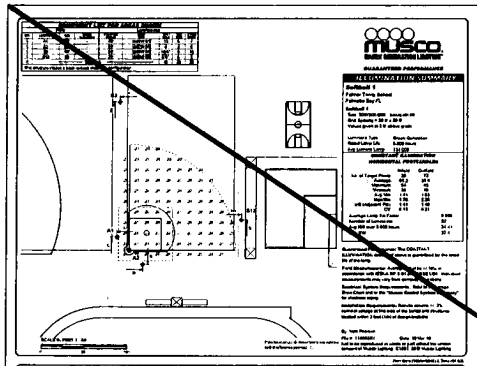
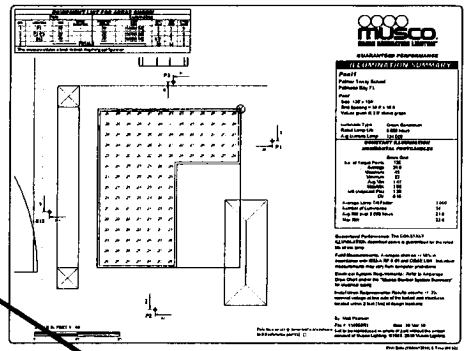
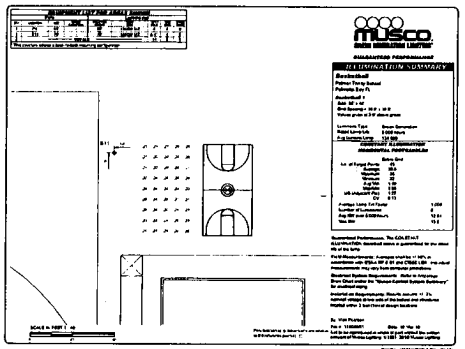
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

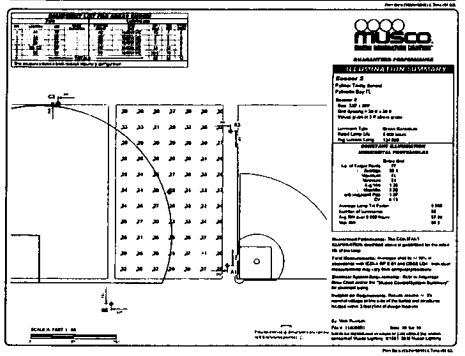
APPENDIX

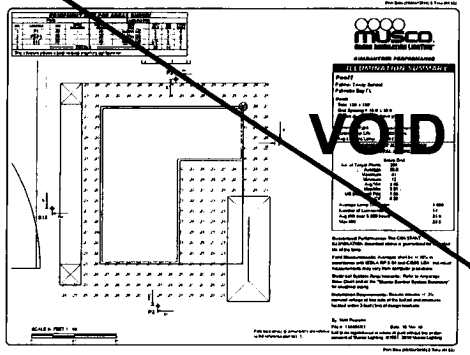
LIGHTING - CENTRAL FIELDS LIGHTING

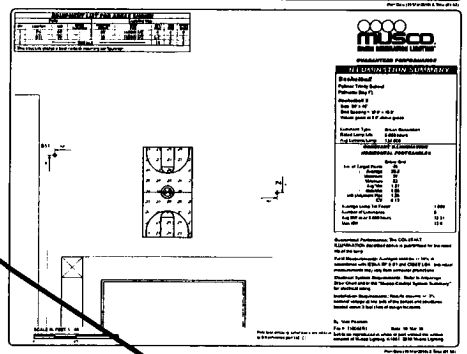












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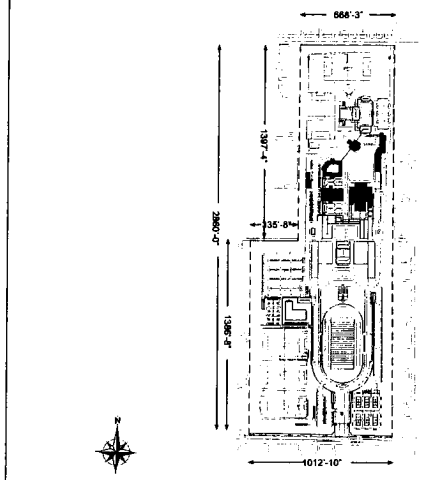
MUSCO SPORT LIGHTING
100 1st Avenue West
P.O. Box 808
Oskaloosa, Iowa 52577
P. 800.825.6030

Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES)	33.14 ac	EU-M
GRAS-Cut	1.43 ac	
LESS 4-FOOT	0	
LESS ON-SITE	0	
NET AREA sq. ft.	1,438,264.64 sf	
LOT CO-STAKE (25% max)	216,300 sf	1.00%
PAVED AREA	450,204.00 sf	31.00%
LANDSCAPED OPEN SPACE	1,000,160.64 sf	69.00%
A-BRACE SLOPE HEIGHT	3 EXCEED	
M-N MIN LANDSCAPED OPEN SPACE	25% - 0, Indefinite	

MINIMUM LOT REQUIREMENTS		
FRONTAGE FOR AREA ON LOT	50	1,000'
LOT AREA FOR AREA ON LOT	10,000 s.f.	1,000,000 s.f.
LOT DEPTH FOR AREA ON LOT	110'	1000'
IN-LINE S.E.	12,000 s.f.	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROVIDED
FRONT	50	50'
1 ST STREET	25'	30'
SIDE CR	25	30'
REAR	10	30'
SETBACK DISTANCE		30' min

ACCESSORY BUILDINGS	
FRONT	25
1 ST STREET	10
SIDE CR	25'
REAR	10
SETBACK DISTANCE	10

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
See Exhibit "A"		

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF EMPLOYEE STORIES		
1 story	2 level stories	3+ (+1) (M.4)
1.4	2.1	0.0
MAX. % OF SITE PROPOSED BUILDINGS		30
MAX. % OF SITE OF BUILDINGS PER YRS		30
MAX. NUMBER OF STORIES PER YRS		2
MAX. NUMBER OF STORIES PROPOSED		2
F.A.R. PER YRS		4,000
F.A.R. PROPOSED		4,000

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	GRADE OF SPACE	STUDENTS	PERSONNEL	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN		See Exhibit "A"					
ELEMENTARY (1 to 5)							
JR. HIGH (6 - 8)							
SR. HIGH (9 - 12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
47
4.19.2010

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ARCHITECTS AND TOWN PLANNERS
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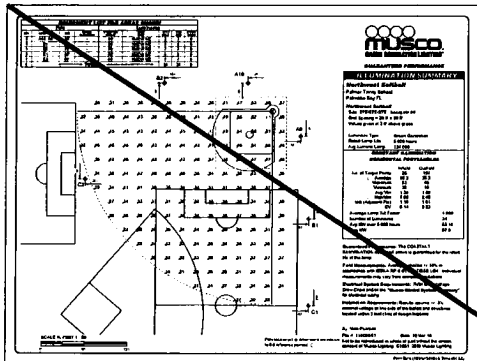
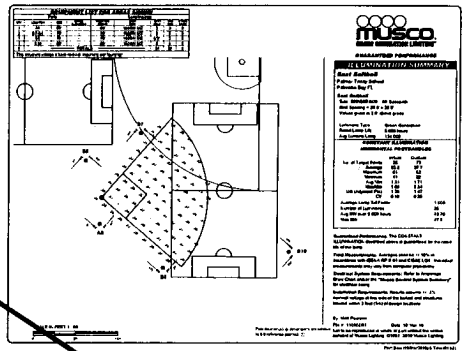
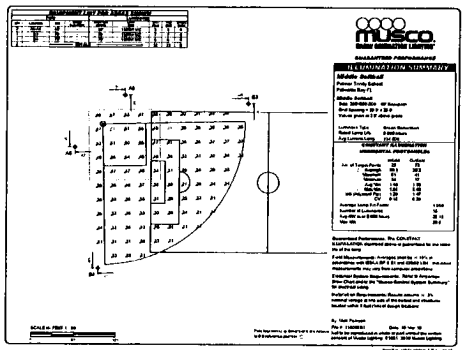
P. 305.644.1023 F. 305.644.1021

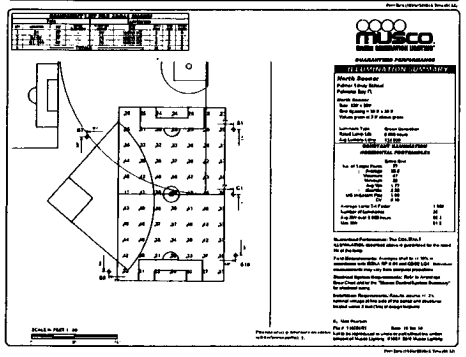
APPENDIX

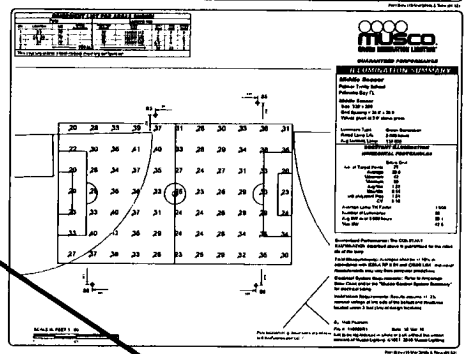
LIGHTING - NORTH FIELDS LIGHTING











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Oskaloosa, Iowa 52577
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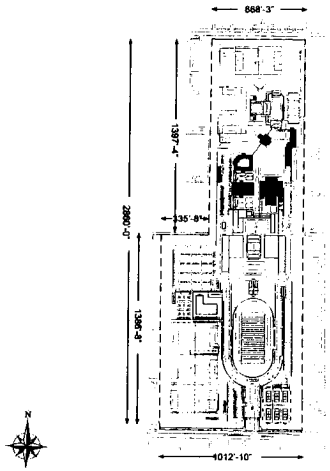
Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS AREA (ACRES):	15.14 ac	EU-M
LESS R-O-W:	0.47 ac	
LESS SW 176th:	0	
LESS SW 127th:	0	
NET AREA ac (*):	14,741,31 sf	
LOT COVERAGE (35% max)	576,000 sf	3.90%
PAVED AREA	600,000.00 sf	10.00%
LANDSCAPED OPEN SPACE	1,800,000.00 sf	31.00%
ACTIVE RECREATIONAL SPACE	2,000,000.00 sf	
MAXIMUM LANDSCAPED OPEN SPACE	50% - 8,370,000.00 sf	

SETBACK REQUIREMENTS		
SETBACK TYPE	REQUIRED	PROPOSED
FRONT	40	868'
S.W. STREET	40	50'
WEST OR	40	50'
REAR	50	361
SETBACK DIAGONALS		30' only

ACCESSORY BUILDINGS	
FRONT	25
S.W. STREET	10
WEST OR	10
REAR	10
SETBACK BETWEEN	10

MAXIMUM LOT REQUIREMENTS		
FRONAGE FOR NEW CO LOT	100	1,1,000'
LOT AREA FOR NEW CO LOT	21,000 s.f.	1,000,000 s.f.
LOT DEPTH FOR NEW CO LOT	100	100'
R-O-W AND E.E.	10,000 s.f.	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF BUILDING STORIES		
1 story	2 Stories	3 or more stories
0.4	0.55	0.65

MAX. HEIGHT OF PROPOSED BUILDING	30'
MAX. HEIGHT OF EXISTING NEW FRONT	30'
MAX. NUMBER OF STORIES NEW FRONT	2
MAX. NUMBER OF STORIES PROPOSED	2
F.A.R. NEW FRONT	0.000
F.A.R. PROPOSED	0.000

VEHICLES		
MODEL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL (GRADES P-5)	See Exhibit "A"	
MIDDLE SCHOOL (GRADES 6-8)		
HIGH SCHOOL (GRADES 9-12)		
TOTAL		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS						
LEVEL	NAME OF SPECIES	STUDENTS	FUNDING	OUTDOOR AREA	SITE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN			See Exhibit "A"			
PRE-KINDERGARTEN						
ELEMENTARY (1-5)						
JR. HIGH (6-8)						
SR. HIGH (9-12)						
TOTAL						

Zoning Legend

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

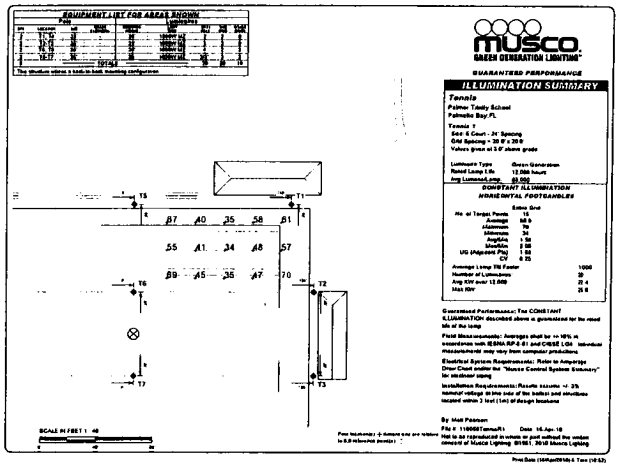
SHEET
48
4.19.2010

Prepared by

DUANY PLATER-ZYBERK & CO.
ARCHITECTS AND TOWN PLANNERS
1023 SW 25TH AVE, MIAMI FL. 33135
P. 305.644.1023 F. 305.644.1021

APPENDIX

LIGHTING - TENNIS COURTS LIGHTING



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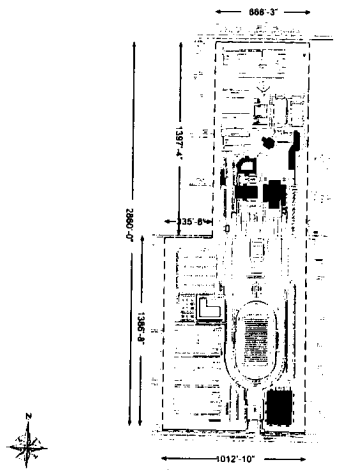
Master Plan Key



Zoning Legend

Private School - ZONING LEGEND

Zoning District: EU-M

LOT INFORMATION		
GROSS HECTARES	68.91 ac	EU-M
LESS R-O-W	5.51 ac	
LESS WATER	0	
LESS SPECIAL	0	
NET AREA (ac) *	3.38,231.21 sf	
LOT COVERAGE (SF) max	338,231 sf	5.00%
PAVED AREA	43,329.32 sf	12.82%
LANDSCAPED OPEN SPACE	1,012,310.21 sf	73.57%
MINIMUM BUILDING SIZE	3 STORIES	
M.D.P. LANDSCAPED OPEN SPACE		0.* - 0.y Student Pop

SETBACK REQUIREMENTS		
SETBACK TYPE	Required	PROVIDED
FRONT	0	200'
SIDE STREET	0	37'
INTERIOR	0	37'
REAR	0	37'
BETWEEN BUILDINGS		30' min

ACCESSORY BUILDING		
FRONT	0'	0'
SIDE STREET	0'	0'
INTERIOR	0'	0'
REAR	10'	10'
BETWEEN BUILDINGS	0	10' min

MINIMUM LOT REQUIREMENTS		
MINIMUM "OS" AREA (SF) LOT	0C	* 1.0/0C
LOT AREA "NS" AREA (SF) LOT	34,423 s *	* 0.40/0.34 LS
LOT DEPTH "OS" AREA (SF) LOT	40	0.67
BASE HS 2 SE	14,023 s *	

MAXIMUM FLOOR AREA RATIO (F.A.R.) per NO. OF SIDE ZONE (FRONT)		
1 min.	2 SPAT Zone	Sin Grey Area
1.4	0.14	0.56
MAX. NO. OF SIDE OF PROPOSED LOT AREA		20
MAX. NO. OF SIDE OF BUILD AREA PERIMETER		20
MAX. NUMBER OF STORIES EXISTING TRIM		3
MAX. NUMBER OF STORIES PROPOSED		3
* A.R. PERMITTED		0.56
* A.R. PROPOSED		0.03

VEHICLES		
SCHOOL	SUPPORT	TRANSPORT
ELEMENTARY SCHOOL ARRIVES # is	See Exhibit "A"	
JUNIOR MIDDLE ARRIVES # is		
HIGH SCHOOL ARRIVES # is		
GRADE FACTOR		

PRIVATE SCHOOL PHYSICAL CHARACTERISTICS							
LEVEL	GRADES OF OPERATION	STUDENTS	PERSONNEL	OUTDOOR AREA	ARE AREA	RECREATION AREA	CLASSROOM AREA
KINDERGARTEN	3 Cycles within Day	See Exhibit "A"					
PRE-KINDERGARTEN							
ELEMENTARY (P-5)							
JR. HIGH SR. HIGH (6-12)							
TOTAL							

PALMER TRINITY SCHOOL
7900 SW 176TH ST. PALMETTO BAY, FL. 33157

SHEET
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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	1137	20	1.79%
2024-2025	1150	13	1.14%

RESOLUTION 2010-48
EXHIBIT "D"

Bilzin Sumberg
ATTORNEYS AT LAW

RECEIVED
Zoning Department
April 27, 2010 @ 6:28 pm
Village of Palmetto Bay
Building & Zoning Department
By: Jiay C Santana

Alexandra L. Deas, Es
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 l 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 you have any questions or comments.

Sincerely,

Alexandra Deas

Alexandra L. Deas

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

Bilzin Sumberg
ATTORNEYS AT LAW

Stanley B. Price, Esq.
Tel 305-350-2374
Fax 305-351-2204
sprice@bilzin.com

July 12, 2011

Via E-Mail & US Mail

Eve A. Boutsis, Village Attorney
Village of Palmetto Bay
18001 Old Cutler Road, Suite 533
Palmetto Bay, Fl. 33157

Re: July 19, 2011 Hearing on Remand - Palmer Trinity Private School Inc.

Dear Ms. Boutsis:

On behalf of our client, Palmer Trinity Private School, Inc., we are filing this formal objection to the proposed procedure for the conduct of the July 19, 2011, hearing on remand as set forth in the attached Memorandum.

It appears from the Conclusion on page 8 that the purpose of the Memorandum is to advise the Village Council as to how it can circumvent the express Orders of the Circuit Court. The Court has made it very clear that the Village Council is to remove the two quashed conditions or otherwise render those conditions ineffectual and to take no further action inconsistent with the Court's Orders. Accordingly, we object to the introduction of any evidence or testimony which is intended to prove that the 1,150 students requested in Palmer Trinity's zoning application would constitute a detriment to the public interest or a manifest injustice or would be unacceptable due to changed circumstances or any other basis for avoiding the Court's Orders.

Specifically, the two expert witness reports filed by W. Tucker Gibbs on behalf of his clients and any expert testimony in furtherance thereof should be deemed inadmissible. These experts do no more than criticize the evidence introduced by Palmer Trinity at last year's hearing, and they are entirely irrelevant to the implementation of the Court's Mandate.

While we object to the introduction of any new evidence at the July 19, 2011, hearing, in an abundance of caution, we submit the attached rebuttal report prepared by David Plummer & Associates. We submit this report solely for purposes of rebutting evidence that we deem inappropriate and inadmissible, and it should not in any way be deemed as a waiver of our objections as stated herein.

Sincerely,

Stanley B. Price

cc: Darby DelSalle
W. Tucker Gibbs

MIAMI 2624355.1 7530633911

DAVID PLUMMER & ASSOCIATES

July 12, 2011

Mr. Stanley Price
Bilzin, Sumberg, Baena, Price & Axelrod LLP
1450 Brickell Avenue, Suite 2300
Miami, FL 33131-3456
(305) 350-2374
sprice@bilzin.com

RE: Responses to HHIs Comments on the PTS Traffic Study - #04211

Dear Stan:

The purpose of this letter is respond to comments made by Hughes Hughes, Inc. (HHI) on behalf of Concerned Citizens of Old Cutler Road, Inc. (CCOCR) regarding the Palmer Trinity School (PTS) Traffic Study in a letter dated June 30, 2011.

After review of the traffic study submitted on April 12, 2010, the Village of Palmetto Bay (VPB) staff stated at the May 4, 2010 hearing that the affected roadways analyzed meet level of service standards. This statement is later validated at this hearing by the VPB traffic consultant, The Corradino Group (TCG), with the following statement: the applicant's analysis details the impacts of the school on the adjacent neighborhoods, as per the methodology we've developed, and it's been found that the level of service on analyzed roadway segments and intersections, with the project, with mitigation, will remain within acceptable level of service standards, as approved by the VPB. DPA agrees with the conclusions made by the VPB and TCG.

At this time, HHI has brought forward additional comments to the same traffic study submitted prior to the last public hearing and reviewed by VPB staff and the VPB traffic consultant (TCG), as well as a consultant representing the CCOCR, and approved by the Village of Palmetto Bay commission. Our traffic study meets the requirements of the methodology agreed to by David Plummer & Associates (DPA), the VPB, and TCG.

DPAs responses to HHIs comments are below.

Comment 1. No LOS analysis of SW 176th Street.

Response: The roadways and intersections analyzed meet the traffic study methodology agreed upon by the VPB, TCG, and DPA (See Appendix A, March 29, 2011 methodology e-mail (Comment 4).

Comment 2. No Analysis of Impacts at Full Occupancy at 1,150 Students.

Response: The buildout year analyzed meets the traffic study methodology agreed upon by the VPB, TCG, and DPA (See Appendix A, March 29, 2011 methodology e-mail (Comment 4)).

Comment 3. No Analysis of Adequate "Alternative Routes".

Response: The northbound approach of the SW 184 Street/SW 82 Avenue intersection in the existing condition for the am peak hour has 154 vehicles per hour (vph). The northbound approach of this intersection in the future with project condition for the am peak hour is projected to have an additional 6 vehicles per hour (vph). No further analysis of this location was required by the VPB or their traffic consultant, TCG, and the statements made in the report were accepted. This may be due to the minor increase in future traffic to the northbound approach at this location.

Comment 4. OCR analysis uses 2 different counts.

Response: The traffic study uses peak hour traffic counts for the analyses, not AADTs.

Comment 5. Roadway Capacity Measurements of Undivided Roads.

Response: The analysis performed is consistent with the Village of Palmetto Bay Comprehensive Plan Analysis (see Table 2-3, pg 2-18), in which peak-hour, peak-direction analysis is performed.

Comment 6. Unjustified Combination of LOS Analysis Methods.

Response: The use of a travel time and delay studies for Old Cutler Road was agreed to by TCG during the February 26, 2008 methodology discussions.

Comment 7. Reliance on Outdated LOS Evaluation Software.

Response: This version of the HCS software was used in the initial analyses and carried forward with subsequent analyses. The VPB and TCG have accepted use of this software.

Comment 8. Generalized terms such as "acceptable" in context of "delays" and "comparable" in context of "intersections" are not defined.

Response: See Response to Comment 3 above.

Comment 9. Inflated LOS Reported for Intersections.

Response: According to the review performed by VPB staff and their traffic consultant, TCG, the level of service on analyzed roadway segments and intersections, with the project, with mitigation, will remain within acceptable level of service standards.

Comment 10. Reliance on "Flawed" Software without employment of Alternative Evaluation Technique.

Response: See response to comments 3 and 8 above.

Comment 11. Video of 4/27/10 Conditions contradict observations in DPA's 4/22/10 Report.

Response: See Condition 8.14 from Resolution 2010-48, Zoning Application VPB 07-012-B.

Comment 12. Inconsistencies between reported results and those shown in output sheets in Appendix D.

Response: The following typographical errors were found: the existing and future without project AM peak hour level of service for Old Cutler Road with SW 176 Street is C, while a B was reported, and the AM peak hour for the northbound approach of SW 176 Street with SW 83 Avenue is B instead of A. These levels of service are well within the adopted LOS standard.

Comment 13. Incorrect Calculation of Future Trip Generation for the North School Driveway.

Response: See Condition 8.6 from Resolution 2010-48, Zoning Application VPB 07-012-B.

Comment 14. No Evidence of "significant" reduction in SW 176 Street traffic.

Response: See response to comment 13 above.

Comment 15. Minimum LOS at 4 Intersections not met with 1,150 students.

Response: See response to comment 9 above.

Comment 16. SW 176 Street Conditions will continue to be unacceptable with 1,150 students.

Response: See responses to comments 11 and 13.

DPA stands by the work we performed on the PTS application. The traffic study went through extensive review and scrutiny. In the end, the VPB and their traffic consultant, TCG, agreed that the roadways and intersections analyzed in the future conditions with project meet the Village's adopted levels of service standards. Further, conditions have been agreed to by PTS in Resolution No. 2010-48, Zoning Application VPB 07-012-B to monitor traffic the PTS driveway on SW 176 Street to further protect the neighborhood.

Please call me at (305) 447-0900 if you have any questions or need more information.

Sincerely,

Timothy J. Plummer, PE.
President

cc: Sean Murphy (PTS), Eileen Mehta (Bilzin), file

price1-let

dpa

Appendix A

Methodology Documentation

Elisa Solorzano

From: Timothy J. Plummer
Sent: Monday, March 29, 2010 4:17 PM
To: Eve Boutsis (Palmetto Bay); Julian Perez (Palmetto Bay); Joe Corradino
Cc: Sean Murphy; Stan Price; 'Eileen Ball Mehta'
Subject: Palmer Trinity School Traffic Study Update - #04211

Eve/Julian/Joe:

The purpose of this email is to document the methodology that was agreed upon today for the update to the Palmer Trinity School (PTS) traffic study. The key points are below:

- PTS is proposing 1,150 students and expects to fill all of those student stations in the next 15 – 25 years.
- For purposes of the updated traffic study, buildout will remain 2015.
- Updated traffic counts will not be required. The 2007-08 data needs to be updated to 2010 conditions using a growth factor.
- For analysis purposes, existing volumes (2010) on SW 176 St will be the "baseline condition" for that roadway. The baseline volumes will be compared to the future (2015) buildout volumes on SW 176 St. No level of service analyses are required on SW 176 St, just the comparison of existing and future traffic volumes.
- PTS will begin the process of designing, permitting, and constructing an access point on SW 184 St immediately if the project is approved. PTS will require a portion of the existing students, parents, and/or teachers to use this access point as soon as it is open to traffic in order to lessen traffic volumes on SW 176 St as soon as possible.
- PTS will provide an off-duty police officer or other qualified professional to direct traffic at the SW 176 St and SW 184 St driveways to facilitate traffic flow into and out of the school.
- An identification system (i.e., colored decals) for vehicles will be implemented by PTS for all parents, students, and teachers entering the site in order to control which driveway drivers are allowed to use.
- PTS will consider moving any existing or proposed guard houses as far into the site as feasible.
- The proposed schedule is as follows:
  - DPA to submit updated traffic study to Village & Corradino on 4/12/10
  - Village & Corradino will provide review comments by 4/16/10
  - DPA to provide final submittal, addressing review comments, by 4/22/10

This is my understanding of what was agreed upon today at the meeting. Please verify via email by 3/30/10 that the above is correct (or provide modifications/additions) so that we can meet our deadline of 4/12/10.

Thanks for your help.

Tim

W. TUCKER GIBBS
ATTORNEY AT LAW

P.O. BOX 1050
COCONUT GROVE, FLORIDA 33133

TELEPHONE (305) 856-2711
FACSIMILE (305) 854-6093

July 1, 2011 **VIA HAND DELIVERY**

Darby P. Delsalle, AICP
Director, Planning and Zoning
Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Re: Palmert Trinity Private School, Inc., Special Exception for Increase of Students to 1150. Hearing No. VPB-07-012-B

Dear Mr. Delsalle:

This letter is to notify you that the undersigned represents Concerned Citizens of Old Cutler, Inc., Betty Pegram, Stanley Kaplan and other neighbors of the above referenced applicant for village zoning approvals.

At the Village Council's public hearing on this issue on July 19, 2011, my clients will provide expert testimony on this matter from Mark Alvarez a professional urban planner. That testimony will relate to the planning and zoning issues presented by the referenced zoning application and its relationship with the requirements the Village of Palmetto Bay Comprehensive Master Plan, the Village of Palmetto Bay ordinances and other municipal, county and state regulations. The testimony will examine the planning and zoning issues regarding the application presented by Palmer Trinity School for the special exception to permit the increase in the number of students permitted at this private school. The basis of this testimony is the expertise as a professional planner of the witness. Mr. Alvarez's report is enclosed pursuant to section 30-30.12 of the Village of Palmetto Bay Code.

Mr. Alvarez, in his testimony before the Village Council, will rely on his education and expertise as an urban planning professional, planning books and treatises, and documents on file with the Village and other state and local governmental units including Miami-Dade County, as well as material included in the public record relating to the property that is the subject of this zoning application.

RECEIVED
Zoning Depart
7/1/2011 4:00pm
Village of Palmett
Building & Zoning Dep
By: Vanesse
Bangoma

Sincerely,

W. Tucker Gibbs

W. Tucker Gibbs

W. TUCKER GIBBS
ATTORNEY AT LAW

P.O. BOX 1050
COCONUT GROVE, FLORIDA 33133

TELEPHONE (305) 856-2711
FACSIMILE (305) 854-6093

July 1, 2011

VIA HAND DELIVERY

Darby P. Delsalle, AICP
Director, Planning and Zoning
Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Re: Palmert Trinity Private School, Inc., Special Exception for Increase of Students to 1150. Hearing No. VPB-07-012-B

Dear Mr. Delsalle:

This letter is to notify you that the undersigned represents Concerned Citizens of Old Cutler, Inc., Betty Pegram, Stanley Kaplan and other neighbors of the above referenced applicant for village zoning approvals.

At the Village Council's public hearing on this issue on July 19, 2011, my clients will provide expert testimony on this matter from Molly Hughes, AICP, PTP, AVS, a professional transportation planner. That testimony will relate to the traffic and transportation issues presented by the referenced zoning application and its relationship with the requirements of the Village of Palmetto Bay Comprehensive Master Plan, the Village of Palmetto Bay ordinances and other municipal, county and state regulations. The testimony will examine the traffic and transportation planning issues regarding the application presented by Palmer Trinity School for the special exception to permit the increase in the number of students permitted at this private school. The basis of this testimony is the expertise as a professional traffic and transportation planner of the witness. Ms Hughes' report is enclosed pursuant to section 30-30.12 of the Village of Palmetto Bay Code.

Ms Hughes, in her testimony before the Village Council, will rely on her education and expertise as a traffic and transportation planning professional, transportation planning and engineering manuals and treatises, and documents on file with the Village and other state and local governmental units, as well as material included in the public record relating to the property that is the subject of this zoning application.

RECEIVED
Zoning Department
7/1/2011 4:00 pm
Village of Palmetto Bay
Building & Zoning Department
By: Janesse

Sincerely,

W. Tucker Gibbs

W. Tucker Gibbs

W. TUCKER GIBBS
ATTORNEY AT LAW

P.O. BOX 1050
COCONUT GROVE, FLORIDA 33133

TELEPHONE (305) 856-2711
FACSIMILE (305) 854-6093

July 1, 2011 **VIA HAND DELIVERY**

Darby P. Delsalle, AICP
Director, Planning and Zoning
Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Re: Palmer Trinity Private School, Inc., Special Exception for Increase of Students to 1150. Hearing No. VPB-07-012-B

Dear Mr. Delsalle:

I represent Concerned Citizens of Old Cutler, Inc., Betty Pegram, Stanley Kaplan and other neighbors of the above referenced applicant regarding the referenced application for special exception scheduled to be considered by the Village of Palmetto Bay Village Council on July 19, 2011. Pursuant to the Village of Palmetto Bay Municipal Code, section 30-30.12, enclosed please find copies of the following documents and material:

1) Report summarizing expert testimony of Molly Hughes, traffic and transportation planner.
2) Report summarizing expert testimony of Mark Alvarez, urban planner.
3) Compact Disc showing traffic conditions on S.W. 176 Street on April 27, 2010.

In addition, our presentation team shall include me; Molly Hughes, our traffic and transportation expert witness; Mark Alvarez, our urban planning expert witness and no more than two neighbors. At the hearing we expect to request 45 minutes for our presentation. We will require a screen and a computer connection that would allow the showing of a DVD. I expect to retain Miami-Dade County Court Reporters, 150 S.E. 2d Avenue, Miami, Florida 33131, phone number: 305-373-5600, to transcribe the proceedings.

RECEIVED
Zoning Department
7/1/2011 4:00 pm
Village of Palmetto Bay
Building & Zoning Department
By: [illegible]

If there is any other information you require or questions you need to be answered, please do not hesitate to contact me.

Sincerely,

W. Tucker Gibbs

cc: Clerk, Village of Palmetto Bay
Village Attorney, Village of Palmetto Bay

HUGHES HUGHES INC.

June 30, 2011

Concerned Citizens of Old Cutler, Inc.
19 W. Flagler Street
Miami, FL 33130
C/o Betty Pegram, President
18121 SW 82nd Avenue
Village of Palmetto Bay, FL 33157

RE: Trinity Palmer School Expansion
HHI Project No. 11006.1

Dear Ms. Pegram:

On behalf of Concerned Citizens of Old Cutler, Inc., you have contracted with Hughes Hughes Inc. (HHI) to conduct a review of traffic analyses performed by others related to the proposed expansion of Palmer Trinity School by Palmer Trinity Private School, Inc. This letter report transmits to you HHI's qualifications to conduct such a review, our findings and conclusions.

HHI's Qualifications

As outlined in the attachment, HHI is qualified to conduct evaluations of this type and nature based on the training, knowledge, experience and skill-base of its employees, and particularly those of the project manager for this assignment, Molly Hughes.

The field of traffic engineering is a "mash-up" of several disciplines: traffic engineering, transportation planning, geography and spacial systems, and political science. The design functions, such as traffic signal design, require oversight by a registered professional engineer, while future traffic conditions analyses are dependent on numerous planning functions and related modeling techniques. Others specialize in traffic operations and still others in traffic signal operations.

A competent transportation consultant is versed in many of these areas, and most have obtained educational degrees and post-education certifications in one or more of these areas. No single professional is highly competent in all areas. To offer the highest level of services to the public and private sectors, HHI employs transportation planners and traffic engineers as well as support personnel with a variety of specializations and certifications. Those of its project manager for this

RECEIVED
Zoning Department
7/1/2011 4:00pm
Village of Palmetto Bay
Building & Zoning Department
By:
Vanessa Lemome

TRANSPORTATION ENGINEERS & PLANNERS
728 SW 4 Place ■ Suite 103 ■ Ft. Lauderdale, FL 33312-2595
954/563-1121 ■ Fax 954/563-9790 ■ www.HughesHughesInc.com

project are presented in detail in the attachment. Among the highlights of Ms. Hughes's career are her:

- Master's degree in Urban Affairs/Planning

- Exam-based certifications as a:
  - Professional Transportation Planner (PTP) by the Institute of Transportation Engineers (ITE)
  - Certified Planner by the American Institute of Certified Planners (AICP)
  - Associate Value Specialist (AVS) by SAVE International value engineering society

- 27 years of varied transportation project experience

- Service on the faculty of the Department of Urban and Regional Planning at Florida Atlantic University

Specific examples of Ms. Hughes' project experience, as well as the details of her educational background, certifications, awards, professional associations, and examples of her post-graduate professional training are outlined in the attached resume.

Summary of HHI's Findings

HHI's assignment was to review the applicant's traffic analysis and determine if the analysis is adequate to support the applicant's conclusion that the area roadway network can, in fact, support the addition of 550 additional students and associated support staff without creating excessive traffic-generated travel delay and, therefore, an undue burden on the community's transportation network. (It was not, however, HHI's assignment, or place, for that matter, to usurp the role of the applicant's traffic consultant by conducting our own analysis of the traffic impacts of the existing school, the proposed 1,150-student school, or any other size school.)

As detailed in the remainder of this letter report, HHI conducted a review of the applicant's traffic analysis and made field visits to verify existing conditions. Our assessment of the applicant's analysis is that it does not establish the necessary analytical foundation to support its conclusions for the following reasons:

1. Required analyses omitted

2. Unjustified/unexplained reporting

3. Inaccurate/misleading reporting

4. Incorrect analysis/reporting

5. Unacceptable results

Detailed examples of these shortcomings follow, but the end result is that the applicant's analysis underestimates the amount of traffic on a key roadway and intersections and is otherwise flawed in its approach and factual presentation. The analysis itself, however, does illustrates that the 1,150-student school would generate traffic impacts on roadways where traffic volumes (demand) exceed roadway/intersection capacities. The applicant's projected (unacceptable) future conditions, in combination with insufficient recommended traffic mitigation, would result in negative impacts on the surrounding neighborhoods and larger community.

Analysis of Documents and Materials Presented by Applicant in Support of its Application to Increase Number of Students to 1,150

To establish a background understanding of the proposal, conditions and concerns, HHI collected and reviewed various historical documents associated with the proposed Palmer Trinity School expansion. Among those of interest in conducting our review were:

- The applicant's February 2007 traffic impact study for 1,400 students that reflected responses to Miami-Dade County Public Works review comments

- The applicant's March 2008 revised traffic impact study that reflected responses to the Village's traffic consultant's mid-February 2008 review comments

- The applicant's April 12, 2010 traffic impact study for 1,150 students

- The applicant's April 22, 2010 final traffic impact study that reflected responses to the Village's traffic consultant's April 16, 2010 review comments

The statements or findings of concern, and the reasons for those concerns are outlined below. For brevity, the applicant's traffic consultant, David Plummer and Associates, Inc., is referred to as DPA and the Village of Palmetto Bay's outside review consultant, The Corradino Group, Inc., is referred to as TCG.

1. *Required Analyses Omitted in School's (Final) Traffic Impact Study*

First Example (Comment 1) No LOS Analysis for SW 176th Street: The April 22, 2010 (final) DPA report does not provide level of service analysis for SW 176th Street, even though TCG's April 16, 2010 review questions DPA's conclusions (page 5): "Intimating that the actual LOS on 176th Street is acceptable is disputed by the Village." HHI does not agree with the eventual resolution that references to levels of service on SW 176th Street, a principal road in the school's access program, simply be deleted from the report.

Second Example (Comment 2) No Analysis of Impacts at Full Occupancy at 1,150 Students: The DPA analysis did not analyze the required horizon year (full occupancy of the proposed expansion). The only future year analyzed in the report is 2015, but according to an email from Timothy J. Plummer dated March 29, 2010, "PTS is proposing 1,150 students and expects to fill all of those student stations in the next 15 - 25 years." The institute of Transportation Engineers publishes a manual in its Recommended Practice library entitled *Transportation Impact Analyses for Site Development* in Chapter 3, Context and Framework (page 13), the manual addresses the "horizon year(s)" for which analysis should be completed. For larger projects, those with over 500 peak hour trips, the manual states "for developments that require significant time to mature (reach full occupancy), a later year should be selected to coincide with full trip generation (that is, sometime after full build-out, allowing enough time for full occupancy to be reached). Other horizon dates should be timed to coincide with other major stages (or phases) of the overall project . . ." It is highly unlikely that the conclusions reached by DPA based on its 2015 analysis would be borne out by an analysis conducted for the correct horizon year, given the limited remaining capacity on portions of the surrounding roadway network as illustrated in DPA's report.

Third Example (Comment 3) No Analysis of Adequate "Alternative Routes": As outlined in more detail later in this report, on page 18, paragraph 4.3, the DPA report provides the following explanation for reported unacceptable levels of service: " . . . for the un-signalized intersections, the software tends to overestimate delay measurements for the side streets (minor approach). The actual delays (observed in the field) are acceptable and similar to other comparable intersections in the area. However, should the delays ever reach such a point shown by the software, motorists tend to use an alternate route, balancing demand throughout an area." When transportation analysts feel that an analytical tool used to determine levels of service is insufficient, such as at the cited SW 184th Street/SW 82nd Avenue intersection where DPA's analysis shows LOS F for the northbound movement during the morning peak hour (and other locations not cited), then the analysis should be considered incomplete and an alternative tool should be used to project future conditions. But DPA did not provide this further analysis.

If the first opinion expressed in the DPA report in this regard is incorrect and the projected poor level of service actually occurs in the future, the second opinion asserted is that drivers will simply find other routes. The standard for traffic impact evaluations is to demonstrate through analyses that adequate levels of service are projected for the year of full-occupancy of the project, and where adequate future levels of service cannot be demonstrated, recommend transportation improvements that will result in such an expectation, or at a minimum, mitigate the proposed project's impacts even if an acceptable level of service cannot be obtained. In suggesting that " . . . should the delays ever reach such a point shown by the software, motorists tend to use an alternate route, balancing demand throughout an area," at a minimum, DPA should have performed alternative analyses demonstrating that alternative routes are available, and have adequate excess capacity to accommodate this diverted traffic.

2. *Unjustified/Unexplained Analysis Techniques in School's (Final) Traffic Impact Study*

First Example (Comment 4) Old Cutler Road Analysis Uses 2 Different Counts: Whether inadvertent or intentional, without explanation, the Artplan Analysis for Old Cutler Road utilizes two different counts (AADTs) as sources for the morning and afternoon peak hour volumes. Unless there is a specific reason for doing so, this is not standard practice since it either shows or gives the appearance of "picking and choosing" the base data (counts) upon which the analysis is build, leaving questions as to the veracity of the results. Such analyses should be based on a typical weekday or an average of typical weekdays, not counts that were selected because of any particular reason, unless that reason is documented and evaluated as being reasonable.

Second Example (Comment 5) Roadway Capacity Measurements of Undivided Roads Insufficient: The DPA report provides levels of service for each roadway segment only by direction (i.e., the two-way levels of service are not reported). In the case of undivided roadways such as all those in this study area, this is insufficient, since the two-way capacity is not the same as the one-direction (i.e., peak direction) capacity doubled. This analysis is critical to the evaluation of future levels of service, and should be provided as a method of evaluating the impacts of the proposed expansion.

Third Example (Comment 6) Unjustified Combination of Los Analysis Methods: In analyzing Old Cutler Road, DPA utilized a combination of Artplan and Highway Capacity Manual methods without providing adequate explanation about how and why these methods were combined, and without describing the factors used such that the approach can be understood and validated. This renders the Old Cutler Road level of service analysis inconclusive. The level of service performance on Old Cutler Road, and in particular the functioning of the intersections at SW 176th Street and at SW 184th Street, is critical in evaluating the impacts of the proposed school expansion, and the

adequacy and accuracy of the evaluation techniques employed in the analysis must be demonstrated and understood, particularly given that the DPA analysis shows poor levels of service at some locations.

Fourth Example (Comment 7) Reliance on Outdated Level of Service Evaluation Software: In late 2007 or early 2008, it appears that DPA made the decision to use HCS+ v 5.2, the software which according to DPA provides unreliable results for crossing streets in unsignalized intersection analyses (see the quote in Comment 3). HCS+ v 5.2 was updated and improved five times since the utilized version was released; however, the traffic analysis to be relied upon in July 2011 in evaluating the school's proposed expansion relies upon results from this earlier version of the software (HCS+ v 5.2). Even if DPA determined that the inadequate results could be marginalized by suggesting they be ignored, DPA should have updated the analysis using the latest version of the software, HCS+T7F 5.5, in hopes that it might better predict future levels of service.

Fifth Example (Comment 8) Generalized Terms Such as "Acceptable" in Context of "Delays" and "Comparable" in Context of "Intersections" Are Not Defined: In relation to the unacceptable level of service identified by DPA for the morning peak hour at the SW 184th Street/SW 82nd Avenue intersection, the DPA report statement cited in Comment 3 says "The actual delays (observed in the field) are acceptable and similar to other comparable intersections in the area." This statement is not supported or otherwise documented. How do we know that the existing operations are acceptable? What (alternative) standard of measure was used? How exactly was the subject intersection compared to others in the area? What were determined to be "comparable intersections?" Even if we assume that the assessment is correct, how was it determined that the intersections to which the subject intersection is being compared operate at acceptable levels of service? One would be more likely to draw the conclusion that, given the results of the analysis at this intersection and the similarity in operations to other nearby intersections, that they all fail. Questions this basic should be resolved prior to concluding the evaluation of the impacts of the proposed school expansion on the area transportation network.

In a related comment, even if the questionable results of the intersection capacity analysis were found to be overstated, as DPA asserts, those results are for the year 2015.

3. *Inaccurate/Misleading Reporting in School's (Final) Traffic Impact Study*

First Example (Comment 9) "Inflated" LOS Reported for Intersections: The DPA report's Exhibit 18 presents a rosier picture of future levels of service than should be anticipated in the future based on the analysis shown in Appendix D. Two mechanisms were employed that obfuscate the actual outcomes reflected in the analysis. First, by showing in its summary table (Exhibit 18) levels

of service for essentially unimpeded approaches alongside the impeded approaches, the reader views high levels of service on intersection approaches that are not determinates in the performance of the intersection, with regard to level of service and as relates to travel delay. The presence of these "results" can have the effect of diluting concern over a failing movement on an approach that is the true subject of the analysis. For example, DPA's Exhibit 18 shows levels of service for all four approaches to the SW 184th Street/SW 82nd Avenue intersection, where the two main street approaches are always going to perform well, and are therefore not the focus of the analytical results. When these two non-consequential results are removed from the summary table, as they would normally be, the remaining results present the key findings in relation to this location–that the northbound approach fails badly. This is simply more evident when normally unreported information isn't brought into the summary table

The second and more troubling mechanism employed was the reporting of overall performance of the signalized intersections, where each approach is more-or-less averaged to give an "overall" result. Only by looking at the performance of each approach, and for that matter, each movement, can the reader assess the future experience that is projected for subject intersection. An example of this is Exhibit 18's reporting of overall level of service C for both Old Cutler Road intersections analyzed, when both locations' eastbound movements fail during both peak hours.

Intersection Analysis Results (from DPA Report)
2015 Conditions With the Project (Expansion)

		Results From DPA Report Appendix D			
		AM Pk Hr		PM Pk Hr	
Intersection	Movement	LOS	Delay (seconds)	LOS	Delay (seconds)
Signalized					
Old Cutler Rd/SW 176 St	NB	B	19.00	A	6.40
	SB	C	27.40	C	26.60
	EB	E	69.60	E	61.10
Old Cutler Rd/SW 184 St*	NBL	A	7.40	C	28.00
	NBT	C	22.60	B	14.00
	SBL	C	27.60	B	10.30
	SBT	B	11.60	C	21.70
	SBR	B	14.00	B	13.20
	EBL	E	62.50	E	57.60
	EBT	D	40.50	D	38.60
	WBL	E	55.30	D	51.10
	WBT	D	54.40	D	52.20
	WBR	D	54.20	D	53.40
Unsignalized					
SW 176 St/SW 83 Ave	NB	A	8.60	A	8.70
(two-way stop)	SB	A	9.90	A	9.40
SW 176 St/SW 82 Ave	NB	A	7.52	A	6.99
(all-way stop)	SB	A	7.60	A	7.43
	EB	A	7.78	A	7.13
	WB	A	8.19	A	7.92
SW 176 St/Sch No. Drwy	NB	D	33.10	B	10.20
(two-way stop)	SB	D	34.70	B	10.70
SW 184 St/SW 83 Ave	NB	E	36.40	C	20.40
(two-way stop)	SB	B	14.10	B	13.10
SW 184 St/SW 82 Ave	NB	F	141.10	C	24.90
(two-way stop)	SB	B	13.00	B	13.30
SW 184 St/Sch So. Drwy*	SBL	F	405.90	D	31.70
(3-legged int. SB stop)	SBR	B	11.20	B	12.10

*With recommended improvements:
Old Cutler Rd/SW 184 St:
Southbound left-turn lane
signal timing changes

Second Example (Comment 10) Reliance on "Flawed" Software Without Employment of Alternative Evaluation Techniques: The DPA analysis utilized HCS+ 5.21 to evaluate intersections in the immediate area of the school, and commented that this analytical software tool does not do an adequate job of projecting delay on unsignalized side streets. DPA report page 18, paragraph 4.3 reads " . . . for the un-signalized intersections, the software tends to overestimate delay measurements for the side streets (minor approach). The actual delays (observed in the field) are acceptable and similar to other comparable intersections in the area. However, should the delays ever reach such a point shown by the software, motorists tend to use an alternate route, balancing demand throughout an area." As noted in Comment 3, this conclusion required further analysis. But further alternative evaluation techniques were not employed. Instead, the DPA report states simply that its projected poor future level of service is not to be believed. We cannot recall a previous technical analysis or report we have reviewed that asked the reader to accept this type of explanation for poor level of service results.

Third Example (Comment 11) Video of 4/27/10 Conditions Contradict "Observations" in DPA's 4/22/10 Report: The 2010 DPA study says on page 8, Section 1.3 School Operations, "Drop-off and pick-up occurs in front of the school courtyard adjacent to the existing visitor parking. Vehicles enter the existing driveway on SW 176 Street, and form a queue to drop-off [sic] and pick-up [sic] students. Data was gathered during drop-off/pick-up times, and *no queue spillback to SW 176 Street was observed*." (emphasis added) However, video-recorded existing conditions from Tuesday, April 27, 2010, already presented to the Village shows that, even with an officer directing traffic, lengthy queues develop along SW 176th Street to the east and west. The routine presence of these extensive queues, whether resulting from the drop-off/pick-up activity itself or the congestion at the driveway intersection where vehicles back up as they wait to enter or exit the school, must have been evident to DPA staff during field visits to observe existing conditions over the years DPA has assisted the school with its expansion efforts. Presenting an analysis that indicates this type of queuing does not occur is misleading at best.

Fourth Example (Comment 12) Inconsistences Between Reported Results and Those Shown in Output Sheets in Appendix D: Several of the analysis results reported in Exhibit 7 (page 13) and Exhibit 10 (page 18) of DPA's report were incorrectly reported from the intersection capacity analyses' software output sheets provided in Appendix D. In each case, the reported level of service is lower than that shown in the worksheets in the appendix.

4. *Incorrect Analysis/Conclusions in School's (Final) Traffic Impact Study*

First Example (Comment 13) Incorrect Calculation of Future Trip Generation for North School Driveway: DPA incorrectly calculated the future trip generation projected the north school

driveway, and in so doing invalidated its findings related to future operations on SW 176th Street. DPA's trip generation analysis assumed that the future trip characteristics would simply be proportionate (split between the two driveways) based on the split of students assigned to each driveway. Instead, according to the DPA report, students (and staff) that will be parking for the day will all be assigned to the new south driveway. That subset of students (and staff) recorded in the 2007 driveway traffic counts represent only one inbound trip in the morning (i.e., they generated no outbound trip during the morning peak hour), and only one outbound trip in the afternoon (i.e., they generated no inbound trip during the afternoon). (In traffic analysis, the inbound trip is separate from the outbound trip, including as applied to parents dropping off students where each creates two trips: the inbound trip, and after dropping off the student, the outbound trip.)

However, when the proposed driveway assignment program is implemented, all students trips assigned to use the north driveway will also exit the north driveway because, according to the proposed plan, all vehicular activity at the north driveway will be short-term entry (not parking for the duration of the day). This oversight has resulted in a proportionately vast understatement of north driveway traffic, and in all likelihood has essentially eliminated the benefits of the proposed windshield sticker program.

Second Example (Comment 14) No Evidence of "Significant" Reduction in Sw 176th Street Traffic: The DPA report's Conclusions section (final paragraph, page 35) states that "The impacts of the proposed Palmer Trinity School expansion, with its main access at SW 184 Street and restricted access at SW 176 Street, will result in *significantly less traffic* during peak hours on SW 176 Street and the surrounding neighborhood streets." There is evidence to the contrary presented throughout the DPA report. We are unsure how adding nearly 700 trips in the morning peak hour and over 300 trips in the afternoon peak hour to SW 184th Street directly (see Exhibit 16) can possibly "result in . . . less traffic," much less can we imagine what "significantly" is intended to mean. This statement seems to be inspired in part by the analysis' assertion that traffic on SW 176th Street is reduced. But when DPA's project trip generation analysis is corrected, as outlined above, this reduction is anticipated to be minimal, and certainly not a sufficient amount of trip reduction to begin to justify the additional load on SW 184th Street, if such a burden transferal is acceptable at all.

5. *Unacceptable Results in School's (Final) Traffic Impact Study*

First Example (Comment 15) Minimum LOS at 4 Intersections Not Met with 1,150 Students: DPA's analysis shows that future conditions with the school expansion would result in additional traffic on over-capacity intersection movements. As shown in the restated summary on page 8 of this report, DPA's intersection analysis results indicate that, in 2015, four intersections have

movements that fail to meet their respective required minimum levels of service even with the recommended improvements suggested by DPA.

Second Example (Comment 16) Sw 176th Street Conditions Will Continue to Be Unacceptable with 1,150 Students: As noted earlier, the April 27, 2010 video demonstrates morning peak hour conditions at the north driveway serving all 600 students and associated staff, with the assistance of an off-duty police officer directing traffic. Notwithstanding the DPA report's assertion that traffic will be dramatically reduced at the north driveway under the windshield sticker program, we have concluded that future volumes at this location will be approximately the same as existing conditions, once the trip generation analysis is corrected as described above. Taken together, these two observations (unacceptable existing conditions as documented in the video and future traffic volumes similar to existing) inform us that the future conditions on SW 176th Street will continue to be unacceptable. The DPA report neither examined conditions on SW 176th Street nor recommended improvements beyond the windshield sticker program.

Other Observations of Note

The school employed a traffic officer to direct traffic at the existing school driveway connection to SW 176th Street, as shown in the Tuesday, April 27, 2010, video, beginning approximately two weeks before the May 4, 2010 Village public hearing. According to some in attendance at the May 4, 2010 hearing, the purpose of this two-week assignment was to demonstrate to area residents and Village staff and officials the improvement such a traffic management approach could make on existing traffic conditions. Unfortunately, although area residents have requested the assistance of a traffic officer at this location for years, the employment of a traffic officer was discontinued the day after the May 4, 2010 hearing.

The school proposes to utilize an off-duty police officer in perpetuity (see DPA report Appendix A, page 1), but does not indicate when that practice would start, or why such an expense would be warranted if, as the DPA report concludes, traffic operations at the north driveway are acceptable today and will improve with the school expansion.

Finally, we are stumped by the idea that, rather than requiring the implementation of mitigation on failing intersection movements where necessary, the responsibility should be placed on drivers to simply avoid such intersections. This is neither standard nor professional. Further, it pushes our imagination as to how residents in the immediate area can be expected to drive around an intersection down the street from their home most every weekday for three-quarters of the year.

As stated at the outset of this report and illustrated in the above concerns, the DPA report is flawed in its approach and factual presentation. The DPA analysis itself, however, illustrates that the 1,150-student school would generate traffic impacts on roadways where traffic volumes (demand) exceed roadway/intersection capacities. The applicant's projected (unacceptable) future conditions, in combination with insufficient recommended traffic mitigation, (without consideration of the underestimation of project traffic) would result in negative impacts on the surrounding neighborhoods and larger community.

If you have any questions regarding any of the above, please don't hesitate to contact me.

Sincerely,

Molly J. Hughes, AICP, PTP, AVS
President

063011 report.wpd
Attachment

TRANSPORTATION ENGINEERS & PLANNERS
728 SW 4 Place ■ Suite 103 ■ Ft. Lauderdale, FL 33312-2595
954/563-1121 ■ Fax 954/563-9790 ■ www.HughesHughesInc.com

MOLLY J. HUGHES, AICP, PTP, AVS
President
Hughes Hughes Inc., Transportation Engineers & Planners

HUGHES HUGHES INC.

PROFESSIONAL EXPERIENCE

Ms. Hughes has over 27 years' transportation consulting experience. She is owner and principal of Hughes Hughes Inc., a traffic and transportation consulting firm she established in 1996. Over this period, she has managed and directly supervised over 30 professional transportation planners and traffic engineers. She has assisted private and municipal clients in a variety of transportation-related land use matters including traffic concurrency and parking studies for site plan approvals, rezonings, Land Use Plan amendments, Developments of Regional Impact, a Florida Quality Development, and Department of Community Affairs Binding Letters. She had prepared the Transportation Element for local Comprehensive Plans and corridor analyses for the Florida Department of Transportation. She has assisted private and public clients with right-of-way acquisition, condemnation, and vacations, and with driveway permitting.

She is certified by the American Institute of Certified Planners, and by the Institute of Transportation Engineers' Transportation Professional Certification Board as a Professional Transportation Planner. She is also certified by SAVE International as an Associate Value Specialist, and has participated in a number of value engineering workshops. Her collaboration with other agency personnel in 2000 won her an Exemplary Partners Award from the American Association of State Highway and Transportation Officials for her contributions to savings of over $23M on the SR 7 Roadway Widening Project in southern Broward County.

Ms. Hughes has participated in the development and implementation of various land development regulations including a wide-ranging set of recommended revisions to the parking regulations for Martin County, Florida; parking and traffic study guidelines for the City of Wilton Manors, Florida; parking, driveway and residential street treatments for the City of Hallandale Beach, Florida, as a part of its Design Guidelines Manual; and as an outside municipal transportation review consultant to the cities of Fort Lauderdale, Dania Beach, Town of Jupiter, Southwest Ranches and Hallandale Beach. She has also served as an expert witness in court proceedings where municipal zoning regulations were challenged and upheld.

Ms. Hughes was the originator of the first transit-oriented traffic mitigation program approved by the Broward County Commission. The County was so enthused by this demonstration of the potential to redirect developer-sponsored traffic mitigation from roadway improvements to transit improvements, that it rewrote its land development regulations and amended its Comprehensive Plan to require future development projects to mitigate new traffic impacts by improving transit service. The result is the State's first Transit-Oriented Development transportation concurrency program.

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Long involved in transportation-related policy issues, Ms. Hughes also assisted Florida Legislators in drafting ELMS III concurrency management legislation that significantly enhanced concurrency management in the State of Florida.

In addition to operating her firm, Ms. Hughes is or has served as the retained traffic consultant for a number of municipal governments in South Florida and on the faculty of the Department of Urban and Regional Planning at Florida Atlantic University.

Ms. Hughes has spoken at various local and statewide forums and conferences including a Florida Redevelopment Association Conference, a Florida (FAPA) Planning Conference, a South Florida Regional Planning Council Development of Regional Impact Conference, and a Leadership Broward Urban and Environmental Systems Day.

Ms. Hughes has managed or participated in projects under the jurisdictions of the South Florida, Southwest and Treasure Coast Regional Planning Councils, and she maintains extensive contacts with officials and staff of Brevard, Broward, Collier, Dade, Lee, Martin, Monroe, Palm Beach and St. Lucie Counties. She is known locally and in Tallahassee as a "strategic thinker," devising partnerships between sometimes competing parties to accomplish disparate goals through transportation projects. She has won the respect and appreciation of South Florida City and County Commissioners for her public involvement skills which incorporate education, understanding, consideration and compromise.

Previous professional experience includes transportation planning and traffic engineering consulting in South Florida with Calvin, Giordano & Associates, McMahon Associates and David Plummer and Associates, as well as planning consulting with the Center for Urban Affairs in Birmingham, Alabama.

PROFESSIONAL CERTIFICATIONS

Certified Planner, American Institute of Certified Planners (AICP), Certification Number 019226
Professional Transportation Planner (PTP), Institute of Transportation Engineers' Transportation Professional Certification Board, Certificate Number 13
Associate Value Specialist (AVS), SAVE International, Certification Number 20041039

EXPERT WITNESS EXPERIENCE

Expert witness testimony in trial, depositions, and before administrative agencies and local governments. Examples include:

Larry Liner, etc. vs. Workers Temporary Staffing, Inc. - Case No.s CACE 04-09205 (4) (2005)

Restigouche, Inc. vs. Town of Jupiter - Case No. 94-4049, 1990-1991.
Martin County vs. Section 28 Partnership, Ltd. - Case No. 92-569 CA, 1996.

AWARDS

Exemplary Partners Award, American Association of State Highway and Transportation Officials, 2000, for SR 7 Value Engineering
President's Award, Builder's Association of South Florida, 1992

PROFESSIONAL TRAINING

AASHTO Value Engineering Conference (Award Winner)
Florida Redevelopment Association/Florida Main Street Annual Conference (Speaker)
Linking Land Use and Transportation, Lincoln Institute of Land Policy
International Conference on Traffic Congestion, Institute of Transportation Engineers
Seminar on Florida Standard Urban Transportation Model Structure (FSUTMS), FDOT
HCS Plus Training

EDUCATION

Master of Arts in Urban Affairs/Planning, University of Alabama, 1983
Bachelors of Science in Recreation Administration, University of Alabama, 1975

PROFESSIONAL AND CIVIC ASSOCIATIONS

Institute of Transportation Engineers - Member
American Planning Association - Member
SAVE International - Member
Urban Land Institute - Past Member
Florida Redevelopment Association - Past Member
Moving Broward - Member
EV (Electric Vehicle) Ready Broward - past Board Member; past Co-Chair, Charging Infrastructure Committee
Builders Association of South Florida - past Board Member; past Chair, Builder Industry Political Action Committee; past Chair, Traffic Committee
Broward Educational Planning Initiative - Legal/Legislative Committee

PROJECT AND TECHNICAL EXPERIENCE

Municipal Services

Traffic and Transportation:

Lauderdale-By-The-Sea Traffic Consultant - Conduct assignments as requested, including observing special event traffic and pedestrian conflicts, downtown vehicular circulation, traffic calming for Imperial Lane residents, investigation of local speeds and pedestrian crossing controls, and participation and agency coordination for University of Miami Charrette.

City of Ft. Lauderdale Traffic Consultant - Conduct site plan and traffic study reviews on an ongoing basis for the City's DRC process, including preparation of reports to the Planning and Zoning Board and the City Commission. Project reviews assigned to HHI have included Las Olas City Centre Review, Granada Garden Hotel Traffic Impact Study Review, Gold Coast Resort Traffic Impact Study Review, Cypress Park West Traffic Impact Study Review, Home Depot Traffic Impact Study Review, Harbor Shops, Pine Crest School Parking Reduction Review, Palazzo Las Olas, Lafayette, Oceanside and Middle River Hotel.

Town of Southwest Ranches Traffic Consultant - Conduct traffic study reviews for Land Use Plan Amendments, rezoning applications and site plan approvals on an ongoing basis for the Town's permitting process, including preparation of reports to the Planning and Zoning Board and the Town Council. Prepare traffic calming plans for various neighborhoods within the Town.

Town of Jupiter Traffic Study Review Consultant - Conducted traffic study reviews for WCI's Parcel 19 Residential Development Land Use Plan Amendment, rezoning application and traffic concurrency, including preparation of reports to the Planning and Zoning Board and the Town Council.

City of Dania Beach Traffic Consultant - Conducted traffic study reviews for Land Use Plan Amendments, rezoning applications and site plan approvals on an ongoing basis. The work included preparation of reports to the Planning and Zoning Board and the City Commission. Among the projects reviewed were the International Game Fish Hall of Fame/Bass Pro Shopps, Tanger Factory Outlet Center, Dania Beach Boulevard Publix Supermarket, Hilton Garden Inn, Broward Linen Building, Conference Center & Hotel, Pilot Travel Center, Gaeta Center, American Off-shore Marina, Storage Mart, Ravenswood Convenience Store, Sheridan Street Walgreens, and the Sleep Inn. Other responsibilities included investigating phasing and timing of the Phippen Road/Stirling Road traffic signal, which provides access to a neighborhood, representing the City in its interface with FDOT on such projects as the Sheridan Street/I-95 Traffic Operations improvements, and development of the City's Transportation Element of its Comprehensive Plan.

Project Specific Municipal Services:

Dania Beach Mobility Program - Developed a new program responsive to the 2010/2011 State Legislative initiatives to return transportation concurrency decisions, responsibilities and implementation to local governments. The program provides a voluntary program, in concert with appropriate motivations, to entice developers to construct projects that support multi-modalism and green initiatives established at the Federal and State levels. In addition to the development of the program and its applications and procedures, the work included revisions to the City's Comprehensive Plan and Land Development Regulations that implement the program and provide incentives to motivate development of the desired type.

Martin County Parking Code Revisions - Rewrote the "Parking & Loading" Section of Martin County's Land Development Regulations including revised parking rates, updated parking design and related provisions that set new policies regulating the provision of parking. In an effort to encourage "green" development, the Board of County Commissioners wished to reduce the required amount of parking on a land use by land use basis, where possible, and institute other policies such as shared parking to further this goal and to better utilize provided parking. The project included an evaluation of the existing Code provisions, presentation of current and cutting edge parking principals of relevance to Martin County and its CRAs, development of a theoretical application to a Martin County community demonstrating the viability of some of the new elements, and final approval of the proposed Parking Code section by the Board of County Commissioners.

Wilton Manors Parking Code Revisions - Prepared revisions to the City of Wilton Manors' Land Development Regulations relating to parking. The revisions included changes to achieve consistency within the Code of Ordinances, and focused on improvements to readability and clarity of application.

Hallandale Beach Design Guidelines Manual - Participated on a team of specialist charged with updating and rewriting citywide guidelines, focusing on the urban character of the City and its redevelopment potential. Site access and parking issues were addressed.

Expert Witness

Larry Liner, etc. vs. Workers Temporary Staffing, Inc. - Case No.s CACE 04-09205 (4) (2005). On behalf of Workers Temporary Staffing, Inc. served as an expert witness in this class-action complaint, providing competent and substantial evidence relating to transportation options and costs upon which the case was decided. On matters related to Workers, the testimony was relied upon in decisions by both the Fourth District of Appeals (Case No. 4D05-4729, 2007) and the Supreme Count of Florida (Case No. SC07-1470, 2008).

Restigouche, Inc. vs. Town of Jupiter - Case No. 94-4049, 1990-1991. On behalf of the

Town of Jupiter, reviewed the development review record of Maplewood Development of Regional Impact, the Indiantown Road Overlay Zoning District regulations, and other supporting traffic and land use studies, and provided expert witness testimony for deposition in the Town's successful defense of its Zoning District and associated denial of a Development Order which was incompatible with District zoning.

Martin County vs. Section 28 Partnership, Ltd. - Case No. 92-569 CA, 1996. On behalf of Martin County, Florida, served as an expert witness in the taking-related case clarifying the Bert J. Harris Act. The asserted taking was found to be without merit since the County was able to establish that other reasonable uses could be developed on the site.

NE 19 Street Alley Condemnation - Case No. n/a, 2002. On behalf of the City of Fort Lauderdale, served as expert witness in the condemnation of land needed for a public multi-use (bike and pedestrian) path connecting bike paths and sidewalks along SR A-1-A on Ft. Lauderdale Beach with a proposed multi-use path along NE 33 Avenue.

Right-of-Way Acquisition Team, Office of the Attorney General (Florida) - Various right-of-way taking cases, early 1990s. On behalf of the State's Attorney General and the Florida Department of Transportation, under a continuing services contract, performed traffic analyses for the State's right-of-way acquisition team assembled by the State's Attorney General Office, which provided parallel acquisition activities augmenting the Florida Department of Transportation's right-of-way acquisition efforts. Projects assigned included extensive widening acquisitions for the Palmetto Expressway in Miami-Dade County.

Transportation Policy

Ms. Hughes has been a leader in state-wide policy development. She assisted State Legislators in drafting the 1995 growth management legislation known as ELMS 3, which significantly advanced traffic concurrency management practices in the State of Florida. Through individual project opportunities, she has helped establish the next level of private sector traffic mitigation options. Because of her creativity and leadership in these areas, she has been invited to speak at numerous regional and statewide forums and conferences on various urban transportation planning concepts that begin to harmonize the natural dissonance between routine transportation engineering practices and cost-feasible solutions to urban challenges.

North Lauderdale Community Bus Service - Designed and obtained governmental approval for the first traffic concurrency mitigation plan to privately fund a Community Shuttle Service to meet project traffic concurrency. Two projects located in western Broward County provided funding to mitigate their traffic impacts on several extremely congested but fully improved roadway corridors in suburban South Florida. The mitigation plan resulted in the establishment and implementation of the Community Shuttle Program in North Lauderdale. The program benefitted from a modest

annual governmental grant and is operated by the municipal agency.

The mitigation approach caught the attention of Broward County's top administrators, who have directed County staff to establish parameters and guidelines to focus all future trip mitigation toward transit solutions.

New River Center Florida Quality Development - Preparation of the response to FQD/ADD Question 31, Transportation, involving urban transportation modeling, regional traffic impact analysis, and trip mitigation plan for the Tribune Company/Stiles Corporation 6-acre mixed-use project in downtown Ft. Lauderdale. The mitigation plan was developed for a one million square-foot office complex that also included 35,000 square feet of retail space and a 400-room hotel. Currently the site of the 250,000-square-foot Sun-Sentinel Building and the 287-unit River House condominium tower, the project was the first in Florida to propose and gain approval for developer-funded transit as trip mitigation. To reduce total trips on Broward Boulevard, project owners agreed to fund the downtown feeder bus system connecting to the Broward Boulevard/I-95 Tri-Rail station. State law, which previously limited traffic mitigation to construction of roadways and roadway improvements, had to be changed to allow this application of funds.

Another first was approval of additional trip mitigation funds committed to a non-transportation facility (the construction of Riverwalk in the heart of downtown) that was shown by HHI to delay drivers from joining traffic flow during the heaviest travel period. The highly successful plan has effectively delayed many day-timers in departing for the suburbs until after the peak period ends, and serves as a catalyst for further downtown nightlife development which increases the degree of success. State law had previously limited traffic mitigation to construction of roadways and other roadway improvements.

SR 7 Value Engineering/Corridor Redevelopment Initiative - Represented the City of Miramar in a Value Engineering exercise with FDOT District 4 engineers for the U.S. 441 widening project in southern Broward County, adjacent to the City of Miramar. As a solution to the two agencies' conflicting interests of maximum land redevelopment vs. maximum right-of-way taking, Ms. Hughes devised a mutually beneficial right-of-way acquisition and revitalization program to utilize approximately $35 million in FDOT right-of-way funds for City of Miramar revitalization and redevelopment efforts along the corridor. The program partnered the City's redevelopment authority and condemnation rights with FDOT's right-of-way acquisition funds to reduce right-of-way acquisition costs, with the City being responsible for condemning the needed right of way as part of the condemnation of the larger redevelopment area, but at a lower cost.

The American Association of State Highway and Transportation Officials presented the Value Engineering team with its Exemplary Partners Award, 2000 for the effort. Later that year, Ms. Hughes presented a program detailing the approach at the Statewide Conference of the Florida Redevelopment Association as a way to leverage transportation dollars to "jump start" reinvestment along mature urban corridors.

Downtown Miami Development of Regional Impact (DDRI) - Assisted in preparation of one of the first Downtown DRIs performed in the state. In addition to typical long range traffic forecasting and evaluation, the project required quantification of the impacts of MetroRail on the roadway network, estimates of future average auto occupancy, and acceptance of LOS E at certain locations within the downtown. Among other restrictions placed on the downtown transportation system by the approval of the DDRI, construction of future parking facilities in downtown Miami was prohibited. The policy was implemented the year after Miami's MetroRail began operations, and is credited today for the high ridership maintained by the MetroRail system.

Transportation Planning

Ft. Lauderdale Beach Transportation Study - Preparation of a long range assessment of roadway capacity along SR A-1-A and development of a program of phased roadway and transit improvements to facilitate peak traffic demand through the year 2014. The study was performed during a 90-day moratorium initiated by the City of Ft. Lauderdale to determine the feasibility of approving additional redevelopment along Ft. Lauderdale beach. Recommendations included adding northbound lanes along Seabreeze Boulevard between Las Olas Boulevard and the Oasis Café, adding an additional northbound lane on SR A-1-A between Harbor Drive and the Oasis Café, and other related operational improvements. Transit improvements included satellite parking facilities coupled with a circulating transit system. Neighborhood traffic operation improvements including traffic roundabouts, turn lanes, traffic signal modifications, and associated landscape and streetscape improvements. Study recommendations were unanimously approved by the City Commission, and were funded in excess of $15 million by the City and the Florida Department of Transportation. The improvements are currently under final design.

Port Everglades Master Plan - Preparation of the surface transportation component of a major, Year 2010 planning effort for Port Everglades. Responsibilities included development of a Port-wide transportation model (using SYNCHRO and TSIS software), calibration of the model, assessment of existing surface transportation conditions within the Port and evaluation of the transportation impacts of such future developments as the proposed Florida East Coast Railroad's Intermodal Cargo Transfer Facility. Assisted the Master Plan team in the identification of transportation improvements that support the expanding cruise and cargo businesses. Recommendations included the development of a mass-transit based Airport-Seaport connector for cruise ship passengers, the use of off-site parking lots for cruise ship passengers arriving by automobile, and re-use of existing rail lines within the Port for "people movers." In addition, assisted the team in the development of vehicle access plans for proposed new terminal facilities.

Downtown Ft. Lauderdale Transportation Master Plan (UDATS Study) - Preparation of a long range transportation plan for the City's downtown addressing transportation, access and circulation needs through 2015. A pilot project funded by FDOT, the City of Ft. Lauderdale and the Downtown Development Authority intended to unite transportation planning for the area, the three-

year study utilized Broward County's FSUTMS model and recommended physical improvements in combination with Transportation Demand Management/Transportation System Management techniques.

Broward Coliseum - Preparation of the transportation assessment for the City of Ft. Lauderdale's proposed Broward Coliseum site. Located in the northwest quadrant of I-95 and Broward Boulevard, the site was to use existing I-95/Park and Ride interchange ramps. Regional multi modal transportation systems serving the site were identified and analyzed. In addition, I-95 mainline and interchange capacities and operations were analyzed under existing and future conditions for the peak hour and several off-peak hours. Laneage, signal timing/phasing, and merging and weaving analyses were performed. On-site operations were also analyzed to determine adequate ingress and egress. Estimates of actual time required to fill and empty the site's parking facilities were also conducted. Necessary roadway improvements and operational needs were identified.

Arts Park at Young Circle - Evaluation of traffic and pedestrian circulation and access in the immediate area of Young Circle in downtown Hollywood, Florida. The project involved analysis of existing traffic and pedestrian movements along Federal Highway and Hollywood Boulevard, assessing future City roadway improvements in the area, and relating vehicular and pedestrian access to the future Arts Park improvements. Recommendations were made regarding revised laneage and pedestrian crossings that provided enhanced pedestrian movement through the area, including wider pedestrian walkways.

Diplomat Resort and Country Club Master Plan - Evaluation of various existing and proposed driveway access locations, on-site internal circulation plans, and parking garage evaluations for the 1,000-room hotel. The project, which replaced the smaller historic Diplomat, also includes 107 oceanfront condominiums, 200,000 square feet of conference center space, 60,000 square feet of retail space and 1,000 parking spaces. The project also included obtaining traffic concurrency for the new Diplomat.

Palm Beach County ATMS Master Plan - Developed first comprehensive inventory of all traffic signals in Palm Beach County including pedestrian signals, bridge signals and emergency vehicle signals. Constructed logical database to provide simple user access to all collected information. Prepared a review of laws and ordinances which could impact County and FDOT plans for future Advanced Transportation Management Systems.

Healthsouth Rehabilitation Facilities Certificates of Need - Evaluation of travel times within the service areas of two facilities seeking Certificates of Need for additional rehabilitation beds. The facilities are located in Largo, Florida and south Dade County, Florida.

Traffic Impact Studies/Traffic Concurrency Studies

The Symphony - Preparation of the traffic impact study for the 369-unit, two tower complex located in Ft. Lauderdale, considering the surrounding roadway network as well as pedestrian circulation. The project included development of a strategy for protecting the adjacent Sailboat Bend neighborhood from project traffic infiltration. Through these efforts, the project was able to win support of neighborhood leaders that eventually lead to overwhelming support of the City Commission.

Village at Sailboat Bend - Preparation of the traffic impact study for 215 townhouses, 40 Art Space apartments including renovation of the closed Westside School, and six single family homes to be located on the old School Board site in Sailboat Bend near downtown Ft. Lauderdale. The study focused on the surrounding roadway network and included development of a traffic calming strategy for protecting the neighborhood from speeding motorists and cut-through traffic. Through these efforts, the project won the support of neighborhood leaders, and overwhelming support of the City Commission.

Publix Downtown Ft. Lauderdale - Preparation of traffic study and traffic signal modifications for the Andrews Avenue/SW 6 Street Publix Supermarket in downtown Ft. Lauderdale. The work included evaluation of alternative access driveway locations to determine the optimal location for the up-ramp/driveway to the garage parking levels. Challenges including balancing the shape and size restraints of the urban site with safety of the public traveling to and past the site.

L'Ambiance Beach Ft. Lauderdale - Preparation of traffic study for the 126-unit 25-story luxury high-rise condominium located at 4240 Galt Ocean Mile on Ft. Lauderdale Beach. The infill project replaces the Day Inn motel. The outstanding and challenging design was completed by Sieger Suarez Architectural Partnership and included pedestrian walkways and bicycle paths.

Diplomat Resort and Country Club Master Plan - Evaluation of various existing and proposed driveway access locations, on-site internal circulation plans, and parking garage evaluations for the 1,000-room hotel. The project, which replaced the smaller historic Diplomat, also includes 107 oceanfront condominiums, 200,000 square feet of conference center space, 60,000 square feet of retail space and 1,000 parking spaces. The project also included obtaining traffic concurrency for the new Diplomat.

Broward County Transportation Concurrency Studies - Preparation of traffic concurrency evaluations for the Land Section 8 Plat in Tamarac, the McHugh Plat in Davie, the Delegal Plat in North Lauderdale, the Collins Parcel Plat No. 2 in Dania Beach, the Oriole Commercial Plat in Margate, the New Diplomat Hotel in Hollywood, Riverwalk Place in downtown Ft. Lauderdale, the Trackside Plat in Ft. Lauderdale, the MAE Plat in Ft. Lauderdale, the Unique Plaza Plat in Pompano Beach, the NCL Plat in Dania Beach, the Nova Plat in Davie, the Jacaranda West Parcel 12 Plat in Plantation, the C&P Properties Plat in Sunrise, the ACLF Plat in Pembroke Pines and various other sites in Broward County.

Broward County TRIPS Model Monitoring - Review and analysis of draft County TRIPS Model Updates undertaken on behalf of the Downtown Development Authority of Ft. Lauderdale. The reviews and subsequent discussions with County staff resulted in increased roadway capacity which accommodated additional future development in the downtown Ft. Lauderdale area.

Martin County Transportation Concurrency Studies - Preparation of traffic impact studies and concurrency evaluations for Vista Plaza, Pioneer Roofing Tile, Deggeller Square Shoney's Restaurant, Manatee Plaza, Cocoplum Park Plaza, Windam Square, Spinnaker Point, and various other projects in Martin County, Florida.

Developments of Regional Impact

Oakwood Plaza Development of Regional Impact (DRI) Substantial Deviation - Preparation of a response to DRI/ADA Question 21 involving urban transportation modeling and regional traffic impact analysis for the 129-acre commercial project in Hollywood, Florida. Broward County's FSUTMS model was used to forecast 1997 traffic for the shopping center which included 725,000 square feet of retail space, 314,000 square feet of warehouse space, 30,000 square feet of flex space, a 64-lane bowling alley, 14-screen movie theater complex, health club and service station/convenience market.

Lyons Corporate Park Development of Regional Impact (DRI) - Preparation of a response to DRI/ADA Question 31 involving urban transportation modeling and regional traffic impact analysis for a 77-acre business park located in Coconut Creek, Florida. The park includes an 861,000 square-foot employment center and 210,000 square feet of office space.

SeaWind Development of Regional Impact (DRI) - Preparation of response to DRI/ADA Question 21 involving urban transportation modeling and regional traffic impact analysis for the 6,400-acre mixed-use development in central Martin County, Florida. Martin County's FSUTMS model was used to forecast future traffic for 2020 for the new town which will include up to 7,500 dwelling units and 2 million square feet of commercial and public facilities. The five-phase project required hundreds of roadway link and intersection analyses.

Yamato Plaza Development of Regional Impact (DRI) - Preparation of a response to DRI/ADA Question 31 involving urban transportation modeling and regional traffic impact analysis for the 275,000 square-foot shopping center located in Boca Raton. The work included conceptual design of the proposed Yamato Road/Military Trail urban interchange.

Hollywood Harbour Development of Regional Impact (DRI) - Preparation of a response to DRI/ADA Question 31 involving urban transportation modeling and regional traffic impact analysis for a 68-acre marine development in Port Everglades, Florida. The project includes a 375-room hotel, a 600-slip marina, 400,000 square feet of office space and 100,000 square feet of retail

space.

84 South Development of Regional Impact (DRI) Substantial Deviation - Preparation of a response to DRI/ADA Question 31 involving trip generation reassessment and reassignment for a partially completed business park in Sunrise, Florida. The effort resulted in a determination that the revised master plan generated no additional roadway impacts.

Ft. Lauderdale-Hollywood International Airport Development of Regional Impact (DRI) Review - Review of the DRI's traffic analysis on behalf of the City of Dania Beach. The review included methodology, community impacts, access issues, and land use/traffic circulation compatibility concerns.

Downtown Miami Development of Regional Impact (DDRI) - Assisted in preparation of one of the first Downtown DRIs performed in the state. In addition to typical long range traffic forecasting and evaluation, the project required quantification of the impacts of MetroRail on the roadway network, estimates of future average auto occupancy, and acceptance of LOS E at certain locations within the downtown. Among other restrictions placed on the downtown transportation system by the approval of the DDRI, construction of future parking facilities in downtown Miami was prohibited. The policy was implemented the year after Miami's MetroRail began operations, and is credited today for the high ridership maintained by the MetroRail system.

Land Use and Roadway Plans and Amendments

City of Dania Beach Transportation Element - Prepared the City of Dania Beach's Transportation Element of its Comprehensive Plan. An expansion of the outdated Traffic Element, the work addressed all transportation modes within the City, including the Ft. Lauderdale-Hollywood International Airport and portions of Port Everglades, as well as all recently annexed land from Broward County.

Lake Park Annexation Amendment - Preparation of analysis evaluating the traffic-related effects of the Town's annexation of a 214-acre parcel designated in the Future Land Use Plan for residential, industrial and commercial uses. Represented the Town before Palm Beach County staff and Commissioners. The 2010 analysis was reviewed by Palm Beach County and the Florida Department of Community Affairs, and resulted in the resolution of long standing grievances between the Town of Lake Park and the City of Palm Beach Gardens.

City of Fort Lauderdale PUD Ordinance - Preparation of the parking and transportation aspects of the City of Fort Lauderdale's Planned Unit Development zoning classification adopted by the City in 2005.

Oakridge Country Club Land Use Plan Amendment - Preparation of traffic analysis to convert

a 30-acre site located in Dania Beach, Florida from residential to commercial use. The traffic analysis evaluated the impacts of the change in land uses on the regional transportation facilities in 1996 and 2010.

Downtown Ft. Lauderdale Service Volume Recalculations - Collection and compilation of data for approximately a dozen corridors serving the Ft. Lauderdale downtown area. Input values were derived for a planning level of service analysis using methodologies outlined in FDOT's Level of Service Standards and Guidelines Manual. The resulting revised service volumes were adopted by Broward County for use in its TRIPS model and traffic concurrency management system.

Downtown Ft. Lauderdale Level of Service Comprehensive Plan Amendment - Preparation of transportation analyses supporting Broward County's Comprehensive Plan Level of Service ("Urban Core") Amendment for downtown Ft. Lauderdale on behalf of the Downtown Development Authority. The Amendment allowed a reduction in level of service from LOS D to LOS E on roadways serving the downtown area and provided additional capacity on the 110% Maintain facilities within the area.

Urban Design Guidelines/Land Development Regulations

Dania Beach Mobility Program - Developed a new program responsive to the 2010/2011 State Legislative initiatives to return transportation concurrency decisions, responsibilities and implementation to local governments. The program provides a voluntary program, in concert with appropriate motivations, to entice developers to construct projects that support multi-modalism and green initiatives established at the Federal and State levels. In addition to the development of the program and its applications and procedures, the work included revisions to the City's Comprehensive Plan and Land Development Regulations that implement the program and provide incentives to motivate development of the desired type.

Martin County Parking Code Revisions - Rewrote the "Parking & Loading" Section of Martin County's Land Development Regulations including revised parking rates, updated parking design and related provisions that set new policies regulating the provision of parking. In an effort to encourage "green" development, the Board of County Commissioners wished to reduce the required amount of parking on a land use by land use basis, where possible, and institute other policies such as shared parking to further this goal and to better utilize provided parking. The project included an evaluation of the existing Code provisions, presentation of current and cutting edge parking principals of relevance to Martin County and its CRAs, development of a theoretical application to a Martin County community demonstrating the viability of some of the new elements, and final approval of the proposed Parking Code section by the Board of County Commissioners.

Wilton Manors Parking Code Revisions - Prepared revisions to the City of Wilton Manors' Land Development Regulations relating to parking. The revisions included changes to achieve consistency

within the Code of Ordinances, and focused on improvements to readability and clarity of application.

Hallandale Beach Design Guidelines Manual - Participated on a team of specialist charged with updating and rewriting citywide guidelines, focusing on the urban character of the City and its redevelopment potential. Site access and parking issues were addressed.

Access/Circulation

Broward County Convention Center Expansion - Analyzed traffic operations expected to result from a 30,000-square-foot expansion of the Broward County Convention Center located at Port Everglades. Constraints were imposed by the need to continue providing access to the existing Convention Center throughout the duration of the expansion construction. Developed a Maintenance of Traffic plan which was used to maintain access to, and through, the site during construction.

Nova Southeastern University Library - Developed mitigation measures to satisfy the transportation-related concurrency requirements for the largest research library in the State, a joint project with Broward County, Florida's Library Division. The library serves the University as well as the general public. In the process, resolved concurrency requirements for the remainder of the University campus' expansion plans. Provided traffic data required to prepare an Air Quality Analysis to the Air Quality Consultant.

Publix Downtown Ft. Lauderdale - Preparation of traffic study and traffic signal modifications for the Andrews Avenue/SW 6 Street Publix Supermarket in downtown Ft. Lauderdale. The work included evaluation of alternative access driveway locations to determine the optimal location for the up-ramp/driveway to the garage parking levels. Challenges including balancing the shape and size restraints of the urban site with safety of the public traveling to and past the site.

BankAtlantic Drive-Through Windows - Preparation of independent drive-through operations study to determine average queue length per drive-through window typical of thrift institutions. The study considered three existing sites, and was approved by the City of Boca Raton, establishing the City's standard for thrifts. The Federal Highway BankAtlantic was constructed to the newly-established standard.

North Lauderdale Beach Traffic Circulation Plan - Preparation of a assessment of current vehicular, pedestrian, and bicycle circulation issues registered at extensive public participation meetings held in the neighborhood. Recommended improvements included specific locations for new bicycle lanes, creation of a cul de sac to close a local road, specific locations for narrowing local roads, specific locations for new sidewalks, implementation of a roundabout, potential signalization of a central neighborhood entrance. Study recommendations were approved by the City

Commission, and implementation has begun.

Diplomat Resort and Country Club Master Plan - Evaluation of various existing and proposed driveway access locations, on-site internal circulation plans, and parking garage evaluations for the 1,000-room hotel. The project, which replaced the smaller historic Diplomat, also includes 107 oceanfront condominiums, 200,000 square feet of conference center space, 60,000 square feet of retail space and 1,000 parking spaces. The project also included obtaining traffic concurrency for the new Diplomat.

Renaissance on the Ocean - Preparation of access, circulation and street vacation analyses for the two tower, 208-luxury condominium unit project in the City of Hollywood. Developed by the Deckelbaums, the $85 million project benefitted from a court-ordered development order, but needed neighborhood support for local road closures to unite the site.

Sabal Pines Park - Participation in master planning of the City of Coconut Creek's newest regional park. Safety and traffic operations were primary objectives. Traffic filtration through the neighborhood to access the park was also addressed. Special attention was devoted to locating parking/loading/unloading activities to avoid having children cross the park's spine circulation road to reach playing fields, tot lots and other activity areas.

Plaza at Las Olas - Provision of access evaluation and conceptual design services for the 110,000 square-foot office and retail development located on Las Olas Boulevard east of SE 3 Avenue in downtown Ft. Lauderdale. The project included the eight-story office tower that was previously the Glendale Federal Bank headquarters.

Palmetto Park - Preparation of traffic and parking studies, access and internal circulation evaluations for an 8-acre, five-phase mixed use development within the City of Boca Raton's Downtown DRI redevelopment district. Comprised of five downtown city blocks, the project involved street vacations and parking garages, and just under 1,700 parking spaces. The phases included the completed Smith Barney and Merrill Lynch office buildings totaling 86,000 square feet and the 268-unit Palmetto Place condominium which includes 9,750 square feet of restaurant space and 3,250 square feet of speciality retail space, as well as a 700+ space parking garage plus surface and on-street parking. Remaining to be constructed is another 160,000 square feet of office and 9,000 square feet of retail including a walk-in bank, a 150-room hotel with restaurant, and an additional 28,000 square feet of street-front retail, and a 105-unit residential building. The shared parking study resulted in a 43% over-all reduction in parking spaces when sharing and other adjustments were considered. A provision for future utilization of mechanical parking lifts was developed in the event that over-parking occurs. Traffic services for the various phases of the project were completed over a period of 20 years, and included the design of a traffic signal and turn lanes.

Other traffic studies completed by HHI for projects within Boca Raton's Downtown Development of Regional Impact (DDRI) include Mizner on the Green, a luxury apartment complex across the street from Palmetto Place; the adjacent Townsend Place, a luxury condominium development on

Mizner Boulevard; First Union Plaza, an office/residential complex several blocks away; and the nearby prototype Publix Supermarket which features trellised parking areas and valet services.

Courtyard Distribution Center - Preparation of a traffic engineering assessment to determine the need for right- and/or left-turn auxiliary lanes into the project's east driveway. The project is located on NW 53 Street between Nob Hill Road and Hiatus Road in the City of Sunrise.

Arvida Pompano Park Internal Roadway Evaluations - Preparation of roadway and intersection capacity analyses to establish roadway geometry, turn-lane requirements, and additional access requirements for several land development alternatives for the approved business park. The site, located on the northern portion of the Pompano Race Track in Pompano Beach, Florida, is transected by Racetrack Road, a minor arterial. The Park included over 2.6 million square feet of office, flex, warehouse and retail space and a 250-room hotel.

Redevelopment/Site Planning

CityPlace - Provided traffic engineering services for the 72-acre redevelopment project on several city blocks north of Okeechobee Boulevard in downtown West Palm Beach, Florida. The $400 million project, developed by New York-based Palladium Company, includes 620,000 square feet of retail, a dozen restaurants, theaters, parking garages and 550 residential units. The City of West Palm Beach is the land partner, granting a 75-year lease on the land to further the redevelopment of downtown West Palm Beach. Responsibilities included access permitting, parking garage access operations, development of an approved typical section for internal roadways, traffic impact analyses, corridor analyses, access and traffic signal permit negotiations with the Florida Department of Transportation and Palm Beach County, and preparation of traffic signal construction plans for three intersections and a railroad grade crossing.

Palmetto Park - Preparation of traffic and parking studies, access and internal circulation evaluations for an 8-acre, five-phase mixed use development within the City of Boca Raton's Downtown DRI redevelopment district. Comprised of five downtown city blocks, the project involved street vacations and parking garages, and just under 1,700 parking spaces. The phases included the completed Smith Barney and Merrill Lynch office buildings totaling 86,000 square feet and the 268-unit Palmetto Place condominium which includes 9,750 square feet of restaurant space and 3,250 square feet of speciality retail space, as well as a 700+ space parking garage plus surface and on-street parking. Remaining to be constructed is another 160,000 square feet of office and 9,000 square feet of retail including a walk-in bank, a 150-room hotel with restaurant, and an additional 28,000 square feet of street-front retail, and a 105-unit residential building. The shared parking study resulted in a 43% over-all reduction in parking spaces when sharing and other adjustments were considered. A provision for future utilization of mechanical parking lifts was developed in the event that over-parking occurs. Traffic services for the various phases of the project were completed over a period of 20 years, and included the design of a traffic signal and turn lanes.

Other projects completed by HHI within Boca Raton's downtown include Mizner on the Green, a luxury apartment complex across the street from Palmetto Place; the adjacent Townsend Place, a luxury condominium development on Mizner Boulevard; First Union Plaza, an office/residential complex several blocks away; and the nearby prototype Publix Supermarket which features trellised parking areas and valet services.

Gulfstream Promenade - Prepared traffic impact study and access evaluation for the redeveloping shopping center on Federal Highway and Hallandale Beach Boulevard in Hallandale Beach. Proposed and won approval for an alternative safety improvement involving the closure of an adjacent shopping center's driveway, giving that center access through Gulfstream Promenade. The eliminated driveway facilitated approval of additional Federal Highway access sought for Gulfstream Promenade.

Port Everglades Security Improvements - Assisted security consultants in determining appropriate locations for security gates within Port Everglades. Developed a model (using TSIS software) of all Port roadways proposed to have security gates and, with that model, simulated future conditions on those roadways. The model results were used to determine the number of approach lanes required at each security gate to accommodate future traffic demand without producing undesirable delays to vehicles entering the Port.

Parking

Northport Parking Garage - Evaluated future transportation infrastructure needs resulting from a 650-space expansion of the existing 2,400-space Northport Garage in Port Everglades. The garage and the proposed expansion serve a variety of land uses including the Broward County Convention Center and several cruise lines. Included in the analysis was a review of the existing garage's access and clearance requirements resulting in recommendations for the addition of an external access ramp and a new method for collecting parking fees. The internal roadway network within Port Everglades was analyzed to determine whether sufficient capacity was available to accommodate the increase in traffic generated by land uses expected to use the new garage addition. Recommendations were made for enhanced guide signing within the Port to facilitate visitor's ease of use.

Midport Parking Garage - Evaluated future transportation infrastructure needs resulting from a 300-space expansion of the existing 300-space Midport Garage in Port Everglades. The expanded garage was also designed to incorporate new Harbor Master's offices on the roof of the structure. Traffic analysis included researching cruise lines' activities and converting those schedules to projected traffic flows, analysis of internal Port roadways for adequate capacity, and addressing employee parking and access needs.

CityPlace Hibiscus Parking Garage - Provided traffic engineering services for the 72-acre

redevelopment project on several city blocks north of Okeechobee Boulevard in downtown West Palm Beach, Florida. The $400 million project, developed by New York-based Palladium Company, includes 620,000 square feet of retail, a dozen restaurants, theaters, parking garages and 550 residential units. The City of West Palm Beach is the land partner, granting a 75-year lease on the land to further the redevelopment of downtown West Palm Beach. Responsibilities included access permitting, parking garage access and operations, development of an approved typical section for internal roadways, traffic impact analyses, corridor analyses, access and traffic signal permit negotiations with the Florida Department of Transportation and Palm Beach County, and preparation of traffic signal construction plans for three intersections and a railroad grade crossing.

Mizner Park Garage Studies - Reviewed and analyzed existing and future parking structures with regard to internal circulation, maximization of parking spaces and gated ingress and egress operations. The success of the downtown Boca Raton project resulted in considerable scrutiny of its parking facilities.

Mizner Park Residential Parking Analysis - Provided locational and design guidance to site planners in orienting appropriate garage parking within the Mizner Park mixed use project. The work included recommending operational controls that would insure availability to the project's residents.

Transit

North Lauderdale Community Bus Service - Designed and obtained governmental approval for the first traffic concurrency mitigation plan to privately fund a Community Shuttle Service to meet project traffic concurrency. Two projects located in western Broward County provided funding to mitigate their traffic impacts on several extremely congested but fully improved roadway corridors in suburban South Florida. The mitigation plan resulted in the establishment and implementation of the Community Shuttle Program in North Lauderdale. The program benefitted from a modest annual governmental grant and is operated by the municipal agency.

The mitigation approach caught the attention of Broward County's top administrators, who have directed County staff to establish parameters and guidelines to focus all future trip mitigation toward transit solutions.

New River Center Florida Quality Development - Preparation of the response to FQD/ADD Question 31, Transportation, involving urban transportation modeling, regional traffic impact analysis, and trip mitigation plan for the Tribune Company/Stiles Corporation 6-acre mixed-use project in downtown Ft. Lauderdale. The mitigation plan was developed for a one million square-foot office complex that also included 35,000 square feet of retail space and a 400-room hotel. Currently the site of the 250,000-square-foot Sun-Sentinel Building and the 287-unit River House condominium tower, the project was the first in Florida to propose and gain approval for developer-

funded transit as trip mitigation. To reduce total trips on Broward Boulevard, project owners agreed to fund the downtown feeder bus system connecting to the Broward Boulevard/I-95 Tri-Rail station. State law had previously limited traffic mitigation to construction of roadways and roadway improvements.

Downtown Miami Development of Regional Impact (DDRI) - Assisted in preparation of one of the first Downtown DRIs performed in the state. In addition to typical long range traffic forecasting and evaluation, the project required quantification of the impacts of MetroRail on the roadway network, estimates of future average auto occupancy, and acceptance of LOS E at certain locations within the downtown. Among other restrictions placed on the downtown transportation system by the approval of the DDRI, construction of future parking facilities in downtown Miami was prohibited. The policy was implemented the year after Miami's MetroRail began operations, and is credited today for the high ridership maintained by the MetroRail system.

Dania Beach Transit Service - Development of a trolley-style service system including bus stop identification, route development, headway scheduling and fee structure for implementation within the City of Dania Beach, and connecting to Broward County Mass Transit and other local transit services.

Boca Raton Tri-Rail Station and Complex - Preparation of site access analysis, feeder bus activity, pedestrian circulation, and transportation-related concurrency analysis for a new Tri-Rail station and office complex in the City of Boca Raton.

Traffic Calming

Neighborhood Traffic Calming Plans - Evaluation of existing traffic conditions and projected future traffic volumes to identify long term solutions to cut-through traffic and speeding problems on residential streets in numerous Broward County and Dade County residential neighborhoods. The studies in Ft. Lauderdale, Southwest Ranches and Coral Gables included extensive public involvement. Working with local residents and City staff, consensus was reached on traffic calming alternatives. Traffic calming devices were designed and the overall plans were implemented.

Pedestrian/Streetscape

Sunrise Boulevard CPTED Design - Participation with EDSA in the preparation of pedestrian-friendly street design that addresses viability, safety, access and neighborhood interface. The Broward County project, funded by the CPTED program, was conducted for the segment of Sunrise Boulevard between I-95 and Sears Town.

New River Center FQD, Transportation Question - Preparation of response to FQD/ADD

Question 31 involving urban transportation modeling and regional traffic impact analysis for the Stiles Corporation and Tribune Company's 6-acre mixed-use project in downtown Ft. Lauderdale. The project consists of over one million square feet of office space, 35,000 square feet of retail space and a 400-room hotel. A nexus was developed between the planned Riverwalk and the proposed project which linked transportation mitigation dollars to construction funding for Riverwalk.

Corridor Studies

Ft. Lauderdale Beach Transportation Study - Preparation of a long range assessment of roadway capacity along SR A-1-A and development of a program of phased roadway and transit improvements to facilitate peak traffic demand through the year 2014. The study was performed during a 90-day moratorium initiated by the City of Ft. Lauderdale to determine the feasibility of approving additional redevelopment along Ft. Lauderdale beach. Recommendations included adding northbound lanes along Seabreeze Boulevard between Las Olas Boulevard and the Oasis Café, adding an additional northbound lane on SR A-1-A between Harbor Drive and the Oasis Café, and other related operational improvements. Transit improvements included satellite parking facilities coupled with a circulating transit system. Neighborhood traffic operation improvements including traffic roundabouts, turn lanes, traffic signal modifications, and associated landscape and streetscape improvements. Study recommendations were unanimously approved by the City Commission, and were funded in excess of $15 million by the City and the Florida Department of Transportation. The improvements are currently under final design.

Indian Street Bridge PD&E Study/Design Traffic Technical Memorandum - Assistance in the comparative evaluation of future travel along two major east-west corridors in Martin County. The Florida Department of Transportation prepared a PD&E Study for the proposed Indian Street Bridge and associated improvements along Martin County that would provide increased County-wide capacity over the South Fork of the St. Lucie River in Martin County. The new crossing would provide relief to the existing SR 714 corridor and the Palm City Bridge, to the north. The long contemplated project carried many controversial components, including the validity of the projected future volumes, themselves.

Sheridan Street PD&E Study/Design Traffic Technical Memorandum - Assistance in the development of the future alignment of Sheridan Street between U.S. 1 and Dixie Highway, and lying along the border between the Cities of Hollywood and Dania Beach. A major consideration was the impact of, and opportunities offered by, the right of way acquisition on redevelopment along the corridor. Though the improvements themselves were not controversial, the alignment required significant land "taking" along either the Hollywood or the Dania Beach side of the corridor, which resulted in politically opposing perspectives.

SR A-1-A Corridor Study, Hutchinson Island - Preparation of long-range planning and traffic analysis of SR A-1-A between Ft. Pierce and Sewall's Point. The project represented the first joint effort of St. Lucie County and Martin County MPOs to recognize transportation interdependence and

plan equitable solutions. The analysis involved extensive data collection and compilation to derive localized roadway capacities. Long-range forecasting required combining the Counties' FSUTMS models. The study recommended future roadway geometric requirements, and operational and safety improvements.

Powerline Road Corridor Study - Analysis of future traffic volumes and geometric design considerations along Powerline Road through Pompano Beach, Florida. The analysis identified the maximum right-of-way requirements for the corridor necessary to provide adequate levels of service at buildout of the area, and supported an Amendment to the Broward County Trafficways Plan modifying the width of the corridor.

Clint Moore Road Progression Analysis - Preparation of signal progression analysis and identification of geometric requirements, signal timing and phasing to obtain acceptable coordination and levels of service for a proposed three-signal corridor providing access to an elementary school, Broken Sound residential community and shopping center in Boca Raton, Florida.

SR A-1-A Signal Progression Analysis - Analysis of the impacts of an additional traffic signal on existing signal progression on a portion of SR A-1-A in the City of Ft. Lauderdale. Using TRANSYT-7F software, four existing traffic signals and one proposed signal were modeled. Resulted in FDOT approval of the proposed signal at the intersection of SR A-1-A and NE 30 Street.

SW 148 Avenue Corridor Study - Development of alignment, right of way and capacity studies for the proposed SW 148 Avenue that was to provide a alternative corridor to the existing SW 136 Avenue corridor which was to be taken off the Broward County Trafficways Plan.

Right-of-way Acquisition

Public Sector Projects:

Right-of-Way Acquisition Team, Office of the Attorney General (Florida) - Performed traffic analyses for the State's right-of-way acquisition team assembled by the State's Attorney General Office, which provided parallel acquisition activities augmenting the Florida Department of Transportation's right-of-way acquisition efforts. Projects assigned included extensive Palmetto Expressway widening acquisitions.

Griffin Road Right-Of-Way Condemnation Analyses - Prepared access and parking evaluations for the Florida Department of Transportation for various privately owned parcels along Griffin Road in the Town of Davie in preparation for widen the two-lane rural road to a six-lane divided arterial highway. The parcels were improved with commercial structures housing active businesses and retail sales operations.

SR 7 Value Engineering/Corridor Redevelopment Initiative - Represented the City of Miramar in a Value Engineering exercise with FDOT District 4 engineers for the U.S. 441 widening project in southern Broward County, adjacent to the City of Miramar. As a solution to the two agencies' conflicting interests of maximum land redevelopment vs. maximum right-of-way taking, Ms. Hughes devised a mutually beneficial right-of-way acquisition and revitalization program to utilize approximately $35 million in FDOT right-of-way funds for City of Miramar revitalization and redevelopment efforts along the corridor. The program partnered the City's redevelopment authority and condemnation rights with FDOT's right-of-way acquisition funds to reduce right-of-way acquisition costs, with the City being responsible for condemning the needed right of way as part of the condemnation of the larger redevelopment area, but at a lower cost.

The American Association of State Highway and Transportation Officials presented the Value Engineering team with its Exemplary Partners Award, 2000 for the effort. Later that year, Ms. Hughes presented a program detailing the approach at the Statewide Conference of the Florida Redevelopment Association as a way to leverage transportation dollars to "jump start" reinvestment along mature urban corridors.

NE 19 Street Alley Condemnation - Served as Expert Witness for the City of Ft. Lauderdale in its efforts to condemn land for a public multi-use path (bike and pedestrian) connecting bike paths and sidewalks along SR A-1-A on Ft. Lauderdale Beach with a new multi-use path along NE 33 Avenue.

US 1/Jensen Beach Boulevard Pre-Planning Study - Preparation of intersection capacity and queuing analyses utilizing PASSER II-87 to identify turn-lane and storage requirements to establish right-of-way requirements for planned intersection improvements to this regionally significant intersection in northern Martin County. The work was undertaken for FDOT, District IV.

Private Sector Projects:

Blount Road Right-of-Way Acquisition Analysis and Representation - Performed access analysis and represented Festival Market Mall in negotiations with Broward County regarding right-of-way required for the widening of Blount Road in northwest Broward County. The negotiations included a number of conditions under which the Festival Market Mall would donate the needed right-of-way, thereby avoiding condemnation proceedings. The negotiations were complex due to the involvement of two public agencies (Broward County and the City of Pompano Beach) and two land owners (the Festival Market Mall and the adjacent Rock Lake).

Interchange Park Right-Of-Way Condemnation Analyses and Representation - Research, analysis and graphical depiction of right-of-way, limited access lines, future connection to the Homestead Extension of Florida's Turnpike, and historical property boundary changes over a period of several decades in the vicinity of the Red Road (State Road 823) parcel proposed for future business park uses in Miramar, Florida. Traffic operations, access and circulation constraints were

evaluated to determine future feasible land uses and a cost to cure.

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Institute of Transportation Engineers
1627 Eye Street, NW, Suite 600
Washington, DC 20006 USA
Telephone: 202-785-0060
ITE on the Web: www.ite.org
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500/UBP/DC/0910

1 July, 2011

Tucker Gibbs, Esq.
W. Tucker Gibbs, Attorney at Law
P.O. Box 1050
Coconut Grove, FL 33133
Via e-mail: tucker@wtgibbs.com

Subject: Palmer Trinity School, Village of Palmetto Bay, Florida
Criteria Review for Special Exception to Permit an Increase in Maximum Student Enrollment from 600 to 1,150 for Council Hearing scheduled for July 19, 2011

Dear Mr. Gibbs:

On behalf of the Concerned Citizens of Old Cutler, Inc. (CCOCI) I have been requested by Tucker Gibbs, Esq. to review the Palmer Trinity School (PTS) special exception file for the July 19, 2011 zoning hearing by the Village of Palmetto Bay Council, and to provide a professional planning opinion as to whether the special exception to permit an increase in the number of students from 600 to 1,150 at PTS located in the Village of Palmetto Bay (Village) is consistent with the applicable standards provided in the zoning code.

The issue at hand follows from the February 11, 2011 decision of the Florida 11th Circuit Court, Appellate Division regarding the Village's May 4, 2010 zoning resolution regarding the expansion of PTS. The review panel quashed two conditions in the Village's May 4th zoning resolution: 1) the 30-year prohibition for PTS to request additional development approvals; and 2) that the student enrollment be capped at 900. With no other elements of the Village's May 4th zoning resolution appealed, the Village's decisions regarding the rezoning, campus expansion, and site plan approval are not directly addressed in this review to the extent that they are not otherwise tied to the issues at hand. Therefore, the sole issue of review here is the request for a special exception to increase permitted student enrollment from a maximum of 600 to a maximum of 1,150.

The existing maximum permitted student enrollment at PTS is 600. At the May 4, 2010 hearing, PTS requested a special exception to increase its student enrollment incrementally over a phased plan to a maximum of 1,150 students. At the May 4th hearing, the Village Council placed an enrollment cap of 900 as a condition to the approvals; however, the Appellate Panel has found this condition to lack a basis in competent, substantial evidence.

The request is for a special exception. The applicable standards for review are contained in Article XXXVI, *Zoning Procedure*, Section 33-311(3) *Special exceptions (for all applications other than public charter schools, unusual and new uses,* and contain the following criteria, that the special exception:

- would not have an unfavorable effect on the economy of Miami-Dade County, Florida;
- would not generate or result in excessive noise or traffic;
- *would not* cause an undue burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways, or other such facilities which have been constructed or which are planned and budgeted for construction;
- are accessible by private or public roads, streets or highways;

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Building & Zoning Department
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Vanessa Bencomo

- *would not* tend to create a fire or other equally or greater dangerous hazards; or
- *would not* provoke excessive overcrowding or concentration of people or population,
- when considering the necessity for and reasonableness of such applied for exception or use in relation to the present or future development of the area concerned, and the compatibility of the applied for exception or use with such area and its development.

Consistency with Special Exception Criteria of Sec. 33-311(3)

The consistency of the requested special exception for increasing the student enrollment from 600 to 1,150 with each of the standards is addressed below.

Would not cause an unfavorable effect on the economy of Miami-Dade County

Increasing student enrollment from 600 to 1,150 at PTS is not expected to have any quantifiable, negative effect on the economy of the area.

Would not generate or result in excessive noise

The issue of generating excessive noise has been central to the concerns of CCOCI and the neighbors, and was also at issue throughout the hearings because it is considered a chief adverse impact that would be caused by the school expansion, and is exacerbated by the location of the PTS expansion in a estate-density, single-family neighborhood. To an even greater extent than other single-family residential areas, one of the most salient and relevant characteristics of the estate-density and large-lot neighborhoods in the vicinity of the PTS expansion is the expectation of greater privacy, quietude, and tranquility as part of the package of benefits expected and paid for by residents of these properties. The standards of this section require consideration of the impacts in terms relative to the development of the area concerned to assure compatibility.

Up through the May 4, 2010 hearing, there was a clear nexus that the combined impact to increase student enrollment, expand the campus to the south parcel, and approve the site plan that included significantly more outdoor sports facilities would generate noise levels above and beyond what is expected in these neighborhoods. During the hearings, testimony from neighbors and professionally prepared evidence regarding excessive noise impacts was submitted, and PTS provided professionally prepared mitigation for noise impacts. From the 2008 site plan to the 2010 site plan, noise buffering and design modifications to address noise by the PTS campus were proffered by the applicant and accepted by the Council, indicating an acknowledgment from all parties involved that an excessive noise impact would be caused that needed to be mitigated. The Village Council accepted the mitigation to address excessive noise impacts but determined that it was sufficient for less than the 1,150 students requested by the school.

The special exception must now be evaluated stripped away from its associated campus expansion and new site plan elements that incorporate the outdoor sports facilities. The testimony of the noise experts provided that the excessive noise is caused by the existence and location of new outdoor sports facilities (campus expansion and site plan issues), and the number of students using those facilities. In addition, noise caused by the number of cars circulating through the property is also proportional to the maximum number of permitted students. Given this, this criterion must still be evaluated; however, the prior

testimony is no longer adequate since it is now necessary to isolate only the effect of increasing the number of students on excessive noise. Further, mitigation possibilities are site plan related, so additional mitigation can not be offered, only changes to enrollment. This criterion must be considered unsatisfied.

Would not generate or result in excessive traffic

The issue of generating excessive traffic has been the paramount concern of CCOCI and the neighbors from the beginning, particularly with regard to their concern with making worse the traffic conditions to and from the SW 176th Street entrance: conditions that they (the neighboring residents) have already reported as being intolerable. CCOCI contracted with Hughes Hughes Inc (HHI) to review the traffic studies submitted by PTS as part of its development approval application. In its report dated July 1, 2011, HHI has identified several deficiencies of the traffic impact studies, calling into question the validity of the neighborhood traffic impacts that were identified by the PTS studies in response to this criterion. Given this, the criterion must be considered unsatisfied.

Would not cause an undue burden on public facilities, including water, sewer, solid waste disposal, or recreation

Undue burdens on public water, sewer, solid waste disposal, or recreational public facilities caused by the proposed increase in enrollment from 600 to 1,150 students have not been identified.

Would not cause an undue burden on public facilities, including transportation, streets, roads, and highways

The HHI review has identified several deficiencies of the traffic impact studies, calling into question the validity of the PTS analysis of level-of-service impacts to transportation and roadway facilities. The HHI report has further opined that the special exception to allow an enrollment of 1,150 would cause traffic impacts on roadways that do not meet minimum levels of service required in the Village's Comprehensive Plan, and that the recommended traffic mitigation is insufficient. Based on the HHI findings, this criterion is not met by the requested special exception.

Would not tend to create fire or other equally or greater dangerous hazards

Increasing student enrollment from 600 to 1,150 at PTS is not expected to tend to create fire or other dangerous hazards.

Would not provoke excessive overcrowding or concentration of people or population

The standard provides a test for overcrowding, concentration of people, or population. In the strictest terms, population applies more to inhabitants of the area. Since this is a day school (no persons live there), concentration of people is the appropriate measure.

As it will be before the Village Council on July 19, 2011, the PTS campus would be approved at 54.14 acres (Parcel A + Parcel B), with a proposed daytime student population of 1,150, 115 teachers, and 105 administrative and clerical personnel. In the simplest terms, this equates to a daytime population density of 25.3 persons per acre for a typical school day. The standard is a relative one, seeking to regulate

population relative to the surrounding area to achieve compatibility with that area. Based on the Village Comprehensive Plan (least restrictive test), the surrounding area would allow 2.5 dwelling units per acre. According to the data in the Village Comprehensive Plan, there is an average of 3.01 persons per household in the Village. This would provide an expected population density of 7.5 persons per acre as a standard for concentration of people that is compatible with the area. The proposed normal daytime population density that would be caused by the special exception (25.3 persons per acre) would be over 3 times (337%) that of the surrounding area.

This still does not account for the potentially increased concentration of people caused by special events. An indication of the potential for special event on-campus populations is the amount of parking that is proposed to meet peak demands. The 2008 site plan proposed to provide 779 paved parking spaces, and 637 spaces on natural terrain to allow for special event overflow. Although the proposed maximum enrollment was lowered 18% from 1,400 (2008) to 1,150 (2010), all of the natural terrain parking was removed, and total vehicular parking for the approved site plan is 40% lower at 852. Automobile occupancy of 1.2 persons per vehicle is typically used for trip generation estimates; however, considering that a special event at a school would reasonably expect to include at least a parent and a student per car, then a multiplier of 2 would be more reasonable for these events. If the 852-space parking capacity is filled, a total of 1,704 persons could be expected, creating an event population density of 31.5 persons per acre at the school, 4 times the average for the surrounding area.

Given these potentials, the concentration of people provoked by the special exception in relation to the present and future development of the area concerned is not compatible, and is intrusive to the estate-density expectations and lifestyles of the surrounding community in the Village of Palmetto Bay. Further, there is no rationale to the necessity or reasonableness of the exception in terms of a public purpose related to the Village. This criterion is not satisfied.

<u>The necessity for and reasonableness of such applied for exception or use in relation to the present or future development of the area concerned, and the compatibility of the applied for exception or use with such area and its development.</u>

The last criterion applies in conjunction with the others before it. To this extent that the criteria regarding excessive noise, excessive traffic, and and excessive concentration of people have been addressed relative to the development of the area of concern. Specifically with regard to the characteristics of the neighboring development, these criterion are found to be not satisfied by the application; therefore, the requested special exception also does not meet the compatibility criterion contained here.

<u>Closing</u>

In summary, the special exception to increase the <u>maximum student enrollment from 600 to 1,150 does not meet the following criteria</u>, as required by Section 33-311(3):

- Would not generate or result in excessive noise (applicant has not demonstrated consistency)
- Would not generate or result in excessive traffic (reference HHI report)
- Would not cause an undue burden on public facilities, including transportation, streets, roads, and highways (reference HHI report)

- Would not provoke excessive overcrowding or concentration of people or population (applicant has not demonstrated consistency)
- The applied-for special exception is not compatible with the present or future development of the area concerned (applicant has not demonstrated consistency)

Sincerely,

Mark Alvarez

attachment: resume

MARK ALVAREZ

tel. 786-208-6655

e-mail: malvares@bellsouth.net

EDUCATION

- Master of Science, Civil Engineering, Transportation Major, Ohio State University, 1992
- Master of City and Regional Planning, Ohio State University, 1992
- Bachelor of Science, Operations Management, Ohio State University, 1988

SYNERGISTIC ACTIVITIES

- City of Miami Upper Eastside Council, Boulevard Oversight Committee, 2004
- City of Miami Beach Traffic Calming Committee, Chairperson, 1999
- City of Miami Beach Transportation and Parking Advisory Committee, 1998-1999

ADDITIONAL QUALIFICATIONS

- Professionalism and Ethics Seminar, The Metropolitan Center, Florida International Univ. 2010, 2011
- Certification to American Institute of Certified Planners (AICP), 1996 (AICP #086841)
- Pedestrian Safety Training Program, Florida Department of Transportation, 1993
- Collaborative Neighborhood Planning Dispute Resolution Workshop, Florida Growth Management Conflict Resolution Consortium, 1993

PROFESSIONAL EXPERIENCE

Transportation & Land Planning Consultant
Miami, Florida **December 2006 - present**

Mr. Alvarez provides land use planning, transportation planning, and development rights analysis for governments and private clients. This includes work with comprehensive plans, community redevelopment plans, zoning ordinances, developing area plans, and expert opinions regarding development compliance with codes, other ordinances, and policy. He also provides analysis and expert opinions of fact regarding development compliance with municipal legislation and policy for settlement negotiations, or quasi-judicial and appellate hearings. He has participated in numerous settlement negotiations, hearings, and been qualified as an expert. He was the Principal Investigator (PI) for the *South Dade Busway Transit Park-and-Ride and Feeder Plan* (2007) for the Lehman Center for Transportation Research (LCTR), and also participated in LCTR project: *Village of Pinecrest South Dixie Highway (US-1) Intersection Study,* (2008). He is currently performing a transit study for the Village of Pinecrest to provide local transit circulator services in a municipality that is within the demonstration project corridor (2011).

Senior Research Associate, Center for Urban Transportation Research, Univ. of South Florida
4202 E. Fowler Avenue, Tampa, Florida 33620 **June 2003 – December 2006**

As a University of South Florida Research faculty member, Mr. Alvarez was the Principal Investigator (PI) for 4 transit planning projects with a total value of approximately $1.6-million: the *Miami-Dade County Comprehensive Bus Operational Analysis* (2003 - 2004); the *Commission District 13 Transit Needs Study* (2005); the *Transit System Subsidy Policy Analysis* (2005); and the *Coastal Communities Transit Plan* (2006).

Capital Improvement Administrator, City of Miami Beach

1700 Convention Center Drive, Miami Beach, Florida 33137 November 1999 – June 2003
Reporting to the Assistant City Manager and Chief Financial Officer, Mr. Alvarez coordinated the programming of a $400-million capital improvement program (CIP) with the City's departments of finance, budgeting, planning, public works, parking, buildings, and media relations. After developing a technical understanding of all construction and public works projects, he restructured the CIP to coordinate improvements and their funding.

Principal, Meridian Consulting, Inc.
247 SW 8th Street #214, Miami, Florida 33130 April 1998 – June 2003
As the principal of Meridian Consulting, Mr. Alvarez specialized planning services related to the effect of transportation, transit and parking issues as they relate to redevelopment efforts in urban-area downtown cores. Toward this specialization, he provided data collection efforts, analysis, reporting, and presentations to the public and development boards on several large redevelopment projects. In addition, he also developed transit plans, parking studies, comprehensive plan amendments, and capital improvement plans for local governments.

Senior Planner, The Corradino Group
4055 NW 97th Avenue, Miami, Florida 33278 November 1993 – April 1998
As the Senior Planner at The Corradino Group, Mr. Alvarez led transportation and community planning projects, managed planning staff, developed proposals for new work, coordinated staff work loads, developed data and analysis approaches to meet clients needs, developed presentation media for community input, and authored final reports. He was the project manager for several major public sector projects that included transit development plans, transportation corridor studies, traffic calming studies, and community redevelopment plans.

Regional Planner, South Florida Regional Planning Council
3440 Hollywood Boulevard Suite 140, Hollywood, Florida 33021 August 1992 – Nov. 1993
Mr. Alvarez was responsible for a variety of planning assignments, including: evaluating local comprehensive plan amendments; updating the Transportation Element of the Strategic Regional Policy Plan (SRPP); staffing the Technical Advisory Committee of the Fort Lauderdale Airport Expansion; and analyzing airport and seaport projections in the for a regional economic analysis. Mr. Alvarez was also the Project Manager for the inception of the US Department of Energy, and Florida Department of Community Affairs' *Clean Cities Program* to implement the use of alternative fuels for government and private fleets in the South Florida Region.

PUBLICATIONS / PRESENTATIONS

- *Using Ridecheck and Survey Results to Formulate Operational Recommendations for Miami Dade Transit*: American Public Transportation Association, Minneapolis, Minnesota, 2005
- ***Intermodal Trends in the Miami Urbanized Area: Changes Over a Decade and Emerging Trends*: American Public Transportation Association, Vancouver, British Columbia, Canada, 2004**