

VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE MONDAY, NOVEMBER 18, 2013
MEETING OF THE VILLAGE COUNCIL – ZONING HEARING
Village Hall Chambers
9705 E. Hibiscus Street, Palmetto Bay, FL

1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE:** Mayor Stanczyk called the meeting to order at 7:00 p.m. The following members of the Village Council were present:

Mayor Shelley Stanczyk
Vice Mayor John DuBois
Councilman Patrick Fiore
Councilman Tim Schaffer
Councilwoman Joan Lindsay

The following staff members were present:
Village Manager Ron E. Williams
Interim Village Attorney John R. Herin, Jr.
Village Clerk Meighan Alexander
Director of Planning and Zoning Darby Delsalle
Zoning Administrator Travis Kendall

Mayor Stanczyk asked Mrs. Beverly McGhee to lead the pledge of allegiance.

2. **Approval of Minutes - Zoning Hearing of September 16, 2013:** Councilman Schaffer moved to approve the Minutes, as submitted. Seconded by Vice Mayor DuBois. All voted in favor. The Minutes were approved unanimously (5-0.)
3. **Reading of decorum statement/Swearing in of witnesses:** Clerk Alexander read the following decorum statement: 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 at this meeting 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.
4. **Public Hearing Items:**
- a. The following item is being considered pursuant to Division 30-80 of the Village's Land Development Code:
Applicant: George Hidalgo
Folio: 33-5035-004-0140

File #: PLT-13-002
Location: 7310 SW 173 Street, Palmetto Bay, FL 33157
Zoned: E-1
Request: A request to re-plat a portion of the Del-Mar Estates plat, specifically Lot 14 of Block 1 (currently one parcel), creating Hidalgo-Buch Subdivision plat consisting of Lot 1, and Lot 2, Block 1 (two Parcels).

Mayor Stanczyk asked the Council to provide their disclosures.

Councilwoman Lindsay advised she was familiar with the property, had spoken to no one, and can remain impartial. Councilman Schaffer stated that he had no disclosures and can remain impartial. Councilman Fiore provided that he had no disclosures. Vice Mayor DuBois mentioned that previously a campaign sign of his was in the yard; he indicated that he had no disclosures. Mayor Stanczyk stated that she had no disclosures, she is familiar with the property, and can remain impartial.

Attorney Herin swore in those individuals who wished to speak.

Director Delsalle provided his staff report. He reported that in 1978, the owners petitioned the County to eventually re-subdivide property into two lots. He stated that a special exception was granted; however, two variances were necessary. He stated that unlike the Village, the County does not incorporate a time limitation and; therefore, the 1978 variance did not expire. Director Delsalle advised that the applicant is seeking plat approval and will return to the County to finalize. He concluded that staff finds the request acceptable.

Vice Mayor DuBois asked the percentage of lot coverage on the existing lot.

Director Delsalle stated that he was uncertain. He further advised the Council that staff had received one letter in favor of the application.

Mayor Stanczyk opened the public hearing. Mr. Peter England, 7620 SW 171 Street, spoke in support. The public hearing was closed.

Mayor Stanczyk called the question. The matter was passed following roll call vote: Mayor Stanczyk: yes; Vice Mayor DuBois: Yes; Councilman Fiore: Yes; Councilman Schaffer; yes, and Councilwoman Lindsay: yes.

- b. The following item is being considered pursuant to Division 30-110, and 30.30.5 of the Village's Land Development Code:

Applicant: Alexander School, Inc.
Folio: 33-5023-000-0881 and 33-5023-000-0890
File #: VPB-2013-005
Location: 14850 SW 67th Avenue, Palmetto Bay, FL 33158
Zoned: E-S & E-M
Request: Modification of an existing site plan to expand a school facility. The total number of students permitted shall not exceed the previously approved Zoning Resolution No. 4-ZAB-609-69.

Vice Mayor DuBois moved the item forward. Seconded by Councilwoman Lindsay.

Mayor Stanczyk asked the Council to provide their disclosures.

Councilwoman Lindsay advised she was familiar with the property, can remain impartial, and had spoken to no one. Councilman Schaffer stated that an unknown individual approached him Saturday and said he should support anything Alexander School does; he stated he is familiar with the property, and can remain impartial. Councilman Fiore provided that he had no disclosures. Vice Mayor DuBois stated that he had no disclosures. Mayor Stanczyk stated that in the Spring, an open house was held and she had attended the meeting, met the architect and other members of staff, reviewed the drawings that evening, and met many of the parents present that night who were supportive; she stated that she can remain impartial.

Attorney Herin swore in the witnesses.

Director Delsalle provided staff report. He stated that the modified site plan adds 18,000 square feet. He noted that the school had wished to expand its population; however, following the special election, the school did not meet the 75% approval required by Charter. He provided the history of the property and described adjacent parcels. He acknowledged James Spinks from Marlin Engineering and Village staff. He noted that the applicant seeks to build an additional classroom in the northeast and replace others. The parking lot would be Reconfigured and the County's traffic engineer required a change in the parking lot to allow for longer cueing and stacking. Director Delsalle advised that the school would be developed in two phases and staff recommends approval.

Attorney Jerry Proctor, 1450 Brickell Avenue, representing Alexander School introduced Beverly McGhee, James and Joyce McGhee, Brett Rothfield, Jennifer Riley, Landscape Architect, and Traffic Engineer Richard Garcia. He noted that the 270 student enrollment is not changing. He advised that in 2000, the community zoning board approved expansion onto the southern area of the property. He explained that the goal is replace the buildings and enlarge some, basically to modernize the school. He offered a brief presentation and advised that he concurs with staff's recommendation and conditions.

Mr. James McGhee, 8621 SW 142 Street, asked all supporters to stand. (The large majority of the audience stood.) He reviewed the history of the school and explained their mission and commitment.

Mrs. Joyce McGhee offered a Powerpoint presentation.

Mr. Brett Rothfield, 5888 SW 29 Street, spoke in support.

Ms. Jennifer Briley, Architect, 1821 Tigertail Avenue, Miami, explained the design, scale, and aesthetics.

Director Delsalle advised that there are 38 letters in support, available for review.

Mayor Stanczyk opened the public hearing. The following individuals spoke in support: Jeanne Rothfield, 14601 SW 79 Avenue; Adam Levy, 14585 SW 85 Avenue; Sylvia Ruben, 8435 SW 163 Terrace; Bruce Johnson, 14820 SW 81 Avenue; Patricia Gomez, 7417 SW 189 Street; Al Kahn, 14870 SW 76 Court; Jeff Goldberg, 15154 SW 72 Court; Nicole Austin, 7390 SW 173 Street; Jorge Acevedo, 7470 SW 189 Street; Jane Watkins, 8540 SW 160 Street; Rebecca Haggard, 13505 SW 72 Avenue; Janet Sicony, 9410 SW 136 Street; Jay Brand, 7990 SW 175 Street; Michelle Lopez, 15211 SW 79 Avenue; Stacy Gordon, 15875 SW 77 Avenue; Angel Patinas, 16500 SW 77 Avenue; Mike Perry, 14740 SW 84 Court; Pilar Hannon, 16225 SW 87 Avenue; Sloan Robbins, 8505 SW 185 Street; Sam Steele, 8520 SW 178 Street; Dr. James Bierfield, 144 Street and 67 Avenue; Dr. Cynthia Tesero, 6802 SW 144 Terrace; Peter England, 7620 SW 171 Street; and, Mrs. Beverly McGhee, 7750 SW 144 Street.

Mayor Stanczyk closed the public hearing.

Councilwoman Lindsay thanked the School for working with the Village to insure that the project would be a success.

Councilman Fiore asked Attorney Proctor to expand on an earlier statement he had made (at a previous hearing), now that the School is unable to expand its population due to the 75% threshold not being reached following the special election.

Attorney Proctor stated that the school remains hopeful; however, the School intends to proceed with its improvements and modernization in order to serve the employees and the students.

Councilman Fiore expressed his disappointment with the results of the Charter amendment that mandated the special election. He stated that he was supportive of the application.

Mayor Stanczyk thanked the School for their efforts. She expressed optimism in the future of these improvements, noting that she is certain that traffic will improve in the area. She further asserted that 68% of the public voted in support of the Charter amendment and the Council has to follow the law. She concluded that she knows the quality of Alexander School and is certain they will handle the construction project appropriately and give faith to the surrounding community that they are a good neighbor.

Mayor Stanczyk called the question. The matter was passed following roll call vote: Vice Mayor DuBois: Yes; Councilman Fiore: Yes; Councilman Schaffer; yes; Councilwoman Lindsay: yes; and : Mayor Stanczyk: yes.

Manager Williams advised that he will be shortly providing the Council with information concerning a partnership opportunity with the Miami Science Museum concerning the possibility of constructing a wildlife center in Palmetto Bay. He noted that the Museum has a \$5 million grant available to construct and operate the facility, but they need a partner in form of the Village. He stated that he will be asking the Council to schedule a presentation to be made by Frank Steslow, of the Miami Science Museum (supported by Bachelor Foundation.)

4. **Adjourn:** The meeting was adjourned at 8:35 p.m.

Prepared and submitted by:

Meighan J. Alexander, CMC
Village Clerk

Approved by the Village Council on
this ____ day of December, 2013.

Mayor Shelley Stanczyk

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