

STAFF REPORT

PALMER TRINITY PRIVATE SCHOOL, INC.

VPB-14-001



Village of Palmetto Bay
FLORIDA

ZONING ANALYSIS

SPONSOR: Village of Palmetto Bay **PH:** VPB-14-001
ADDRESS: 7900 SW 176th Street, 8001 SW 184th Street **ZIP:** 33157
SECTION: 34-55-40 **HEARING DATE:** 9/22/2014
COUNCIL DISTRICT: 3 **ITEM:** 2

A. GENERAL INFORMATION

REQUEST: Modification of Resolution 2014-58, incorporating certain site plan conditions and eliminating others as previously approved pursuant to Resolution 2010-48(Amended 7/19/2011 and 8/29/2012)
ADDRESS: 7900 SW 176th Street, 8001 SW 184th Street, Palmetto Bay, FL 33157
LOT SIZE: 2,308,680 sq. ft. (53 Acres)
FOLIO #: 33-5034-000-0580 and 33-5034-000-0620

B. BACKGROUND

On July 22, the Mayor and Village Council adopted Resolution No. 2014-58, approving the site plan modification request of Palmer Trinity Private School, Inc. (Palmer). That approval incorporated by reference many of the conditions that existing in the prior site plan as provided for in Resolution No. 2010-48 (Amended 07/19/2011 and 08/29/2012) (hereinafter referred to as "2010 Amended"). With the approval of the 2014 resolution, the Mayor and Village Council directed staff to work with Palmer to identify those conditions within the 2010 Amended resolution that should be directly incorporated into the 2014 decision and which ones may be left out.

The 2014 resolution provided that the modified site plan "...shall maintain in effect all provisions, terms and conditions of Resolution No. 2010-48(Amended 07/19/2011 and 08/29/2012)...except and only in so far as those provisions are not directly and clearly in conflict with and inconsistent with the decision regarding [the] request." The net result of that decision was to render a number of the prior conditions moot while continuing to retain others. The 2010 Amended resolution provided for 112 condition clauses. Within those clauses were redundancies, reiterations of code, deleted or dated provisions, items previously completed, and elements which were directly incorporated in the newly adopted 2014 plan set. On the other hand, certain conditions of the 2010 Amended resolution continued to remain relevant. This report is a review of all those conditions and their status relative to the more recent approval.

C. ANALYSIS

The aim of this analysis is to study and identify those conditions that should be retained and directly incorporated into the 2014 resolution with the remainder to lapse with the previous site plan approval adopted by the 2010 Amended. Analysis of the conditions is performed through a prism that seeks to maintain the integrity of the initial 2010 Amended and 2014 decisions, while ensuring code integrity is maintained and the outcomes reflective of prior decisions granted to other properties. The plan relied upon for this review are those approved by Resolution 2014-58 with associated application and plans dated stamped June 19, 2014, titled Palmer Trinity Private School, Inc., as prepared by M.C. Harry Associates (Site Plan). Table 1 at the end of this report, is a summary breakdown of those conditions

For ease of use and understanding, the analysis of the conditions involves sorting them into 10 categories. The categories are, Empty, Code, Done, Provided, Keep, Modified, Updated, Dated, Exceeds and Pending, all of which are described in the paragraphs that follow. This is done because many of the items result in a similar affect to the 2014 decision and thus their final disposition should be similar. Each category explanation will include a recommendation to its final disposition. Some category explanations may include discussion regarding specific items as appropriate.

CATEGORY: EMPTY

The Empty category are those number paragraphs from the 2010 Amended resolution that were previously deleted or removed and now are represented as Reserved. There are three (3) in this category, and they need not be incorporated into the 2014 resolution.

CATEGORY: CODE

Conditions sorted into the Code category are those that are reflective of existing Code provisions. This includes those changes that were incorporated into 2012 Neighborhood Protection Ordinances (NPO). Condition 2 of the 2014 resolution specifically state:

“[n]o portion of this approval and its conditions herein shall be interpreted to contravene any Village of Palmetto Bay or Miami-Dade code provision not so specifically addressed herewith.”

Given such, restatement of a code provisions as a condition of approval is redundant. There are 35 conditions that fit into the Code category. They are not recommended for inclusion into the 2014 resolution.

CATEGORY: PROVIDED

Those conditions categorized Provided, are reflective of elements already incorporated in to the 2014 site plan approval and associated documents. In some cases, the conditions are a Code requirement that need not be identified as a state condition. Given these are items provided pursuant to the adopted 2014 plan set, they need not be restated as conditions. There are 17 conditions that fit into the Provided category. They are not recommended for inclusion into the 2014 resolution.

CATEGORY: DONE

This category reflects conditions that Palmer has already completed. There are six (6) conditions that fit into the Done category. They are not recommended for inclusion into the 2014 resolution.

CATEGORY: KEEP

This category reflects those conditions which are recommended for inclusion into the 2014 resolution. Items in this category were accepted by Palmer for inclusion during discussion with staff. There are 22 conditions that fit into the Keep category. They are recommended for inclusion into the 2014 resolution.

CATEGORY: MODIFIED/UPDATED

These two (2) categories are combined and reflect conditions to be incorporated into the 2014 resolution in a modified or updated form. There are four(4) conditions that fit into the Modified/Updated category. The changes are as follows:

Condition 4.9 is modified changing the composition of the Community Relation Committee, the manner of its appointment, and the required frequency of their meetings. The change allows for greater flexibility in establishing the committee and allows them to meet on an as needed bases. The revised condition can be found at Condition 8 of the proposed amended ordinance.

Condition 5.8 is updated to reflect the more recent approval of the 2014 resolution and to provide for permits that made be issued for needed maintenance and repairs. The revision was required since such permits should not be denied. The revised condition can be found at Condition 10 of the proposed amended ordinance.

Condition 5.10 is modified to allow for removal of portable structures within 45 days of certificate of occupancy of replacement class room space. This modification is consistent with existing Village practice regarding such portable classroom structures. The revised condition can be found at Condition 9 of the proposed amended ordinance.

Condition 8.18 is updated to drop the reference to an Exhibit reference in the 2010 Amended resolution. The work still must be completed in Phase I.

Items in this category were accepted as modified by Palmer for inclusion during their discussion with staff. The above items are recommended as modified/updated, for inclusion into the 2014 resolution.

CATEGORY: DATED

This category reflects those conditions which relate to specific building and landscaping improvements no longer apart of the 2014 approval. Two deal with buildings, two with landscaping. The new plan has approved all building locations and the newly adopted landscape plans exceed the previous approval as well as Code. There are four (4) conditions that fit into the Dated category. They are not recommended for inclusion into the 2014 resolution.

CATEGORY: EXCEEDS

This category reflects those conditions which exceed code and are not supported by prior actions of staff or decisions of the Village Council. They do not reflect any condition that may have later been incorporated into the 2012 NPO. Brief descriptions and notes are provided at Table 1 regarding their status. Some of the proffered conditions could not be supported by law (such as revocation of a certificate of occupancy for a zoning violation), while others were deemed difficult to enforce. Others represented conditions not imposed upon similar uses operating in similar residential areas. As such, it was difficult for staff to support those items within this category. There are seventeen (17) conditions that fit into the Exceeds category. They are not recommended for inclusion into the 2014 resolution.

CATEGORY: PENDING

This category reflects those conditions to which Staff and Palmer could not reach 100% agreement. Two (2) of the conditions in this category reference a non-existent provision which Staff believes may have been renumbered Section 5-56 of the Village Code of Ordinances. That Code requires certain "green" construction elements for commercial developments. What is less clear is whether the provision was meant to capture schools. These conditions have not been imposed upon similar uses approved for similar areas. A third item (which is listed as Exceeds on the Table 1 at Condition 10.6) appears to relate to Section 5-56 though the specific provision is not included therein. The last one refers to bell systems and noise. They were included in the proposed resolution so that the Mayor and Village Council may decide their final disposition.

Condition 9.3 requires the parking area be constructed with brick pavers. Although the section refers to using pervious paving material, it does not reference pavers specifically. Staff left this condition (Condition 12) in the proposed ordinance for purposes of discussion as it was not clear the intent the Village Council had in requiring it. If the purpose is to ensure drainage, the Palmer site plan already provides for 150% of the pervious area requirement. The imposition of such a condition reflects a substantial cost increase to the construction of parking areas. Estimates of the increase range from double to triple the cost of asphalt.

Condition 10.5, appears to compel Palmer to full compliance with all the provision of Section 5-56. Again, it is not clear whether the section was intended to apply to schools. This provision has not been imposed on other similar uses in the past, thus a reasonable interpretation would exclude schools from requiring compliance with Section 5-56. This provision is inserted at Condition 13 of the proposed ordinance.

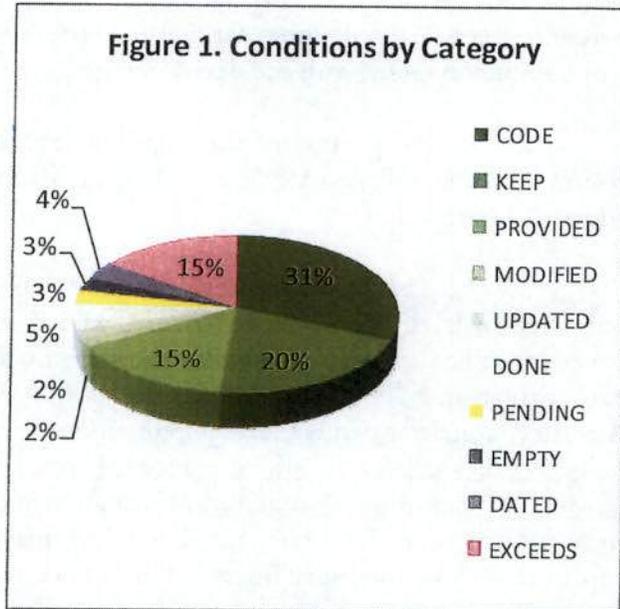
Condition 10.6 requires certain construction design for flat roofs that would accommodate green construction. The condition appears to relate Section 5-56, though such language is not specifically provided for. This provision is inserted at Condition 14 of the proposed ordinance.

Condition 11.4 requires a digital (non-audible) bell system for the purpose of changing classes during the school day. Staff conducted a noise test of the existing bell system. The bell rings throughout the day for the purpose of changing classrooms. The burst lasts about two (2) seconds and occurs at the end and

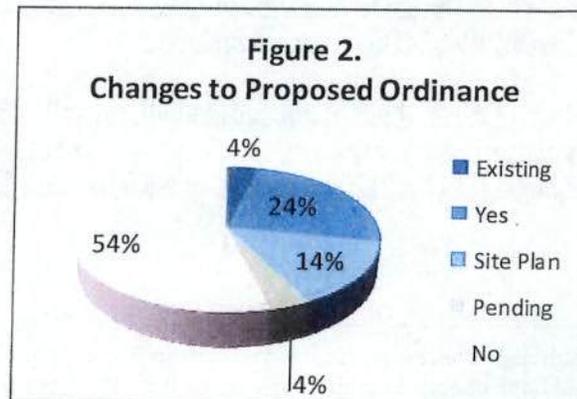
beginning of each class. The sound was measured along the east property line in the area roughly perpendicular to the dining area. The readings did not exceed 48 dba. Maximum permitted sustained noise per Section 30-60.29 during day light hours is 60 dbas. The existing system complies with code in that it is under the maximum permitted dba and is not a sustained sound.

SUMMARY:

In total, 111 separate clauses were evaluated for their relevancy to the adopted plans approved pursuant to Resolution 2014-58. Figure 1 provides a summary of the findings of that analysis. The result is approximately 75% of the prior conditions are either already covered by current code, recommended for inclusion into the 2014 resolution, or have already been completed by Palmer. Seven percent were either previously deleted or rendered out of date due to the approval of the 2014 site plan. Fifteen percent were found to exceed code in a manner that either violated law, were difficult to enforce, or were not consistent with previous actions taken by the Mayor and Village Council. The remaining 3%, which constitutes the Pending Category and includes only three (3) items, remains outstanding and is up for discussion amongst the Council as presented above. With this information in hand staff proceeded to prepare a proposed ordinance consistent with the analysis.



The net effect of the above analysis is the proposed incorporation of approximately 46% of the 2010 Amended resolution conditions into Resolution No. 2014-58. To understand why fewer than half of the 2010 Amended conditions are proposed for incorporation requires one to look no further than the previous paragraph and the prior individual category analysis portion of this report. Left out of the proposed incorporation are those items which reflect a restatement of Code, were already incorporated into the 2014 approved site plan, were previously fulfilled/completed by Palmer, were empty items, or were merely made obsolete by the newly adopted modified site plan. A final category not previously discussed but worth noting involves the redundancy of some conditions within the 2010 Amended resolution. The proposed ordinance seeks to avoid such redundancies.



E. RECOMMENDATION

Except as may be noted in the analysis above, Staff recommends the following changes to Resolution 2014-58:

1. All conditions contained herein shall replace and supersede those provided by Any decision rendered on this request shall maintain in effect all provisions, terms and conditions of Resolution No. 2010-48(Amended 07/19/2011 and 08/29/2012)-as attached herein, except and only in so far as those provisions are not directly and clearly in conflict with and inconsistent with the decision regarding this request.

2. No portion of this approval and its conditions herein shall be interpreted to contravene any Village of Palmetto Bay or Miami-Dade code provision not so specifically addressed herewith.

3. 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 Code¹. The unity of title shall specifically reference this resolution and associated approved plans for the purpose of capturing all required information required of those plans as may be amended from time to time. The covenant shall be in final form for recording within 45 days of final approval. No permits shall be issued until the covenant/unity of title is recorded.

4. Traffic: The recommendations of the traffic analysis dated April 22, 2010, by the Miami-Dade County Transportation Engineering Division email dated June 5, 2014, and the Public Works Department memorandum date June 25, 2014(as attached at Villages Traffic Analysis), shall be met including but not limited to:-

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

4.2 The Applicant shall hire one (1) police officer, or equivalent, during regular session, (per entrance) to control traffic during peak morning and afternoon school hours for each entrance to the school (SW 176th Street and SW 184th Street). The school shall also utilize a police officer for special events.

4.3 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.

¹ 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.

4.4 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 184th 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.

4.5 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 176th 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.

4.6 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 4.4); 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.

4.7 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.

4.8 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 184th Street as ingress and egress.

4.9 The SW 176th Street entrance shall be closed at 7:00 p.m. everyday.

4.10 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.

4.11 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:

4.11.1 Old Cutler Road/ SW 184th Street – Add a southbound right turn lane; signal phasing adjustments.

4.11.2 SW 184th Street at the project driveway – Construct an eastbound left turn lane.

4.11.3 SW 184th Street at the project driveway – Construct a westbound right turn lane.

4.11.4 Provide one off-duty police officer at each driveway during morning drop-off and afternoon pick-up periods to monitor/control traffic.

4.12 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.

4.13 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.

4.14 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.

4.15 Applicant shall comply with the “Safe Routes to School” requirements of 1006.23, Florida Statutes.

4.16 Applicant shall install public sidewalks within the Right-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).

4.17 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.

4.18 As part of Phase I, the Applicant shall complete the turning lanes at the new SW 184th Street entrance.

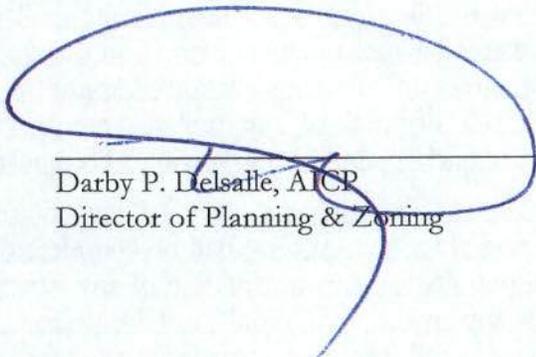
5. Photo metric plans shall be provided and comply with all light requirements at the time of permitting.

6. The Applicant shall provide sound measures of the existing central chiller plant so that it may be used as a reference in estimating potential noise levels of similar plant at a new location.
7. Phasing of student enrollment shall comply with the timetable provided in the Applicants Letter of Intent, and as attached hereto as Exhibit "A".
8. Applicant shall create a Community Relations Committee (CRC) that will be charged with the responsibility of facilitating future discussions with neighbors. The Committee shall be a voluntary group, with representatives from the neighborhood. The meetings of the CRC shall be conducted on an as-needed basis and are intended to be a mechanism for communication, discussion and resolution of issues.
9. The existing portable classroom trailers shall be removed within 45 days of issuance of a certificate of occupancy for the first new replacement classroom building to be completed on the property. The applicant shall furnish appropriate documentation to the Village, verifying appropriate construction documentation and techniques to ensure safety of the structures and their installation. Applicant shall provide a quote as to the cost of removal and disposal of the trailers and provided a payment for same that shall be reimbursed back to applicant following Village inspections verifying their removal.
10. With the exception of the entrance and roadway along SW 184th Street, landscaping along the buffers shall be completed prior to receiving zoning approval of any building permits for the construction of any structures or improvements associated with the site plan approval. This should not be deemed to preclude those permits necessary for maintenance and repair of existing structures or any permits associated with interior remodeling projects.
11. 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.
12. The Applicant shall install pavers in the parking lot to minimize the stormwater runoff impacts, rather than asphaltting the entire parking area, in compliance with Section 5-56(b)(1), of the Village's Code of Ordinances.
13. The Applicant shall be required to comply with the conditions of Section 5-56, of the Village's Code of Ordinances relating to the "Minimum Green Standards" (relating to LED lighting, pavers, energy saving fixtures, and water conservation).
14. 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.
15. At 8001 SW 184th Street, the Applicant shall use digital signage system or other non-noise devices approved and recommended by the Americans with Disability Act

(ADA) and the ADA Standards for Accessible Design, to signal change of class times and announcements.

16. 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.

17. The Applicant shall prohibit parking by faculty, visitors, and students on the right-of-ways bordering the school by planting and maintaining landscaping along the right-of-ways 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.



Darby P. Delsalle, AICP
Director of Planning & Zoning

Table 1
Condition Analysis Summary

Condition	ANALYSIS	BRIEF DESCRIPTION	Incorporate into Reso	Condition Location	NOTE
4.1	PROVIDED	Unity of Title Doc	E	3	Item stands repealed pursuant to Resolution at Condition 3.
4.2	CODE	Restrictive Covenant	Y	3	Covenant required to be incorporated with unity of title.
4.3	EXCEEDS	Substantial Compliance - Requires Council Action	N		Sec 30-30.3(c) is an administrative process - No other approved site plan has this requirement.
4.4	EMPTY	--Previously Deleted--	N		<i>Previously repealed</i>
4.5	EXCEEDS	Enrollment Reporting/Measurement	N		No other approved site plan has this requirement.
4.6	EXCEEDS	Enforcement of 4.5 above	N		A violation can not result in revocation of a Certificate of Occupancy.
4.7	PROVIDED	Time Table for enrollment expansion	E		Item was render moot as a result of the new site plan approval.
4.8	EMPTY		N		<i>Previously repealed</i>
4.9	MODIFIED	Community Relations Committee	Y	8	Item was preserved however appointments made solely by Palmer and there is no mandatory number of meetings.
4.10	EXCEEDS	Sadowski Park Burns objections and Palmer Lighting	N		Appears to be a Freedom of Speech issue, there is no athletic field lighting.
4.11	CODE	Comply with all State, County, and Village Codes	E		Although a version of this exists in the 2014 Resolution, it is not necessary.
4.12	PROVIDED	Supersede Previous approvals	E		Item stands repealed pursuant to Resolution at condition 1.
4.13	EXCEEDS	Bi annual code inspections	N		No other approved site plan has this requirement, further the Village incurs costs of inspections.
4.14	CODE	Sanitary Sewer compliance	N		
4.15	CODE	Comply with Calculation/Covenant	Y	3	Covenant required to be incorporated with unity of title.
5.1	PROVIDED	Construction schedule	N		Item stands repealed pursuant to the 2014 Resolution at the LOI.
5.2	EMPTY		N		<i>Previously repealed</i>
5.3.1	CODE	Submit Construction schedule with Permit	N		
5.3.2	CODE	Construction Staging	N		
5.3.3	CODE	Construction Trailors	N		
5.3.4	DONE	Clearing of Staging area	N		
5.3.5	CODE	Construction Noise	N		
5.3.6	DONE	Clear Driveway area	N		
5.3.7	CODE	Construction Access	N		
5.4	DONE	Tree removal permit for 8001	N		
5.5	CODE	Air Quality	N		
5.6	CODE	MOT	N		
5.7	CODE	Demolition and Construction Fencing	N		
5.8	UPDATED	Fencing and Landscaping prior to construction	Y	10	Staff Modified to allow for permits related to maintenance and repair.
5.9	KEEP	Do Not Block signs at SW 184 and SW 82	Y	11	
5.10	MODIFIED	Portable	Y	9	Trailors removed within 45 days of CO, and documentation to be submitted regarding construction and bonding for removal and disposal.
5.11	EXCEEDS	Enforcement of 5.10 above	N		Cannot force removal if structures are legal.
5.12	KEEP	Turning Lane	Y	4.11.1	Redundant condition also provided at 8.11 of the 2010 Amended .
6.1	EXCEEDS	Athletic field use for other than school	N		Special event permit permits such use. Commercial use prohibited by Code.
6.2	EXCEEDS	Submit all events in advanced	N		Special event permit exists for this purpose. No other approved site plan has this requirement.
6.3	EXCEEDS	One Event at a Time and timing	N		See 6.2 above.

Table 1
Condition Analysis Summary

6.4	PROVIDED	Bleacher locations	SP			
6.5	PROVIDED	Tennis fencing	SP			
6.6	CODE	Outdoor lighting	N			
6.7	PROVIDED	Pool Landscaping and fencing	SP			
6.8	CODE	Lighting	N			Redunant with 4.10 and 10.4 of the 2010 Amended.
7.1	CODE	Comply with 30-100 and DERM	N			
7.2	CODE	Covenant no improvements in buffer	N			Covenant not necessary since it is a code requirement.
7.3	PROVIDED	Landscaping and wall	SP			Berm was eliminated with new site plan approval.
7.4	CODE	Path in LS Buffer	SP			
7.5	PROVIDED	Maintenance Path in LS buffer	SP			
7.6	DONE	Walls along buffer of 8001	SP			
7.7	PROVIDED	Landscaping along SW 184 and 176	SP			The current site plan exceeds code and the 2010 Amended.
7.8	CODE	Native Trees, Permits, DERM	SP			
7.9	PROVIDED	Oak Trees at Bldg 18-19	SP			
7.10	PROVIDED	Pool Landscaping and fencing	SP			
7.11	KEEP	Swale landscaping and signage	Y	17		
7.12	CODE	Maintain Buffer	N			
7.13	EXCEEDS	Annual maintenance plan	N			Cost to Village for peer review of plan. No other approved site plan has this requirement.
7.14	DATED	Oak Trees at Bldg 18-19	N			Modified site plan renders this condition mute.
8.1	KEEP	Traffic Concurrency Compliance	Y	4.1		
8.2	KEEP	Utilize police for traffic control	Y	4.2		
8.3	KEEP	Traffic calming devices	Y	4.3		
8.4	KEEP	Control of access points	Y	4.4		
8.5	KEEP	Fund peak hour turning movement study	Y	4.5		
8.6	KEEP	Remedies if peak hour trips are exceeded	Y	4.6		
8.7	KEEP	Access requirements at SW 176 Street	Y	4.7		
8.8	KEEP	Commercial vehicles and buses to access at SW 184 St	Y	4.8		
8.9	KEEP	SW 176 St to close at 7pm	Y	4.9		
8.10	KEEP	Transit mode feasibility Program	Y	4.10		
8.11	KEEP	Certain specified improvements along SW 184 Street	Y	4.11		
8.12	KEEP	Traffic control expenses to be borne by Palmer	Y	4.12		
8.13	KEEP	"No Left Turn" sign at SW 176 exit	Y	4.13		
8.14	KEEP	Remedy if stacking spills over	Y	4.14		
8.15	KEEP	Comply with "Safe Routes to School"	Y	4.15		
8.16	KEEP	Install sidewalks along SW 176 and SW 184	Y	4.16		
8.17	KEEP	Village to investigate cut through traffic bi-annually	Y	4.17		
8.18	UPDATED	Timing of 184 entrance constructions	Y	4.18		Reference to exhibit d is dropped, work to be completed with Phase 1
9.1	KEEP	Swale landscaping and Signage	N			Redunant cross referenced provision with Conditions 7.3 and 7.11
9.2	CODE	Parking in Buffers	N			
9.3	PENDING	Pavers	P	12		Section 5-56 is a voluntary program which requests pervious paving material but not pavers per se.
9.4	CODE	Radios	N			Noise ordinance addresses this matter.

Table 1
Condition Analysis Summary

9.5	CODE	Lighting	N	
9.6	KEEP	No parking along swales and entrances	N	Redundant provision similar to Condition 7.11.
9.7	PROVIDED	Palms at along SW 184	SP	
9.8	CODE	Hedge around parking areas	SP	
9.9	CODE	Can not create additional parking areas	N	
10.1	CODE	Outdoor lighting prohibited	N	
10.2	CODE	Directional Lighting and foot candles	N	Current Code is stricter
10.3	CODE	Height of Parking lot Lights	N	
10.4	CODE	Sedowski Park and Lighting	N	No athletic field lighting on site plan
10.5	PENDING	Compliance with Green Code	P	13 Section 5-56 is voluntary. No other approved site plan has this requirement.
10.6	EXCEEDS	PV photo systems	P	14 Section 5-56 is voluntary, however this item seem to exceed that provision. No other approved site plan has this requirement.
10.7	CODE	Parking Lot Light Timers	N	
11.1	CODE	Noise from fields 65 dbas	N	Current code is stricter 60dba.
11.2	DONE	No Noise signs	N	Signs already installed.
11.3	CODE	School Bell not to exceed 65 dba	N	Current Code is stricter 60dba.
11.4	PENDING	Digital bell system	P	15 Recent sound test recorded 48 dba's, sound burst lasted less than 2 seconds. No other approved site plan has this requirement.
11.5	PROVIDED	PA System	N	There is no temporary system.
11.6	EXCEEDS	Bi annual inspections of noise	N	Cost to Village. No other approved site plan has this requirement.
12.1	PROVIDED	Waste facilities	SP	
12.2	CODE	Interior paints	Y	
12.3	DONE	Archeological Study	N	Section 5-56 is voluntary. No other approved site plan has this requirement.
13.1	CODE	Waste Pick-up	N	
13.2	PROVIDED	Screen waste facility areas	SP	
13.3	EXCEEDS	Hours of operations and operators	N	This provision is difficult to enforce. No other approved site plan has this requirement.
13.4	CODE	Commercial Leasing of Property	N	
13.5	PROVIDED	Screening of Service delivery areas	SP	
14.1	DATED	Building specific modifications	N	Modified site plan renders this condition mute.
14.2	DATED	Building specific modifications	N	Modified site plan renders this condition mute.
14.3	DATED	Landscaping specific modifications	N	Modified site plan renders this condition mute.
15.1	CODE	Violation resulting future zoning denial	N	
15.2	EXCEEDS	Violation fine of \$500	N	Max violation is \$250.
15.3	EXCEEDS	Cross reference for 5.11 and 4.6	N	Condition can not be enforced, exceeds code and is redundant.
15.4	EXCEEDS	Withhold permits if violation exists	N	Zoning approvals may be withheld however life safety trumps.
15.5	EXCEEDS	Bi annual inspections	N	Permits must be let for life safety and to cure any violation.

Legend

E = Exists or is already incorporated in some form in Resolution 2014-58.

Y = To be incorporated into Resolution 2014-58.

N = Not to be incorporated into Resolution 2014-58.

SP = Condition is already reflected in the adopted modified site plan pursuant to Resolution 2014-58.

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RESOLUTION NO 2014-_____

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING RESOLUTION 2014-58 SOLELY TO THE CONDITIONS TIED TO THE PALMER TRINITY PRIVATE SCHOOL, INC., MODIFIED SITE PLAN APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 22, 2014, the Mayor and Village approved Resolution No. 2010-58 granting Palmer Trinity Private School, Inc., a modification of site plan as so originally approved pursuant to Resolution 2010-48(Amended 07/19/2011 and 08/29/2012), and

WHEREAS, Resolution No. 2010-58 sought to “maintain in effect all provisions, terms and conditions of Resolution No. 2010-48(Amended 07/19/2011 and 08/29/2012) as attached [t]herein, except and only in so far as those provisions are not directly and clearly in conflict with and inconsistent with” that decision; and

WHEREAS, upon the conclusion of the hearing, the Mayor and Village Council directed staff to review Resolution No. 2010-48(Amended 07/19/2011 and 08/29/2012) and incorporate only those conditions that need be included in Resolution 2014-58; and

WHEREAS, because the Mayor and Village Council further directed staff that any such change to Resolution 2014-58 shall not come at the expense of an application fee to Palmer Trinity Private School, Inc., the proposed amendments are thusly sponsored by staff; and

WHEREAS, the Village Council of the Village of Palmetto Bay conducted a quasi-judicial hearing on the application at Village Hall on September 22, 2014; and

WHEREAS, the Mayor and Village Council find, based upon substantial competent evidence in the record, that the application, previously reviewed pursuant to section 30-110, and 30-30.5, of the Village of Palmetto Bay’s Land Development Code 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, the Mayor and Village Council authorize the amendment of Resolution 2014-58.

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

Section 1. The WHEREAS clauses above are incorporated herein by reference.

1
2 4.4 The Applicant shall control the entry points to the school by directing student,
3 teacher, and staff vehicles to enter and exit the school from SW 184th Street driveway. The entrance
4 to SW 176th Street shall solely serve as the drop-off and pick-up location for students. This process
5 will be implemented through a decal program. The different color decals will be distributed and
6 assigned to a specific driveway. The security gatehouse at each driveway will monitor for proper use
7 of the decal. Violators shall be contacted by the school master and security to ensure proper
8 enforcement.
9

10 4.5 The Applicant shall fund a series of peak hour intersection turning movement
11 counts, and 72 hour link counts to be taken by the Village along SW 176th Street and at the school
12 driveway entrance on that street. These are to occur on a random basis once each semester of
13 school operations in perpetuity at the discretion of the Village.
14

15 4.6 If either the 1370 trip daily volume or 960 combined trip volume peak thresholds are
16 violated, the Applicant will be notified in writing and be required to enact measures to bring the
17 traffic volumes into compliance. To do so, the Village will require the school to propose at least
18 three (3) mitigative measures that would be enacted should the situation arise. Some of the
19 mitigation measures that could be considered are color coded decal system (see condition 4.4);
20 limiting access to/from SW 176th Street to the east only; license plate numbers entrance assignment;
21 lottery assignment; controls/prohibitions/signing; and, closing internal roads so driveway entered
22 must be exited. If the corrective action is not implemented within three (3) weeks of the school
23 being noticed of the violation, the Village will require the entrance be closed until corrective action is
24 implemented by the school. The Village will then verify that the actions to correct the violation are
25 working through additional Village traffic counts paid for by the School.
26

27 4.7 The Applicant shall keep the entrance to SW 176th Street closed to vehicular traffic
28 on weekends, holidays and all days when school is not in regular session.
29

30 4.8 The SW 176th Street entrance shall not be used for the delivery of goods or services
31 to the school or by commercial vehicles. All buses and vans used to transport students to and from
32 the property shall use SW 184th Street as ingress and egress.
33

34 4.9 The SW 176th Street entrance shall be closed at 7:00 p.m. everyday.
35

36 4.10 The Applicant shall develop an alternative transit mode feasibility program within
37 three (3) years after receiving the zoning approval. The program should provide incentives for the
38 student to use alternative mode of transportation such as carpool, public transportation or private
39 mass transit to get to and from school.
40

41 4.11 The Applicant shall be responsible for implementing the following mitigation
42 initiatives, as delineated in the David Plummer & Associates Report (Applicant's traffic expert),
43 dated April 22, 2010:
44

1 4.11.1 Old Cutler Road/ SW 184th Street – Add a southbound right turn lane; signal
2 phasing adjustments.

3 4.11.2 SW 184th Street at the project driveway – Construct an eastbound left turn lane.

4 4.11.3 SW 184th Street at the project driveway – Construct a westbound right turn lane.

5 4.11.4 Provide one off-duty police officer at each driveway during morning drop-off and
6 afternoon pick-up periods to monitor/control traffic.

7
8 4.12 Applicant shall be responsible for all expenses relating to traffic control, police
9 involvement, and police participation in traffic movements (the traffic plan). The traffic plan
10 relating to the daily school use and/or for any special events at the school for the roadways shall be
11 subject to approval of Village Police Department and Village Police Officers are to be hired by and
12 paid for by Applicant to manage traffic at entrance(s) to school and off-site locations affected by
13 traffic conditions.

14
15 4.13 Applicant shall install a “No Left Turn” sign at the exit to SW 176th Street and shall
16 preclude left-hand turns onto SW 176th Street, westbound, from the Applicant’s SW 176th entrance.
17 This condition shall be required, at a minimum, during peak hours.

18
19 4.14 If vehicle stacking/queuing spills-over onto SW 176th Street, the applicant shall be
20 required to provide additional on-site stacking to accommodate the spill-over. This would require a
21 modification of the circulation plan, which shall be reviewed by the appropriate Village Departments
22 for Compliance. The Applicant shall not be required to obtain Council approval to make the
23 necessary stacking related, circulation modifications to the interior of the property.

24
25 4.15 Applicant shall comply with the “Safe Routes to School” requirements of 1006.23,
26 Florida Statutes.

27
28 4.16 Applicant shall install public sidewalks within the Right-of-Way fronting Applicant’s
29 properties – 7900 SW 176th Street and 8001 SW 184th Street, after receiving approval from the
30 appropriate governmental agencies (County and Village).

31
32 4.17 The Village shall bi-annually (every six (6) months) test to ensure that there is a
33 limitation of neighborhood cut-through traffic. The Village shall analyze the traffic data and
34 determine corrective measures to limit such cut-through traffic. Based upon the testing, the Village
35 shall implement such corrective measures needed to enforce the Village’s goal (for example,
36 installing no turn signs at certain hours, etc.). This is an obligation of the Village.

37
38 4.18 As part of Phase I, the Applicant shall complete the turning lanes at the new SW
39 184th Street entrance.

40
41
42 5. Photo metric plans shall be provided and comply with all light requirements at the
43 time of permitting.
44

1 6. The Applicant shall provide sound measures of the existing central chiller plant so
2 that it may be used as a reference in estimating potential noise levels of similar plant at a new
3 location.
4

5 7. Phasing of student enrollment shall comply with the timetable provided in the
6 Applicants Letter of Intent, and as attached hereto as Exhibit "A".

7 8. Applicant shall create a Community Relations Committee (CRC) that will be charged
8 with the responsibility of facilitating future discussions with neighbors. The Committee shall be a
9 voluntary group, with representatives from the neighborhood. The meetings of the CRC shall be
10 conducted on an as-needed basis and are intended to be a mechanism for communication,
11 discussion and resolution of issues.

12 9. The existing portable classroom trailers shall be removed within 45 days of issuance
13 of a certificate of occupancy for the first new replacement classroom building to be completed on
14 the property. The applicant shall furnish appropriate documentation to the Village, verifying
15 appropriate construction documentation and techniques to ensure safety of the structures and their
16 installation. Applicant shall provide a quote as to the cost of removal and disposal of the trailers and
17 provided a payment for same that shall be reimbursed back to applicant following Village
18 inspections verifying their removal.

19 10. With the exception of the entrance and roadway along SW 184th Street, landscaping
20 along the buffers shall be completed prior to receiving zoning approval of any building permits for
21 the construction of any structures or improvements associated with the site plan approval. This
22 should not be deemed to preclude those permits necessary for maintenance and repair of existing
23 structures or any permits associated with interior remodeling projects.
24

25 11. The Applicant shall work with the Village and County to install "Do Not Block
26 Intersection" signs along SW 184th Street from SW 82nd Avenue to Old Cutler Road.
27

28 12. The Applicant shall install pavers in the parking lot to minimize the stormwater
29 runoff impacts, rather than asphaltting the entire parking area, in compliance with Section 5-56(b)(1),
30 of the Village's Code of Ordinances.
31

32 13. The Applicant shall be required to comply with the conditions of Section 5-56, of
33 the Village's Code of Ordinances relating to the "Minimum Green Standards" (relating to LED
34 lighting, pavers, energy saving fixtures, and water conservation).
35

36 14. The Applicant shall provide roof location in those structures with flat roofs to install
37 conduit from the electrical room for future Photovoltaic System (PV) installation. A minimum of
38 300 sq. ft. or larger of roof area in a south or west direction shall be dedicated and clear of vent
39 pipes and other obstructions to allow for the installation of a future PV system. The submitted plans
40 must note compliance with this provision.
41

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
2 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
3

4
5 _____
6 Dexter W. Lehtinen
7 Village Attorney
8

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10
11
12 FINAL VOTE AT ADOPTION:
13

14 Council Member Patrick Fiore _____
15
16 Council Member Tim Schaffer _____
17
18 Council Member Joan Lindsay _____
19
20 Vice-Mayor John DuBois _____
21
22 Mayor Shelley Stanczyk _____
23

24
25 This Resolution was filed in the Office of the City Clerk on this ____ day of September, 2014.
26
27

28 _____
29 Meighan Alexander
30 Village Clerk
31
32

1 **WHEREAS**, in partial fulfillment of the above approvals, Palmer Trinity Private School,
2 Inc, recorded a covenant in lieu of unity of title; and
3

4 **WHEREAS**, since that time, the Village has adopted its own Land Development Code,
5 which contains Sections 30-30.5 and 30-110, which provides development standards and procedures
6 for site plan review and educational facilities; and
7

8 **WHEREAS**, on March 12, 2014, the Applicant requested and applied for a modified site
9 plan as previously approved by Resolution 2010-48 as modified by Resolution 2011-53 (July 19,
10 2011) and Resolution No. 2012-64 (August 29, 2102) hereinafter referred to as Resolution No. 2010-
11 48(Amended 07/19/2011 and 08/29/2012); and
12

13 **WHEREAS**, the Applicant has an active valid site plan, and this new application for
14 modification thereto is subject to Village Code and any amendments thereto that preceded their
15 application; and
16

17 **WHEREAS**, on June 11, 2014, pursuant to 30-110 the applicant held a public workshop
18 that was duly noticed, and upon which no request for an additional meeting was requested; and
19

20 **WHEREAS**, the Village Council of the Village of Palmetto Bay conducted a quasi-judicial
21 hearing on the application at Village Hall on July 21, 2014; and
22

23 **WHEREAS**, the Mayor and Village Council find, based upon substantial competent
24 evidence in the record, that the application pursuant to section 30-110, and 30-30.5, of the Village of
25 Palmetto Bay's Land Development Code relating to the above requests, and as amended by Council
26 Action, is consistent with the Village's Comprehensive Plan and the applicable land development
27 regulations; and,
28

29 **WHEREAS**, the Mayor and Village Council authorize the release of the current covenant in
30 lieu of unity of title associated with the previous site plan approvals.
31

32 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
33 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
34

35 **Section 1.** A hearing on the present application was held on July 21, 2014, in
36 accordance with the Village's "Quasi-judicial hearing procedures" Ordinance, found at 2-105, of the
37 Village's Code of Ordinances. Pursuant to the hearing, the Mayor and Village Council make the
38 following findings of fact, and conclusions of law.
39

40 **Section 2.** **Findings of fact.**

- 41 1. The subject property is located at 7900 SW 176TH Street and 8001 SW 184th Street,
42 Palmetto Bay, Florida.
43
44 2. The above whereas clauses incorporated herein are true.

1
2 3. The requested site plan modification is consistent with the Village's Comprehensive
3 Plan, as further specified in the Analysis Section of the Village's Staff report.
4

5 4. The rules that govern the conditions upon which a charter school is permitted to be
6 configured and operated are principally at Section 30-110. After hearing the Applicant and
7 applicant's experts, the Village Council found the request consistent with those standards.
8

9 5. The traffic study submitted by the applicant is the same study already approved by
10 Resolution No. 2010-48 as modified by Resolutions Nos. 2011-53 and 2012-64. The applicant did
11 not change the student enrollment request nor alter the traffic circulation of those originally
12 approvals, thus no additional traffic study or modification thereto is required.
13

14 6. The Village Council accepts the findings of staff as so presented in the written
15 analysis and as presented at the hearing as it relates to compliance with the Village's Code, the
16 findings of the noise study peer review, and the findings of the Village's Public Works Department,
17 and the email from the Traffic Engineering Division of Miami-Dade County.
18

19 7. The Village adopts and incorporates by reference the Planning & Zoning
20 Department staff report, which expert report is considered competent substantial evidence.
21

22 8. The Village Council did not have any substantive disclosures regarding ex-parte
23 communications and the applicant did not raise any objections as to the form or content of any
24 disclosures by the Council.
25

26 9. The Applicant has agreed to all proposed modifications and conditions in the
27 Section entitled, "Order."
28

29 **Section 3.** Conclusions of law.
30

31 1. The Application is in compliance with the adopted 2009 Village of Palmetto Bay
32 Comprehensive Plan and Future Land Use Map.
33

34 2. The standard of review for an educational facility is found at 30-110 of the Village of
35 Palmetto Bay's Land Development Code. The Applicant's request to modify a previously approved
36 site plan for the property is in compliance with the applicable standards, as conditioned below.
37

38 3. The standard of review for a site plan modification is found at section 30-30.5, of the
39 Village of Palmetto Bay's Land Development Code. The Applicant's request for site plan
40 modification is in compliance with the applicable standards, as conditioned below.
41

42 **Section 4.** Order.
43

1 The Village Council, pursuant to Section 30-30.5, and 30-110, of the Land Development
2 Code, approves the plans entitled "Palmer Trinity Private School, Inc.", as prepared by M.C. Harry
3 Associates, dated stamped June 19, 2014, with the following conditions:
4

5 1. All conditions contained herein shall replace and supersede those provided by Any
6 decision rendered on this request shall maintain in effect all provisions, terms and conditions of
7 Resolution No. 2010-48(Amended 07/19/2011 and 08/29/2012) as attached herein, except and
8 only in so far as those provisions are not directly and clearly in conflict with and inconsistent with
9 the decision regarding this request.
10

11 2. No portion of this approval and its conditions herein shall be interpreted to
12 contravene any Village of Palmetto Bay or Miami-Dade code provision not so specifically addressed
13 herewith.
14

15 3. The Applicant shall execute a unity of title document to be recorded in the public
16 records of Miami-Dade County, which unity of title shall covenant (or provide a covenant in lieu of
17 unity of title) the property holder(s) to join the parcels together [7900 SW 176th Street and 8001 SW
18 184th Street] as one parcel, in a form approved by the Village Attorney, consistent with the
19 requirements of the Village's Land Development Code¹. The unity of title shall specifically reference
20 this resolution and associated approved plans for the purpose of capturing all required information
21 required of those plans as may be amended from time to time. The covenant shall be in final form
22 for recording within 45 days of final approval. No permits shall be issued until the covenant/unity
23 of title is recorded.
24

25 4. Traffic: The recommendations of the traffic analysis dated April 22, 2010, by the
26 Miami-Dade County Transportation Engineering Division email dated June 5, 2014, and the Public
27 Works Department memorandum date June 25, 2014(as attached at Villages Traffic Analysis), shall
28 be met including but not limited to:-
29

30 4.1 The Applicant shall be responsible for compliance with the Land Development
31 Regulations relating to traffic concurrency requirements.
32

33 4.2 The Applicant shall hire one (1) police officer, or equivalent, during regular session,
34 (per entrance) to control traffic during peak morning and afternoon school hours for each entrance
35 to the school (SW 176th Street and SW 184th Street). The school shall also utilize a police officer for
36 special events.
37

38 4.3 The Applicant shall install traffic calming devices along the internal circulation
39 driveways and roadways in compliance with the Site Plan and Traffic Study prepared by David
40 Plummer & Associates, Applicant's traffic expert.
41

¹ 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.

1 4.4 The Applicant shall control the entry points to the school by directing student,
2 teacher, and staff vehicles to enter and exit the school from SW 184th Street driveway. The entrance
3 to SW 176th Street shall solely serve as the drop-off and pick-up location for students. This process
4 will be implemented through a decal program. The different color decals will be distributed and
5 assigned to a specific driveway. The security gatehouse at each driveway will monitor for proper use
6 of the decal. Violators shall be contacted by the school master and security to ensure proper
7 enforcement.

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10 counts, and 72 hour link counts to be taken by the Village along SW 176th Street and at the school
11 driveway entrance on that street. These are to occur on a random basis once each semester of
12 school operations in perpetuity at the discretion of the Village.

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17 three (3) mitigative measures that would be enacted should the situation arise. Some of the
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28 appropriate governmental agencies (County and Village).

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32 determine corrective measures to limit such cut-through traffic. Based upon the testing, the Village
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34 installing no turn signs at certain hours, etc.). This is an obligation of the Village.

35
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38
39
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41 time of permitting.

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1
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3 Applicants Letter of Intent, and as attached hereto as Exhibit "A".

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12 appropriate construction documentation and techniques to ensure safety of the structures and their
13 installation. Applicant shall provide a quote as to the cost of removal and disposal of the trailers and
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15 inspections verifying their removal.

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18 the construction of any structures or improvements associated with the site plan approval. This
19 should not be deemed to preclude those permits necessary for maintenance and repair of existing
20 structures or any permits associated with interior remodeling projects.

21
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23 Intersection" signs along SW 184th Street from SW 82nd Avenue to Old Cutler Road.

24
25 12. The Applicant shall install pavers in the parking lot to minimize the stormwater
26 runoff impacts, rather than asphaltting the entire parking area, in compliance with Section 5-56(b)(1),
27 of the Village's Code of Ordinances.

28
29 13. The Applicant shall be required to comply with the conditions of Section 5-56, of
30 the Village's Code of Ordinances relating to the "Minimum Green Standards" (relating to LED
31 lighting, pavers, energy saving fixtures, and water conservation).

32
33 14. The Applicant shall provide roof location in those structures with flat roofs to install
34 conduit from the electrical room for future Photovoltaic System (PV) installation. A minimum of
35 300 sq. ft. or larger of roof area in a south or west direction shall be dedicated and clear of vent
36 pipes and other obstructions to allow for the installation of a future PV system. The submitted plans
37 must note compliance with this provision.

38
39 15. At 8001 SW 184th Street, the Applicant shall use digital signage system or other non-
40 noise devices approved and recommended by the Americans with Disability Act (ADA) and the
41 ADA Standards for Accessible Design, to signal change of class times and announcements.
42
43

1 16. The Applicant shall use interior paints and wood finishes with low volatile organic
2 compound levels that do not exceed 50 grams per liter flat, or 150 grams per liter non-flat. This shall
3 be noted on the approved plans.
4

5 17. The Applicant shall prohibit parking by faculty, visitors, and students on the right-of-
6 ways bordering the school by planting and maintaining landscaping along the right-of-ways in
7 accordance with Village requirements. The Applicant shall work with the Village and County to
8 install "No Parking" signs for the right-of-way along SW 176th Street and SW 184th Street.
9

10
11 This is a final order.
12

13
14 **Section 5.** Record.
15

16 The record shall consist of the notice of hearing, the application, documents submitted by
17 the Applicant and the Applicant's representatives to the Village of Palmetto Bay Planning and
18 Zoning Department in connection with the applications, the Village's recommendation and attached
19 cover sheet and documents, the testimony of sworn witnesses and documents presented at the
20 quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by
21 the Village Clerk.
22

23 **Section 6.** This resolution shall take effect immediately upon approval.
24

25
26 PASSED and ADOPTED this _____ day of September, 2014.
27

28 Attest: _____
29 Meighan Alexander Shelley Stanczyk
30 Village Clerk Mayor
31

32
33 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
34 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
35

36
37
38 _____
39 Dexter W. Lehtinen
40 Village Attorney
41
42

1 FINAL VOTE AT ADOPTION:
2
3 Council Member Patrick Fiore _____
4
5 Council Member Tim Schaffer _____
6
7 Council Member Joan Lindsay _____
8
9 Vice-Mayor John DuBois _____
10
11 Mayor Shelley Stanczyk _____
12

13
14 This Resolution was filed in the Office of the City Clerk on this _____ day of September, 2014.
15

16
17 _____
18 Meighan Alexander
19 Village Clerk
20

EXHIBIT "A"

PALMER TRINITY PRIVATE SCHOOL, INC.

VPB-14-001

June 26, 2014

Mr. Darby Delsalle
Director
Planning and Zoning Department
Village Hall
9705 East Hibiscus Street
Palmetto Bay, Florida 33157

Re: Palmer Trinity Private School

Dear Mr. Delsalle:

This letter amends the letter of intent previously submitted by Palmer Trinity Private School, Inc. on March 12, 2014.

We have been advised that the Village has determined that the site plan submitted by Palmer Trinity will be considered only in accordance with Village ordinances currently in effect and independently of any proposal to settle pending litigation. Accordingly, we understand that the Village will neither advertise nor conduct a quasi-judicial hearing on the settlement proposal that was accepted by the Village Council on September 9, 2013. Because the site plan prepared by MCHarry Associates dated June 19, 2014 ("2014 Site Plan") complies in all respects with the Village's comprehensive plan and adopted ordinances, Palmer Trinity requests approval of said site plan. By submitting this request, Palmer Trinity does not waive and accordingly reserves the right to pursue a settlement at a later date and time, as appropriate.¹

Subsequent to the adoption of Resolution 2010-48, the Village amended its Land Development Code by adopting Division 30-110 which regulates private schools, religious facilities and child care facilities. The Village now has comprehensive, legislative criteria that must be applied uniformly to all private schools. A public hearing is required to determine that all standards established in Division 30-110 have been met. See Section 30-110.2, Village Development Code. The 2014 Site Plan complies in all respects with the requirements of Division 30-110 and no variances have been

¹ Relatedly, the submittal of this site plan shall not be construed as a waiver of any previously accrued or vested right under prior versions of the Village Land Development Code.

requested. Accordingly, Palmer Trinity requests a public hearing to approve the 2014 Site Plan pursuant to Section 30-110.2.

Specifically, Palmer Trinity seeks to replace the site plan approved in 2010 ("2010 Site Plan") by Resolution No. 2010-48, as amended by Resolution Nos. 2011-53 and 2012-64 (collectively, "the Resolutions") and the conditions set forth in the Resolutions with the 2014 Site Plan. (Most of the conditions contained in Resolution 2010-48 have either been codified in Division 30-110 or have been incorporated into the 2014 Site Plan). Palmer Trinity also requests release of the covenant in lieu of unity of title provided and recorded by Palmer Trinity pursuant to the Resolutions.

In addition to complying with currently adopted Village ordinances and with the criteria incorporated into the 2014 Site Plan, in exchange for approval of its site plan, Palmer Trinity voluntarily agrees to the following conditions:

- 1) Student enrollment will not exceed 1,150 students.
- 2) Phasing of student enrollment shall not exceed the numbers shown on Exhibit "C" (copy attached) of Resolution No. 2010-48.
- 3) The 2014 Site Plan does not change the traffic patterns of the 2010 site plan, and Palmer Trinity shall implement the mitigation initiatives as delineated in the David Plummer & Associates Report dated April 22, 2010, including the following:
 - 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) Prior to the issuance of a certificate of occupancy for any new structure, the turning lane at the SW 184 Street entrance shall be completed.

Palmer Trinity has already constructed the perimeter wall and installed perimeter landscaping as required by the Resolutions. You will note, however, that Palmer Trinity was precluded by the condition restated in Item 3(d), above, from completing any new structures until the SW 184th Street entrance was completed. Construction on SW 184th Street requires the approval of Miami-Dade County. The permitting process has taken very long, despite the best efforts of Palmer Trinity and the Plummer firm. The County just issued one of the necessary approvals a few weeks ago. As a result of

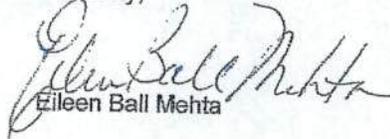


Mr. Darby Delsalle
June 26, 2014
Page 3

permitting delays beyond Palmer Trinity's ability to control, we are requesting that the existing portable classrooms on the north parcel be permitted to remain until a classroom building can be constructed and occupied. Under existing conditions, a classroom building cannot be occupied until SW 184th Street has been completed. The existing portables are well-screened by landscaping and should not be a cause for concern.

Please contact me if you have any questions regarding this Amended Letter of Intent or the 2014 Site Plan. Thank you for your consideration of Palmer Trinity's 2014 Site Plan.

Sincerely,


Eileen Ball Mehta

cc: Michael Baiamonte

MIAMI 4221986.3 70000/60140



BILZIN SUMBERG BAENA PRICE & AXELROD LLP

**PALMER TRINITY SCHOOL
ENROLLMENT PROJECTIONS**

School Year	Total Enrollment	Additional students from prior year	Percentage Increase
* 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%

** Enrollment granted and vested per previous approval Resolution #2012-64 adopted on August 29, 2012*

RESOLUTION No. 2010-48
(Amended 07/19/2011 & 08/29/2012)

PALMER TRINITY PRIVATE SCHOOL, INC.

VPB-14-001

1 **RESOLUTION NO 2010-48 (AMENDED 07/19/2011 and 08/29/2012)**
2

3 **ZONING APPLICATION VPB 07-012-B**
4

5 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE
6 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING;
7 **APPROVING** WITH CONDITIONS THE APPLICATION OF PALMER
8 TRINITY PRIVATE SCHOOL, LOCATED AT 7900 SW 176TH STREET
9 THROUGH 8001 SW 184TH STREET; **APPROVING WITH CONDITIONS**
10 THE SPECIAL EXCEPTION REQUEST TO EXPAND THE SCHOOL TO
11 INCLUDE AN ADDITIONAL 32.2 ACRES, AND **REQUEST TO INCREASE**
12 **ENROLLMENT BY 550 STUDENTS DENIED** AS PROVIDED FOR
13 UNDER 33-151, ET SEQ.; AND PURSUANT TO SECTION 33-311 OF THE
14 MIAMI-DADE COUNTY CODE FOR A SITE PLAN MODIFICATION ON
15 PROPERTY ZONED E-M, LOCATED IN PALMETTO BAY, FLORIDA;
16 AND PROVIDING AN EFFECTIVE DATE.
17

18
19 WHEREAS, in 2006 the applicant made an application for (1) a rezoning of 8001 SW 184th
20 Street from AG and E-2 to E-M; (2) a special exception to expand the existing private school
21 located at 7900 SW 176th Street with 600 students, onto the adjacent property known as 8001 SW
22 184th Street with 32.2 acres, and 1400 students; (3) a site plan modification of the approved 1999
23 plan for 7900 SW 176th Street to include the elements under request (2); (4) a non-use variance of
24 height limitations on the gymnasium performing arts center and chapel to allow structures over 56
25 feet, where 35 feet is permitted; (5) a non-use variance to allow three stories for an administrative
26 building, where two stories is permitted; and (6) a non-use variance to allow parking on natural
27 terrain. This application is described in the Village's Department of Planning and Zoning
28 Recommendation from 2008, as issued by Ms. Arleen Weintraub, the then Planning & Zoning
29 Director, to the Village of Palmetto Bay; and,
30

31 WHEREAS, hearings were held on February 25, 2008, and April 14, 2008, at which time the
32 Applicant's rezoning request was denied, and the remainder of their requests were not ruled upon;
33 and,
34

35 WHEREAS, the district boundary change, rezoning item was ruled upon by the Third
36 District Court of Appeal on March 24, 2010, finding reversible error, and,
37

38 WHEREAS, the district boundary request was heard and ruled upon separately by the
39 Mayor and Village Council on April 29, 2010 and May 4, 2010. Ordinance 2010-09 was adopted,
40 rezoning the property known as 8001 SW 184th Street from AG and E-2 to E-M; and,
41

42 WHEREAS, concerning the remainder of the applicant's requests, the applicant's plans have
43 been modified prior to hearing and a substituted plan dated April 19, 2010 is to be reviewed by the
44 Village Council. Public hearing was held on May 4, 2010; and,
45

1 WHEREAS, the modified plan provided for (1) a special exception to expand onto 8001 SW
2 184th Street with an increase in student population of 1150 (reduced from the original 1400 request);
3 and a site plan modification; and,
4

5 WHEREAS, all variance requests have been withdrawn; and,
6

7 WHEREAS, the Village Council of the Village of Palmetto Bay conducted a quasi-judicial
8 hearing on the application at Christ Fellowship Church on May 4, 2010; and,
9

10 WHEREAS, the Mayor and Village Council find, based upon substantial competent
11 evidence in the record, that the application pursuant to section 33-151, et seq, and 33-311, of the
12 Miami-Dade County Code, as adopted by the Village relating to the above requests, and as amended
13 by Council Action, is consistent with the Village's Comprehensive Plan and the applicable land
14 development regulations; and,
15

16 ~~WHEREAS, based on the foregoing finding, the Mayor and Village Council determined to~~
17 ~~grant the application, as amended (modified/conditioned) by Council Action.~~
18

19 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
20 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
21

22 Section 1. A hearing on the present application was held on May 4, 2010 in accordance
23 with the Village's "Quasi-judicial hearing procedures" Ordinance, found at 2-105, of the Village's
24 Code of Ordinances. Pursuant to the hearing, the Mayor and Village Council make the following
25 findings of fact, and conclusions of law.
26

27 Section 2. Findings of fact.

28 The subject property is located at 7900 SW 176TH Street and 8001 SW 184th Street, Palmetto Bay,
29 Florida.
30

31 In 1999, the Applicant sought a site plan modification for 7900 SW 176th Street. During that
32 hearing, a transcript was made. During the May 4, 2010 hearing, Applicant's Counsel asserted that
33 the 1999 transcript is part of the record for the May 4, 2010 hearing. He advised that Applicant read
34 the transcript and that there were no commitments made at a public hearing to limit the school to
35 600 students. During the May 4, 2010 hearing, the Vice Mayor read from the 1999 transcript as
36 follows:
37

38 Page 38, line 10 – 1999 hearing Transcript:
39

40 Mr. O'Donnell (then counsel for Applicant): And our 600 student body is
41 something that may or may not be achieved, but that is the maximum, depending on
42 the year and depending on who accepts it and that sort of thing.
43

44 Page 57, line 14 – 1999 hearing Transcript:
45

1 Mr. O'Donnell: I really would like to say, our contributions, if you look at the right-
2 of-way, the hundreds of thousands of dollars that we have spent on the right-of-way
3 along 176 Street on the landscaping of that road, you have to come to our campus to
4 understand that we are committed to our mission. And we are not attempting to
5 achieve any more development than the 600 students, at the maximum that we have
6 now, on this campus. That is our mission. We have spent two years developing that
7 mission. We have no intention of altering that mission.
8
9

10 In 2006, the applicant filed an application for a special exception for the expansion of a private
11 school to increase the enrollment from 600 to 1,150 students. The "original" plan from the 2008
12 hearings was based upon the 2006 application. The 2008 plan proposed 1,400 students on 55 acres
13 (from 22.5 acres). The expansion plan proposed one of two alternatives – either (1) an expansion of
14 students to include grammar school children - kindergarten through grade 5 and increase the
15 enrollment of students in grades 6 through 12; or, (2) solely an increase in middle school and high
16 school students (grades 6-12). The April 19, 2010, plan reflected removal of the daycare and
17 preschool components. In either proposal, the total number of students has been voluntarily
18 reduced by the Applicant from 1,400, which had been presented in the 2008 application, to a total of
19 1,150 students.
20

21 Additionally, the Applicant sought a site plan modification. The Applicant submitted a master plan,
22 which has been revised since its original submittal¹. The final site plan reviewed by Council was
23 dated April 19, 2010, and provided for the future use of the entire 55 acre site as a private school
24 and includes its long-range plan for the school's expansion. Accordingly, the Applicant requested a
25 modification of a previously approved site plan, via resolution C-ZAB-132-99, to reflect their vision
26 for the school.
27

28 The 2008 application contained a request for a non-use variance of parking requirements to permit
29 parking on natural terrain, where not permitted. This request was eliminated and withdrawn from
30 the modified site plan dated April 19, 2010.
31

32 The original 2008 application contained variance requests for height and number of stories to allow
33 a maximum height of 50'-7" for certain proposed new buildings to include a chapel, a performing
34 arts center, a library/media center/administration building and a gymnasium where 35 ft. is
35 permitted, as well as to allow three (3) stories where two (2) is permitted for the library/media
36 center/administration multi-purpose building. These requests were eliminated and withdrawn from
37 the April 19, 2010 plan.
38

39 The 2008 plan included a steeple up to 70 feet in height. No variance was required for the steeple, as
40 it would have been permitted as of right. The Applicant voluntarily withdrew its request for a
41 steeple/church tower.
42

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.

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

10
11 The Applicant's property is comprised of a 55-acre parcel of land, that was previously zoned under
12 three (3) different zoning classifications (AG, E-2, and E-M), and is surrounded by the Estate-
13 Modified Single-Family zoning district. Prior to hearing the application for special exception and
14 site plan modification, the Applicant requested that the 32.22 acres property bearing address 8001
15 SW 184th Street be rezoned from AG and E-2 to E-M. On May 4, 2010, prior to ruling on the
16 Applicant's requests under PH-VPB 07-012-B, the Village Council rezoned 8001 SW 184th Street to
17 E-M.

18
19 The Town of Cutler Bay is located to the south. The 8001 SW 184th Street property adjoins the
20 northern parcel zoned E-M, also owned by the Applicant that bears the address 7900 SW 176th
21 Street. Except for the Applicant's private school to the north, and Bill Sadowski Park bordering the
22 northeastern portion of the Applicant's property, the surrounding neighborhood is characterized
23 predominantly by detached single-family homes. Canals are located to the west (between SW 84th
24 Avenue and SW 83rd Court) and north (between SW 173 Terrace and SW 175th Street). To the east
25 of the property is Old Cutler Road. To the south of the property is SW 184th Street (Eureka Drive).
26 The canals and roadways serve as immediate natural borders for the residential neighborhood
27 surrounding the Applicant's subject property and school. The lots immediately to the east and west
28 along the southern edge of the subject property on S.W. 184th Street are zoned E-1, Single-Family
29 and are comprised of single-family homes. To the east and along Old Cutler Road there is a church,
30 a pre-school and kindergarten, Village Library, VMU (Village Mixed-Use) District, and both E-1 and
31 E-M Zoning Districts.

32
33 Planning and Zoning staff found the scale, utilization, location of buildings, height of buildings,
34 landscaping, open space, and buffering, are acceptable. Staff recommended conditions as to certain
35 elements, including as it relates to compatibility, access, parking circulation/layout, and
36 visibility/visual layout. Signage is governed under the County Code, Section 33-100.

37
38 DERM [PERA] had no objections, subject to conditions stated in their report. Miami-Dade Public
39 Works Department raised issues and stated their objections in their report and those objections have
40 been addressed by Applicant. The Village's Traffic Consultant, The Corradino Group, has issued
41 recommendations that are incorporated by reference by staff as conditions to approval of the
42 application. The Miami-Dade County Parks & Recreation department issued objections relating to
43 the Bill Sadowski Park and those comments are incorporated by reference. Fire Rescue's report is
44 also incorporated by reference. The Miami-Dade Police Department (Village Policing Unit) has no
45 objections.

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

10
11 The Miami-Dade County Archeological and Historical Department has requested a survey during
12 phase 1, as archeological artifacts have been discovered in the Bill Sadowski Park.

13
14 The Planning and Zoning Staff Analysis Report is incorporated by reference herein, as part of the
15 factual record for the Village Council's decision as Exhibit A to this resolution.

16
17 The Council heard testimony from Mr. Julian Perez, the Village's Planning & Zoning Director; Mr.
18 Joe Corradino, of Corradino Consulting Group, the Village's traffic consultant; Mark Alvarez, a
19 planner representing a citizens group, Concerned Citizens of Old Cutler Inc. (CCOCI); Jack Luft, a
20 planner representing applicant; Mr. Timothy Plummer, of David Plummer & Associates, Inc. a
21 Traffic Engineer/Consultant for Applicant; and, Mr. Don Washburn, of Audio Bug, Inc., an audio
22 expert for Applicant.

23
24 Prior to Council deliberation and action Counsel for Applicant advised that it accepted all conditions
25 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
26 student population above 1150 for 30 years but requested the right to increase structures, lot
27 coverage or intensity of uses. Applicant's counsel agreed to Phase 1 construction to include
28 improvements to SW 184th Street. Mr. Price argued that the berm requirement and contiguous use
29 of the walking and maintenance paths, found at condition 7.3 was inconsistent with the landscape
30 plans proposed and inappropriate. He also requested that condition 8.9 of staff's recommendations
31 relating to the use of the SW 176th Street entrance be modified so that the entrance could remain
32 open after proposed hours for four events per school year.

33
34 The Council held a public hearing and many residents and community members spoke both in favor
35 and in opposition to the application. The Council heard testimony relating to traffic, noise, number
36 of students, field usage and affects of that usage, environmental concerns, and other topics. The
37 Council incorporates by reference the minutes, audio tape, and transcript (if transcribed) into its
38 findings of fact.

39
40 Section 3. Conclusions of law.

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

1 The standard of review for a special exception is found at 33-151, et seq., of the Miami-Dade
2 County Code. The Applicant's request for a special exception to expand onto 8001 SW 184th Street
3 and to increase the number of students from 600 to 1,150 ~~is not~~ in compliance with the applicable
4 standards. ~~However, the Applicant's request for a special exception to expand onto 8001 SW 184th~~
5 ~~Street from 7900 SW 176th Street.~~

6
7 2. The standard of review for a site plan modification is found at section 33-311(A)(7),
8 of the Miami-Dade County Code. The Applicant's request for site plan modification is in
9 compliance with the applicable standards, as amended below.

10
11 Section 4. Order.

12
13 A. The Council, pursuant to Section 33-311(A)(7), and 33-151, et seq., of the Miami-
14 Dade County Code as applied by the Village, approves with conditions and modifications the
15 Applicant's requests for a special exception and site plan modification for school use and expansion
16 as to the plans entitled Palmer Trinity Private School Campus Master Plan as prepared by Duany
17 Plater-Zyberk & Co., consisting of 36 sheets, dated stamped received November 1, 2007, as revised
18 by the plans entitled Palmer Trinity Private School Campus Master Plan as prepared by Duany
19 Plater-Zyberk & Co., consisting of 48 sheets, dated stamped received April 19, 2010. The April 19,
20 2010 plans are incorporated by reference as Exhibit B to this resolution [formerly Exhibit 1 to the 5-
21 4-2010 hearing item PH -VPB- 07-012B].

22
23 B. The Village Council conditions/modifies the site approval/special exception as
24 follows:

25
26 1. All variance requests from the 2008 plans are specifically recognized as withdrawn.
27 This includes all height, story and natural terrain parking variances. The 2008 plan included a steeple
28 up to 70 feet in height. No variance was needed for the steeple; it would have been permitted, as of
29 right. The Applicant has voluntarily withdrawn its request for a steeple/church tower and said
30 request is considered withdrawn.

31
32 2. The special exception to expand the non-public school use onto 8001 SW 184th
33 Street is approved with conditions.

34
35 3. The request to increase the non-public school number of students to 1150 is
36 approved ~~denied~~.

37 4. Preliminary Conditions:

38
39 4.1 The Applicant shall execute a unity of title document to be recorded in the public
40 records of Miami-Dade County, which unity of title shall covenant (or provide a covenant in lieu of
41 unity of title) the property holder(s) to join the parcels together [7900 SW 176th Street and 8001 SW
42 184th Street] as one parcel, in a form approved by the Village Attorney, consistent with the

1 requirements of the Village's Land Development Code². The covenant shall be in final form for
2 recording within 45 days of final approval. No permits shall issue until the covenant/unity of title is
3 recorded.
4

5 4.2 The Applicant shall record an acceptable and approved restrictive covenant running
6 with the land for specific conditions, which covenant shall exist for 30 years, and automatically
7 renew for 10 year periods, thereafter.
8

9 4.3 Any substantial modification [pursuant to 30-30.3(c) of the Village's Code of
10 Ordinances] or abandonment of the attached site plan shall require public hearing. The term
11 "substantial modification" for the purposes of this approval shall mean a modification or substitute
12 site plan of equal or lesser intensity, including floor area ratio, lot coverage, square footage, and
13 height; and provide equal or greater setbacks, buffering, landscaping, and amenities. In no way shall
14 student enrollment be expanded due to a substantial modification review.
15

16 4.4 Reserved.
17

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

32 4.6 Should Applicant violate section 4.5 relating to the number of students and should
33 Applicant fail to cure the excess enrollment within 30 days of written notice, such an act shall
34 constitute a false statement or misrepresentation of fact that would permit the Village to revoke the
35 most recent building permit or certificate of occupancy issued by the Village.
36

37 4.7 Student expansion shall comply with the timetable provided, attached hereto as Exhibit "C"
38 [formerly Exhibit 7 to the May 4, 2010 hearing item PH-VPB-07-012B] to this resolution, but
39 modified to reflect the actual start date of this final order.
40

41 4.9 Community Relations Committee. The Applicant shall create a Community
42 Relations Committee that will be charged with the responsibility of facilitating future discussions

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.

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

11
12 4.10 The Applicant agrees and affirms that there will be no objection now or in the future
13 to controlled burns conducted by Miami-Dade County at Bill Sadowski Park for the park's
14 management. The Village will attempt to coordinate with Miami-Dade County to provide the
15 Applicant with prior notice of controlled burns. The Applicant further agrees not to interfere, due
16 to lighting issues, with night program schedules for Bill Sadowski Park.

17
18 4.11 The Applicant shall comply with all applicable State, County, and Village Codes and
19 Ordinances, including but not limited to the Village's Art in Public Places Ordinance.

20
21 4.12 Unpermitted and unconstructed portions of prior development approvals (1999
22 plans, 2000 and 2010 substantial compliance reviews) shall be considered withdrawn and abandoned.
23 The Applicant shall comply with condition 5.10 relating to the portables.

24
25 4.13 An official inspector of the Village, or its agents duly authorized, have the privilege,
26 at any time during normal working hours, of entering and inspecting the use of the premises to
27 determine whether or not the requirements of the building and zoning regulations and the
28 conditions contained herein are being complied with. Village Code Compliance shall conduct bi-
29 annual inspections, with Applicant, for compliance with the terms and conditions of this zoning
30 resolution.

31
32 4.14 Applicant shall comply with the Land Development Regulations for maintaining the
33 sanitary sewer concurrency levels, during construction and throughout operations.

34
35 4.15 In compliance with the requirements of Section 33-151.51, of the County Code, the
36 Applicant shall record a covenant running with the land that ensures compliance with the minimum
37 footage requirements, calculations and conditions upon which the additional square footage has
38 been permitted.

39
40 5. Pre Construction – Construction – Build Out Conditions:

41
42 5.1 All components of the approved site plan shall be completed according to the
43 schedule attached hereto, which provides that the approved construction shall not be completed
44 earlier than 15 years and no later than 25 years from the date of zoning approval. The Preliminary
45 Construction Schedule for Phase 1 is enclosed as Exhibit D [formerly Exhibit 6 to the 5-4-2010
46 hearing item PH -VPB- 07-012B] to this resolution. This recommendation is consistent with the

1 newly adopted Land Development Code, Section 30-30.2(d)(16) and (k), relating to requiring a
2 construction plan and timetable.

3
4 5.2 ~~Staggering of Student Population. The increase in student population to 1150~~
5 ~~shall occur incrementally over the entire term of the project.~~

6
7 5.3 Construction Staging:

8
9 5.3.1 The Applicant shall annually submit a construction staging plan for review and
10 approval prior to commencement of construction. Phase 1 is enclosed as Exhibit D.
11 Council approved additional conditions for Phase 1, which are found below.

12
13 5.3.2 Construction staging shall take place as preapproved by the Village's Planning &
14 Zoning and Building Directors, on the property known as 8001 SW 184th Street, where
15 possible, toward the center of the property, away from the proposed 75 foot buffers.

16
17 5.3.3 Construction trailers for staging area are permitted under the Village's Code.

18
19 5.3.4 The staging area may be cleared during Phase 1 of the construction plan.

20
21 5.3.5 Construction shall comply with the noise controls provided in the Village's Code of
22 Ordinances, section 30-60.29.

23
24 5.3.6 The driveway area may also be cleared during Phase 1.

25
26 5.3.7 Access points by construction vehicles shall be identified as part of the Construction
27 Plan for Village approval. No construction vehicle shall access through the neighborhood.
28 Unless necessary for a specific item, no construction vehicles shall access through SW 176th
29 Street. All other construction vehicles must use SW 184th Street once that entrance is
30 constructed under the Phase 1 Construction Plan.

31
32 5.4 Permitting and Property Clearance. The Applicant shall not remove any trees
33 outside the 75 ft. buffer, unless a building permit and/or tree removal permit, if required, has been
34 secured for the construction of the work being requested. At no time shall the entire 8001 SW 184th
35 Street site be cleared all at once.

36
37 5.5 Construction Air Quality Management Plan. The Applicant shall provide a
38 Construction Air Quality Management Plan on the construction drawings that, at a minimum,
39 includes protecting ducts during construction and changing the filters and vacuuming ducts prior to
40 occupancy. The submitted plans must note compliance with this provision.

41
42 5.6 MOT Plan. A construction and Maintenance of Traffic (MOT) Plan shall be
43 provided to the Building and Public Works Departments for approval.

44
45 5.7 The Applicant shall comply with the Village's demolition and construction
46 fencing ordinance.

1
2 5.8 The entrance and roadway onto 8001 SW 184th Street may be constructed
3 prior to any other improvements. However, the required perimeter walls (eastern and western
4 property lines) and 75 ft. buffers, to be located at 8001 SW 184th Street, with required landscaping
5 shall be installed and/or constructed prior to the commencement of construction of any additional
6 structures or improvements. The wall shall be constructed, and then the buffer shall be installed, no
7 later than two (2) years of receiving the final zoning approval. One extension of time, not to exceed
8 six (6) months, may be granted by the Planning & Zoning Director, upon a showing of good cause.
9 "Good cause" would include timely request for permits, submitting for inspections and reviews,
10 diligent efforts to adhere to the construction schedule, and force majeure type events (weather
11 delays or civil unrest).
12

13 5.9 The Applicant shall work with the Village and County to install "Do not
14 Block Intersection" signs along SW 184th Street from SW 82nd Avenue to Old Cutler Road.
15

16 5.10 The existing portable classrooms trailers located along the western edge of
17 7900 SW 176th Street shall be eliminated as soon as replacement facilities are constructed, and within
18 18 months after final zoning approval. One extension of time, not to exceed six (6) months, may
19 be granted by the Planning & Zoning Director, upon a showing of good cause. "Good cause" would
20 include timely request for permits, submitting for inspections and reviews, diligent efforts to adhere
21 to the construction schedule, and force majeure type events (weather delays or civil unrest).
22

23 5.11 Failure to construct the replacement facilities for the portables described at section
24 5.10 within the time period provided therein shall require that the portables be removed immediately
25 upon the expiration of the 18 month period. One extension of time, not to exceed six (6) months,
26 may be granted by the Planning & Zoning Director, upon a showing of good cause. "Good cause"
27 would include timely request for permits, submitting for inspections and reviews, diligent efforts to
28 adhere to the construction schedule, and force majeure type events (weather delays or civil unrest).
29 Failure to remove the portables shall also result in the denial of future permits due to site plan
30 violations in addition to any other remedy provided below under Section 15, "Enforcement."
31

32 5.12 During Phase 1 of construction and within two (2) years of approval, the Applicant
33 shall install the recommended turning lane contained in condition 8.11(a) ["Old Cutler road/SW
34 184th Street – Add a southbound right turn lane; signal phasing adjustments"].
35

36 6. Athletic Fields and Amenities:
37

38 6.1 The Applicant shall not use the athletic fields for commercial purposes such as
39 renting, leasing, or allowing third-parties unaffiliated with the operation of the school (no third-party
40 organizations or groups) to use the recreational facilities. Applicant shall annually provide proof of
41 existing division-type play, tournaments, organized sports and uses of its facilities to the Village.
42 Prior to the beginning of each season, for each sport, the Applicant shall provide the Village with a
43 list of proposed events – tournaments and league play.
44

45 6.2 The Applicant shall submit a proposed list of school special events planned for each
46 school year to the Village Manager not later than August 15th of the applicable school year for

1 Village administrative review. Any other/additional special event shall require advanced notice for
2 review as a special event under the Village's procedures. A police officer, or equivalent, shall be
3 required to be present at all special events held at the school, if required by the Village's Code, after
4 review as a special event permit.
5

6 6.3 Solely one (1) athletic tournament, jamboree, or division-type play (where numbers
7 of spectators and opposing team(s) are invited to play on site) shall take place at one time on the
8 property (7900 SW 176th Street through 8001 SW 184th Street). To be clear, this condition relates to
9 holding one event. Not several events, different sports, at same time. Any athletic tournaments,
10 etc., may take place after normal school operating hours (after 3:00 p.m.) and weekends from 10:00
11 a.m. and 3:00 p.m.
12

13 6.4 No bleachers shall be located adjacent to the eastern and western buffers of 7900
14 SW 176th Street and 8100 SW 184th Street. Adjacent shall mean not within 20 feet of the buffers.
15

16 6.5 The Applicant shall provide fencing for the tennis center.
17

18 6.6 The Applicant shall not install lighting for outdoor uses other than the parking areas,
19 and any emergency lighting requirements of the Code. The interior of the pool may contain lights.
20 Lighting of the athletic fields is prohibited.
21

22 6.7 The pool shall be enclosed with a fence and hedge with a minimum height of six feet
23 (6 ft.) and comply with the safety barrier requirements of 33-151.11 through .22 of the Code. Any
24 interior chain link fencing shall be poly-coated vinyl and black or green in color. The pool shall not
25 be constructed during Phase 1 and is not to be constructed for at least five (5) years after final
26 zoning approval.
27

28 6.8 The Applicant shall comply with conditions 4.10 and 10.4 relating to lighting and Bill
29 Sadowski Park.
30

31 7. Landscaping:
32

33 7.1 The Applicant shall meet all the minimum requirements of Division 30-100 of the
34 Village's Code of Ordinances, Chapter 24 of the Miami-Dade County Code and specifically comply
35 with all conditions imposed by Miami-Dade County DERM [PERA].
36

37 7.2 The Applicant shall covenant that no improvements, other than as provided for in
38 recommendation 7.3, shall be permitted within the confines of the buffer area (i.e. no roads, parking,
39 storage sheds, recreational, sports, or any other use that may negatively impact the buffer).
40

41 7.3 The buffer shall be landscaped in accordance with the Applicant's revised landscape
42 plan received by the Village on April 19, 2010. In addition, the Applicant shall construct a three and
43 a half foot (3.5 ft.) berm on the interior, internal to the site, adjacent to the six foot (6 ft.) CBS wall
44 to be constructed along the eastern and western perimeter of 8001 SW 184th Street. The berm shall
45 be approved by the Planning & Zoning staff as part of the landscape plan review. The landscape
46 buffer, as indicated on Sheet 39, shall be installed along the entire eastern and western perimeter

1 throughout the 75 foot buffer for the area known as 8001 SW 184th Street. The berm shall be
2 incorporated into the buffer design, found at Sheet 39 (maintenance path shall be reduced in width
3 as provided in these conditions). The layout found at Sheet 39 shall not be limited to solely the
4 parking area adjacent to the buffer, but rather throughout the buffer fringe – creating a solid hedge
5 along the interior edge of the buffer.
6

7 7.4 The eastern and western buffers along 8001 SW 184th Street may contain a
8 meandering pedestrian path, within the innermost/interior 25 feet of the 75 foot buffer. The
9 Applicant shall limit the meandering walking path to a maximum width of six feet (6 ft.). The
10 pedestrian path shall solely be used for pedestrian/walking/ running purposes.
11

12 7.5 Where practicable, the maintenance path and the meandering walking path shall be
13 the same path, along the eastern and western buffers for 8001 SW 184th Street. Final
14 determination/approval of “where practicable” shall be made by the Village’s Planning & Zoning
15 Director. Otherwise, the maintenance path shall be limited to a maximum width of eight feet (8 ft.)
16 and should be used solely for maintenance purposes. The Maintenance portion of the “joint-path”
17 shall not be paved [the increase to eight (8) feet – a two-foot non-paved area surrounding the six
18 foot (6 ft.) pedestrian path]. All other buffers shall solely contain an unpaved, up to eight (8) foot
19 maintenance path.
20

21 7.6 The eastern and western perimeters of 8001 SW 184th Street shall contain a concrete
22 wall six feet (6 ft.) in height, finished on both sides and maintained by the Applicant. The southern
23 boundary at SW 184th Street and northern boundaries at SW 176th Street shall provide a six foot (6
24 ft.) wrought iron fence with masonry columns. The eastern and western perimeters of 7900 SW
25 176th Street already contain a six foot (6 ft.) concrete wall that shall be required to be maintained, on
26 both sides.
27

28 7.7 The Applicant shall provide and/or replace landscaping improvements along SW
29 184 Street and SW 176 Street fronting the school in compliance with the Village’s Street Tree Master
30 Plan prepared by O’Leary Richards Design Associates, Inc., and in coordination with the Village’s
31 Public Works and Planning & Zoning Departments.
32

33 7.8 The Applicant shall preserve existing trees (including native trees) during the
34 development of the project, wherever possible. If the trees must be removed, the Applicant shall be
35 required to mitigate the impact in accordance with Village and DERM [PERA] requirements. If the
36 relocated trees do not survive, the Applicant shall be required to replace the trees in compliance with
37 DERM [PERA] and Village requirements.
38

39 7.9 The Applicant shall install additional oaks and planting materials on the northwest
40 perimeter of buildings no. 16 and 18 in order to provide additional screening to the adjacent
41 neighborhood located on the western boundary of the property. The Applicant is to provide two
42 (2) native trees and a cluster of palms.
43

44 7.10 The pool area shall be landscaped as provided under section 6.7, above.
45

1 7.11 The Applicant shall prohibit parking by faculty, visitors, and students on the rights-
2 of-way bordering the school by planting and maintaining landscaping along the rights-of-way in
3 accordance with Village requirements. The Applicant shall work with the Village and County to
4 install "No Parking" signs for the right-of-way along SW 176th Street and SW 184th Street.
5

6 7.12 Applicant shall maintain the areas identified herein as "buffer" and shall be required
7 to perpetually maintain the landscaping within the buffer with the identified native species and other
8 plantings provided in the landscape plan. At no point shall structures be constructed within the
9 buffer area. The buffer shall consist of the 75 foot set aside along the east, west and southern
10 perimeters of 8001 SW 184th Street; and the 50 foot set aside along the east, west, and northern
11 perimeters of 7900 SW 176th Street.
12

13 7.13 Applicant shall provide annual update, plan, as to the maintenance for the buffer
14 areas.
15

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

21 8. Traffic:
22

23 8.1 The Applicant shall be responsible for compliance with the Land Development
24 Regulations relating to traffic concurrency requirements.
25

26 8.2 The Applicant shall hire one (1) police officer, or equivalent, during regular session,
27 (per entrance) to control traffic during peak morning and afternoon school hours for each entrance
28 to the school (SW 176th Street and SW 184th Street). The school shall also utilize a police officer for
29 special events, as is required under condition 6.2.
30

31 8.3 The Applicant shall install traffic calming devices along the internal circulation
32 driveways and roadways in compliance with the Site Plan and Traffic Study prepared by David
33 Plummer & Associates, Applicant's traffic expert.
34

35 8.4 The Applicant shall control the entry points to the school by directing student,
36 teacher, and staff vehicles to enter and exit the school from SW 184 Street driveway. The entrance
37 to SW 176th Street shall solely serve as the drop-off and pick-up location for students. This process
38 will be implemented through a decal program. The different color decals will be distributed and
39 assigned to a specific driveway. The security gatehouse at each driveway will monitor for proper use
40 of the decal. Violators shall be contacted by the school master and security to ensure proper
41 enforcement.
42

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

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

14 8.7 The Applicant shall keep the entrance to SW 176th Street closed to vehicular traffic
15 on weekends, holidays and all days when school is not in regular session.
16

17 8.8 The SW 176th Street entrance shall not be used for the delivery of goods or services
18 to the school or by commercial vehicles. All buses and vans used to transport students to and from
19 the property shall use SW 184 Street as ingress and egress.
20

21 8.9 The SW 176th Street entrance shall be closed at 7:00 p.m. everyday.
22

23 8.10 The Applicant shall develop an alternative transit mode feasibility program within
24 three (3) years after receiving the zoning approval. The program should provide incentives for the
25 student to use alternative mode of transportation such as carpool, public transportation or private
26 mass transit to get to and from school.
27

28 8.11 The Applicant shall be responsible for implementing the following mitigation
29 initiatives, as delineated in the David Plummer & Associates Report (Applicant's traffic expert),
30 dated April 22, 2010:
31

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

39 8.12 Applicant shall be responsible for all expenses relating to traffic control, police
40 involvement, and police participation in traffic movements (the traffic plan). The traffic plan
41 relating to the daily school use and/or for any special events at the school for the roadways shall be
42 subject to approval of Village Police Department and Village Police Officers are to be hired by and
43 paid for by Applicant to manage traffic at entrance(s) to school and off-site locations affected by
44 traffic conditions.
45

1 8.13 Applicant shall install a "No Left Turn" sign at the exit to SW 176th Street and shall
2 preclude left-hand turns onto SW 176th Street, westbound, from the Applicant's SW 176th entrance.
3 This condition shall be required, at a minimum, during peak hours.
4

5 8.14 If vehicle stacking/queuing spills-over onto SW 176th Street, the applicant shall be
6 required to provide additional on-site stacking to accommodate the spill-over. This would require a
7 modification of the circulation plan, which shall be reviewed by the appropriate Village Departments
8 for Compliance. The Applicant shall not be required to obtain Council approval to make the
9 necessary stacking related, circulation modifications to the interior of the property.
10

11 8.15 Applicant shall comply with the "safe routes to school" requirements of 1006.23,
12 Florida Statutes.
13

14 8.16 Applicant shall install public sidewalks within the Rights-of Way fronting Applicant's
15 properties - 7900 SW 176th Street and 8001 SW 184th Street, after receiving approval from the
16 appropriate governmental agencies (County and Village).
17

18 8.17 The Village shall bi-annually (every six (6) months) test to ensure that there is a
19 limitation of neighborhood cut-through traffic. The Village shall analyze the traffic data and
20 determine corrective measures to limit such cut-through traffic. Based upon the testing, the Village
21 shall implement such corrective measures needed to enforce the Village's goal (for example,
22 installing no turn signs at certain hours, etc.). This is an obligation of the Village.
23

24 8.18 As part of Phase I, per exhibit D, the Applicant shall complete the turning lanes at
25 the new SW 184th Street entrance.
26

27 9. Parking Related Conditions
28

29 9.1 Comply with condition 7.11 relating to precluding right-of-way (ROW) parking.
30 Cross-reference with section 7.3, above.
31

32 9.2 No parking of vehicles in any of the interior buffers to the property (7900 SW 176th
33 Street or 8001 SW 184th Street).
34

35 9.3 The Applicant shall install pavers in the parking lot to minimize the stormwater
36 runoff impacts, rather than asphaltting the entire parking area, in compliance with Section 28-6(b)(1),
37 of the Village's Code of Ordinances.
38

39 9.4 No loud radios shall be allowed within the parking areas of the entire site.
40

41 9.5 Lighting shall be consistent with conditions 10.2 and 10.3, below.
42

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

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

7 9.8 A continuous hedge shall be incorporated around all parking areas and shall meet all
8 requirements of Chapter 18A, subsections (I) and (J), of the Miami-Dade County Code.
9

10 9.9 Applicant is not to create any additional, unimproved, temporary or permanent
11 parking areas on the property.
12

13 10. Lighting & Energy:
14

15 10.1 The Applicant shall not install lighting for outdoor use other than for parking and/or
16 Code required emergency lighting. The interior of the pool, below the water surface, may contain
17 lights.
18

19 10.2 Applicant shall install and maintain parking area light fixtures which project the light
20 rays directly to the parking surface, and shall include shields which restrict projection of light rays
21 outward to adjacent properties and also restrict the upward projection of light rays into the night
22 sky. Outdoor parking lot area light fixtures shall not cast more than 1/2 ft. candle at the property
23 line.
24

25 10.3 The parking lot lights and all other outdoor lighting (whether for security, roadway
26 or parking) should have a maximum overall height of 15 feet.
27

28 10.4 The Applicant shall not interfere with night programming at Bill Sadowski Park and
29 no athletic field lighting shall be permitted so as preclude adverse effects to the night programming
30 at the Park and residential community.
31

32 10.5 The Applicant shall be required to comply with the conditions of Section 28-6, of
33 the Village’s Code of Ordinances relating to the “Minimum Green Standards” (relating to LED
34 lighting, pavers, energy saving fixtures and water conservation).
35

36 10.6 The Applicant shall provide roof location in those structures with flat roofs to install
37 conduit from the electrical room for future Photovoltaic System (PV) installation. A minimum of
38 300 sq. ft. or larger of roof area in a south or west direction shall be dedicated and clear of vent
39 pipes and other obstructions to allow for the installation of a future PV system. The submitted plans
40 must note compliance with this provision.
41

42 10.7 The parking lot and internal circulation lights shall be placed on a timer consistent
43 with the termination of operational hours and consistent with applicable codes.
44

45 11. Noise:
46

1 11.1 Noise emanating from athletic fields and bleachers shall not generate a direct sound
2 pressure level in excess of 65 decibels at the school's boundaries, as provided under the Village's
3 Code Section 30-60.29, as may be amended. The Village will notify the school and the Community
4 Relations Committee of any violations of the noise ordinance. The Village and Applicant will
5 immediately work together to develop corrective action(s). If the corrective action(s) is/are not
6 implemented within three (3) weeks of its adoption, the Village will require that all after-hours field
7 activities be temporarily postponed until the corrective actions are implemented by the school.
8

9 11.2 The Applicant shall install and maintain signs reading: "No radios beyond this point"
10 at the guard house or other location approved by the Village's Planning & Zoning Department. Any
11 student found by the Applicant's administration to have violated the sound restriction, after a
12 warning, would be disciplined within the Palmer Trinity Rules and Procedures.
13

14 11.3 At 7900 SW 176th Street, the Applicant shall ensure bells, pulses, buzzers, or other
15 sounds to signal class times during school operating hours on days when school is in session shall
16 not generate a direct sound pressure level in excess of 65 decibels above ambient sound measured by
17 the A-weighted scale at the school's boundaries, as provided under the Village's Code, Section 30-
18 60.29, as may be amended.
19

20 11.4 At 8100 SW 184th Street, the Applicant shall use digital signage system or other non-
21 noise devices approved and recommended by the American with Disability Act (ADA) and the
22 ADA Standards for Accessible Design, to signal change of class times and announcements.
23

24 11.5 Any temporary public address speaker system or similar amplified sound device in
25 the athletic fields shall not be operated between the hours of 5:00 p.m. and 10:00 a.m. (Monday thru
26 Friday). On Saturday, the temporary public address speaker system or similar amplified sound
27 device in the athletic fields shall not be operated between the hours of 2:00 p.m. and 10:00 a.m. The
28 temporary public address speaker system shall be used in compliance with the Village's noise
29 Ordinance 30-60.29, as amended, and shall not generate a direct sound pressure level in excess of 65
30 decibels at the school's boundaries.
31

32 11.6 Code Compliance shall bi-annually (every six months) test the noise levels of the
33 Applicant's property from various locations and report back to the Community Relations
34 Committee. The Applicant shall work with Code Compliance and the Committee to cure any
35 violations of the Village's noise ordinance.
36

37 12. Environmental:
38

39 12.1 The Applicant shall provide a space for the collection and storage of recyclables.
40 This provision provides convenient access to recycling facilities and encourages building occupants
41 to utilize the recycling programs to their fullest. Projects shall comply with the minimum solid waste
42 and recyclables storage requirements. Applicant shall depict the collection and storage area(s)
43 location on submitted plans.
44

1 12.2 The Applicant shall use interior paints and wood finishes with low volatile organic
2 compound levels that do not exceed 50 grams per liter flat, or 150 grams per liter non-flat. This shall
3 be noted on the approved plans.
4

5 12.3 The Applicant shall hire an archeological consultant to execute a Phase 1
6 Archeological Survey prior to development. This will determine whether potential archeological
7 sites exist within the property. A list of archeological consultants has been provided to the
8 Applicant. The selected archeological consultant shall work closely with Miami-Dade County,
9 Office of Historic and Archeological Resources, during this process. In the event archeological
10 resources are found, the archeological consultant and the Applicant shall contact the County's
11 Office of Historic and Archeological Resources for guidance regarding additional testing and/or
12 archeological monitoring. If unmarked human remains are located, Florida State Statutes 875.05
13 (Florida's Unmarked Human Burial Act) shall apply and all work shall cease. The State Archeologist
14 shall then be notified.
15

16 13. Operations.
17

18 13.1 Service and delivery vehicles, including solid waste pick-up, shall be restricted to
19 Monday through Friday, between the hours of 7:00 a.m. to 7:00 p.m. [consistent with 30-60.29(e)(7),
20 of the Code]. Saturday deliveries would be allowed from 10:00 a.m. to 1:00 p.m. Service and
21 delivery vehicles shall use the SW 184th Street entrance. This requirement shall be implemented upon
22 the construction of the SW 184th Street entrance.
23

24 13.2 Service, delivery and storage areas and equipment shall be adequately screened and
25 located away from view of adjacent properties, in accordance with the proposed site plan.
26

27 13.3 That interior use of school facilities shall be restricted to the hours of operation
28 between 6:00 am and 10:00 pm, provided that the use is by the Applicant for school-related
29 purposes.
30

31 13.4 The property shall not be used for commercial leasing purposes. Commercial leasing
32 purposes shall mean any use not directly affiliated with the school operations of the Applicant. In
33 addition, it shall mean the use of the Applicant's property, buildings and facilities for economic value
34 or profit through third-parties.
35

36 13.5 Service, delivery and storage areas and equipment shall be adequately screened and
37 located away from view of adjacent properties, in accordance with the proposed site plan.
38

39 14. Structures.
40

41 14.1 The two (2) longer structures (building 16, the gymnasium and building 18, the
42 performing arts building) should be modified as follows: the wider portion of these structures are
43 approximately (260 ft x 149 ft.). The Southern portion of each building provides a "tail-like"
44 continuation/extension of approximately 110 feet. These "tail-like" extensions should be
45 setback/offset six feet (6 ft.) from the wider portions of each building. As to Building 16, the six

1 foot (6 ft.) offset should be situated towards the east boundary. As to Building 18, the six foot (6 ft.)
2 offset should be set back towards the west boundary.
3

4 14.2 In addition, along the 110 foot setback portion of Buildings 16 and 18, there should
5 be a colonnade or arcade, with first floor roof-like structure, to break-up the monolithic volume.
6

7 14.3 In compliance with section 7.14, Live Oak trees, or other equivalent type trees, with
8 an overall size of 16 feet in height, should be planted along the remaining east side of Building 18
9 and along the remaining west side of Building 16, every 20 feet on-center for the length of the
10 structures (area not covered by the first floor roof-like arcade structured area). The 16 foot trees
11 should be root pruned to encourage their ability to survive the shock of planting.
12

13 15. Enforcement
14

15 15.1 Non compliance with the approved site plan shall result in the denial of future
16 permits and may result in a daily fine, per violation, as provided under section 15.2, below.
17

18 15.2 A violation of any of the development approvals and/or conditions of the Village
19 Council will result in a \$500.00 a day fine, per violation. The Village shall provide Applicant with a
20 reasonable period of time to cure. The Applicant is entitled to an appeal of the notice of civil
21 citation pursuant to the procedures for the Village Special Magistrate, found at section 2-205 of the
22 Village's Code.
23

24 15.3 Cross-reference with specific enforcement provisions relating to section 4.6 as to
25 student population and removal of portables under section 5.11.
26

27 15.4 Authorization for the Village of Palmetto Bay to Withhold Permits and Inspections.
28 In the event the terms herein are not being complied with, in addition to any other remedies
29 available, the Village is authorized to withhold any further permits, and refuse to make any
30 inspections or grant any approvals, until such time as the conditions contained herein are complied
31 with. The Village shall provide Applicant with a reasonable notice to cure period. The Applicant
32 may follow the procedures for the Village Special Magistrate regarding any appeal.
33

34 15.5 Cross-reference with section 11.6.
35

36 This is a final order.
37

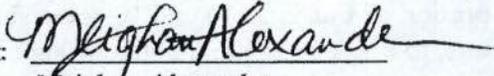
38 Section 5. Record.

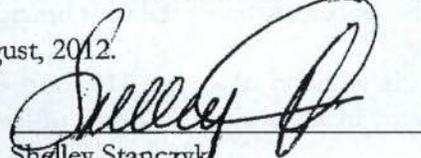
39 The record shall consist of the notice of hearing, the application, documents submitted by
40 the applicant and the applicant's representatives to the Village of Palmetto Bay Planning and Zoning
41 Department in connection with the applications, the Village's recommendation and attached cover
42 sheet and documents, the testimony of sworn witnesses and documents presented at the quasi-
43 judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the
44 Village Clerk.
45

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

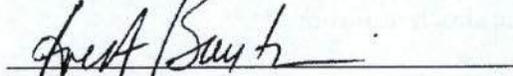
2 PASSED and ADOPTED this 29 day of August, 2012.

3 Attest:

4 
5 Meighan Alexander
6 Village Clerk

7 
8 Shelley Stanczyk
9 Mayor

10 APPROVED AS TO FORM:

11 
12 Eve A. Boutsis,
13 Village Attorney

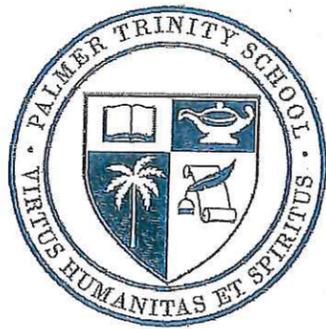
14 FINAL VOTE AT ADOPTION:

15
16 Council Member Patrick Fiore YES
17
18 Council Member Howard Tendrich YES
19
20 Council Member Joan Lindsay YES
21
22 Vice-Mayor Brian Pariser YES
23
24 Mayor Shelley Stanczyk YES

PLANS & SURVEY

PALMER TRINITY PRIVATE SCHOOL, INC.

VPB-14-001



PALMER TRINITY SCHOOL, INC.

7900 SW 176 STREET - Folio # 33-5034-000-0580

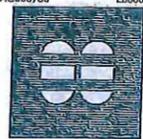
8001 SW 184 STREET - Folio # 33-5034-000-0620

PALMETTO BAY, FL 33157

2014 MASTERPLAN UPDATE

19 JUNE 2014

ARCHITECT
MCHARRYASSOCIATES
 ARCHITECTURE / ENGINEERING / INTERIORS
 AAC000966 EB0003663



2780 SW DOUGLAS ROAD, SUITE 302
 MIAMI, FLORIDA 33133 (305) 445-3765

LANDSCAPE ARCHITECT

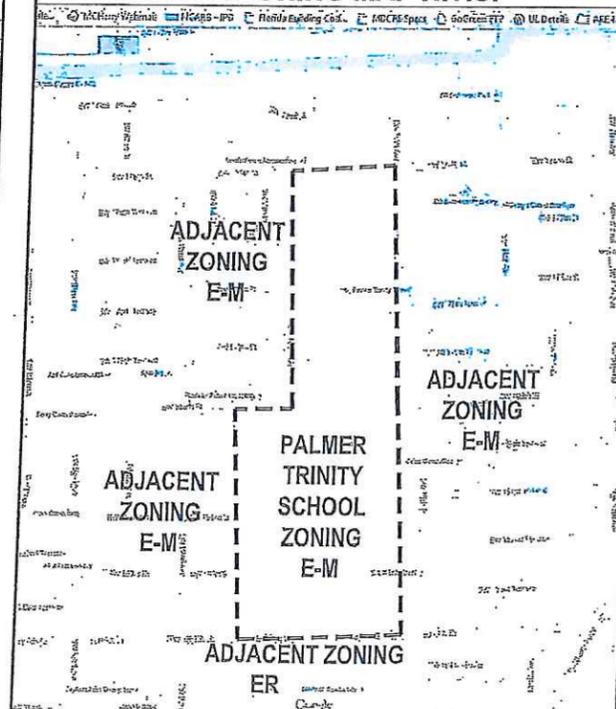


**GEOMANTIC
 DESIGNS, INC.**
 LANDSCAPE ARCHITECTURE
 ROBERT PARSLEY A.S.L.A.
 6800 S.W. 41 STREET MIAMI, FL 33143
 PHONE: 305-445-9214 FAX: 305-445-8423

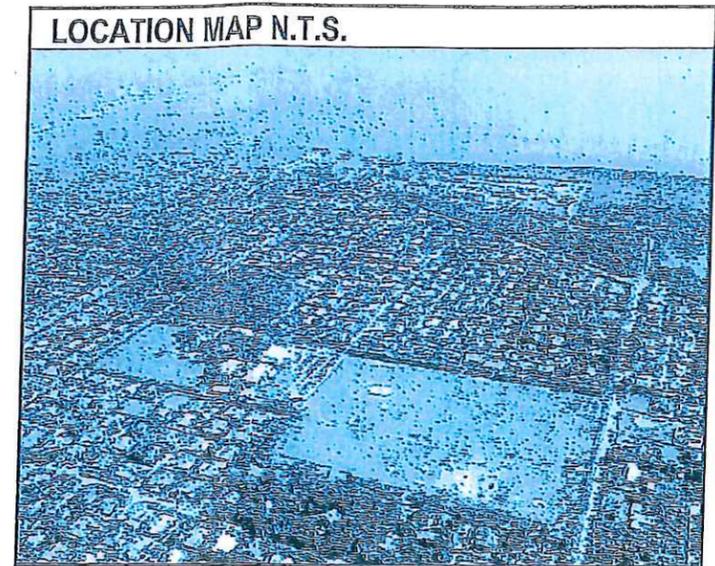
INDEX OF DRAWINGS:

		1ST SUBMITAL	2ND SUBMITAL	3RD SUBMITAL	4TH SUBMITAL
1 of 5	COVER				
2 of 5	SURVEY	3/12/14	04/20/14		
3 of 5	SURVEY	3/12/14	04/20/14	06/12/14	
4 of 5	SURVEY	3/12/14	04/20/14	06/12/14	
5 of 5	SURVEY	3/12/14	04/20/14		
SCHEMATIC ARCHITECTURE					
A0.01	ZONING INFORMATION AND CALCULATIONS	3/12/14	04/20/14	06/12/14	06/19/14
A0.02	GENERAL NOTES		04/20/14	06/12/14	
A1.00	OVERALL CAMPUS MASTERPLAN	3/12/14	04/20/14	06/12/14	06/19/14
A1.01	NORTH CAMPUS MASTERPLAN	3/12/14	04/20/14	06/12/14	06/19/14
A1.02	SOUTH CAMPUS MASTERPLAN	3/12/14	04/20/14	06/12/14	06/19/14
A1.03	CAMPUS CIRCULATION DIAGRAM	3/12/14	04/20/14	06/12/14	06/19/14
A2.01	BUILDING 9.7 - CLASSROOM BUILDING	3/12/14	04/20/14		
A2.02	BUILDING 10 - GUARD HOUSE & FIELD HOUSES	3/12/14	04/20/14		
A2.03	BUILDING 13, 14, 15 - CLASSROOM BUILDINGS	3/12/14	04/20/14		
A2.04	BUILDING 16 - GYMNASIUM	3/12/14	04/20/14		
A2.05	BUILDING 18 - AUDITORIUM	3/12/14	04/20/14	06/12/14	
A2.06	BUILDING 19 - CHAPEL	3/12/14	04/20/14	06/12/14	
A2.07	BUILDING 20 - POOL HOUSE	3/12/14	04/20/14	06/12/14	
A2.08	BUILDING 35 - ADMINISTRATION BUILDING	3/12/14	04/20/14	06/12/14	
A2.09	BUILDING 36 - ADMINISTRATION & CLASSROOM BUILDING	3/12/14	04/20/14		
LANDSCAPE PLANS					
LM1.00	NORTH CAMPUS MITIGATION PLAN	3/12/14	04/20/14		
LM2.00	SOUTH CAMPUS MITIGATION PLAN	3/12/14			
LM3.00	EXISTING TREE LIST A	3/12/14			
LM4.00	EXISTING TREE LIST B	3/12/14	04/20/14		
L1.00	OVERALL CAMPUS LANDSCAPE PLAN	3/12/14		06/12/14	
L2.00	NORTH CAMPUS LANDSCAPE PLAN	3/12/14	04/20/14		
L3.00	SOUTH CAMPUS LANDSCAPE PLAN	3/12/14		06/12/14	
L4.00	NOTES & DETAILS	3/12/14			

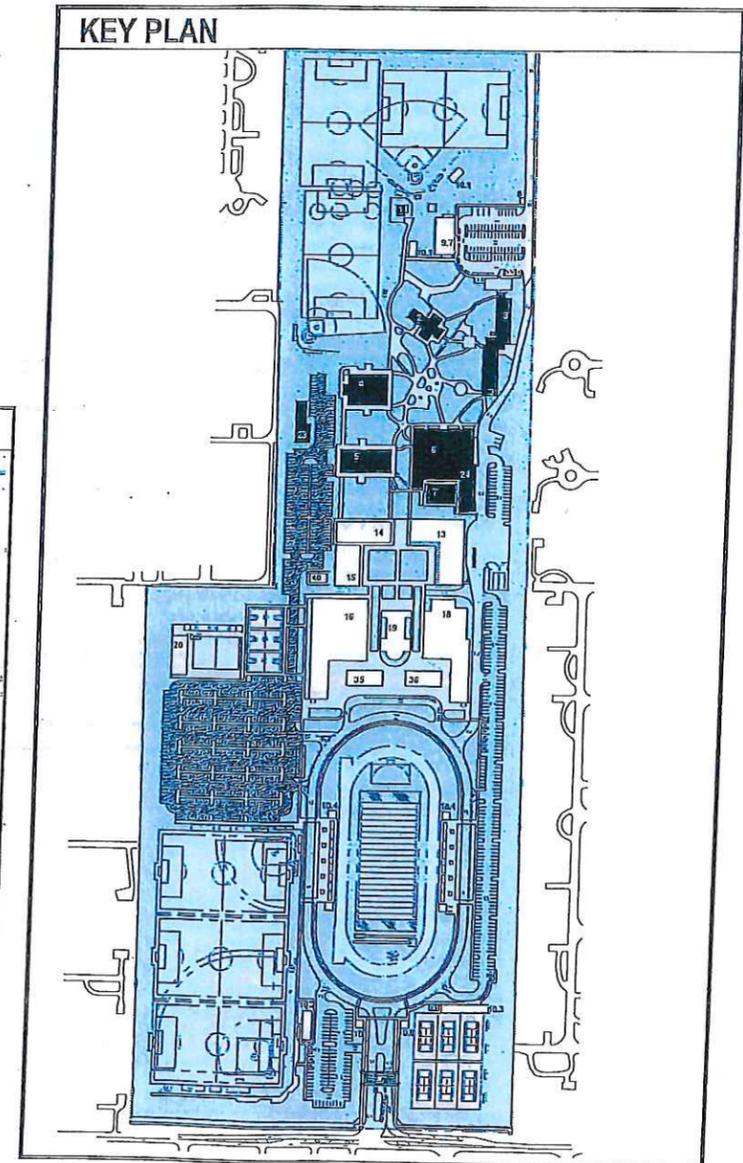
LOCATION & ZONING MAP N.T.S.



LOCATION MAP N.T.S.

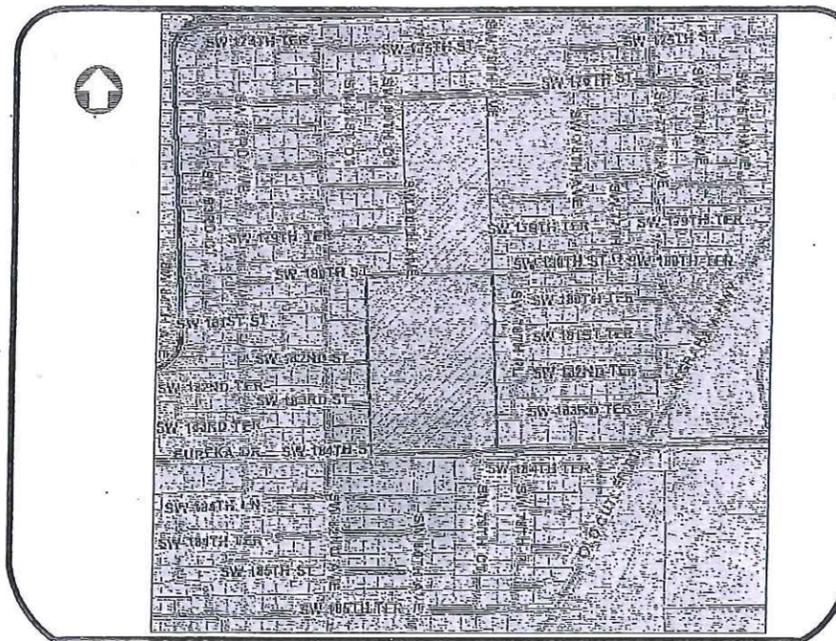


KEY PLAN



MAP OF BOUNDARY SURVEY

SECTION 34 - TOWNSHIP 55 SOUTH - RANGE 40 EAST
LYING AND BEING IN PALMETTO BAY, MIAMI-DADE COUNTY FLORIDA.



LOCATION MAP
NOT TO SCALE

SURVEYOR'S NOTES:

DATE OF FIELD SURVEY:

The date of completion of the original field Survey was on February 24, 2014.

The date of completion of the office drafting work was on February 24, 2014.

LEGAL DESCRIPTION:

Parcel 1:
The East three fourths (E 3/4) of the SW 1/4 of the SE 1/4 of Section 34, Township 55 South, Range 40 East, in Miami-Dade County, Florida.

Parcel 2:
The East half (E 1/2) of the NW 1/4 of the SE 1/4 of Section 34, Township 55 South, Range 40 East, less the North 35 feet, in Miami-Dade County, Florida.

Containing 50.00 acres more or less.

PROPERTY ADDRESS:

7900 SW 176th STREET, PALMETTO BAY, MIAMI, FL 33157
Folio No.: 33-3034-000-0580 & 33-3034-000-0620

ACCURACY:

The accuracy obtained by field measurement methods and office calculations of closed geometric figures meets and exceeds the Minimum Technical Standards requirement for Suburban Area (Linear 1 foot in 7,500 feet) as defined in Rule 5A-17.051, Florida Administrative Code.

Well identified features as depicted on the Survey Map were measured to an estimated horizontal position accuracy of 1/10 of a foot.

This Map of Survey is intended to be displayed at a scale of One inch equals fifty feet or smaller.

SOURCE OF DATA:

North arrow direction is based on an assumed Meridian.

Bearings as shown hereon are based upon the centerline of SW 176th STREET with an assumed bearing of N87°10'43"E, said line to be considered a well established and monumented line.

This property appears to be located in a flood zone "AE" with a Base Flood Elevation 10.0, as per Federal Emergency Management Agency (FEMA) Community-Panel Number 120635 (Miami-Dade County), Map No. 0502, Sublet 1, Map Revised Date: September 11, 2009.

Legal Description was furnished by client

LIMITATIONS:

Since no other information were furnished other than that is cited in the sources of data, the client is hereby advised that there may be legal restrictions on the subject property that are not shown on the Survey Map that may be found in the Public Records of Miami-Dade County.

The Surveyor makes no representation as to ownership or possession of the Subject Property by any entity or individual that may appear on the Public Records of this County.

No excavation or determination was made as to how the Subject Property is served by utilities.

No improvements were located, other than those shown. No underground foundations, improvements and/or utilities were located or shown hereon.

PURPOSE OF SURVEY:

The Survey was ordered for a PERMIT.

Total Trees Located on North and South Campus = 1815
Palm Trees = 430
All other Trees = 1385

CLIENT INFORMATION:

This Boundary Survey was prepared at the instance of and certified to:

PALMER TRINITY PRIVATE SCHOOL, INC.

ENCROACHMENTS:

N/A

SURVEYOR'S CERTIFICATE:

I hereby certify that this "Boundary Survey" and the Survey Map resulting therefrom was performed under my direction and the true and correct to the best of my knowledge and belief and that this "Boundary Survey" meets the intent of the applicable provisions of the Minimum Technical Standards for Land Surveying in the State of Florida, passed in Rule 5A-17.051 through 5A-17.053 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC, a Florida Corporation
Florida Certificate of Authorization Number 187235

By: 
Edward M. Givens, PLS
Registered Surveyor and Mapper 15613
State of Florida

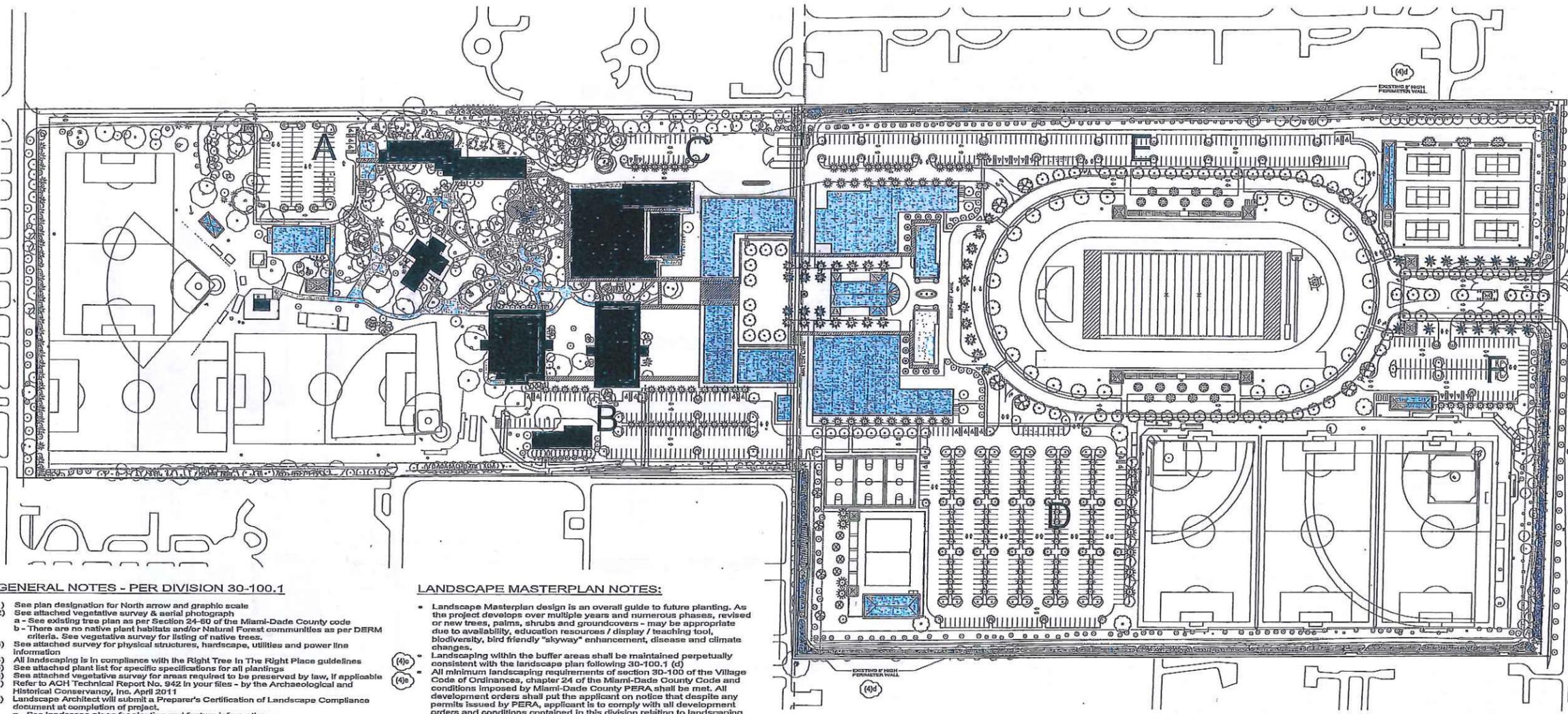
NOTICE: Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

LONGITUDE
SURVEYORS

3900 NW 79th AVENUE, SUITE 601
DORAL, FL. 33166
PHONE: (305) 463-0912 FAX: (305) 515-5680
WWW.LONGITUDESURVEYORS.COM

JOB NO.: 13292
FIELD BOOK: EFB

DRAWN BY: ROC
SHEET 1 OF 5



GENERAL NOTES - PER DIVISION 30-100.1

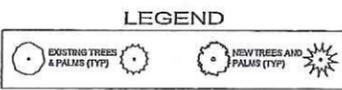
- See plan designation for North arrow and graphic scale
- See attached vegetative survey & aerial photograph
 - See existing tree plan as per Section 24-60 of the Miami-Dade County code
 - There are no native plant habitats and/or Natural Forest communities as per DERM criteria. See vegetative survey for listing of native trees.
- See attached survey for physical structures, hardscape, utilities and power line information
- All landscaping is in compliance with the Right Tree In The Right Place guidelines
- See attached plant list for specific specifications for all plantings
- See attached vegetative survey for areas required to be preserved by law, if applicable refer to ACH Technical Report No. 942 in your files - by the Archaeological and Historical Conservancy, Inc. April 2011
- Landscapes Architect will submit a Preparer's Certification of Landscape Compliance document at completion of project.
 - See landscape plans for planting and feature information
 - See detail sheet for bracing and planting specifications
 - Irrigation contractor to supply required shop drawings for a separate permit, as applicable for new areas. Existing irrigation on developed areas is deemed properly functioning.

IRRIGATION NOTES:

- North campus has an existing irrigation system in good working order.
- South campus has an irrigation loop main along the perimeter and all recent plantings are covered. New plantings will have 100% coverage as each phase / area is developed.
- Irrigation plans will be submitted during the construction document stage and shall meet the criteria set forth in the chapters 30-100 and 18-A.

LANDSCAPE MASTERPLAN NOTES:

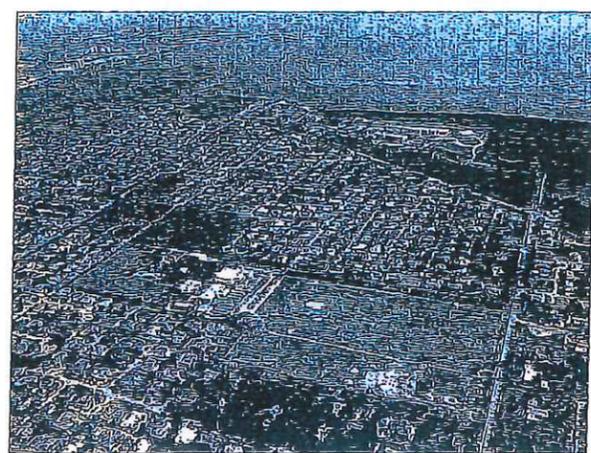
- Landscaping Masterplan design is an overall guide to future planting. As the project develops over multiple years and numerous phases, revised or new trees, palms, shrubs and groundcovers - may be appropriate due to availability, education resources / display / teaching tool, biodiversity, bird friendly "skyway" enhancement, disease and climate changes.
- Landscaping within the buffer areas shall be maintained perpetually consistent with the landscape plan following 30-100.1 (c)
- All minimum landscaping requirements of section 30-100 of the Village Code of Ordinances, chapter 24 of the Miami-Dade County Code and conditions imposed by Miami-Dade County PERA shall be met. All development orders shall put the applicant on notice that despite any permits issued by PERA, applicant is to comply with all development orders and conditions contained in this division relating to landscaping and maintenance.
- No improvements shall be submitted within the buffer area (i.e. no roads, parking, storage sheds, recreational areas, pedestrian access or any other use except landscaping and unpaved maintenance access) - excluding all maintenance vehicles.



Plant the Right Tree in the Right Place

FPL

Trees Shown at Mature Height



OVERALL CAMPUS AERIAL
NOT TO SCALE

PALMER TRINITY - MASTERPLAN PLANT LIST

QTY	COMMON NAME	BOTANICAL NAME	POT	SIZE	SPACING
TREES AND PALMS					
5	Albizia trees	<i>Pithecellobium dulce</i>	25 gal.	12' x 6"	as shown
18	Silver Bismark palms	<i>Bismarckia nobilis 'Silver'</i>	200 gal.	12' x 6"	as shown
6	Banabob trees	<i>Adiantum digitatum</i>	45 gal.	12' x 6"	as shown
10	Canary Island Date palms	<i>Phoenix canariensis</i>	84B	18' x 18'	as shown
14	Florida Thatch palms	<i>Thrinax radiata</i>	25 gal.	6' x 4"	as shown
4	Garlic trees	<i>Garlicia spicata</i>	45 gal.	12' x 6"	as shown
6	Green Buttonwood trees	<i>Conocarpus erectus</i>	25 gal.	12' x 6"	as shown
9	Gumbo Limbo trees	<i>Bursera simaruba</i>	25 gal.	12' x 6"	as shown
3	Liveoak trees	<i>Quercus laevis</i>	45 gal.	12' x 6"	as shown
28	Kawak trees	<i>Delonix regia</i>	84B	18' x 6"	as shown
72	Live Oak trees	<i>Quercus nigra</i>	25 gal.	12' x 6"	as shown
29	Mahogany trees	<i>Swietenia mahagoni</i>	25 gal.	12' x 6"	as shown
48	Magnifying palms	<i>Witchita macrocarpa</i>	84B	18' x 12'	as shown
21	Orange Elder trees	<i>Quercus exoniata</i>	25 gal.	12' x 6"	as shown
21	Pink Isabela trees	<i>Tabebuia heterophylla</i>	25 gal.	12' x 6"	as shown
6	Queen Creeper Myrtle trees	<i>Lagerflouca apiculata</i>	25 gal.	12' x 6"	as shown
15	Royal palms	<i>Roystonea elata</i>	84B	24' x 18'	as shown
5	Royal Palmetto trees	<i>Roystonea regia</i>	25 gal.	12' x 6"	as shown
114	Sabal palms	<i>Sabal palmetto</i>	84B	various	as shown
46	Silver Buttonwood trees	<i>Conocarpus erectus variegatus</i>	25 gal.	12' x 6"	as shown
20	Syrianis Date palms	<i>Phoenix syriensis</i>	84B	24' x 18'	as shown
24	Yellow Yacahua trees	<i>Tabebuia coccoloba</i>	25 gal.	12' x 6"	as shown
11	Wah Tamarind trees	<i>Lycium hirsutum</i>	25 gal.	12' x 6"	as shown
15	Woodward trees	<i>Bursera arborea</i>	25 gal.	12' x 6"	as shown
SHRUBS AND GROUNDCOVERS					
551	Bahama cactus, Sparganium	<i>Psychotria ligustralis</i>	3 gal.	24' x 18"	30' o.c.
1219	Boston Fern	<i>Nephrolepis exaltata</i>	1 gal.	10' x 6"	12' o.c.
544	Coconut palm	<i>Chrysalidocarpus lutescens</i>	3 gal.	24' x 18"	25' o.c.
803	Orchid tree	<i>Orchid tree</i>	7 gal.	30' x 24"	24' o.c.
592	Orchid tree	<i>Orchid tree</i>	3 gal.	18' x 14"	20' o.c.
250	Dwarf Ficus tree	<i>Ficus microcarpa</i>	3 gal.	18' x 14"	48' o.c.
233	Ficus tree	<i>Ficus microcarpa 'brevifolia'</i>	3 gal.	12' x 12"	24' o.c.
282	Gambusia grass	<i>Tripogon daniellii</i>	1 gal.	12' x 12"	30' o.c.
28	Raw material	<i>Stenandrium rotundifolium</i>	15 gal.	24' x 24"	30' o.c.
134	Silver Jasmine	<i>Jasminum nitidum</i>	3 gal.	18' x 16"	35' o.c.
1772	Wah Fern	<i>Asplenium nidus</i>	1 gal.	12' x 6"	10' o.c.
2543	Wah Fern	<i>Asplenium nidus</i>	3 gal.	18' x 14"	24' o.c.

SEE GENERAL AND LANDSCAPE MASTERPLAN NOTES

OVERALL CAMPUS PLANTING PLAN

SCALE: 1" = 80'-0"

PALMER TRINITY - MASTERPLAN LEGEND

LANDSCAPE LEGEND 2014	REQUIRED	PROVIDED
OPEN SPACE		
A. Square feet of open space as required by Chapter 33, as indicated on site plan	835,523	1,418,486
B. Square Feet of parking open space required by Chapter 18A, as indicated on site plan		
No. of parking spaces 856 X 10 ft. per parking space = 8,560 s.f.	8,560	
C. Total s.f. of landscaped open space required by Chapter 33, A+B =	844,083	1,418,486
LAWN AREA CALCULATION		
Minimum and area per percentage of open space = 40% X 1,418,486 s.f. =	567,394	567,602
TREES		
No. of trees required per net lot area (tbl including spots fields)	465	1,948
SLAB - 14.80 = 34.78 acres x 12 trees per acre =	1319 Ex.	
No. trees existing number of trees meeting minimum requirements (4000-230)	210 Ex.	
30% Palms allowed: No. trees required X 30% = (465 x .3) = 140	140	140
30% Palms required: No. trees required X 30% = (465 x .3) = 140	140	134
STREET TREES		
Street trees (minimum average spacing of 35' o.c.)		
889 linear feet along 176 street / 35' o.c. =	19	33 Excl.
Street trees (minimum average spacing of 35' o.c.)		
1012 linear feet along 184 street / 35' o.c. =	29	29
SHRUBS		
No. of shrubs required X 10 = No. of shrubs required	4,650	5,691
No. of shrubs required X 30% = No. of native shrubs required	1,395	3,018
IRRIGATION		
Automatic system with 100% coverage (assumed in phases)	Yes	Yes

DRAWN BY: SJ
 CHD BY: NCH
 APP'D BY: JP
 ISSUE DATE:
 February 21, 2014
 REVISION DATE:

MCHARRY ASSOCIATES
 ARCHITECTS
 2100 SW 80th Ave, Suite 300
 Miami, Florida 33155
 WWW.MCHARRY.COM

GEOMANTIC
 DESIGNS, INC.
 LANDSCAPE ARCHITECTURE
 1100 SW 15th Ave, Suite 100
 Miami, Florida 33135

PALMER TRINITY SCHOOL
 MASTERPLAN UPDATE 2014
 7900 SW 176th STREET, PALMETTO BAY, FL 33157
 8001 SW 184th STREET, PALMETTO BAY, FL
 PALMER TRINITY SCHOOL - FOLIO E 3350340000620

PROJECT TITLE:
 DRAWING TITLE:
 SHEET NO.:
 SCALE: AS SHOWN
 NOTE: CONTACT MCHARRY ASSOCIATES FOR ALL INFORMATION AT THE BEFORE PROCEEDING WITH WORK.

OVERALL CAMPUS PLANTING PLAN
 L100

POSTING & MAILING

PALMER TRINITY PRIVATE SCHOOL, INC.
VPB-14-001



VILLAGE OF PALMETTO BAY NOTICE OF ZONING PUBLIC HEARING

The Village of Palmetto Bay shall conduct a zoning public hearing on Monday, September 22, 2014, at 7:00 p.m. The hearing shall be held at Village Hall, 9705 E. Hibiscus Street, Palmetto Bay, FL. Discussion and public input will be welcome concerning the following items that may be of interest to your immediate neighborhood:

ITEM #1

Applicant: **DD&S Bay, LLC**
File #: VPB-14-005
Folio#’s: 33-5028-000-0220, 33-5028-000-0221, 33-5028-000-0222
Location: 8900 SW 158th Street, and 28 55 40 west 97.50 feet of the east 122.50 feet of the 100 feet north 125 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section less the extension area of the curve in the northeast corner AKA Parcel 2 per WP D-23399 OR 29097-0153, and 28 55 40 west 195 feet of the east 220 feet of the south 80 feet of the north 205 feet of the southeast 1/4 of the southwest 1/4 of the northeast 1/4 of the section AKA Parcel 3 Per WP D-23399 OR 29097-0153.
Zoned: R-1, Single Family Residential District
Request: Deletion of a covenant proviso of resolution removing a condition of a rezoning approval tying the properties to a specific site plan, thus permitting development to proceed consistent with the existing R-1 zoning requirements.

ITEM #2

Sponsor: **Village of Palmetto Bay**
File #: VPB-14-001
Folios: 33-5034-000-0580, 33-5034-000-0620
Location: Palmer Trinity Private School, Inc.
7900 SW 176th Street and 8001 SW 184th Street
Zoned: EM, Estate Modified Single Family District
Request: Modification of Resolution 2014-58, incorporating certain site plan conditions and eliminating others as previously approved pursuant to Resolution 2010-48(Amended 7/19/2011 and 8/29/2012)

ITEM #3

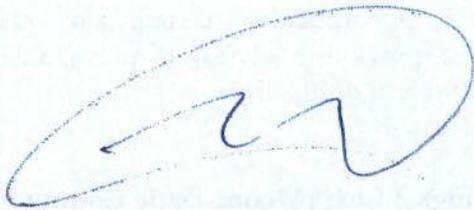
Applicant: **Residential Recovery Capital Holdings 2 LLC (Miami-Dade County Fire Rescue Department)**
File #: VPB-14-003
Folios: 33-5023-002-0370
Location: 14200 Old Cutler Road
Zoned: E-1, One Acre Estate Single Family District
Request: Establishment of a fire rescue facility and associated site plan.

All persons are invited to appear and be heard. The documents pertaining to this public hearing may be inspected at the Department of Planning & Zoning at Village Hall, 9705 E. Hibiscus Street, Palmetto Bay, Florida, during regular working hours. Inquiries may be directed to the Clerk at (305) 259-1234. Any meeting may be opened and continued, and, under such circumstances, additional legal notice would not be provided. Any person may contact Village Hall for more information.

Pursuant to Section 286.0105, F.S., if any person decides to appeal any decision by the Village Council with regard to this or any matter, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Village for the introduction or admission of otherwise inadmissible evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation (or hearing impaired) to participate in this proceeding or to review any documents relative thereto should contact the Village for assistance at (305) 259-1234 no later than four (4) days prior to the proceedings.

Meighan Alexander, Village Clerk

A handwritten signature in blue ink, enclosed in a blue oval. The signature is stylized and appears to be the name of the Village Clerk, Meighan Alexander.

**VILLAGE OF PALMETTO BAY
NOTICE OF PUBLIC HEARING**

HEARING NUMBER: VPB-14-001
APPLICANT NAME: VILLAGE OF PALMETTO BAY
FOLIO: 33-5034-000-0580, 33-5034-000-0620
PROJECT LOCATION: 7900 SW 176 STREET & 8001 SW 184 STREET
PALMETTO BAY, FL 33157

REQUEST: Modification of Resolution 2014-58, incorporating certain site plan conditions and eliminating others as previously approved pursuant to Resolution 2010-48(Amended 7/19/2011 and 8/29/2012).

PLANS ARE ON FILE AND MAY BE EXAMINED IN THE DEPARTMENT OF PLANNING AND ZONING AT VILLAGE HALL. PLANS MAY BE MODIFIED BEFORE AND DURING THE PUBLIC HEARING.

A PUBLIC HEARING WILL BE HELD MONDAY, SEPTEMBER 22, 2014, AT 7:00 PM AT THE COUNCIL CHAMBERS LOCATED WITHIN VILLAGE HALL, 9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157.

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE: However, objections or waivers of objection may be made in person at the hearing or filed in writing prior to the hearing date with the Department of Planning and Zoning. Any meeting may be opened and continued, and under such circumstances, additional legal notice would be provided. Any person may contact Village Hall at (305) 259-1234 for additional information. Please call the Village Clerk for ADA needs (or hearing impaired) no later than four (4) days prior to the proceedings.

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PROJECT LOCATION: 7900 SW 176 STREET & 8001 SW 184 STREET
PALMETTO BAY, FL 33157

REQUEST: Modification of Resolution 2014-58, incorporating certain site plan conditions and eliminating others as previously approved pursuant to Resolution 2010-48(Amended 7/19/2011 and 8/29/2012).

PLANS ARE ON FILE AND MAY BE EXAMINED IN THE DEPARTMENT OF PLANNING AND ZONING AT VILLAGE HALL. PLANS MAY BE MODIFIED BEFORE AND DURING THE PUBLIC HEARING.

A PUBLIC HEARING WILL BE HELD MONDAY, SEPTEMBER 22, 2014, AT 7:00 PM AT THE COUNCIL CHAMBERS LOCATED WITHIN VILLAGE HALL, 9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157.

YOU ARE NOT REQUIRED TO RESPOND TO THIS NOTICE: However, objections or waivers of objection may be made in person at the hearing or filed in writing prior to the hearing date with the Department of Planning and Zoning. Any meeting may be opened and continued, and under such circumstances, additional legal notice would be provided. Any person may contact Village Hall at (305) 259-1234 for additional information. Please call the Village Clerk for ADA needs (or hearing impaired) no later than four (4) days prior to the proceedings.



08/22/2014

ZONING HEARING

PERTAINING TO THIS PROPERTY TO BE
HELD AT **VILLAGE HALL**
ADDRESS **9705 EAST HIBISCUS STREET**

PURPOSE OF HEARING:


VILLAGE OF PALMETTO BAY
NOTICE OF ZONING PUBLIC HEARING
The Village of Palmetto Bay, Florida, is hereby giving notice of a public hearing on the proposed zoning change for the property located at 9705 East Hibiscus Street, Palmetto Bay, Florida. The proposed zoning change is from R-1 to R-1A. The hearing will be held on September 22, 2014, at 7:00 PM, at Village Hall, 9705 East Hibiscus Street, Palmetto Bay, Florida. The hearing will be held in the presence of the Village Board and the public. The Village Board will consider the proposed zoning change and make a decision on whether to approve the change. The public is invited to attend the hearing and provide input on the proposed zoning change. For further details, please call 305-259-1271.



FOR FURTHER DETAILS CALL:
305-259-1271

VILLAGE OF PALMETTO BAY
DEPARTMENT OF
PLANNING AND ZONING

DATE: **SEPT. 22, 2014**

TIME: **7:00 PM**

HEARING No: **VPB-14-001**

08/22/2014

ZONING HEARING

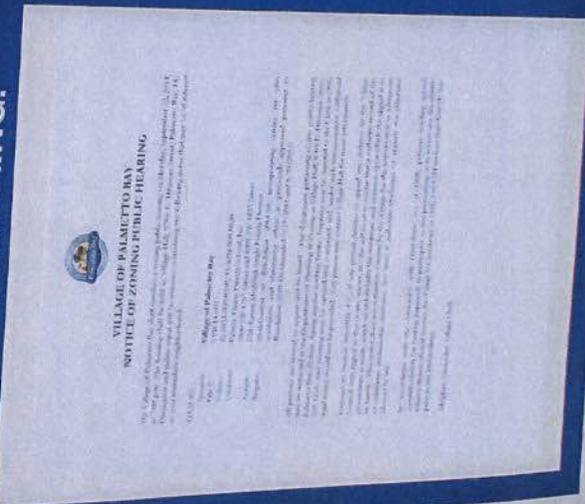
PERTAINING TO THIS PROPERTY TO BE HELD AT

VILLAGE HALL

ADDRESS

9705 EAST Hibiscus STREET

PURPOSE OF HEARING:



FOR FURTHER DETAILS CALL:
305-259-1271

DATE:

SEPT. 22, 2014

TIME:

7:00 PM

HEARING No:

VPB-14-001

VILLAGE OF PALMETTO BAY
DEPARTMENT OF
PLANNING AND ZONING

08/22/2014

