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**RESOLUTION NO. 2012-64**

**AMENDING RESOLUTION NO.: 2010-048,  
AS PREVIOUSLY AMENDED  
BY RESOLUTION 2011-53**

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

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PURSUANT TO THE DECISION RENDERED BY THE THIRD DISTRICT COURT OF APPEAL ON JULY 5, 2012, IN THE ACTION ENTITLED THE VILLAGE OF PALMETTO BAY, FLORIDA V. PALMER TRINITY PRIVATE SCHOOL, INC., UNDER APPELLATE CASE NO 3D12-190, ON APPEAL FROM THE 11TH JUDICIAL CIRCUIT, APPELLATE DIVISION, UNDER CASE NO: 10-259 AP; AMENDING THE AMENDED ZONING RESOLUTION 2010-48 [AS PREVIOUSLY AMENDED UNDER RESOLUTION 2011-53], RELATING TO THE SPECIAL EXCEPTION AND A SITE PLAN MODIFICATION ON PROPERTY ZONED E-M; GRANTING THE 1,150 STUDENT REQUEST; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida 11th Judicial Circuit, Appellate Panel, on February 11, 2011, granted the certiorari petition filed by Palmer Trinity Private School, and granted the petition, quashing two conditions in the Village's May 4, 2010 zoning resolution. The Appellate panel found:

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

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

**WHEREAS**, the Court, on March 3, 2011, issued the mandate commanding the Village to hold "such further proceedings in accordance with the opinion of this Court [per the February 22, 2011 order]"; and,

1           **WHEREAS**, on April 12, 2011, Palmer Trinity filed its motion to enforce the Court's  
2 mandate, as to the two quashed conditions of the May 4, 2010 resolution; and,  
3

4           **WHEREAS**, on May 6, 2011, the Court granted Palmer Trinity's motion to enforce  
5 mandate, without opinion; and,  
6

7           **WHEREAS**, subsequently, the Village filed a motion for clarification as to the order  
8 enforcing mandate, asking for direction as to the Appellate Panel's direction to hold "further  
9 proceedings;" and,  
10

11           **WHEREAS**, on June 3, 2011, the Appellate panel responded to the Village's motion for  
12 clarification stating:  
13

14           "[T]he Court finds that the original opinion in this matter issued February 11, 2011 is  
15 clear and unambiguous. The Village of Palmetto Bay shall forthwith commence the  
16 required proceedings to remove the two quashed conditions from the Resolution or  
17 otherwise render those conditions ineffectual and take no further action that would  
18 be inconsistent with the Court's prior Order of May 5, 2011 and this Order."  
19

20 and,  
21

22           **WHEREAS**, based upon the foregoing direction of the Appellate Panel, solely the two  
23 conditions appealed and quashed were to be reviewed by the Village Council. The Appellate Court  
24 quashed the Village's two conditions: (1) the 30 year development covenant prohibition and (2) the  
25 900 cap on the number of students; and,  
26

27           **WHEREAS**, on July 12, 2011, Applicant filed a "Renewed, Emergency Motion To Enforce  
28 Mandate, or Alternatively, To Enjoin And Prohibit Respondent from Violating the Express  
29 Mandate of the Court;" and,  
30

31           **WHEREAS**, on July 15, 2011, the Village filed its opposition to Applicant's "Emergency"  
32 motion; and,  
33

34           **WHEREAS**, the Appellate Panel, on July 18, 2011, the Appellate Panel denied Applicant's  
35 "Emergency" motion, in its entirety, without opinion; and,  
36

37           **WHEREAS**, the Village properly noticed, and adhered to its procedural requirements for  
38 public hearings, and held the public hearing on July 19, 2011, at Christ Fellowship Church, on the  
39 issue of the remanded special exception application, relating to the two appealed items so that the  
40 Village Council could take action on the amendment of Resolution 2010-48 (the resolution that was  
41 the subject of the certiorari action); and,  
42

43           **WHEREAS**, on July 19, 2011, Mayor and Village Council, approved Resolution 2011-53,  
44 which amended Resolution 2010-48 which struck the 30 year development covenant prohibition and

1 removed all references to the 900 student enrollment cap leaving in place the denial of the  
2 applicant's request of 1,150 students; and,  
3

4 **WHEREAS**, on August 26, 2012, Palmer Trinity Private School, Inc., filed a motion to  
5 enforce mandate or in the alternative, a request for certiorari review of the July 19, 2011 action of  
6 the Council under Resolution 2011-053; and  
7

8 **WHEREAS**, on December 22, 2011, the 11th Circuit Appellate Panel granted Palmer  
9 Trinity's motion to enforce mandate; and,  
10

11 **WHEREAS**, thereafter, on January 23, 2012, the Village filed a first tiered certiorari action,  
12 was filed with the Third District Court of Appeal, for discretion review of the December 22, 2011  
13 decision of the 11th Circuit Appellate Panel to grant Palmer Trinity's motion to enforce mandate;  
14 and,  
15

16 **WHEREAS**, during the discretionary appeal the Village argued, *amongst other legal and factual*  
17 *issues, that* the Village had adhered to the direction of the 11th Judicial Circuit and that the 11th  
18 Circuit Appellate Panel erred in directing the Village to approve 1,150 students as the Court could  
19 only remand the matter and could not direct a certain action be taken as any such direction would be  
20 contrary to the standard of review of an appellate action and inconsistent with the holding of  
21 *Broward County v. GBV Int'l Ltd.*, 787 So. 2d 838 (Fla. 2001); and,  
22

23 **WHEREAS**, on June 22, 2012, the Third District Appellate Panel, consisting of Chief Judge  
24 Wells, Senior Judge Schwartz, and Judge Lagoa, held oral argument on the merits of the Village's  
25 discretionary appeal; and,  
26

27 **WHEREAS**, despite what appeared to be a favorable outcome to the Village during oral  
28 argument, the Third District Appellate Panel, in a unanimous decision, on July 5, 2012, denied the  
29 Villages Writ of Certiorari, leaving in place the 11<sup>th</sup> Circuit Appellate determination as to the  
30 mandate and motion to enforce the mandate, intact; and,  
31

32 **WHEREAS**, it is now incumbent upon the Mayor and Village Council to comply with  
33 mandate of the Third District Court of Appeal and the 11<sup>th</sup> Judicial Court's determination that the  
34 Village is to grant the applicant its 1,150 student enrollment request.  
35

36 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**  
37 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**  
38

39 **Section 1.** Resolution 2010-48 [as previously amended by Resolution 2011-53] is hereby  
40 attached and incorporated into this Resolution and is so amended to permit a student enrollment  
41 not to exceed 1,150 students as requested by the application.  
42

43 **Section 2.** This is a final order to further amend Resolution 2010-48 [that had  
44 previously been amended under Resolution 2011-53], as it relates to the number of students  
45 authorized under the special exception expansion request of Palmer Trinity, to authorize the number

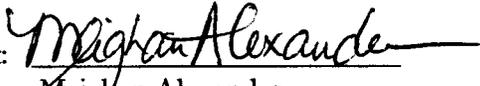
1 of 1,150 students. All other terms and conditions, findings of fact, conclusions of law from  
2 Resolution 2010-48, as previously amended by Resolution 2011-53, attached hereto and  
3 incorporated by reference herein, and all other conditions of those resolutions remain in full force  
4 and effect. The twice amended Resolution 2010-048, and Resolution 2011-53 shall be attached  
5 hereto and incorporated by reference into this final resolution approving the site plan application of  
6 Palmer Trinity, with all remaining conditions as provided herein.  
7

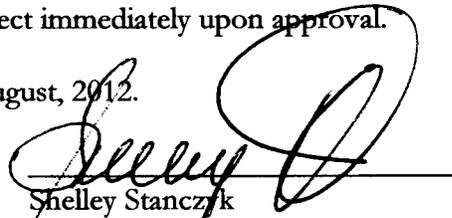
8 **Section 3.** Record. The record shall consist of the notice of hearing, the applications,  
9 documents submitted by the applicant and the applicant's representatives to the Village of Palmetto  
10 Bay Department of Planning and Zoning in connection with the applications, the Village  
11 recommendation and attached cover sheet and documents, the testimony of sworn witnesses and  
12 documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The  
13 record shall be maintained by the Village Clerk.  
14

15 **Section 4.** This resolution shall take effect immediately upon approval.

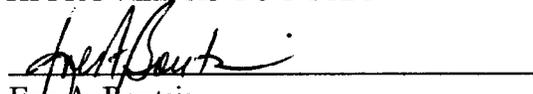
16 PASSED and ADOPTED this 29 day of August, 2012.

17 Attest:

18   
19 Meighan Alexander  
20 Village Clerk

21   
22 Shelley Stanczyk  
23 Mayor

24 APPROVED AS TO FORM:

25   
26 Eye A. Boutsis,  
27 Village Attorney

28 FINAL VOTE AT ADOPTION:

29  
30 Council Member Patrick Fiore YES  
31  
32 Council Member Howard Tendrich YES  
33  
34 Council Member Joan Lindsay YES  
35  
36 Vice-Mayor Brian Pariser YES  
37  
38 Mayor Shelley Stanczyk YES  
39



1 WHEREAS, the modified plan provided for (1) a special exception to expand onto 8001 SW  
2 184<sup>th</sup> 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 176<sup>TH</sup> Street and 8001 SW 184<sup>th</sup> Street, Palmetto Bay,  
29 Florida.  
30

31 In 1999, the Applicant sought a site plan modification for 7900 SW 176<sup>th</sup> 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 submittal<sup>1</sup>. 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

---

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

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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> Street to  
17 E-M.

18  
19 The Town of Cutler Bay is located to the south. The 8001 SW 184<sup>th</sup> Street property adjoins the  
20 northern parcel zoned E-M, also owned by the Applicant that bears the address 7900 SW 176<sup>th</sup>  
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 84<sup>th</sup>  
24 Avenue and SW 83<sup>rd</sup> Court) and north (between SW 173 Terrace and SW 175<sup>th</sup> Street). To the east  
25 of the property is Old Cutler Road. To the south of the property is SW 184<sup>th</sup> 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. 184<sup>th</sup> 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 184<sup>th</sup> 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 176<sup>th</sup> 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.  
43

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 184<sup>th</sup> 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 184<sup>th</sup>~~  
5 ~~Street from 7900 SW 176<sup>th</sup> 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 184<sup>th</sup>  
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 176<sup>th</sup> Street and 8001 SW  
42 184<sup>th</sup> Street] as one parcel, in a form approved by the Village Attorney, consistent with the

1 requirements of the Village's Land Development Code<sup>2</sup>. 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

---

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

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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup>  
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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> Street from SW 82<sup>nd</sup> Avenue to Old Cutler Road.  
15

16 5.10 The existing portable classrooms trailers located along the western edge of  
17 7900 SW 176<sup>th</sup> 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  
34 184<sup>th</sup> 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 15<sup>th</sup> 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 176<sup>th</sup> Street through 8001 SW 184<sup>th</sup> 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 176<sup>th</sup> Street and 8100 SW 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> Street and northern boundaries at SW 176<sup>th</sup> Street shall provide a six foot (6  
24 ft.) wrought iron fence with masonry columns. The eastern and western perimeters of 7900 SW  
25 176<sup>th</sup> 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 176<sup>th</sup> Street and SW 184<sup>th</sup> 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 184<sup>th</sup> Street; and the 50 foot set aside along the east, west, and northern  
11 perimeters of 7900 SW 176<sup>th</sup> 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 176<sup>th</sup> Street and SW 184<sup>th</sup> 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 176<sup>th</sup> 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 176<sup>th</sup> 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 176<sup>th</sup> 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 176<sup>th</sup> 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 176<sup>th</sup> 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 176<sup>th</sup> Street and shall  
2 preclude left-hand turns onto SW 176<sup>th</sup> Street, westbound, from the Applicant’s SW 176<sup>th</sup> 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 176<sup>th</sup> 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 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> 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 184<sup>th</sup> 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 176<sup>th</sup>  
33 Street or 8001 SW 184<sup>th</sup> 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 184<sup>th</sup> 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 176<sup>th</sup> 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 184<sup>th</sup> 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 184<sup>th</sup> Street entrance. This requirement shall be implemented upon  
22 the construction of the SW 184<sup>th</sup> 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            Meighan Alexander  
5            Meighan Alexander  
6            Village Clerk

7            Shelley Stanczyk  
8            Shelley Stanczyk  
9            Mayor

10           APPROVED AS TO FORM:

11           Greg A. Boutsis  
12           Greg A. Boutsis,  
13           Village Attorney

14           FINAL VOTE AT ADOPTION:

15           Council Member Patrick Fiore        YES

16           Council Member Howard Tendrich    YES

17           Council Member Joan Lindsay        YES

18           Vice-Mayor Brian Pariser            YES

19           Mayor Shelley Stanczyk               YES

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RESOLUTION NO 2011-53

ZONING APPLICATION VPB 07-012-B

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

WHEREAS, The Florida 11th Judicial Circuit, Appellate Panel, on February 11, 2011, granted the certiorari petitioner filed by Palmer Trinity Private School. The Panel quashed the two conditions in the Village's May 4, 2010 zoning resolution. The Court found:

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

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

WHEREAS, the Court, on March 3, 2011 issued the mandate commanding the Village to hold "such further proceedings in accordance with the opinion of this Court [per the February 22, 2011 order]"; and,

WHEREAS, on April 12, 2011, Palmer Trinity filed its motion to enforce the Court's mandate, as to the two quashed conditions of the May 4, 2010 resolution; and,

WHEREAS, on May 6, 2011, the Court granted Palmer Trinity's motion to enforce mandate, without opinion; and,

WHEREAS, subsequently, the Village filed a motion for clarification as to the order enforcing mandate, asking for direction as to the Appellate Panel's direction to hold "further proceedings;" and,

1       **WHEREAS**, On June 3, 2011, the Appellate panel responded to the Village's motion for  
2 clarification stating:  
3

4       "[T]he Court finds that the original opinion in this matter issued February 11, 2011 is  
5 clear and unambiguous. The Village of Palmetto Bay shall forthwith commence the  
6 required proceedings to remove the two quashed conditions from the Resolution or  
7 otherwise render those conditions ineffectual and take no further action that would  
8 be inconsistent with the Court's prior Order of May 5, 2011 and this Order."  
9

10 and

11  
12       **WHEREAS**, based upon the foregoing direction of the Appellate Panel solely the two  
13 conditions appealed and quashed are to be reviewed by the Village Council. The Appellate Court  
14 quashed the Village's two conditions: (1) the 30 year development covenant prohibition and (2) the  
15 900 cap on the number of students; and;  
16

17       **WHEREAS**, on July 12, 2011, Applicant filed a "Renewed, Emergency Motion To Enforce  
18 Mandate, or Alternatively, To Enjoin And Prohibit Respondent from Violating the Express  
19 Mandate of the Court;" and,  
20

21       **WHEREAS**, on July 15th, the Village filed its opposition to Applicant's "Emergency"  
22 motion; and;  
23

24       **WHEREAS**, the Appellate Panel, on July 18, 2011, the Appellate Panel denied Applicant's  
25 "Emergency" motion, in its entirety, without opinion; and,  
26

27       **WHEREAS**, the Village properly noticed, and adhered to its procedural requirements for  
28 public hearings, and held the public hearing on July 19, 2011, at Christ Fellowship Church, on the  
29 issued of the remanded special exception application, relating to the two appealed items so that the  
30 Village Council could take action on the amendment of Resolution VPB 2010-48; and,  
31

32       **WHEREAS**, the Village Attorney provided direction to the Council and delineated the  
33 zoning and appellate litigation history of the application; and;  
34

35       **WHEREAS**, the Village's Planning Director presented the staff report that recommended  
36 the Village Council remove the conditions as to the 30 year development covenant and the 900  
37 student enrollment cap; and,  
38

39       **WHEREAS**, counsel for Applicant and counsel for CCOCI, Betty Pegram and Stanley  
40 Kaplan made argument during the hearing of July 19th, 2011; and,  
41

42       **WHEREAS**, the Village Council did not take additional evidence; and  
43

1  
2 WHEREAS, Mr. Price and Mr. Gibbs both agreed to not present additional evidence; and,  
3

4 WHEREAS, Mr. Price specifically, on the record, waived any objection as to the disclosures  
5 made by Ms. Lindsay during the July 19, 2011 hearing; and,  
6

7 WHEREAS, the public hearing was opened and one resident spoke; and,  
8

9 WHEREAS, the Council voted consistent with the Court ruling.  
10

11 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE  
12 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:  
13

14 Section 1. Resolution 2010-48 is hereby attached and incorporated into this Resolution  
15 and is so amended, striking those portions which refer to the thirty year development covenant that  
16 prohibits the applicant from requesting any future site plan modifications and/or special exceptions  
17 for the properties identified as 7900 SW 176 Street and 8100 SW 184 Street, and all language  
18 approving or referencing a student enrollment of 900.  
19

20 Council Person Lindsay made a motion to amend resolution 2010-48 per the 11<sup>th</sup> Judicial Circuit  
21 Court's order, which quashed the conditions imposing a 30-year prohibition on any future  
22 development and establishing a 900 student cap on enrollment, and to delete all references to those  
23 quashed conditions in resolution 2010-48 and take no further action. Seconded by Vice Mayor  
24 Pariser. Motion carried on roll call – 5 to 0.  
25

26 Section 2. This is a final order to amend Resolution 2010-48 only as provided under  
27 Section 1 herein. All other terms and conditions, findings of fact, conclusions of law from  
28 Resolution 2010-48, and all other conditions of that resolution remain in full force and effect.  
29

30 Section 3. Record.

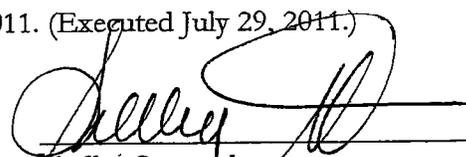
31 The record shall consist of the notice of hearing, the applications, documents submitted by  
32 the applicant and the applicant's representatives to the Village of Palmetto Bay Department of  
33 Planning and Zoning in connection with the applications, the Village recommendation and attached  
34 cover sheet and documents, the testimony of sworn witnesses and documents presented at the  
35 quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by  
36 the Village Clerk.  
37

38 Section 4. This resolution shall take effect immediately upon approval.

39 PASSED and ADOPTED this 19th day of July, 2011. (Executed July 29, 2011.)

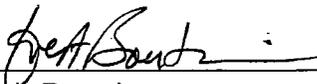
40  
41 Attest:

42   
43 Meighan Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

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APPROVED AS TO FORM:

  
\_\_\_\_\_  
Eve A. Boutsis  
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Patrick Fiore                    YES
- Council Member Howard Tendrich                YES
- Council Member Joan Lindsay                    YES
- Vice-Mayor Brian W. Pariser                    YES
- Mayor Shelley Stanczyk                          YES

1 | RESOLUTION NO. 2010-48 (AMENDED 07/19/2011)

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 176<sup>TH</sup> STREET  
9 | THROUGH 8001 SW 184<sup>TH</sup> STREET; APPROVING WITH CONDITIONS  
10 | THE SPECIAL EXCEPTION REQUEST TO EXPAND THE SCHOOL TO  
11 | INCLUDE AN ADDITIONAL 32.2 ACRES, AND AN ~~ADDITIONAL 300~~  
12 | ~~STUDENTS (REQUEST TO INCREASE ENROLLMENT BY 550~~  
13 | ~~STUDENTS DENIED)~~ AS PROVIDED FOR UNDER 33-151, ET SEQ., OF  
14 | THE COUNTY CODE; AND PURSUANT TO SECTION 33-311 OF THE  
15 | MIAMI-DADE COUNTY CODE FOR A SITE PLAN MODIFICATION ON  
16 | PROPERTY ZONED E-M, LOCATED IN PALMETTO BAY, FLORIDA;  
17 | PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

1  
2 WHEREAS, the modified plan provided for (1) a special exception to expand onto 8001  
3 SW 184<sup>th</sup> Street with an increase in student population of 1150 (reduced from the original 1400  
4 request); and a site plan modification; and,  
5

6 WHEREAS, all variance requests have been withdrawn; and,  
7

8 WHEREAS, the Village Council of the Village of Palmetto Bay conducted a quasi-  
9 judicial hearing on the application at Christ Fellowship Church on May 4, 2010; and,  
10

11 WHEREAS, the Mayor and Village Council find, based upon substantial competent  
12 evidence in the record, that the application pursuant to section 33-151, et seq, and 33-311, of the  
13 Miami-Dade County Code, as adopted by the Village relating to the above requests, and as  
14 amended by Council Action, is consistent with the Village's Comprehensive Plan and the  
15 applicable land development regulations; and,  
16

17  
18 ~~WHEREAS, based on the foregoing finding, the Mayor and Village Council determined~~  
19 ~~to grant the application, as amended (modified/conditioned) by Council Action, and reduced the~~  
20 ~~student population to 900 students, as provided in this resolution.~~  
21

22  
23 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE  
24 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

25 Section 1. A hearing on the present application was held on May 4, 2010 in  
26 accordance with the Village's "Quasi-judicial hearing procedures" Ordinance, found at 2-105, of  
27 the Village's Code of Ordinances. Pursuant to the hearing, the Mayor and Village Council make  
28 the following findings of fact, and conclusions of law.  
29

30 Section 2. Findings of fact.

31 The subject property is located at 7900 SW 176<sup>TH</sup> Street and 8001 SW 184<sup>th</sup> Street, Palmetto  
32 Bay, Florida.  
33

34 In 1999, the Applicant sought a site plan modification for 7900 SW 184<sup>76</sup><sup>th</sup> Street. During that  
35 hearing, a transcript was made. During the May 4, 2010 hearing, Applicant's Counsel asserted  
36 that the 1999 transcript is part of the record for the May 4, 2010 hearing. He advised that  
37 Applicant read the transcript and that there were no commitments made at a public hearing to  
38 limit the school to 600 students. During the May 4, 2010 hearing, the Vice Mayor read from the  
39 1999 transcript as follows:  
40

41 Page 38, line 10 – 1999 hearing Transcript:  
42

1 Mr. O'Donnell (then counsel for Applicant): And our 600 student body is  
2 something that may or may not be achieved, but that is the maximum, depending  
3 on the year and depending on who accepts it and that sort of thing.  
4

5 Page 57, line 14 – 1999 hearing Transcript:  
6

7 Mr. O'Donnell: I really would like to say, our contributions, if you look at the  
8 right-of-way, the hundreds of thousands of dollars that we have spent on the right-  
9 of-way along 176 Street on the landscaping of that road, you have to come to our  
10 campus to understand that we are committed to our mission. And we are not  
11 attempting to achieve any more development than the 600 students, at the  
12 maximum that we have now, on this campus. That is our mission. We have spent  
13 two years developing that mission. We have no intention of altering that mission.  
14  
15

16 In 2006, the applicant filed an application for a special exception for the expansion of a private  
17 school to increase the enrollment from 600 to 1,150 students. The "original" plan from the 2008  
18 hearings was based upon the 2006 application. The 2008 plan proposed 1,400 students on 55  
19 acres (from 22.5 acres). The expansion plan proposed one of two alternatives – either (1) an  
20 expansion of students to include grammar school children - kindergarten through grade 5 and  
21 increase the enrollment of students in grades 6 through 12; or, (2) solely an increase in middle  
22 school and high school students (grades 6-12). The April 19, 2010, plan reflected removal of the  
23 daycare and preschool components. In either proposal, the total number of students has been  
24 voluntarily reduced by the Applicant from 1,400, which had been presented in the 2008  
25 application, to a total of 1,150 students.  
26

27 Additionally, the Applicant sought a site plan modification. The Applicant submitted a master  
28 plan, which has been revised since its original submittal<sup>1</sup>. The final site plan reviewed by  
29 Council was dated April 19, 2010, and provided for the future use of the entire 55 acre site as a  
30 private school and includes its long-range plan for the school's expansion. Accordingly, the  
31 Applicant requested a modification of a previously approved site plan, via resolution C-ZAB-  
32 132-99, to reflect their vision for the school.  
33

34 The 2008 application contained a request for a non-use variance of parking requirements to  
35 permit parking on natural terrain, where not permitted. This request was eliminated and  
36 withdrawn from the modified site plan dated April 19, 2010.  
37

38 The original 2008 application contained variance requests for height and number of stories to  
39 allow a maximum height of 50'-7" for certain proposed new buildings to include a chapel, a  
40 performing arts center, a library/media center/administration building and a gymnasium where  
41 35 ft. is permitted, as well as to allow three (3) stories where two (2) is permitted for the

---

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

1 library/media center/administration multi-purpose building. These requests were eliminated and  
2 withdrawn from the April 19, 2010 plan.  
3

4 The 2008 plan included a steeple up to 70 feet in height. No variance was required for the  
5 steeple, as it would have been permitted as of right. The Applicant voluntarily withdrew its  
6 request for a steeple/church tower.  
7

8 The initial hearings were held on February 25, 2008, and April 14, 2008, at which time the  
9 Applicant's rezoning request was denied, and the remainder of their requests were not ruled  
10 upon. The Circuit Court, upon the first tiered appeal via a petition for certiorari ruled, without  
11 opinion, that the Village's actions were proper. Thereafter, the district boundary change,  
12 rezoning item was ruled upon, during a second tiered appeal, by the Third District Court of  
13 Appeal on March 24, 2010, finding reversible error. Based upon the foregoing ruling, the district  
14 boundary request was heard and ruled upon separately by the Mayor and Village Council on  
15 April 29, 2010 and May 4, 2010. Ordinance 2010-09 was adopted, rezoning the property known  
16 as 8001 SW 184<sup>th</sup> Street from AG and E-2 to E-M.  
17

18 The Applicant's property is comprised of a 55-acre parcel of land, that was previously zoned  
19 under three (3) different zoning classifications (AG, E-2, and E-M), and is surrounded by the  
20 Estate-Modified Single-Family zoning district. Prior to hearing the application for special  
21 exception and site plan modification, the Applicant requested that the 32.22 acres property  
22 bearing address 8001 SW 184<sup>th</sup> Street be rezoned from AG and E-2 to E-M. On May 4, 2010,  
23 prior to ruling on the Applicant's requests under PH-VPB 07-012-B, the Village Council rezoned  
24 8001 SW 184<sup>th</sup> Street to E-M.  
25

26 The Town of Cutler Bay is located to the south. The 8001 SW 184<sup>th</sup> Street property adjoins the  
27 northern parcel zoned E-M, also owned by the Applicant that bears the address 7900 SW 176<sup>th</sup>  
28 Street. Except for the Applicant's private school to the north, and Bill Sadowski Park bordering  
29 the northeastern portion of the Applicant's property, the surrounding neighborhood is  
30 characterized predominantly by detached single-family homes. Canals are located to the west  
31 (between SW 84<sup>th</sup> Avenue and SW 83<sup>rd</sup> Court) and north (between SW 173 Terrace and SW  
32 175<sup>th</sup> Street). To the east of the property is Old Cutler Road. To the south of the property is SW  
33 184<sup>th</sup> Street (Eureka Drive). The canals and roadways serve as immediate natural borders for the  
34 residential neighborhood surrounding the Applicant's subject property and school. The lots  
35 immediately to the east and west along the southern edge of the subject property on S.W. 184<sup>th</sup>  
36 Street are zoned E-1, Single-Family and are comprised of single-family homes. To the east and  
37 along Old Cutler Road there is a church, a pre-school and kindergarten, Village Library, VMU  
38 (Village Mixed-Use) District, and both E-1 and E-M Zoning Districts.  
39

40 Planning and Zoning staff found the scale, utilization, location of buildings, height of buildings,  
41 landscaping, open space, and buffering, are acceptable. Staff recommended conditions as to  
42 certain elements, including as it relates to compatibility, access, parking circulation/layout, and  
43 visibility/visual layout. Signage is governed under the County Code, Section 33-100.  
44

1 DERM had no objections, subject to conditions stated in their report. Miami-Dade Public Works  
2 Department raised issues and stated their objections in their report and those objections have  
3 been addressed by Applicant. The Village's Traffic Consultant, The Corradino Group, has  
4 issued recommendations that are incorporated by reference by staff as conditions to approval of  
5 the application. The Miami-Dade County Parks & Recreation department issued objections  
6 relating to the Bill Sadowski Park and those comments are incorporated by reference. Fire  
7 Rescue's report is also incorporated by reference. The Miami-Dade Police Department (Village  
8 Policing Unit) has no objections.  
9

10 In 2008, the site was found to have code violations and corrective action was undertaken by  
11 Applicant. The sole item remaining to come into compliance is the removal of the two (2)  
12 portable classrooms that were to be removed according to the year 2000 substantial compliance  
13 review. The portables were not removed. In 2008-9, Applicant sought a second substantial  
14 compliance review, which proposed a timetable for bringing the portables into compliance by  
15 constructing one of the structures from the 1999 plan and then eliminating the portables.  
16 Thereafter, Applicant sought a construction permit in 2009 to begin construction on the 1999  
17 approved structure. However, the permit was not processed due to the Village's one (1) year  
18 construction moratorium implemented in order to enact the Village's Land Development Code.  
19

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

22 The Planning and Zoning Staff Analysis Report is incorporated by reference herein, as part of the  
23 factual record for the Village Council's decision as Exhibit A to this resolution.  
24  
25

26 The Council heard testimony from Mr. Julian Perez, the Village's Planning & Zoning Director;  
27 Mr. Joe Corradino, of Corradino Consulting Group, the Village's traffic consultant; Mark  
28 Alvarez, a planner representing a citizens group, Concerned Citizens of Old Cutler Inc.  
29 (CCOCI); Jack Luft, a planner representing applicant; Mr. Timothy Plummer, of David Plummer  
30 & Associates, Inc. a Traffic Engineer/Consultant for Applicant; and, Mr. Don Washburn, of  
31 Audio Bug, Inc., an audio expert for Applicant.  
32

33 Prior to Council deliberation and action Counsel for Applicant advised that it accepted all  
34 conditions of staff minus: 4.3, 4.4, 4.14, and 7.3. As to conditions 4.1 and 4.4 Counsel agreed to  
35 no increase in student population above 1150 for 30 years but requested the right to increase  
36 structures, lot coverage or intensity of uses. Applicant's counsel agreed to Phase 1 construction  
37 to include improvements to SW 184<sup>th</sup> Street. Mr. Price argued that the berm requirement and  
38 contiguous use of the walking and maintenance paths, found at condition 7.3 was inconsistent  
39 with the landscape plans proposed and inappropriate. He also requested that condition 8.9 of  
40 staff's recommendations relating to the use of the SW 176<sup>th</sup> Street entrance be modified so that  
41 the entrance could remain open after proposed hours for four events per school year.  
42

43 The Council held a public hearing and many residents and community members spoke both in  
44 favor and in opposition to the application. The Council heard testimony relating to traffic, noise,  
45 number of students, field usage and affects of that usage, environmental concerns, and other

1 topics. The Council incorporates by reference the minutes, audio tape, and transcript (if  
2 transcribed) into its findings of fact.  
3

4 Section 3. Conclusions of law.

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

7  
8 2. ———The standard of review for a special exception is found at 33-151, et seq., of the  
9 Miami-Dade County Code. The Applicant's request for a special exception to expand onto 8001  
10 SW 184<sup>th</sup> Street and to increase the number of students from 600 to 1150 is not in compliance  
11 with the applicable standards. However, the Applicant's request for a special exception to  
12 expand onto 8001 SW 184<sup>th</sup> Street from 7900 SW 176<sup>th</sup> Street, and to increase the number of  
13 students from 600 to 900 is in compliance with the applicable standards. The Village Council  
14 found the appropriate number of students for expansion to be 900, and provided The conditions  
15 delineated below to also be implemented.  
16

17  
18 3. The standard of review for a site plan modification is found at section 33-311(A)(7), of  
19 the Miami-Dade County Code. The Applicant's request for site plan modification is in  
20 compliance with the applicable standards, as amended below.

21 Section 4. Order.

22  
23  
24 A. The Council, pursuant to Section 33-311(A)(7), and 33-151, et seq., of the Miami-  
25 Dade County Code as applied by the Village, approves with conditions and modifications the  
26 Applicant's requests for a special exception and site plan modification for school use and ;  
27 expansion, and number of students as to the plans entitled Palmer Trinity Private School Campus  
28 Master Plan as prepared by Duany Plater-Zyberk & Co., consisting of 36 sheets, dated stamped  
29 received November 1, 2007, as revised by the plans entitled Palmer Trinity Private School  
30 Campus Master Plan as prepared by Duany Plater-Zyberk & Co., consisting of 48 sheets, dated  
31 stamped received April 19, 2010. The April 19, 2010 plans are incorporated by reference as  
32 Exhibit B to this resolution [formerly Exhibit 1 to the 5-4-2010 hearing item PH -VPB- 07-  
33 012B].  
34

35 B. The Village Council conditions/modifies the site approval/special exception as  
36 follows:  
37

38 1. All variance requests from the 2008 plans are specifically recognized as  
39 withdrawn. This includes all height, story and natural terrain parking variances. The 2008 plan  
40 included a steeple up to 70 feet in height. No variance was needed for the steeple; it would have  
41 been permitted, as of right. The Applicant has voluntarily withdrawn its request for a  
42 steeple/church tower and said request is considered withdrawn.  
43

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

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

6  
7           4.     Preliminary Conditions:

8  
9           4.1    The Applicant shall execute a unity of title document to be recorded in the public  
10 records of Miami-Dade County, which unity of title shall covenant (or provide a covenant in lieu  
11 of unity of title) the property holder(s) to join the parcels together [7900 SW 176<sup>th</sup> Street and  
12 8001 SW 184<sup>th</sup> Street] as one parcel, in a form approved by the Village Attorney, consistent with  
13 the requirements of the Village's Land Development Code<sup>2</sup>. The covenant shall be in final form  
14 for recording within 45 days of final approval. No permits shall issue until the covenant/unity of  
15 title is recorded.

16  
17           4.2    The Applicant shall record an acceptable and approved restrictive covenant  
18 running with the land for specific conditions, which covenant shall exist for 30 years, and  
19 automatically renew for 10 year periods, thereafter.

20  
21           4.3    Any substantial modification [pursuant to 30-30.3(c) of the Village's Code of  
22 Ordinances] or abandonment of the attached site plan shall require public hearing. The term  
23 "substantial modification" for the purposes of this approval shall mean a modification or  
24 substitute site plan of equal or lesser intensity, including floor area ratio, lot coverage, square  
25 footage, and height; and provide equal or greater setbacks, buffering, landscaping, and amenities.  
26 In no way shall student enrollment be expanded due to a substantial modification review.

27  
28           4.4    ~~Reserved. Cap of Intensity of Uses and Student Population. Applicant shall limit  
29 future development and agrees that it shall not seek any further development approvals to  
30 increase the intensity of uses, to increase lot coverage, square footage, heights of structures, or  
31 exceed 900 students for 30 years following the recording of this covenant. Specifically, no  
32 buildings shall exceed two (2) stories or a roof elevation of 35 feet in height measured from  
33 finished floor.~~

34  
35           4.5    Student Enrollment Defined and Reporting. ~~Applicant shall not exceed 900~~  
36 ~~students in enrollment.~~ Applicant agrees to submit an executed affidavit from the Headmaster  
37 of the School each year to the Village Manager, within 30 days of the first day of the applicable  
38 school year, identifying the number of students enrolled for the academic school year and  
39 attesting the number of students enrolled in the school. This information shall be provided to the  
40 Village, annually, for as long as a school is located on the site. Applicant agrees and  
41 acknowledges that the "maximum number of students" shall mean the actual number of students

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

1 enrolled at the school as reported to the State of Florida and the Florida Council of Independent  
2 Schools and shall not be the daily average attendance, nor exclude any students that may be  
3 traveling/studying abroad. The Applicant shall provide a copy of the FCIS to the Village once it  
4 becomes available. The maximum number of students shall include all student transfers during  
5 the school year. Any increase in students enrolled at the school after the initial annual  
6 enrollment is disclosed shall be reported to the Village within five (5) business days of the event.  
7

8 4.6 Should Applicant violate section 4.5 relating to the number of students enrolled  
9 ~~by exceeding 900,~~ and should Applicant fail to cure the excess enrollment within 30 days of  
10 written notice, such an act shall constitute a false statement or misrepresentation of fact that  
11 would permit the Village to revoke the most recent building permit or certificate of occupancy  
12 issued by the Village.  
13

14 4.7 ~~Reserved. Student expansion shall comply with the timetable provided, attached hereto~~  
15 ~~as Exhibit "C" [formerly Exhibit 7 to the 5-4-2010 hearing item PH - VPB-07-012E] to this~~  
16 ~~resolution, but modify the timetable to reflect the number of students approved herein at Section~~  
17 ~~4.4.~~

18 ~~Instead of having the increase of 300 students by year eight of the Exhibit "C", there~~  
19 ~~would be an increase of 300 students by the earliest of year 15 under Exhibit "C."~~  
20

21 4.9 Community Relations Committee. The Applicant shall create a Community  
22 Relations Committee that will be charged with the responsibility of facilitating future discussions  
23 with neighbors (properties within 2500 foot radius) in an effort to avoid or resolve potential  
24 disputes between the Applicant, the neighbors, and the Village. The Applicant agrees to  
25 cooperate and act in good faith with the Community Relations Committee. The Committee shall  
26 be a voluntary group, with three (3) representatives from the Applicant, and three (3)  
27 representatives from the neighborhood, as selected by the Village Council, and a representative  
28 from the Village Manager's Office. The group shall meet as needed, but not less than twice a  
29 year (once every six (6) months). The Village shall be provided with prior written notice of all  
30 such meetings, if possible at least two weeks in advance of any such meeting(s). The actions of  
31 the group shall not be binding. Rather, the group meetings are intended to be a mechanism for  
32 communication, discussion, and resolution of any items.  
33

34 4.10 The Applicant agrees and affirms that there will be no objection now or in the  
35 future to controlled burns conducted by Miami-Dade County at Bill Sadowski Park for the park's  
36 management. The Village will attempt to coordinate with Miami-Dade County to provide the  
37 Applicant with prior notice of controlled burns. The Applicant further agrees not to interfere,  
38 due to lighting issues, with night program schedules for Bill Sadowski Park.  
39

40 4.11 The Applicant shall comply with all applicable State, County, and Village Codes  
41 and Ordinances, including but not limited to the Village's Art in Public Places Ordinance.  
42

43 4.12 Unpermitted and unconstructed portions of prior development approvals (1999  
44 plans, 2000 and 2010 substantial compliance reviews) shall be considered withdrawn and  
45 abandoned. The Applicant shall comply with condition 5.10 relating to the portables.

1  
2 4.13 An official inspector of the Village, or its agents duly authorized, have the  
3 privilege, at any time during normal working hours, of entering and inspecting the use of the  
4 premises to determine whether or not the requirements of the building and zoning regulations  
5 and the conditions contained herein are being complied with. Village Code Compliance shall  
6 conduct bi-annual inspections, with Applicant, for compliance with the terms and conditions of  
7 this zoning resolution.  
8

9 4.14 Applicant shall comply with the Land Development Regulations for maintaining  
10 the sanitary sewer concurrency levels, during construction and throughout operations.  
11

12 4.15 In compliance with the requirements of Section 33-151.51, of the County Code,  
13 the Applicant shall record a covenant running with the land that ensures compliance with the  
14 minimum footage requirements, calculations and conditions upon which the additional square  
15 footage has been permitted.  
16

17 5. Pre Construction – Construction – Build Out Conditions:  
18

19 5.1 All components of the approved site plan shall be completed according to the  
20 schedule attached hereto, which provides that the approved construction shall not be completed  
21 earlier than 15 years and no later than 25 years from the date of zoning approval. The  
22 Preliminary Construction Schedule for Phase 1 is enclosed as Exhibit D [formerly Exhibit 6 to  
23 the 5-4-2010 hearing item PH -VPB- 07-012B] to this resolution. This recommendation is  
24 consistent with the newly adopted Land Development Code, Section 30-30.2(d)(16) and (k),  
25 relating to requiring a construction plan and timetable.  
26

27 ~~5.2 Staggering of Student population. The increase in student population to 900~~  
28 ~~shall occur incrementally over the entire term of the project.~~  
29

30 ~~5.3.2 Reserved.~~  
31

32 ~~5.4.5.3 Construction Staging:~~  
33

34 ~~5.4.5.3.1~~ The Applicant shall annually submit a construction staging plan for review  
35 and approval prior to commencement of construction. Phase 1 is enclosed as Exhibit D.  
36 Council approved additional conditions for Phase 1, which are found below.

37 ~~5.4.5.3.2~~ Construction staging shall take place as preapproved by the Village's  
38 Planning & Zoning and Building Directors, on the property known as 8001 SW 184<sup>th</sup>  
39 Street, where possible, toward the center of the property, away from the proposed 75 foot  
40 buffers.  
41

42 ~~5.4.5.3.3~~ Construction trailers for staging area are permitted under the Village's  
43 Code.  
44

45 ~~5.4.5.3.4~~ The staging area may be cleared during Phase 1 of the construction plan.

1  
2 | 5-4.55.3.5 Construction shall comply with the noise controls provided in the  
3 Village's Code of Ordinances, section 30-60.29.  
4

5 | 5-4.65.3.6 The driveway area may also be cleared during Phase 1.  
6

7 | 5-4.75.3.7 Access points by construction vehicles shall be identified as part of the  
8 Construction Plan for Village approval. No construction vehicle shall access through the  
9 neighborhood. Unless necessary for a specific item, no construction vehicles shall access  
10 through SW 176th Street. All other construction vehicles must use the SW 184<sup>th</sup> Street  
11 once that entrance is constructed under the Phase 1 Construction Plan.  
12

13 | 5-55.4 Permitting and Property Clearance. The Applicant shall not remove any trees  
14 outside the 75 ft. buffer, unless a building permit and/or tree removal permit, if required, has  
15 been secured for the construction of the work being requested. At no time shall the entire 8001  
16 SW 184<sup>th</sup> Street site be cleared all at once.  
17

18 | 5-65.5 Construction Air Quality Management Plan. The Applicant shall provide a  
19 Construction Air Quality Management Plan on the construction drawings that, at a minimum,  
20 includes protecting ducts during construction and changing the filters and vacuuming ducts prior  
21 to occupancy. The submitted plans must note compliance with this provision.  
22

23 | 5-75.6 MOT Plan. A construction and Maintenance of Traffic (MOT) Plan shall be  
24 provided to the Building and Public Works Departments for approval.  
25

26 | 5-85.7 The Applicant shall comply with the Village's demolition and construction  
27 fencing ordinance.  
28

29 | 5-95.8 The entrance and roadway onto 8001 SW 184<sup>th</sup> Street may be constructed prior to  
30 any other improvements. However, the required perimeter walls (eastern and western property  
31 lines) and 75 ft. buffers, to be located at 8001 SW 184<sup>th</sup> Street, with required landscaping shall  
32 be installed and/or constructed prior to the commencement of construction of any additional  
33 structures or improvements. The wall shall be constructed, and then the buffer shall be installed,  
34 no later than two (2) years of receiving the final zoning approval. One extension of time, not to  
35 exceed six (6) months, may be granted by the Planning & Zoning Director, upon a showing of  
36 good cause. "Good cause" would include timely request for permits, submitting for inspections  
37 and reviews, diligent efforts to adhere to the construction schedule, and force majeure type  
38 events (weather delays or civil unrest).  
39

40 | 5-105.9 The Applicant shall work with the Village and County to install "Do not  
41 Block Intersection" signs along SW 184<sup>th</sup> Street from SW 82<sup>nd</sup> Avenue to Old Cutler Road.  
42

43 | 5-115.10 The existing portable classrooms trailers located along the western edge of  
44 7900 SW 176<sup>th</sup> Street shall be eliminated as soon as replacement facilities are constructed, and  
45 within 18 months after final zoning approval. One extension of time, not to exceed six (6)

1 months, may be granted by the Planning & Zoning Director, upon a showing of good cause.  
2 "Good cause" would include timely request for permits, submitting for inspections and reviews,  
3 diligent efforts to adhere to the construction schedule, and force majeure type events (weather  
4 delays or civil unrest).  
5

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

16 5.12 During Phase 1 of construction and within two (2) years of approval, the  
17 Applicant shall install the recommended turning lane contained in condition 8.11(a) ["Old Cutler  
18 road/SW 184<sup>th</sup> Street – Add a southbound right turn lane; signal phasing adjustments"].  
19

20 6. Athletic Fields and Amenities:  
21

22 6.1 The Applicant shall not use the athletic fields for commercial purposes such as  
23 renting, leasing, or allowing third-parties unaffiliated with the operation of the school (no third-  
24 party organizations or groups) to use the recreational facilities. Applicant shall annually provide  
25 proof of existing division-type play, tournaments, organized sports and uses of its facilities to the  
26 Village. Prior to the beginning of each season, for each sport, the Applicant shall provide the  
27 Village with a list of proposed events – tournaments and league play.  
28

29 6.2 The Applicant shall submit a proposed list of school special events planned for  
30 each school year to the Village Manager not later than August 15<sup>th</sup> of the applicable school year  
31 for Village administrative review. Any other/additional special event shall require advanced  
32 notice for review as a special event under the Village's procedures. A police officer, or  
33 equivalent, shall be required to be present at all special events held at the school, if required by  
34 the Village's Code, after review as a special event permit.  
35

36 6.3 Solely one (1) athletic tournament, jamboree, or division-type play (where  
37 numbers of spectators and opposing team(s) are invited to play on site) shall take place at one  
38 time on the property (7900 SW 176<sup>th</sup> Street through 8001 SW 184<sup>th</sup> Street). To be clear, this  
39 condition relates to holding one event. Not several events, different sports, at same time. Any  
40 athletic tournaments, etc., may take place after normal school operating hours (after 3:00 p.m.)  
41 and weekends from 10:00 a.m. and 3:00 p.m.  
42

43 6.4 No bleachers shall be located adjacent to the eastern and western buffers of 7900  
44 SW 176<sup>th</sup> Street and 8100 SW 184<sup>th</sup> Street. Adjacent shall mean not within 20 feet of the  
45 buffers.

1  
2 6.5 The Applicant shall provide fencing for the tennis center.  
3

4 6.6 The Applicant shall not install lighting for outdoor uses other than the parking  
5 areas, and any emergency lighting requirements of the Code. The interior of the pool may  
6 contain lights. Lighting of the athletic fields is prohibited.  
7

8 6.7 The pool shall be enclosed with a fence and hedge with a minimum height of six  
9 feet (6 ft.) and comply with the safety barrier requirements of 33-151.11 through .22 of the Code.  
10 Any interior chain link fencing shall be poly-coated vinyl and black or green in color. The pool  
11 shall not be constructed during Phase 1 and is not to be constructed for at least five (5) years  
12 after final zoning approval.  
13

14 6.8 The Applicant shall comply with conditions 4.10 and 10.4 relating to lighting and  
15 Bill Sadowski Park.  
16

17 7. Landscaping:  
18

19 7.1 The Applicant shall meet all the minimum requirements of Division 30-100 of the  
20 Village's Code of Ordinances, Chapter 24 of the Miami-Dade County Code and specifically  
21 comply with all conditions imposed by Miami-Dade County DERM.

22 7.2 The Applicant shall covenant that no improvements, other than as provided for in  
23 recommendation 7.3, shall be permitted within the confines of the buffer area (i.e. no roads,  
24 parking, storage sheds, recreational, sports, or any other use that may negatively impact the  
25 buffer).  
26

27 7.3 The buffer shall be landscaped in accordance with the Applicant's revised  
28 landscape plan received by the Village on April 19, 2010. In addition, the Applicant shall  
29 construct a three and a half foot (3.5 ft.) berm on the interior, internal to the site, adjacent to the  
30 six foot (6 ft.) CBS wall to be constructed along the eastern and western perimeter of 8001 SW  
31 184<sup>th</sup> Street. The berm shall be approved by the Planning & Zoning staff as part of the landscape  
32 plan review. The landscape buffer, as indicated on Sheet 39, shall be installed along the entire  
33 eastern and western perimeter throughout the 75 foot buffer for the area known as 8001 SW  
34 184<sup>th</sup> Street. The berm shall be incorporated into the buffer design, found at Sheet 39  
35 (maintenance path shall be reduced in width as provided in these conditions). The layout found  
36 at Sheet 39 shall not be limited to solely the parking area adjacent to the buffer, but rather  
37 throughout the buffer fringe – creating a solid hedge along the interior edge of the buffer.  
38  
39

40 7.4 The eastern and western buffers along 8001 SW 184<sup>th</sup> Street may contain a  
41 meandering pedestrian path, within the innermost/interior 25 feet of the 75 foot buffer. The  
42 Applicant shall limit the meandering walking path to a maximum width of six feet (6 ft.). The  
43 pedestrian path shall solely be used for pedestrian/walking/running purposes.  
44

1 7.5 Where practicable, the maintenance path and the meandering walking path shall  
2 be the same path, along the eastern and western buffers for 8001 SW 184th Street. Final  
3 determination/approval of "where practicable" shall be made by the Village's Planning & Zoning  
4 Director. Otherwise, the maintenance path shall be limited to a maximum width of eight feet (8  
5 ft.) and should be used solely for maintenance purposes. The Maintenance portion of the "joint-  
6 path" shall not be paved [the increase to eight (8) feet – a two-foot non-paved area surrounding  
7 the six foot (6 ft.) pedestrian path]. All other buffers shall solely contain an unpaved, up to eight  
8 (8) foot maintenance path.  
9

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

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

22 7.8 The Applicant shall preserve existing trees (including native trees) during the  
23 development of the project, wherever possible. If the trees must be removed, the Applicant shall  
24 be required to mitigate the impact in accordance with Village and DERM requirements. If the  
25 relocated trees do not survive, the Applicant shall be required to replace the trees in compliance  
26 with DERM and Village requirements.  
27

28 7.9 The Applicant shall install additional oaks and planting materials on the northwest  
29 perimeter of buildings no. 16 and 18 in order to provide additional screening to the adjacent  
30 neighborhood located on the western boundary of the property. The Applicant is to provide two  
31 (2) native trees and a cluster of palms.  
32

33 7.10 The pool area shall be landscaped as provided under section 6.7, above.  
34

35 7.11 The Applicant shall prohibit parking by faculty, visitors, and students on the  
36 rights-of-way bordering the school by planting and maintaining landscaping along the rights-of-  
37 way in accordance with Village requirements. The Applicant shall work with the Village and  
38 County to install "No Parking" signs for the right-of-way along SW 176<sup>th</sup> Street and SW 184<sup>th</sup>  
39 Street.  
40

41 7.12 Applicant shall maintain the areas identified herein as "buffer" and shall be  
42 required to perpetually maintain the landscaping within the buffer with the identified native  
43 species and other plantings provided in the landscape plan. At no point shall structures be  
44 constructed within the buffer area. The buffer shall consist of the 75 foot set aside along the east,

1 west and southern perimeters of 8001 SW 184<sup>th</sup> Street; and the 50 foot set aside along the east,  
2 west, and northern perimeters of 7900 SW 176<sup>th</sup> Street.  
3

4 7.13 Applicant shall provide annual update, plan, as to the maintenance for the buffer  
5 areas.  
6

7 7.14 Buildings 16 and 18 shall require Live Oak trees, or comparable trees, every 20  
8 feet on center for the length of the structures. Each tree shall have an overall height of 16 feet.  
9 For Building 16 the trees shall be planted along the west façade and for Building 18 along the  
10 east façade.  
11

12 8. Traffic:  
13

14 8.1 The Applicant shall be responsible for compliance with the Land Development  
15 Regulations relating to traffic concurrency requirements.  
16

17 8.2 The Applicant shall hire one (1) police officer, or equivalent, during regular  
18 session, (per entrance) to control traffic during peak morning and afternoon school hours for  
19 each entrance to the school (SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street). The school shall also utilize a  
20 police officer for special events, as is required under condition 6.2.  
21

22 8.3 The Applicant shall install traffic calming devices along the internal circulation  
23 driveways and roadways in compliance with the Site Plan and Traffic Study prepared by David  
24 Plummer & Associates, Applicant's traffic expert.  
25

26 8.4 The Applicant shall control the entry points to the school by directing student,  
27 teacher, and staff vehicles to enter and exit the school from SW 184 Street driveway. The  
28 entrance to SW 176<sup>th</sup> Street shall solely serve as the drop-off and pick-up location for students.  
29 This process will be implemented through a decal program. The different color decals will be  
30 distributed and assigned to a specific driveway. The security gatehouse at each driveway will  
31 monitor for proper use of the decal. Violators shall be contacted by the school master and  
32 security to ensure proper enforcement.  
33

34 8.5 The Applicant shall fund a series of peak hour intersection turning movement  
35 counts, and 72 hour link counts to be taken by the Village along SW 176 Street and at the school  
36 driveway entrance on that street. These are to occur on a random basis once each semester of  
37 school operations in perpetuity at the discretion of the Village.  
38

39 8.6 If either the 1370 trip daily volume or 960 combined trip volume peak thresholds  
40 are violated, the Applicant will be notified in writing and be required to enact measures to bring  
41 the traffic volumes into compliance. To do so, the Village will require the school to propose at  
42 least three (3) mitigative measures that would be enacted should the situation arise. Some of the  
43 mitigation measures that could be considered are color coded decal system (see condition 8.4);  
44 limiting access to/from SW 176<sup>th</sup> Street to the east only; license plate numbers entrance  
45 assignment; lottery assignment; controls/prohibitions/signing; and, closing internal roads so

1 driveway entered must be exited. If the corrective action is not implemented within three (3)  
2 weeks of the school being noticed of the violation, the Village will require the entrance be closed  
3 until corrective action is implemented by the school. The Village will then verify that the actions  
4 to correct the violation are working through additional Village traffic counts paid for by the  
5 School.

6  
7 8.7 The Applicant shall keep the entrance to SW 176<sup>th</sup> Street closed to vehicular  
8 traffic on weekends, holidays and all days when school is not in regular session.

9  
10 8.8 The SW 176<sup>th</sup> Street entrance shall not be used for the delivery of goods or  
11 services to the school or by commercial vehicles. All buses and vans used to transport students  
12 to and from the property shall use SW 184 Street as ingress and egress.

13  
14 8.9 The SW 176<sup>th</sup> Street entrance shall be closed at 7:00 p.m. everyday.

15  
16 8.10 The Applicant shall develop an alternative transit mode feasibility program within  
17 three (3) years after receiving the zoning approval. The program should provide incentives for  
18 the student to use alternative mode of transportation such as carpool, public transportation or  
19 private mass transit to get to and from school.

20  
21 8.11 The Applicant shall be responsible for implementing the following mitigation  
22 initiatives, as delineated in the David Plummer & Associates Report (Applicant's traffic expert),  
23 dated April 22, 2010:

- 24  
25 (a) Old Cutler Road/ SW 184 Street – Add a southbound right turn lane; signal  
26 phasing adjustments.  
27 (b) SW 184 Street at the project driveway – Construct an eastbound left turn lane.  
28 (c) SW 184 Street at the project driveway – Construct a westbound right turn lane.  
29 (d) Provide one off-duty police officer at each driveway during morning drop-off and  
30 afternoon pick-up periods to monitor/control traffic.

31  
32 8.12 Applicant shall be responsible for all expenses relating to traffic control, police  
33 involvement, and police participation in traffic movements (the traffic plan). The traffic plan  
34 relating to the daily school use and/or for any special events at the school for the roadways shall  
35 be subject to approval of Village Police Department and Village Police Officers are to be hired  
36 by and paid for by Applicant to manage traffic at entrance(s) to school and off-site locations  
37 affected by traffic conditions.

38  
39 8.13 Applicant shall install a "No Left Turn" sign at the exit to SW 176<sup>th</sup> Street and  
40 shall preclude left-hand turns onto SW 176<sup>th</sup> Street, westbound, from the Applicant's SW 176<sup>th</sup>  
41 entrance. This condition shall be required, at a minimum, during peak hours.

42  
43 8.14 If vehicle stacking/queuing spills-over onto SW 176<sup>th</sup> Street, the applicant shall be  
44 required to provide additional on-site stacking to accommodate the spill-over. This would  
45 require a modification of the circulation plan, which shall be reviewed by the appropriate Village

1 Departments for Compliance. The Applicant shall not be required to obtain Council approval to  
2 make the necessary stacking related, circulation modifications to the interior of the property.  
3

4 8.15 Applicant shall comply with the "safe routes to school" requirements of 1006.23,  
5 Florida Statutes.  
6

7 8.16 Applicant shall install public sidewalks within the Rights-of Way fronting  
8 Applicant's properties - 7900 SW 176<sup>th</sup> Street and 8001 SW 184<sup>th</sup> Street, after receiving  
9 approval from the appropriate governmental agencies (County and Village).  
10

11 8.17 The Village shall bi-annually (every six (6) months) test to ensure that there is a  
12 limitation of neighborhood cut-through traffic. The Village shall analyze the traffic data and  
13 determine corrective measures to limit such cut-through traffic. Based upon the testing, the  
14 Village shall implement such corrective measures needed to enforce the Village's goal (for  
15 example, installing no turn signs at certain hours, etc.). This is an obligation of the Village.  
16

17 8.18 As part of Phase I, per exhibit D, the Applicant shall complete the turning lanes at  
18 the new SW 184<sup>th</sup> Street entrance.  
19

20 9. Parking Related Conditions  
21

22 9.1 Comply with condition 7.11 relating to precluding right-of-way (ROW) parking.  
23 Cross-reference with section 7.39, above.  
24

25 9.2 No parking of vehicles in any of the interior buffers to the property (7900 SW  
26 176<sup>th</sup> Street or 8001 SW 184<sup>th</sup> Street).  
27

28 9.3 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 28-  
30 6(b)(1), of the Village's Code of Ordinances.  
31

32 9.4 No loud radios shall be allowed within the parking areas of the entire site.  
33

34 9.5 Lighting shall be consistent with conditions 10.2 and 10.3, below.  
35

36 9.6 That the Applicant shall maintain a sign prohibiting bus traffic, bus parking,  
37 student, faculty or visitor parking along the swales/entrances to the Applicant's property.  
38

39 9.7 Proposed installation of 48 sable palms to be planted in the northwestern corner of  
40 8001 SW 184<sup>th</sup> Street shall be replaced with Live Oak Trees, or other trees acceptable to the  
41 Village, as the Oaks shall reduce the "heat island effect," shall enhance the buffering of the site,  
42 and increase the tree canopy for the site. The landscaping for the parking lot shall be reviewed at  
43 permitting by the Planning and Zoning Department as to the number and type of trees.  
44

1 9.8 A continuous hedge shall be incorporated around all parking areas and shall meet  
2 all requirements of Chapter 18A, subsections (I) and (J), of the Miami-Dade County Code.

3  
4 9.9 Applicant is not to create any additional, unimproved, temporary or permanent  
5 parking areas on the property.

6  
7 10. Lighting & Energy:

8  
9 10.1 The Applicant shall not install lighting for outdoor use other than for parking  
10 and/or Code required emergency lighting. The interior of the pool, below the water surface, may  
11 contain lights.

12  
13 10.2 Applicant shall install and maintain parking area light fixtures which project the  
14 light rays directly to the parking surface, and shall include shields which restrict projection of  
15 light rays outward to adjacent properties and also restrict the upward projection of light rays into  
16 the night sky. Outdoor parking lot area light fixtures shall not cast more than 1/2 ft. candle at the  
17 property line.

18  
19 10.3 The parking lot lights and all other outdoor lighting (whether for security,  
20 roadway or parking) should have a maximum overall height of 15 feet.

21  
22 10.4 The Applicant shall not interfere with night programming at Bill Sadowski Park  
23 and no athletic field lighting shall be permitted so as preclude adverse effects to the night  
24 programming at the Park and residential community.

25  
26 10.5 The Applicant shall be required to comply with the conditions of Section 28-6, of  
27 the Village's Code of Ordinances relating to the "Minimum Green Standards" (relating to LED  
28 lighting, pavers, energy saving fixtures and water conservation).

29  
30 10.6 The Applicant shall provide roof location in those structures with flat roofs to  
31 install conduit from the electrical room for future Photovoltaic System (PV) installation. A  
32 minimum of 300 sq. ft. or larger of roof area in a south or west direction shall be dedicated and  
33 clear of vent pipes and other obstructions to allow for the installation of a future PV system. The  
34 submitted plans must note compliance with this provision.

35  
36 10.7 The parking lot and internal circulation lights shall be placed on a timer consistent  
37 with the termination of operational hours and consistent with applicable codes.

38  
39 11. Noise:

40  
41 11.1 Noise emanating from athletic fields and bleachers shall not generate a direct  
42 sound pressure level in excess of 65 decibels at the school's boundaries, as provided under the  
43 Village's Code Section 30-60.29, as may be amended. The Village will notify the school and the  
44 Community Relations Committee of any violations of the noise ordinance. The Village and  
45 Applicant will immediately work together to develop corrective action(s). If the corrective

1 action(s) is/are not implemented within three (3) weeks of its adoption, the Village will require  
2 that all after-hours field activities be temporarily postponed until the corrective actions are  
3 implemented by the school.  
4

5 11.2 The Applicant shall install and maintain signs reading: "No radios beyond this  
6 point" at the guard house or other location approved by the Village's Planning & Zoning  
7 Department. Any student found by the Applicant's administration to have violated the sound  
8 restriction, after a warning, would be disciplined within the Palmer Trinity Rules and Procedures.  
9

10 11.3 At 7900 SW 176<sup>th</sup> Street, the Applicant shall ensure bells, pulses, buzzers, or  
11 other sounds to signal class times during school operating hours on days when school is in  
12 session shall not generate a direct sound pressure level in excess of 65 decibels above ambient  
13 sound measured by the A-weighted scale at the school's boundaries, as provided under the  
14 Village's Code, Section 30-60.29, as may be amended.  
15

16 11.4 At 8100 SW 184<sup>th</sup> Street, the Applicant shall use digital signage system or other  
17 non-noise devices approved and recommended by the American with Disability Act (ADA) and  
18 the ADA Standards for Accessible Design, to signal change of class times and announcements.  
19

20 11.5 Any temporary public address speaker system or similar amplified sound device  
21 in the athletic fields shall not be operated between the hours of 5:00 p.m. and 10:00 a.m.  
22 (Monday thru Friday). On Saturday, the temporary public address speaker system or similar  
23 amplified sound device in the athletic fields shall not be operated between the hours of 2:00 p.m.  
24 and 10:00 a.m. The temporary public address speaker system shall be used in compliance with  
25 the Village's noise Ordinance 30-60.29, as amended, and shall not generate a direct sound  
26 pressure level in excess of 65 decibels at the school's boundaries.  
27

28 11.6 Code Compliance shall bi-annually (every six months) test the noise levels of the  
29 Applicant's property from various locations and report back to the Community Relations  
30 Committee. The Applicant shall work with Code Compliance and the Committee to cure any  
31 violations of the Village's noise ordinance.  
32

33 12. Environmental:  
34

35 12.1 The Applicant shall provide a space for the collection and storage of recyclables.  
36 This provision provides convenient access to recycling facilities and encourages building  
37 occupants to utilize the recycling programs to their fullest. Projects shall comply with the  
38 minimum solid waste and recyclables storage requirements. Applicant shall depict the collection  
39 and storage area(s) location on submitted plans.  
40

41 12.2 The Applicant shall use interior paints and wood finishes with low volatile  
42 organic compound levels that do not exceed 50 grams per liter flat, or 150 grams per liter non-  
43 flat. This shall be noted on the approved plans.  
44

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

11  
12 13. Operations.

13  
14 13.1 Service and delivery vehicles, including solid waste pick-up, shall be restricted to  
15 Monday through Friday, between the hours of 7:00 a.m. to 7:00 p.m. [consistent with 30-  
16 60.29(e)(7), of the Code]. Saturday deliveries would be allowed from 10:00 a.m. to 1:00 p.m.  
17 Service and delivery vehicles shall use the SW 184<sup>th</sup> Street entrance. This requirement shall be  
18 implemented upon the construction of the SW 184<sup>th</sup> Street entrance.

19  
20 13.2 Service, delivery and storage areas and equipment shall be adequately screened  
21 and located away from view of adjacent properties, in accordance with the proposed site plan.

22  
23 13.3 That interior use of school facilities shall be restricted to the hours of operation  
24 between 6:00 am and 10:00 pm, provided that the use is by the Applicant for school-related  
25 purposes.

26  
27 13.4 The property shall not be used for commercial leasing purposes. Commercial  
28 leasing purposes shall mean any use not directly affiliated with the school operations of the  
29 Applicant. In addition, it shall mean the use of the Applicant's property, buildings and facilities  
30 for economic value or profit through third-parties.

31  
32 13.5 Service, delivery and storage areas and equipment shall be adequately screened  
33 and located away from view of adjacent properties, in accordance with the proposed site plan.

34  
35 14. Structures.

36  
37 14.1 The two (2) longer structures (building 16, the gymnasium and building 18, the  
38 performing arts building) should be modified as follows: the wider portion of these structures are  
39 approximately (260 ft x 149 ft.). The Southern portion of each building provides a "tail-like"  
40 continuation/extension of approximately 110 feet. These "tail-like" extensions should be  
41 setback/offset six feet (6 ft.) from the wider portions of each building. As to Building 16, the six  
42 foot (6 ft.) setback/offset should be towards the east boundary. As to Building 18, the six foot (6  
43 ft.) setback should be setback towards the west boundary.

1 14.2 In addition, along the 110 foot setback portion of Buildings 16 and 18, there  
2 should be a colonnade or arcade, with first floor roof-like structure, to break-up the monolithic  
3 volume.  
4

5 14.3 In compliance with section 7.124, Live Oak trees, or other equivalent type trees,  
6 with an overall size of 16 feet in height, should be planted along the remaining east side of  
7 Building 18 and along the remaining west side of Building 16, every 20 feet on-center for the  
8 length of the structures (area not covered by the first floor roof-like arcade structured area). The  
9 16 foot trees should be root pruned to encourage their ability to survive the shock of planting.  
10

11 15. Enforcement.  
12

13 15.1 Non compliance with the approved site plan shall result in the denial of future  
14 permits and may result in a daily fine, per violation, as provided under section 15.2, below.  
15

16 15.2 A violation of any of the development approvals and/or conditions of the Village  
17 Council will result in a \$500.00 a day fine, per violation. The Village shall provide Applicant  
18 with a reasonable period of time to cure. The Applicant is entitled to an appeal of the notice of  
19 civil citation pursuant to the procedures for the Village Special Magistrate, found at section 2-  
20 205 of the Village's Code.  
21

22 15.3 Cross-reference with specific enforcement provisions relating to section 4.6 as to  
23 student population and removal of portables under section 5.11.  
24

25 15.4 Authorization for the Village of Palmetto Bay to Withhold Permits and  
26 Inspections. In the event the terms herein are not being complied with, in addition to any other  
27 remedies available, the Village is authorized to withhold any further permits, and refuse to make  
28 any inspections or grant any approvals, until such time as the conditions contained herein are  
29 complied with. The Village shall provide Applicant with a reasonable notice to cure period. The  
30 Applicant may follow the procedures for the Village Special Magistrate regarding any appeal.  
31

32 15.5 Cross-reference with section 11.6.  
33

34 This is a final order.  
35

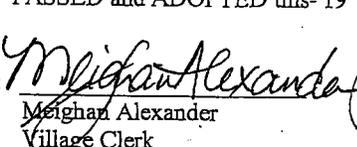
36 Section 5. Record.

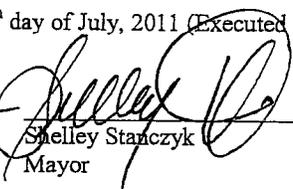
37 The record shall consist of the notice of hearing, the application, documents submitted by  
38 the applicant and the applicant's representatives to the Village of Palmetto Bay Planning and  
39 Zoning Department in connection with the applications, the Village's recommendation and  
40 attached cover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

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

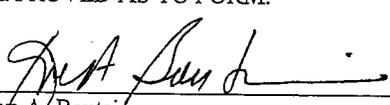
2  
3        PASSED and ADOPTED this- 19<sup>th</sup> day of July, 2011 (Executed July 29, 2011.)

4  
5        Attest:

6          
7        Meighan Alexander  
8        Village Clerk

9          
10        Shelley Stanczyk  
11        Mayor

12        APPROVED AS TO FORM:

13          
14        Eve A. Boutsis  
15        Village Attorney

16  
17  
18        FINAL VOTE AT ADOPTION:

19  
20        Council Member Patrick Fiore                YES  
21  
22        Council Member Howard Tendrich            YES  
23  
24        Council Member Joan Lindsay                YES  
25  
26        Vice-Mayor Brian Pariser                    YES  
27  
28        Mayor Shelley Stanczyk                      YES

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



Village of Palmetto Bay

ZONING ANALYSIS

APPLICANT: Palmer Trinity Private School, Inc.

PH: VPB-07-012-B

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

ITEM: 2

ZIP CODE: 33157

HEARING DATE: May 4, 2010

SECTION: 34-55-40

CONTINUED FROM ORIGINAL HEARING DATE: April 14, 2008

COUNCIL DISTRICT: 3

HEARING DATE: February 25, 2008

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

1  
2 **A. INTRODUCTION**

3  
4 • **REQUEST(S):**

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

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

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

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

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

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

42  

---

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

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

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

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

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

23  
24 • **LOT SIZE:** 55+/- Acres

25  
26  
27 **B. NEIGHBORHOOD CHARACTERISTICS:**

28  
29 **ZONING**

**LAND USE DESIGNATION**

30  
31 **Subject Property:**

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

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

36  
37 AG (mango grove)  
38 Agricultural

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

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

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

43  
44 **Surrounding Properties:**

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

Estate Density Residential;

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

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

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

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

**C. SITE AND BUILDINGS:**

**Site Plan Review:**

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

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

**D. NEIGHBORHOOD SERVICES**

DERM No objections, subject to conditions stated in attached report.

Public Works Objections raised in 2008 by Miami-Dade County Public Works, as stated in the attached report. Objections were addressed by Applicant.

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

- 1 Parks
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- 5 Fire Rescue
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- 8 Code Compliance
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- 35
- 36 Archeological Compliance
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Comments requested from Miami-Dade County Parks & Recreation; no objections subject to condition 4.9.

No objections, subject to conditions stated in attached report.

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

Miami-Dade County's Office of Historical and Archeological Resources on April 28, 2010, advised the Village that it has recently discovered archeological artifacts within the Bill Sadowski Park, adjacent to the Applicant's property. As a result, in compliance with County and State law, the County has requested an Archeological Survey, and cooperation from the Applicant should any archeologically significant finds be made

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

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

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

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

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

---

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

1

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

Note:

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

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

2

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

17

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40  

---

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

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

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

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

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

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

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

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

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

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

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

7  
8  
9 **1. Special Exception**

10  
11 An application for a private school to be placed in a residential district requires a  
12 public hearing. The Applicant must comply with section 33-151.11 through 33-  
13 151.22 of the Miami Dade County Code, as adopted by the Village<sup>5</sup>.

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

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

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

29 \* \* \*

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

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

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

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

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

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

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

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

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

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

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

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

11

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

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

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

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

29

1 (d) *Parking requirements.* Parking requirements shall be as  
2 provided in the Miami-Dade County Zoning Code, Section 33-  
3 124(1).  
4

5 (e) *Classroom size.* All spaces shall be calculated on the  
6 effective net area usable for instruction or general care of the group  
7 to be housed. This space shall not include kitchen areas,  
8 bathrooms, hallways, teachers' conference rooms, storage areas,  
9 or any other interior space that is not used for instruction, play, or  
10 other similar activities. The minimum classroom space shall be  
11 determined by multiplying the maximum proposed number of pupils  
12 for attendance at any one (1) time by the minimum square  
13 footages, (1) through (4) below. Where a private educational facility  
14 is non-graded, calculations shall be based on the age level that  
15 corresponds to the grade level in the public school system. Where  
16 a school includes more than one (1) of the following categories,  
17 each category shall be individually computed:  
18

19 (1) Day nursery and kindergarten, preschool and after  
20 school care, 35 sq.ft., per pupil.

21 (2) Elementary (grades 1--6), 30 sq.ft., per pupil.

22 (3) Junior high and senior high (grades 7--12), 25 sq.ft.,  
23 per pupil.

24 (4) Baby-sitting service, 22 sq.ft. of room area, per child.  
25

26 (f) *Height.* The structure height shall not exceed the height  
27 permitted for that site by the existing zoning.  
28

29 (g) *Trees.* Landscaping and trees shall be provided in  
30 accordance with Chapter 18A of this Code.  
31 \* \* \*

32  
33 Finally, after all this information is analyzed and a determination is made by  
34 Staff, the Village Council, pursuant to section 33-151.19, shall review the special  
35 exception request to place/expand the private school under the following  
36 standards, during a public hearing:  
37

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

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

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

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

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

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

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

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

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

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

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

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

40  
41 (l) *Industrial and commercial.* Where schools are permitted in  
42 industrial or commercial areas it shall be clearly demonstrated in graphic  
43 form how the impact of the commercial or industrial area has been  
44 minimized through design techniques.  
45

1 (m) *Fences and walls.* Recreation and/or play areas shall be enclosed  
2 with fences and/or walls.  
3  
4

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

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

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

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

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

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

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

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

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

17

18 **I. ANALYSIS:**

19

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

25

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

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

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

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

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

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

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

### 26 **Definitions**

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

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

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

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

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

### 12 *Analysis Continued:*

13  
14  
15 The issue of scale and compatibility as it applies to this project are addressed  
16 both through (1) location of the structures in relation to the surrounding  
17 residential use; and (2) the architectural style proposed in the Applicant’s master  
18 plan.

#### 19 20 1. **Location of Structures**

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

#### 37 38 2. **Compatibility**

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

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

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

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

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

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

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

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

12  
13 It is important to note that the Village has already approved a 35 foot gymnasium  
14 for Westminster Christian Private School, which educates 1160 students on 24  
15 acres. Because of the intended function of these buildings it would not be  
16 practical or possible to reduce the size, or length of Buildings 16 and 18. These  
17 structures are intended to hold an adequate portion of the student body during  
18 performances and/or gymnastic activities. In fact, the structures are intended for  
19 multi-purpose use, including locker rooms, coaches' offices, training facilities,  
20 storage, restrooms and actual gymnasium area. All of these uses are tied to  
21 each other. The two (2) larger buildings allow for the centralization of the  
22 student/educational activities, thus focusing the students in one centralized area  
23 versus sending the students all over the 55 acres, and precluding interference  
24 with the preserved buffer areas and adjacent residential uses (quiet enjoyment).

25  
26 Staff also analyzed the lengths of other private and public schools located in the  
27 Village:

28  
29 (1) Westminster Private School provides a gymnasium that is 172 feet  
30 by 168 feet; a multipurpose room that is 150 feet by 146 feet. Both are 35 feet  
31 tall. There are additional structures that measure 95 feet by 187 feet (elementary  
32 school) and the administrative/classroom building which is measured at 203 feet.  
33 This property consists of 24.2 acres.

34  
35 (2) Coral Reef Elementary provides a building that is 350 feet by 200  
36 feet, one-story; and a two-story building of 187 feet by 73 feet, two story. This  
37 property consists of nine (9.1) acres.

38  
39 (3) Southwood Middle School provides a building that is 299 feet by  
40 298 feet, at two stories in height. It also provides an additional two-story building  
41 at 75 feet by 225 feet on 18 acres.

42  
43 (4) Perrine Elementary School provides a building that is 251 feet by  
44 193 feet, at two-stories; and an additional one-story building at 100 feet by 150  
45 feet on nine (9) acres.

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

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

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

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

28  
29 *Staff analysis:* Please refer back to the definitions and analysis of design  
30 compatibility in subsection (c), above. As to intensity of use, the private school  
31 facility, with 55 acres and its proposed 1,150 student population is of sufficient  
32 size, design, and population to be compatible with other school uses within and  
33 surrounding the Village. It is actually a less intense use, per square foot/per  
34 student, as compared to the other public and/ or private (Westminster Christian)  
35 schools located in the Village. See the chart of student populations and  
36 associated acreage/square footage, found supra, at page 8 of this memorandum.  
37 While a private school is an allowable use within E-M, E-M is generally  
38 characterized by estate, detached, single-family homes on approximately a third  
39 of an acre.  
40

1           (e) *Buffers. Buffering elements shall be utilized for visual*  
2           *screening and substantial reduction of noise levels at all property*  
3           *lines where necessary.*  
4

5           *Staff analysis:* As indicated earlier, at subsection (c), the principal structures are  
6 clustered in the center of the 55 acre parcel and the perimeter of the entire site is  
7 surrounded by either the 55 or 75 foot buffered areas. Please see the cross-  
8 section at Sheet 39 of the plans for details as to the 75 foot buffer. The Applicant  
9 has agreed to landscape the entire 75 foot buffer area with native and existing  
10 plants and/or trees. In addition, the Applicant is proposing a six foot (6 ft) wall  
11 along the perimeter of 8001 SW 184<sup>th</sup> Street. The eastern and western  
12 perimeters of the 7900 SW 176<sup>th</sup> Street site have already been fenced and  
13 landscaped. The buffers are intended to reduce noise and impacts to the  
14 adjacent detached single-family homes. The wall and the underbrush should  
15 preclude much of the sound emanating the property from traveling offsite. The  
16 master plan reflects a six foot (6 ft.) high, solid masonry wall and enhanced  
17 buffering along the eastern and western property lines of 7900 SW 176<sup>th</sup> Street  
18 and 8001 SW 184<sup>th</sup> Street. The southern boundary at SW 184<sup>th</sup> Street and  
19 northern boundaries at SW 176<sup>th</sup> Street shall provide a six foot (6 ft.) wrought iron  
20 fence with masonry columns. The eastern and western perimeters of 7900 SW  
21 176<sup>th</sup> Street already contain a six foot (6 ft.) concrete wall that shall be required to  
22 be maintained, on both sides. The wall also provides a safety barrier between the  
23 neighborhood and the school. A six foot (6 ft.) wall is permitted, as of right, under  
24 the E-M zoning district. Anything higher than six feet (6 ft.) would require a  
25 variance. No lighting or recreational fields shall be permitted within the buffer.  
26

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

---

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

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

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

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

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

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

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

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

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

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

6  
7 Applicant does not propose any parking within the buffered areas. Staff  
8 recommends no parking be allowed within the 50 foot buffers of 7900 SW 176<sup>th</sup>  
9 Street, nor within the 75 foot buffers of 8100 SW 184<sup>th</sup> Street. Staff recommends  
10 a covenant running with the land be recorded confirming that no parking shall be  
11 permitted in the buffer areas. Additionally, Applicant shall preclude parking in the  
12 swale areas fronting either entrance to the school. Applicant shall install "No  
13 parking" signs along these right-of-way areas after obtaining Village and County  
14 authorization. Overflow parking is located at 8001 SW 184<sup>th</sup> Street, along the  
15 two (2) lane driveway/road, adjacent to the east 75 foot buffer. Staff in 2008,  
16 originally requested that the overflow be placed on the northern fields of 7900  
17 SW 176<sup>th</sup> Street, solely for event purposes. However, as the variance for natural  
18 terrain has been withdrawn, this recommendation is withdrawn. The majority of  
19 the student and teacher parking is located in the northwestern portion of 8001  
20 SW 184<sup>th</sup> Street, adjacent to the proposed gymnasium. Some additional parking  
21 is located adjacent to the southwestern exit of SW 184<sup>th</sup> Street. Additional  
22 parking surrounds the circular two-lane road and adjacent to the performance  
23 field and track.

24  
25 In conjunction with the parking plan, Applicant shall comply with the David  
26 Plummer's parking recommendations as it relates to -decals. See Internal  
27 Circulation recommendations at subsection (g), above.

28  
29 The Applicant does not propose a parking garage.

30  
31 *(k) Operating time. The operational hours of a nonpublic*  
32 *educational facility shall be such that the impact upon the*  
33 *immediate residential neighborhood is minimized.*

34  
35 *Staff analysis:* Interior use of school facilities is restricted to the hours of  
36 operation between 7:00 a.m. and 10:00 p.m., provided that the use is by the  
37 Applicant for school related or operational activities. The property shall not be  
38 used for commercial leasing purposes. See other subsections relating to  
39 deliveries, solid waste, field use, etc. Limiting the hours of operation should  
40 minimize noise, lighting and other impacts to the adjacent residential  
41 neighborhood. Precluding outdoor athletic lighting shall minimize field use and  
42 sporting activities. This should prevent the property from exceeding E-M  
43 residential noise levels (60 p.m./65 a.m. dBA), and ensure that the sports  
44 activities exempt from the noise ordinance do not interfere with residential quiet  
45 enjoyment.

1 (l) *Industrial areas –*

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

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

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

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

27  
28 **2. Site Plan modification**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11  
12 (3) *The development permitted by the application, if granted, will*  
13 *have a favorable or unfavorable impact on the economy of*  
14 *[Palmetto Bay];*  
15

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

21  
22  
23 (4) *The development permitted by the application, if granted, will*  
24 *efficiently use or unduly burden water, sewer, solid waste disposal,*  
25 *recreation, education or other necessary public facilities which have*  
26 *been constructed or planned and budgeted for construction;*  
27

28 *Staff analysis:* The development, as proposed, meets the Comprehensive Plan's  
29 level of service relating to roadways and other public facilities, which requires  
30 consistency with the County's concurrency levels. See reports enclosed from  
31 various review agencies.  
32  
33

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

41 *Staff analysis:* The development, as proposed, will not have impact on the  
42 existing public transportation facilities which have been constructed or planned  
43 and budgeted for construction.  
44

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

1  
2  
3  
4       -1.       *generate excessive noise or traffic;*

5  
6       *Staff analysis:* Pursuant to section 4.1 of the David Plummer traffic analysis, as  
7 reviewed by the Corradino Group, Old Cutler Road is a "D" LOS Service at both  
8 SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street. SW 176<sup>th</sup> Street and 82 and/or 83<sup>rd</sup>  
9 Avenue is at an "E" Level of Service. SW 184 Street at either 82<sup>nd</sup> or 83<sup>rd</sup>  
10 Avenue is a "D" level west bound, and "E" level north bound. David Plummer &  
11 Associates is the traffic consultant for Applicant. The Corradino Group is the  
12 Village's traffic consultant. The Plummer and Corradino reports are incorporated  
13 by reference herein. The Corradino Group proposes certain mitigation factors  
14 and recommendations which are incorporated below, as recommendations.  
15 According to their reports, the traffic generated if the application is approved  
16 meets the Village's proposed levels of service, after mitigation. The mitigation  
17 factors should resolve the issues relating to level of service impacts to the  
18 community. Additionally, please review the analysis under the special exception  
19 review above, at subsection (g), relating to circulation and the comments relating  
20 to use of SW 184<sup>th</sup> Street entrance/exit and effects on cut-through traffic.  
21 Additionally, as SW 176<sup>th</sup> Street is of concern to the community and traffic  
22 consultants, and as there has been cut-through traffic onto SW 80<sup>th</sup> and SW 82<sup>nd</sup>  
23 Avenue, staff recommends the installation of a "No Left Turn" sign at the exit to  
24 the SW 176<sup>th</sup> Street entrance and to preclude left hand turns from the exit, at a  
25 minimum, during peak hours. This should eliminate 54 vehicles from re-entering  
26 the neighborhood during the peak a.m. hours.

27  
28       2.       *tend to create a fire or other equal or greater dangerous*  
29       *hazard;*

30  
31       *Staff analysis:* Not applicable to this application. See reports enclosed from  
32 various review agencies.

33  
34       3.       *provoke excessive overcrowding of people;*

35  
36       *Staff analysis:* The school use will eliminate the agricultural use; generate an  
37 increase in the number of students on the 55 acres; and may provide additional  
38 persons on the site, above the student expansion numbers due to a special  
39 event. According to the Merriam-Webster's Dictionary, "over" "crowd" means "so  
40 as to exceed or surpass in numbers; excessive throng, excessively." As the  
41 Applicant's student population does not exceed the County Code requirements,  
42 and as the recommendations below limit the number of special events, per year,  
43 and/or time period, there should be no excessive overcrowding of people at any  
44 time. With 55 acres and a projected student population of 1150 students over a  
45 15-25 year period, there is more than sufficient space to preclude overcrowding  
46 of the school site. The clustering of the buildings, shall keep the population

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           **J.    RECOMMENDATIONS:**  
2  
3

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

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

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

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

27  
28           4.    Preliminary Conditions:  
29

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

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

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           5     Pre Construction – Construction – Build Out Conditions:

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

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

16  
17           5.3     Construction Staging:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10  
11 6. Athletic Fields and Amenities:  
12

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

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

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

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

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

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

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

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

10  
11  
12           7.    Landscaping:

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

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

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

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

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

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

8  
9 7.6 The eastern and western perimeters of 8001 SW 184<sup>th</sup> Street shall  
10 contain a concrete wall six, feet (6 ft.) in height, finished on both sides and  
11 maintained by the Applicant. The southern boundary at SW 184<sup>th</sup> Street and  
12 northern boundaries at SW 176<sup>th</sup> Street shall provide a six foot (6 ft.) wrought iron  
13 fence with masonry columns. The eastern and western perimeters of 7900 SW  
14 176<sup>th</sup> Street already contain a six foot (6 ft.) concrete wall that shall be required to  
15 be maintained, on both sides.

16  
17 7.7 The Applicant shall provide and/or replace landscaping  
18 improvements along SW 184 Street and SW 176 Street fronting the school in  
19 compliance with the Village's Street Tree Master Plan prepared by O'Leary  
20 Richards Design Associates, Inc., and in coordination with the Village's Public  
21 Works and Planning & Zoning Departments.

22  
23 7.8 The Applicant shall preserve existing trees (including native trees)  
24 during the development of the project, wherever possible. If the trees must be  
25 removed, the Applicant shall be required to mitigate the impact in accordance  
26 with Village and DERM requirements. If the relocated trees do not survive, the  
27 Applicant shall be required to replace the trees in compliance with DERM and  
28 Village requirements.

29  
30 7.9 The Applicant shall install additional oaks and planting materials on  
31 the northwest perimeter of buildings no. 16 and 18 in order to provide additional  
32 screening to the adjacent neighborhood located on the western boundary of the  
33 property. The Applicant is to provide two (2) native trees and a cluster of palms.

34  
35 7.10 The pool area shall be landscaped as provided under section 6.7,  
36 above.

37  
38 7.11 The Applicant shall prohibit parking by faculty, visitors and students  
39 on the rights-of-way bordering the school by planting and maintaining  
40 landscaping along the rights-of-way in accordance with Village requirements.  
41 The Applicant shall work with the Village and County to install "No Parking" signs  
42 for the right-of-way along SW 176<sup>th</sup> Street and SW 184<sup>th</sup> Street.

43  
44 7.12 Applicant shall maintain the areas identified herein as "buffer" and  
45 shall be required to perpetually maintain the landscaping within the buffer with  
46 the identified native species and other plantings provided in the landscape plan.

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

5  
6 7.13 Applicant shall provide annual update, plan, as to the maintenance  
7 for the buffer areas.

8  
9 7.14 Buildings 16 and 18 shall require Live Oak trees, or comparable  
10 trees, every 20 feet on center for the length of the structures. Each tree shall  
11 have an overall height of 16 feet. For Building 16 the trees shall be planted along  
12 the west façade and for Building 18 along the east façade.

13  
14  
15 8. Traffic:

16  
17 8.1 The Applicant shall be responsible for compliance with land  
18 Development Regulations relating to traffic concurrency requirements.

19  
20 8.2 The Applicant shall hire one (1) police officer, or equivalent, during  
21 regular session, (per entrance) to control traffic during peak morning and  
22 afternoon school hours for each entrance to the school (SW 176<sup>th</sup> Street and SW  
23 184<sup>th</sup> Street). The school shall also utilize a police officer for special events, as is  
24 required under condition 6.2.

25  
26 8.3 The Applicant shall install traffic calming devices along the internal  
27 circulation driveways and roadways in compliance with the Site Plan and Traffic  
28 Study prepared by David Plumber & Associates.

29  
30 8.4 The Applicant shall control the entry points to the school by  
31 directing student, teacher and staff to enter and exit the school from SW 184  
32 Street driveway. The entrance to SW 176<sup>th</sup> Street shall solely serve as the drop-  
33 off and pick-up location for students. This process will be implemented through a  
34 decal program. The different color decals will be distributed and assigned to a  
35 specific driveway. The security gatehouse at each driveway will monitor for  
36 proper use of the decal. Violators shall be contacted by the school master and  
37 security to ensure proper enforcement.

38  
39 8.5 The Applicant shall fund a series of peak hour intersection turning  
40 movement counts, and 72 hour link counts to be taken by the Village along SW  
41 176 Street and at the school driveway entrance on that street. These are to  
42 occur on a random basis each semester of school operations in perpetuity at the  
43 discretion of the Village.  
44

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

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

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

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

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

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

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

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

8  
9           8.13 Applicant shall install a "No Left Turn" sign at the exit to SW 176<sup>th</sup>  
10 Street and shall preclude left-hand turns onto SW 176<sup>th</sup> Street, westbound, from  
11 the Applicant's SW 176<sup>th</sup> entrance. This condition shall be required, at a  
12 minimum, during peak hours.

13  
14           8.14 If vehicle stacking/queuing spills-over onto SW 176<sup>th</sup> Street, the  
15 applicant shall be required to provide additional on-site stacking to accommodate  
16 the spill-over. This would require a modification of the circulation plan, which  
17 shall be reviewed by the appropriate Village Departments for Compliance. The  
18 Applicant shall not be required to obtain Council approval to make the necessary  
19 stacking related, circulation modifications to the interior of the property.

20  
21           8.15 Applicant shall comply with the "safe routes to school" requirements  
22 of 1006.23, Florida Statutes.

23  
24  
25           9.     Parking Related Conditions

26  
27           9.1 Comply with condition 7.11 relating to precluding right-of-way  
28 (ROW) parking. Cross-reference with section 7.9, above.

29  
30           9.2 No parking of vehicles in any of the interior buffers to the property  
31 (7900 SW 176<sup>th</sup> Street or 8001 SW 184<sup>th</sup> Street).

32  
33           9.3 The Applicant shall install pavers in the parking lot to minimize the  
34 stormwater runoff impacts, rather than asphaltting the entire parking area, in  
35 compliance with Section 28-6(b)(1), of the Village's Code of Ordinances.

36  
37           9.4 No loud radios shall be allowed within the parking areas of the  
38 entire site.

39  
40           9.5 Lighting shall be consistent with conditions 10.2 and 10.3, below.

41  
42           9.6 That the Applicant shall maintain a sign prohibiting bus traffic, bus  
43 parking, student, faculty or visitor parking along the swales/entrances to the  
44 Applicant's property.

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

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

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

14  
15  
16           10. Lighting & Energy:

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

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

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

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

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

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

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

5  
6           11.    Noise:  
7

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

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

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

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

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

1           12.    Environmental:

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

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

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

26  
27  
28          13.    Operations.

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

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

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

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

1 school operations of the Applicant. In addition, it shall mean the use of the  
2 Applicant's property, buildings and facilities for economic value or profit through  
3 third-parties.  
4

5 13.5 Service, delivery and storage areas and equipment shall be  
6 adequately screened and located away from view of adjacent properties, in  
7 accordance with the proposed site plan.  
8  
9

10 14. Structures.  
11

12 14.1 The two (2) longer structures (building 16, the gymnasium and  
13 building 18, the performing arts building) should be modified as follows: the wider  
14 portion of these structures are approximately (260 ft x 149 ft.). The Southern  
15 portion of each building provides a "tail-like" continuation/extension of  
16 approximately 110 feet. These "tail-like" extensions should be setback/offset six  
17 feet (6 ft.) from the wider portions of each building. As to Building 16, the six foot  
18 (6 ft.) setback/offset should be towards the east boundary. As to Building 18, the  
19 six foot (6 ft.) setback should be setback towards the west boundary.  
20

21 14.2 In addition, along the 110 foot setback portion of Buildings 16 and  
22 18, there should be a colonnade or arcade, with first floor roof-like structure, to  
23 break-up the monolithic volume.  
24

25 14.3 In compliance with section 7.12, Live Oak trees, or other equivalent  
26 type trees, with an overall size of 16 feet in height, should be planted along the  
27 remaining east side of Building 18 and along the remaining west side of Building  
28 16, every 20 feet on-center for the length of the structures (area not covered by  
29 the first floor roof-like arcade structured area). The 16 foot trees should be root  
30 pruned to encourage their ability to survive the shock of planting.  
31  
32

33 15. Enforcement.  
34

35 15.1 Non compliance with the approved site plan shall result in the  
36 denial of future permits and may result in a daily fine, per violation, as provided  
37 under section 15.2, below.  
38

39 15.2 A violation of any of the development approvals and/or conditions  
40 of the Village Council will result in a \$500.00 a day fine, per violation. The Village  
41 shall provide Applicant with a reasonable notice to cure period. The Applicant is  
42 entitled to an appeal of the notice of civil citation pursuant to the procedures for  
43 the Village Special Magistrate, found at section 2-205 of the Village's Code.  
44

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

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



Julian Perez,  
Planning and Zoning Director

 Julian Perez

---

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

Julian,

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

Regards,

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

Nathan:

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

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

---

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

Julian,

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

Regards,

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

Nathan:

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

Land Use Element:

City of Doral

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

Village of Palmetto Bay

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

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

Regards

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

---

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

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

Efren Nunez

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

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

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

Hi Efren,

Here's my suggestion for the language:

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

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

Regards,

Jeff

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

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

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

Good afternoon Jeff,

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

**Efren Nunez**

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

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

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

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

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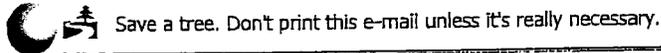
**From:** Nardi, Maria (MDPR)  
**Sent:** Thursday, April 29, 2010 9:06 AM  
**To:** Ahmed, Zafar (MDPR)  
**Subject:** RE: Palmer Trinity Application -VPB- 07-012-B

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

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

*"Delivering Excellence Everyday"*

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



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

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

The following is a draft for comment:

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

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

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

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

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

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

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

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

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

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

Recommended Comment To the Village:

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

---

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

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

Sent via BlackBerry by AT&T

---

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

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

---

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

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

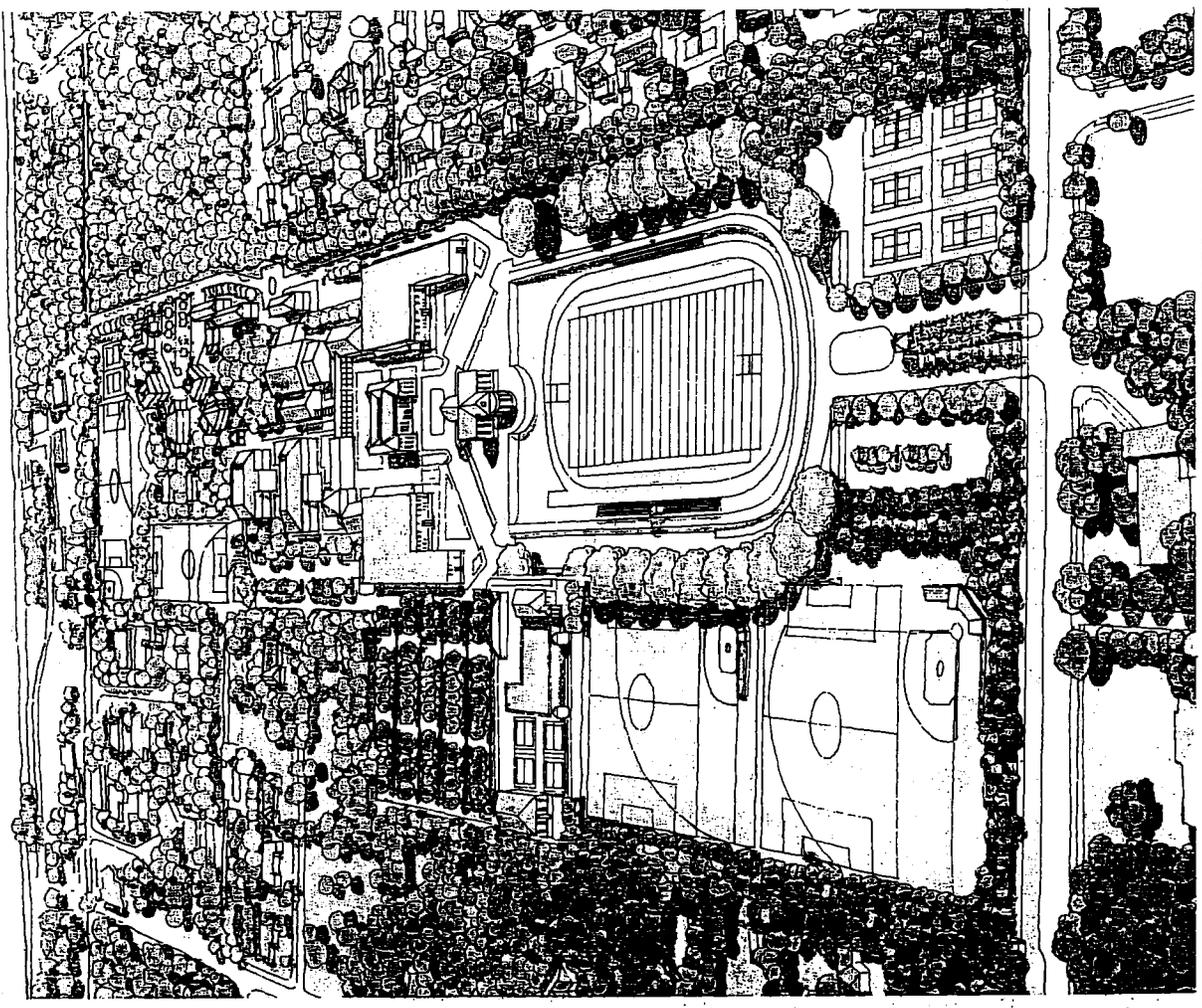
*Zafar Ahmed*

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

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

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<p><b>PROJECT TEAM</b></p> <p><b>PALMER TRINITY SCHOOL CAMPUS MASTER PLAN</b></p> <p><b>PROJECT TEAM:</b>                  Landscape Architect: Geometric Design, Inc.                  Traffic Engineer: David Palmer &amp; Associates                  Master Planner: Duany Plater-Zyberk &amp; Company, LLC                  Zoning Attorney: BSA Surberg Brass Price &amp; Axtwood, LLP</p>	<p><b>Master Plan Key</b></p>	<p><b>Zoning Legend</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Symbol</th> <th>Description</th> <th>Notes</th> </tr> <tr> <td>[Symbol]</td> <td>EU-M</td> <td>...</td> </tr> </table>	Symbol	Description	Notes	[Symbol]	EU-M	...	<p><b>Prepared By</b></p> <p><b>PALMER TRINITY SCHOOL</b>                  7900 SW 176<sup>TH</sup> ST. PALMETTO BAY, FL. 33157</p> <p><b>SHEET</b>  <b>1</b></p> <p>4.19.2010</p>
Symbol	Description	Notes							
[Symbol]	EU-M	...							

**PALMER TRINITY SCHOOL**  
 7900 SW 176<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

**SHEET**  
**1**

4.19.2010

**DUANY PLATER-ZYBERK & CO.**  
 ARCHITECTS AND TOWN PLANNERS  
 1023 SW 25<sup>TH</sup> AVE. MIAMI FL. 33135  
 P. 305.844.1023 F. 305.844.1021





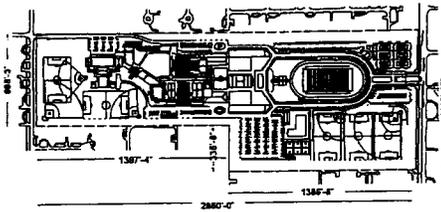
EXISTING CONDITIONS

SITE PHOTOGRAPHS

BOUNDARY SURVEY  
8001 SW 184 ST

Scaled survey by Execla attached separately.

Master Plan Key



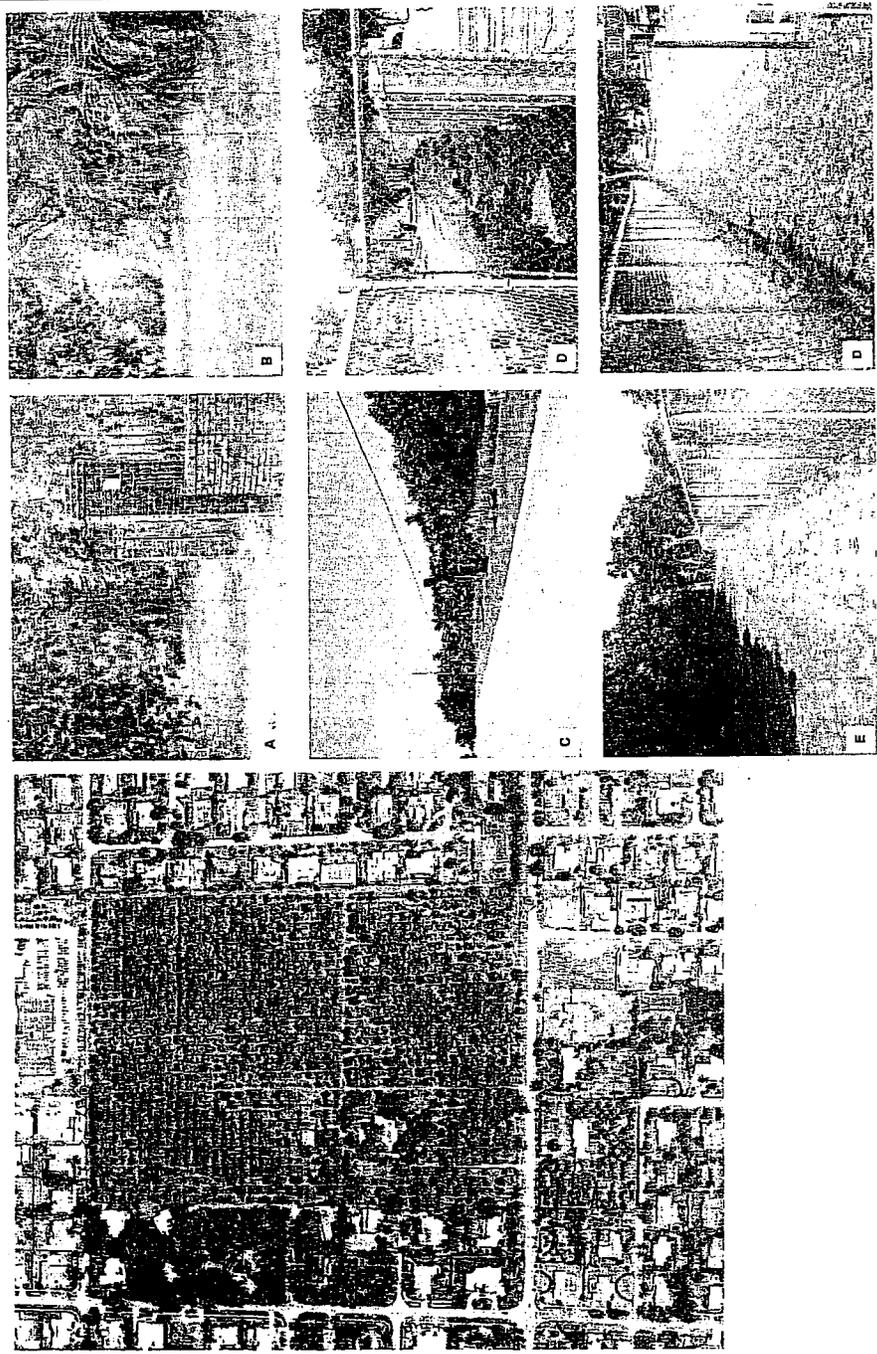
Zoning Legend

SINGLE-FAMILY RESIDENTIAL		MULTI-FAMILY RESIDENTIAL		COMMERCIAL		INDUSTRIAL		SPECIAL USE	
ZONE	DESCRIPTION	ZONE	DESCRIPTION	ZONE	DESCRIPTION	ZONE	DESCRIPTION	ZONE	DESCRIPTION
RS-1	Single-Family Residential	MF-1	Multi-Family Residential	C-1	Community Commercial	I-1	Light Industrial	SU-1	Special Use
RS-2	Single-Family Residential	MF-2	Multi-Family Residential	C-2	Community Commercial	I-2	Light Industrial	SU-2	Special Use
RS-3	Single-Family Residential	MF-3	Multi-Family Residential	C-3	Community Commercial	I-3	Light Industrial	SU-3	Special Use
RS-4	Single-Family Residential	MF-4	Multi-Family Residential	C-4	Community Commercial	I-4	Light Industrial	SU-4	Special Use
RS-5	Single-Family Residential	MF-5	Multi-Family Residential	C-5	Community Commercial	I-5	Light Industrial	SU-5	Special Use
RS-6	Single-Family Residential	MF-6	Multi-Family Residential	C-6	Community Commercial	I-6	Light Industrial	SU-6	Special Use
RS-7	Single-Family Residential	MF-7	Multi-Family Residential	C-7	Community Commercial	I-7	Light Industrial	SU-7	Special Use
RS-8	Single-Family Residential	MF-8	Multi-Family Residential	C-8	Community Commercial	I-8	Light Industrial	SU-8	Special Use
RS-9	Single-Family Residential	MF-9	Multi-Family Residential	C-9	Community Commercial	I-9	Light Industrial	SU-9	Special Use
RS-10	Single-Family Residential	MF-10	Multi-Family Residential	C-10	Community Commercial	I-10	Light Industrial	SU-10	Special Use

Prepared By:  
**PALMER TRINITY SCHOOL**  
7800 SW 176<sup>th</sup> ST. PALMETTO BAY, FL. 33157

**DUANY PLATER ZYBERK & CO.**  
ARCHITECTS AND TOWN PLANNERS  
1023 SW 25<sup>th</sup> AVE. MIAMI FL. 33135  
P. 305.644.1023 F. 305.644.1021

SHEET  
**3.1**  
4.19.2010



MASTER PLAN

NORTH SITE PLAN

**EXISTING BUILDINGS**

**PROPOSED BUILDINGS**

**LANDSCAPE BUFFER**

**BOUNDARY**

**Master Plan Key**

**Zoning Legend**

Code	Description	Min. Lot Area	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Height	Max. Height	Max. Floor Area Ratio	Max. Lot Coverage	Max. Parking	Other
EU-1H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-2H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-3H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-4H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-5H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-6H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-7H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-8H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-9H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-10H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-11H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-12H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-13H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-14H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-15H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-16H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-17H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-18H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-19H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-20H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-21H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-22H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-23H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-24H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-25H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-26H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-27H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-28H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-29H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-30H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-31H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-32H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-33H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-34H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-35H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-36H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-37H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-38H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-39H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-40H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-41H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-42H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-43H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-44H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-45H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-46H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-47H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-48H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-49H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None
EU-50H	Elementary School	10,000	25	5	5	12	20	0.25	30%	10	None

**1. Existing Construction**

**2. Existing Library/Academic**

**3. Existing Classroom Building**

**4. Existing Classroom Building**

**5. Existing Classroom Building**

**6. Existing Classroom Building**

**7. Existing Classroom Building**

**8. Existing Classroom Building**

**9. Existing Classroom Building**

**10. Existing Classroom Building**

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**41. Existing Classroom Building**

**42. Existing Classroom Building**

**43. Existing Classroom Building**

**44. Existing Classroom Building**

**45. Existing Classroom Building**

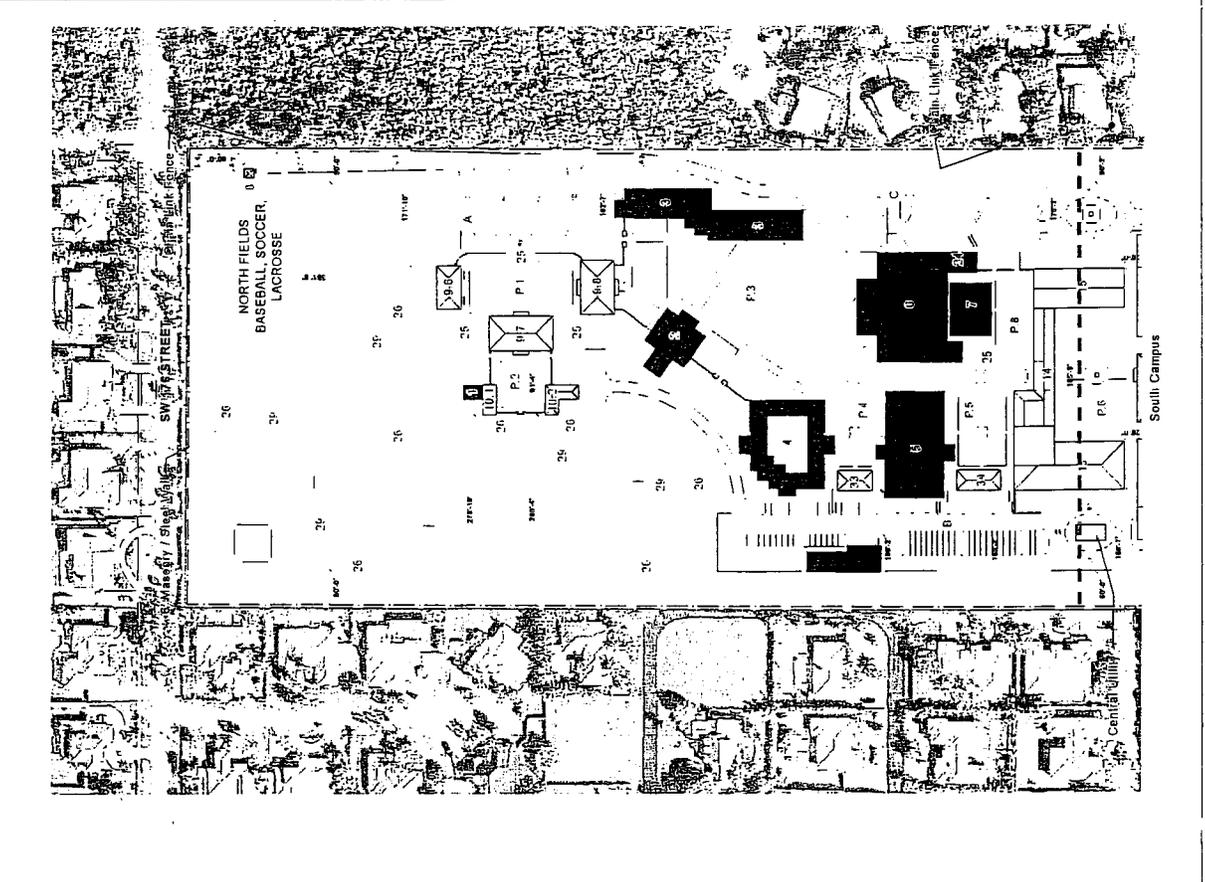
**46. Existing Classroom Building**

**47. Existing Classroom Building**

**48. Existing Classroom Building**

**49. Existing Classroom Building**

**50. Existing Classroom Building**



Item #	Item Description	Area (sq. ft.)	Volume (cu. ft.)	Notes
1	Existing Classroom Building	10,000	100,000	
2	Existing Classroom Building	10,000	100,000	
3	Existing Classroom Building	10,000	100,000	
4	Existing Classroom Building	10,000	100,000	
5	Existing Classroom Building	10,000	100,000	
6	Existing Classroom Building	10,000	100,000	
7	Existing Classroom Building	10,000	100,000	
8	Existing Classroom Building	10,000	100,000	
9	Existing Classroom Building	10,000	100,000	
10	Existing Classroom Building	10,000	100,000	
11	Existing Classroom Building	10,000	100,000	
12	Existing Classroom Building	10,000	100,000	
13	Existing Classroom Building	10,000	100,000	
14	Existing Classroom Building	10,000	100,000	
15	Existing Classroom Building	10,000	100,000	
16	Existing Classroom Building	10,000	100,000	
17	Existing Classroom Building	10,000	100,000	
18	Existing Classroom Building	10,000	100,000	
19	Existing Classroom Building	10,000	100,000	
20	Existing Classroom Building	10,000	100,000	
21	Existing Classroom Building	10,000	100,000	
22	Existing Classroom Building	10,000	100,000	
23	Existing Classroom Building	10,000	100,000	
24	Existing Classroom Building	10,000	100,000	
25	Existing Classroom Building	10,000	100,000	
26	Existing Classroom Building	10,000	100,000	
27	Existing Classroom Building	10,000	100,000	
28	Existing Classroom Building	10,000	100,000	
29	Existing Classroom Building	10,000	100,000	
30	Existing Classroom Building	10,000	100,000	
31	Existing Classroom Building	10,000	100,000	
32	Existing Classroom Building	10,000	100,000	
33	Existing Classroom Building	10,000	100,000	
34	Existing Classroom Building	10,000	100,000	
35	Existing Classroom Building	10,000	100,000	
36	Existing Classroom Building	10,000	100,000	
37	Existing Classroom Building	10,000	100,000	
38	Existing Classroom Building	10,000	100,000	
39	Existing Classroom Building	10,000	100,000	
40	Existing Classroom Building	10,000	100,000	
41	Existing Classroom Building	10,000	100,000	
42	Existing Classroom Building	10,000	100,000	
43	Existing Classroom Building	10,000	100,000	
44	Existing Classroom Building	10,000	100,000	
45	Existing Classroom Building	10,000	100,000	
46	Existing Classroom Building	10,000	100,000	
47	Existing Classroom Building	10,000	100,000	
48	Existing Classroom Building	10,000	100,000	
49	Existing Classroom Building	10,000	100,000	
50	Existing Classroom Building	10,000	100,000	

Adjacent Zoning Designations

1. Residential Single-Family (RS)

2. Residential Medium-Density (RM)

3. Residential High-Density (RH)

4. Commercial (C)

5. Industrial (I)

6. Office (O)

7. Public Use (PU)

8. Institutional (IN)

9. Community Center (CC)

10. Other

Prepared By:

**PALMER TRINITY SCHOOL**

7800 SW 17th ST. PALMETTO BAY, FL 33157

**SHEET 4**

4.19.2010

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









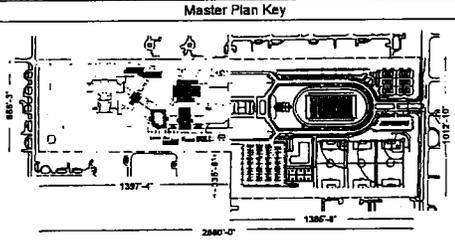








**GEOMANTIC DESIGNS, INC.**  
LANDSCAPE ARCHITECTURE  
**ROBERT PARSLEY A.S.L.A.**  
1400 W. ALSTREET  
MIAMI, FL 33135  
TEL: 305-442-7800 FAX: 305-442-7810



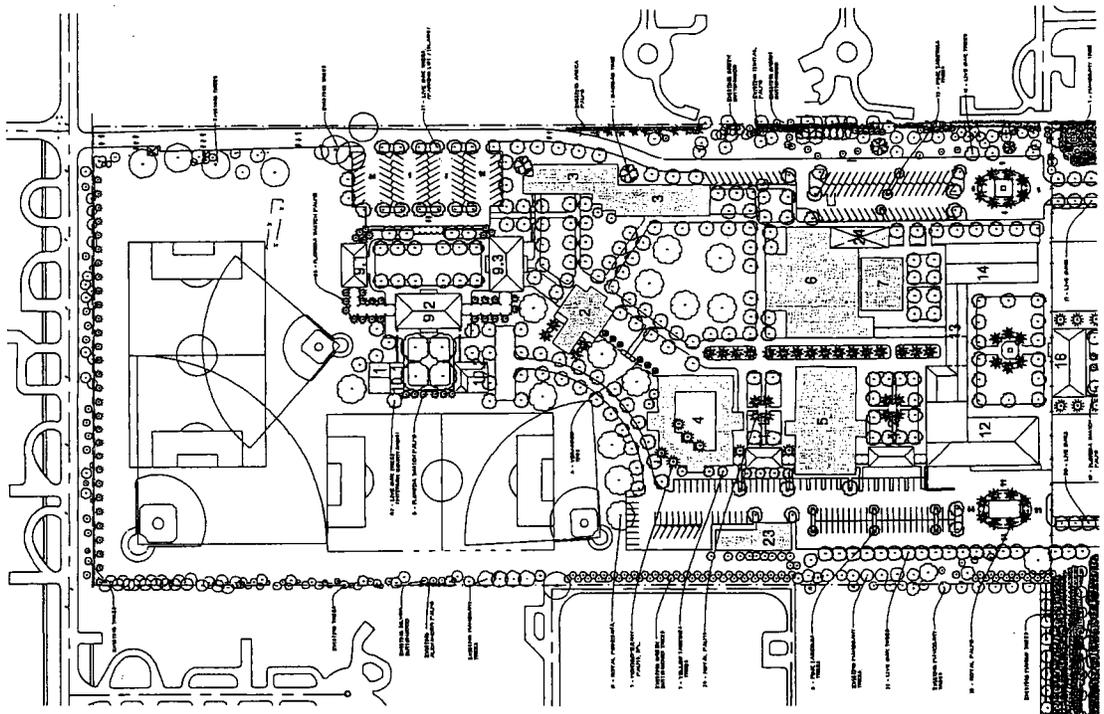
**Zoning Legend**

Code	Description	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Building Height (ft.)	Max. Floor Area Ratio (FAR)	Max. Building Coverage Ratio (BCR)	Max. Parking Spaces
EU-1M	Medium Density Residential	10,000	30	100	10	5	5	35	0.35	0.4	10
EU-2M	Medium Density Residential	15,000	35	125	10	5	5	35	0.35	0.4	15
EU-3M	Medium Density Residential	20,000	40	150	10	5	5	35	0.35	0.4	20
EU-4M	Medium Density Residential	25,000	45	175	10	5	5	35	0.35	0.4	25
EU-5M	Medium Density Residential	30,000	50	200	10	5	5	35	0.35	0.4	30
EU-6M	Medium Density Residential	35,000	55	225	10	5	5	35	0.35	0.4	35
EU-7M	Medium Density Residential	40,000	60	250	10	5	5	35	0.35	0.4	40
EU-8M	Medium Density Residential	45,000	65	275	10	5	5	35	0.35	0.4	45
EU-9M	Medium Density Residential	50,000	70	300	10	5	5	35	0.35	0.4	50
EU-10M	Medium Density Residential	55,000	75	325	10	5	5	35	0.35	0.4	55
EU-11M	Medium Density Residential	60,000	80	350	10	5	5	35	0.35	0.4	60
EU-12M	Medium Density Residential	65,000	85	375	10	5	5	35	0.35	0.4	65
EU-13M	Medium Density Residential	70,000	90	400	10	5	5	35	0.35	0.4	70
EU-14M	Medium Density Residential	75,000	95	425	10	5	5	35	0.35	0.4	75
EU-15M	Medium Density Residential	80,000	100	450	10	5	5	35	0.35	0.4	80
EU-16M	Medium Density Residential	85,000	105	475	10	5	5	35	0.35	0.4	85
EU-17M	Medium Density Residential	90,000	110	500	10	5	5	35	0.35	0.4	90
EU-18M	Medium Density Residential	95,000	115	525	10	5	5	35	0.35	0.4	95
EU-19M	Medium Density Residential	100,000	120	550	10	5	5	35	0.35	0.4	100
EU-20M	Medium Density Residential	105,000	125	575	10	5	5	35	0.35	0.4	105
EU-21M	Medium Density Residential	110,000	130	600	10	5	5	35	0.35	0.4	110
EU-22M	Medium Density Residential	115,000	135	625	10	5	5	35	0.35	0.4	115
EU-23M	Medium Density Residential	120,000	140	650	10	5	5	35	0.35	0.4	120

Prepared by:  
**PALMER TRINITY SCHOOL**  
7900 SW 176<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

SHEET  
**11**  
4.19.2010

**DUANY PLATER-ZYBERK & CO.**  
ARCHITECTS AND TOWN PLANNERS  
1023 SW 25<sup>TH</sup> AVE. MIAMI FL. 33135  
P. 305.644.1023 F. 305.644.1021



**LANDSCAPE LEGEND**

	10' Diameter Tree
	8' Diameter Tree
	6' Diameter Tree
	4' Diameter Tree
	2' Diameter Tree
	1' Diameter Tree
	1/2' Diameter Tree
	1/4' Diameter Tree
	1/8' Diameter Tree
	1/16' Diameter Tree
	1/32' Diameter Tree
	1/64' Diameter Tree
	1/128' Diameter Tree
	1/256' Diameter Tree
	1/512' Diameter Tree
	1/1024' Diameter Tree
	1/2048' Diameter Tree
	1/4096' Diameter Tree
	1/8192' Diameter Tree
	1/16384' Diameter Tree
	1/32768' Diameter Tree
	1/65536' Diameter Tree
	1/131072' Diameter Tree
	1/262144' Diameter Tree
	1/524288' Diameter Tree
	1/1048576' Diameter Tree
	1/2097152' Diameter Tree
	1/4194304' Diameter Tree
	1/8388608' Diameter Tree
	1/16777216' Diameter Tree
	1/33554432' Diameter Tree
	1/67108864' Diameter Tree
	1/134217728' Diameter Tree
	1/268435456' Diameter Tree
	1/536870912' Diameter Tree
	1/1073741824' Diameter Tree
	1/2147483648' Diameter Tree
	1/4294967296' Diameter Tree
	1/8589934592' Diameter Tree
	1/17179869184' Diameter Tree
	1/34359738368' Diameter Tree
	1/68719476736' Diameter Tree
	1/137438953472' Diameter Tree
	1/274877906944' Diameter Tree
	1/549755813888' Diameter Tree
	1/1099511627776' Diameter Tree
	1/2199023255552' Diameter Tree
	1/4398046511104' Diameter Tree
	1/8796093022208' Diameter Tree
	1/17592186044416' Diameter Tree
	1/35184372088832' Diameter Tree
	1/70368744177664' Diameter Tree
	1/140737488355328' Diameter Tree
	1/281474976710656' Diameter Tree
	1/562949953421312' Diameter Tree
	1/1125899906842624' Diameter Tree
	1/2251799813685248' Diameter Tree
	1/4503599627370496' Diameter Tree
	1/9007199254740992' Diameter Tree
	1/18014398509481984' Diameter Tree
	1/36028797018963968' Diameter Tree
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	1/144115188075855872' Diameter Tree
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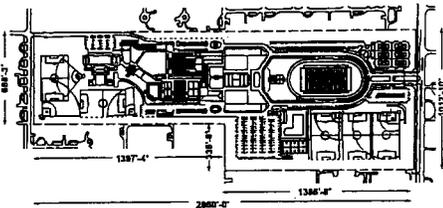




PRIVATE STREET SECTIONS

PRIVATE STREET SECTIONS

Master Plan Key

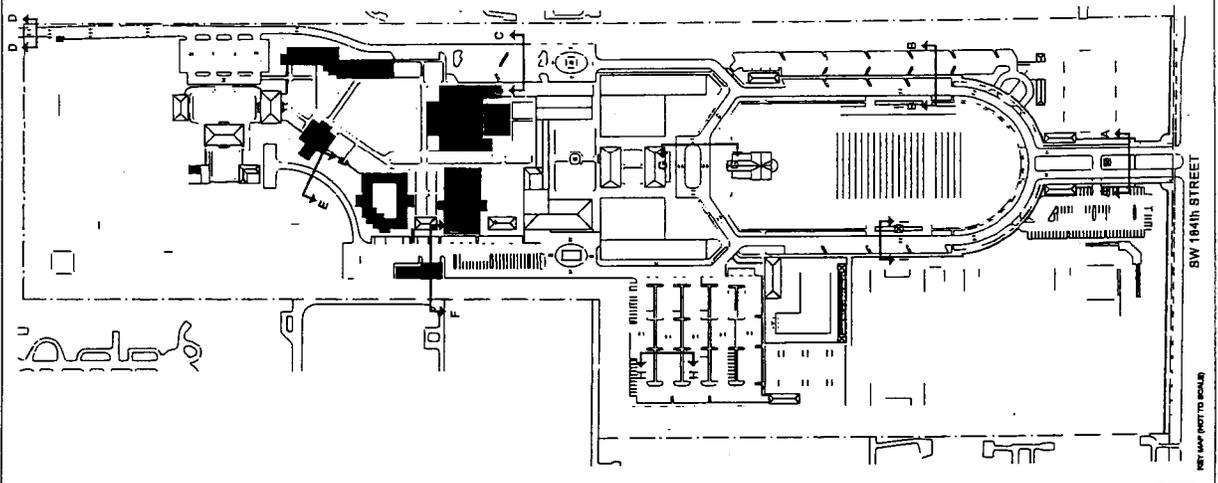
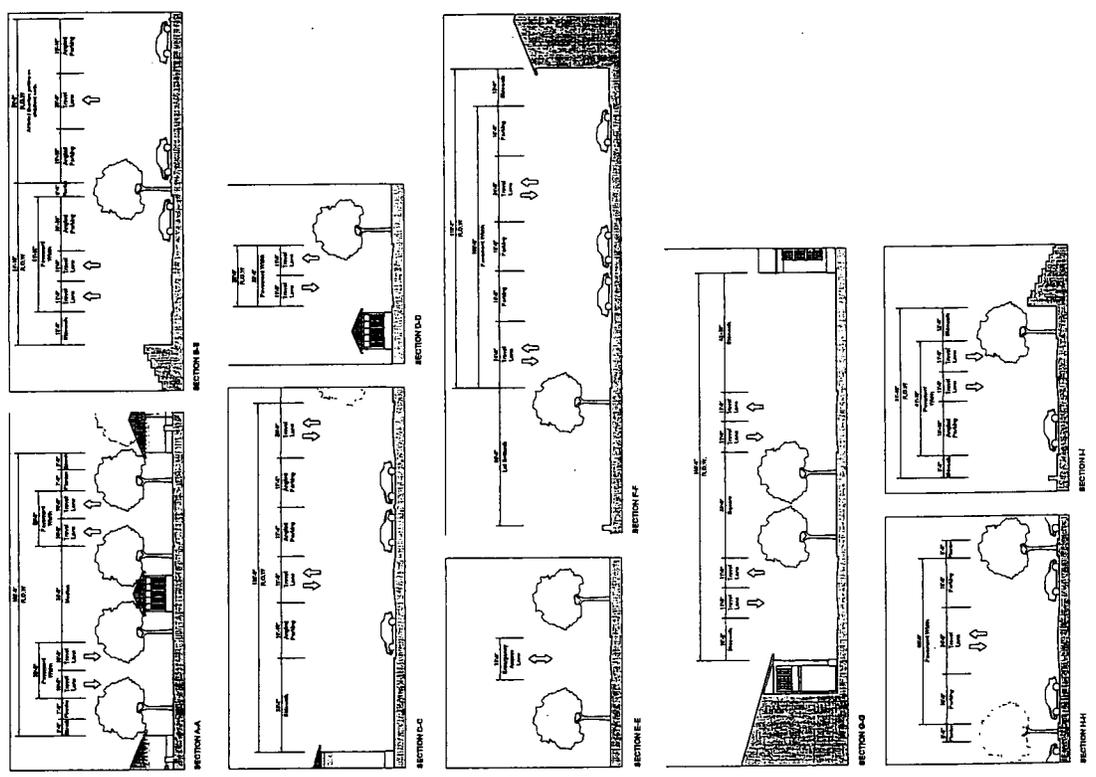


Zoning Legend

Code	Description	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Building Height (ft.)	Max. Floor Area Ratio (FAR)	Max. Building Coverage (%)	Permitted Uses
EU-1R	Single-Family Residential (R-1)	10,000	30	10	5	5	35	0.3	30	Single-Family Detached Dwelling
EU-2R	Single-Family Residential (R-2)	15,000	35	10	5	5	35	0.4	30	Single-Family Detached Dwelling
EU-3R	Single-Family Residential (R-3)	20,000	40	10	5	5	35	0.5	30	Single-Family Detached Dwelling
EU-4R	Single-Family Residential (R-4)	25,000	45	10	5	5	35	0.6	30	Single-Family Detached Dwelling
EU-5R	Single-Family Residential (R-5)	30,000	50	10	5	5	35	0.7	30	Single-Family Detached Dwelling
EU-6R	Single-Family Residential (R-6)	35,000	55	10	5	5	35	0.8	30	Single-Family Detached Dwelling
EU-7R	Single-Family Residential (R-7)	40,000	60	10	5	5	35	0.9	30	Single-Family Detached Dwelling
EU-8R	Single-Family Residential (R-8)	45,000	65	10	5	5	35	1.0	30	Single-Family Detached Dwelling
EU-9R	Single-Family Residential (R-9)	50,000	70	10	5	5	35	1.1	30	Single-Family Detached Dwelling
EU-10R	Single-Family Residential (R-10)	55,000	75	10	5	5	35	1.2	30	Single-Family Detached Dwelling
EU-11R	Single-Family Residential (R-11)	60,000	80	10	5	5	35	1.3	30	Single-Family Detached Dwelling
EU-12R	Single-Family Residential (R-12)	65,000	85	10	5	5	35	1.4	30	Single-Family Detached Dwelling
EU-13R	Single-Family Residential (R-13)	70,000	90	10	5	5	35	1.5	30	Single-Family Detached Dwelling
EU-14R	Single-Family Residential (R-14)	75,000	95	10	5	5	35	1.6	30	Single-Family Detached Dwelling
EU-15R	Single-Family Residential (R-15)	80,000	100	10	5	5	35	1.7	30	Single-Family Detached Dwelling
EU-16R	Single-Family Residential (R-16)	85,000	105	10	5	5	35	1.8	30	Single-Family Detached Dwelling
EU-17R	Single-Family Residential (R-17)	90,000	110	10	5	5	35	1.9	30	Single-Family Detached Dwelling
EU-18R	Single-Family Residential (R-18)	95,000	115	10	5	5	35	2.0	30	Single-Family Detached Dwelling
EU-19R	Single-Family Residential (R-19)	100,000	120	10	5	5	35	2.1	30	Single-Family Detached Dwelling
EU-20R	Single-Family Residential (R-20)	105,000	125	10	5	5	35	2.2	30	Single-Family Detached Dwelling
EU-21R	Single-Family Residential (R-21)	110,000	130	10	5	5	35	2.3	30	Single-Family Detached Dwelling
EU-22R	Single-Family Residential (R-22)	115,000	135	10	5	5	35	2.4	30	Single-Family Detached Dwelling
EU-23R	Single-Family Residential (R-23)	120,000	140	10	5	5	35	2.5	30	Single-Family Detached Dwelling
EU-24R	Single-Family Residential (R-24)	125,000	145	10	5	5	35	2.6	30	Single-Family Detached Dwelling
EU-25R	Single-Family Residential (R-25)	130,000	150	10	5	5	35	2.7	30	Single-Family Detached Dwelling
EU-26R	Single-Family Residential (R-26)	135,000	155	10	5	5	35	2.8	30	Single-Family Detached Dwelling
EU-27R	Single-Family Residential (R-27)	140,000	160	10	5	5	35	2.9	30	Single-Family Detached Dwelling
EU-28R	Single-Family Residential (R-28)	145,000	165	10	5	5	35	3.0	30	Single-Family Detached Dwelling
EU-29R	Single-Family Residential (R-29)	150,000	170	10	5	5	35	3.1	30	Single-Family Detached Dwelling
EU-30R	Single-Family Residential (R-30)	155,000	175	10	5	5	35	3.2	30	Single-Family Detached Dwelling
EU-31R	Single-Family Residential (R-31)	160,000	180	10	5	5	35	3.3	30	Single-Family Detached Dwelling
EU-32R	Single-Family Residential (R-32)	165,000	185	10	5	5	35	3.4	30	Single-Family Detached Dwelling
EU-33R	Single-Family Residential (R-33)	170,000	190	10	5	5	35	3.5	30	Single-Family Detached Dwelling
EU-34R	Single-Family Residential (R-34)	175,000	195	10	5	5	35	3.6	30	Single-Family Detached Dwelling
EU-35R	Single-Family Residential (R-35)	180,000	200	10	5	5	35	3.7	30	Single-Family Detached Dwelling
EU-36R	Single-Family Residential (R-36)	185,000	205	10	5	5	35	3.8	30	Single-Family Detached Dwelling
EU-37R	Single-Family Residential (R-37)	190,000	210	10	5	5	35	3.9	30	Single-Family Detached Dwelling
EU-38R	Single-Family Residential (R-38)	195,000	215	10	5	5	35	4.0	30	Single-Family Detached Dwelling
EU-39R	Single-Family Residential (R-39)	200,000	220	10	5	5	35	4.1	30	Single-Family Detached Dwelling
EU-40R	Single-Family Residential (R-40)	205,000	225	10	5	5	35	4.2	30	Single-Family Detached Dwelling
EU-41R	Single-Family Residential (R-41)	210,000	230	10	5	5	35	4.3	30	Single-Family Detached Dwelling
EU-42R	Single-Family Residential (R-42)	215,000	235	10	5	5	35	4.4	30	Single-Family Detached Dwelling
EU-43R	Single-Family Residential (R-43)	220,000	240	10	5	5	35	4.5	30	Single-Family Detached Dwelling
EU-44R	Single-Family Residential (R-44)	225,000	245	10	5	5	35	4.6	30	Single-Family Detached Dwelling
EU-45R	Single-Family Residential (R-45)	230,000	250	10	5	5	35	4.7	30	Single-Family Detached Dwelling
EU-46R	Single-Family Residential (R-46)	235,000	255	10	5	5	35	4.8	30	Single-Family Detached Dwelling
EU-47R	Single-Family Residential (R-47)	240,000	260	10	5	5	35	4.9	30	Single-Family Detached Dwelling
EU-48R	Single-Family Residential (R-48)	245,000	265	10	5	5	35	5.0	30	Single-Family Detached Dwelling
EU-49R	Single-Family Residential (R-49)	250,000	270	10	5	5	35	5.1	30	Single-Family Detached Dwelling
EU-50R	Single-Family Residential (R-50)	255,000	275	10	5	5	35	5.2	30	Single-Family Detached Dwelling
EU-51R	Single-Family Residential (R-51)	260,000	280	10	5	5	35	5.3	30	Single-Family Detached Dwelling
EU-52R	Single-Family Residential (R-52)	265,000	285	10	5	5	35	5.4	30	Single-Family Detached Dwelling
EU-53R	Single-Family Residential (R-53)	270,000	290	10	5	5	35	5.5	30	Single-Family Detached Dwelling
EU-54R	Single-Family Residential (R-54)	275,000	295	10	5	5	35	5.6	30	Single-Family Detached Dwelling
EU-55R	Single-Family Residential (R-55)	280,000	300	10	5	5	35	5.7	30	Single-Family Detached Dwelling
EU-56R	Single-Family Residential (R-56)	285,000	305	10	5	5	35	5.8	30	Single-Family Detached Dwelling
EU-57R	Single-Family Residential (R-57)	290,000	310	10	5	5	35	5.9	30	Single-Family Detached Dwelling
EU-58R	Single-Family Residential (R-58)	295,000	315	10	5	5	35	6.0	30	Single-Family Detached Dwelling
EU-59R	Single-Family Residential (R-59)	300,000	320	10	5	5	35	6.1	30	Single-Family Detached Dwelling
EU-60R	Single-Family Residential (R-60)	305,000	325	10	5	5	35	6.2	30	Single-Family Detached Dwelling
EU-61R	Single-Family Residential (R-61)	310,000	330	10	5	5	35	6.3	30	Single-Family Detached Dwelling
EU-62R	Single-Family Residential (R-62)	315,000	335	10	5	5	35	6.4	30	Single-Family Detached Dwelling
EU-63R	Single-Family Residential (R-63)	320,000	340	10	5	5	35	6.5	30	Single-Family Detached Dwelling
EU-64R	Single-Family Residential (R-64)	325,000	345	10	5	5	35	6.6	30	Single-Family Detached Dwelling
EU-65R	Single-Family Residential (R-65)	330,000	350	10	5	5	35	6.7	30	Single-Family Detached Dwelling
EU-66R	Single-Family Residential (R-66)	335,000	355	10	5	5	35	6.8	30	Single-Family Detached Dwelling
EU-67R	Single-Family Residential (R-67)	340,000	360	10	5	5	35	6.9	30	Single-Family Detached Dwelling
EU-68R	Single-Family Residential (R-68)	345,000	365	10	5	5	35	7.0	30	Single-Family Detached Dwelling
EU-69R	Single-Family Residential (R-69)	350,000	370	10	5	5	35	7.1	30	Single-Family Detached Dwelling
EU-70R	Single-Family Residential (R-70)	355,000	375	10	5	5	35	7.2	30	Single-Family Detached Dwelling
EU-71R	Single-Family Residential (R-71)	360,000	380	10	5	5	35	7.3	30	Single-Family Detached Dwelling
EU-72R	Single-Family Residential (R-72)	365,000	385	10	5	5	35	7.4	30	Single-Family Detached Dwelling
EU-73R	Single-Family Residential (R-73)	370,000	390	10	5	5	35	7.5	30	Single-Family Detached Dwelling
EU-74R	Single-Family Residential (R-74)	375,000	395	10	5	5	35	7.6	30	Single-Family Detached Dwelling
EU-75R	Single-Family Residential (R-75)	380,000	400	10	5	5	35	7.7	30	Single-Family Detached Dwelling
EU-76R	Single-Family Residential (R-76)	385,000	405	10	5	5	35	7.8	30	Single-Family Detached Dwelling
EU-77R	Single-Family Residential (R-77)	390,000	410	10	5	5	35	7.9	30	Single-Family Detached Dwelling
EU-78R	Single-Family Residential (R-78)	395,000	415	10	5	5	35	8.0	30	Single-Family Detached Dwelling
EU-79R	Single-Family Residential (R-79)	400,000	420	10	5	5	35	8.1	30	Single-Family Detached Dwelling
EU-80R	Single-Family Residential (R-80)	405,000	425	10	5	5	35	8.2	30	Single-Family Detached Dwelling
EU-81R	Single-Family Residential (R-81)	410,000	430	10	5	5	35	8.3	30	Single-Family Detached Dwelling
EU-82R	Single-Family Residential (R-82)	415,000	435	10	5	5	35	8.4	30	Single-Family Detached Dwelling
EU-83R	Single-Family Residential (R-83)	420,000	440	10	5	5	35	8.5	30	Single-Family Detached Dwelling
EU-84R	Single-Family Residential (R-84)	425,000	445	10	5	5	35	8.6	30	Single-Family Detached Dwelling
EU-85R	Single-Family Residential (R-85)	430,000	450	10	5	5	35	8.7	30	Single-Family Detached Dwelling
EU-86R	Single-Family Residential (R-86)	435,000	455	10	5	5	35	8.8	30	Single-Family Detached Dwelling
EU-87R	Single-Family Residential (R-87)	440,000	460	10	5	5	35	8.9	30	Single-Family Detached Dwelling
EU-88R	Single-Family Residential (R-88)	445,000	465	10	5	5	35	9.0	30	Single-Family Detached Dwelling
EU-89R	Single-Family Residential (R-89)	450,000	470	10	5	5	35	9.1	30	Single-Family Detached Dwelling
EU-90R	Single-Family Residential (R-90)	455,000	475	10	5	5	35	9.2	30	Single-Family Detached Dwelling
EU-91R	Single-Family Residential (R-91)	460,000	480	10	5	5	35	9.3	30	Single-Family Detached Dwelling
EU-92R	Single-Family Residential (R-92)	465,000	485	10	5	5	35	9.4	30	Single-Family Detached Dwelling
EU-93R	Single-Family Residential (R-93)	470,000	490	10	5	5	35	9.5	30	Single-Family Detached Dwelling
EU-94R	Single-Family Residential (R-94)	475,000	495	10	5	5	35	9.6	30	Single-Family Detached Dwelling
EU-95R	Single-Family Residential (R-95)	480,000	500	10	5	5	35	9.7	30	Single-Family Detached Dwelling
EU-96R	Single-Family Residential (R-96)	485,000	505	10	5	5	35	9.8	30	Single-Family Detached Dwelling
EU-97R	Single-Family Residential (R-97)	490,000	510	10	5	5	35	9.9	30	Single-Family Detached Dwelling
EU-98R	Single-Family Residential (R-98)	495,000	515	10	5	5	35	10.0	30	Single-Family Detached Dwelling
EU-99R	Single-Family Residential (R-99)	500,000	520	10	5	5	35	10.1	30	Single-Family Detached Dwelling
EU-100R	Single-Family Residential (R-100)	505,000	525	10	5	5	35	10.2	30	Single-Family Detached Dwelling

Prepared By  
**PALMER TRINITY SCHOOL**  
 7900 SW 176<sup>th</sup> ST. PALMETTO BAY, FL. 33157  
**DUANY PLATER ZYBERK & CO**  
 ARCHITECTS AND TOWN PLANNERS  
 1023 SW 28<sup>th</sup> AVE., MIAMI FL. 33139  
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SHEET  
**16**  
 4.19.2010







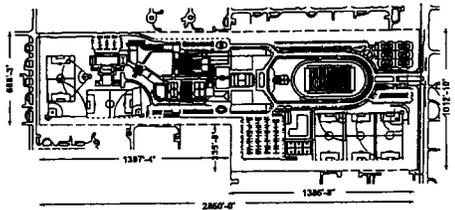
**SCHEMATIC ARCHITECTURE**

**(9.1) MUSIC AND PHYSICAL EDUCATION**

**Building Information**

Building Number: B.1  
 Building Uses: Elementary School - Music and Physical Education  
 Prepared Area: 2,640 SF  
 Ground Floor Area: 2,640 SF  
 Classroom Area: 1,921 SF  
 Number of Floors: 1  
 Height to Eaves: 24'-0"  
 Height to Top of Roof: 33'-10"  
 Comment:

**Master Plan Key**



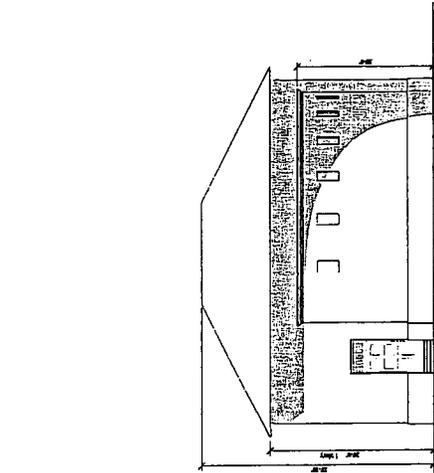
**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited
EU-M	Elementary School - Music	Yes	No	No
EU-PE	Elementary School - Physical Education	Yes	No	No

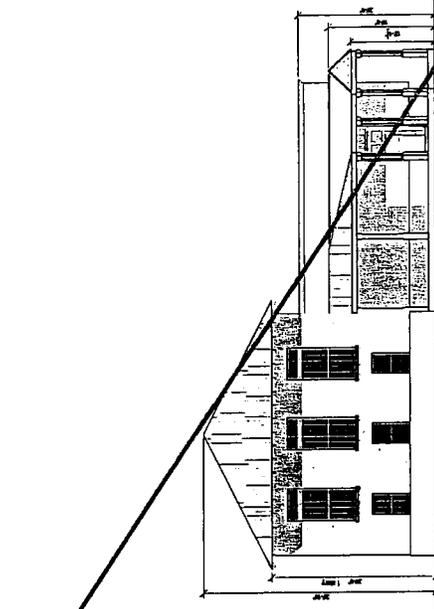
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**SHEET 19**  
 4.19.2010

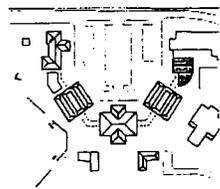


WEST ELEVATION

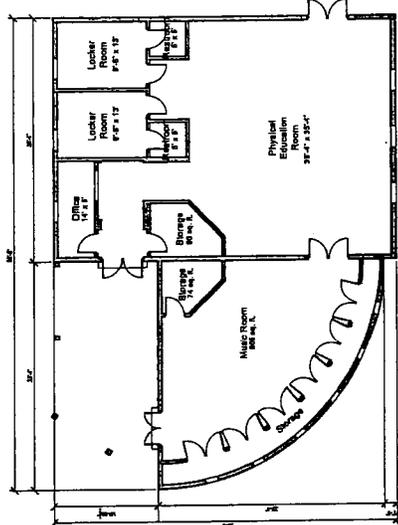


NORTH ELEVATION

**VOID**



ELEMENTARY SCHOOL KEY



FIRST FLOOR PLAN

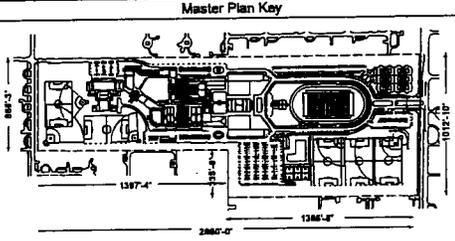


**SCHEMATIC ARCHITECTURE**

**(9.2) CLASSROOM BUILDING**

**Building Information**

Building Number: 02  
 Building Use: Elementary School - Classroom  
 Proposed Area: 9,960 SF  
 Ground Floor Area: 4,980 SF  
 Classroom Area: 3,910 SF  
 Number of Floors: 2  
 Height to Eaves: 24'-0"  
 Height to Top of Roof: 33'-2"  
 Comments:



**Zoning Legend**

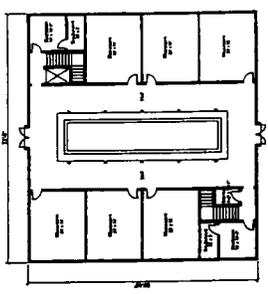
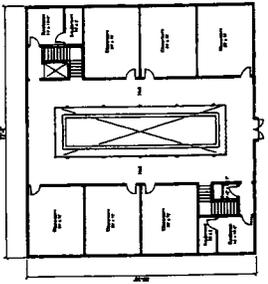
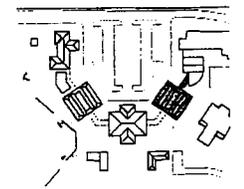
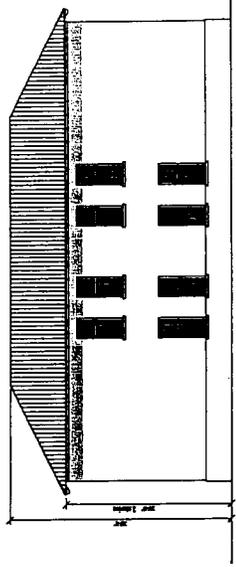
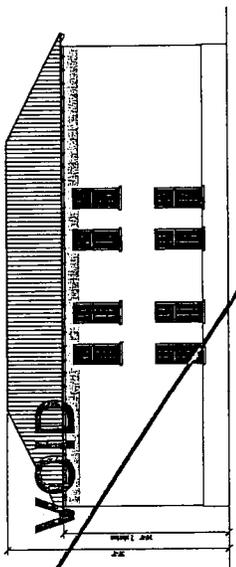
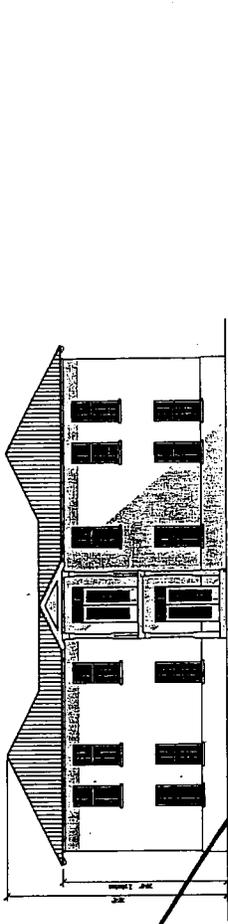
Code	Description	Permitted	Conditional	Prohibited
EU-M	Elementary School - Medium Density	Yes	No	No
Other Codes	...	...	...	...

**Prepared by**

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**SHEET 20**  
 4.19.2010



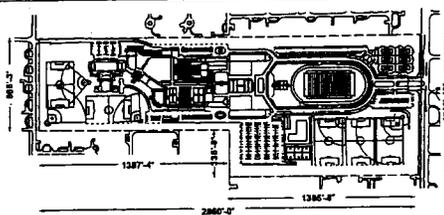
**SCHEMATIC ARCHITECTURE**

(9.3) LIBRARY, DINING, CLASSROOM BUILDING

**Building Information**

Building Number: 9.3  
 Building Use: Elementary School Library and Dining Hall  
 Proposed Area: 11,421 SF  
 Ground Area: 5,286 SF  
 Classroom: 5  
 Classroom Area: 2,647 SF  
 Number of Floors: 2  
 Height to Base: 24'-2"  
 Height to Eave: 34'-5.5"  
 Comments:

**Master Plan Key**



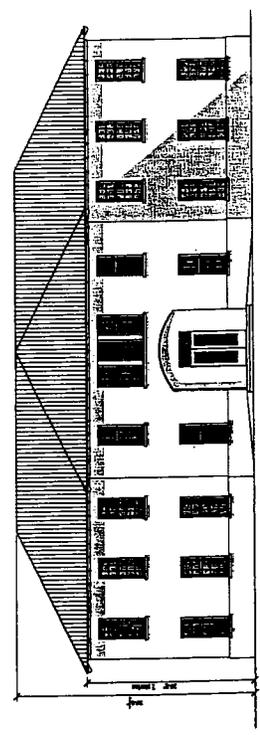
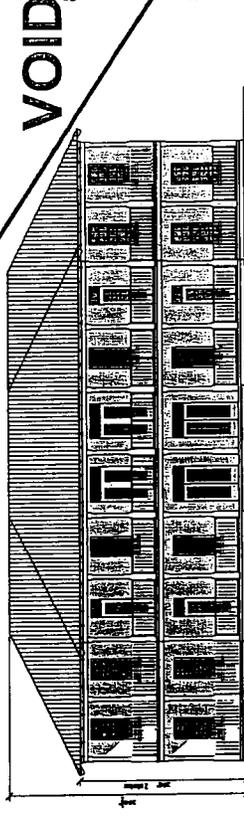
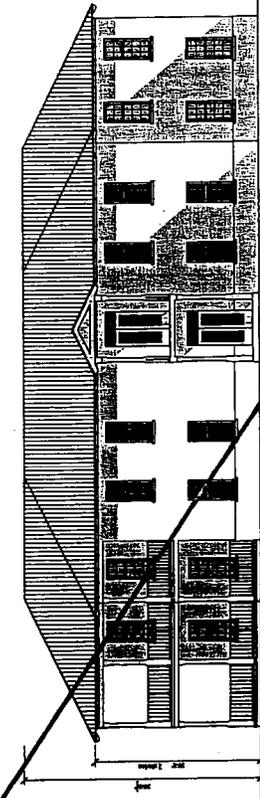
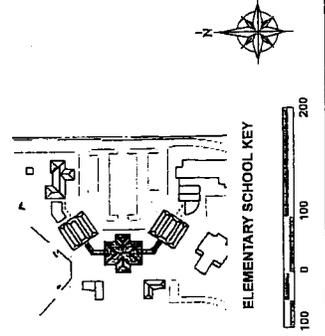
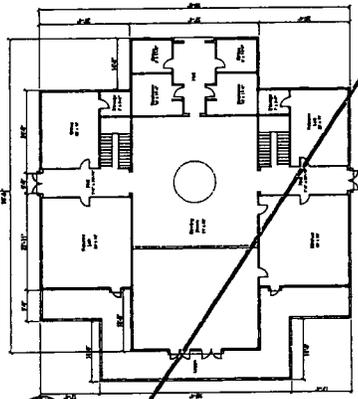
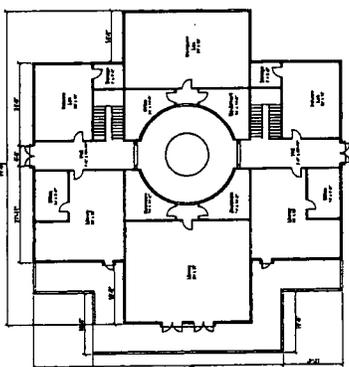
**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited
EU-M	Elementary School	Yes	No	No
...	...	...	...	...

Prepared By  
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SHEET **21**  
 4.18.2010

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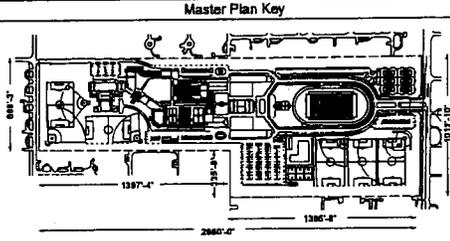
**VOID**

SCHEMATIC ARCHITECTURE

(9.4) CLASSROOM BUILDING

**Building Information**

Building Number: E-4  
 Project Name: Elementary School - Classroom  
 Proposed Area: 5,850 SF  
 Ground Floor Area: 4,858 SF  
 Classroom Area: 12  
 Classroom Area: 3,918 SF  
 Height to Top of Rec: 34'-0"  
 Height to Top of Rec: 32'-2"  
 Comments:



\*All building designs are schematic

**Zoning Legend**

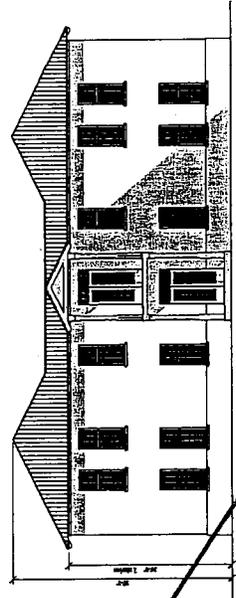
Code	Description	Permitted Uses	Conditional Uses	Prohibited Uses
EU-M	Elementary School - Medium Density	Elementary School		
EU-L	Elementary School - Low Density	Elementary School		
EU-H	Elementary School - High Density	Elementary School		

**Prepared by**

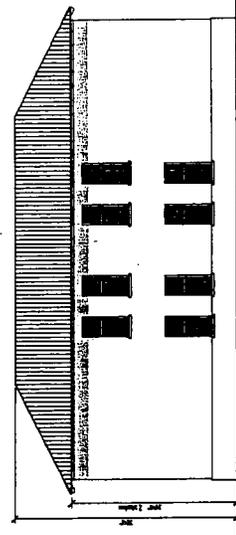
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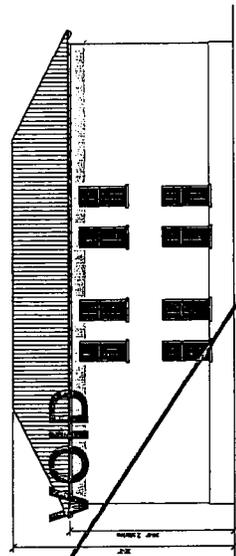
**SHEET 22**  
 4.19.2010



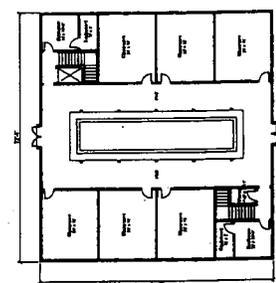
NORTHWEST ELEVATION



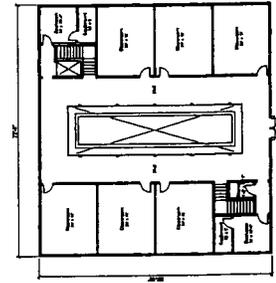
NORTHEAST ELEVATION



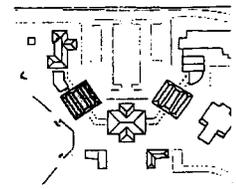
SOUTHWEST ELEVATION



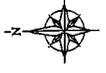
FIRST FLOOR PLAN



SECOND FLOOR PLAN



ELEMENTARY SCHOOL KEY

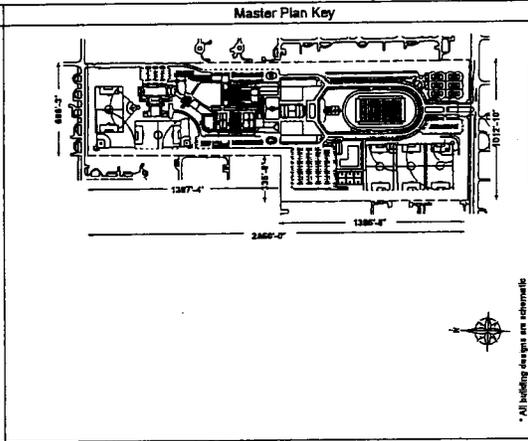


**SCHEMATIC ARCHITECTURE**

**(9.5) DAYCARE BUILDING**

**Building Information**

Building Number: 9.5  
 Building User: Elementary School - Daycare Center  
 Proposed Area: 4,658 SF  
 Ground Floor Area: 4,658 SF  
 Classroom: 2,754 SF  
 Number of Floors: 1  
 Height to Eaves: 15'-2"  
 Height to Top of Roof: 22'-9"  
 Comments:



**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited
EU-M	Elementary School - Medium Density	Yes	No	No
Other Codes	...	...	...	...

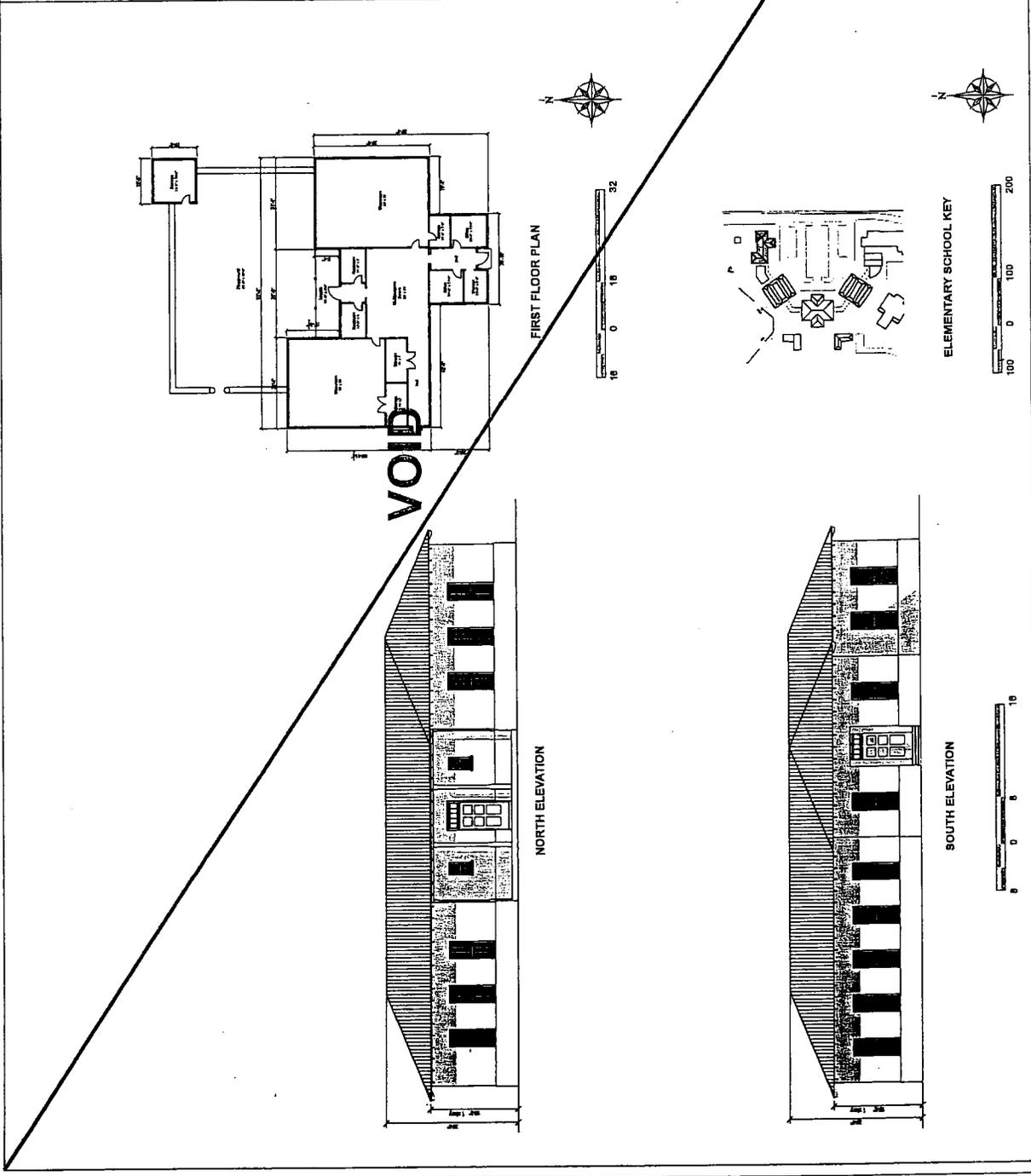
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SHEET **23**  
 4.19.2010





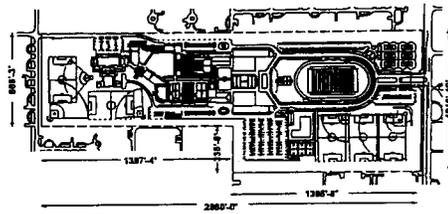
**SCHEMATIC ARCHITECTURE**

**(9.7) CLASSROOM BUILDING**

**Building Information**

Building Number: B7 Classroom Building  
 Building Use: K-218 BF  
 Proposed Area: 4,218 SF  
 Ground Area: 4,208 SF  
 Classroom: 14  
 Classroom Area: 8,900 SF  
 Number of Floors: 2  
 Height to Eave: 24'-10"  
 Height to Top of Parapet: 35'-0"  
 Comma: 0

**Master Plan Key**



\* All building designs are schematics

**Zoning Legend**

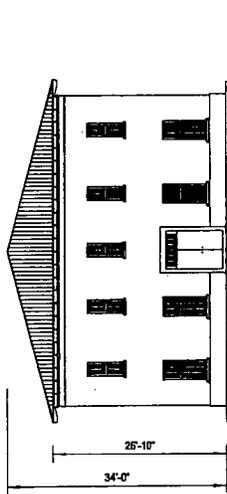
Code	Description	Permitted	Conditional	Prohibited
EU-M	Medium Density Residential	Yes	No	No
Other Codes				

**Prepared By**

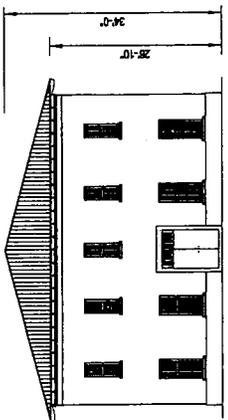
**PALMER TRINITY SCHOOL**  
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**DUANY PLATER-ZYBERK & CO.**  
 ARCHITECTS AND TOWN PLANNERS  
 1023 SW 25<sup>TH</sup> AVE. MIAMI FL. 33136  
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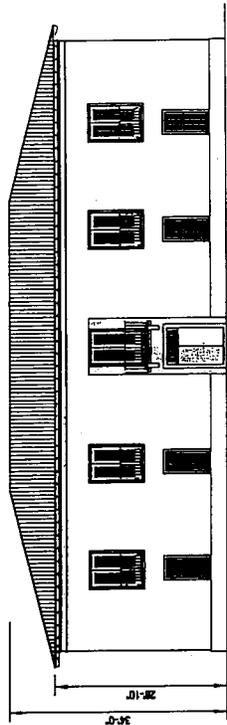
SHEET  
**23.2**  
 4.19.2010



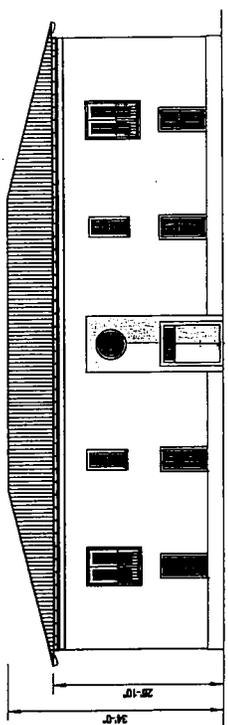
**NORTH ELEVATION**



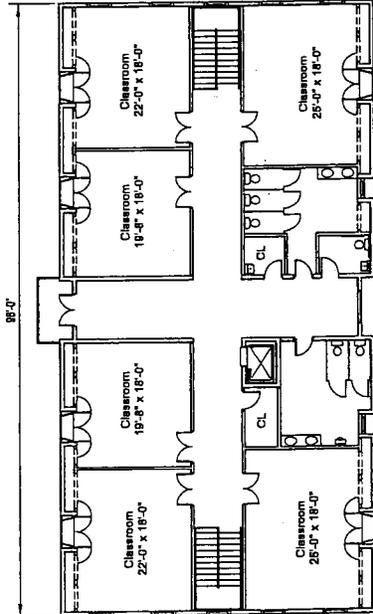
**SOUTH ELEVATION**



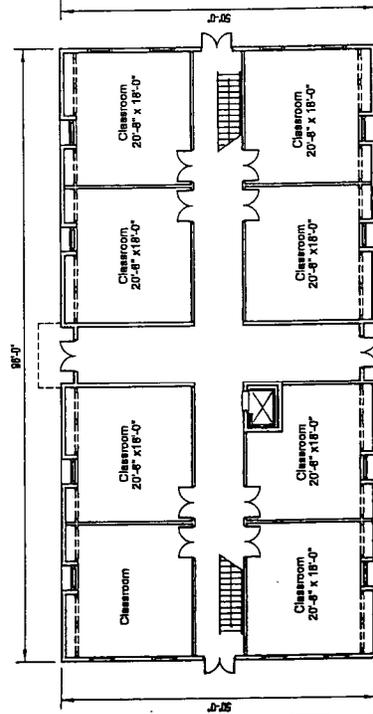
**EAST ELEVATION**



**WEST ELEVATION**



**SECOND FLOOR PLAN**



**FIRST FLOOR PLAN**



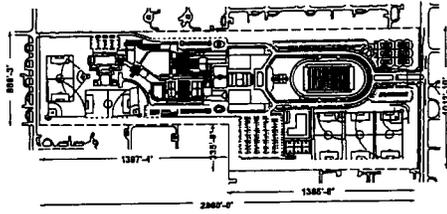
**SCHEMATIC ARCHITECTURE**

**(9.8) CLASSROOM, LIBRARY AND LAB BUILDING**

**Building Information**

Building Number: 9.8  
 Building Use: Classroom, Library and Lab Building  
 Proposed Area: 8,216 SF  
 Ground Floor Area: 2,772 SF  
 Second Floor Area: 5,444 SF  
 Classroom Area: 2,400 SF  
 Number of Floors: 2  
 Height to Eave: 28'-10"  
 Height to Top of Roof: 35'-0"  
 Comment:

**Master Plan Key**

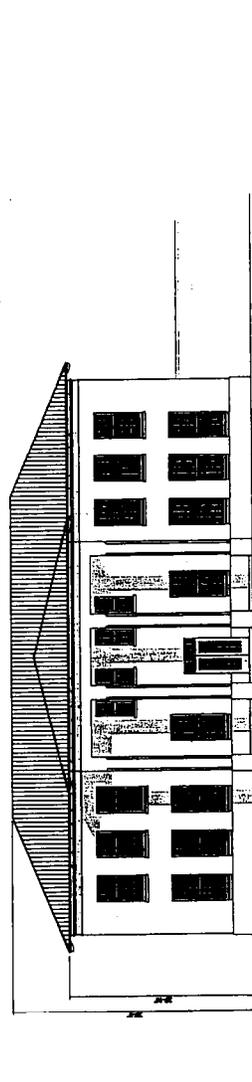


\* All building designs are schematics

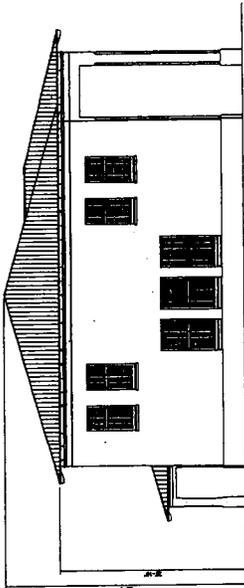
**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited	Special
EU-1B	Single-Family Detached	Yes	No	No	No
EU-2B	Single-Family Detached	Yes	No	No	No
EU-3B	Single-Family Detached	Yes	No	No	No
EU-4B	Single-Family Detached	Yes	No	No	No
EU-5B	Single-Family Detached	Yes	No	No	No
EU-6B	Single-Family Detached	Yes	No	No	No
EU-7B	Single-Family Detached	Yes	No	No	No
EU-8B	Single-Family Detached	Yes	No	No	No
EU-9B	Single-Family Detached	Yes	No	No	No
EU-10B	Single-Family Detached	Yes	No	No	No
EU-11B	Single-Family Detached	Yes	No	No	No
EU-12B	Single-Family Detached	Yes	No	No	No
EU-13B	Single-Family Detached	Yes	No	No	No
EU-14B	Single-Family Detached	Yes	No	No	No
EU-15B	Single-Family Detached	Yes	No	No	No
EU-16B	Single-Family Detached	Yes	No	No	No
EU-17B	Single-Family Detached	Yes	No	No	No
EU-18B	Single-Family Detached	Yes	No	No	No
EU-19B	Single-Family Detached	Yes	No	No	No
EU-20B	Single-Family Detached	Yes	No	No	No
EU-21B	Single-Family Detached	Yes	No	No	No
EU-22B	Single-Family Detached	Yes	No	No	No
EU-23B	Single-Family Detached	Yes	No	No	No
EU-24B	Single-Family Detached	Yes	No	No	No
EU-25B	Single-Family Detached	Yes	No	No	No
EU-26B	Single-Family Detached	Yes	No	No	No
EU-27B	Single-Family Detached	Yes	No	No	No
EU-28B	Single-Family Detached	Yes	No	No	No
EU-29B	Single-Family Detached	Yes	No	No	No
EU-30B	Single-Family Detached	Yes	No	No	No
EU-31B	Single-Family Detached	Yes	No	No	No
EU-32B	Single-Family Detached	Yes	No	No	No
EU-33B	Single-Family Detached	Yes	No	No	No
EU-34B	Single-Family Detached	Yes	No	No	No
EU-35B	Single-Family Detached	Yes	No	No	No
EU-36B	Single-Family Detached	Yes	No	No	No
EU-37B	Single-Family Detached	Yes	No	No	No
EU-38B	Single-Family Detached	Yes	No	No	No
EU-39B	Single-Family Detached	Yes	No	No	No
EU-40B	Single-Family Detached	Yes	No	No	No
EU-41B	Single-Family Detached	Yes	No	No	No
EU-42B	Single-Family Detached	Yes	No	No	No
EU-43B	Single-Family Detached	Yes	No	No	No
EU-44B	Single-Family Detached	Yes	No	No	No
EU-45B	Single-Family Detached	Yes	No	No	No
EU-46B	Single-Family Detached	Yes	No	No	No
EU-47B	Single-Family Detached	Yes	No	No	No
EU-48B	Single-Family Detached	Yes	No	No	No
EU-49B	Single-Family Detached	Yes	No	No	No
EU-50B	Single-Family Detached	Yes	No	No	No

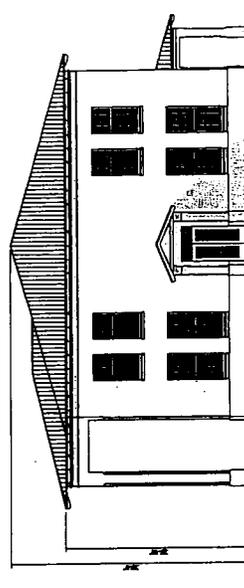
Prepared By  
**23.3**  
 4.19.2010  
**PALMER TRINITY SCHOOL**  
 7800 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157  
**DUANY PLATER-ZYBERK & CO.**  
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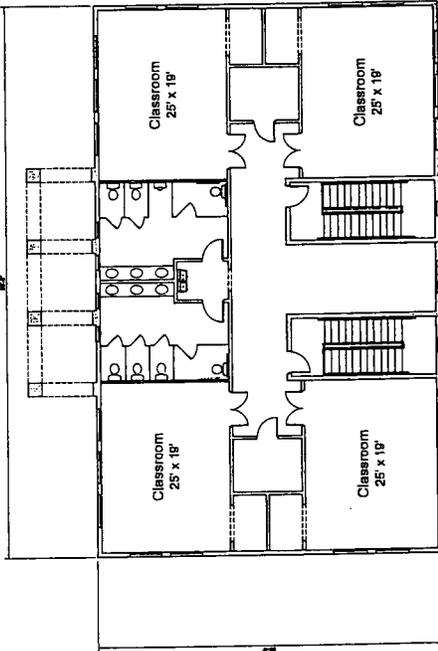
NORTH ELEVATION



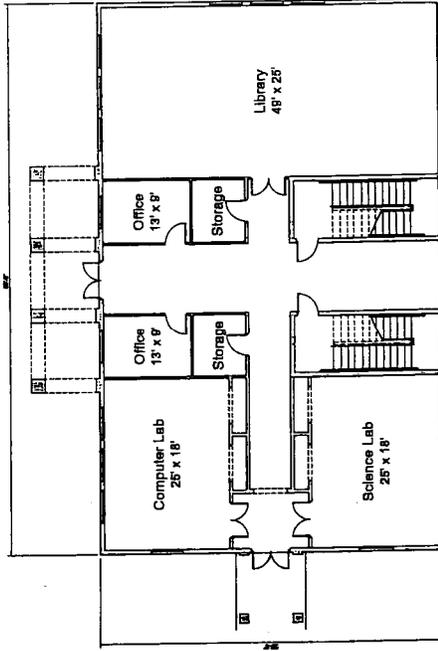
EAST ELEVATION



WEST ELEVATION



SECOND FLOOR PLAN



FIRST FLOOR PLAN



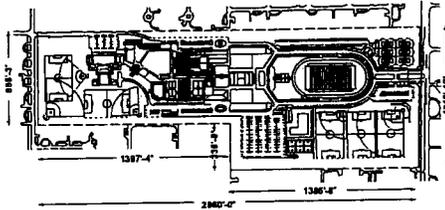
**SCHEMATIC ARCHITECTURE**

(10.1) FIELD STORAGE (ADDITION)

**Building Information**

Building Number: 10.1 Storage (Addition)  
 Building Use: 230 SF  
 Proposed Area: 1,432 SF  
 Gross Area: 1,432 SF  
 Classroom: 0  
 Classroom Area: 0  
 Number of Floors: 2  
 Height to Eave: 28'-7"  
 Height to Top: 28'-7"  
 Comments:

**Master Plan Key**



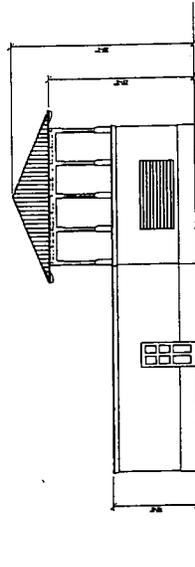
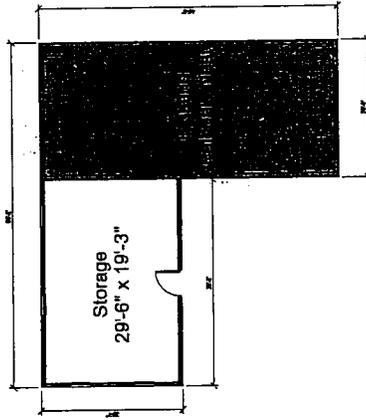
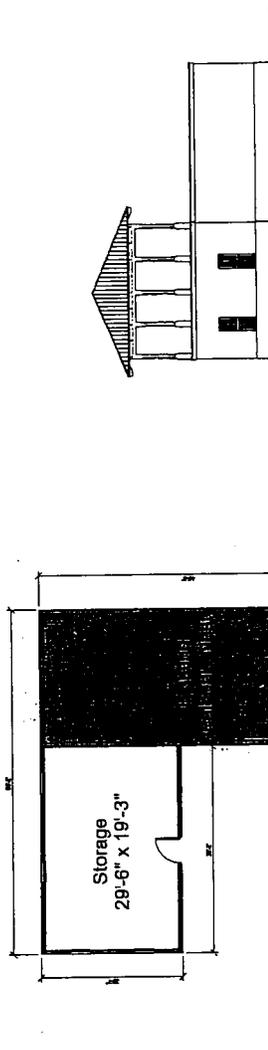
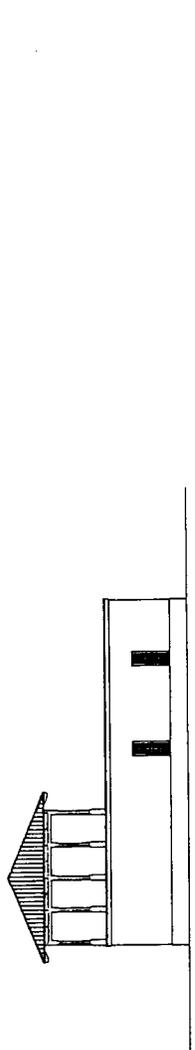
\*All building designs are schematic

**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited
EU-M	Medium Density Residential	Yes	No	No
Other Zoning Codes				

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**24**  
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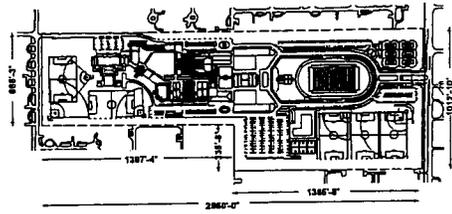
**SCHEMATIC ARCHITECTURE**

(10.2) FIELD STORAGE

**Building Information**

Building Number: 10.2  
 Building Use: Field Storage  
 Proposed Area: 7,452 SF  
 Ground Cover Area: 1,482 SF  
 Classroom Area: n/a  
 Classroom Area: n/a  
 Number of Floors: 2  
 Height to Eave: 21'-3"  
 Height to top of foot: 28'-7"  
 Comment:

**Master Plan Key**



**Zoning Legend**

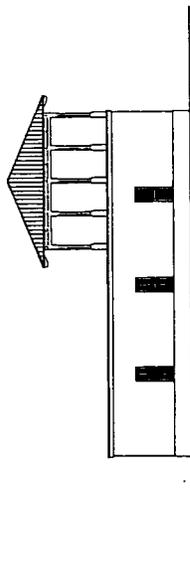
Code	Description	Min. Lot Area	Min. Lot Depth	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Building Height	Max. Floor Area Ratio	Max. Building Footprint	Max. Building Volume	Max. Building Area	Max. Building Footprint Area	Max. Building Volume
ELM	Elementary School	10,000	100	10	10	10	35	0.25	2,500	100,000	2,500	100,000	
MS	Middle School	10,000	100	10	10	10	35	0.25	2,500	100,000	2,500	100,000	
HS	High School	10,000	100	10	10	10	35	0.25	2,500	100,000	2,500	100,000	
ES	Elementary School	10,000	100	10	10	10	35	0.25	2,500	100,000	2,500	100,000	
MS	Middle School	10,000	100	10	10	10	35	0.25	2,500	100,000	2,500	100,000	
HS	High School	10,000	100	10	10	10	35	0.25	2,500	100,000	2,500	100,000	

**Prepared By**

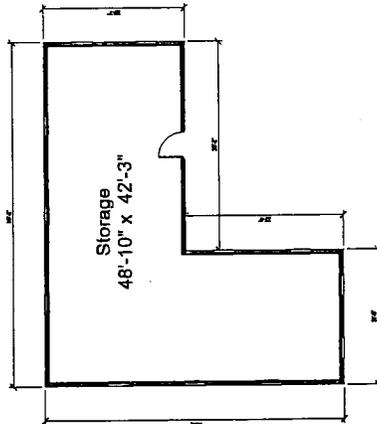
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SHEET **25**  
 4.19.2010

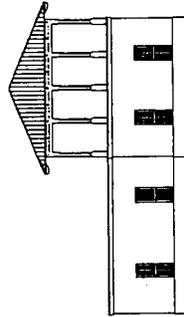
**DUANY PLATER-ZYBERK & CO.**  
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 1023 SW 25<sup>TH</sup> AVE. MIAMI FL. 33135  
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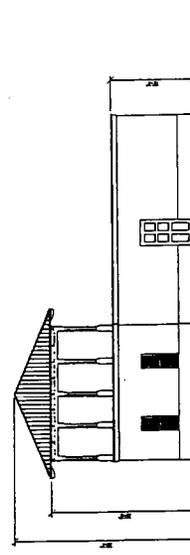
EAST ELEVATION



FLOOR PLAN



SOUTH ELEVATION



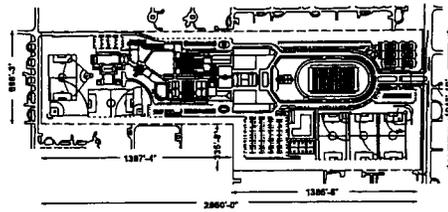
WEST ELEVATION



**Building Information**

Building Number: 10.3  
 Building Use: Field Storage  
 Proposed Area: 4,478 SF  
 Ground Floor Area: 4,478 SF  
 Classroom Area: 0 SF  
 Classroom Area: 0 SF  
 Number of Floors: 1  
 Height to Eave: 11'-0"  
 Height to Top of Roof: 18'-3"  
 Comments:

**Master Plan Key**



**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited
EL-1M	Elementary School	Yes	No	No
EL-2M	Intermediate School	Yes	No	No
EL-3M	High School	Yes	No	No
EL-4M	Technical School	Yes	No	No
EL-5M	Other School	Yes	No	No
EL-6M	Other School	Yes	No	No
EL-7M	Other School	Yes	No	No
EL-8M	Other School	Yes	No	No
EL-9M	Other School	Yes	No	No
EL-10M	Other School	Yes	No	No
EL-11M	Other School	Yes	No	No
EL-12M	Other School	Yes	No	No
EL-13M	Other School	Yes	No	No
EL-14M	Other School	Yes	No	No
EL-15M	Other School	Yes	No	No
EL-16M	Other School	Yes	No	No
EL-17M	Other School	Yes	No	No
EL-18M	Other School	Yes	No	No
EL-19M	Other School	Yes	No	No
EL-20M	Other School	Yes	No	No
EL-21M	Other School	Yes	No	No
EL-22M	Other School	Yes	No	No
EL-23M	Other School	Yes	No	No
EL-24M	Other School	Yes	No	No
EL-25M	Other School	Yes	No	No
EL-26M	Other School	Yes	No	No
EL-27M	Other School	Yes	No	No
EL-28M	Other School	Yes	No	No
EL-29M	Other School	Yes	No	No
EL-30M	Other School	Yes	No	No

**Prepared By**

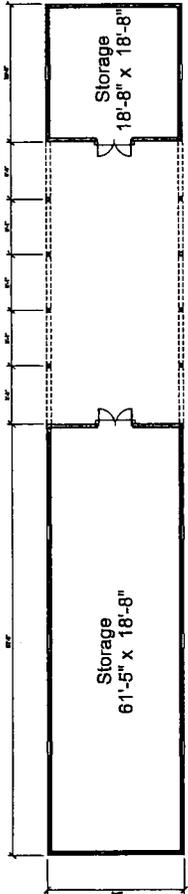
PALMER TRINITY SCHOOL  
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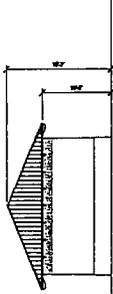
SHEET **26**  
 4.18.2010



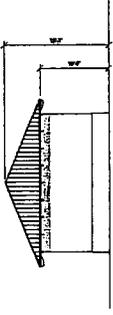
NORTH ELEVATION



FLOOR PLAN



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



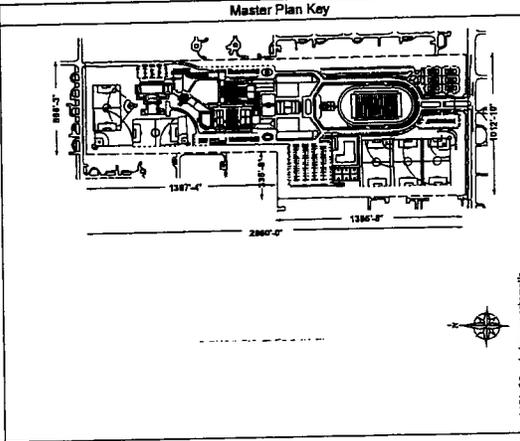
\* All building designs are schematic

# SCHEMATIC ARCHITECTURE

(10.4) VIDEO BOX

**Building Information**

Building Number: 10A  
 Project Name: Video Box  
 Proposed Area: 380 SF  
 Ground Floor Area: 380 SF  
 Classroom: 0  
 Classroom Area: 0  
 Height to Base: 22'-10"  
 Height to Top of Roof: 27'-8"  
 Comments:



**Zoning Legend**

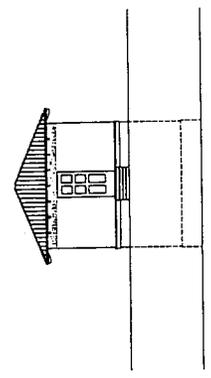
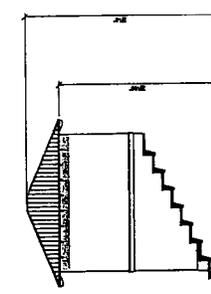
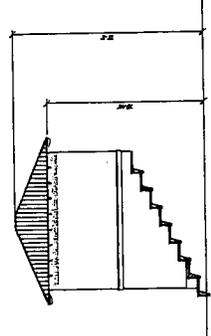
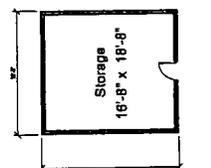
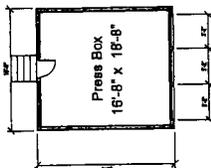
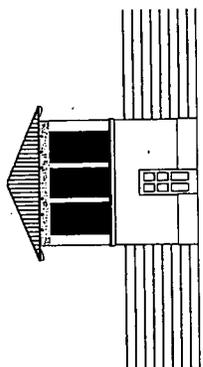
Code	Description	Min. Lot Area	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Building Height	Max. Floor Area Ratio	Max. Building Coverage	Min. Lot Coverage	Min. Open Space	Min. Street Frontage	Min. Street Frontage Width	Min. Street Frontage Depth	Min. Street Frontage Area	Min. Street Frontage Length	Min. Street Frontage Width to Depth Ratio	Min. Street Frontage Area to Length Ratio	Min. Street Frontage Length to Width Ratio	Min. Street Frontage Area to Length to Width Ratio
EU-1H	Single-Family Residential	5,000	10	5	5	35	0.35	30%	10%	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'

**Prepared By**

PALMER TRINITY SCHOOL  
 7900 SW 178<sup>th</sup> ST. PALMETTO BAY, FL. 33157

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SHEET **27**  
 4.19.2010



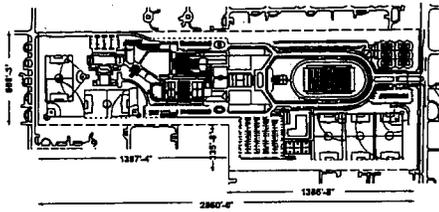
**SCHEMATIC ARCHITECTURE**

**(10.5) POOL STORAGE AND BLEACHERS**

**Building Information**

Building Number: 10.5  
 Building Use: Pool Storage and Bleachers  
 Proposed Area: 800 SF  
 Ground Floor Area: 800 SF  
 Total Area: 0  
 Classroom Area: 0  
 Number of Floors: 1  
 Height to Eaves: 14'-0"  
 Height to Top of Roof: 19'-3"  
 Comment:

**Master Plan Key**



\* All building designs are schematic.

**Zoning Legend**

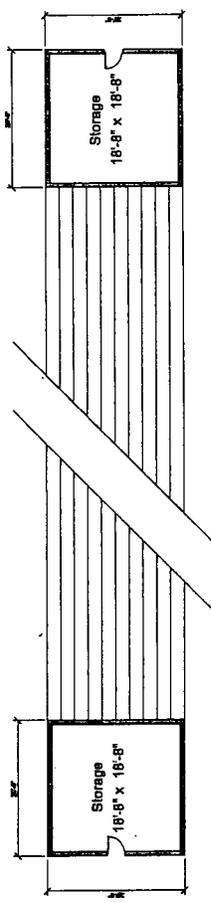
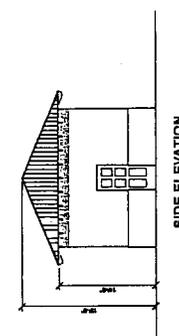
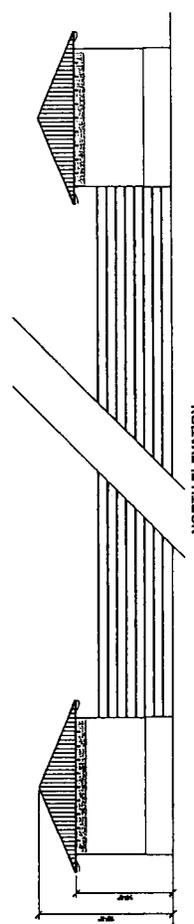
Code	Description	Permitted	Conditional	Prohibited
EU-M	Medium Density Residential	Yes	No	No
EU-L	Low Density Residential	Yes	No	No
EU-H	High Density Residential	Yes	No	No
EU-S	Single-Family Residential	Yes	No	No
EU-D	Detached Single-Family Residential	Yes	No	No
EU-T	Attached Single-Family Residential	Yes	No	No
EU-C	Condominium Residential	Yes	No	No
EU-O	Office Residential	Yes	No	No
EU-B	Business Residential	Yes	No	No
EU-MB	Medium Density Residential - Medium Density	Yes	No	No
EU-LB	Low Density Residential - Low Density	Yes	No	No
EU-HB	High Density Residential - High Density	Yes	No	No
EU-SB	Single-Family Residential - Single-Family	Yes	No	No
EU-DB	Detached Single-Family Residential - Detached	Yes	No	No
EU-TB	Attached Single-Family Residential - Attached	Yes	No	No
EU-CB	Condominium Residential - Condominium	Yes	No	No
EU-OB	Office Residential - Office	Yes	No	No
EU-BB	Business Residential - Business	Yes	No	No

**Prepared By**

**PALMER TRINITY SCHOOL**  
 7900 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

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SHEET  
**28**  
 4.19.2010



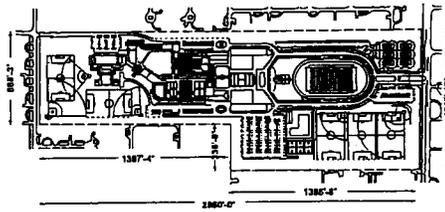
**SCHEMATIC ARCHITECTURE**

(10.6) FIELD STORAGE

**Building Information**

Building Number: 106  
 Building Use: Fieldhouse - Storage  
 Proposed Area: 1,769 SF  
 Ground Floor Area: 1,769 SF  
 Total Area: 0  
 Classroom Area: 0  
 Number of Floors: 1  
 Height to Eave: 10'-0"  
 Height to Top of Roof: 16'-1"  
 Comment: The plan includes 4 of these buildings

**Master Plan Key**



\* All building designs are schematic

**Zoning Legend**

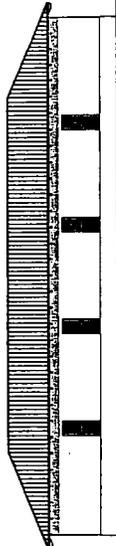
Code	Description	Permitted	Conditional	Prohibited
EU-1	EU-1 (Single-Family Residential)	Yes	No	No
EU-2	EU-2 (Single-Family Residential)	Yes	No	No
EU-3	EU-3 (Single-Family Residential)	Yes	No	No
EU-4	EU-4 (Single-Family Residential)	Yes	No	No
EU-5	EU-5 (Single-Family Residential)	Yes	No	No
EU-6	EU-6 (Single-Family Residential)	Yes	No	No
EU-7	EU-7 (Single-Family Residential)	Yes	No	No
EU-8	EU-8 (Single-Family Residential)	Yes	No	No
EU-9	EU-9 (Single-Family Residential)	Yes	No	No
EU-10	EU-10 (Single-Family Residential)	Yes	No	No
EU-11	EU-11 (Single-Family Residential)	Yes	No	No
EU-12	EU-12 (Single-Family Residential)	Yes	No	No
EU-13	EU-13 (Single-Family Residential)	Yes	No	No
EU-14	EU-14 (Single-Family Residential)	Yes	No	No
EU-15	EU-15 (Single-Family Residential)	Yes	No	No
EU-16	EU-16 (Single-Family Residential)	Yes	No	No
EU-17	EU-17 (Single-Family Residential)	Yes	No	No
EU-18	EU-18 (Single-Family Residential)	Yes	No	No
EU-19	EU-19 (Single-Family Residential)	Yes	No	No
EU-20	EU-20 (Single-Family Residential)	Yes	No	No
EU-21	EU-21 (Single-Family Residential)	Yes	No	No
EU-22	EU-22 (Single-Family Residential)	Yes	No	No
EU-23	EU-23 (Single-Family Residential)	Yes	No	No
EU-24	EU-24 (Single-Family Residential)	Yes	No	No
EU-25	EU-25 (Single-Family Residential)	Yes	No	No
EU-26	EU-26 (Single-Family Residential)	Yes	No	No
EU-27	EU-27 (Single-Family Residential)	Yes	No	No
EU-28	EU-28 (Single-Family Residential)	Yes	No	No
EU-29	EU-29 (Single-Family Residential)	Yes	No	No
EU-30	EU-30 (Single-Family Residential)	Yes	No	No
EU-31	EU-31 (Single-Family Residential)	Yes	No	No
EU-32	EU-32 (Single-Family Residential)	Yes	No	No
EU-33	EU-33 (Single-Family Residential)	Yes	No	No
EU-34	EU-34 (Single-Family Residential)	Yes	No	No
EU-35	EU-35 (Single-Family Residential)	Yes	No	No
EU-36	EU-36 (Single-Family Residential)	Yes	No	No
EU-37	EU-37 (Single-Family Residential)	Yes	No	No
EU-38	EU-38 (Single-Family Residential)	Yes	No	No
EU-39	EU-39 (Single-Family Residential)	Yes	No	No
EU-40	EU-40 (Single-Family Residential)	Yes	No	No
EU-41	EU-41 (Single-Family Residential)	Yes	No	No
EU-42	EU-42 (Single-Family Residential)	Yes	No	No
EU-43	EU-43 (Single-Family Residential)	Yes	No	No
EU-44	EU-44 (Single-Family Residential)	Yes	No	No
EU-45	EU-45 (Single-Family Residential)	Yes	No	No
EU-46	EU-46 (Single-Family Residential)	Yes	No	No
EU-47	EU-47 (Single-Family Residential)	Yes	No	No
EU-48	EU-48 (Single-Family Residential)	Yes	No	No
EU-49	EU-49 (Single-Family Residential)	Yes	No	No
EU-50	EU-50 (Single-Family Residential)	Yes	No	No

**Prepared By**

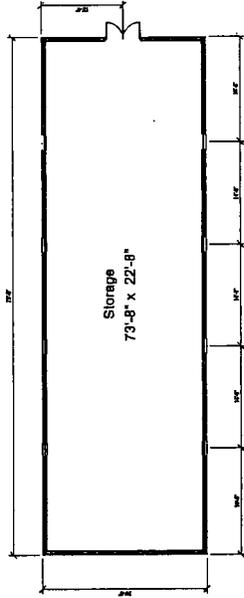
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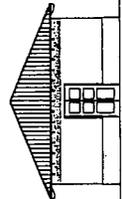
SHEET **29**  
 4.19.2010



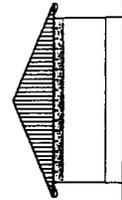
SIDE ELEVATION



FLOOR PLAN



FRONT ELEVATION



REAR ELEVATION

SIDE ELEVATION

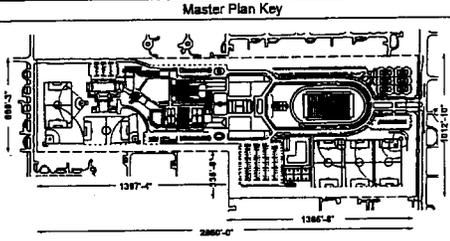


SCHEMATIC ARCHITECTURE

(11) FACULTY LOUNGE

**Building Information**

Building Number: 11  
 Building Name: Faculty Lounge  
 Proposed Area: 3,201 SF  
 Ground Floor Area: 1,957 SF  
 Classroom: 00  
 Classroom: 00  
 Number of Floors: 2  
 Height to Eaves: 18'-0"  
 Height to Top of Roof: 28'-0"  
 Comments:



**Zoning Legend**

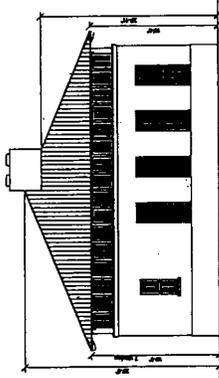
Code	Description	Permitted	Conditional	Prohibited
RM-1	Residential Medium Density			
RM-2	Residential Medium Density			
RM-3	Residential Medium Density			
RM-4	Residential Medium Density			
RM-5	Residential Medium Density			
RM-6	Residential Medium Density			
RM-7	Residential Medium Density			
RM-8	Residential Medium Density			
RM-9	Residential Medium Density			
RM-10	Residential Medium Density			
RM-11	Residential Medium Density			
RM-12	Residential Medium Density			
RM-13	Residential Medium Density			
RM-14	Residential Medium Density			
RM-15	Residential Medium Density			
RM-16	Residential Medium Density			
RM-17	Residential Medium Density			
RM-18	Residential Medium Density			
RM-19	Residential Medium Density			
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RM-40	Residential Medium Density			
RM-41	Residential Medium Density			
RM-42	Residential Medium Density			
RM-43	Residential Medium Density			
RM-44	Residential Medium Density			
RM-45	Residential Medium Density			
RM-46	Residential Medium Density			
RM-47	Residential Medium Density			
RM-48	Residential Medium Density			
RM-49	Residential Medium Density			
RM-50	Residential Medium Density			

**Prepared by**

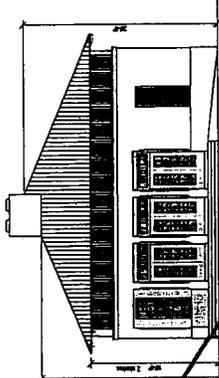
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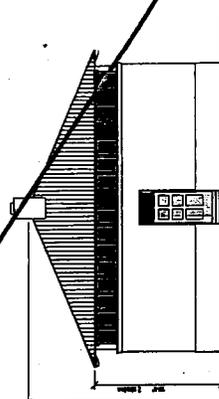
**SHEET 30**  
 4.19.2010



WEST ELEVATION

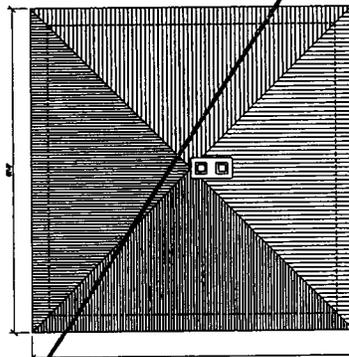


EAST ELEVATION

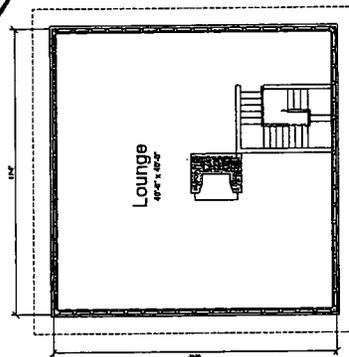


SOUTH ELEVATION

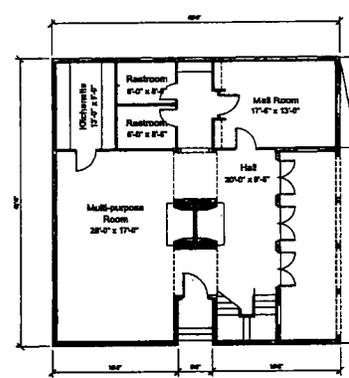
**VOID**



ROOF PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN







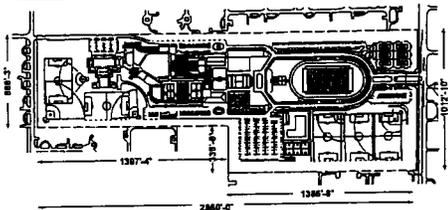
**SCHEMATIC ARCHITECTURE**

**(16) GYMNASIUM**

**Building Information**

Building Number: 16  
 Building Use: Gymnasium  
 Project Number: 4713 SF  
 Gross Floor Area: 214,812 SF  
 Classroom: 3  
 Classroom Area: 4,800  
 Number of Floors: 2  
 Height to Top of Deck: 32'-0"  
 Comments:

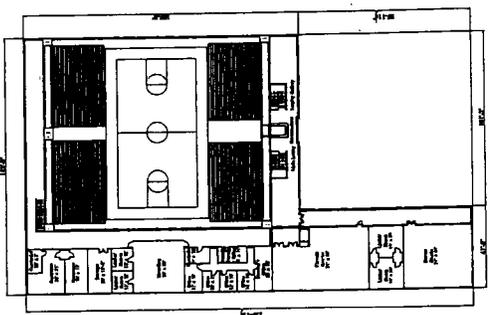
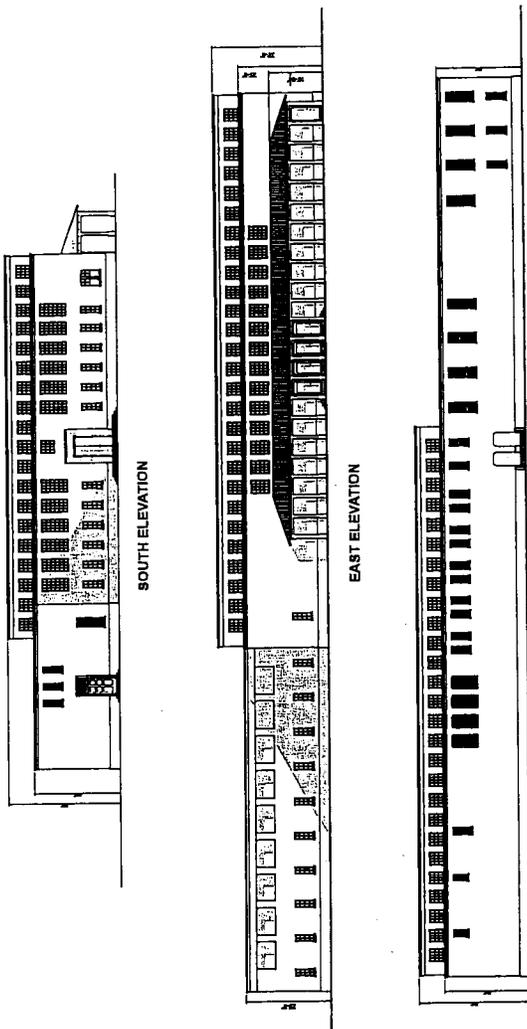
**Master Plan Key**



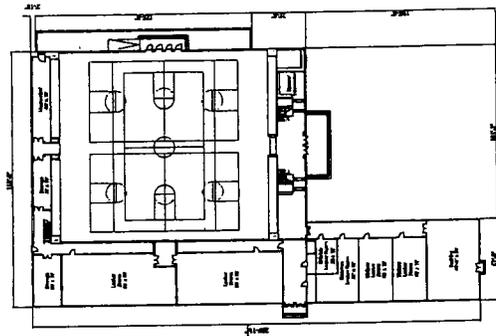
**Zoning Legend**

Code	Description	Permitted	Conditional	Prohibited
EU-M	Medium Density Residential	Yes	No	No
EU-L	Low Density Residential	Yes	No	No
EU-H	High Density Residential	Yes	No	No
EU-S	Single-Family Residential	Yes	No	No
EU-D	Detached Single-Family Residential	Yes	No	No
EU-T	Two-Family Residential	Yes	No	No
EU-MH	Medium Density Residential - Medium Density	Yes	No	No
EU-LH	Low Density Residential - Low Density	Yes	No	No
EU-HH	High Density Residential - High Density	Yes	No	No
EU-SH	Single-Family Residential - Single-Family	Yes	No	No
EU-DH	Detached Single-Family Residential - Detached	Yes	No	No
EU-TH	Two-Family Residential - Two-Family	Yes	No	No
EU-MH-2	Medium Density Residential - Medium Density (2nd Floor)	Yes	No	No
EU-LH-2	Low Density Residential - Low Density (2nd Floor)	Yes	No	No
EU-HH-2	High Density Residential - High Density (2nd Floor)	Yes	No	No
EU-SH-2	Single-Family Residential - Single-Family (2nd Floor)	Yes	No	No
EU-DH-2	Detached Single-Family Residential - Detached (2nd Floor)	Yes	No	No
EU-TH-2	Two-Family Residential - Two-Family (2nd Floor)	Yes	No	No
EU-MH-3	Medium Density Residential - Medium Density (3rd Floor)	Yes	No	No
EU-LH-3	Low Density Residential - Low Density (3rd Floor)	Yes	No	No
EU-HH-3	High Density Residential - High Density (3rd Floor)	Yes	No	No
EU-SH-3	Single-Family Residential - Single-Family (3rd Floor)	Yes	No	No
EU-DH-3	Detached Single-Family Residential - Detached (3rd Floor)	Yes	No	No
EU-TH-3	Two-Family Residential - Two-Family (3rd Floor)	Yes	No	No

Prepared By  
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**DUANY PLATER-ZYBERK & CO.**  
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 SHEET **33**  
 4.18.2010



SECOND FLOOR PLAN



FIRST FLOOR PLAN

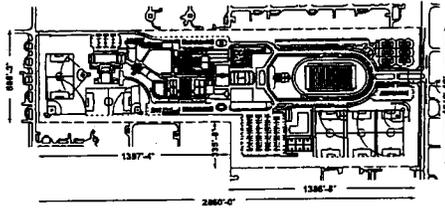




Building Information

Building Number: 18  
 Building Use: Performing Arts  
 Proposed Area: 47,251 SF  
 Ground Floor Area: 26,612 SF  
 Classroom Area: 2,184 SF  
 Number of Floors: 2  
 Height to Eaves: 30'-4"  
 Height to Top of Roof: 39'-4"  
 Comment:

Master Plan Key

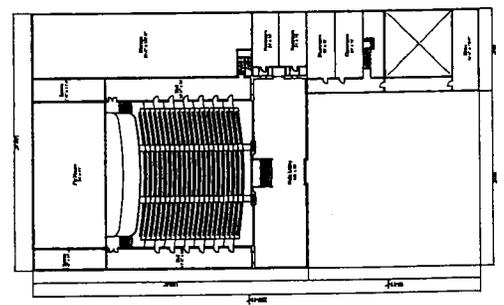
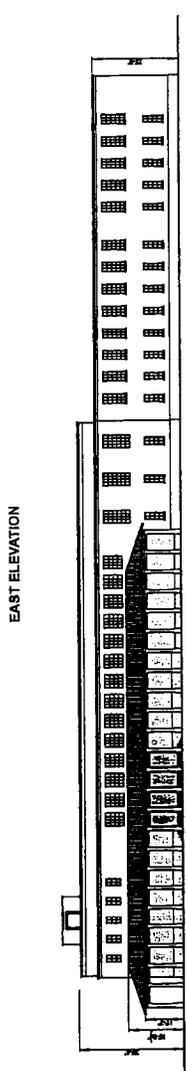
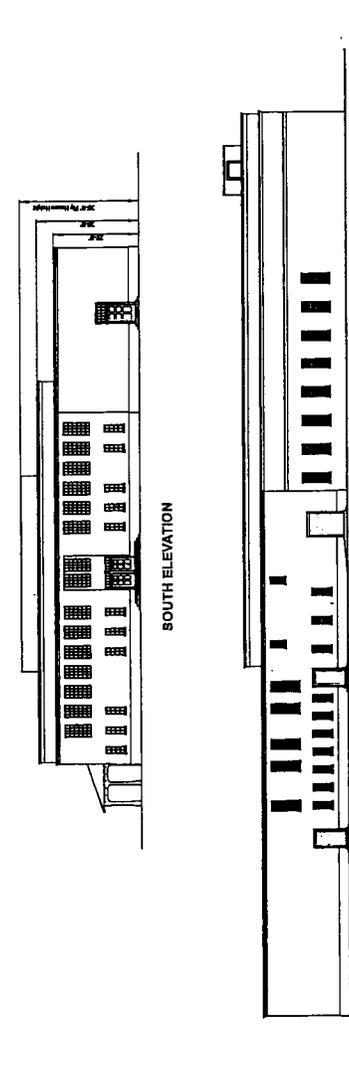


Zoning Legend

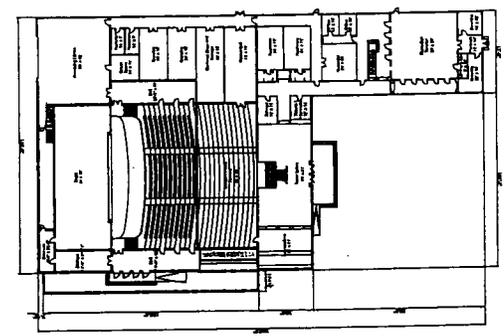
Code	Description	Permitted	Conditional	Prohibited
EU-M	Medium Density Residential	Yes	No	No
EU-L	Low Density Residential	Yes	No	No
EU-H	High Density Residential	Yes	No	No
EU-S	Single-Family Residential	Yes	No	No
EU-D	Detached Single-Family Residential	Yes	No	No
EU-T	Two-Family Residential	Yes	No	No
EU-MH	Medium Density Residential - Medium Density	Yes	No	No
EU-LH	Low Density Residential - Low Density	Yes	No	No
EU-HH	High Density Residential - High Density	Yes	No	No
EU-SH	Single-Family Residential - Single-Family	Yes	No	No
EU-DH	Detached Single-Family Residential - Detached Single-Family	Yes	No	No
EU-TH	Two-Family Residential - Two-Family	Yes	No	No
EU-MH-2	Medium Density Residential - Medium Density (2nd Floor)	Yes	No	No
EU-LH-2	Low Density Residential - Low Density (2nd Floor)	Yes	No	No
EU-HH-2	High Density Residential - High Density (2nd Floor)	Yes	No	No
EU-SH-2	Single-Family Residential - Single-Family (2nd Floor)	Yes	No	No
EU-DH-2	Detached Single-Family Residential - Detached Single-Family (2nd Floor)	Yes	No	No
EU-TH-2	Two-Family Residential - Two-Family (2nd Floor)	Yes	No	No

Prepared By

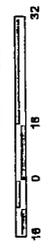
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 7900 SW 176<sup>TH</sup> ST. PALMETTO BAY, FL. 33157  
 SHEET 35  
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SECOND FLOOR PLAN



FIRST FLOOR PLAN

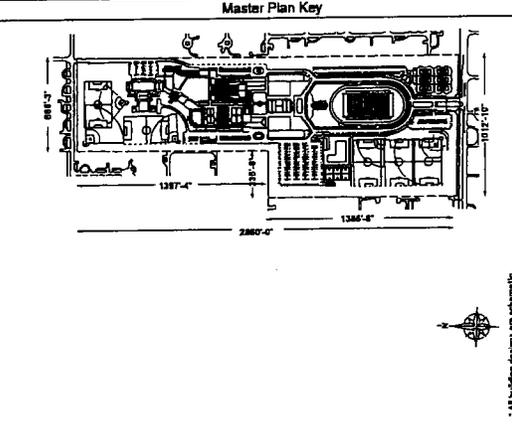


**SCHEMATIC ARCHITECTURE**

(19) CHAPEL

**Building Information**

Building Number: 19  
 Building Use: Chapel  
 Proposed Area: 8,777 SF  
 Ground Floor Area: 8,777 SF  
 Classroom Area: 0  
 Classroom Acre: 0  
 Number of Floors: 1  
 Height to Eave: 18'-8"  
 Height to Top of Roof: 28'-0"  
 Comments:



**Zoning Legend**

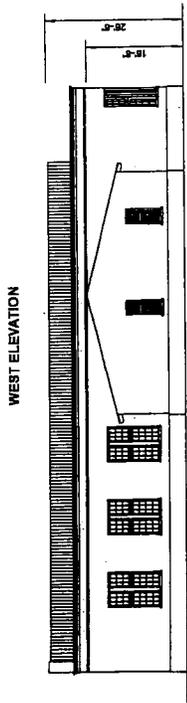
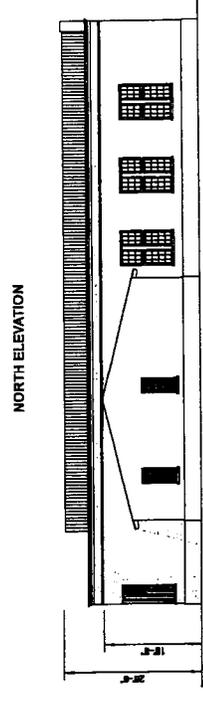
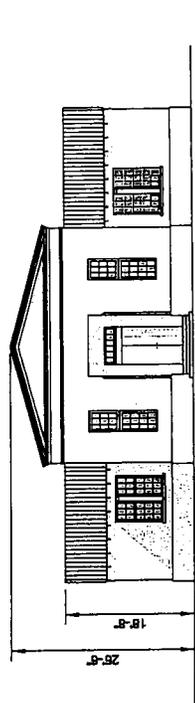
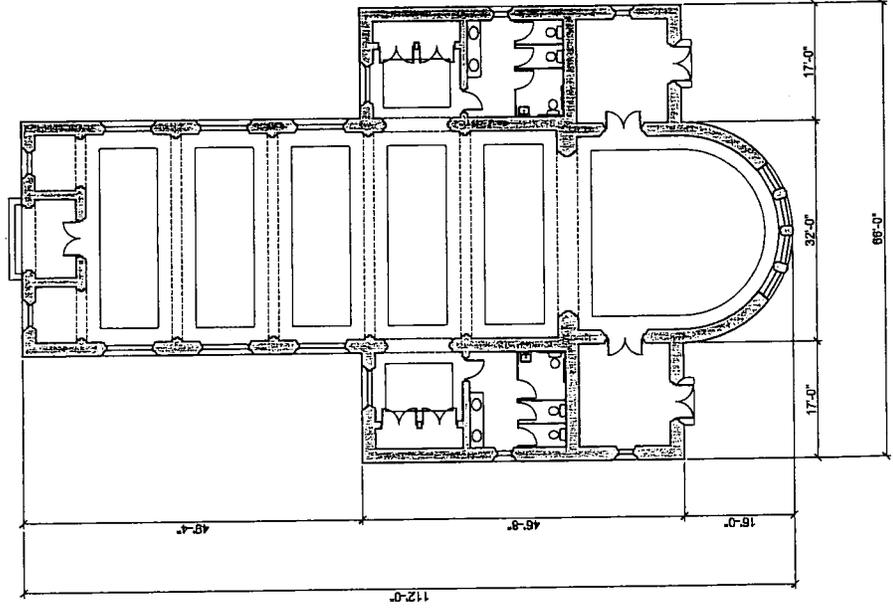
Code	Description	Min. Lot Area	Min. Lot Width	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max. Building Height	Max. Floor Area Ratio	Max. Building Coverage	Min. Parking	Min. Open Space	Min. Green Space	Min. Tree Canopy
ELM	Elementary School	10,000	100	25	10	10	35	0.3	30%	10	10%	10%	
MS	Middle School	10,000	100	25	10	10	35	0.3	30%	10	10%	10%	
HS	High School	10,000	100	25	10	10	35	0.3	30%	10	10%	10%	

**Prepared By**

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SHEET **36**  
 4.18.2010







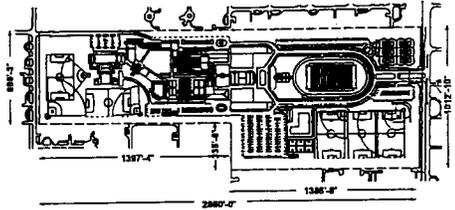
**SCHEMATIC ARCHITECTURE**

**(33) CLASSROOM BUILDING**

**Building Information**

Building Number: 33 Classroom Building  
 Building Use: Classroom Building  
 Proposed Area: 3,130 SF  
 Ground Floor Area: 1,913 SF  
 Classroom: 5,098 SF  
 Number of Floors: 2  
 Height to Eaves: 28'-10"  
 Height to Top of Roof: 35'-0"

**Master Plan Key**



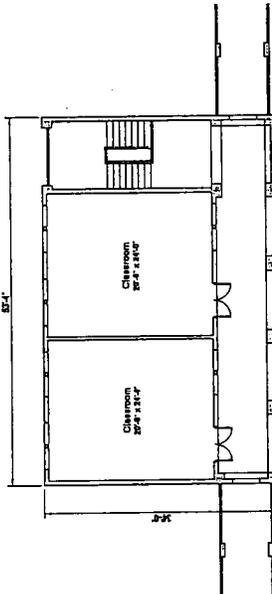
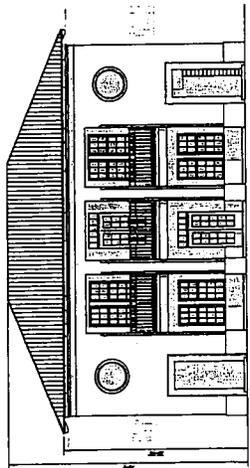
\*All building designs are schematic

**Zoning Legend**

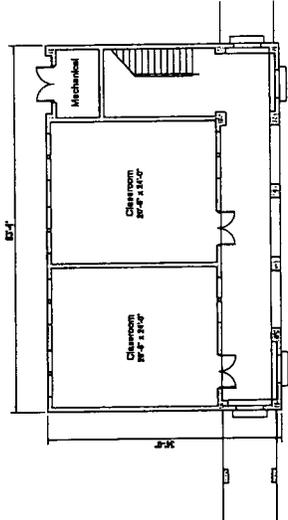
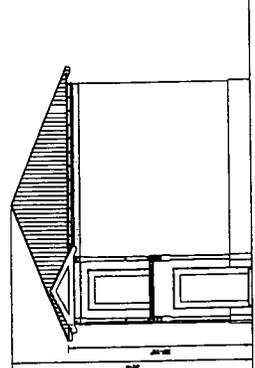
Code	Description	Permitted	Conditional	Prohibited
RM-1	Single-Family Residential	Yes	No	No
RM-2	Two-Family Residential	Yes	No	No
RM-3	Three-Family Residential	Yes	No	No
RM-4	Four-Family Residential	Yes	No	No
RM-5	Five-Family Residential	Yes	No	No
RM-6	Six-Family Residential	Yes	No	No
RM-7	Seven-Family Residential	Yes	No	No
RM-8	Eight-Family Residential	Yes	No	No
RM-9	Nine-Family Residential	Yes	No	No
RM-10	Ten-Family Residential	Yes	No	No
RM-11	Eleven-Family Residential	Yes	No	No
RM-12	Twelve-Family Residential	Yes	No	No
RM-13	Thirteen-Family Residential	Yes	No	No
RM-14	Fourteen-Family Residential	Yes	No	No
RM-15	Fifteen-Family Residential	Yes	No	No
RM-16	Sixteen-Family Residential	Yes	No	No
RM-17	Seventeen-Family Residential	Yes	No	No
RM-18	Eighteen-Family Residential	Yes	No	No
RM-19	Nineteen-Family Residential	Yes	No	No
RM-20	Twenty-Family Residential	Yes	No	No
RM-21	Twenty-One-Family Residential	Yes	No	No
RM-22	Twenty-Two-Family Residential	Yes	No	No
RM-23	Twenty-Three-Family Residential	Yes	No	No
RM-24	Twenty-Four-Family Residential	Yes	No	No
RM-25	Twenty-Five-Family Residential	Yes	No	No
RM-26	Twenty-Six-Family Residential	Yes	No	No
RM-27	Twenty-Seven-Family Residential	Yes	No	No
RM-28	Twenty-Eight-Family Residential	Yes	No	No
RM-29	Twenty-Nine-Family Residential	Yes	No	No
RM-30	Thirty-Family Residential	Yes	No	No
RM-31	Thirty-One-Family Residential	Yes	No	No
RM-32	Thirty-Two-Family Residential	Yes	No	No
RM-33	Thirty-Three-Family Residential	Yes	No	No
RM-34	Thirty-Four-Family Residential	Yes	No	No
RM-35	Thirty-Five-Family Residential	Yes	No	No
RM-36	Thirty-Six-Family Residential	Yes	No	No
RM-37	Thirty-Seven-Family Residential	Yes	No	No
RM-38	Thirty-Eight-Family Residential	Yes	No	No
RM-39	Thirty-Nine-Family Residential	Yes	No	No
RM-40	Forty-Family Residential	Yes	No	No
RM-41	Forty-One-Family Residential	Yes	No	No
RM-42	Forty-Two-Family Residential	Yes	No	No
RM-43	Forty-Three-Family Residential	Yes	No	No
RM-44	Forty-Four-Family Residential	Yes	No	No
RM-45	Forty-Five-Family Residential	Yes	No	No
RM-46	Forty-Six-Family Residential	Yes	No	No
RM-47	Forty-Seven-Family Residential	Yes	No	No
RM-48	Forty-Eight-Family Residential	Yes	No	No
RM-49	Forty-Nine-Family Residential	Yes	No	No
RM-50	Fifty-Family Residential	Yes	No	No
RM-51	Fifty-One-Family Residential	Yes	No	No
RM-52	Fifty-Two-Family Residential	Yes	No	No
RM-53	Fifty-Three-Family Residential	Yes	No	No
RM-54	Fifty-Four-Family Residential	Yes	No	No
RM-55	Fifty-Five-Family Residential	Yes	No	No
RM-56	Fifty-Six-Family Residential	Yes	No	No
RM-57	Fifty-Seven-Family Residential	Yes	No	No
RM-58	Fifty-Eight-Family Residential	Yes	No	No
RM-59	Fifty-Nine-Family Residential	Yes	No	No
RM-60	Sixty-Family Residential	Yes	No	No
RM-61	Sixty-One-Family Residential	Yes	No	No
RM-62	Sixty-Two-Family Residential	Yes	No	No
RM-63	Sixty-Three-Family Residential	Yes	No	No
RM-64	Sixty-Four-Family Residential	Yes	No	No
RM-65	Sixty-Five-Family Residential	Yes	No	No
RM-66	Sixty-Six-Family Residential	Yes	No	No
RM-67	Sixty-Seven-Family Residential	Yes	No	No
RM-68	Sixty-Eight-Family Residential	Yes	No	No
RM-69	Sixty-Nine-Family Residential	Yes	No	No
RM-70	Seventy-Family Residential	Yes	No	No
RM-71	Seventy-One-Family Residential	Yes	No	No
RM-72	Seventy-Two-Family Residential	Yes	No	No
RM-73	Seventy-Three-Family Residential	Yes	No	No
RM-74	Seventy-Four-Family Residential	Yes	No	No
RM-75	Seventy-Five-Family Residential	Yes	No	No
RM-76	Seventy-Six-Family Residential	Yes	No	No
RM-77	Seventy-Seven-Family Residential	Yes	No	No
RM-78	Seventy-Eight-Family Residential	Yes	No	No
RM-79	Seventy-Nine-Family Residential	Yes	No	No
RM-80	Eighty-Family Residential	Yes	No	No
RM-81	Eighty-One-Family Residential	Yes	No	No
RM-82	Eighty-Two-Family Residential	Yes	No	No
RM-83	Eighty-Three-Family Residential	Yes	No	No
RM-84	Eighty-Four-Family Residential	Yes	No	No
RM-85	Eighty-Five-Family Residential	Yes	No	No
RM-86	Eighty-Six-Family Residential	Yes	No	No
RM-87	Eighty-Seven-Family Residential	Yes	No	No
RM-88	Eighty-Eight-Family Residential	Yes	No	No
RM-89	Eighty-Nine-Family Residential	Yes	No	No
RM-90	Ninety-Family Residential	Yes	No	No
RM-91	Ninety-One-Family Residential	Yes	No	No
RM-92	Ninety-Two-Family Residential	Yes	No	No
RM-93	Ninety-Three-Family Residential	Yes	No	No
RM-94	Ninety-Four-Family Residential	Yes	No	No
RM-95	Ninety-Five-Family Residential	Yes	No	No
RM-96	Ninety-Six-Family Residential	Yes	No	No
RM-97	Ninety-Seven-Family Residential	Yes	No	No
RM-98	Ninety-Eight-Family Residential	Yes	No	No
RM-99	Hundred-Family Residential	Yes	No	No
RM-100	Other Residential	Yes	No	No

**Prepared By**  
**PALMER TRINITY SCHOOL**  
 7900 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157  
**DUANY PLATER-ZYBERK & CO.**  
 ARCHITECTS AND TOWN PLANNERS  
 1023 SW 25<sup>TH</sup> AVE, MIAMI FL. 33135  
 P. 305.644.1023 F. 305.644.1021

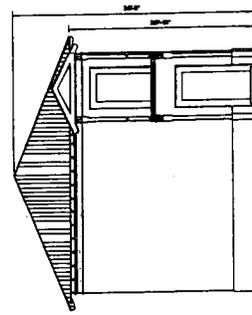
SHEET  
**38.1**  
 4.19.2010



**SECOND FLOOR PLAN**



**FIRST FLOOR PLAN**





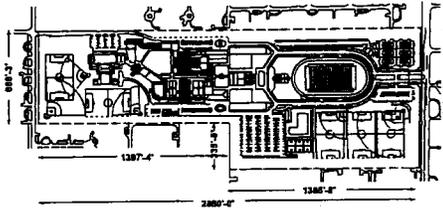
**SCHEMATIC ARCHITECTURE**

**(35) LIBRARY AND ADMINISTRATION**

**Building Information**

Building Number: 35  
 Building Use: Library and Administration  
 Project Area: 6,000 SF  
 Ground Floor Area: 6,000 SF  
 Classroom: 0  
 Classroom Area: 0 SF  
 Number of Floors: 2  
 Height to Top of Roof: 35'-0"

**Master Plan Key**



**Zoning Legend**

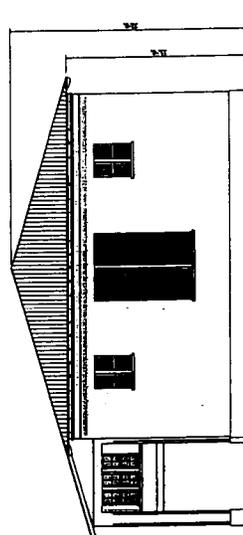
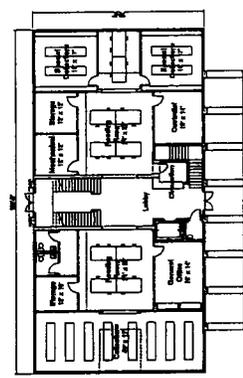
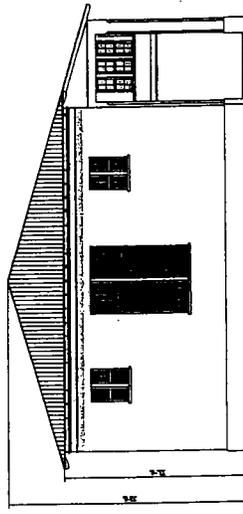
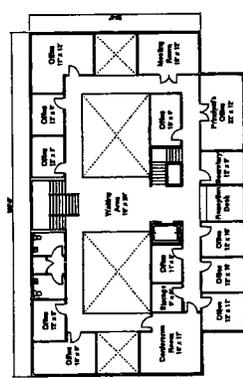
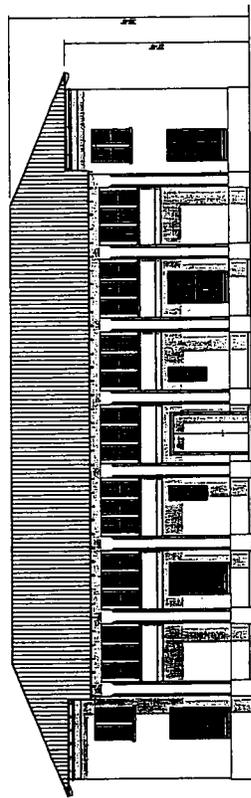
Code	Description	Permitted	Conditional	Prohibited
EU-M	Medium Density Residential	Yes	No	No
EU-L	Low Density Residential	Yes	No	No
EU-H	High Density Residential	Yes	No	No
EU-S	Single-Family Residential	Yes	No	No
EU-D	Detached Single-Family Residential	Yes	No	No
EU-T	Two-Family Residential	Yes	No	No
EU-MH	Medium Density Residential - Medium Density	Yes	No	No
EU-LH	Low Density Residential - Low Density	Yes	No	No
EU-HH	High Density Residential - High Density	Yes	No	No
EU-SH	Single-Family Residential - Single-Family	Yes	No	No
EU-DH	Detached Single-Family Residential - Detached	Yes	No	No
EU-TH	Two-Family Residential - Two-Family	Yes	No	No
EU-MH-2	Medium Density Residential - Medium Density (2nd)	Yes	No	No
EU-LH-2	Low Density Residential - Low Density (2nd)	Yes	No	No
EU-HH-2	High Density Residential - High Density (2nd)	Yes	No	No
EU-SH-2	Single-Family Residential - Single-Family (2nd)	Yes	No	No
EU-DH-2	Detached Single-Family Residential - Detached (2nd)	Yes	No	No
EU-TH-2	Two-Family Residential - Two-Family (2nd)	Yes	No	No

**Prepared By**

**PALMER TRINITY SCHOOL**  
 7900 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33167

**DUANY PLATER-ZYBERK & CO.**  
 ARCHITECTS AND TOWN PLANNERS  
 1023 SW 25<sup>TH</sup> AVE. MIAMI FL. 33135  
 P. 305.644.1023 F. 305.644.1021

SHEET  
**38.3**  
 4.19.2010



\* All building designs are schematic.

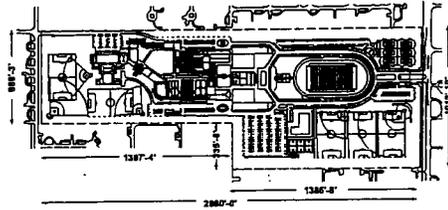
**SCHEMATIC ARCHITECTURE**

**(36) MEDIA CENTER AND ADMINISTRATION**

**Building Information**

Building Number: 38  
 Building Use: Media Center and Administration  
 Proposed Area: 5,000 SF  
 Existing Area: 5,000 SF  
 Ground Area: 0  
 Classroom Area: 0 NSF  
 Number of Floors: 2  
 Height to Eave: 27'-0"  
 Height to Top: 33'-0"  
 Comments:

**Master Plan Key**



\* All building designs are schematics

**Zoning Legend**

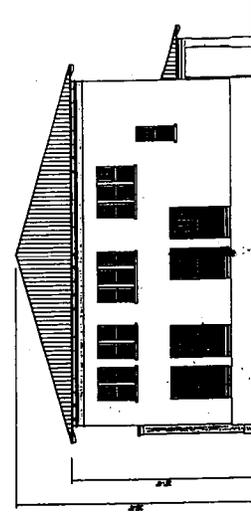
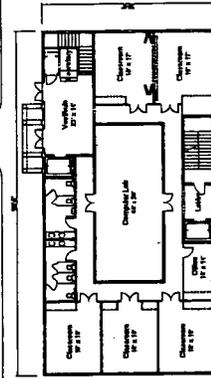
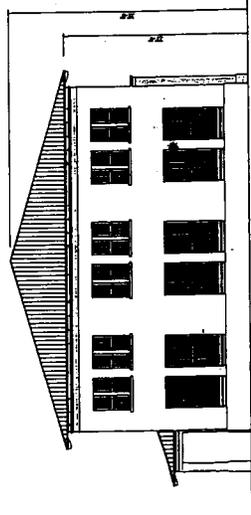
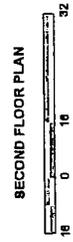
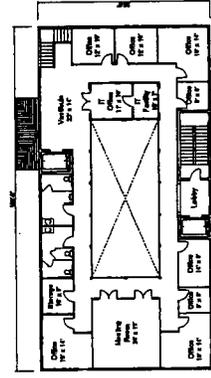
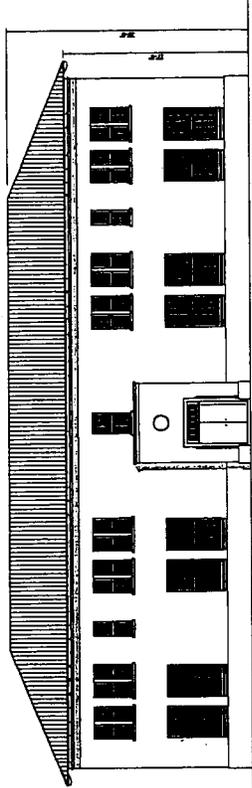
Code	Description	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Min. Building Height	Max. Building Height	Max. Floor Area	Max. Floor Area Ratio	Max. Setback	Min. Setback	Min. Side Setback	Min. Rear Setback	Min. Front Setback	Min. Corner Setback					
EU-M	Medium Density Residential	5,000	30	30	10	35	10,000	0.3	10	5	5	5	10	5	5	5	5	5	5
EU-L	Low Density Residential	10,000	30	30	10	35	10,000	0.3	10	5	5	5	10	5	5	5	5	5	5
EU-H	High Density Residential	5,000	30	30	10	35	10,000	0.3	10	5	5	5	10	5	5	5	5	5	5

**Prepared By**

**PALMER TRINITY SCHOOL**  
 7900 SW 176<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

**SHEET 38.4**  
 4.19.2010

**DUANY PLATER-ZYBERK & CO.**  
 ARCHITECTS AND TOWN PLANNERS  
 1023 SW 25<sup>TH</sup> AVE, MIAMI FL. 33136  
 P. 305.844.1023 F. 305.644.1021



APPENDIX

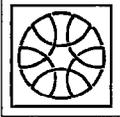
LANDSCAPE - BUFFER SECTIONS

Consultant

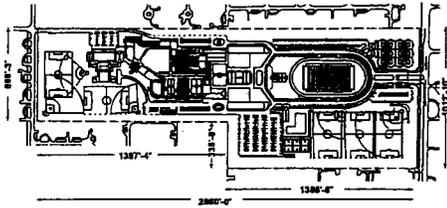
Master Plan Key

Zoning Legend

Prepared By



**GEOMANTIC  
DESIGNS, INC.**  
LANDSCAPE ARCHITECTURE  
ROBERT PARLEY A.S.L.A.  
1000 S. W. 11TH AVE. MIAMI, FL. 33135  
PHONE: 305.644.1023 FAX: 305.644.1021



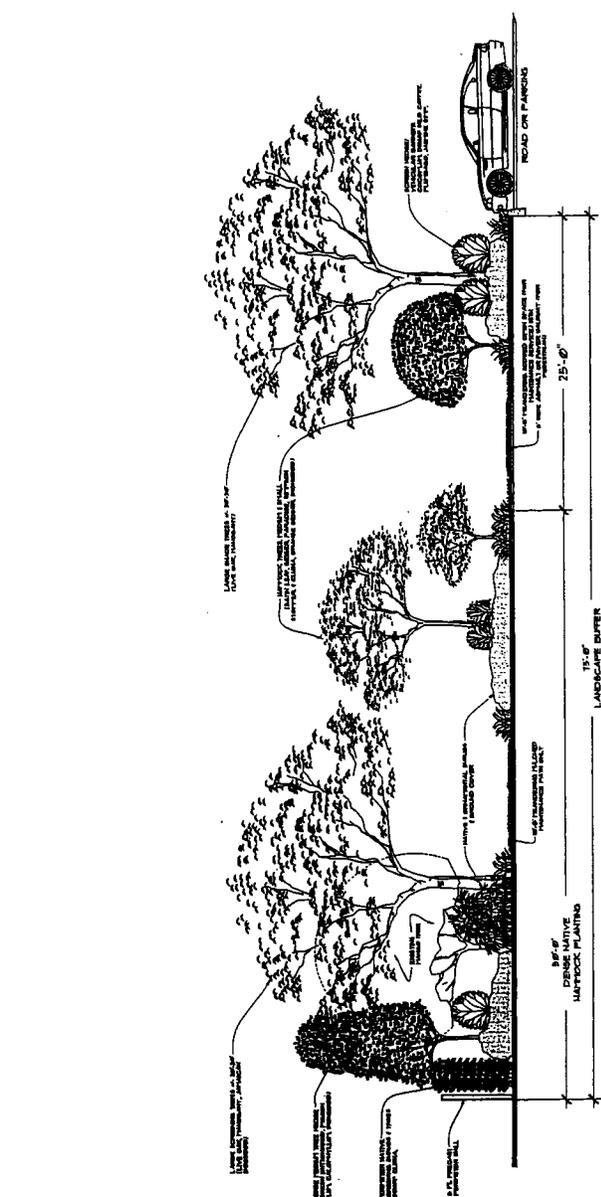
Private School - 200000 L200000

LET	USE	MIN. SETBACK	MIN. FRONT SETBACK	MIN. SIDE SETBACK	MIN. REAR SETBACK	MIN. FRONT YARD OPEN SPACE	MIN. SIDE YARD OPEN SPACE	MIN. REAR YARD OPEN SPACE	MIN. FRONT PORCH	MIN. SIDE PORCH	MIN. REAR PORCH	MIN. FRONT TERRACE	MIN. SIDE TERRACE	MIN. REAR TERRACE
1	RESIDENTIAL SINGLE-FAMILY	5	5	5	5	10	5	5	5	5	5	5	5	5
2	RESIDENTIAL MEDIUM-DENSITY	5	5	5	5	10	5	5	5	5	5	5	5	5
3	RESIDENTIAL HIGH-DENSITY	5	5	5	5	10	5	5	5	5	5	5	5	5
4	COMMERCIAL GENERAL	5	5	5	5	10	5	5	5	5	5	5	5	5
5	COMMERCIAL OFFICE	5	5	5	5	10	5	5	5	5	5	5	5	5
6	COMMERCIAL RETAIL	5	5	5	5	10	5	5	5	5	5	5	5	5
7	COMMERCIAL RESTAURANT	5	5	5	5	10	5	5	5	5	5	5	5	5
8	COMMERCIAL SERVICE	5	5	5	5	10	5	5	5	5	5	5	5	5
9	COMMERCIAL HOTEL	5	5	5	5	10	5	5	5	5	5	5	5	5
10	COMMERCIAL THEATER	5	5	5	5	10	5	5	5	5	5	5	5	5
11	COMMERCIAL ENTERTAINMENT	5	5	5	5	10	5	5	5	5	5	5	5	5
12	COMMERCIAL OFFICE BUILDING	5	5	5	5	10	5	5	5	5	5	5	5	5
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50	COMMERCIAL OFFICE BUILDING	5	5	5	5	10	5	5	5	5	5	5	5	5

**PALMER TRINITY SCHOOL**  
7800 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

**DIANY PLATER-ZYBERK & CO.**  
ARCHITECTS AND TOWN PLANNERS  
1023 SW 25<sup>TH</sup> AVE. MIAMI, FL. 33135  
P. 305.644.1023 F. 305.644.1021

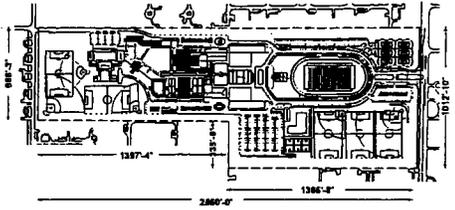
SHEET  
**39**  
4.19.2010

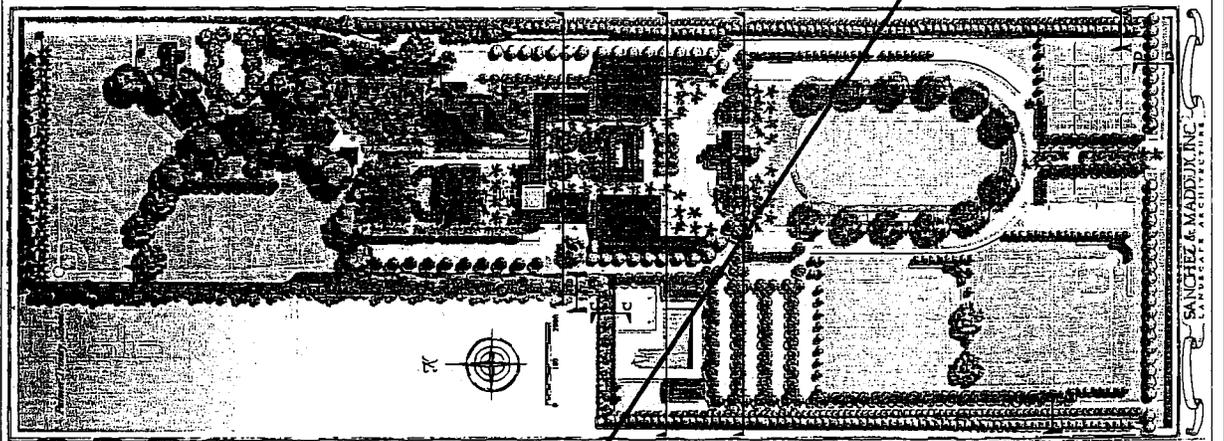


75' LANDSCAPE BUFFER - SECTION

APPENDIX

LANDSCAPE - BUFFER SECTIONS

<p>Consultant</p>	<p>Master Plan Key</p> 	<p>Zoning Legend</p> <table border="1"> <tr> <th>Code</th> <th>Description</th> <th>Min. Lot Area</th> <th>Min. Lot Width</th> <th>Min. Lot Depth</th> <th>Min. Front Setback</th> <th>Min. Side Setback</th> <th>Min. Rear Setback</th> <th>Min. Height</th> <th>Max. Height</th> <th>Max. Floor Area</th> <th>Max. Density</th> <th>Max. Parking</th> <th>Other</th> </tr> <tr> <td>EUIM</td> <td>Urban Medium Density Residential</td> <td>5,000</td> <td>30</td> <td>100</td> <td>10</td> <td>5</td> <td>5</td> <td>12</td> <td>35</td> <td>10,000</td> <td>10</td> <td>10</td> <td></td> </tr> </table>	Code	Description	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Height	Max. Height	Max. Floor Area	Max. Density	Max. Parking	Other	EUIM	Urban Medium Density Residential	5,000	30	100	10	5	5	12	35	10,000	10	10		<p>Prepared By</p> <p><b>PALMER TRINITY SCHOOL</b> 7800 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157</p> <p><b>DIJANY PLATER-ZYBERK &amp; CO.</b> ARCHITECTS AND TOWN PLANNERS 1023 SW 25<sup>TH</sup> AVE. MIAMI FL. 33135 P. 305.644.1023 F. 305.644.1021</p> <p>SHEET <b>40</b> 4.19.2010</p>
Code	Description	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Min. Height	Max. Height	Max. Floor Area	Max. Density	Max. Parking	Other																		
EUIM	Urban Medium Density Residential	5,000	30	100	10	5	5	12	35	10,000	10	10																			



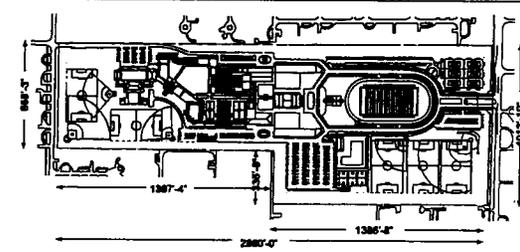
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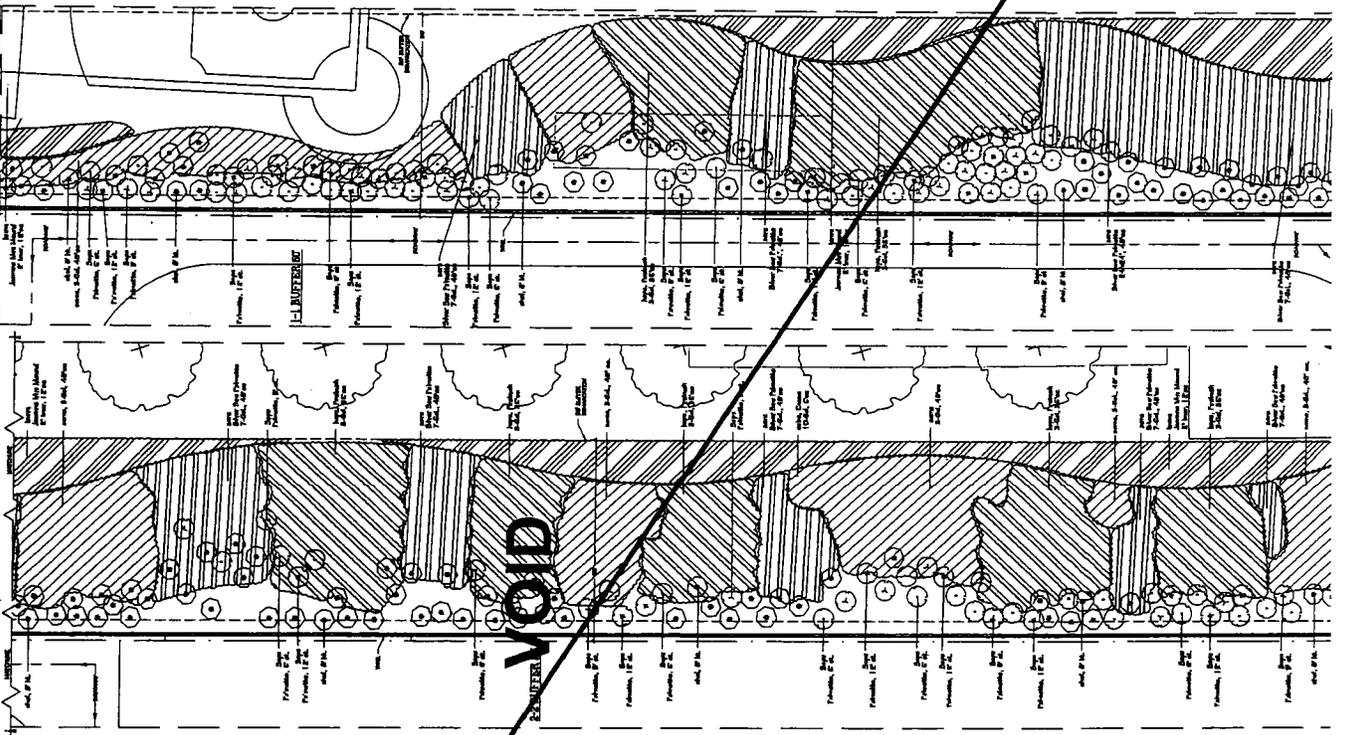
CROSS SECTION 10'-1

CROSS SECTION 1'-1

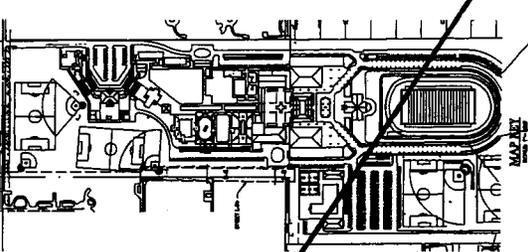
SANCHEZ & MADDUX INC. LANDSCAPE ARCHITECTURE



<p>Consultant</p>	<p>Master Plan Key</p> 	<p>Zoning Legend</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Code</th> <th>Description</th> <th>Permitted Uses</th> <th>Conditional Uses</th> <th>Prohibited Uses</th> </tr> <tr> <td>EU-M</td> <td>Medium Density Residential</td> <td>Single-Family Detached</td> <td>Two-Family Detached</td> <td>Commercial, Industrial, etc.</td> </tr> </table>	Code	Description	Permitted Uses	Conditional Uses	Prohibited Uses	EU-M	Medium Density Residential	Single-Family Detached	Two-Family Detached	Commercial, Industrial, etc.	<p>Prepared</p>
Code	Description	Permitted Uses	Conditional Uses	Prohibited Uses									
EU-M	Medium Density Residential	Single-Family Detached	Two-Family Detached	Commercial, Industrial, etc.									
		<p>Palmer Trinity School</p>											
		<p>7800 SW 176<sup>th</sup> St. PALMETTO BAY, FL. 33187</p>											
		<p><b>DUANY PLATER-ZYBERK &amp; CO.</b> ARCHITECTS AND TOWN PLANNERS 1023 SW 25<sup>th</sup> AVE. MIAMI FL. 33135</p>											
		<p>SHEET <b>42</b></p>											

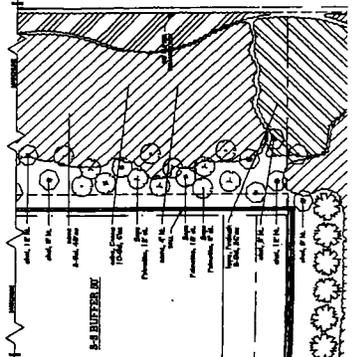


VOID



**PLANT LIST**

No.	Plant Name	Quantity	Notes
1	1" Caladium	100	100
2	2" Caladium	100	100
3	3" Caladium	100	100
4	4" Caladium	100	100
5	5" Caladium	100	100
6	6" Caladium	100	100
7	7" Caladium	100	100
8	8" Caladium	100	100
9	9" Caladium	100	100
10	10" Caladium	100	100
11	11" Caladium	100	100
12	12" Caladium	100	100
13	13" Caladium	100	100
14	14" Caladium	100	100
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37	37" Caladium	100	100
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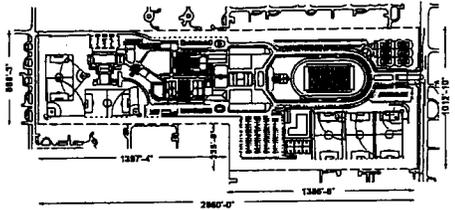


APPENDIX

LANDSCAPE - BUFFER PHASING

Consultant

Master Plan Key



Zoning Legend

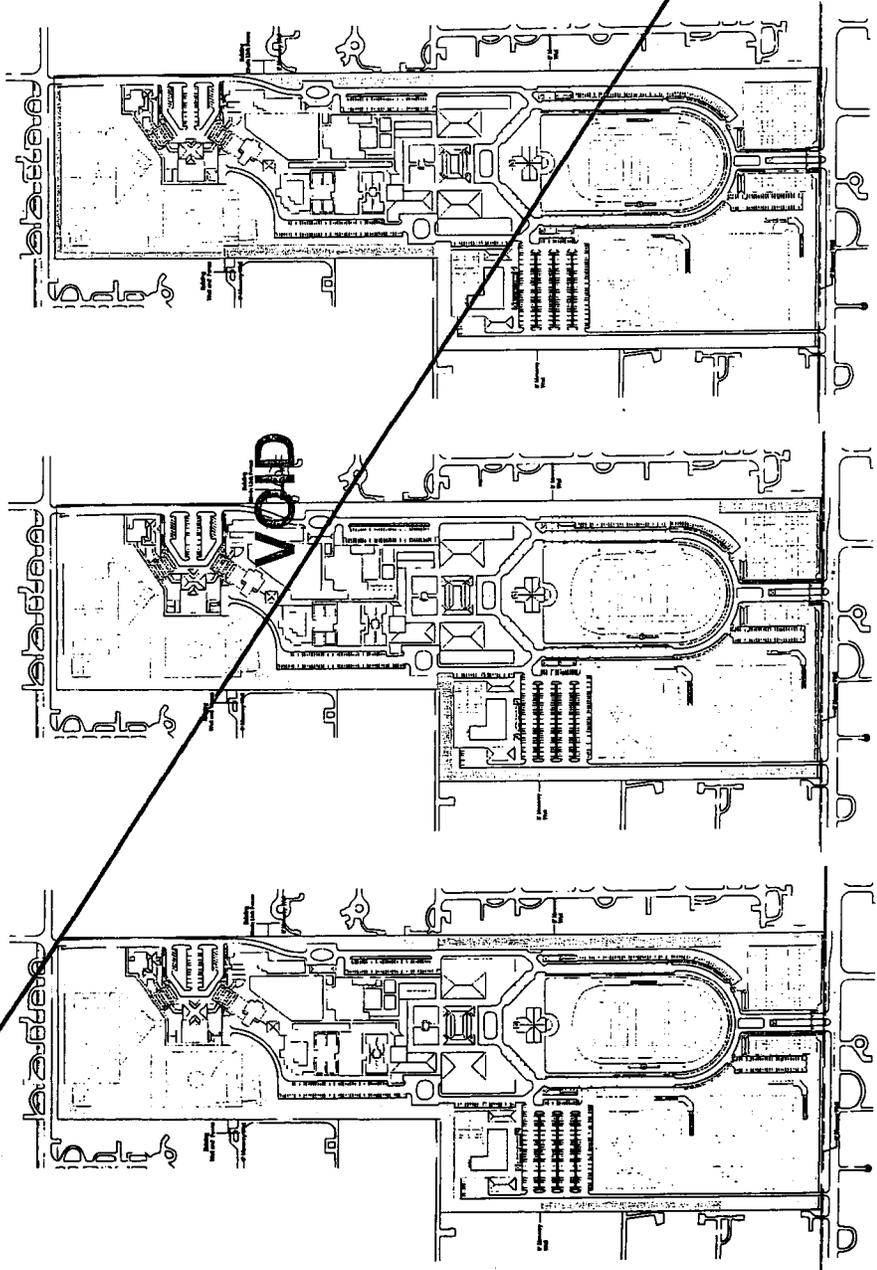
Code	Description	Area	Notes
EUH	Elementary School	1012'-0" x 1012'-0"	See Master Plan
...	...	...	...

Prepared By

PALMER TRINITY SCHOOL  
7900 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

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

SHEET  
**43**  
4.18.2010



PHASE 1 - CONCURRENT WITH  
CONSTRUCTION OF DINING HALL

PHASE 2 - CONCURRENT WITH  
CONSTRUCTION OF FIELDS AND  
SERVICE FACILITY

PHASE 3 - FULL BUILD-OUT AT 5 YEARS



APPENDIX

LIGHTING - SPORTSFIELDS OVERVIEW

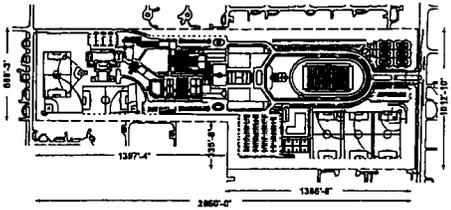
Consultant

Master Plan Key

Zoning Legend

Prepared By

MUSCO SPORT LIGHTING  
100 1st Avenue West  
P.O. Box 806  
Oskaloosa, Iowa 52577  
P. 800.825.6030

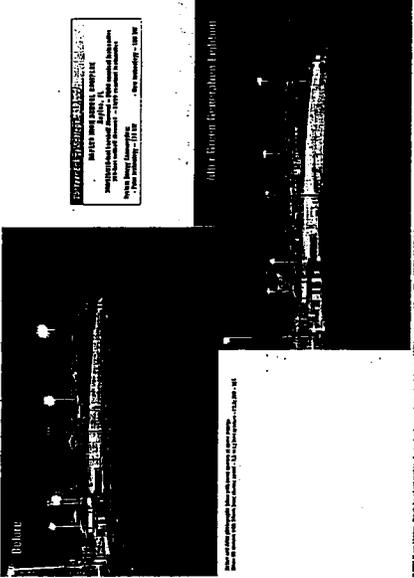


Zoning Legend	
<b>EU-M</b>	Medium Density Residential
<b>EU-H</b>	High Density Residential
<b>EU-L</b>	Low Density Residential
<b>EU-V</b>	Very Low Density Residential
<b>EU-C</b>	Community Residential
<b>EU-S</b>	Single-Family Residential
<b>EU-D</b>	Detached Single-Family Residential
<b>EU-T</b>	Attached Single-Family Residential
<b>EU-O</b>	Office Residential
<b>EU-B</b>	Business Residential
<b>EU-A</b>	Accessory Residential
<b>EU-N</b>	Neighborhood Residential
<b>EU-P</b>	Professional Residential
<b>EU-R</b>	Residential
<b>EU-S</b>	Single-Family Residential
<b>EU-T</b>	Attached Single-Family Residential
<b>EU-V</b>	Very Low Density Residential
<b>EU-W</b>	Work Residential
<b>EU-X</b>	Other Residential
<b>EU-Y</b>	Other Residential
<b>EU-Z</b>	Other Residential

PALMER TRINITY SCHOOL  
7900 SW 178<sup>TH</sup> ST. PALMETTO BAY, FL. 33157

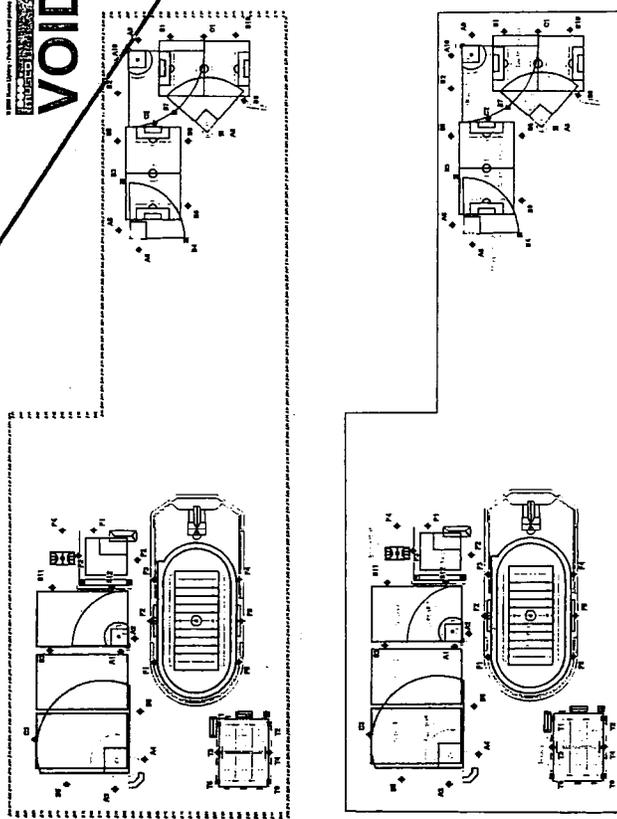
DUANY PLATER-ZYBERK & CO.  
ARCHITECTS AND TOWN PLANNERS  
1023 SW 25<sup>TH</sup> AVE., MIAMI, FL. 33135  
P. 305.644.1023 F. 305.644.1021

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**45**  
4.19.2010



Lighting

**VOID**

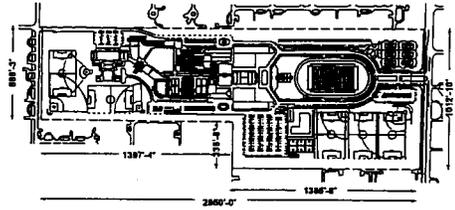


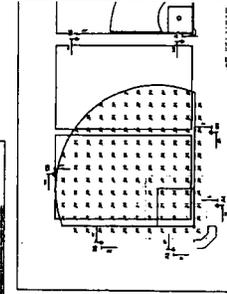
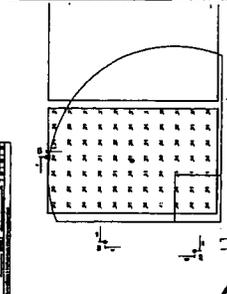
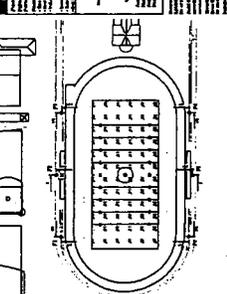
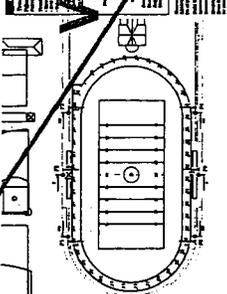
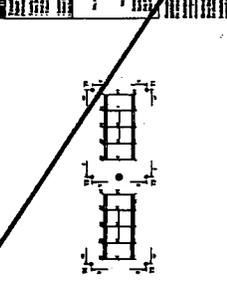
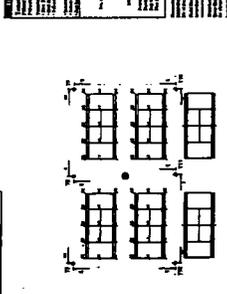
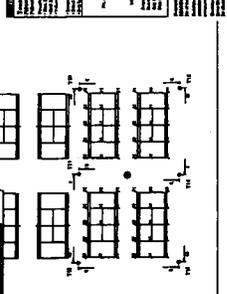
Lighting as designed for the sports fields is intended to provide safety to those who are engaged in sports activities. The lighting is designed to provide a high level of uniformity and to minimize spill-over to adjacent properties and even adjacent fields on campus. The images portrayed here illustrate how Green Generation Lighting reduces spill-over and uplighting in actual application.



APPENDIX

LIGHTING - SOUTH FIELD LIGHTING

<p>Consultant</p> <p>MUSCO SPORT LIGHTING 100 1st Avenue West P.O. Box 808 Osakehoaa, Iowa 52577 P. 800.825.8030</p>	<p>Master Plan Key</p> 	<p>Zoning Legend</p> <table border="1"> <tr> <th>Code</th> <th>Description</th> <th>Permitted</th> <th>Conditional</th> <th>Prohibited</th> </tr> <tr> <td>EU-III</td> <td>...</td> <td>...</td> <td>...</td> <td>...</td> </tr> </table>	Code	Description	Permitted	Conditional	Prohibited	EU-III	...	...	...	...	<p>Prepared by</p> <p>PALMER TRINITY SCHOOL 7900 SW 176<sup>TH</sup> ST. PALMETTO BAY, FL. 33157</p> <p>DUANY PLATER-ZYBERK &amp; CO. ARCHITECTS AND TOWN PLANNERS 1023 SW 26<sup>TH</sup> AVE. MIAMI, FL. 33135 P. 305.644.1023 F. 305.644.1021</p> <p>SHEET <b>46</b> 4.19.2010</p>
Code	Description	Permitted	Conditional	Prohibited									
EU-III	...	...	...	...									

<p>MUSCO</p>  <p>1.22</p>	<p>MUSCO</p>  <p>1.27</p>	
<p>MUSCO</p>  <p>1.32</p>	<p>MUSCO</p> <p><b>VOID</b></p>  <p>1.31</p>	
<p>MUSCO</p>  <p>1.33</p>	<p>MUSCO</p>  <p>1.32</p>	<p>MUSCO</p>  <p>3.32</p>



APPENDIX

LIGHTING - NORTH FIELDS LIGHTING

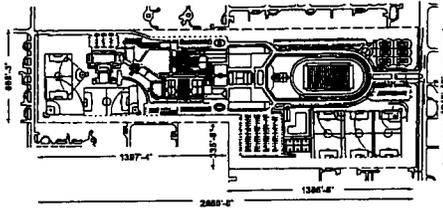
Consultant

Master Plan Key

Zoning Legend

Prepared by

MUSCO SPORT LIGHTING  
100 1st Avenue West  
P.O. Box 808  
Oskaalooma, Iowa 52577  
P. 800.825.8030



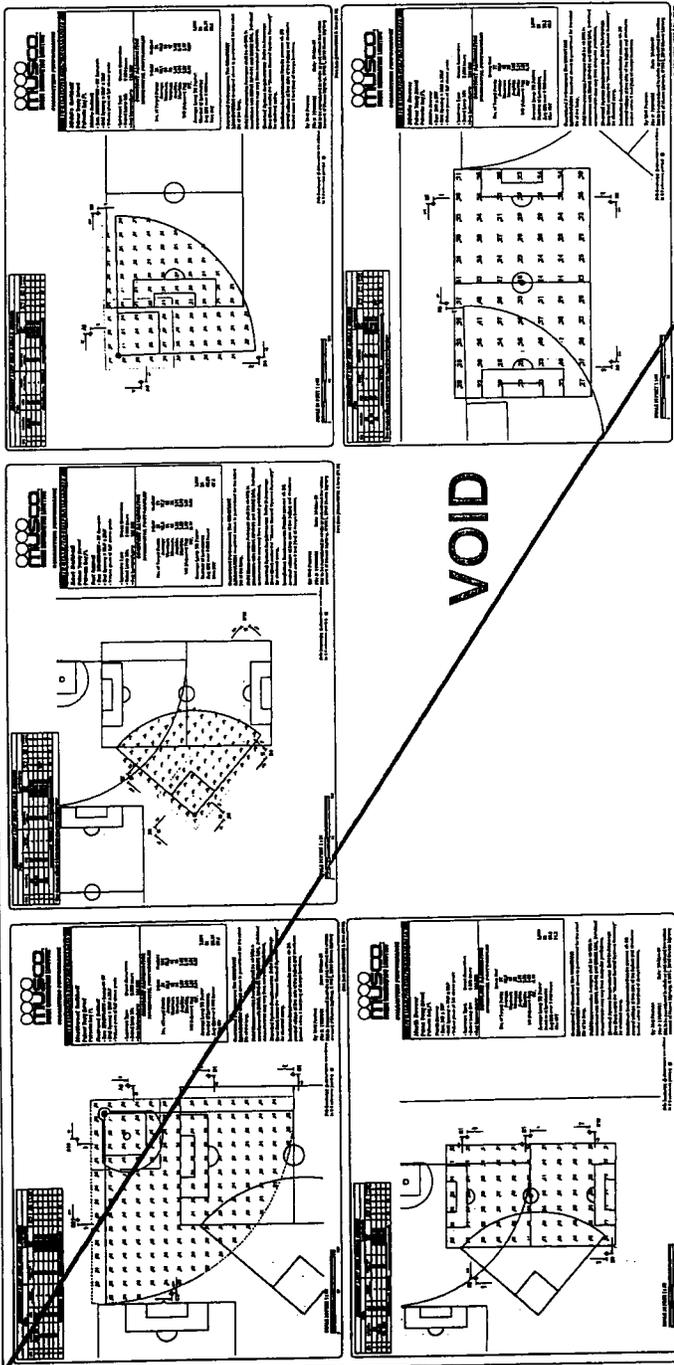
Phone Number: 208.661.1230

Code	Description	Color	Symbol
1	EXISTING LIGHT FIXTURES	Blue	Circle with dot
2	NEW LIGHT FIXTURES	Red	Square with dot
3	EXISTING LIGHT FIXTURES TO BE REMOVED	Green	Circle with cross
4	NEW LIGHT FIXTURES TO BE REMOVED	Yellow	Square with cross
5	EXISTING LIGHT FIXTURES TO BE MAINTAINED	Purple	Circle with star
6	NEW LIGHT FIXTURES TO BE MAINTAINED	Brown	Square with star
7	EXISTING LIGHT FIXTURES TO BE REPLACED	Pink	Circle with dot and cross
8	NEW LIGHT FIXTURES TO BE REPLACED	Grey	Square with dot and cross
9	EXISTING LIGHT FIXTURES TO BE REPAIRED	Light Blue	Circle with dot and star
10	NEW LIGHT FIXTURES TO BE REPAIRED	Light Green	Square with dot and star
11	EXISTING LIGHT FIXTURES TO BE UPGRADED	Light Yellow	Circle with dot and star and cross
12	NEW LIGHT FIXTURES TO BE UPGRADED	Light Purple	Square with dot and star and cross
13	EXISTING LIGHT FIXTURES TO BE MODIFIED	Light Brown	Circle with dot and star and cross and dot
14	NEW LIGHT FIXTURES TO BE MODIFIED	Light Grey	Square with dot and star and cross and dot
15	EXISTING LIGHT FIXTURES TO BE DEMOLISHED	Light Pink	Circle with dot and star and cross and dot and cross
16	NEW LIGHT FIXTURES TO BE DEMOLISHED	Light Grey	Square with dot and star and cross and dot and cross

PALMER TRINITY SCHOOL  
7900 SW 178th ST. PALMETTO BAY, FL. 33157

SHEET  
**48**  
4.18.2010

Prepared by  
DUANY PLATER-ZYBERK & CO.  
ARCHITECTS AND TOWN PLANNERS  
1023 SW 25th AVE. MIAMI FL. 33136  
P. 305.644.1023 F. 305.644.1021



VOID



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

PACEMER TRINITY SCHOOL

ENROLLMENT PROJECTIONS

FROM DATE OF  
FIRST C/O

School Year	Total Enrollment	Additional students from prior year	Percentage Increase from prior year
2009-2010	640		
2010-2011	660	20	3.13%
2011-2012	680	20	3.03%
2012-2013	700	20	2.94%
2013-2014	720	20	2.86%
2014-2015	740	20	2.78%
2015-2016	846	100	13.51%
2016-2017	890	50	5.95%
2017-2018	942	52	5.84%
2018-2019	994	52	5.53%
2019-2020	1036	42	4.24%
2020-2021	1060	24	2.34%
2021-2022	1117	57	5.34%
2022-2023	1157	40	3.58%
2023-2024	1150	18	1.56%
2024-2025			

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



RECEIVED  
Zoning Department

April 27, 2010 @ 6:28pm

Village of Palmetto Bay  
Building & Zoning Department

By: *Jian C. Santana*

Alexandra L. Deas, Esq.  
Tel: 305.350.7241  
Fax: 305.351.2176  
adeas@bilzin.com

April 27, 2010

**Via E-Mail**

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

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

Dear Mr. Perez:

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

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

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

Sincerely,

*Alexandra Deas*

Alexandra L. Deas

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