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RESOLUTION NO. 2013-18

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE PARKS AND RECREATION PARKS MASTER PLAN; HOLDING A PUBLIC HEARING TO AUTHORIZE REVISIONS TO THE CORAL REEF PARK MASTER PLAN TO INCLUDE 1) TWO NEW BATTING CAGES TO REPLACE EXISTING; 2) REPLACEMENT OF THE TENNIS CENTER SPORTS LIGHTING SYSTEM AND 3) BENCHED SITTING AREAS WITH SHADE CANOPIES WITHIN TENNIS CENTER; ADDITIONALLY, APPROVING THE APPLICATION OF THE VILLAGE OF PALMETTO BAY REQUESTING ZONING APPROVAL PURSUANT TO SECTION 30-50.21 TO ALLOW FOR PUBLIC FACILITY PUBLIC USE AT THE PROPERTY KNOWN AS CORAL REEF PARK, 7895 SW 152 STREET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in a continual effort to provide our residents with attractive, functional and usable parks with a mindset of fulfilling our commitments in implementing installation of selected recreational amenities desired by the community; and,

WHEREAS, the recreation community utilizing Coral Reef Park, 7895 SW 152nd Street, has expressed their desire for the replacement of the existing antiquated and unsafe batting cages, a new sports lighting system to properly illuminate the tennis courts, and benched seating areas with shade canopies within the tennis center; and,

WHEREAS, the Village Council, as a part of the FY 2012-2013 budget process, authorized funding for the aforementioned batting cages, tennis center sports lighting system and seating areas with shade canopies, contingent upon approval of the required amendment to the current Parks Master Plan for Coral Reef Park; and,

WHEREAS, the Village Manager is therefore recommending the Village Council authorize the necessary amendment to the Parks Master Plan for Coral Reef Park by incorporating 1) two new outdoor batting cages to replace the existing deteriorated amenity; 2) replacement of the tennis court sports lighting system; and 3) provided bench seating areas with shade canopies within the tennis center, with funding allocated from budgeted FY 2012-2013 Capital Improvement Funds for Coral Reef Park; and,

WHEREAS, pursuant to 30-50.21, the Village Council may authorize a governmental facility such as public parks, playgrounds and buildings, and structures supplementary and incidental thereto, by resolution following public hearing upon at least 15 days' notice of the time and place of such hearing published in a newspaper of general circulation in the Village, which publication shall include the time and place of hearing before the Village Council. A courtesy notice containing general information as to the date, time, and place of the hearing, the property location and general nature of the application may be mailed to the property owners of record, within a radius of 300 feet

1 of the property described in the application (actual notice issued at a 2,500 foot radius), or such
2 greater distance as the council may prescribe; and,
3

4 WHEREAS, such notice was dully provided; and,
5

6 WHEREAS, during the public hearing the Village Council shall consider, among other
7 factors, the type of function involved, the public need therefore, the existing land use pattern in the
8 area, alternative locations for the facility and the nature of the impact of the facility on the
9 surrounding property.
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. The Parks Master Plan for Coral Reef Park is hereby amended to incorporate
15 1) two new outdoor batting cages to replace existing; 2) replacement of the tennis court sports
16 lighting system; and 3) bench sitting areas with shade canopies. The Village Manager shall provide
17 the Council with a quarterly analysis of the lighting at the Coral Reef Park tennis center. The Village
18 shall provide the same consideration for churches and schools. (4/5 vote required) [Moved by
19 Council Person Patrick Fiore; seconded by Vice Mayor John Dubois. Passed 5-0.]
20

21 Section 2. Funding for the procurement and installation of the authorized batting
22 cages, sports lighting system and benched sitting areas with shade canopies shall be that allocated in
23 the FY 2012-2013 Capital Improvement Program for Coral Reef Park; approved as a part of the FY
24 2012-2013 Annual Budget for the Village of Palmetto Bay, passed and adopted on September 24,
25 2012.
26

27 Section 3. After considering these the factors relating to a governmental use approval,
28 and public hearing, the Village Council authorizes the Governmental Use pursuant to section 30-
29 50.21 as it relates to the attached site plan for Coral Reef Park, including but not limited to the
30 lighting of the tennis facility, and the overall locations and uses identified in the site plan as
31 necessary to provide for and protect the public health, safety and welfare of the citizens and
32 residents of the Village. The site plan is approved as a governmental use in substantial compliance
33 with the attached Exhibit 1. In the approval of the plan, the plan may be implemented substantially
34 in accordance with that submitted for the hearing, and as attached hereto. Except as may be
35 specified by any zoning resolution applicable to the subject property, any future additions on the
36 property which conform to zoning code requirements will not require further public hearing action.
37 (3/5 vote required) [Moved by Council Person Joan Lindsay; seconded by Council Person Patrick
38 Fiore. Passed unanimously.]
39

40 Section 4. The use be established and maintained in accordance with the approved plan
41 and as provided for in Section 3 of this order.
42

43 Section 5. A public hearing was held on the master plan modifications and
44 governmental use approval consistent with the Village's Code.
45

1 Section 6. The property bears the following legal description of:

2
3 22 55 40 48.401 AC, NE 1/4 OF SW 1/4 & SE 1/4 OF SE 1/4 LESS CUTLER DRAIN
4 CANAL, A/K/A/ CORAL REEF PARK, F/A/U 30-5022-000-0750 AS RECORDED IN THE
5 OFFICIAL RECORD BOOK 21727-1874-0903-3 (7895 SW 152 STREET, PALMETTO BAY
6 FLORIDA).

7
8 Section 7. The Village Council adopts the cover memorandum and staff report as the
9 Village's findings of fact.

10
11 Section 8. This resolution shall take effect immediately upon adoption.

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

19
20 Section 10. This is a final order.

21
22 PASSED and ADOPTED this 4th day of March, 2013

23
24
25 Attest: Meighan J. Alexander
26 Meighan J. Alexander
27 Village Clerk

28
29 Shelley Stanczyk
30 Shelley Stanczyk
31 Mayor

32 APPROVED AS TO FORM:

33 Eve A. Boutsis
34 Eve A. Boutsis,
35 Village Attorney

36 FINAL VOTE AT ADOPTION:

37 Council Member Patrick Fiore YES

38 Council Member Tim Schaffer YES

39 Council Member Joan Lindsay YES

40 Vice-Mayor John DuBois YES

41 Mayor Shelley Stanczyk. YES