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RESOLUTION NO 2016-17

ZONING APPLICATION VPB-15-016

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; PURSUANT TO SECTION 30-50.21, ESTABLISHING A PUBLIC EDUCATIONAL FACILITY AT 7350 SW 162 STREET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner, The Deering Estate Foundation, a not for profit organization, desires to establish, in conjunction with Miami-Dade County, a public educational research facility; and

WHEREAS, the mission of the educational research facility is to study South Florida's natural environment in and around the property as well as those lands within the Deering Park property across the street; and

WHEREAS, in keeping with the surrounding residential neighborhood, only modest adjustments to the exterior of the property are to be implemented to minimize any unintended impact; and

WHEREAS, it is the desire of Deering Estate Foundation, and its partner Miami-Dade County to preserve, protect and study the natural fauna of the property and adjacent park; and

WHEREAS, the Mayor and Village Council desire to approve the site plan request for the property located at 7350 SW 162 Street.

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

Section 1. A hearing on the present application was held on February 22, 2016, in accordance with section 30-50.21 of the Village's Code of Ordinances. Pursuant to the hearing, the Mayor and Village Council make the following findings of fact, and conclusions of law.

Section 2. Findings of fact.

1. The subject property is located at 7350 SW 162 Street, as more specifically described as:

The Southwest Quarter (SW1/4) of the Northeast quarter (NE 1/4) of the Southwest quarter (SW1/4) of section 26, Township 55 South, Range 40 East; Less the East 35 feet, the south 35 feet, and the west 25 feet thereof for right-of-way; lying and being in Miami-Dade County Florida, Containing 8.75 acres.

1 2. The above whereas clauses incorporated herein are true.

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

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6 4. The rules that govern the conditions upon which a public facility is governed is
7 located at Section 30-50.21.

8
9 5. The Village adopts and incorporates by reference the Planning & Zoning
10 Department staff report, which expert report is considered competent substantial evidence.

11
12 6. The Village Council accepts the findings of staff as so presented in the written
13 analysis and as presented at the hearing as it relates to compliance with the Village's Code and the
14 findings of the Village's Public Works Department.

15
16 7. The Village Council finds The Deering Estate Foundation, Inc., site plan application
17 submittal and the testimony provided at the hearing to be consistent with the Village's Code.

18
19 8. The Village Council did not have any substantive disclosures regarding ex-parte
20 communications and the applicant did not raise any objections as to the form or content of any
21 disclosures by the Council.

22
23 Section 3. Conclusions of law.

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25 1. The Application is in compliance with the adopted 2015, Village of Palmetto Bay
26 Comprehensive Plan and Future Land Use Map.

27
28 2. The standard of review for a public (educational) facility is found at 30-50.21 of the
29 Village of Palmetto Bay's Land Development Code.

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31 Section 4. Order.

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33 The Village Council, pursuant to Section 30-50.21, of the Land Development Code,
34 approves the plans entitled "Deering Estate Foundation, Inc., Conceptual site plan," consisting of
35 four (4) pages, dated stamped November 23, 2015, as prepared by The Corradino Group with the
36 following conditions:

- 37
38 1. Special events and fundraisers at the property shall not exceed once a month.
39 2. Special events and fundraisers shall not occur past 11:00 p.m.
40 3. Parking for any event that exceeds available spaces on the property shall be accommodated at
41 the Deering Estate Park property and/or through the use of a valet parking service.
42 4. The right-of-way along SW 162 Street shall remain at its current width and configuration.

43
44 This is a final order.

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2 **Section 5. Record.**
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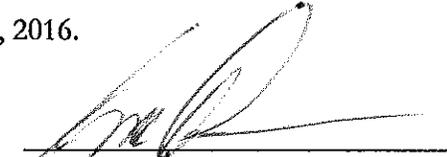
4 The record shall consist of the notice of hearing, the application, documents submitted by
5 the Applicant and the Applicant's representatives to the Village of Palmetto Bay Planning and
6 Zoning Department in connection with the application, the Village's staff report and
7 recommendation and attached cover sheet and documents, the testimony of sworn witnesses and
8 documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The
9 record shall be maintained by the Village Clerk.
10

11 **Section 6.** This resolution shall take effect immediately upon approval.
12

13 PASSED and ADOPTED this 22nd day of February, 2016.
14

15
16 Attest:


17 Meighan Alexander
18 Village Clerk
19


Eugene Flinn
Mayor

20 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
21 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
22

23
24 
25 Dexter W. Lehtinen
26 Village Attorney
27

28 FINAL VOTE AT ADOPTION:

29
30 Council Member Katryn Cunningham YES
31
32 Council Member Tim Schaffer YES
33
34 Council Member Larissa Siegel Lara YES
35
36 Vice-Mayor John DuBois YES
37
38 Mayor Eugene Flinn YES
39
40

41 This Resolution was filed in the Office of the Village Clerk on this 7th day of March, 2016.
42

43
44 
45 Meighan Alexander
46 Village Clerk