

RESOLUTION NO. 2023-055

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF A PHASING AGREEMENT FOR ARCHBISHOP EDWARD A. MCCARTHY HIGH SCHOOL, RELATING TO ITS AMENDED SITE PLAN, WHICH WAS APPROVED ON JUNE 25, 2020, PURSUANT TO RESOLUTION NO. 2020-043; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 25, 2020, pursuant to Resolution No. 2020-043, the Town Council of the Town of Southwest Ranches, Florida ("Town Council") approved Application No. SP-72-18 for modification of the Archbishop Edward A. McCarthy site plan to erect two multiple-classroom modular buildings totaling 18,522 square feet in floor area and an 1,830 square-foot addition to its athletic training facility; and

WHEREAS, on May 27, 2021, pursuant to Resolution No. 2021-53, the Town Council approved a phasing agreement that extended the site plan approval through June 25, 2023; and

WHEREAS, Section 120-060 of the Unified Land Development code ("ULDC") authorizes the Town Council to approve a term of up to three years for phasing agreements; and

WHEREAS, the requested extension allows up to one additional year for the high school to comply with all conditions of site plan approval and to apply for building permits for all of the improvements shown on the approved site plan; and

WHEREAS, the Town Council finds that the proposed phasing agreement extension is in accordance with Section 120-060 of the ULDC in allowing up to a three-year term for phasing agreements.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. After holding a duly noticed public hearing on June 22, 2023, the Town Council hereby extends the phasing agreement for Application No. SP72-18 for a

period of one additional year. The original phasing agreement is attached hereto as Exhibit "A" and made a part hereof.

Section 3. The Mayor, Town Administrator, and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED by the Town Council of the Town of Southwest Ranches, Florida, this 22nd day

of June, 2023, on a motion by Chm Kuczenski and seconded

by Chm Hartmann.

Breitkreuz	<u>yes</u>
Allbritton	<u>yes</u>
Hartmann	<u>yes</u>
Jablonski	<u>yes</u>
Kuczenski	<u>yes</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>


Steve Breitkreuz, Mayor

ATTEST:

Russell Muniz, Assistant Town Administrator/Town Clerk

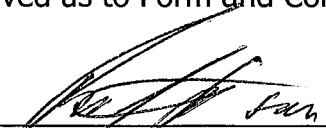
Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.2339.01

Exhibit "A"

Executed Phasing Agreement

RESOLUTION NO. 2020-043

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-72-18 BY ARCHBISHOP EDWARD A. MCCARTHY HIGH SCHOOL TO AMEND ITS SITE PLAN BY REPLACING ITS EXISTING 5,820 SQUARE FEET OF MODULAR CLASSROOMS WITH 18,552 SQUARE FEET OF NEW MODULAR CLASSROOMS AND EXPANDING THE ATHLETIC TRAINING FACILITY BY 1,830 SQUARE FEET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Archdiocese of Miami, Edward A. McCarthy High School is the current owner ("Owner") of Broward Central Catholic High School Plat, as recorded in Plat Book 163 Page 32 of the Broward County, Florida Public Records ("Property"); and

WHEREAS, Owner requests modification of its existing approved site plan to erect two multiple-classroom modular buildings totaling 18,522 square feet in floor area and a 1,830 square-foot addition to its athletic training facility; and

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida ("Town Council") finds that the proposed site plan amendment will comply with the requirements of the Town's Unified Land Development Code ("ULDC") upon implementation of the conditions set forth herein.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. That, upon reviewing the application, analysis of the Town Staff, testimony and the evidence submitted at a duly noticed public hearing held on June 25, 2020 the Town Council hereby approves Site Plan Modification Application No. SP-72-18, in accordance with the following stipulated conditions to be satisfied prior to issuance of a building permit for any of the proposed improvements:

1. Execute a Declaration of Restrictive Covenants that:
 - a. Prohibits access to the Broward Central Catholic High School Plat from any street other than Flamingo Road;

- b. Restricts the school's capacity to its 2019-2020 level of 1,700 students prior to completion and county or state acceptance of the roadway improvements required herein and subsequently to 1,800 students;
 - c. Requires regular reporting in a form determined acceptable by the Town Attorney, which at a minimum shall be the enrollment list thirty (30) days prior to the fall semester and thirty (30) days prior to the spring semester. The Town shall be allowed to seek an updated enrollment list at any time.
2. Revise the site plan to reflect the 1,800-student enrollment cap, subject to the requirements contained herein.
3. Comply with technical corrections to the site plan documents pursuant to the final Development Review Comments memorandum dated May 15, 2020, to be approved administratively, including requirement for a tree relocation permit.
4. Construct/implement the following improvements:
 - a. Extend the southbound right turn lane on Flamingo Road at the main entrance to the longest distance feasible which is approximately 450 feet of storage plus 50 feet of taper.
 - b. Extend the southbound left turn lane on Flamingo Road at the main entrance/SW 53rd Street for a total of approximately 450 feet of storage plus 50 feet of taper.
 - c. Extend the southbound left turn lane on Flamingo Road at SW 55th Street to run "back to back" with the northbound left turn lane on Flamingo Road at the main school entrance. This improvement includes modifying the existing taper from approximately 175 feet to 50 feet with the remaining 125 feet converting to vehicle storage for the southbound left turn lane.
 - d. Coordinate with Broward County to optimize signal timing at the intersections of Flamingo Road at Griffin Road and SW 55th Street.
5. Submit an action plan to the Town Administrator for directing higher utilization of north school driveway, particularly during school dismissal to help alleviate traffic backup onto Flamingo Road and improve overall efficiency of the roadway corridor. Implement the plan following the Town Administrator's approval. It is noted that the north school driveway has approximately 71 queueing spaces onsite compared to just 30 queueing spaces for the main driveway. The action plan may be amended by the Town at any time to satisfy its traffic and life safety concerns.
6. Adjust the start and end times of the high school and adjacent St. Marks school as approved by the Town's Administrator based upon the traffic engineer's recommendations.
7. Retain a certified school safety expert, approved by the Town Administrator, to perform a Florida Safe School Assessment, in accordance with Section 1006.1493 Florida Statutes, and to implement such recommendations in accordance with the Marjory Stoneman Douglas High School Public Safety Act. In the event that the

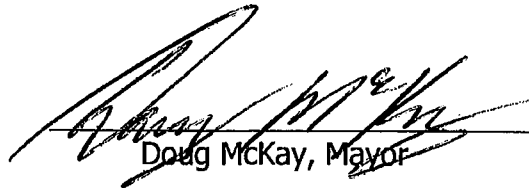
recommendations cannot be readily implemented, Owner shall propose a timeline to bring the property into compliance, which shall be subject to the approval of the Town Administrator.

Section 3. The Mayor, Town Administrator, and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

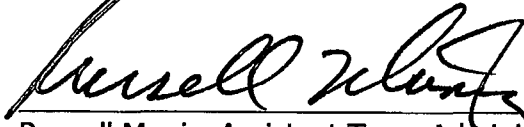
Section 4. This Resolution shall become effective immediately upon adoption.

PASSED by the Town Council of the Town of Southwest Ranches, Florida, this 25th day of June, 2020, on a motion by Council Member Hartmann and seconded by Vice Mayor Jablonski.

McKay	<u>Yes</u>	Ayes	<u>5</u>
Schroeder	<u>Yes</u>	Nays	<u>0</u>
Amundson	<u>Yes</u>	Absent	<u>0</u>
Hartmann	<u>Yes</u>	Abstaining	<u>0</u>
Jablonski	<u>Yes</u>		

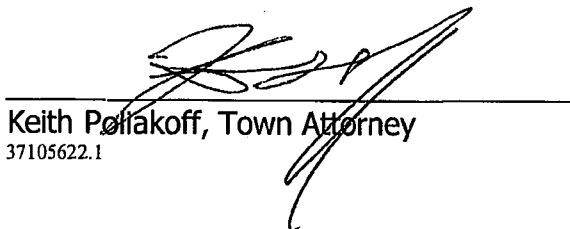

Doug McKay, Mayor

ATTEST:



Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith Pollakoff, Town Attorney
37105622.1

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