

**RESOLUTION NO. 2008 - 097**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE ARCHBISHOP EDWARD A. MCCARRTHY HIGH SCHOOL SITE PLAN MODIFICATION; 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 THEREFOR.**

**WHEREAS**, the Archbishop Edward A. McCarthy High School, Site Plan is legally described as:

Parcel "A", "BROWARD CENTRAL CATHOLIC HIGH SCHOOL", according to the Plat thereof as recorded in Plat Book 163, Page 32, of the Public Records of Broward County, Florida.

**WHEREAS**, the subject site is approximately 32.52 net acres in area and is located within the Community Facility zoning district, which allows private academic schools; and

**WHEREAS**, the subject property was formerly zoned I-1 prior to the Town of Southwest Ranches ("Town") incorporation; and

**WHEREAS**, the property received original site plan approval from Broward County in 1997; and

**WHEREAS**, the original site plan allowed for the development of sixty (60) classrooms, a cafeteria, a gym, a pavilion, a chapel, an administration and library building, a maintenance building, a football field with bleachers, athletic field lighting and circular track, two (2) baseball fields, three (3) tennis courts, three (3) basketball courts, 668 parking stalls, and a system of internal access roads and covered walkways; and

**WHEREAS**, after approval of the original site plan, the site began to be developed in phases; and

**WHEREAS**, Section 5-193(h) of the Broward County Land Development Code states that "an approved final site plan shall be effective until the development is completed except that if after one (1) year from the date the development order approving the site plan is issued, a period of ninety (90) days occurs during which no

valid building permit is in effect, the development order granting approval shall be null and void"; and

**WHEREAS**, pursuant to the Broward County Land Development Code ("BCLDC"), the site plan expired and additional development activity cannot be approved without a new site plan being approved; and

**WHEREAS**, the applicant is seeking to reactivate its site plan; and

**WHEREAS**, the site plan proposes a new two-story, fourteen (14) classroom building west of the two-story, fifteen (15) classroom building on the southeast corner of the complex, outdoor lighting for the illumination of the football and baseball fields, the placement of two (2) temporary modular classrooms totaling 2,200 square feet, two (2) tennis courts, two (2) basketball courts, an outdoor swimming complex, and the enclosure of an existing pavilion; and

**WHEREAS**, the new site plan does not expand the student capacity, but does increase the number of classrooms provided on the site by five (5); and

**WHEREAS**, the original 1997 site plan proposed sixty (60) classrooms and the current site plan proposes sixty-five (65) classrooms; and

**WHEREAS**, the site plan complies with the lot coverage and imperious requirements of the CF District; and

**WHEREAS**, the 9.22 percent plot coverage and 38.79 percent impervious area shown on the subject site plan comply with the 35 percent maximum plot coverage allowance and 60 percent maximum impervious area limitations; and

**WHEREAS**, the plat note limits development of the site to 184,900 square feet of floor area for school use; and

**WHEREAS**, the approval of the two-story fourteen (14) classroom building will max out the site to 184,900 square feet of school use; and

**WHEREAS**, the modifications in the subject site plan application do not exceed that restriction; and

**WHEREAS**, the original site plan required a minimum of 510 parking spaces, but 668 parking spaces were approved; and

**WHEREAS**, the current site plan would require a total of 537 parking spaces; and

**WHEREAS**, the site currently contains 617 total parking spaces; and

**WHEREAS**, according to the plans provided, the gross floor area on the site has not changed from the original site plan, but an increase in the number of classrooms, as well as the amount of administration and assembly area results in an increased demand of parking spaces; and

**WHEREAS**, the Central Broward Water Control District has reviewed and approved the site plan; and

**WHEREAS**, the applicant submitted the site plan to the Town's Fire Department which deferred its review until the building permit review stage.

**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, at a duly noticed public hearing held on September 4, 2008 following the review of the staff report and all written and oral evidence received during the advertised public hearing, the Town Council hereby approves the Archbishop Edward A. McCarthy High School Site Plan Application subject to the following agreed upon conditions:

- a. This site plan approval shall be conditioned upon the approval of variance application, VA-045-08 for the athletic field lighting. If the variance is approved the applicants shall provide a photometrics plan that is compliant with Section 095-040 and 095-060 for review by the Town's lighting engineer prior to issuance of permits for athletic field lighting. In the event the variance application is denied the applicant shall remove the outdoor lighting from the site plan prior to the submittal of a building permit for the property.
- b. If the athletic field lighting is approved, the outdoor lighting shall conform to all provisions of the lighting ordinance. No light shall spill onto surrounding residential neighborhoods and shall not cause glare.
- c. The site shall conform to the Code in regards to tree preservation and abuse.
- d. Upon application of a building permit for the two-story fourteen (14) classroom building, the applicant shall provide a tree survey and landscape plan that demonstrates compliance with the requirements of the code. All

required landscaping must be installed to the satisfaction of the Town's Landscape Inspector prior to the issuance of a certificate of occupancy.

- e. Pursuant to Section 120-060, the site plan shall expire one (1) year from the date of approval if a building permit is not obtained for the classroom building unless an extension is granted by the Town Council.
- f. Applicant shall pay to the Town of Southwest Ranches an amount equal to the total expenses incurred by the Town in the processing and finalizing of this application, prior to the issuance of the first building permit. This includes, but may not be limited to, expenses for engineering, planning, legal, advertising, five percent (5%) administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.

**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 AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 4<sup>th</sup> day of September 2008, on a motion by Council Member Don Maines and seconded by Council Member Aster Knight.

Fink	<u>Y</u>	Ayes	<u>5</u>
Nelson	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Maines	<u>Y</u>		

**[Signatures on Following Page]**

Mecca Fink  
Mecca Fink, Mayor

ATTEST:

Susan A. Owens  
Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:

Gary A. Poliakoff  
Gary A. Poliakoff, J.D., Town Attorney  
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