

**RESOLUTION NO. 2011 - 097**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A MODIFICATION TO THE ARCHBISHOP EDWARD A. MCCARTHY HIGH SCHOOL ("MCCARTHY HIGH SCHOOL") SITE PLAN TO PROVIDE FOR THE INSTALLATION OF FOUR MODULAR CLASSROOM BUILDINGS, AND FIVE STORAGE MODULAR UNITS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE THEREFOR.**

**WHEREAS**, the Archbishop Edward A. McCarthy High School Site Plan (the "Property") 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; and

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

**WHEREAS**, on September 4<sup>th</sup>, 2008, pursuant to Resolution No. 2008-097, the Town Council approved a modification to the Archbishop Edward A. McCarthy High School site plan, to provide for, subject to expiration, 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**, also on September 4<sup>th</sup>, 2008, the Board of Adjustment approved Resolution No. VA-052-10, which authorized a height variance for the athletic field lighting structures, subject to an agreement between the school and the Town that provides for buffering and limitations on the use of the athletic field lighting; and

**WHEREAS**, on May 20<sup>th</sup>, 2010, pursuant to Resolution 2010-063, the Town Council re-approved the September 4<sup>th</sup>, 2008, modified site plan, with a modification to the athletic field bleachers, and the addition of a locker room and concession stand building; and

**WHEREAS**, the instant site plan modification seeks to place four modular classrooms and a five modular storage unit on the property; and

**WHEREAS**, the four modular classrooms, comprising 3,360 square feet of total building area, would be located approximately 80 feet east of an existing double-wide modular classroom building, within the area shown on the existing approved site plan as reserved for a future two-story classroom addition; and

**WHEREAS**, the five storage buildings, totaling 2,595 square feet of building area, would be spread out as follows: 1 unit each at the northeast and southwest of the football field and track, and 3 units at the southwest corner of the football field and track; and

**WHEREAS**, the site plan complies with plot coverage, impervious area, Floor Area Ratio, drainage and the plat note; and

**WHEREAS**, the site's landscaping has been approved on final inspection, and complies with current code, as required upon approval of the 2010 site plan; and

**WHEREAS**, the Town's Engineer has approved the modular units provided that they are ADA compliant and that the plans indicate that the modular units will be removed and replaced with the permanent classroom addition.

**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 7, 2011, 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 Modification subject to the following agreed upon conditions:

(A) 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 (5%) percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.

(B) That prior to installation of the modular classroom buildings, or storage modular units, the Applicant shall work with the Town's Staff to mitigate the impacts of its traffic on Flamingo Road during drop off and dismissal, which may require the Applicant to hire additional off-duty officer(s) from the Town to help direct traffic exiting the school towards the south to make a U-Turn in the median to head back north.

(C) The Town Council finds that there is an overriding public interest in allowing the build out of the site plan to be phased, and as such approves the build out of the site plan over a period of up to five years.

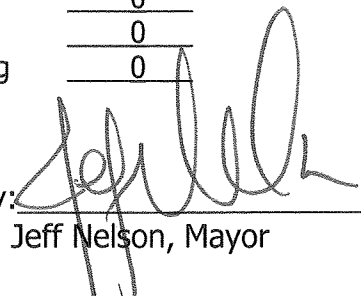
**Section 3.** The Mayor, Town Administrator and Town Attorney are each authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

**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 7<sup>th</sup> day of September, 2011, on a motion by Council Member Doug McKay and seconded by Council Member Gary Jablonski.

Nelson	<u>Y</u>
Fisikelli	<u>Y</u>
Breitkreuz	<u>Y</u>
Jablonski	<u>Y</u>
McKay	<u>Y</u>


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

By:   
\_\_\_\_\_  
Jeff Nelson, Mayor

ATTEST:

  
\_\_\_\_\_  
Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Keith M. Poliakoff, Town Attorney  
ACTIVE: 3506456\_1