## RESOLUTION No. 21-31


#### Abstract

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING THE SITE PLAN FOR SHELTON ACADEMY LOCATED AT 9455 NW 40 STREET ROAD, DORAL, FLORIDA; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE


WHEREAS, Orbis Fortium, LLC (the "Applicant") has submitted an Application requesting Mayor and City Council site plan approval pursuant to Section 53-184(f) of the City's Land Development Code (LDC), for Shelton Academy, a privately owned, Catholic based school, located at 9455 NW 40 Street Road, Doral, Florida, as legally described in "Exhibit A"; and

WHEREAS, a zoning workshop was held on July 9, 2020, at which meeting the public was afforded an opportunity to examine the project and provide feedback; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within 500-foot radius, a public hearing was held before the Mayor and City Council of the City of Doral on January 27, 2021, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, Staff finds that the proposed site plan is consistent with the City's Comprehensive Plan and complies with the requirements and standards of the Land Development Code; and

WHEREAS, the Mayor and City Council of the City of Doral find the adoption and implementation of this Resolution is in the best interest and welfare of the residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. The City Council hereby approves the site plan for Shelton Academy, as legally described in "Exhibit A." The site plan comprises of the new school campus for Shelton Academy consisting of grades K-12. A copy of the site plan is provided in "Exhibit B." The approval of the site plan is subject to the following conditions. Violation of the conditions may result in a code compliance citation or the revocation of this Resolution.

1. That the private school be limited to grades $\mathrm{K}-12$ and be limited to a maximum of 450 students.
2. That the Applicant submits an updated Traffic Impact Study (TIS) and Traffic Operation Plan (TOP) to Miami-Dade County Department of Transportation and Public Works (DTPW), for review and approval, updating the maximum number of students (450 students) before obtaining a Certificate of Use (CU). Additional signal requirements and/or off-site improvements may be required to address life safety concerns, inefficient queuing and traffic operations in the vicinity.
3. That at the time the Applicant proposes to increase the enrollment from 450 to 600 students, an updated Traffic Operation Plan (TOP) and Traffic Impact Study (TIS) shall be required for review and approval by the City's Public Works Department and Miami-Dade County Department of Transportation and Public Works (DTPW). Additional off-site improvements associated with the proposed expansion may be required at the expense and/or the responsibility of the owner.
4. That prior to issuance of Certificate of Occupancy (CO), the Applicant constructs sidewalks within the public right-of-way connecting to NW 97 Avenue on both NW 40 Street Road and NW 38 Street.
5. That prior to issuance of Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO), Miami-Dade County approved plans be submitted to the City's Public Works Department for review and approval for the requirements of new flashers and school zone striping and signage throughout.
6. All applicable impact fees shall be paid by the Applicant prior to issuance of a building permit.
7. The proposed project shall be built in substantial conformance with the plans entitled "Shelton Academy" prepared by Civica Architecture \& Urban Design, consisting of 22 sheets, dated stamped received January 7, 2021.
8. The Property shall be landscaped in accordance with the landscape plan, prepared by Gardner + Semler Landscape Architecture, dated stamped
received January 7, 2021, as amended, and included with the site plan submittal.
9. Compliance with Ordinance No. 2015-09, "Public Arts Program" will be required at the time of building permit, if applicable.
10. Provide compliance with the Floodplain Management regulation (Chapter 23, Article II, Floodplain Management) of the City's Land Development Code.
11. Developer shall be responsible for providing the City a certified drainage inspection report prior to the issuance of a certificate of occupancy.
12. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted by the Applicant at time of building permit. The Plan should provide guidelines for implementing an erosion and sedimentation control program before the site is cleared or graded, including areas where topsoil will be removed, and contours of slopes will be cleared. The Plan shall also include location and type of erosion control measures, storm water and sediment management systems, and a vegetative plan for temporary and permanent stabilization. The Plan shall remain on-site for the duration of the construction activity.
13. If more than one (1) acre of land is disturbed during construction the Contractor/Developer is responsible to obtain NPDES Stormwater permit coverage through the Florida Department of Environmental Protection (FDEP) Construction Generic Permit (CGP). If the project is less than one (1) acre, but part of a larger common plan of development or sale that will ultimately disturb one or more acres, permit coverage is also required. Instruction to request and obtain a CGP can be found at: http://www.dep.state.fl.us/water/stormwater/npdes/docs/cgp.pdf.
Contractor/Developer should submit the Notice of Intent (NOI) with the appropriate processing fees to the NPDES Stormwater Notices Center. Contractor/Developer must apply for permit coverage at least two (2) days before construction begins.
14. The Applicant shall preserve existing trees (including native trees) during the development of the project, wherever possible. If the trees must be removed, the Applicant shall be required to mitigate the impact in accordance with DRER requirements. If the relocated trees do not survive, the Applicant shall be required to replace the trees in compliance with DRER requirements.
15. The hours of operation during the construction shall adhere to as per Noise Ordinance No. 2011-01.
16. Approval from Division of Environmental Resources Management (DERM) is required at time of building permit. If DERM's requirements result in a modification to the approved administrative site plan, which may include but is not limited to, the layout of proposed parking field, the Applicant will be fully responsible to meet those requirements prior to building permit approval.
17. Approval from Miami-Dade County Fire Department is required at time of building permit.
18. All applicable local, state and federal permits must be obtained before commencement of the development.
19. Issuance of this development permit by the City of Doral does not in any way create any right on the part of an Applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Doral for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
20. Noncompliance with the approved site plan and the terms of this approval shall be considered a violation of the City Code. Penalties for such violation(s) shall be prescribed by the City Code, which include, but are not limited to, the revocation of the approval granted by this Resolution.
21. Applicant shall comply with any other outstanding conditions recommended by the Mayor and City Council, Public Works Department, Planning \& Zoning Department or Miami-Dade County.

Section 3. The City Manager or his/her designee are hereby authorized to take such action as may be necessary to implement the purpose and provisions of this Resolution.

Section 4. The Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Cabrera who moved its adoption.
The motion was seconded by Councilmember Cabral and upon being put to a vote, the vote was as follows:

| Mayor Juan Carlos Bermudez | Yes |
| :--- | :---: |
| Vice Mayor Pete Cabrera | Yes |
| Councilwoman Digna Cabral | Yes |
| Councilwoman Claudia Mariaca | Yes |
| Councilman Oscar Puig-Corve | Yes |

PASSED AND ADOPTED this 27 day of January, 2021.


ATTEST:


CONNIE DIAZ, MMC
CITY CLERK

## APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CIFYATTORNEY

## EXHIBIT "A"

## EXHIBIT "A"

## LEGAL DESCRIPTION

Lots 1 and 2, in Block 1 of "SWISS CHALET SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 140, Page 79, of the Public Records of Miami-Dade County, Florida.

## EXHIBIT "B"

## SHELTON ACADEMY

PROJECT ADDRESS
9455 NW 40TH STREET RD
DORAL, FL 33178-2377

## APPLICANT

ORBIS FORTNUM, LLC
355 ALHAMBRA CIRCLE
STE 1205
CORAL GABLES, FL 33134

DATE: NOVEMEBR 2020
SUBMITTAL: SITE PLAN APPROVAL
CIVICA PROJECT \#: 200202


C I V I C A


Miami, FL 33015
office: $305-392-1016$ cell: 305-342-7146 email: kiehl@gsladesign.com website:www.gsladesign.com




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| 2.sTorev PaRkNG GARAGE: |  |  |  |  | $12,804 \mathrm{sq} . \mathrm{ft}$. |  |

[^0]P PROPOSED SITE PLAN


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ISSUED FOR: SITE PLAN
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PROJECT:
SHELTON ACADEMY 9455 NW $40 T H$ ST ROAD
DORAL, FL 33178 Shelton

APPLICANT:
ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE STE 1205
CORAL GABLES, FL 33134

 sylentit PROPOSED $\} \begin{gathered}\text { PROPOSED } \\ \text { SITE PLAN } \\ \text { OOD }\end{gathered}$ 600 STUDENTS




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PROJECT:
SHELTON ACADEMY 9455 NW 40TH ST ROAD
DORAL, FL 33178
 APPLCANT:
ORBIS FORTIUM, LLC
355 ALHAMBRA CIRCLE 355 ALHAMBRA CIRCLE
STE 1205
CORAL GABLES, FL 3313 CORAL GABLES, FL 33134

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SAFE SIGHT TRIANGLE
PARKING ENTRANCE
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PROJECT: SHELTON ACADEMY 9455 NW 40TH ST ROAD,
DORAL, FL 33178
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APPLICANT:

ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE
STE 1205 coral gables, fl 33134

1) GEOMETRIES AND SIGNAGE ARE CONCEPTUAL, FINAL
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38TH STREET \& N.W. 40TH STREET ROAD SHALL BE PERMITTED AND CONSTRUCTED FOLLOWING DIC APPROVAL, AND PWKS PERMITTING.
3) ALL BUILDING PERMITS AND BDLG TCO AND TCU SHALL BE ISSUED INDEPENDENTLY FROM FLASHER APPROVAL, AND
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AND ASPHALT MARKINGS INSTALLATION ONLY.

NW 38TH STREET


CONCEPTUAL SCHOOL ZONE SIGNALIZATION


# $C I V I C A$ 

 \begin{tabular}{l} 3323 NW 12th St. Suite 106 <br>
Doral. FL. 233126 <br>
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tel 305.593 .9959
 PROJECT:
SHELTON ACADEMY 9455 NW $40 T H$ ST ROAD,

Shelton

IUM, LLC 355 ALHAMBRA CIRCLE STE 1205
coral GABLES, FL 33134

ISSUED For:
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ROW IMPROVEMENT NOTES:

1) GEOMETRIES AND SIGNAGE ARE CONCEPTUAL, FINAL ON AVAlLABILTY OF ROW FOR OFF-SITE IMPROVEMENTS.
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AND ASPHALT MARKINGS INSTALLATION ONLY.


CONCEPTUAL SIGNING AND PAVEMENT MARKINGS - PHASE 1 . in


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ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE STE 1205
CORAL GABLES, FL 33134

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Project: Shelton academy - phase 3-revi --- aug - 20 - 2020

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APPLCANT:

ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE CORAL GABLES, FL 3313

ISSUED For: SITE PLAN
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GROUND
APPLCANT:

ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE coral gables, fl 3313

ISSUED For: SITE PLAN
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PROJECT:
SHELTON ACADEMY 9455 NW 4OTH ST ROAD,
DORAL FL 33178
Shelton
Academy
APPLICANT:
ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE CORAL GABLES, FL 33134

ISSUED For: SITE PLAN APPROVAL

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shei tite garage GROUND \& SECOND FLOOR


SHELTON ACADEMY 9455 NW 4OTH ST ROAD,
DORAL FL 33178 Shelton APPLICANT:
ORBIS FORTIUM, LLC 355 ALHAMBRA CIRCLE CORAL GABLES, FL 33134

ISSUED For: SITE PLAN
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SHELTON ACADEMY 9455 NW 4OTH ST ROAD
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EXISTING SECOND FLOOR PLAN


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$C I V I C A$
8323 NW 12th St. Suite 106 Doral. FL. 233126
tel 305.593 .9959
 PROJECT:
SHELTON ACADEMY 9455 NW 40TH ST ROAD,
Shelton academ
APPLCANT:
ORBIS FORTIUM, LLC 355 ALHAMBRA CIICLE CORAL GABLES, FL 33134




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$\stackrel{\text { SHEET TTLE }}{\text { PIANTING PLAN }}$ WITH SURFACE PARKING LOT

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8323 NW 12 2t St St Suite 106

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MULTI-TRUNKED TREE/PALM BRACING DETAIL





Q IRRIGATION PLAN WITH PARKING GARAGE
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CONNECTION TO METER DETAIL $\qquad$


 SHEETTTLE

IRRIGATION DETALLS AND SPECIFICATIONS


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