

RESOLUTION No. 26-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A MODIFICATION TO THE APPROVED SITE PLAN AND ASSOCIATED CONDITIONS OF APPROVAL FOR SHELTON ACADEMY TO PERMIT A TWO (2) PHASE EXPANSION OF AN EXISTING SCHOOL FACILITY; PROVIDING FOR AN INCREASE IN STUDENT ENROLLMENT OF UP TO 800 STUDENTS DURING PHASE NO. 1, AND A MAXIMUM STUDENT ENROLLMENT OF 1,000 STUDENTS DURING PHASE NO. 2; APPROVING THE DEVELOPMENT OF A THREE (3) STORY PARKING GARAGE LOCATED WEST OF THE MAIN SCHOOL BUILDING; AMENDING CONDITION NOS. 1, 2, 4, 7, 8, AND 9 OF RESOLUTION NO. 21-31; DELETING CONDITION NO. 3 OF RESOLUTION NO. 21-31; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 53 “Administration”, Article III. Development Procedures, Sec. 53-184(f) of the City’s Land Development Code, establishes the site plan review and approval procedures for the Mayor and City Council to review and approve the site plan; and

WHEREAS, Valgrat LLC (the “Applicant”), owner of approximately four (4) acres of real property located at 9455 NW 40 Street Road, Doral, Florida, and identified by Miami-Dade County Folio Nos. 35-3028-015-0010 and 35-3028-015-0020 (the “Property”), submitted an application requesting amendment of the previously approved site plan and modification of conditions contained in Resolution No. 21-31; and

WHEREAS, the Property is currently developed as Shelton Academy, a privately owned Catholic faith-based K-12 educational institution (the “School” or “Shelton Academy”); and

WHEREAS, the Property is designated “Office Residential” (OR) on the City of Doral Future Land Use Map and is zoned “Office” (O-1); and

WHEREAS, the Property has direct access to NW 97 Avenue, a principal transportation corridor within the City, and is surrounded by a mixture of institutional, office, industrial, commercial, and residential uses, including Southern Command, the Doral Police Training and Community Center, and Millennia Atlantic University; and

WHEREAS, in 2021, the Applicant submitted Application No. 2020050001(321) requesting approval to convert and improve an existing two-story warehouse facility into a state-of-the-art K-12 school; and

WHEREAS, on January 27, 2021, the City approved the application pursuant to Resolution No. 21-31 (the “Original Resolution”); and

WHEREAS, plans initially submitted during review of the 2021 application contemplated enrollment exceeding 900 students, but the Applicant voluntarily reduced the proposed enrollment to expedite approval and facilitate relocation prior to expiration of an existing lease at 11300 NW 41 Street; and

WHEREAS, Shelton Academy has reached its currently approved maximum enrollment and has developed a substantial waiting list due to increased demand for enrollment; and

WHEREAS, the Applicant seeks approval of a two-phase expansion to accommodate future growth and maximize the use of the Property; and

WHEREAS, Phase No. 1 proposes increasing student enrollment capacity to 800 students, including additional classrooms and associated improvements; and

WHEREAS, Phase No. 2 proposes increasing student enrollment capacity to a maximum of 1,000 students, together with construction of a three-story, three-level parking garage west of the main school building; and

WHEREAS, the Applicant represents that the proposal does not require expansion of the existing school building footprint and that the building was originally acquired based upon its capacity to accommodate enrollment exceeding 900 students; and

WHEREAS, the Applicant further represents that the proposed expansion maintains compatibility with surrounding development patterns and architectural character while supporting educational opportunities, employment generation, and enhancement of the City's tax base; and

WHEREAS, the Applicant also seeks modifications to the various conditions of approval imposed pursuant to Resolution No. 21-31 to effectuate the increase in student counts and other site plan modifications sought pursuant to the instant application, as well as to modify requirements related to certain sidewalk improvements and the City's Public Arts Program; and **WHEREAS**, the City Council finds that the Applicant's project meets the criteria in Section 75-107(c)(1) of the City's Land Development Code, and is therefore exempt from the City's Public Arts Program requirements; and

WHEREAS, on June 10, 2026, the Mayor and City Council reviewed the site plan modification application, the written and oral recommendations from the Planning and Zoning Department, and hereby finds competent substantial evidence to find the site plan is in compliance with the City's Comprehensive Plan and Land Development Regulations, and that the site plan maintains the basic intent and purpose of the zoning, subdivision or other land use regulations, which is to protect the general welfare of the public, and further finds that the site plan application should be granted, subject to the conditions described herein.

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

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

Section 2. Approval of Site Plan Amendment. The Mayor and City Council hereby approve the site plan modification for Shelton Academy, for the property located at 9455 NW 40 Street Road, Doral, Florida (the “Property”), further identified by Miami-Dade County Tax Folio Nos. 35-3028-015-0010 and 35-3028-015-0020, as legally described in Exhibit A. A copy of the site plan is provided in “Exhibit B”. The approval of the site plan modification is subject to the following conditions:

1. The Project shall be built in substantial compliance with the plans entitled “Shelton Academy Expansion”, prepared by Civica Architecture and Urban Design, dated stamped received March 31, 2026.
2. The Project shall be landscaped in accordance with the landscape plan, prepared by Gardner + Semler Landscape Architecture, dated stamped received March 31, 2026, as amended, and included with the site plan submittal.
3. The City of Doral Public Works Department recommends conditional approval with the following information provided below:
 - Approval from Miami-Dade County Department of Public Works Traffic Engineering Division school section is required prior to issuance of Final Certificate of Occupancy.

Advisory comments below are necessary during site plan review process and implementation of the project:

- Prior to enrollment exceeding 850 students, Applicant shall perform a traffic signal warrant analysis at the intersection of NW 97th Avenue and NW 38th Street with the analysis subject to review by City of Doral Public Works Department and Miami-Dade County Department of Transportation and Public Works. If required, based on the results of the analysis, the Applicant will design and build a traffic signal at the intersection of NW 97th Avenue and NW 38th Street, subject to obtaining any required County and City approvals. Enrollment cannot surpass 850 students until County and City reviews are completed.

- The school is responsible for the installation of designated school speed zone along NW 40th St and along NW 38th St. The school zone is required to be installed prior to issuance of Final Certificate of Occupancy.
 - Any modifications to approved site plan and student enrollment, a revised traffic analysis and updated school TOP is required and approved by MDC.
 - Approval is subject to review from City of Doral Public Works Department - Plans Review.
 - Compliance with the applicable sections of the City's Land Development Code Chapter 77.
 - Implementation of the proposed project dealing with roadway construction work, installation of signage, pavement markings and other needed items shall conform to all applicable requirements, standards and regulations of the latest version of the Manual on Uniform Traffic Control Devices (MUTCD), City of Doral, Miami-Dade County Department of Transportation and Public Works, and Miami-Dade Fire Rescue Department.
4. The Applicant shall comply with Chapter 63, "Green Building Incentives," of the City's Land Development Code at the time of building permit (if applicable).
 5. The Applicant shall comply with the City's Floodplain Management regulations (Chapter 23, Article II, Floodplain Management) of the City's Code.
 6. The Applicant shall provide the Building Department with a certified drainage inspection report prior to the issuance of a certificate of occupancy.
 7. The property owner shall maintain the landscaping within the public rights-of-way adjacent to the property. Maintenance includes trees, plants, sod, and other landscape material.
 8. The Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) 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.
 9. If more than one (1) acre of land is disturbed during construction the Contractor/Developer is responsible for obtaining 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. Instructions 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.

10. Construction shall be permitted only during the hours set forth in Ordinance No. 2011-01 "Noise Ordinance."
11. The Applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Department of Regulatory and Economic Resources, along with the tree removal permit documentation.
12. The Applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Fire Rescue Department.
13. All applicable local, state, and federal permits must be obtained before commencement of the development.
14. 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.
15. The Applicant shall comply with all applicable City, County, and State permitting requirements.
16. The Applicant shall obtain all required approvals from Miami-Dade County DTPW.
17. All improvements shall substantially conform with approved plans.
18. Any material deviation from approved plans shall require further review and approval.

FAILURE BY THE CITY TO TIMELY ENFORCE ANY OF THE ABOVE CONDITIONS DOES NOT CONSTITUTE A WAIVER OF THE SAME AND IF THE APPLICANT, ITS SUCCESSORS, OR, ASSIGNS, DOES NOT PERFORM SUCH CONDITIONS WITHIN FIVE (5) DAYS AFTER WRITTEN NOTICE, THE CITY RETAINS THE RIGHT TO STOP CONSTRUCTION, IF NECESSARY, UNTIL THAT CONDITION IS MET. THE CITY RESERVES THE RIGHT TO ENFORCE THESE CONDITIONS BY ISSUING A CODE COMPLIANCE CITATION, REVOKING THIS RESOLUTION, AND/OR AVAILING ITSELF OF ANY AND ALL REMEDIES AVAILABLE AT LAW OR IN EQUITY. BY ACTING UNDER THIS

APPROVAL, THE APPLICANT HEREBY CONSENTS TO ALL THESE TERMS AND CONDITIONS.

Section 3. Amendment to Conditions of Resolution No. 21-31. The conditions of approval set forth in Section 2 of Resolution No. 21-31, are hereby amended as follows:

A. Condition No. 1 shall be deleted in its entirety and replaced with the following language:

1. That the private school be limited to grades K-12 and be limited to a maximum of 1,000 students.

B. Condition No. 2 shall be deleted in entirety and replaced with the following language:

2. That the Applicant submit an updated Traffic Impact Study (TIS) and Traffic Operations Plan (TOP) to the Miami-Dade County Department of Transportation and Public Works (DTPW) for review and approval reflecting a maximum enrollment of 1,000 students prior to issuance of a Certificate of Use (CU) for the expanded enrollment. Additional signalization requirements and/or off-site improvements may be required to address life safety concerns, queuing, and traffic operations.

C. Condition No. 4 shall be deleted in its entirety and replaced with the following language:

4. Prior to the issuance of CO on Phase 1 (Permit No. 2020-100-450) the Applicant shall construct a sidewalk along either (i) the south side of NW 38th Street from Shelton Academy to NW 97th Avenue, or (ii) the north/east side of NW 40th Street Road from Shelton Academy to NW 97th Avenue or (iii) to NW 97 Avenue for the entire length on both NW 40 Street Road and NW 38 Street (the "Sidewalk Options"). The determination of which street to construct the sidewalk along, or whether the entire length of the sidewalk will be required, as provided by the Sidewalk Options, shall be based on the DTPW recommendation and provided that the requisite tree removal permits from the County are obtained. The City's Public Works Department shall review the sidewalk permit and issue any comments within two (2) weeks of any submittal made by the Applicant or Applicant's representative. The City and Applicant shall cooperate in good faith to negotiate and, subject to City Council approval, enter into a settlement agreement addressing roadway impact fee credits attributable to the sidewalk improvements described herein. The Applicant's commencement or

completion of such sidewalk improvements prior to the approval or execution of the settlement agreement shall not be deemed a waiver of any claim for roadway impact fee credits associated with the improvements. Any outstanding Roadway Improvement Impact Fees associated with Permit No. 2020-100-450, as finally determined after application of any approved credits, shall be satisfied prior to the issuance of a CO for Phase 1 (Permit No. 2020-100-450).

D. Condition No. 7 shall be deleted in its entirety and replaced with the following language:

7. The proposed project shall be built in substantial conformance with the plans entitled "Shelton Academy," prepared by Civica Architecture & Urban Design, consisting of 19 sheets, dated stamped received October 27, 2025.

E. Condition No. 8 shall be deleted in its entirety and replaced with the following language:

8. The Property shall be landscaped in accordance with the landscape plans prepared by Gardner + Semler Landscape Architecture, dated stamped received October 27, 2025, as amended and included within the approved site plan submittal.

F. Condition No. 9 shall be deleted in its entirety and replaced with the following language:

9. The City further acknowledges that the development approved herein consists of a nonprofit religious educational institution and therefore qualifies for exemption from the Public Arts Program requirements pursuant to Section 75-107(c)(1) of the City of Doral Code of Ordinances.

Except as specifically modified herein, all provisions of Resolution No. 21-31 shall remain in full force and effect.

Section 11. Implementation. The City Manager and City Attorney are authorized to take any additional actions necessary to implement this Resolution, including making any modifications, executing any documents and addendums as necessary to effectuate this Resolution, provided that such actions remain consistent with the Council's intent.

Section 12. Effective Date. This Resolution shall become effective immediately upon its adoption.

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

Mayor Christi Fraga	_____
Vice Mayor Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____
Councilwoman Nicole Reinoso	_____

PASSED AND ADOPTED this 10 day of June, 2026.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

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

LORENZO COBIELLA
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC
CITY ATTORNEY