



Application No.: FLUM-2015-015

Attachment "B"

Letter of Intent

Vista Del Lago Amend LBB Mixed Use

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MIXED USE CATEGORY LAKES-BY-THE-BAY TO PERMIT RESIDENTIAL USES AS A PART OF A MIXED USE PROJECT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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VIA HAND DELIVERY

May 8, 2017

Ms. Kathryn Lyon
Planning and Zoning Director
Department of Community Development
Town of Cutler Bay
10720 Caribbean Boulevard, Suite 105
Cutler Bay, Florida 33189

Re: Arc/Treo 216, LLC / Folio No. 36-6016-000-0027 / Vista del Lago / Updated Request for Text Amendment to the Town's Growth Management Plan / Revised Letter of Intent (Submitted 12.16.16)

Dear Ms. Lyon:

As you are aware, this law firm represents ARC/Treo 216, LLC ("Applicant"), the owner of the property located south of SW 216 Street between SW 92 Avenue and SW 89 Place, in the Town of Cutler Bay ("Cutler Bay"), further identified by Miami-Dade County Folio No. 36-6016-000-0027 (the "Property"). On May 31, 2016, on behalf of the Applicant, we filed a request to amend the text of the Mixed Use land use designation as it affects the Property, which is also known as the "Lakes-by-the-Bay Mixed-Use Site". On May 31, 2016, the Applicant also filed a concurrent request to rezone the Property from "NC-2 (Neighborhood Center 2)" to "NC-1 (Neighborhood Center 1)". However, on May 2, 2017, the Applicant amended its request to forego the rezoning of the Property to NC-1. In lieu of the rezoning to NC-1, the Applicant is seeking the approval of certain changes to the text of the NC-2 regulations. In an effort to ensure consistency between the pending land use text amendment and the proposed changes to the NC-2 regulations, the Applicant now wishes to further modify and revise the text of the Mixed Use land use designation, as follows:

FROM:

"Lakes-by-the-Bay Mixed-Use Site

Commercial, office, community facilities, and recreation open space uses that serve the surrounding residential communities. Floor Area Ratio of .5, maximum building height of two stories, 35 feet. Architectural features can exceed maximum height limitations."

TO:

“Lakes-by-the-Bay Mixed-Use Site

Commercial, office, community facilities, and recreational open space uses that serve the surrounding residential communities, as well as residential uses as part of a mixed use project. Floor Area Ratio (FAR) of ~~5~~ 0.7, residential density of no more than 8 units per gross acre, maximum building height of two stories, 35 feet. Architectural features can exceed maximum height limitations.”

Request. In order to efficiently use land resources and accommodate the projected operational needs for the proposed residential development, the Applicant respectfully requests approval of the proposed text change to the Town’s Growth Management Plan. In considering an amendment to the text of the Growth Management Plan, the Town must take into consideration the multiple needs of the Town’s growing and diverse community. The primary intention of the Growth Management Plan is to protect the public health, safety and welfare of the Town and its residents. This often requires a balancing of competing goals, objectives, and policies of the Growth Management Plan. The policies that are most in line with the proposed amendment are as follows:

- **Policy FLU-4B:** The Town shall ensure the provision of multi-modal transportation access between its residential neighborhoods, the Town Center, and mixed-use districts along US-1 and Old Cutler Road; and

Policy H1-1C: The Town shall encourage housing proximate to transit and employment centers by allowing residential development at appropriate densities along transit corridors.

All public services and facilities, including transit services, required to serve the Property are available or can be made available to the Property. The Property is served by the Cutler Bay local bus service, a joint Town of Cutler Bay – Miami-Dade County bus service that connects the rest of the Miami-Dade County Transit System and provides access to all points in the County. Additionally, the Project is served by County Metrobus Route 287, which connects South Dade Health Center and Dadeland South Metrorail Station via US-1, SW 168 Street, SW 87 Avenue, and SW 216 Street. There is a stop located just west of the Property at SW 92 Avenue, and another to the east at SW 89 Place.

- **Policy FLU-4C:** Development and redevelopment in the residential districts shall be regulated to ensure compatibility with the existing neighborhood, implement the recommendations or neighborhood improvement plans or initiatives that may be adopted, and prevent the encroachment of incompatible uses. When considering redevelopment proposals, maintaining consistency with existing densities and intensities shall be a major factor. Please see Objective LU-5 and its implementing policies for information regarding development compatibility criteria.

The proposed mixed-use Project will be wholly compatible with the existing neighborhood, which is primarily developed with single-family, townhouse and multi-family neighborhoods, and will further serve to provide Town residents with a balanced mix of commercial and residential uses, without negatively impacting the surrounding neighborhood. Additionally, the

unique nature of the Property which is entirely surrounded by an existing lake, further ensures compatibility to adjoining communities by providing a natural buffer from other uses.

- **Policy FLU-4D:** The Town shall implement strategies to improve residential neighborhoods.

The Property will be developed in a manner consistent with the high quality of development that is representative of the Town of Cutler Bay, and will incorporate beautiful architecture, world-class design elements, and high-end materials and finishes. The Project will also provide the surrounding residential communities with much-needed neighborhood-serving retail and service uses, and will encompass sufficient off-street parking spaces to accommodate the Project's operational demand, well in excess of the Town's requirements. The proposed development will also meet all of the Town's FAR, lot coverage, and open space requirements, and will only further the quality of existing neighborhoods and development.

- **Policy FLU-5B:** Development and redevelopment in the Town shall provide for pedestrian friendly street design, an interconnected street network and hierarchy to reduce congestion and improve traffic flow, design that promotes the use of non-motorized transportation modes, connectivity to transit, and a range of uses in a compact area to reduce the need for external trips.

The proposed Project encompasses extensive sidewalks around the Property, and will serve to improve the Town's transportation infrastructure and help to encourage transit ridership, bicycling, and a quality pedestrian experience. The unification of the Property into one unified site plan will also reduce traffic congestion and improve traffic circulation both internally to the Project and in the surrounding community. Additionally, the project is served by a number of Metrobus routes and there is a stop located just west of the Property at SW 92 Avenue, and another to the east at SW 89 Place.

- **Policy FLU-5F:** The Town shall require aesthetically pleasing and environmentally sensitive landscaping as an important component of development and redevelopment projects. To the maximum extent feasible, existing on-site native vegetation shall be preserved.

In addition to the beautiful design elements of the Project, the Project will also feature a meticulously landscaped perimeter and a number of open green spaces, which will include a significant amount of native trees and shrubs.

- **Policy FLU-5I:** The Town shall ensure that any applications to amend the Growth Management Plan and/or Future Land Use Map are reflective of the community's vision as expressed in this Plan or special neighborhood plans, and will not result in increased sprawl.

The proposed Project design and functional layout will represent the most appropriate use that will be compatible with the area, and which will not result in increased sprawl. Ultimately, the Project will provide a new and diverse commercial and residential mixed-use product, which will only serve to beautify and enhance the surrounding community.

- **Policy I1-2A:** The Town will encourage future development into areas that are already served, or programmed to be served by County WASD potable water facilities.

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Connection with water and sewer is available or may be readily available at the Applicant's expense. The Applicant will also meet or exceed County requirements to ensure adequate facility capacity for the development.

It is the Applicant's goal to design a site plan and development program and to develop the Property with the most appropriate uses that will be compatible with the area. Additionally, the Project will contribute to the Town's economic prosperity and viability by creating much-needed jobs, improving access to quality retail and housing, cultivating the aesthetic character of the surrounding neighborhood, preserving property values, and increasing the Town's ad valorem tax base.

Based on the forgoing, we look forward to your favorable consideration of the Application, as modified by this revised letter of intent.

Respectfully submitted,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, consisting of several loops and a final horizontal stroke, positioned above the printed name.

Alejandro J. Arias, Esq.