



**Memorandum**

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- West Palm Beach Office** · 560 Village Boulevard · Suite 340 · West Palm Beach, FL 33409 · 561.684.6161(p) · 561.684.6360 (f)

Date: February 5, 2016 / Updated June 27, 2016

To: Honorable Mayor and Town Council

From: Sarah Sinatra Gould, AICP, Planning Consultant

Subject: Chanterelle Properties Rezoning / SW 200<sup>th</sup> Terrace and SW 87<sup>th</sup> Avenue

CC: Rafael G. Casals, CFM, Town Manger  
Kathryn Lyon, AICP, CFM, Planning and Zoning Director

**REQUEST**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF CHANTERELLE PROPERTIES, INC. TO PERMIT A REZONING FROM SR (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO NR (NEIGHBORHOOD RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED ON S.W. 200TH TERRACE AND S.W. 87TH AVENUE (FOLIO NUMBER 36-6009-002-1820), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 1.08 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**APPLICATION SUMMARY**

Staff Coordinator: Kathryn Lyon – Community Development Director

Applicant/Representative: Chanterelle Properties, Inc./Javier E. Giraud

Site Location: S.W. 200<sup>TH</sup> Terrace and S.W. 87<sup>TH</sup> Avenue

Total Acreage: 1.08 +/- Acres

Future Land Use

Map Designation: Low Density

***NOTE: Changes to Consultant's Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.***

Existing Site Condition: SR (Single-Family Residential) / Vacant

Proposed Zoning/Site Condition: NR (Neighborhood Residential) / Multi-family

Folio Number: 36-6009-002-1820

Legal Description: A portion of the Northeast ¼, of the Northeast ¼, of the Northeast ¼, of Section 9, Township 56 South, Range 40 East, Miami-Dade County, Florida. Bounded and lying East of Block 4 ½ TENALLA OCEAN FARMS, according to Plat Book 8, at Page 124, bounded and lying South of right-of-way of S.W. 200TH Terrace, and bounded lying West of the right-of-way of S.W. 87TH Avenue, also bounded and lying North of Block 16 of TENELLA OCEAN FARMS ADDITION, according to Plat Book 12, at page 40, all being recorded in the Public Records of Miami-Dade County, Florida. Said lands being more particularly described as follows:

Commence at the Northeast corner of Section 9, Township 56 South, Range 40 East; thence South 00°51'06" East along said Section line, also being the Centerline of S.W. 87TH Avenue for a distance of 275.0 feet; thence South 89°08'08" West along the South right-of-way line S.W. 200TH Terrace for a distance of 25 feet to the Point of Beginning; thence continue South 89°08'08" West along the South right-of-way line of S.W. 200TH Terrace for a distance of 281.70 feet to the Northeast corner of Lot 6 of said block 4 ½ TENELLA OCEAN FARMS; thence South 00°51'06" East along the East boundary line of said block 4 ½ for a distance of 216.68 feet to the Northwest corner of Lot 15 said Block 16 TENELLA OCEAN FARMS ADDITION; thence North 50°07'14" East along the North boundary line of said Block 16 for a distance of 325.37 feet to the West right-of-way line of S.W. 87TH Avenue for a distance of 53.98 feet to the Point of Beginning. Containing more or less 38.113 sq. ft. or 0.87 acres. (Appendix "A")

***NOTE: Changes to Consultant's Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.***

## **SITE ANALYSIS**

A previous rezoning application for NR (Neighborhood Residential) on this site was denied on March 19, 2014 (ZC 2014-001). The Town Council determined that the application did not meet the requirements of Section 3-38 (D) of the Town Code of Ordinances. The current applicant (Javier E. Giraud for Chanterelle Properties, Inc.) has requested to rezone the parcel from a Single Family Residential (SR) category to a Neighborhood Residential (NR) category, in order to accommodate housing types such as townhouse, two-family, multi-family dwelling units. On May 18, 2016 the Town Council of the Town of Cutler Bay adopted Ordinance 16-04 which revised the Land Development Regulation's NR (Neighborhood Residential) District in order to permit single-family residential and establish corresponding development standards for said use.

### **A. SITE BOUNDARIES**

The existing site is an unaddressed triangular lot located at the intersection of S.W. 200<sup>th</sup> Terrace and S.W. 87<sup>th</sup> Avenue consisting of approximately 1.08 acres (Attachment A). The site is currently vacant and is bounded by The Church in Miami to the south, a vacant mixed-use parcel to the east, four single-family homes to the north, and four two-family homes to the west (Appendix "B").

### **B. TRANSPORTATION**

The site is easily accessible by S.W. 200<sup>th</sup> Terrace to the north and S.W. 87<sup>th</sup> Avenue to the east. Public transportation is available to/from the subject parcel via Bus Route #200 and Bus Route #287. There is also easy access to the Old Cutler bike trail. Development of the site under the proposed Neighborhood Residential District (NR) would have minimal impact on the surrounding roadway network (Appendix "C").

### **C. SITE COMPARISON TABLE**

As shown in the table below, rezoning to a Neighborhood Residential District (NR) allows for uses such as single-family, townhouse, two-family, and multi-family dwelling units which are currently not permitted under the Single Family Residential District (SR) designation except for single-family dwelling units. In comparing the current with the proposed development standards, the proposed NR zoning category for uses other than detached single-family units allows for a reduction in Minimum Lot Area and Minimum Lot Width, with no restrictions on Minimum Unit Size. The Principal Structure Setback for Side Street under NR is reduced by 5 feet, allowing buildings to be located closer to the street in support of a more pedestrian friendly streetscape. The NR zoning category also provides a greater allowance for impervious surfaces, increasing the maximum allowable amount of impervious area by 10% as compared to the SR zoning. While the maximum height for both the SR and NR zoning categories is 35 feet, the NR zoning category allows for 3 stories (except detached single-family units) versus 2 stories under the current SR District. Both the Future Land Use and the maximum density of 5 units per acre remain unchanged.

***NOTE: Changes to Consultant's Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.***

	CURRENT	PROPOSED																																																															
<b>FUTURE LAND USE</b>	Low Density Residential	Low Density Residential																																																															
<b>ZONING</b>	Single Family Residential (SR)	Neighborhood Residential (NR)																																																															
<b>PERMITTED USES</b>	<ul style="list-style-type: none"> <li>▪ Group Home (6 residents)</li> <li>▪ Detached Single Family</li> <li>▪ Family Day Care Home</li> </ul>	<ul style="list-style-type: none"> <li>▪ Group Home (6 residents)</li> <li>▪ Townhouse Dwelling</li> <li>▪ Two-Family Dwelling</li> <li>▪ Multi-Family Dwelling</li> <li>▪ Detached Single-Family</li> </ul>																																																															
<b>DEVELOPMENT STANDARDS</b>	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 30%;">Max Height</td><td style="width: 30%;">35 feet / 2 stories</td><td style="width: 40%;"></td></tr> <tr><td>Max Density</td><td>5 units per acre</td><td></td></tr> <tr><td>Min Lot Area</td><td>7,500 sf</td><td></td></tr> <tr><td>Min Unit Size</td><td>1,200 sf</td><td></td></tr> <tr><td>Min Lot Width</td><td>75 ft</td><td></td></tr> <tr><td>Min Lot Depth</td><td>100 ft</td><td></td></tr> <tr><td>Max Impervious</td><td>60%</td><td></td></tr> </table>	Max Height	35 feet / 2 stories		Max Density	5 units per acre		Min Lot Area	7,500 sf		Min Unit Size	1,200 sf		Min Lot Width	75 ft		Min Lot Depth	100 ft		Max Impervious	60%		<p>For Two-Family, Townhouse, and Multi-Family Dwelling Units</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 30%;">Max Height</td><td style="width: 30%;">35 feet / 3 stories</td><td style="width: 40%;"></td></tr> <tr><td>Max Density</td><td>5 units per acre</td><td></td></tr> <tr><td>Min Lot Area</td><td>5,000 sf</td><td></td></tr> <tr><td>Min Unit Size</td><td>N/A</td><td></td></tr> <tr><td>Min Lot Width</td><td>50 ft</td><td></td></tr> <tr><td>Min Lot Depth</td><td>100 ft</td><td></td></tr> <tr><td>Max Impervious</td><td>70%</td><td></td></tr> </table> <p>For Detached Single-Family Dwelling Units</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 30%;">Max Height</td><td style="width: 30%;">35 feet / 2 stories</td><td style="width: 40%;"></td></tr> <tr><td>Max Density</td><td>5 units per acre</td><td></td></tr> <tr><td>Min Lot Area</td><td>7,500 sf</td><td></td></tr> <tr><td>Min Unit Size</td><td>N/A</td><td></td></tr> <tr><td>Min Lot Width</td><td>75 ft</td><td></td></tr> <tr><td>Min Lot Depth</td><td>100 ft</td><td></td></tr> <tr><td>Max Impervious</td><td>70%</td><td></td></tr> </table>	Max Height	35 feet / 3 stories		Max Density	5 units per acre		Min Lot Area	5,000 sf		Min Unit Size	N/A		Min Lot Width	50 ft		Min Lot Depth	100 ft		Max Impervious	70%		Max Height	35 feet / 2 stories		Max Density	5 units per acre		Min Lot Area	7,500 sf		Min Unit Size	N/A		Min Lot Width	75 ft		Min Lot Depth	100 ft		Max Impervious	70%	
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**D. COMPLIANCE WITH SECTION 3-38 REZONING**

Pursuant to the requirements of Sec. 3-38 Rezoning, Sub-section (D) - Approval Criteria, the Town Council shall use the following three (3) criteria in their decision to approve or disapprove a rezoning application.

1. *The proposed rezone is consistent with the goals, objective and policies of the Town's Growth Management Plan.*

**NOTE: Changes to Consultant's Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.**

- **Policy FLU-4A:** *The Town shall implement strategies to provide appropriate transitions between its residential districts and the higher intensity Mixed Use, Town Center, and Institutional districts through its Land Development Regulations and other appropriate mechanisms.*

Staff Comment: The proposed rezoning provides an appropriate transition between the mixed-use parcels to the south and east of the site, and the single-family and two-family residences located to the north and west respectively.

- **Policy FLU-4C:** *Development and redevelopment in the residential districts shall be regulated to ensure compatibility with the existing neighborhood, implement the recommendations of 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.*

Staff Comment: The proposed residential use of single-family, townhouse, two-family, or multi-family dwelling units is compatible with the existing single-family and two-family homes surrounding the site. In addition, there is no increase in existing density by rezoning of the site.

- **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.*

Staff Comment:

The site is well connected to the mass transit system with two local bus routes located within just a few feet. The location is also within walking distance of the Old Cutler Road mixed-use corridor and the Old Cutler bike trail.

- **Policy H1-1A:** *The Town shall maintain the residential Future Land Use designation of its existing and developing residential neighborhoods.*

Staff Comment:

The proposed rezoning maintains a low-density residential Future Land Use

- **Policy H1-1D:** *The Town's residential zoning districts shall allow a variety of housing types in residential districts in order to meet the housing needs of current and projected residents.*

Staff Comment: The proposed rezoning introduces variety into the housing type by allowing for the construction of single-family, townhouse, two-family and multi-family dwelling units.

**NOTE: Changes to Consultant's Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.**

2. *The proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses.*

Staff Comment: The proposed Neighborhood Residential District designation is deemed compatible with the surrounding area. The Church in Miami parcel to the south is zoned for mixed-use and is sufficiently separated from the site by the Church's main parking lot. The vacant parcel to the east is also zoned for mixed-use and is sufficiently separated from the site by a collector road (S.W. 87<sup>TH</sup> Avenue/State Road 973/Galloway Road). There are four parcels to the north zoned single-family residential and four parcels to the west zoned multi-family residential. The single-family homes to the north are sufficiently separated from the site by the S.W. 200<sup>TH</sup> Terrace right-of-way, while the two-family units to the west are sufficiently separated from the site by their existing 25 feet rear yard setback (Appendix "D").

3. *The subject property is physically suitable for the uses permitted in the proposed district.*

Staff Comment: The subject property is deemed physically suitable to permit single-family, townhouse, two-family or multi-family dwelling units as outlined in the Land Development Regulations (LDR). As defined under the LDR, Neighborhood Residential Districts (NR) typically serve to provide for residential development which surrounds mixed-use neighborhood commercial areas, generally located within ½ mile walking distance of neighborhood centers or commercial corridors. The physical location of the subject property adjacent to two parcels zoned as Neighborhood Center and within ½ mile walking distance of the Old Cutler Road mixed-use corridor supports the proposed NR rezoning. The current zoning and the requested zoning allow up to five (5) units per acre.

## **RECOMMENDATION**

Staff recommends **Approval**, **with a condition** of the proposed rezoning and amendment to the Town Zoning District Map for the parcel that is the subject of this application totaling 1.08 acres from SR (Single-Family Residential District) to NR (Neighborhood Residential District).

This application is consistent with the Goals, Objectives and Policies found within the Town's Growth Management Plan and also meets the approval criteria in order for the Town Council to render a decision pursuant to the criteria in Sec. 3-38 Rezoning.

### **Condition**

1. That the applicant proffer a recorded covenant running with the land that no duplexes or apartments will be constructed on the Parcel with Folio No. 36-6009-002-1820.

**NOTE: Changes to Consultant's Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.**

## **APPENDICES**

Appendix “A” – Sketch and Legal Description

Appendix “B” – Location Map

Appendix “C” – Transportation

Appendix “D” – Zoning Map

***NOTE: Changes to Consultant’s Report between 1<sup>st</sup> and 2<sup>nd</sup> Reading are underlined and highlighted.***