



Application No.: FLUM-2015-015

Attachment "A"

**Town Consultant's Calvin, Giordano &
Associates, Inc. Report**

(May 18, 2016)

Arc/Treo, LLC

Amending the Future Land Use Map (FLUM) within the Town's Comprehensive Plan from Mixed-Use to Medium Density.



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

Memorandum

- Fort Lauderdale Office · 1800 Eller Drive · Suite 600 · Fort Lauderdale, FL 33316 · 954.921.7781(p) · 954.921.8807 (f)
- West Palm Beach Office · 560 Village Boulevard · Suite 340 · West Palm Beach, FL 33409 · 561.684.6161(p) · 561.684.6360 (f)

Date: May 18, 2016

To: Honorable Mayor and Town Council

From: Sarah Sinatra Gould, AICP, Planning Consultant

Subject: Vista del Lago Future Land Use Map Amendment

Project: Application No. FLUM-2015-015

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

REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE FUTURE LAND USE MAP (FLUM) WITHIN THE TOWN’S COMPREHENSIVE PLAN FROM MIXED-USE TO MEDIUM DENSITY ON PROPERTY GENERALLY LOCATED SOUTH OF S.W. 216TH STREET BETWEEN S.W. 92ND PLACE AND S.W. 89TH COURT (FOLIO NUMBER 36-6016-000-0027), AS LEGALLY DESCRIBED IN EXHIBIT “A”, CONSISTING OF APPROXIMATELY 18.57 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

APPLICATION SUMMARY

| | |
|--|---|
| Staff Coordinator: | Kathryn Lyon, AICP, CFM Planning and Zoning Director |
| Applicant/Representative: | Hugo P. Arza Holland & Knight, LLP |
| Location: | South of SW 216th Street between SW 92nd Place and SW 89th Court |
| Total Acreage: | 18.57 Acres |
| Current Land Use Plan Map Designation: | Mixed-Use |
| Requested Land Use Plan Map Designation: | Medium Density |



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

Memorandum

| | |
|----------------------------------|------------------------------------|
| Amendment Type: | Expedited State Review |
| Existing Zoning/ Site Condition: | NC -2 (Neighborhood Center) Vacant |
| Folio Number: | 36-6016-000-0027 |

Legal Description: A portion of the N ½ of Section 16, Township 56 South, Range 40 East, Miami-Dade County, Florida, being particularly described as follows:

Begin at the Southeast corner of the plat of LAKES BY THE BAY SECTION EIGHT, according to the plat thereof recorded in Plat Book 139, at Page 50, of the Public Records of Miami-Dade County, Florida, said point also being the Southwest corner of the plat of LAKES BY THE BAY SECTION NINE, according to the plat thereof recorded in Plat Book 141, at Page 2, of the Public Records of Miami-Dade County, Florida, said point lying on the South Right-of-Way line of S.W. 216th Street, as said Street was dedicated and shown on the said plats of LAKES BY THE BAY SECTION EIGHT and LAKES BY THE BAY SECTION NINE; thence N 89°09'53" E along the South line of said LAKES BY THE BAY SECTION NINE and along the said South Right-of-Way of S.W. 216th Street, for 195.88 feet; thence S 00°31'55" E for 698.00 feet ; thence S 89°03'14" W for 1090.15 feet; thence N 00°28'59" W for 886.77 feet to a point on a circular curve concave to the Northeast, said point bearing S 27°31'35" W from the center of said curve, said point lying on the Southerly line of the said LAKES BY THE BAY SECTION EIGHT, said point also lying on the Southerly Right-of-Way line of said S.W. 216th Street; thence run the following courses and distances along the said Southerly line of the LAKES BY THE BAY SECTION EIGHT, and along the said Southerly Right-of-Way line of S.W. 2166 Street: Southeasterly, Easterly and Northeasterly, along said curve to the left, having for its elements a radius of 1,555.00 feet and a central angle of 28°21'42" for an arc distance of 769.73 feet to the point of tangency; thence N 89°09'53" E for 153.83 feet to the Point of Beginning.



Memorandum

RECOMMENDATION

The Applicant is proposing to change the Future Land Use Map (FLUM) from “Mixed Use” to “Medium Density” in order to facilitate a 180 dwelling unit residential development consisting of 2-story townhouses to be located on vacant land just south of SW 216th Street between SW 92nd Place and SW 89th Court. A copy of the FLUM Amendment application is provided in *Appendix “A”*. The proposed FLUM change would permit the development of Medium Density Residential as defined within the Comprehensive Plan:

The Medium Density Residential Future Land Use district permits residential uses at 5 to 13 units per acre, public schools, and religious institutions with a maximum Floor Area Ratio of 4.0 for public schools and religious institutions.

Staff recommends **DENIAL** of the proposed amendment to the Town’s adopted 2030 Future Land Use Map re-designating the 18.57 gross acres site located south of SW 216th Street between SW 92nd Place and SW 89th Court **from “Mixed Use” to “Medium Density”**.

STAFF ANALYSIS

The Applicant (Arc/Treo 216, LLC) proposes to amend the Future Land Use Map from Mixed-Use to Medium Density, and rezone the parcel from Neighborhood Center (NC-2) to Multi-Family Residential (MR-13) in order to accommodate townhouse development.

The proposed development will be comprised of 180 2-story townhomes in addition to an entrance plaza, cabana and pool facility. The project proposes 415 off-street parking spaces to accommodate operational demand with access to and from the site off of SW 216th Street.

There is a recorded restrictive covenant that limits this parcel to non-residential uses.

The parcel is currently surrounded on all sides by property designated as Medium Density on the Future Land Use Map.



Memorandum

General Site Information

| | |
|--|---|
| <u>Area Boundaries:</u> | North of SW 227th Street South of SW 216th Street East of SW 92nd Place West of SW 89th Court |
| <u>Size of Area:</u> | 18.57 +/- gross acres 808,909 square feet |
| <u>Existing Site Conditions:</u> | Vacant |
| <u>Existing Conditions Surrounding Site:</u> | North – Single-Family Cluster Homes South – Condos East – Townhouses West – Townhouses |
| <u>Adjacent Future Land Use:</u> | North – Medium Density South – Medium Density East – Medium Density West – Medium Density |
| <u>Adjacent Zoning District:</u> | North – Neighborhood Residential (NR) South – Multi-Family Residential (MR-13) East – Multi-Family Residential (MR-13) West – Multi-Family Residential (MR-13) |



Memorandum

Current vs. Proposed Analysis

| | |
|--|--|
| <p><u>Current Future Land Use:</u> Mixed-Use (Lakes-by-the-Bay) (0.5 floor area ratio for commercial, office and community facilities)</p> | <p><u>Proposed Future Land Use:</u> Medium Density (5 to 13 units per acre / 4.0 floor area ratio for public schools and religious institutions)</p> |
| <p><u>Current Permitted Uses:</u> Commercial, office, community facilities, and recreation open space</p> | <p><u>Proposed Permitted Uses:</u> Residential units, public schools and religious institutions</p> |
| <p><u>Current Permitted Height, Density and Intensity (NC-2):</u> 0.5 floor area ratio with a maximum building height of two (2) stories, 35 feet.</p> | <p><u>Proposed Permitted Height, Density and Intensity (MR-13):</u> 5 to 13* units per gross acre, maximum floor area ratio of 4.0 for public schools and religious institutions. Maximum building height of four (4)* stories, 45 feet. <i>*with green bonus</i></p> |
| <p><u>Current Zoning:</u> Neighborhood Center (NC-2)</p> | <p><u>Proposed Zoning:</u> Multi-Family Residential (MR-13)</p> |



Memorandum

Cumulative Impact on Services

The concurrency review is based on the development proposed by the applicant and does not represent the maximum density or intensity permitted under the proposed Future Land Use designation or proposed Zoning District. The applicant has not provided a trip generation rate based on the existing potential for development.

| <u>Service</u> | <u>Existing</u> | <u>Proposed</u> | <u>Impact</u> |
|--|---|---|--|
| <p><i>Transportation</i></p> <p><i>Based on ITE Trip Generation Manual, Ninth Edition</i></p> | <p>Residential – N/A</p> <p>Commercial - Not Provided</p> | <p>Residential – 1,073 Trips</p> <p>Commercial – N/A</p> | <p>Residential – + 1,073 Trips</p> <p>Commercial – N/A</p> |
| <p><i>Water/Sewer</i></p> <p><i>Based on Miami Dade County Schedule of Daily Rated Gallonage at 10 gals./day per 100 sq. ft. for Retail Store (commercial), and 180 gals./day for Townhouse residence (residential)</i></p> | <p>Residential – N/A</p> <p>Commercial – 40,445 gals./day</p> | <p>Residential – 32,400 gals./day</p> <p>Commercial – N/A</p> | <p>Residential – + 32,400 gals./day</p> <p>Commercial – N/A</p> |
| <p><i>Stormwater Drainage</i></p> | See Flood Map in Appendix I | | |
| <p><i>Parks</i></p> <p><i>Based on 3 acres per 1,000 persons and 2010 Census of 2.28 person per household</i></p> | <p>Residential – N/A</p> <p>Commercial – N/A</p> | <p>Residential – + 1.23 acres</p> <p>Commercial – N/A</p> | <p>Residential – + 1.23 acres</p> <p>Commercial – N/A</p> |
| <p><i>Schools</i></p> | See School Concurrency in Appendix F | | |
| <p><i>Solid Waste</i></p> <p><i>Based on 2010 Census 2.28 persons per household and 9.9lbs/person/day</i></p> <p><i>Based on 1.0 lbs./100 sq. ft./day</i></p> | <p>Residential – N/A</p> <p>Commercial – 4,045 lbs./day</p> | <p>Residential – 4,063 lbs./day</p> <p>Commercial – N/A</p> | <p>Residential – +4,063 lbs./day</p> <p>Commercial – N/A</p> |



Memorandum

Public Facilities Levels of Service

Transportation/Roadway Analysis (APPENDIX D)

Pursuant to the Demand for Services and Infrastructure – Transportation provision in the Town of Cutler Growth Management Plan, the Town’s Level of Service Standard for roadways is as follows:

- LOS D for principal arterial, collector, and local roads without available transit;
- LOS E for minor arterials without local transit;
- LOS E for roads within ½ mile of transit service within 20 minute headway;
- 120% of capacity where extraordinary transit service (commuter rail or bus service) is available;
- LOS D for limited and controlled access Florida Interstate Highway System roads;
- LOS E on limited access facilities where exclusive through lanes exist;
- LOS E on controlled access facilities with exclusive through lanes or that are parallel to exclusive transit

An assessment of the traffic impacts associated with the proposed project was performed in accordance with the requirements of the Town of Cutler Bay and Miami-Dade County. The analysis shows that the project would not adversely impact the intersections that were analyzed within the study areas, and that all of the study intersections and roadways will operate at an acceptable LOS conditions.*

*See Langan Engineering & Environmental Services, Inc. Traffic Impact Study (November 2015).

A copy of the traffic study can be found in Appendix D.

Potable Water/Sanitary Sewer (APPENDIX E)

Pursuant to the Demand for Services and Infrastructure - Potable Water provision in the Town of Cutler Growth Management Plan, the Town’s Level of Service Standard for potable water is as follows:

- LOS Standard – System shall operate with a maximum daily rated capacity of no less than 2% above maximum daily flow for the preceding year, and an average daily capacity 2% above the average daily system demand for the preceding 5 years. The maximum daily flow shall be determined by calculating the average of the highest five single day flows for the previous 12 months.
- User LOS. Maintain capacity to produce and deliver 74 gallons per capita per day systemwide.



Memorandum

- Water Quality – Meet all County, State and federal primary potable water standards.
- Countywide storage – Storage capacity for finished water shall equal no less than 15% of Countywide average daily demand.

Pursuant to the Demand for Services and Infrastructure – Sanitary Sewer provision in the Town of Cutler Growth Management Plan, the Town’s Level of Service Standard for sanitary sewer is 100 gallons per capita per day (gpd).

The table below provides the projected water demand and sewer flow rate for the proposed FLUM amendment.

Projected Water and Sewer Gallonage*

| LAND USE | UNITS / SQ. FT. | GENERATION RATE | GENERATION RATE FOR PROPOSED USE |
|--------------|-----------------|-----------------|----------------------------------|
| Townhomes | 180 units | 180 gpd/unit | 32,400 gpd |
| TOTAL | | | 32,400 gpd |

*Generation Rates pursuant to Section 24-43.1(5), Miami-Dade County Code.

Pursuant to the January 14, 2016 Water and Sewer Availability Letter provided by Miami-Dade County Water and Sewer Department the developer shall be required to connect and extend a sixteen (16) inch water main along S.W. 216th Street to a point close to the northeastern corner of the property. For sewer the developer shall be required to connect and extend an eight (8) inch gravity sewer main easterly along S.W. 216th Street.

A copy of the water and sewer availability letter can be found in Appendix E.

Recreation and Open Space

The Town LOS for Recreation and Open Space provision is 1.2 of active parks, 0.9 acres of private open space and 0.9 acres of conservation open space per 1,000 residents. The project is expected to accommodate approximately 410 new residents based on the 2010 Census of 2.28 persons per household. The project will meet the LOS standard by providing 6.97 acres (37.53%) of landscaped open space and 4.29 acres (23.10%) of common open space, exceeding the LOS provision for open space.

Public Schools (APPENDIX F)

The adopted LOS standard for all Miami-Dade County public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) capacity (with relocatable classrooms).

Pursuant to the November 10, 2014 Public School Concurrency Informational Letter provided by Miami-Dade County Public Schools Director, at this time all school levels have sufficient capacity available to serve the application.

A copy of the school concurrency letter can be found in Appendix F.



Memorandum

Solid Waste (APPENDIX G)

The solid waste LOS standard collection capacity for the Town is 9.9 lbs. per capita per day, and disposal capacity sufficient to accommodate waste flows committed to the system through long-term interlocal agreements and contracts and non-committed solid waste flows for a period of five years.

The projected generation rate as per the applicant’s calculation is given in the table below. The calculation is based on California’s CalRecycle generation rate which differs from the generation rate determined by staff utilizing the Town’s LOS as identified in the Cumulative Impact on Services above. Pursuant to the January 19, 2016 Waste Disposal Capacity Letter provided by Miami-Dade County Public Works and Waste Management Department, the concurrency determination shows there is sufficient system-wide waste disposal capacity to meet the County’s adopted 5-year level of service standard.

A copy of the letter can be found in Appendix G.

Projected Solid Waste Generation*

| LAND USE | UNITS / SQ. FT. | GENERATION RATE | GENERATION RATE FOR PROPOSED USE |
|-----------------|-----------------|--------------------------|----------------------------------|
| Single Family** | 180 unit | 10 lb./dwelling unit/day | 1800 lb./day |
| TOTAL | | | 1800 lb./day |

* Generation Rates pursuant to [2013](#) California Department of Resources Recycling and Recovery (CalRecycle).
 ** 180 Townhouse units.

Environmental Resources (APPENDIX H)

The site was historically used for agricultural purposes which many times indicated the soil has elevated levels of arsenic. Although fill has been placed on the parcel, it is unclear how much. Therefore, soil testing is required to determine if the arsenic levels may potentially exceed the levels allowed for residential development.

Drainage, Flood Protection and Stormwater Management (APPENDIX I)

The stormwater management standards for the Town include flood protection and water quality. The flood protection standards adopted by the Town are designed to serve two basic functions: (1) protect properties from natural flood events such as storms and hurricanes; and (2) to ensure that proposed development does not cause flooding on adjacent properties and roads. The Town’s water quality standard helps protect water quality by minimizing the amount of pollutants carried offsite as a result of rainwater.



Memorandum

The Town LOS for stormwater requires that all runoff be retained on site utilizing properly designed seepage, natural retention or infiltration drainage system. The proposed development will be required to comply with local, county and federal flood criteria requirements; more specifically stormwater facilities must be designed to meet the design and performance standards established in Chapter 62-25, 25.025, of the Florida Administrative Code (F.A.C.) and must meet the water quality standards required by Chapter 62-302, 62-302.500, F.A.C. Post-development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration. Treatment of the runoff from the first 1 inch of rainfall onsite or the first 0.5 inch of runoff, whichever is greater.

A copy of the Flood Map can be found in Appendix I.

Fire and Rescue Service (APPENDIX J)

The Miami-Dade Fire Rescue Department (MDFR) conducted a concurrency evaluation of the site and determined that the proposed development of 180 townhomes will generate approximately 50 alarms annually. The average travel time to the vicinity of the Property is 6:52 minutes. Performance objectives of national industry standards require assembly of 15-17 firefighters on-scene within 8 minutes at 90% of all incidents. Travel time to the vicinity of the Property complies with the performance objective of national industry.

Existing stations responding to a fire alarm within the Property include:

| Station | Address | Equipment | Staff |
|---------|-------------------------|---------------------------|-------|
| 55 | 21501 SW 87 Avenue | Engine | 4 |
| 34 | 10850 SW 211 Street | Rescue, Aerial , Platform | 7 |
| 70 | 11451 SW 248 Street | Rescue | 3 |
| 50 | 9798 Hibiscus Street | Rescue, Engine | 7 |
| 52 | 12105 Quail Roost Drive | Rescue, Tanker, Battalion | 8 |

A copy of the MDFR concurrency letter can be found in Appendix J.

CONSISTENCY REVIEW WITH THE TOWN GROWTH MANAGEMENT PLAN GOALS, OBJECTIVES, AND POLICIES

- **Table FLU-1: 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.*



Memorandum

Staff Comment: The location for the proposed land use amendment is comprised of the entire Lakes-by-the-Bay mixed use site. The intention of this district is to be a support district for the neighboring residential communities. The proposed modification to medium density for the purpose of 180 townhomes is not consistent with this district.

- **Objective FLU-3: Mixed Use Districts.** *The areas designated “Mixed Use” on the Future Land Use Map shall be developed or redeveloped through the Land Development Regulations as design unified horizontal and vertical mixed use areas in accordance with adopted plans and studies that reflect the community’s vision.*

Staff Comment: According to the Data, Inventory and Analysis found within the Town’s Growth Management Plan, the vision for the community in establishing its mixed use districts was to transform the suburban character of the Town into a compact, pedestrian scale civic district/town center for two specific geographic areas. The proposed land use amendment is a departure from mixed use and the original objective of the Growth Management Plan. It continues the suburban character of the Town and does not contribute to the goals of creating mixed use environments at the Town’s desired locations.

- **Policy FLU-5E:** *The Town shall discourage urban sprawl by directing new development and redevelopment in accordance with the Future Land Use Map, which provides for mixed-use development in areas currently served by urban infrastructure and services, and by designating environmentally sensitive areas as “Conservation”.*

Staff Comment: The Future Land Use Map designates this property a mixed-use district. Modifying this district from mixed-use to Medium Density does not discourage urban sprawl.

- **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 the Growth Management Plan or special neighborhood plans, and will not result in increased sprawl.*

Staff Comment: This location was targeted for mixed use development. Therefore, the proposed amendment from mixed use to medium density to develop 180 townhomes is not reflective of the community’s vision as expressed in the Growth Management Plan. The plan to provide additional housing rather than mixed use results in an increase in sprawl.



Memorandum

- **Policy FLU-13C:** *The Town shall support the location of employment centers, offices, and retail uses proximate to residential areas through the implementation of the Town Center and Mixed Use land use districts, in accordance with this Plan.*

Staff Comment: This site has a mixed use designation for the purpose of supporting the neighboring residential districts with a variety of non-residential uses. The amendment to Medium Density residential for this property will result in the inability to meet this policy of the Growth Management Plan.

APPENDICES

- Appendix A – Future Land Use Map Amendment Small-Scale Application
- Appendix B – Sketch and Legal Description
- Appendix C – Location Map
- Appendix D – Traffic Study
- Appendix E – Water and Sewer Availability Letter
- Appendix F – School Concurrency Letter
- Appendix G – Solid Waste
- Appendix H – Environmental Assessment Report
- Appendix I – Flood Map
- Appendix J – Fire/Rescue
- Appendix K – Existing and Proposed Future Land Use Map
- Appendix L – Advertisement/Courtesy Notices/ Posting