

Town of Cutler Bay

*Town Hall
10720 Caribbean Blvd
Cutler Bay, FL 33189*



Meeting Agenda

Wednesday, June 15, 2016

7:00 PM

Council Chambers

Town Council

MAYOR AND COUNCIL MEMBERS

*Mayor Peggy R. Bell
Vice Mayor Ernest N. Sochin
Council Member Mary Ann L. Mixon
Council Member Sue Ellen Loyzelle
Council Member Roger Coriat*

CHARTER OFFICIALS

*Town Attorney Mitchell Bierman
Town Attorney Chad Friedman
Town Manager Rafael G. Casals
Town Clerk Jacqueline N. Wilson*

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation or a sign language interpreter to participate in this proceeding should contact the Town Clerk at (305) 234-4262 for assistance no later than four days prior to the meeting. If hearing impaired, telephone the Florida Relay Services numbers at (800) 955-8771, Telecommunication Devices for the Deaf (TDD), or (800) 955-8700 (voice) for assistance. Wireless connection cbtc-wifi is now available in the Town Council Chambers, please enter townhall as the password.

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE & INVOCATION

2. PROCLAMATIONS, AWARDS, AND PRESENTATIONS

- A. · Proclamation- Cutler Bay Senior High School Inaugural Class 2016

3. APPROVAL OF MINUTES

- A. · May 11 2016 Town Council Workshop- Zoning Workshop Minutes
- May 18 2016 Local Planning Agency Minutes
- May 18 2016 Regular Town Council Minutes
- May 25 2016 Town Council Workshop Minutes

Attachments: [051116 TCW Zoning Workshop Minutes](#)

[051816 LPA Minutes](#)

[051816 RTC Minutes](#)

[052516 TCW Minutes](#)

4. TOWN COUNCIL ANNOUNCEMENTS

5. PUBLIC COMMENTS

6. REPORTS

A. TOWN MANAGER'S REPORT

- Robert Daddario, Finance Department- Quarterly Financial Report

Attachments: [FY 2015-16 Second Quarterly Financial Report](#)

B. TOWN ATTORNEY'S REPORT

C. TOWN CLERK'S REPORT

D. BOARD AND COMMITTEE REPORTS

7. CONSENT AGENDA

- A. RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO STANTEC CONSULTING SERVICES, INC. TO PROVIDE DESIGN SERVICES FOR NEW BUS SHELTERS AT VARIOUS LOCATIONS THROUGHOUT THE TOWN; AND PROVIDING AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of PO to Stantec](#)
[Manager Memo-Attach A-Stantec Proposal](#)
[Resolution-Issuance of PO to Stantec](#)
[Resolution-Exhibit A-Stantec Proposal](#)

- B. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR GENERAL CONTRACTOR SERVICES FOR ALL TOWN PARK FACILITIES AND TOWN CENTER BUILDING; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Issuance of RFQ 16-01 General Contractor Services](#)
[Resolution-Issuance of RFQ 16-01 General Contractor Services](#)
[Resolution-Exhibit A-RFQ 16-01 General Contractor Services](#)

- C. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA URGING THE MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS TO CONDUCT A TRAFFIC STUDY OF THE CORRIDOR THAT CONSISTS OF S.W. 87th AVENUE BETWEEN S.W. 184th STREET AND S.W. 244th STREET EVALUATING THE SPEED LIMIT WITHIN THE AFOREMENTIONED CORRIDOR; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-Requesting DTPW Conduct a Traffic Study](#)
[Manager Memo-Attach A-SW 87 Ave Posted Speed Limits](#)
[Resolution-Requesting DTPW Conduct aTraffic Study](#)

8. RESOLUTIONS

9. QUASI-JUDICIAL HEARINGS (PUBLIC HEARING REQUIRED)

- A. A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE VII, SECTION 3-102 (F) 4. OF THE TOWN CODE RELATING TO THE REQUIRED BUFFER AREAS FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 & 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)
[Town Staff Support of Applicant Deferral](#)

- B.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, ARCHITECTURE AND FORM STANDARDS, SEC. 3-80(F) OF THE TOWN CODE RELATING TO THE MINIMUM PERCENTAGE REQUIRED FOR DOORS AND WINDOWS ON THE FIRST FLOOR AND THE PROHIBITED USE OF FAUX OR DISPLAY CASEMENTS IN LIEU OF EXTERIOR WINDOWS TREATMENTS FOR THE FRONT ELEVATION FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 & 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- C.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE X, OFF-STREET PARKING STANDARDS, SECTION 3-142 (G) OF THE TOWN CODE RELATING TO THE PERMITTED DRIVEWAY WIDTH FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 & 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- D.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE IV, DISTRICTS AND DEVELOPMENT STANDARDS, SEC. 3-58(5) OF THE TOWN CODE RELATING TO THE MINIMUM PERCENTAGE REQUIRED FOR BUILDING FRONTAGE FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 & 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- E.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A VARIANCE APPLICATION TO ARTICLE X, OFF-STREET PARKING STANDARDS, SEC. 3-144(G) OF THE TOWN CODE BY ALLOWING THE TOTAL NUMBER OF PARKING SPACES TO EXCEED THE MINIMUM PERMITTED NUMBER OF PARKING SPACES BY MORE THAN 10 PERCENT (10%) FOR VILLAGE OF OLD CUTLER CORP LOCATED AT 36-6009-003-0310 & 36-6009-003-0290; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- F.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION TO PERMIT A DRIVE-THRU AT A BUILDING LOCATED AT 36-6009-003-0310 & 36-6009-003-0290, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 3.64 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- G.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST BY VILLAGE OF OLD CUTLER CORP. FOR A SITE PLAN CONTAINING A 15,653 SQUARE FOOT CVS BUILDING AND A 36,595 SQUARE FOOT MIXED-USE BUILDING ON THE PROPERTY LOCATED AT 36-6009-003-0310 & 36-6009-003-0290, AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 3.64 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- H.** A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR PETERSON'S HARLEY- DAVIDSON SOUTH LOCATED AT 19825 S. DIXIE HIGHWAY, TO PERMIT A MONUMENT SIGN TO BE 240 SQUARE FEET WHERE 48 SQUARE FEET IS ALLOWED AND TO PERMIT THE EXISTING POLE SIGN TO BE REPURPOSED AS A MONUMENT SIGN BY ENCLOSING THE BASE IN ORDER TO PERMIT A MONUMENT SIGN 20 FEET IN HEIGHT WHERE 10 FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE. (DEFERRAL REQUESTED)

Attachments: [Applicant Request for Deferral Letter](#)

[Town Staff Support of Applicant Deferral](#)

- I. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP TO PERMIT A REZONING FROM NC-2 (NEIGHBORHOOD CENTER 2) TO MR-13 (MULTIFAMILY RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED SOUTH OF SW 216TH STREET BETWEEN SW 93RD PATH AND SW 88TH PLACE (FOLIO NUMBER 36-6016-000-0027), AS LEGALLY DESCRIBED IN APPENDIX "B", CONSISTING OF APPROXIMATELY +/-18.57 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE. (WITHDRAWAL REQUESTED)

Attachments: [Applicant Letter of Withdrawal 060616](#)
[Mgr Memo-1st Read-ArcTreo ZC-2015-016](#)
[Mgr Memo-1st Read-Attachment A-CGA Report](#)
[Mgr Memo-1st Read-Appen A-Ltr Intent App](#)
[Mgr Memo-1st Read-Appen B-Sketch Legal Descrip](#)
[Mgr Memo-1st Read-Appen C-Location Map](#)
[Mgr Memo-1st Read-Appen D- Zoning Maps](#)
[Mgr Memo-1st Read-Appen E-Ad Notice Posting](#)
[Ordinance-1st Read-ArcTreo ZC-2015-016](#)
[Ordinance-Exhibit A-ArcTreo ZC-2015-016](#)

10. ORDINANCES FOR FIRST READING (NO PUBLIC HEARING REQUIRED)

- A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING SECTION 30-1 ENTITLED "PAVEMENT CUTTING AND EXCAVATION PROHIBITION" OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [Manager Memo-1st Reading-Pavement Cutting and Excavation Prohibition](#)
[Manager Memo-1st Reading-Attachment A-PMMP Manual](#)
[Manager Memo-1st Reading-Attachment B-Photographs of Existing Conditions](#)
[Ordinance-1st Reading-Pavement Cutting and Excavation Prohibition](#)

11. ORDINANCES FOR FIRST READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, ADOPTING A CLIMATE CHANGE ELEMENT TO BE INCLUDED IN THE TOWN GROWTH MANAGEMENT PLAN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell and Council Member Mary Ann Mixon

Attachments: [Manager Memo-1st Reading-Climate Change Element](#)
[Manager Memo-1st Reading-Attachment A-Proof of Advertisement](#)
[Ordinance-1st Reading-Climate Change Element](#)
[Ordinance-1st Reading-Exhibit A-Climate Change Element](#)

- B.** 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. (WITHDRAWAL REQUESTED)

Attachments: [Applicant Letter of Withdrawal 060616](#)
[Manager Memo-1st Reading-Arc treo FLUM-2015-015](#)
[Mgr Memo-1st Read-Attachment A-CGA Report](#)
[Mgr Memo-1st Read-Appen A- Land Use Map App](#)
[Mgr Memo-1st Read-Appen B-Sketch Legal Descrip](#)
[Mgr Memo-1st Read-Appen C-Location Map](#)
[Mgr Memo-1st Read-Appen D-Transpor Analysis](#)
[Mgr Memo-1st Read-Appen E-Water Sewer Avail](#)
[Mgr Memo-1st Read-Appen F-School Concurr Lttr](#)
[Mgr Memo-1st Read-Appen G-Solid Waste](#)
[Mgr Memo-1st Read-Appen H-Envrionment Report](#)
[Mgr Memo-1st Read-Appen I-Flood Map](#)
[Mgr Memo-1st Read-Appen J-Fire Rescue Svc](#)
[Mgr Memo-1st Read-Appen K-Land Use Map](#)
[Mgr Memo-1st Read-Appen L-Ad Notices Posting](#)
[Ordinance-1st Read-Arc Treo FLUM 2015-015](#)
[Ordinance-Exhibit A-Arc Treo FLUM 2015-015](#)

12. ORDINANCES FOR SECOND READING (PUBLIC HEARING REQUIRED)

- A.** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 3-168 OF THE TOWN CODE OF ORDINANCES, ENTITLED "WALLS, FENCES AND HEDGES;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Mayor Peggy Bell

Attachments: [Manager Memo-2nd Reading-Amending Walls Fences and Hedges](#)
[Manager Memo-2nd Reading-Attachment A-Photos of Existing Conditions](#)
[Manager Memo-2nd Reading-Attachment B-Advertisement](#)
[Ordinance-2nd Reading-Amending Walls Fences and Hedges](#)
[Manager Memo-1st Reading-Amending Walls Fences and Hedges](#)
[Manager Memo-Attachment A-Photos of Existing Conditions](#)
[Ordinance-1st Reading-Amending Walls Fences and Hedges](#)

13. PUBLIC COMMENTS

14. MAYOR AND COUNCIL COMMENTS

15. OTHER BUSINESS

16. ADJOURNMENT

WE, THE TOWN COUNCIL OF CUTLER BAY, HEREBY RECOMMIT OURSELVES TO MAINTAIN CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND WE HEREBY PLEDGE OUR COMMITMENT TO THE FOLLOWING PRINCIPLES:

- We will respect the right of all citizens in our community to hold different opinions;
- We will avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;
- We will strive to understand differing perspectives;
- We will choose our words carefully;
- We will speak truthfully without accusation and we will avoid distortion; and
- We will speak out against violence, prejudice and incivility of their forms, whenever and wherever they occur.

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.