



Office of the Town Manager

Rafael G. Casals  
Town Manager

**MEMORANDUM**

To: Honorable Mayor and Town Council

From: Rafael G. Casals, CFM, Town Manager

Date: May 18, 2016 **Deferred to June 15, 2016 Town Council Meeting**

Re: Arc/Treo 216, LLC Future Land Use Map (FLUM) Amendment (Application No. FLUM 2015-015)

**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. 216<sup>TH</sup> STREET BETWEEN S.W. 92ND PLACE AND S.W. 89<sup>TH</sup> 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.**

**BACKGROUND AND ANALYSIS**

**APPLICATION SUMMARY**

Applicant/Representative: Arc/Treo, LLC/Juan Mayol, Jr. and Hugo P. Arza

Location: South of SW 216 ST between SW 92 PL and SW 89 CT

Total Acreage: 18.57 Acres

Current Land Use Plan  
Map Designation: Mixed-Use

Requested Land Use Plan  
Map Designation and Other  
Changes: Medium Density

Existing Zoning/ Site  
Condition: Vacant





Folio Numbers: 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.

### **RECOMMENDATION**

On October 13, 2015 Staff assigned Town Consultant Calvin Giordano the task of reviewing the proposed amendment. Enclosed please find Town Consultants findings (ATTACHMENT A) with a recommendation of **denial** for the proposed amendment to the Town Growth Management Plan (Comprehensive Plan) adopted 2020 FLUM to designate the 18.57 gross acre site from "Mixed Use" to "Medium Density."

### **ATTACHMENTS**

#### **Deferral Requested to June 15, 2016 Town Council Meeting**

- Attachment "A" – Consultant's Report dated May 18, 2016



# Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799  
Holland & Knight LLP | www.hklaw.com

Juan J. Mayol, Jr.  
305.789.7787  
juan.mayol@hklaw.com

VIA ELECTRONIC MAIL

May 10, 2016

Mr. Rafael G. Casals, CFM  
Town Manager  
Town of Cutler Bay  
10720 Caribbean Boulevard, Suite 105  
Cutler Bay, FL 33189

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

**Re: Vista del Lago / Future Land Use Map 2015.15 and Zoning Code 2015-016**

Dear Ralph and Kathryn:

As a follow up to our recent discussions, this will confirm the Applicant's desire to make changes to the pending site plan which, in turn, will require changes to the pending land use and zoning requests for the project.

As such, we would request that the Town Council defer consideration of the above referenced applications until the June 15, 2016 hearing.

Thank you for your consideration of our request. We look forward to continuing to work with you.

Sincerely,

HOLLAND & KNIGHT LLP

Juan J. Mayol, Jr.

JJM:sf

Cc: Mr. Bruce Grundt  
Mr. Angel Rodriguez