



***Application No.: ZC-2018-004***

**Attachment "A"**

**Consultant's Report**

**COUGAR HOLDINGS, LLC**

**REZONING**

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF COUGAR HOLDINGS, LLC TO PERMIT A REZONING FROM SR (SINGLE- FAMILY RESIDENTIAL DISTRICT) TO NC-1 (NEIGHBORHOOD CENTER 1 DISTRICT) ON PROPERTY GENERALLY LOCATED AT 8495 S.W. 200 STREET (FOLIO NO. 36-6003-035-0060 & 36-6003-002-0040) AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY +/- .82 NET ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

# THE CORRADINO GROUP, INC.

CORRADINO

ENGINEERS • PLANNERS • PROGRAM MANAGERS • ENVIRONMENTAL SCIENTISTS

## MEMORANDUM

To: Alex David, AICP, Interim Planning and Zoning Director

From: Scarlet R. Hammons, AICP CTP, Planning Consultant

Date: January 2, 2020

RE: Cougar Holdings, LLC Rezoning

Rezone subject property from SR (Single-Family Residential District) to NC-1 (Neighborhood Center 1 District) and Amend the Town of Cutler Bay Zoning District Map. (Application No. ZC-2018-004)

### REQUEST

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE REQUEST OF COUGAR HOLDINGS, LLC TO PERMIT A REZONING FROM SR (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO NC 1 (NEIGHBORHOOD CENTER 1 DISTRICT) ON PROPERTY LOCATED AT OLD CUTLER ROAD AND SW 200 STREET (FOLIO NO. 36-6003-035-0060), AS LEGALLY DESCRIBED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY .82 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.**

### APPLICATION SUMMARY

Applicant/Representative:	Cougar Holdings, LLC/Jorge Navarro
Location:	Old Cutler Road and SW 216th Street
Total Acreage:	1.35 +/- Gross Acres/ 0.8 +/- Net Acres
Current Future Land Use Plan Map Designation:	Mixed-Use ( <i>Application is Submitted - Pending Approval</i> )
Existing Zoning/ Site Condition:	SR (Single-Family Residential)/Vacant
Proposed Zoning:	NC-1 (Neighborhood Center 1 District)
Folio Numbers:	36-6003-035-0060

Legal Description:

Lot 6, Block 1, Cutler Breeze, according to the plat thereof, as recorded in Plat Book 163, Page 93 of the Public Record of Miami-Dade County, Florida

### **STAFF ANALYSIS**

The Applicant (Cougar Holdings) proposes to rezone the parcel to accommodate a proposed mixed-use development. This proposed development will be comprised of residential and commercial uses. The Applicant has also filed a request to amend the Future Land Use Map (FLUM) from Low Density to Mixed Use. If the Town Council adopts the FLUM amendment this rezoning may be heard. In addition to the stated applications, the Applicant will be required to submit an application for Site Plan approval.

The application to rezone will be reviewed pursuant to the requirements of Sec. 3-38 Rezoning, Sub-section (D) - Approval Criteria.

Currently, the parcel is zoned SR, with a maximum density of 5 units an acre and a maximum building height of 35 feet. The applicant has requested to rezone to Neighborhood Center District (NC), under the NC-1 sub-district. The NC District intent is to provide for pedestrian scaled shops, restaurants, services, small workplaces, and residential buildings central to a neighborhood. This mixed use type of development allows for up to 15 units an acre with the residential component ranging from 20% and 80% of the total building area.

### **Site and Surrounding Area Data**

<u>Land Use Designation:</u>	Mixed Use
<u>Proposed Rezoning:</u>	<b>From:</b> Single-Family Residential (SR) <b>To:</b> Neighborhood Center (NC-1)
<u>Area Boundaries:</u>	Old Cutler Road and SW 200 Street
<u>Size of Area (not including R-O-W):</u>	0.82 Net Acres <b><u>Exhibit "A"</u></b>
<u>Property(s) Description/Existing Conditions:</u>	Vacant Land

<u>Surrounding Growth Management Plan Designation(s):</u>	North – Low Density Residential South – Mixed Use and Low Density Residential East – Low Density Residential West – Low Density Residential
<u>Surrounding Zoning:</u>	Single-Family Residential (SR) and Neighborhood Residential (NR)
<u>Surrounding Existing Land Use(s):</u>	Single-Family Residential (North, South, East and West) Neighborhood Residential (South, less than 100')

**Current vs. Proposed Analysis (Exhibit "B")**

<u>Current Future Land Use:</u> Low Density Residential (5 DU's/Acre)	<u>Future Land Use:</u> Mixed Use (30 DU's/ Acre)
<u>Current Permitted Uses:</u> Single Family, Townhouse, Two-Family, Multi-Family, Day Care and Group Homes	<u>Proposed Permitted Uses:</u> Retail, Office, Services, Restaurants, Residential Multi-Family units in a mixed-use development, Hotels, Motels, Cultural and Entertainment, Parks and Open Space.
<u>Current Permitted Height, Density and Intensity:</u> Three (3) stories, 35 feet, 2.5 to 5 units per acre and 4.0 F.A.R. for public schools and religious institutions	<u>Proposed Permitted Height, Density and Intensity (NC-1):</u> Four (4) stories, 45 feet, 30 units per acre and 2.0 FAR
<u>Current Zoning:</u> Single-Family Residential (SR)	<u>Proposed Zoning:</u> Neighborhood Center (NC-1)
<u>Potential Build-Out based on Current Zoning (SF and NR):</u> 6 residential units	<u>Build-Out based on Proposed Zoning (NC-1) and Application:</u> 40 Multi- Family residential units 80% of Building square feet commercial

***Please note a concurrency review will be performed at time of Site Plan submittal.***

## **Roadway Analysis**

A copy of the traffic study and the peer review memos are provided in *Exhibit "C"*. The reports provide an evaluation of the potential adverse traffic impacts that may be generated by this development. For impact analysis purposes, the conceptual site plan proposed by the applicant was used in the evaluation. The increase in traffic would add an estimated 178 daily trips (5.44 daily trips per unit) from the increase in residential density. Additionally, approximately 100 additional daily trips would be added from the proposed commercial uses (4,186 S.F.) at this site.

## **Section 3-38. Rezoning Analysis**

Pursuant to the requirements of Sec. 3-38 Rezoning, Sub-section (D) - Approval Criteria, the Town Council shall use certain criteria in their decision to approve or disapprove a rezoning application. The criteria are as follows with the addition of staff's determination as to whether the criteria have been satisfied.

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

**Staff Comment:** The proposed application will not further the goals, objectives, and policies of the Town of Growth Management Plan. The following Objectives and Policies which in their entirety promote the Town's vision for high quality, compatible development in the appropriate location include:

*Objective FLU-3:* 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:** This site was designated as low density residential. Therefore, the proposed amendment from low density to mixed use does not reflect the community's vision.

*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 mechanism.

**Staff Comment:** This site was designated as low density residential due to the proximity to the adjacent single-family neighborhoods. Allowing mixed use at this location would not provide for an appropriate transition between single family homes and the more intense commercial that would be allowed under the mixed use designation.

*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.

**Staff Comment:** This site was designated as low density residential which would result in less overall lot coverage (based on lot coverage and impervious surface requirements in the land development regulations), therefore providing greater opportunity to preserve existing on-site vegetation.

*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.

**Staff Comment:** This site was designated as low density residential. Therefore the proposed amendment from low density to mixed use does not reflect the community's vision.

*Objective FLU-6:* The Town shall maintain and improve the quality of existing neighborhoods and development, and provide for redevelopment in appropriate locations, as needed.

**Staff Comment:** The proposed amendment is not compatible with existing low density and future low density development surrounding this site, therefore mixed use is not appropriate at this location.

*Policy FLU-13D:* The Town shall promote its Town Center and Mixed-Use districts as excellent locations for business by providing for their development and redevelopment in accordance with charrettes and/or other special plans.

**Staff Comment:** The Town, through the adoption of the 2030 FLUM has designated mixed use districts at locations in accordance with community charrettes and other special plans/studies. Based on community input, mixed use is not appropriate at this location.

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

**Staff Comment:** The NC-1 District designation of the subject parcel would not be compatible with the single-family district which is found on all adjacent parcels. The maximum density and height would be greater than those currently allowed under the SR District. The most significant impact would be to the existing single-family homes to the north, as the zoning regulations would allow the proposed building to be constructed with a minimum 15 foot setback at this location.

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

**Staff Comment:** The subject property is located at an historic crossroad of the Town (SW 200th Street and Old Cutler Road) and would permit development, pursuant to the Land Development Regulations. It is determined that single-family low density residential are compatible and appropriate uses for this parcel of less than one acre.

## **RECOMMENDATION**

Staff recommends **Denial** of the proposed rezoning and amendment to Town Zoning District Map for the parcel that is the subject of this application totaling +/- 0.82 Net Acres (+/- 1.35 Gross Acres) from SR (Single-Family Residential District) to NC-1 (Neighborhood Center 1 District).

This application is inconsistent with the Goals, Objectives and Policies found within the Town's Growth Management Plan and does not meet the approval criteria in order for the Town Council to render a decision pursuant to the criteria in Sec. 3-38 rezoning.

## **EXHIBITS**

Exhibit "A" – Aerial Photograph

Exhibit "B" – Zoning Maps (Existing and Proposed)

Exhibit "C" – Traffic Study/Impact Analysis and Peer Review Memo