



Application No.: ZC-2019-015

Attachment "B"

Consultant's Report

SAGA SOUTH DEVELOPMENT, INC

ZONING CHANGE
APPLICATION

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP FROM NEIGHBORHOOD RESIDENTIAL TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CORRADINO GROUP, INC.

CORRADINO

ENGINEERS • PLANNERS • PROGRAM MANAGERS • ENVIRONMENTAL SCIENTISTS

MEMORANDUM

Date: August 11, 2020

To: Jared E. Munster, Ph.D., AICP, CFM, Community Development Director

From: Scarlet Hammons AICP CTP, Planning Consultant

Copy to: Alex David, AICP, Interim Community Development Director

Subject: Rezone from Neighborhood Residential to Institutional

RE: Saga South Development, Inc. (Application No. ZC-2019-015)

REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE ZONING MAP FROM NEIGHBORHOOD RESIDENTIAL TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

APPLICATION SUMMARY

Applicant/Representative: Saga South Development Inc./Miguel Diaz de la Portilla, Saul Ewing Arnstein & Lehr, LLP

Location: 8165 SW 210th Street

Current Future Land Use
Plan Map Designation: Medium Density with Residential Conservation Overlay

Existing Zoning/ Site
Condition: Neighborhood Residential/Dense vegetation, The total site is 20 acres, consisting of approximately 5 acres of disturbed uplands and 15 acres of wetlands.

Folio Number: 36-6010-000-0030

Site Use: Vacant

Size of Property: 20 Acres Total; 8.45 Acres to be Rezoned (development will only be permitted on the upland areas outside of designated wetlands.)

Legal Description: A portion of land lying in the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 10, Township 56 South, Range 40 East, of Miami-Dade County, Florida, and being more particularly described as follows:

Begin on the Center of Section 10, Township 56 South, Range 40 East; thence run North $88^{\circ}56'23''$ East along the North line of the Southeast $\frac{1}{4}$ of said section for a distance of 579.95 feet to a point; thence run South $01^{\circ}02'01''$ East for a distance of 635.28 feet to appoint 35.0 feet North of the South line of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 10, Township 56 South, Range 40 East; thence run South $88^{\circ}57'59''$ West parallel to the South line of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 10, Township 56 South, Range 40 East for a distance of 579.52 feet to a point on the West line of the Southeast $\frac{1}{4}$ of Section 10, Township 56 South, Range 40 East; thence run North 40 East for a distance of 579.52 feet to the Point of Beginning.

RECOMMENDATION

Staff recommends **approval** of the proposed rezoning and amendment to Town Zoning District Map for the parcels that are the subject of this application totaling 8.45 acres **from NR** (Neighborhood Residential District) **to INT** (Institutional 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.

STAFF ANALYSIS

The Applicant (Saga South Development, Inc) proposes to rezone a portion of the property to accommodate a proposed new senior age restricted congregate care development. This proposed development will be comprised of three residential buildings and ancillary uses. This request is associated with a request to amend the Future Land Use Map (FLUM) from Medium Density Residential with Conservation Overlay to Institutional. If the Town Council adopts the FLUM amendment this rezoning may be heard. If the rezoning is approved, the Applicant may then proceed with 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 NR which allows for a maximum density of 5 units an acre and a maximum building height of 35 feet. The NR District allows for flexibility in housing types; such as, townhouse, two-family and multi-family dwelling units; however, it does not permit assisted living facilities.

The applicant has requested to rezone to Institutional District (INT). The INT District intent is to provide for continued and future use, expansion, and new development of academic and religious campuses, as well as government and health related facilities. This district is coded to promote the many varied uses associated with such institutions while maintaining the overall design integrity of traditional town planning tenets. Congregate care homes such as an assisted living facility is a permitted use in this District.

Site and Surrounding Area Data

<u>Land Use Designation:</u>	Medium Density Residential
<u>Proposed Rezoning:</u>	From: Neighborhood Residential (NR) To: Institutional (INT)
<u>Area Boundaries:</u>	SW 82 nd Avenue between SW 208 th Street and SW 210 th Street
<u>Size of Area (not including R-O-W):</u>	8.45 Net Acres (368,082 sq. ft.) (Overall site 20 acres)
<u>Property(s) Description/Existing Conditions:</u>	Vacant, disturbed upland and wetland
<u>Surrounding Growth Management Plan Designation(s):</u>	North – Medium Density Residential South – Medium Density Residential East – Medium Density Residential with Conservation Overlay West – Medium Density Residential
<u>Surrounding Zoning:</u>	North – Multi-Family Residential - 9 South – Multi-Family Residential - 13 East – Multi-Family Residential - 13 West – Multi-Family Residential - 9

<u>Surrounding Existing Land Use(s):</u>	North – One & Two-Story Townhomes and Vacant South – Multi-Family Residential East – Vacant West – Two-Story Townhomes
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Current vs. Proposed Analysis

<u>Current Future Land Use:</u> Medium Density Residential with Conservation Overlay	<u>Proposed Future Land Use:</u> Institutional (Subject to separate application)
<u>Current Permitted Uses:</u> Residential (public schools and religious institutions not allowed in Conservation Overlay)	<u>Proposed Permitted Uses:</u> Governmental facilities, educational facilities, communications facilities, religious institutions, fraternal organizations, hospitals, congregate care and nursing homes
<u>Current Permitted Height, Density and Intensity:</u> Three (3) stories, 35 feet, 5 units per acre and 4.0 F.A.R. for public schools and religious institutions	<u>Proposed Permitted Height, Density and Intensity (INT):</u> Three (3) stories, 38 feet and 1.75 FAR
<u>Current Zoning:</u> Neighborhood Residential (NR)	<u>Proposed Zoning:</u> Institutional (INT)
<u>Potential Build-Out based on Current Zoning (NR):</u> 100 residential units	<u>Build-Out based on Proposed Zoning (INT) and Application:</u> 644,143 SF of floor area (max. on 8.45 ac.) 162,328 SF of floor area (per site plan)

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

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Roadway Analysis

A copy of the traffic study entitled “Saga Bay Residences Traffic Impact Study, Submittal to the Town of Cutler Bay” by The Corradino Group. (March 2020) was provided to the Town. Traffic from Saga Bay ALF Development will have a minimum impact on the surrounding roadway network once the project has been constructed and occupied.

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 further the goals, objectives, and policies of the Town of Growth Management Plan. The following Objectives and Policies are provided in the Future Land Use and Housing Elements and reflect support of development of a senior age restricted congregate care development.

Future Land Use Element:

The following policies are found in the Future Land Use Element to support the proposed request to rezone the subject property to INT for the purpose of developing a senior age restricted congregate care facility. The policies promote high quality design; the preservation of on-site native vegetation; and compatibility with other uses through site planning.

Policy FLU-5B: The Town shall promote high quality urban design for development and redevelopment in accordance with the design standards contained in the Land Development Regulations.

Policy FLU-5E: 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

Policy FLU-5F: The Town, through the site planning process will ensure the compatibility of development with adjacent and proximate uses.

Housing Element:

The following objectives and policies are found in the Housing Element to support the proposed request to rezone the subject property to INT for the purpose of developing a senior age restricted congregate care facility. The policies promote allowing a variety and a full range of housing types including for all stages in life; supporting area wide elderly housing goals; the location of elderly facilities in residential neighborhoods and to ensure that persons with disabilities have equal access to housing.

Policy H1-1C: 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.

Objective H2-1: Affordable, Workforce, Elderly and Special Needs Housing.

The Town shall promote the provision of a full range of housing types to meet the existing and future needs of all income groups and residents at all stages in the life cycle/or with special needs in proportions reflective of demand.

Policy H2-1C: The Town, in its Land Development Regulations, shall support the provision of affordable, workforce, elderly and special needs housing units throughout the Town, while avoiding their concentration in specific areas.

Policy H2-2F: The Town shall support the establishment of area wide affordable, workforce, elderly and special needs housing goals, and participate as appropriate in the development and implementation of the South Florida Regional Planning Council's Regional Affordable Housing Strategy.

Objective H2-4: Special Needs Housing the Town shall ensure that the housing needs of special needs groups are addressed through the appropriate mechanisms.

Policy H2-4A: The Town shall permit the location of group homes, small-scale affordable housing facilities for the elderly, assisted living facilities, adult day-care facilities, and foster care facilities in residential neighborhoods, in accordance with State law.

Policy H2-4B: The Town shall enforce compliance with the Americans with Disabilities Act (ADA) in order to ensure that persons with disabilities have equal access to housing, employment and services.

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

Staff Comment: The INT District designation of the subject parcel would be compatible with the surrounding town homes and multi-family designations and uses. This is due to the fact that the right-of-way widths to the north, west and south are of adequate dimensions to provide separation and allow the continued flow of light and air. While the site plan was not a part of this application, a conceptual plan was submitted as back-up material to demonstrate that the intended development would comply with and exceed the requirements of the land development code. The site would maintain at least a 10' perimeter buffer from the adjacent streets (a code requirement), as well as a perimeter row of parking that is at least 65' in width (exceeding buffering requirements). The parking areas would be fully landscaped with trees and shrubs (a code requirement), providing further visual screening from the adjacent roadways. The maximum height allowance is 3 feet higher than the surrounding zoning, and the surrounding uses are primarily 2 to 5 stories in height.

The maximum floor area ratio in the INT District would allow for 644,143 square feet of development on 8.45 acres. The proposed conceptual development is a total of 162,328 square feet.

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

Staff Comment: The subject property is located in a residential area of the Town. Allowing the proposed rezone to the INT District will allow a variety of housing types in this residential area (Policy H1-IC) in order to meet the housing needs of current and projected residents, specifically the elderly population. The area of the site to be developed consists of approximately 5 acres and is vacant disturbed upland terrain. The site is of adequate size to accommodate three residential buildings, associated amenities as well as adequate parking and landscape buffering. While the site a total of 20 acres, 15 acres will remain undisturbed, no future development will occur within the wetland area of the site.

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APPENDICES:

Appendix “A” – Zoning Maps (Existing and Proposed)

Appendix “B” – Future Land Use Map (Existing and Proposed under FLUM-2020-003)



