



Application No.: FLUM-2020-003

Attachment "B"

Consultant's Report

SAGA SOUTH DEVELOPMENT, INC

FUTURE LAND USE MAP

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 MEDIUM DENSITY RESIDENTIAL WITH RESIDENTIAL CONSERVATION OVERLAY TO INSTITUTIONAL ON PROPERTY LOCATED AT 8165 SW 210TH STREET CONSISTING OF APPROXIMATELY 8.45 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

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: Small Scale Future Land Use Map Amendment from Medium Density with Residential Conservation Overlay to Institutional

RE: Saga South Development, Inc. Future Land Use Map (FLUM) Amendment – Small Scale Amendment (Application No. FLUM-2020-003)

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 MEDIUM DENSITY RESIDENTIAL WITH RESIDENTIAL CONSERVATION OVERLAY 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

Total Acreage: Site: 20 Acres, FLUM Amendment 8.45 Acres

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

Requested Land Use Plan
Map Designation and Other
Changes: Institutional

Amendment Type: Small-Scale

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

Complete 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 365.28 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 **adoption** of the proposed small scale amendment to the Town Growth Management Plan (Comprehensive Plan) adopted 2020 FLUM to re-designate an 8.45 acre portion of the overall site **from “Medium Density with Residential Conservation Overlay” to “Institutional.”** A copy of the FLUM Amendment application is provided in Appendix “A”.

PROJECT SUMMARY

The Applicant is proposing to change the FLUM from “Medium Density with Residential Conservation Overlay” to “Institutional.” in order to facilitate the development of a senior age-restricted congregate care community to be located at 8165 SW 210 Street.

The proposed development is a new senior assisted living facility consisting of 140 units in three, 3-story residential buildings including a wide range of amenities for the residents. The proposed development is consistent with the basic intent of the Town’s Growth Management Plan Institutional development concept, which provides for congregate care

such as an assisted living facility. Most of the property (approximately 15 acres) is considered wetlands and will be maintained as such, 11.5 acres of wetland is not a part of this small-scale FLUM application. The project's residential component will contain landscaping that will be buffer the existing wetlands to the east and the proposed ALF development. This buffer along with the enhancement of existing infrastructure will mitigate any potential adverse impact that the development may have in the general area.

Under the Institutional designation, with a three-building layout, as proposed by the Applicant, the residential uses will be located on all three floors of the buildings. The unit mix will consist of studio, one and two-bedroom units, with independent living on the first and second floors and assisted-living and memory care on the third floor. Other site development will include a guard house, a recreation deck as well as a pool deck for the residents. The development will be consistent with other nearby developed and undeveloped properties which are a mix of housing types due to the residential character of the neighborhood.

STAFF ANALYSIS

The Applicant proposes to amend the Future Land Use Map (FLUM) and rezone the parcel to accommodate the proposed assisted living facility. This proposed development will be comprised of residential uses with on-site amenities. Currently, the FLUM (Medium Density with Residential Conservation Overlay) and zoning district (Neighborhood Residential) designations for these parcels is residential. The conservation overlay allows for residential uses until such time as the land is transferred in ownership for conservation purposes or other public use, or otherwise protected from development via conservation mechanisms. Schools and religious institutions are not allowed.

The site's current condition includes both disturbed upland areas and wetland areas. The intent is to develop the site on the upland area only, leaving the wetland undisturbed. The wetland area will remain as such through the execution of a covenant prohibiting further development on the parcel.

<u>Proposed Amendment:</u>	From: Medium Density Residential (13 dwellings units per gross acre) To: Institutional (Appendix "B")
<u>Proposed Rezoning:</u>	From: Neighborhood Residential (NR) To: Institutional (INT) (Subject to separate application) (Appendix "C")
<u>Area Boundaries:</u>	SW 82 nd Avenue between SW 208 th Street and SW 210 th Street (See Complete Legal Description, above)
<u>Size of Area:</u>	Total Area: 20 acres (871,200 square feet) FLUM Amendment: 8.45 acres (368,082 square feet)
<u>Property(s) Description/Existing Conditions:</u>	The area consists entirely of vacant land, including 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

Current vs. Proposed Analysis

<u>Current Future Land Use:</u> Medium Density Residential with Conservation Overlay	<u>Proposed Future Land Use:</u> Institutional
<u>Current Permitted Uses:</u> Residential (Public schools and religious institutions not allowed due to the 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 to 13 units per acre and 4.0 F.A.R. for public schools and religious institutions	<u>Proposed Permitted Height, Density and Intensity:</u> Three (3) stories, 38 feet and 1.75 FAR
<u>Current Zoning:</u> Neighborhood Residential (NR)	<u>Proposed Zoning:</u> Institutional (Subject to separate application)
<u>Potential Build-Out based on Current FLUM:</u> Total Site Area: 260 residential units FLUM Amendment Area: 109 residential units	<u>Build-Out based on Proposed FLUM:</u> Total Site Area: No density measurement, 1,524,600 square feet FLUM Amendment Area: No density measurement, 644,143 square feet

Cumulative Impact on Services

<u>Service</u>	<u>Existing</u> (260 Units)	<u>Proposed</u> (140 ALF Units)	<u>Impact</u>
Transportation (6.5 trips/unit/day)	Residential – Trips 1,690	ALF Residential – Trips 364	Residential – Trips -1,326
Potable Water 74 g/p/d	Residential – 19,240 gals./day	Residential – 10,360 gals./day	Residential – -8,880 gals./day

Sanitary Sewer 100 gals./day	Residential – 26,000 gals./day	Residential – 14,000 gals./day	Residential – -12,000 gals./day
Drainage	Storm water drainage to be retained on-site.		
Parks 3.0 acres/1,000 population	Residential – 0.78 acres	Residential – 0.42 acres	Residential – -0.36 acres
Schools	No students will be generated by this development		
Solid Waste 9.9 lbs./person/day	Residential – 4,633 lbs./day	Residential – 1,663 lbs./day	Residential – -2,970 lbs./day

Public Facilities Levels of Service

The Town LOS standards are as follows:

Transportation

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.

Level of Service Standard – The Town’s adopted 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 with 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 lanes that are parallel to exclusive transit.

Potable Water

LOS Standard – The Town’s Level of Service Standard for potable water is as follows: Regional Treatment – System shall operate with a maximum daily rated capacity that is no less than 2% above maximum daily flow for the preceding year, and an average daily capacity of 2% above the average 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 (gpd) systemwide.

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 the Countywide average daily demand.

The Town is provided with potable water services through the Miami-Dade Water and Sewer Department (WASD). The proposed project will be served by an existing twelve (12) inch water main owned by the County. The County will require the Applicant to connect to this water main located in SW 210th Street.

Sanitary Sewer

LOS Standard – 100 gallons per capita per day (gpd).

The Town is provided with sanitary sewer services through the WASD. The proposed project will be served by existing eight (8) inch gravity sewer main owned by the County. The County will require the Applicant to connect to this sewer main located 12 SW 210th Street.

Drainage, Flood Protection and Stormwater Management

This proposed amendment was reviewed for consistency with the Town’s Stormwater Management Program to ensure that the proposed development comply with the LOS standards. The stormwater management standards include flood protection and water quality. The County and Town require that all stormwater shall be retain on site utilizing properly designed seepage or infiltration drainage system. The proposed development will be required to comply with local, county and federal flood criteria requirements. The flood protection standards adopted by the Town are designed to serve to basic functions:

(1) protect properties from natural flood events such wet storms and hurricanes; and (2) to ensure that proposed development does not cause flooding on adjacent properties and as a result, the Town requires that all development be built at base flood elevation plus one foot of freeboarding. The current base flood elevation for the subject property is 8 feet plus 1-foot of freeboarding.

The Town’s water quality standard helps protect water quality by minimizing the amount of pollutants carried offsite as a result of rainwater. This standard requires all stormwater to be retained on site by utilizing natural retention areas and/or manmade structures.

Recreation and Open Space

LOS Standard – 1.2 acres of active public parks, 0.9 acres of private open space, 0.9 acres of conservation open space per 1,000 residents.

Based on the 2010 Census population of approximately 41,000, the Town requires 49 acres of active public parks to meet its Level of Service Standard. Based on the recently acquisition of Lakes by the Bay parkland, the Town will exceed the LOS for active parks.

Based on the estimated population of 44,867, the Town will continue to maintain the required level of service standard for parks.

Public Schools

Level of Service Standard – Beginning January 1, 2008, 100% utilization of Florida Inventory of School Houses (FISH) capacity with relocatable classrooms. Public schools that achieve 100 % of FISH capacity without relocatable classrooms should no longer utilize relocatable classrooms except as an operational solution.

A project planning level review, which is considered a preliminary concurrency analysis will be conducted on this application by the Miami-Dade County School Board based on the adopted levels of service standard, the Interlocal Agreement (ILA) for Public Facility Planning between the Town of Cutler Bay and Miami-Dade County Public School, and current available capacity and school attendance boundaries.

Solid Waste

LOS Standard – A collection capacity of 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.

Roadway Analysis

A copy of the traffic study is provided in Appendix “D”. The traffic study was prepared based on the approved methodology for the traffic analysis required per the Town of Cutler Bay in consideration of the proposed Zoning Change Request for the 140 bed Assisted Living Facility. The results of the traffic analysis did not identify any potential impacts to the Town of Cutler Bay transportation system from the proposed Saga Bay Residences Project. The intersection capacity analysis and road segment link analysis for the intersections and road segments that serve the proposed site were found to be within the Town of Cutler Bay’s adopted level of service standards for both the AM and PM peak hour periods for each of the three required scenarios (Existing Conditions, Existing plus Background Conditions and Future Conditions). The total AM peak hour trips for the proposed development are 27, and the total PM peak hour trips are 36.

Fire and Rescue Service

The application site is currently served by Miami-Dade County Fire Rescue Station No. 55 (Saga Bay), located at 21501 SW 87 Avenue. This station is equipped with an Engine totaling four (4) firefighter/paramedics 24 hours a day, seven days a week.

The Miami-Dade County Fire Department (MDFR) has indicated that the average travel time to incidents in the vicinity of the subject property is under 5:00 minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the subject application complies with the performance objective of the national industry standards.

Coastal and Wetland Resources Protection

Approximately 11.5 acres of the subject property contains wetlands as defined by Section 24-5 of the County Code. Based on the boundary survey, the property is a total of 20 acres. Based on the conceptual site layout for development of 140 assisted living units, the wetland portion of the site will remain unaffected. No construction activity, structures, buildings, parking, or footings will be in this area of the site. In addition, the site can be developed while maintaining the required 25' setback protective buffer from the wetland area. DERM has reviewed the conceptual site plan and has noted that if any changes are to occur that would locate any work, including construction activities or staging, in the wetland area a Class 1 permit will be required.

Tree Preservation and Natural Forest Communities

The site plan review will require a tree survey to identify if the property contains specimen-sized trees (trunk diameter 18 inches or greater). Sec 24-49.2(II) of the County Code require that specimen-sized trees be preserved whenever reasonably possible. The wetland area of the site is not being affected.

Pollution Control

There is currently on-going remediation on-site through a DERM Environmental Resources Management approved Corrective Action Plan. The approved Corrective Action Plan letter and the extension letter are included with this report. (Appendix "E")

Environmental and Historic Resources

There are no reported environmental, historic or archeological issues associated with the subject property. The wetland area of the site is not being affected.

Consistency Review with the Town Growth Management Plan Goals, Objectives, and Policies

The proposed application will further the following goals, objectives, and policies of the Town of Growth Management Plan:

Future Land Use Element:

The following policies are found in the Future Land Use Element to support the proposed request to redesignate 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 redesignate 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.

APPENDICES:

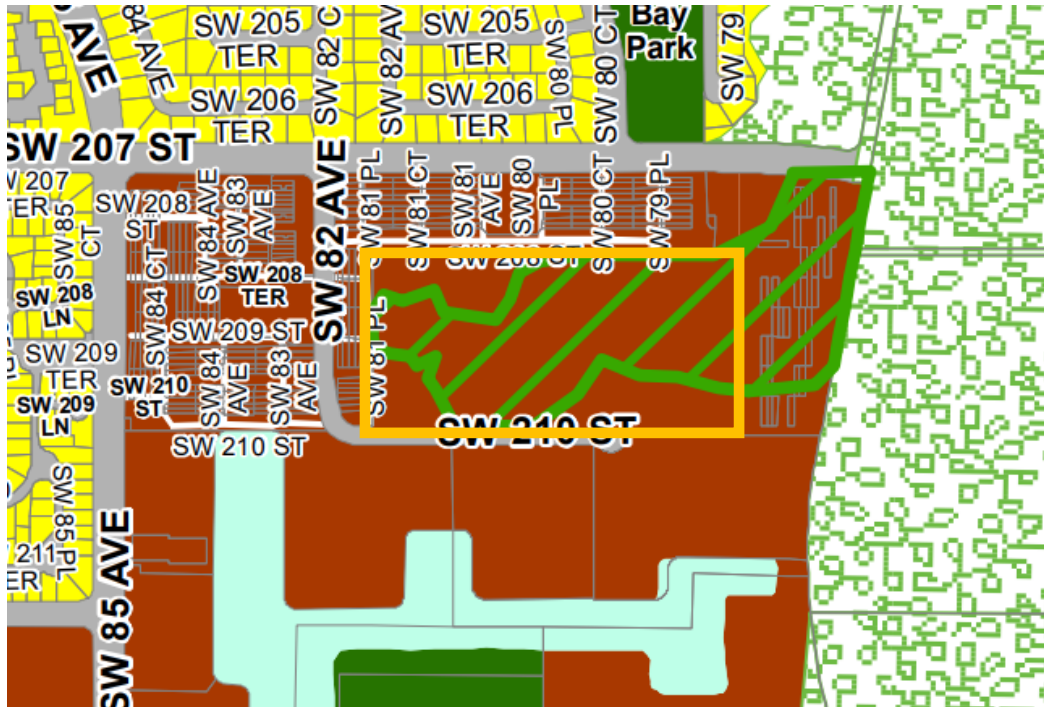
- Appendix "A" – Future Land Use Map Amendment Small-Scale Application
- Appendix "B" – Future Land Use Maps (Existing and Proposed)
- Appendix "C" – Zoning Maps (Existing and Proposed)
- Appendix "D" – Traffic Study/Impact Analysis
- Appendix "E" – DERM Corrective Action Plan letter

Appendix "B"

Future Land Use Amendment
Saga South Development, Inc.

Application No. FLUM-2020-003

Existing:



Proposed:

