



## Legislation Details (With Text)

**File #:** Item # 2019-106      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Failed  
**File created:** 5/8/2019      **In control:** Town Council  
**On agenda:** 5/15/2019      **Final action:** 5/15/2019  
**Title:** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MIXED USE CATEGORY LAKES-BY-THE-BAY TO PERMIT RESIDENTIAL USES AS A PART OF A MIXED USE PROJECT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Manager Memo-1st Reading-Amend Comp Plan Pelican Bay FLU District, 2. Manager Memo-Attachment A-Town Consultant Report, 3. Manager Memo-Attachment B-Application, 4. Manager Memo-Attachment C-Advertisement, 5. Ordinance-1st Reading-Amend Comp Plan Pelican Bay FLU District, 6. Ordinance-1st Reading-Exhibit A-Comprehensive Plan Amendment

Date	Ver.	Action By	Action	Result
5/15/2019	1	Town Council	denied	Pass

## MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, ICMA-CM, CFM, Town Manager

Date: May 15, 2019

Re: Amending the Town's Comprehensive Plan Future Land Use Element  
Mixed Use Category Lakes-by-the-Bay Mixed Use (***First Reading***)  
*FLUT 2018-040*

### REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MIXED USE CATEGORY LAKES-BY-THE-BAY TO PERMIT RESIDENTIAL USES AS A PART OF A MIXED USE PROJECT; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

## **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

Future Land Use: Lakes-by-the-Bay Mixed-Use Site  
Commercial, office community facilities, and recreation Open space uses that serve the surrounding residential communities. Floor Area Ratio of .5, maximum building height of two stories, 35 feet. Architectural features can exceed maximum height limitations.

Proposed Land Use: Lakes-by-the-Bay Mixed-Use Site  
Commercial, office community facilities, and recreation  
Open space uses that serve the surrounding residential communities-  
,as well as residential uses as part of a mixed  
use project. Floor Area Ratio (FAR) of .5, residential  
density of no more than 4 units per gross acre, maximum  
building height of two stories, 35 feet. Architectural features can exceed maximum height limitations.

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 August 2, 2018 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 **approval** for the proposed amendment to the Town of Cutler Bay Mixed Use land use designation. This Ordinance is an amendment to the text of the Town's Comprehensive Plan. As such, this text would apply to any property within the Lakes-by-the-Bay Mixed Use land use designation.

## **ATTACHMENT**

- Attachment "A" - Town Consultant's Report (*dated May 2, 2019*)
- Attachment "B" - Letter of Intent/Application
- Attachment "C"- Advertisement Miami-Herald Local Section (*dated May 5, 2019*)