

**VILLAGE OF PALMETTO BAY****RECEIVED****AUG 13 2019****SFRPC**

August 12, 2019

D. Ray Eubanks
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
The Caldwell Building
107 E Madison Street
Tallahassee, FL 32399-4120

**Re: Village of Palmetto Bay, Florida Comprehensive Plan Future Land Use Map
Adopted Amendment Transmittal**

Dear Mr. Eubanks:

Pursuant to Florida Statutes 163.3184, the Village of Palmetto Bay is transmitting its adopted amendment to the Village of Palmetto Bay Comprehensive Plan Future Land Use Map (FLUM). On July 30, 2019, the Village Local Planning Agency recommended the proposed amendment to the Mayor and Village Council, which subsequently and unanimously approved the proposal for adoption on July 30, 2019.

The subject of the FLUM amendment is a 70.73-acre property that was formerly operated as the Florida Power & Light (FPL) Cutler Plant from 1947 until 2013 when the plant was closed, demolished and subsequently cleared. The property was sold by FPL, and it is now under single private ownership (*Dade County Property Appraiser folio # 33-5024-000-0025*).

Currently, the property has FLUM designations of: "*Institutional and Public Facility*" on the eastern 48 acres of upland, "*Water*" on 11 acres of submerged land; and "*Estate Density Residential*" on the western 11 acres. The property is respectively zoned: "*Interim*" (I) on the eastern 48 acres of upland, "*Water*" on 11 acres of submerged land; and "*Estate Single-Family*" on the western 11 acres. There is a proposed re-zoning that is companion to this amendment, but not the subject of this review.

The 48-acre part of the site was designated "*Institutional and Public Facility*" because the site was used for the electrical power plant use. Without the plant, the designation is no longer appropriate to effectively regulate development on land that is in a predominantly residential area, as the "*Institutional and Public Facility*" does not specifically guide development of residential uses. The Village proposes to amend the portion of the site that is designated as "*Institutional and Public Facility*" to "*Estate Density Residential*." The FLUM amendment is compatible with existing conditions in the area, and consistent with future land use designations in the Village of Palmetto Bay Adopted Comprehensive Plan as well as the land use designations depicted and described in the adopted FLUM of the City of Coral Gables which abuts the property on two sides. Findings are detailed in the Staff Report contained in the binder, as well as the PowerPoint presentation made in total at the public hearing for the LPA on July 30, 2019.

On April 22, 2019, the proposed amendment was transmitted for agency review pursuant to Florida Statutes §163.3184 for expedited review. Responses have been received; they are summarized in the table on page 3 and included in Attachment J of the binder. There are no objections or mandatory

recommendations and reviewing agencies have found the proposed amendment to be consistent with their respective plans and criteria.

In response to the recommendations of the Florida Department of Economic Opportunity (DEO) on May 31, 2019, the Village has reviewed its Comprehensive Plan Coastal Management Policies 5.61, 5.62, and 5.63 along with additional data and analysis and provided its findings at the Local Planning Agency public hearing of July 30, 2019 (refer to the PowerPoint included in the binder). The finding is that the amendment is consistent with these policies, in that there is no increase in density or intensity in the CHHA caused by this amendment that is not a de minimis level as defined by §163.3180, F.S. Staff analysis used conservative approach to determining the intensity of the existing land use category as the prior electric generation use without projecting more intense possible uses, and found that the amendment to result in an intensity or density impact from 4 additional persons including the effect of a fractional residential unit on abutting land in the same property folio, or 1 additional person without the fractional residential unit.

In response to the comment provided by the South Florida Water Management District (SFWMD), the Village has included the memo it received from the Miami Dade Water and Sewer Department on April 8, 2019 confirming that there is sufficient water supply capacity, including the ability to provide potable water service for the demand of the proposed amendment. The amendment is consistent with the Comprehensive Plan Water Supply Element Policy 11.1.1 to maintain capacity, determined by Miami-Dade WASD. The WASD memo is included after the SFWMD review letter in the binder.

In response to the courtesy comments provided by the Miami-Dade Department of Regulatory and Economic Resources (RER) Planning Division:

- the comments provided by the Miami-Dade Office of Historic Preservation have been incorporated into the analysis for consistency with Village Comprehensive Plan Future Land Use Element Policy 1.5.2, and noted for subsequent development review procedure by the Village;
- the comments provided by WASD concerning consistency with County policies and WASD agreement at the time of development have been noted for the Village's site plan review procedure;
- the comments provided by the Miami-Dade Division of Environmental Resource Management (DERM) regarding references to Miami-Dade Environmentally Endangered Lands (EEL) preserves have been corrected in the staff report.
- the comments provided by DERM regarding the establishment of parking access, bike lanes and sidewalks to provide public access to Biscayne Bay via the Deering North Coastal Addition have been referenced in the staff report, and incorporated into the analysis for consistency with Village Comprehensive Plan Coastal Management Element Policy 5.5.2, and noted for subsequent development review procedure by the Village.

On behalf of the Village of Palmetto Bay, we express our thanks to the agencies and local governments for their timely review and diligence in providing the Village with valuable feedback toward improving its Comprehensive Plan amendment.

Sincerely,



Mark Alvarez
Interim Planning and Zoning Director
Village of Palmetto Bay, Florida

Proposed Amendment Transmittal Summary of Intergovernmental Responses

Agency / Local Government	Contact	Finding
Florida Department of Economic Opportunity, Bureau of Comprehensive Planning (DEO)	Attention: Ray Eubanks, Plan Processing Administrator State Land Planning Agency Caldwell Building, 107 East Madison Tallahassee, Florida 32399-4120 Phone: 850-717-8483	No objection or comment related adverse impacts to important state resources or facilities within the Department's scope of review. DEO provided technical assistance comments regarding Coastal High Hazard Area (CHHA).
Florida Department of Education	Attention: Mark Weigly, Director Office of Educational Facilities 325 West Gaines Street, Suite 1014 Tallahassee, Florida 32399-0400 Phone: 850-245-9296	The State Department of Education did not provide written comments, and has no objections, recommendations or comments relative to impacts of the amendment within its jurisdiction of state education resources.
Florida Department of Environmental Protection (DEP)	Attention: Plan Review Office of Intergovernmental Prog. 3900 Commonwealth Boulevard Tallahassee, Florida 32399 Phone: 850-717-9037	The Department found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.
Florida Department of State (DOS)	Attention: Robin Jackson, Bureau of Historic Preservation 500 South Bronough Street Tallahassee, Florida 32399-0250 Phone: 850-245-6496	The Department of State did not provide written comments; therefore, and has no objections, recommendations or comments relative to impacts from the amendment within the Department's jurisdiction.
Florida Department of Transportation (FDOT), District Six	Attention: Shereen Yee Fong Planning & Environmental Mgt. Florida Dept. of Transportation, Dist. 6 1000 NW 111 Avenue, Room 6111-A Miami, Florida 33172 Phone: 305-470-5393	The Department found that the amendment would not significantly impact transportation resources and facilities of state importance.
South Florida Regional Planning Council (SFRPC)	Isabel Cosio Carballo Executive Director Oakwood Business Center One Oakwood Boulevard, Suite 221 Hollywood, Florida 33020 Phone: 954-985-4416	SFRPC reviewed flood risks based on the Southeast Florida Regional Climate Compact, finds that this property will be at risk for storm surge resulting from sea level rise by 2030, and from sea level rise without storm surge by 2060. The SFRPC finds that the amendment does not create any adverse impact to state or regional resources/facilities.
South Florida Water Management District (SFWMD)	Terry Manning, AICP Policy and Planning Analyst Water Supply Coordination Unit 3301 Gun Club Road, MSC 4223 West Palm Beach, Florida 33406 Phone: 561-682-6779	The District provided comments to revise the amendment to include a water supply analysis. The water supply analysis is included in the package, and the amendment maintains the Village potable water supply level-of-service standard. The determination is by Miami-Dade Water and Sewer Department, April 8, 2019.
Miami-Dade County Regulatory and Economic Resources (RER)	Jerry Bell, AICP Assistant Director for Planning 111 NW 1 st Street, 12 th Floor Miami, Florida 33128 Phone: 305-375-2835	The proposed amendment is consistent with the County's Comprehensive Development Master Plan (CDMP). The offices of Historic Preservation, Miami-Dade Water and Sewer Department, and Division of Environmental Resources Management provided courtesy comments.
City of Coral Gables	Suramy Cabrera Development Services Director Coral Gables City Hall, 405 Biltmore Coral Gables, Florida 33134 Phone: 305-460-5235	The City of Coral Gables did not provide written comments; therefore, there are no objections, recommendations or comments.
Village of Pinecrest	Stephen R. Olmstead, AICP Planning Director 12645 Pinecrest Parkway Pinecrest, Florida 33156 Phone: 305-234-2133	The Village of Pinecrest did not provide written comments; therefore, there are no objections, recommendations or comments.
Town of Cutler Bay	Planning and Zoning Director 10720 Caribbean Boulevard, Ste.105 Cutler Bay, Florida 33189 Phone: 305-234-4262, ext. 5506	The Town of Cutler Bay did not provide written comments; therefore, there are no objections, recommendations or comments.
Miami-Dade County Public Schools	Ivan M. Rodriguez, Director Planning, Design and Sustainability Miami-Dade County Public Schools 1450 NE 2 nd Avenue Miami, Florida 33132 Phone: 305-995-4501	Miami-Dade County Public Schools Concurrency Management System has provided initial review and shows that there is available capacity within the school concurrency service area for elementary and middle school levels. High-school capacity is available within the adjacent service area.

Binder Divisions

- Cover Letter to Florida Department of Economic Opportunity, Bureau of Comprehensive Planning (DEO)
- Memo, Comprehensive Plan Amendment
- Ordinance, Village Comprehensive Plan Amendment
- Memo, Village Zoning Map Amendment
- Ordinance, Village Zoning Map Amendment
- Attachment A, Notice - Village Comprehensive Plan Amendment
- Attachment B, Notice - Village Zoning Map Amendment
- Attachment C, Staff Analysis Combined Report for Village Comprehensive Plan Amendment & Village Zoning Map Amendment, with Staff Trend of Development Analysis and Power Point presentation to Village of Palmetto Bay LPA, July 30, 2019
- Attachment D, Calvin Giordano Trend of Development Report - March 21, 2018
- Attachment E, Zoning History
- Attachment F, Transportation Concurrency Analysis
- Attachment G, Property Description - Miami-Dade Property Appraiser
- Attachment H, Transmittal Hearing PowerPoint Presentation
- Attachment I, Transmittal Correspondence Copies
- Attachment J, Intergovernmental & Agency Review Responses

Transmittal List:

Department of Economic Opportunity, Bureau of Comprehensive Planning
 Attention: Ray Eubanks, Plan Processing Administrator
 State Land Planning Agency
 Caldwell Building
 107 East Madison - MSC 160
 Tallahassee, Florida 32399-4120
 Phone: 850-717-8483
 Fax 850-717-8522
 e-mail: ray.eubanks@deo.myflorida.com

Department of Environmental Protection
 Attention: Plan Review
 Office of Intergovernmental Programs
 3900 Commonwealth Boulevard, MS 47
 Tallahassee, Florida 32399
 Phone: 850-717-9037
 e-mail: plan.review@dep.state.fl.us

Department of Transportation, District Six
Attention: Shereen Yee Fong
Transportation Planner IV
Planning and Environmental Management Office
Florida Department of Transportation - District 6
Adam Leigh Cann Building
1000 NW 111 Avenue, Room 6111-A
Miami, Florida 33172
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South Florida Regional Planning Council
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South Florida Water Management District
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City of Coral Gables
Suramy Cabrera, Development Services Director
Coral Gables City Hall, 405 Biltmore Way
Coral Gables, Florida 33134
Phone: 305-460-5235
Fax: 305-460-5261

Village of Pinecrest
Stephen R. Olmstead, AICP, Planning Director
12645 Pinecrest Parkway
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Town of Cutler Bay
Alex David, AICP, Interim Planning and Zoning Director
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Cutler Bay, Florida 33189
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