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WHEREAS, the parcel at 6525 SW 152nd Street was the site of the former Florida Power and Light Company Cutler Power Plant which was closed, demolished and the land is left vacant for redevelopment;

WHEREAS, land to the east of the parcel and north of the parcel are not within the municipal jurisdiction of the Village of Palmetto Bay, being within the City of Coral Gables;

WHEREAS, there is a canal predominantly running east and west within the parcel that is designated the “intake canal”, and a canal running south from the intake canal to Biscayne Bay designated as the “outlet canal”;

1 **WHEREAS**, land to the south, and west of the outlet canal, is
2 separated by SW 152nd Street, and is within the "Estate Modified Single-
3 Family" ("E-M") zoning district;

4
5 **WHEREAS**, land to the south of the parcel and east of the outlet
6 canal, is separated by the intake canal, and is zoned "Planned Area
7 Development" ("PAD"), which is a zoning category specific to the
8 development, with parts of the same development zoned "Townhouse
9 District" ("R-TH"), and "Modified Single Family Residential District" ("R-
10 1M");

11
12 **WHEREAS**, the parcel abutting this to the west is in the "Estate
13 Single-Family" ("E-1") zoning district, allowing 1 single-family residential
14 unit per acre;

15
16 **WHEREAS**, the only access to the parcel for both vehicular and
17 foot traffic is to SW 67th Avenue on the west side of the property and SW
18 152nd Street from the south side;

19
20 **WHEREAS**, the only road leading north toward business and
21 commercial areas of Pinecrest, South Miami, Coral Gables, and Miami
22 from the site is SW 67th Avenue, leading to the regional north-south
23 thoroughfare of Old Cutler Road;

24
25 **WHEREAS**, overcapacity traffic conditions exist on Old Cutler
26 Road that is a constrained facility, and a zoning designation for the
27 parcel that is more dense than "Estate Single-Family" ("E-1") will
28 exacerbate, rather than manage the traffic conditions;

29
30 **WHEREAS**, the Village zoning district designation along SW 67th
31 Avenue are "Estate Single-Family" ("E-1"), with a few of the parcels
32 designated "Estate Modified Single-Family" ("E-M");

33
34 **WHEREAS**, the existence of two schools opposite the site, renders
35 a zoning more dense than "Estate Single-Family" ("E-1") impractical for
36 traffic safety; and
37

1 **WHEREAS**, rezoning of the former FPL site from "Interim" ("I") to
2 "Estate Single-Family" ("E-1") is consistent with existing zoning districts
3 in the area, with traffic conditions, and with the right to beneficial use of
4 the former FPL site by its owner;

5
6 **NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND**
7 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY,**
8 **FLORIDA, AS FOLLOWS:**

9
10 **Section 1. Findings.** The Village Council hereby incorporates the
11 "Whereas" clauses recited above as findings.

12
13 **Section 2. Amendment to Official Zoning Map, Section 30-10.5**
14 The official zoning map of the Village of Palmetto Bay is hereby
15 amended as follows:

16
17 The parcel which is bounded on the south by SW 152nd Street, on
18 the north and east by the Village boundary, and on the west by parcels
19 zoned "Estate Single-Family" ("E-1"), which parcel is currently
20 designated "Interim" ("I"), is hereby zoned "Estate Single-Family" ("E-1")
21 on the official zoning map of the Village of Palmetto Bay

22
23 **Section 3. Conflicting Provisions.** The provisions of the Code of
24 Ordinances of the Village of Palmetto Bay, Florida and all ordinances or
25 parts of ordinances in conflict with the provisions of this zoning map
26 amendment are hereby repealed.

27
28 **Section 4. Effective Date.** This Ordinance shall take effect
29 immediately upon adoption on the date on which the Comprehensive
30 Plan amendment for the subject property, adopted on July 30, 2019 by
31 the Village Council designating the property as Estate Density
32 Residential on the Future Land Use Map of the Village Comprehensive
33 Plan takes effect.

34
35 First Reading: April 22, 2019

36
37 Second Reading: July 30, 2019

PASSED and ENACTED this 30th day of July 2019.

Attest:

Missy Arocha
Village Clerk

Karyn Cunningham
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

Dexter W. Lehtinen
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member David Singer	<u>ABSENT</u>
Council Member Marsh Matson	<u>YES</u>
Vice-Mayor John DuBois	<u>YES</u>
Mayor Karyn Cunningham	<u>YES</u>