



Stephen R. Olmsted, AICP
Planning Director
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MEMORANDUM

Department of Building and Planning

DATE: September 3, 2024

TO: Yocelyn Galiano, ICMA-CM
Village Manager

FROM: Stephen R. Olmsted, AICP, LEED-GA
Planning Director

RE: 11855 SW 60 Avenue – Aleyda Mas Park
Comprehensive Development Master Plan - Future Land Use Map Amendment
Land Development Regulations - Official Zoning Map Amendment

BACKGROUND/INTRODUCTION

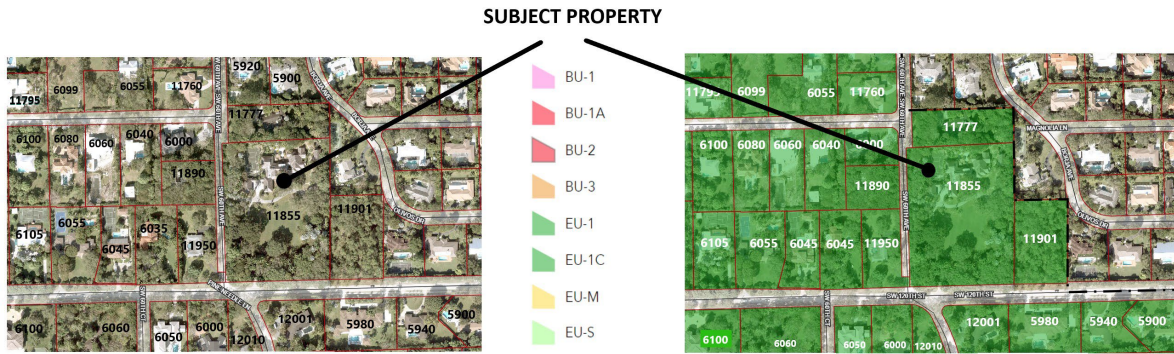
On January 24, 2024, the Village of Pinecrest acquired property located at 11855 SW 60 Avenue with the intention of developing a public park on the property, to be named “Aleyda Mas Park”. Development of a new park within the southeast quadrant of the Village fulfills the Village Council’s goal of providing open green space within one mile or less of every Pinecrest resident, and further supports its goal of providing 3 acres of park land for every 1,000 residents.

The subject property has historically been the location of the residence of Mr. And Mrs. Jorge Mas. The property is currently planned and zoned for single-family residential use and will need to be reclassified for use as a public park. Ordinances amending the Village’s Future Land Use Map and Official Zoning Map were approved by the Village Council at first reading on July 9, 2024. Consideration of both ordinances by the Local Planning Agency (LPA) and Village Council at second reading is scheduled for September 10, 2024.

Property Description

The subject property is located at 11855 SW 60 Avenue (Folio Number 20-5012-008-0150), and is 5 acres in area.





Neighboring Properties

Single-family residences within the EU-1, Residential Estate zoning district are located adjacent to the subject property on the north, south, east, and west sides. Use of the subject property as a planned park, designed with public input and participation, and in compliance with requirements of the Village’s Land Development Regulations, will be compatible with neighboring single-family residential uses.

PROPOSED FUTURE LAND USE MAP AMENDMENT

The future land use classification of the property located at 11855 SW 60 Avenue is proposed to be changed from EU-1, Residential Estate to PR, Parks and Recreational Facilities to reflect the fact that the property has been purchased by the Village with the intention of establishing a public park on the property to be known as “Aleyda Mas Park”. The subject property is 5 acres in area.

In evaluating proposed amendments, the Village Council is required to consider the following criteria:

1. **Whether the proposal is internally consistent with the comprehensive development master plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.**

The proposed map amendment is consistent with Chapter 163 of the Florida Statutes and, if adopted, will allow for development of a public park consisting of a planned park and open greenspace, and allow continued implementation of a goal of the Village’s Comprehensive Development Master Plan of providing 3 acres of park land for every 1,000 residents, and the Village Council’s objective of providing park land within one mile of every resident of the Village.

2. **Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing comprehensive development master plan, and whether such changes support or work against the proposed amendment.**

Development Conditions have not changed within the neighboring area adjacent to the subject property although, establishment of a public park will allow continued implementation of a goal of the Village's Comprehensive Development Master Plan of providing 3 acres of park land for every 1,000 residents, and the Village Council's objective of providing park land within one mile of every resident of the Village.

3. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed neighboring property land use.**

Establishment of a public park on the subject property will not create any adverse impacts to the neighboring area. The property is 5 acres in area and will consist of green open space and planned facilities in compliance with the Village's Comprehensive Development Master Plan and Land Development Regulations. The property is large enough to accommodate a planned park with ample distance and landscaping to buffer any recreational activities from adjoining low-density residential uses.

4. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

Maintenance of open greenspace and establishment of a park on the 5 acre property will not adversely affect property values, and it is expected that the park will be supportive of the general welfare.

5. **Whether the proposal would result in an orderly and compatible land use pattern.**

Maintenance open green space and establishment of a public park will provide a park for use by the residents in the southeast portion of the Village and allow all residents of the Village access to a park within 1 mile of their residence. Establishment of a public park in close proximity to neighboring residential areas is consistent with the established practice of locating parks in proximity to the residents who will use them.

6. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and interest of the comprehensive development master plan.

Establishment of a park on the subject property, with input and participation of the public during the planning process, will be consistent with the goals and objectives of the Village's Comprehensive Development Master Plan, including the goal of providing a comprehensive system of public recreation and open space sites which meet the needs of the existing and projected population, consistent with the Village's adopted level of service standard of 3 acres of park land for every 1,000 residents, and in harmony with the public interest.

7. Whether the proposed amendment meets the requirements of F.S. § 163.3161 et seq.

The proposed amendment is consistent with FS 163.3161, the Community Planning Act.

8. Other matters which the local planning agency or the village council, in its legislative discretion, may deem appropriate.

Other matters as may be identified by the Local Planning Agency and Village Council may be taken into consideration when evaluating the proposed rezoning.

Correspondence

Staff has not received any correspondence regarding the proposed amendment.

State Land Planning Agency - Transmittal

A copy of proposed ordinance and supporting data and analysis will be transmitted to the State Land Planning Agency following consideration and adoption at second reading.

Staff Recommendation

Based upon the above analysis, staff recommends approval of the ordinance at second reading amending the Future Land Use Map classification of the subject property from EU-1, Residential Estate to PR, Parks and Recreational Facilities.

OFFICIAL ZONING MAP

In addition to the proposed amendment to the Future Land Use Map, the Official Zoning Map classification of property located at 11855 SW 60 Avenue is proposed to be changed from EU-1, Residential Estate to PR, Parks and Recreational Facilities to reflect the fact that the property has been purchased by the Village with the intention of establishing a public park on the property to be known as "Aleyda Mas Park". The subject property is 5 acres in area. In evaluation of the proposed rezoning of the property, the Village Council is required to consider the following criteria.

1. Whether the proposal is consistent with the Comprehensive Development Master Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.

The proposed rezoning for accommodation of a new park would be consistent with the PR, Parks and Recreational Facilities future land use classification of the Village's Comprehensive Development Master Plan, if approved by the Village Council. The proposed use is consistent with existing, adopted levels of service and concurrency requirements.

2. Whether the proposal is in conformance with all applicable requirements of the Code of Ordinances, including the Land Development Code.

The existing single-family residence was permitted under the applicable land development requirements at the time of development, and establishment of a new park will be required to meet all applicable requirements of the Village's Comprehensive Development Master Plan and Land Development Regulations at the time permitting.

3. Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.

There have not been any significant changes in land use or development conditions that have occurred in recent years, although, establishment of a public park will allow continued implementation of a goal of the Village's Comprehensive Development Master Plan of providing 3 acres of park land for every 1,000 residents, and the Village Council's objective of providing park land within one mile of every resident of the Village. Rezoning of the subject property to PR, Parks and Recreational Facilities

will allow for establishment of a planned park in close proximity to the residents of the southeast quadrant of the Village of Pinecrest

- 4. Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

The proposed rezoning for parks and recreation use will not result in any incompatible land uses and will allow for establishment of a planned park in close proximity to neighboring residents, consistent with requirements of the Village's Land Development Regulations.

- 5. Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including transportation, water and wastewater services, solid waste disposal, drainage, recreation, education, emergency services, and similar necessary facilities and services.**

Maintenance of natural greenspace and establishment of a park on the 5-acre property will not result in an appreciable increase in demand for public services beyond that which already exists.

- 6. Whether, and to the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of groundwater aquifer, wildlife habitats, and vegetative communities.**

Use of the property as a public park will not result in adverse impacts on the natural environment. Any future development or redevelopment proposals will require consistency with environmental requirements of the Village's Land Development Regulations.

- 7. Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

It is staff's opinion that use of the subject property as a public park will not adversely affect property values and will be supportive of the public welfare.

8. Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.

Maintenance of open green space and establishment of a park on the property will be consistent with the practice of establishing parks in proximity to the residents they serve, and consistent with the goals of the Village's Comprehensive Development Master Plan.

9. Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this land development code.

The purpose of the Land Development Regulations is provided in Division 1.1 of the Regulations. In general, the purpose is to manage the use of land and water in the Village, to preserve the unique village character, and to protect, promote and improve the public health safety, and general welfare of the people within the village. The proposed rezoning is not inconsistent with the stated purpose of the Land Development Regulations and establishment of an indoor recreational use in compliance with all applicable requirements will not be contrary to the public interest and will ensure continued harmony with the purpose and intent of the code.

10. Other matters which the Local Planning Agency or the Village Council in its legislative discretion may deem appropriate.

Other matters as may be identified by the Local Planning Agency and Village Council may be taken into consideration when evaluating the proposed rezoning.

Staff Recommendation

Based upon the above analysis, staff recommends approval of the ordinance at second reading amending the zoning classification of the subject property from EU-1, Residential Estate to PR, Parks and Recreational Facilities subject to the following condition of approval:

1. Approval by the Village Council of the proposed reclassification of the subject property from EU-1, Residential Estate to PR, Parks and Recreational Facilities on the Future Land Use Map of the Village of Pinecrest's Comprehensive Development Master Plan.

Staff will provide a presentation of the proposed amendments to the Future Land Use map of the Village's Comprehensive Development Master Plan and Official Zoning Map at second reading of the proposed ordinances on September 10, 2024. Following review by the Village Council at second reading, staff will make all requested changes, and transmit the ordinances to the State Land Planning Agency and other review agencies as required.

If you have questions or require additional information, please let me know.

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE VILLAGE OF PINECREST COMPREHENSIVE DEVELOPMENT MASTER PLAN FOR THE PROPERTY LOCATED AT 11855 SW 60 AVENUE (FOLIO No. 20-5012-008-0150); AMENDING THE FUTURE LAND USE CLASSIFICATION FROM EU-1, RESIDENTIAL ESTATE TO PR, PARKS AND RECREATIONAL FACILITIES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on February 9, 1999, the Village Council adopted the Village's Comprehensive Development Master Plan pursuant to Ordinance 99-04; and

WHEREAS, the Village Council has subsequently amended and updated the Comprehensive Development Master Plan to implement requirements relative to the establishment of the North Pinecrest Business Alternative District as required by the State Land Planning Agency in 2004; amended the Comprehensive Development Master Plan consistent with the requirements of an Evaluation and Appraisal Report completed in 2005; amended and updated the Comprehensive Development Master Plan in 2016 based on updated background data and analysis; annually amended the Comprehensive Development Master Plan to update the Capital Improvements Element; amended the Comprehensive Development Master Plan to include updates in conjunction with completion of a ten-year water supply facilities work plan, and amended the Comprehensive Development Master Plan to include a Climate Change Element; and

WHEREAS THE Village of Pinecrest has acquired land located at 11855 SW 60 AVENUE (Folio: 20-5012-008-0150), and intends to use the property for public purposes as a Public Park (Aleyda Mas Park), consistent with goals of the Village's Comprehensive Development Master Plan; and

WHEREAS, the Local Planning Agency (LPA) has reviewed the proposed amendments to the Village of Pinecrest Comprehensive Development Master Plan at a public hearing on September 10, 2024 and has forwarded the proposed amendments to the Village Council with a recommendation for approval; and

Note:

~~Strikethrough words~~ are deletions to the existing words in the Comprehensive Development Master Plan.
Underlined words are additions to the existing words in the Comprehensive Development Master Plan.

WHEREAS after having received input and participation by interested members of the public, and staff, the Village Council finds the proposed amendments to the Comprehensive Development Master Plan to be consistent with the Village Council's goals of the Village's Strategic Plan; and

WHEREAS the proposed amendments to the Comprehensive Development Master Plan were prepared in accordance with Chapter 163.3177 Florida Statutes; and

WHEREAS, the Village Council held a public hearing on July 9, 2024 prior to transmitting the proposed amendments to the Florida Department of Commerce and other required review agencies; and

WHEREAS, said public hearings were advertised in accordance with Chapter 163.3184 and Chapter 166.041, Florida Statutes; and

WHEREAS, the Village Council hereby finds it to be in the best interest of the public health, safety and welfare of the citizens to adopt the amendments to the Comprehensive Development Master Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PINECREST, FLORIDA:

SECTION 1. Recitals.

The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

SECTION 2. Amendment and Adoption.

The amendment to the Future Land Use Map of the Comprehensive Development Master Plan, attached hereto and incorporated herein as Exhibit "A", is hereby adopted.

Note:

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Underlined words are additions to the existing words in the Comprehensive Development Master Plan.

SECTION 3. Inclusion in the Comprehensive Plan.

It is the intention of the Village Council and it is hereby ordained that the amendment to the Future Land Use Map of the Village of Pinecrest Comprehensive Development Master Plan made by this Ordinance as set forth in Exhibit "A" and dated "June, 2024" is shall become part of the Village of Pinecrest Comprehensive Development Master Plan, and that the sections of this Ordinance may be renumbered and relettered as necessary, and that the word "Ordinance" may be changed to "Section, "Article" or other appropriate word.

SECTION 4. Transmittal.

The Village Clerk is hereby directed to transmit the proposed amendment to the Comprehensive Development Master Plan and all supporting data and analysis, to the Department of Commerce of the State of Florida and other appropriate public agencies, and upon adoption of this Ordinance is further directed to ensure that this Ordinance and all other necessary documents are forwarded to the Florida Department of Commerce and other agencies in accordance with Section 163.3184(3), Florida Statutes.

SECTION 5. Conflicts.

All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. Severability.

If any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. Effective Date.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the Village of Pinecrest that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED on first reading this 9th day of July, 2024 and transmitted to the Florida Department of Commerce and other required review agencies.

PASSED AND ADOPTED on second reading this ___th day of ____, 2024.

Joseph M. Corradino, Mayor

Note:

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ATTEST:

Priscilla Torres, MMC
Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Mitchell Bierman
Village Attorney

Note:

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BUSINESS IMPACT ESTIMATE¹

Meeting Date: September 10, 2024

Agenda Item No. VII.B.1

This Business Impact Estimate is given as it relates to the proposed ordinance titled:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE VILLAGE OF PINECREST COMPREHENSIVE DEVELOPMENT MASTER PLAN FOR THE PROPERTY LOCATED AT 11855 SW 60 AVENUE (FOLIO No. 20-5012-008-0150); AMENDING THE FUTURE LAND USE CLASSIFICATION FROM EU-1, RESIDENTIAL ESTATE TO PR, PARKS AND RECREATIONAL FACILITIES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Summary of Proposed Ordinance and Statement of Public Purpose to be Served:

The Ordinance amends the Future Land Use Map of the Village's Comprehensive Development Master Plan for the property located at 11855 SW 60 Avenue (Folio No. 20-5012-008-0150) by amending the Future Land Use classification of said property from EU-1, Residential Estate to PR, Parks and Recreational Facilities. The proposed change in land use designation from Residential Estate to Parks and Recreational Facilities for the specified property serves a public purpose by enhancing the community's quality of life and environmental sustainability. Transitioning this property to a Parks and Recreation designation promotes public health and wellness by providing residents with accessible green space for recreation, and enhances environmental quality by facilitating the preservation of a natural habitat thereby promoting biodiversity and contributing to environmental sustainability by increasing green space and improving air quality. By aligning the land use designation with these community-focused goals, the proposed change will significantly contribute to the overall well-being of the community and support sustainable development.

Estimate of Direct Economic Impact on Private/For Profit Businesses

a. Estimate of Direct Business Compliance Costs:

There are no estimated direct business compliance costs associated with this Ordinance.

b. New Charges/Fees on Businesses Impacted:

There are no new charges or fees associated with this Ordinance.

c. Estimate of Regulatory Costs:

There are no estimated regulatory costs associated with this Ordinance.

Good Faith Estimate of Number of Businesses Likely Impacted:

Not applicable.

Any Additional Information:

This Business Impact Estimate statement is provided as a courtesy. This Ordinance is exempt from the Business Impact Estimate statement requirements under Florida Law as an ordinance required for compliance with federal or state law or regulation under Section 166.041(4)(c)(1), Florida Statutes.

¹ Business Impact Estimate does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement, including but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
7. Ordinances enacted to implement the following:
 - a. Part II of Chapter 163, F.S.;
 - b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
 - c. Sec. 553.73, F.S. (Fla. Building Code);
 - d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).