



VILLAGE OF PINECREST
Village Council Meeting

Village Council
Cindy Lerner, Mayor
Bob Ross, Vice Mayor
Cheri Ball
Doug Kraft
James E. McDonald

Yocelyn Galiano Gomez, ICMA-CM
Village Manager

Guido H. Inguanzo, Jr., CMC
Village Clerk

Mitchell Bierman
Village Attorney

REGULAR MEETING AGENDA

TUESDAY, JUNE 9, 2015, 7:00 P.M.

PINECREST MUNICIPAL CENTER/COUNCIL CHAMBER
12645 PINECREST PARKWAY
PINECREST, FLORIDA

- I. CALL TO ORDER/ROLL CALL OF MEMBERS
- II. PLEDGE OF ALLEGIANCE
- III. CONSENT AGENDA:

PURSUANT TO ORDINANCE 2014-6, ITEMS MAY BE REMOVED FROM THE CONSENT AGENDA BY A MEMBER OF THE VILLAGE COUNCIL. AN ITEM REMOVED FROM THE CONSENT AGENDA WILL THEN BE DISCUSSED AND ACTED ON SEPARATELY IMMEDIATELY FOLLOWING THE CONSIDERATION OF THE CONSENT AGENDA. MEMBERS OF THE PUBLIC MAY COMMENT ON CONSENT AGENDA ITEMS PRIOR TO THE VILLAGE COUNCIL'S CONSIDERATION OF THE CONSENT AGENDA.

A. MINUTES:

1. MAY 5, 2015 (REGULAR)
2. MAY 7, 2015 (WORKSHOP)

TAB 1

B. RESOLUTIONS:

1. A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH O'LEARY RICHARDS DESIGN ASSOCIATES FOR THE PINECREST PARKWAY (US 1) BEAUTIFICATION DESIGN; PROVIDING FOR AN EFFECTIVE DATE.
2. A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A ONE YEAR RENEWAL WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE MAINTENANCE OF PINECREST PARKWAY (US 1); PROVIDING FOR AN EFFECTIVE DATE.

TAB 2

TAB 3

IV. AGENDA/ORDER OF BUSINESS

12645 Pinecrest Parkway, Pinecrest, Florida 33156
T: 305.234.2121 | F: 305.234.2131
www.pinecrest-fl.gov



V. SPECIAL PRESENTATIONS:

A. US 1 BICYCLE AND PEDESTRIAN MOBILITY PLAN

TAB 4

VI. ORDINANCES:

A. FIRST READING:

1. AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 16 "OFFENSES AND MISCELLANEOUS PROVISIONS" BY CREATING ARTICLE VIII "EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES" AND PROVIDING FOR LEGISLATIVE INTENT, DEFINITIONS, PROHIBITIONS OF SALE OR USE BY VILLAGE CONTRACTORS AND SPECIAL EVENT PERMITTEES, AND EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 5

2. AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 15, "NUISANCES," BY CREATING ARTICLE III "TARGETED PICKETING," SECTION 15-30, "RESIDENTIAL PICKETING" RELATING TO CERTAIN PROHIBITIONS AND LIMITATIONS ON TARGETED PICKETING AT A RESIDENCE OR DWELLING WITHIN THE VILLAGE; PROVIDING FOR CRIMINAL PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

TAB 6

3. AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 30, LAND DEVELOPMENT REGULATIONS, BY AMENDING ARTICLE 3, DEVELOPMENT APPROVAL PROCEDURES, CONCERNING UNITY OF TITLE PROVISIONS; AMENDING ARTICLE 4, ZONING DISTRICT REGULATIONS, CONCERNING PERMITTED, CONDITIONAL AND PROHIBITED USES IN THE BU-1, BU-1A, BU-2, AND BU-3 COMMERCIAL ZONING DISTRICTS; AND AMENDING ARTICLE 5, ADDITIONAL REGULATIONS, CONCERNING DIVISION 5.1, LOTS, CONCERNING DIVISION 5.19, APPEARANCE OF SITE AND STRUCTURES, PROVIDING NEW DESIGN AND DEVELOPMENT REQUIREMENTS FOR PARKING GARAGES (NEW DIVISION 5-31); PROVIDING FOR ZONING IN PROGRESS; PROVIDING FOR CONFLICT, SEVERABILITY, INCLUSION IN THE CODE OF ORDINANCES, AND AN EFFECTIVE DATE.

TAB 7

B. SECOND READING (PUBLIC HEARING):

1. AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA; AMENDING THE 2014-2015 OPERATING AND CAPITAL OUTLAY BUDGET (2nd QUARTER); PROVIDING FOR AN EFFECTIVE DATE.

TAB 8

VII. REPORTS AND RECOMMENDATIONS:

A. VILLAGE COUNCIL:

1. REGULAR MEETING START TIME (COUNCILMEMBER MCDONALD)
2. HARVARD SCHOOL OF GOVERNMENT (COUNCILMEMBER MCDONALD)
3. UTILITY EASEMENTS AESTHETICS (MAYOR)
4. PD'S NEW BARGAINING UNIT LEADERSHIP (COUNCILMEMBER KRAFT)
5. FLC CONFERENCE VOTING DELEGATE (MAYOR)

TAB 9

B. VILLAGE MANAGER:

1. COMMUNIQUÉ TO COUNCIL:
 - a. JUNE 2015 FOLLOW-UP REPORT
 - b. MONTHLY DEPARTMENTAL REPORTS
 - c. PINECREST PEOPLE MOVER RIDERSHIP REPORT
 - d. LUGUFELO ART EXHIBIT AT PINECREST GARDENS

TAB 10

C. VILLAGE CLERK

D. VILLAGE ATTORNEY

E. COMMITTEES:

1. TRANSPORTATION ADVISORY (MAY 4, 2015)

TAB 11

VIII. RESOLUTIONS:

A. A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, JOINING WITH THE CITIES OF MIAMI AND SOUTH MIAMI FOR ENGAGEMENT OF AN ECONOMIST RELATING TO EARLY COST RECOVERY MATTERS BEFORE THE PUBLIC SERVICE COMMISSION; PROVIDING FOR AN EFFECTIVE DATE. (MAYOR)

TAB 12

B. A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, PROVIDING FREE ADMISSION TO PINECREST GARDENS FOR U.S. ACTIVE DUTY MILITARY PERSONNEL AND THEIR IMMEDIATE FAMILY; PROVIDING FOR AN EFFECTIVE DATE. (COUNCILMEMBER KRAFT)

TAB 13

C. A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, WAIVING FEES FOR RENTAL OF PINECREST GARDENS' MEADOW AND ADMISSION FEES FOR A FRIENDSHIP CIRCLE (CHABAD OF KENDALL) EVENT TO BE HELD IN SUMMER 2015; PROVIDING FOR AN EFFECTIVE DATE. (MAYOR)

TAB 14

D. A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE COMMUNITY GARDENS CHARITABLE FUND TO USE THE WHILDEN-CARRIER COTTAGE FOR OFFICE SPACE; PROVIDING FOR AN EFFECTIVE DATE.

TAB 15

IX. PLANNING (8:00 P.M. TIME CERTAIN):

THESE PUBLIC HEARINGS ARE QUASI-JUDICIAL PROCEEDINGS AND SHALL BE CONDUCTED PURSUANT TO SECTIONS 2-201 - 2-204 OF THE CODE OF ORDINANCES. ALL PERSONS ADDRESSING THE VILLAGE COUNCIL SHALL BE SWORN-IN PRIOR TO GIVING TESTIMONY AND MAY BE SUBJECT TO CROSS EXAMINATION. ALL PERSONS ADDRESSING THE VILLAGE COUNCIL SHALL STATE THEIR NAME AND ADDRESS FOR THE RECORD.

A. HEARING NUMBER 2015-0609-1

TAB 16

APPLICANT: CENSIG PINECREST HOLDINGS, LLC

LOCATION: 7853 SOUTHWEST 112 STREET

REQUEST: APPROVAL OF A PRELIMINARY SUBDIVISION PLAT ("CENSIG PINECREST SUBDIVISION") FOR THE CREATION OF TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS (LOT 1 IS PROPOSED TO BE 9,659 SQUARE FEET (NET) IN AREA; LOT 2 IS PROPOSED TO BE 9,737.01 SQUARE FEET (NET) IN AREA)

B. HEARING NUMBER 2015-0609-2

TAB 17

APPLICANT: PALMCORP DEVELOPMENT GROUP, LLC

LOCATION: 10080 SOUTHWEST 61 AVENUE

REQUEST: APPROVAL OF A PRELIMINARY SUBDIVISION PLAT ("SUBURBAN DRIVE ESTATES") FOR THE CREATION OF TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS (LOT 1 IS PROPOSED TO BE 1.211 ACRES (52,750 SQUARE FEET) IN GROSS AREA; LOT 2 IS PROPOSED TO BE 1.001 ACRES (43,609 SQUARE FEET) IN GROSS AREA)

C. HEARING NUMBER 2015-0609-3

TAB 18

APPLICANT: MARCELLO PORCELLI

LOCATION: 5790 SOUTHWEST 97 STREET

REQUEST: APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW TENNIS COURT LIGHTING PURSUANT TO THE REQUIREMENTS OF THE LAND DEVELOPMENT REGULATIONS, DIVISION 5.25, IN ACCORDANCE WITH THE REQUIREMENTS AND STANDARDS FOR A CONDITIONAL USE AS PROVIDED IN DIVISION 3.3

X. SCHEDULE OF FUTURE MEETINGS:

MEETING DATES AND TIMES ARE SUBJECT TO CHANGE. PLEASE VISIT WWW.PINECREST-FL.GOV FOR CURRENT SCHEDULE, [REGISTER](#) TO RECEIVE MEETING NOTICES VIA E-MAIL OR FOLLOW US ON TWITTER [@PINECRESTFL](#).

A. VILLAGE COUNCIL

TUESDAY, JULY 7, 2015, 7:00 P.M.

B. VILLAGE COUNCIL (BUDGET WORKSHOP)

WEDNESDAY, AUGUST 19, 2015, 9:00 A.M.

XI. ADJOURNMENT

LIVE STREAMING VIDEO OF THIS MEETING IS AVAILABLE AT WWW.PINECREST-FL.GOV/LIVE.

ANYONE WISHING TO OBTAIN A COPY OF AN AGENDA ITEM MAY CONTACT THE VILLAGE CLERK AT (305) 234-2121, DOWNLOAD THE COMPLETE AGENDA PACKET FROM WWW.PINECREST-FL.GOV OR VIEW THE MATERIALS AT VILLAGE HALL DURING REGULAR BUSINESS HOURS.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE VILLAGE CLERK AT (305) 234-2121 NOT LATER THAN FOUR BUSINESS DAYS PRIOR TO SUCH PROCEEDING.

PURSUANT TO SEC. 2-11.1(S) OF THE CODE OF MIAMI-DADE COUNTY, ALL PERSONS, FIRMS OR CORPORATIONS EMPLOYED OR RETAINED BY A PRINCIPAL WHO SEEKS TO ENCOURAGE THE PASSAGE, DEFEAT, OR MODIFICATIONS OF (1) ORDINANCE, RESOLUTION, ACTION OR DECISION OF THE VILLAGE COUNCIL; (2) ANY ACTION, DECISION, RECOMMENDATION OF ANY VILLAGE BOARD OR COMMITTEE; OR (3) ANY ACTION, DECISION OR RECOMMENDATION OF VILLAGE PERSONNEL DURING THE TIME PERIOD OF THE ENTIRE DECISION-MAKING PROCESS ON SUCH ACTION, DECISION OR RECOMMENDATION WHICH WILL BE HEARD OR REVIEWED BY THE VILLAGE COUNCIL, OR A VILLAGE BOARD OR COMMITTEE SHALL REGISTER WITH THE VILLAGE BEFORE ENGAGING IN ANY LOBBYING ACTIVITIES ON FORMS PREPARED BY THE VILLAGE CLERK AND SHALL STATE UNDER OATH HIS OR HER NAME, BUSINESS ADDRESS, THE NAME AND BUSINESS ADDRESS OF EACH PERSON OR ENTITY WHICH HAS EMPLOYED SAID REGISTRANT TO LOBBY, AND THE SPECIFIC ISSUE ON WHICH HE OR SHE HAS BEEN EMPLOYED TO LOBBY. A COPY OF THE LOBBYIST REGISTRATION FORM IS AVAILABLE FROM THE OFFICE OF THE VILLAGE CLERK OR ONLINE AT WWW.PINECREST-FL.GOV/CLERK.

PURSUANT TO FLORIDA STATUTE 286.0114, THE VILLAGE COUNCIL PROVIDES THE PUBLIC WITH A REASONABLE OPPORTUNITY TO BE HEARD ON ALL MATTERS ON THIS AGENDA.

PURSUANT TO FLORIDA STATUTE 286.0105, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING SHALL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.



TAB I

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VILLAGE OF PINECREST
Village Council Meeting

REGULAR MEETING MINUTES

TUESDAY, 5 DE MAYO, 2015, 7:00 P.M.

PINECREST MUNICIPAL CENTER/COUNCIL CHAMBER
12645 PINECREST PARKWAY
PINECREST, FLORIDA

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the vice mayor at 7:00 p.m. Present were the following:

Councilmember Cheri Ball
Councilmember Doug Kraft
Councilmember James E. McDonald
Vice Mayor Bob Ross

Village Manager Yocelyn Galiano Gomez
Village Clerk Guido Inguanzo
Village Attorney Mitchell Bierman

Mayor Cindy Lerner was absent.

II. PLEDGE OF ALLEGIANCE: The vice mayor led the Pledge of Allegiance.

III. CONSENT AGENDA: The following items were presented per the Council's consent agenda policy pursuant to Ordinance 2014-6:

- Minutes of April 14, 2015 (Regular)

Councilmember McDonald made a motion approving the consent agenda items. The motion was seconded by Councilmember Ball and adopted by a 4 – 0 voice vote. The vote was as follows: Councilmembers Ball, Kraft, McDonald, and Vice Mayor Ross voting Yes.

IV. AGENDA/ORDER OF BUSINESS: There were no changes to the agenda.

12645 Pinecrest Parkway, Pinecrest, Florida 33156
T: 305.234.2121 | F: 305.234.2131
www.pinecrest-fl.gov



V. SPECIAL PRESENTATIONS: Chief of Police Samuel Ceballos made a presentation regarding the Police Department's 2014 Annual Report. The chief and Major Jason Cohen also made a presentation regarding the development of a BOLO web site in a collaborative effort with FIU and the Miami-Dade County Association of Chiefs of Police.

VI. ORDINANCES: The Council discussed the following ordinance:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA;
AMENDING THE 2014-2015 OPERATING AND CAPITAL OUTLAY
BUDGET (2nd QUARTER); PROVIDING FOR AN EFFECTIVE DATE.

Councilmember McDonald made a motion adopting the ordinance on first reading. The motion was seconded by Councilmember Kraft and adopted by a 4 – 0 roll call vote. The vote was as follows: Councilmembers Ball, Kraft, McDonald, and Vice Mayor Ross voting Yes.

The clerk announced the second reading of the ordinance for June 9, 2015.

VII. REPORTS AND RECOMMENDATIONS: Vice Mayor Ross discussed resident complaints regarding the installation of new large FPL poles in the eastern part of the Village and future plans of the utility with regards to hardening projects in other areas of the Village as well as recent tree-trimming conducted by FPL. Armando Fernandez and Daniel Hronec, representing FPL, addressed the Council regarding the project.

The manager announced that the Red Light Program is now active with a 30-day warning period in effect prior to the issuance of any citations.

Councilmember McDonald noted that Florida Legislature did not pass a proposed bill relating to the make-up of the Miami-Dade Metropolitan Planning Organization (MPO).

The manager submitted the following communiqués to the Council:

- May 2015 Follow-up Report
- Monthly Department Reports
- Pinecrest People Mover Ridership Report
- Farmers Market Customer Survey Results

The clerk submitted a copy of the following Committee Action Form pursuant to Ordinance 2013-7:

- Transportation Advisory Committee (March 30, 2015)

The clerk submitted a copy of the following proclamations issued by the mayor pursuant to Resolution 96-32:

- Palmetto Middle School Speaks for Trees Day (April 22, 2015)
- Dave Ziska Day of Remembrance (April 25, 2015)
- Eagle Scout Day (April 25, 2015)
- Community of Respect/No Place for Hate Day (April 29, 2015)
- Donna E. Shalala Day (April 30, 2015)

VIII. RESOLUTIONS: The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, ADOPTING PARKING RESTRICTIONS ALONG A PORTION OF SOUTHWEST 65 COURT, SOUTHWEST 64 COURT AND SOUTHWEST 63 COURT PURSUANT TO ORDINANCE 2001-6; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember McDonald made a motion adopting the resolution. The motion was seconded by Councilmember Ball. Resolution 2015-22 was adopted by a 4 – 0 vote. The vote was as follows: Councilmembers Ball, Kraft, McDonald, and Vice Mayor Ross voting Yes.

IX. PLANNING: There were no planning matters considered by the Council.

X. SCHEDULE OF FUTURE MEETINGS: The following schedule of future meeting was presented to the public:

- VILLAGE COUNCIL (WORKSHOP)
THURSDAY, MAY 7, 2015, 11:00 A.M.
- VILLAGE COUNCIL
TUESDAY, JUNE 9, 2015, 7:00 P.M.

XI. ADJOURNMENT: The meeting was adjourned at 8:20 p.m.

Respectfully submitted:

*Guido H. Inguanzo, Jr., CMC
Village Clerk*

*Approved by the Village Council
this 9th day of June, 2015:*

*Cindy Lerner
Mayor*

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (FLORIDA STATUTES).



VILLAGE OF PINECREST
Village Council Meeting

WORKSHOP MINUTES

WEDNESDAY, MAY 7, 2015, 11:00 A.M.

PINECREST MUNICIPAL CENTER/COUNCIL CHAMBER
12645 PINECREST PARKWAY
PINECREST, FLORIDA

The workshop was called to order by the mayor at 11:10 a.m. Present were the following:

Councilmember Cheri Ball
Councilmember Doug Kraft
Councilmember James E. McDonald
Vice Mayor Bob Ross
Mayor Cindy Lerner

Village Manager Yocelyn Galiano Gomez
Village Clerk Guido Inguanzo
Village Attorney Mitchell Bierman

The manager introduced the Village's new Public Works Director – Mark Spanioli.

The Council discussed the draft of the Stormwater Master Plan dated April 27, 2015.

Alex Vazquez, of A.D.A. Engineering, the Village's consultant, made a presentation of highlights of the plan.

The Council discussed the need to have a regional approach, to include Miami-Dade County and the South Florida Water Management District, in addressing future flooding issues impacted by sea-level rise.



May 7, 2015

The Council discussed a survey of residents, conducted by the Manager's Office, relating to flooding issues.

The following residents addressed the Council: Ron Rosenberg, 10095 Southwest 70 Avenue; Steven Berman, 10100 Southwest 70 Avenue; Joe Wasil, 10220 Southwest 70 Avenue; and Harry Speizer, 10001 Southwest 70 Avenue.

The meeting was adjourned at 1:15 p.m.

Respectfully submitted:

*Guido H. Inguanzo, Jr., CMC
Village Clerk*

*Approved by the Village Council
this 9th day of June, 2015.*

*Cindy Lerner
Mayor*

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (FLORIDA STATUTES).

TAB 2

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RESOLUTION NO. 2015-

**A RESOLUTION OF THE VILLAGE OF PINECREST,
FLORIDA, AUTHORIZING THE VILLAGE MANAGER
TO ENTER INTO AN AGREEMENT WITH O'LEARY
RICHARDS DESIGN ASSOCIATES FOR THE
PINECREST PARKWAY (US 1) BEAUTIFICATION
DESIGN; PROVIDING FOR AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That the Village Manager is hereby authorized to enter into an agreement with O'Leary Richards Design Associates for the Pinecrest Parkway (US 1) Beautification Design in an amount not to exceed \$178,750.00.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of June, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

Consent Agenda

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May 8, 2015

Ms. Yocelyn Galiano Gomez, ICMA-CM
Village Manager
Village of Pinecrest
12645 Pinecrest Parkway
Pinecrest, FL 33156

Re: Proposal for Professional Landscape Architectural & Engineering Design Services
US-1 Median Beautification Conceptual Design
Project No.: 2014-017
Village of Pinecrest, Florida

Dear Ms. Galiano-Gomez:

O'Leary Richards Design Associates, Inc. (ORDA) is pleased to submit our proposal to the Village of Pinecrest for landscape architectural, engineering, graphic design and surveying services for the US-1 Median Beautification Design Project. Our proposal is based on a general understanding of the Request for Qualifications No. 2014-017, the Pinecrest Parkway (US-1) Vision Plan dated October 2012 and our discussions. The proposed improvements are located within the right-of-way on US-1 between SW 136th Street and the Snapper Creek (C-2) Canal as well as the northeast corners of SW 136th Street and SW 112th Street and US-1 where welcome signs are located. The purpose of this work is to prepare a conceptual design for the landscape, landscape lighting, roadway lighting, signage and irrigation components of the project.

Scope of Services

Basic services to be provided by O'Leary Richards Design Associates, Inc. (ORDA) will include the landscape architectural and management components of the project, the engineering will be provided by Alvarez Engineers, Inc., graphic design by Tom Graboski Design and surveying by M.G. Vera & Assoc., Inc.. The scope of services includes the following:

TASK 1 – Survey

1. Prepare a topographic survey from right-of-way to right-of-way and to 50-ft past the point of curvature of intersecting side streets from SW 136th Street to the C-2 Canal.
2. The Historic survey baseline and right of ways will be established as per the Department Right of Way Maps, platted and/or dedicated rights of way for US-1.
3. Location of above ground features and improvements will be located including existing lighting, pavement markings, trees, pedestrian ramps, driveways, visible above ground utilities, drainage structures, sodded areas, paved areas, and location of billboards that affect this project.
4. If the Village decides to proceed with the roadway lighting improvements, additional surveying will be required at specific locations.

TASK 2 – Landscape Master Plan (Conceptual Design)

1. Site Inventory & Analysis to include identification of opportunities and constraints based on existing site conditions and existing tree inventory and analysis.

Oak Plaza Professional Center
8525 SW 92nd Street, Suite C-11
Miami, Florida 33156
Phone: 305.596.6628
Fax: 305.596.9160
LC #26000195

2. Determine locations of outdoor advertising permitted within the project limits including determining the proposed view zones.
3. Conceptual Master Plan illustrating the landscape improvements within the US-1 medians, landscape lighting alternatives, signage and street lighting alternatives.
4. Conceptual Irrigation Plan to include scheme development, analysis of methods and materials, water source and potential areas of irrigation.
5. Assistance in selection of roadway lighting fixture including coordination with lighting manufacturer and engineer.
6. (2) colored renderings to communicate design intent.
7. Image boards with vegetation photos and site features to communicate design intent.
8. Code compliance review and preliminary coordination with FDOT.
9. Prepare Preliminary Statement of Probable Construction Cost.
10. Attend presentation to the Village Council.

TASK 3 – Entrance Feature Signage (Conceptual Design)

1. Prepare (3) new concepts for entry feature signage at 3 locations (one at NE corner of SW 136th St. and one at NE corner SW 112th Street and one potential new location at north end of corridor) showing 3 different approaches and location plans for each sign.

TASK 4 – Engineering (Conceptual Design)

1. Utility Coordination: Contact utility owners within the corridor to obtain information for existing facilities and coordinate with design as needed.
2. Preliminary Irrigation and Decorative Landscape Lighting Analysis (uplights in median) to include coordination with FPL and WASD to provide necessary power and water.
3. Preliminary Roadway Lighting Analysis and Plans to include the replacement of existing cobra head roadway lighting along the corridor with decorative light fixtures. Includes a lighting photometric analysis, conceptual design and Preliminary Statement of Probable Construction Cost.

TASK 5 – Project Management/Coordination/Meetings

1. Coordinate the work of the surveying, engineering and graphic design consultants.
2. Attend meetings with Village’s staff/consultants.

Reimbursable Costs

Reimbursable expenses, such as but not limited to, printing, reproduction services, photography, and Federal express/courier expenses will be additional and will be invoiced for at the actual invoice cost plus 10% handling fee. Other reimbursable expenses related to this project, such as but not limited to out-of-town travel, animations, models, special engineering studies, reports, or special testing including utility location tests (soft digs) require Village approval prior to incurring expense.

Compensation

Our proposed stipulated fee for the basic services stated above is as follows:

<u>TASK</u>	<u>STIPULATED FEE</u>
Task 1 – Survey	\$ 55,000.00
Task 2 – Landscape Master Plan	\$ 65,000.00
Task 3 – Entrance Feature Signage	\$ 8,000.00
Task 4 – Engineering	\$ 40,400.00
Task 5 –Management/Coordination/Meetings	<u>\$ 10,350.00</u>
Total Stipulated Fee	\$178,750.00

Ms. Yocie Galiano-Gomez, ICMA-CM

May 8, 2015

Page 3

The basis for the above scope of services and associated fee(s) are based on the following:

- Improvements will be limited to the right-of-way areas and at the northeast corner of SW 136th Street and SW 112th Street and US-1 only. The Village will provide ORDA with any additional information regarding utilities, easements, etc. within the project scope.
- Services other than what is stated above will be considered additional services and will be subject to additional compensation. Upon approval of Conceptual Design and preliminary budget, ORDA will prepare for development of construction drawings, bidding assistance and construction administration of the project.

We appreciate the opportunity to provide professional services to the Village of Pinecrest and look forward to working with you on this project in the coming months. If you have any questions regarding this proposal, please feel free to contact me.

Very truly yours,



Kathryn O'Leary Richards, PLA, ASLA, LEED GA

President

O'Leary Richards Design Associates, Inc.

US-1 MEDIAN BEAUTIFICATION DESIGN
 PRELIMINARY SCHEDULE
 for
 CONCEPTUAL DESIGN
 Project No. 2014-017
 May 8, 2015

Task	Duration	1st Month	2nd Month	3rd Month	4th Month	5th Month	6th Month	7th Month	8th Month	9th Month	10th Month
I. Initial coordination with Village/Kick-off											
II. Survey & Base Map Preparation											
Topographic Survey	12 weeks										
Base Map Preparation	2 weeks										
III. Site Inventory & Analysis											
Initial Utility Coordination	8 weeks										
Assess site conditions/existing tree inventory	3 weeks										
IV. Conceptual Design Phase											
Conceptual Landscape Master Plan, Entry Feature Signage, Irrigation, Landscape and Roadway Lighting Analysis, Initial coordination with FDOT, WASD & FPL	16 weeks										
Preliminary Cost Estimate	2 weeks										
Conceptual Plans to Village for review*	3 weeks										
Incorporate Village Comments/Council Mtg. Prep.*	2 weeks										
Village Council Presentation*	1 week										
Revise plans per Village Council Comments	3 weeks										

* Assumes limited time lost awaiting Village Council presentations and approvals



Yocelyn Galiano Gomez, ICMA-CM
Village Manager
manager@pinecrest-fl.gov

MEMORANDUM

Office of the Village Manager

DATE: June 3, 2015

TO: The Honorable Mayor and Members of the Village Council

FROM: Yocelyn Galiano Gomez, ICMA-CM, Village Manager 

RE: Resolution Authorizing the Village Manager to Enter Into a Professional Services Agreement with O'Leary Richards Design Associates for the US 1 Beautification Design

The Village published a Request for Qualifications (RFQ) for the US 1 Beautification Design project which will develop a beautification plan for US 1. As a result of the RFQ, the following nine proposals were received by the deadline:

- Bermello Ajamil & Partners, Inc.
- Calvin, Giordano & Associates, Inc.
- Curtis & Rogers Design Studio
- Geomantic Designs, Inc.
- Johnson Engineering
- Keith and Schnars, P.A.
- Miller Legg
- O'Leary Richards Design Associates
- Rosenberg Gardner Design

Based upon the selection committee's evaluation of the qualifications and responsiveness, a short list of three firms was produced. After presentations, the short-listed firms were ranked in the following order:

1. O'Leary Richards Design Associates
2. Rosenberg Gardner Design
3. Calvin, Giordano & Associates, Inc.

At the March 17, 2015 meeting, Village Council authorized the Village Manager to negotiate a professional services agreement with O'Leary Richards Design Associates. After a successful negotiation, O'Leary Richards Design Associates has agreed to perform the US 1 Beautification Design for the total amount of \$178,750. This project is budgeted in the FY 2014-15 Transportation Fund.



I hereby respectfully recommend that the Village Council adopt the attached resolution authorizing me to enter into a professional services agreement with O'Leary Richards Design Associates for the US 1 Beautification Design project.

YGG/atg

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RESOLUTION NO. 2015-

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A ONE YEAR RENEWAL WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE MAINTENANCE OF PINECREST PARKWAY (US 1); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council previously approved a Landscape Maintenance Memorandum of Agreement, for the landscape maintenance of Pinecrest Parkway (US 1), between the Florida Department of Transportation and the Village; and

WHEREAS, the current agreement expires and the Village Manager has recommended a one year renewal;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That the Village Manager is hereby authorized to execute the attached *Department Funded Agreement* renewal with the Florida Department of Transportation for Landscape Maintenance of Pinecrest Parkway (US 1).

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of June, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency

Mitchell Bierman
Village Attorney

Consent Agenda

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**TURF AND LANDSCAPE MAINTENANCE
DEPARTMENT FUNDED AGREEMENT
BETWEEN THE
FLORIDA DEPARTMENT OF TRANSPORTATION
AND THE
VILLAGE OF PINECREST**

This Agreement, is made and entered into this ____ day of _____, 20__, by and between the State of Florida Department of Transportation, a component agency of the State of Florida, hereinafter referred to as the ‘DEPARTMENT’, and the Village of Pinecrest, a municipal corporation of the State of Florida, hereinafter referred to as the ‘VILLAGE’.

RECITALS:

WHEREAS, the DEPARTMENT has jurisdiction and maintains the State Road (S.R.) 5/US-1/South Dixie Highway in the VILLAGE; and

WHEREAS, the DEPARTMENT, as part of the continual updating of the State of Florida Highway System and for the purpose of safety, has created median strips on the State Highway System within the corporate limits of the VILLAGE; and

WHEREAS, the DEPARTMENT, at the VILLAGE’s request, has agreed to reimburse the VILLAGE for the maintenance of turf and landscape, hereinafter referred to as the ‘PROJECT’, and

WHEREAS, the VILLAGE recognizes that said median strips areas contain turf and landscape, which shall be maintained in accordance with Exhibit “A”, ‘Maintenance Responsibilities’, which is herein incorporated by reference; and

WHEREAS, the DEPARTMENT has programmed funding for the PROJECT under Financial Project Number **413171-2-78-03**, and has agreed to reimburse the VILLAGE for turf and landscape maintenance elements which are outlined in the attached Exhibit “B”, ‘Project Limits & Financial Summary’, which is herein incorporated by reference; and

WHEREAS, the VILLAGE is currently under maintenance obligations as stipulated in Permit Numbers 2001-L-690-1 & 2012-L-690-5; and

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the parties are authorized to enter into this Agreement pursuant to **Section 339.08(e) and 339.12, Florida Statutes (F.S.);**

NOW, THEREFORE, in consideration of the premises, the mutual covenants and other

valuable considerations contained herein, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. INCORPORATION OF RECITALS

The foregoing recitals are true and correct and are incorporated into the body of this Agreement, as if fully set forth herein.

2. GENERAL REQUIREMENTS

- a. The VILLAGE shall submit this Agreement to its Council for ratification or approval by resolution. A copy of said resolution is attached hereto as Exhibit "C", 'Village of Pinecrest's Resolution', and is herein incorporated by reference.
- b. The VILLAGE shall not commence the PROJECT until a Notice to Proceed has been provided from the DEPARTMENT, which shall become the effective date of this Agreement and shall not precede the date provided on page one (1) of the Agreement.
- c. The VILLAGE shall be responsible for the maintenance of all areas that have turf and landscape within the DEPARTMENT's right-of-way as described in Exhibit "B", 'Maintenance Responsibilities'.
- d. The VILLAGE shall be responsible for performing the required maintenance with a minimum frequency of *eighteen (18) times per year for: Mowing (Small Machine), Weed Control Manual (weed eater mowing), Litter Removal, Edging & Sweeping and Landscape Maintenance.*
- e. All turf and landscape maintenance shall be in accordance with the latest edition of the State of Florida "Guide for Roadside Mowing" and the latest edition of the "Maintenance Rating Program", and Index 546 of the latest FDOT Design Standards.
- f. The VILLAGE shall submit a work schedule to the DEPARTMENT. In addition, before the VILLAGE starts the work, the DEPARTMENT shall be notified, via fax or e-mail, of the state road(s) and the day(s) in which the VILLAGE will be working. The fax or e-mail shall be sent to the attention of the South Miami-Dade Maintenance Engineer, at 305-640-7277 or keith.jimmerson@dot.state.fl.us . The VILLAGE shall not start working until the DEPARTMENT has advised, in writing, that the submitted work schedule has been approved.
- g. The VILLAGE shall not be responsible for the clean-up, removal and disposal of debris from the DEPARTMENT's right of way following a natural disaster (i.e. hurricane, tornados, etc.). However, the cost of any cycle or part thereof impaired by any such event may be deducted from the DEPARTMENT's affected quarterly payment to the VILLAGE.
- h. It is understood between the parties hereto that all the landscaping covered by this Agreement may be removed, relocated or adjusted at any time in the future as found necessary by the DEPARTMENT in order that the adjacent state road be widened,

altered or otherwise changed and maintained to meet with future criteria or planning of the DEPARTMENT.

- i. The VILLAGE shall not plant additional landscaping within the limits of the PROJECT, without prior written approval by the DEPARTMENT, in accordance with Florida Administrative Code Rule 14-40.003. Such approval shall be in the form of a separate written agreement that will require the VILLAGE to properly construct and maintain the additional landscaping without compensation from the DEPARTMENT.
- j. This Agreement shall not obligate the DEPARTMENT to pay the VILLAGE to maintain any additional landscaping, planted after the effective date of this Agreement, within the limits of the PROJECT, and shall not obligate the VILLAGE to maintain any such additional landscaping.

3. FINANCIAL PROVISIONS

- a. Eligible PROJECT costs may not exceed SEVEN THOUSAND EIGHT HUNDRED SEVENTY TWO DOLLARS AND TWELVE CENTS (\$7,872.12), as outlined in Exhibit “B”, ‘Project Limits & Financial Summary’.
- b. The DEPARTMENT agrees to compensate the VILLAGE for services described in ‘Exhibit “A”– Maintenance Responsibilities’. The Method of Compensation is included as ‘Exhibit “B” – Project Limits & Financial Summary’.
- c. The VILLAGE shall furnish the services with which to maintain the PROJECT LIMITS. Said PROJECT consists of services as detailed in Exhibit “A” of this Agreement.
- d. The VILLAGE shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project, identified as Project Number **413171-2-78-03**, and the quantifiable, measurable, and verifiable units of deliverables are described more fully in ‘Exhibit “B” – Project Limits and Financial Summary. (*Section 287.058(1)(d) and (e), F.S.*)
- e. Invoices shall be submitted by the VILLAGE in detail sufficient for a proper pre-audit and post audit based on the quantifiable, measurable and verifiable units of deliverables as established in Exhibit “B” – Maintenance Responsibilities”. Deliverables must be received and accepted in writing by the DEPARTMENT’s Project Manager prior to payments. (**Section 287.058 (1)(a), F.S.**)
- f. Supporting documentation must establish that the deliverables were received and accepted in writing by the VILLAGE and that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in Exhibit “A” – Maintenance Responsibilities” was met.
- g. There shall be no reimbursement for travel expenses under this Agreement.

- h. The VILLAGE providing goods and services to the DEPARTMENT should be aware of the following time frames. Inspection and approval of goods or services shall take no longer than five (5) working days unless the bid specifications, purchase order, or contract specifies otherwise. The DEPARTMENT has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved. **(Section 215.422(1), F.S.)**
- i. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to **Section 55.03(1), F.S.**, will be due and payable, in addition to the invoice amount, to the VILLAGE. Interest penalties of less than one (1) dollar will not be enforced unless the VILLAGE requests payment. Invoices which have to be returned to the VILLAGE because of VILLAGE preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the DEPARTMENT. **(Section 215.422(3)(b), F.S.)**
- j. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for the VILLAGE who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at 850-413-5516 or by calling the Division of Consumer Services at 1-877-693-5236. **(Section 215.422(5) and (7), F.S.)**
- k. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the DEPARTMENT at all times during the period of this Agreement and for five (5) years after final payment is made. Copies of these documents and records shall be furnished to the DEPARTMENT upon request. Records of costs incurred include the VILLAGE's general accounting records and the project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the project, and all other records of the Contractor and subcontractors considered necessary by the DEPARTMENT for a proper audit of costs. **(Section 287.058(4), F.S.)**
- l. In the event this contract is for services in excess of \$25,000.00 and a term for a period of more than 1 year, the provisions of **Section 339.135(6)(a), F.S.**, are hereby incorporated:

“The DEPARTMENT, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The DEPARTMENT shall require a statement from the Comptroller of the DEPARTMENT that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph

shall be incorporated verbatim in all contracts of the DEPARTMENT which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) and which have a term for a period of more than 1 year.”

- m. The DEPARTMENT’s obligation to pay is contingent upon an annual appropriation by the Florida Legislature. **(Section 216.311, F.S.)**
- n. E-verify:

The VILLAGE shall:

- i. Utilize the U.S. Department of Homeland Security’s E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
- ii. Expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security’s E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term. **(Executive Order Number 2011-02)**

The VILLAGE shall insert the above clause into any contract entered into by the VILLAGE with vendors or contractors hired by the VILLAGE for purposes of performing its duties under this Agreement.

4. COMMUNICATIONS

All notices, requests, demands, consents, approvals, and other communication which are required to be served or given hereunder, shall be in writing and shall be sent by certified U.S. mail, return receipt requested, postage prepaid, addressed to the party to receive such notices as follows:

To DEPARTMENT: Florida Department of Transportation
1000 NW 111th Avenue, Room 6205
Miami, Florida 33172-5800
Attention: District Maintenance Engineer

To VILLAGE: Village of Pinecrest
12645 Pinecrest Parkway
Pinecrest, Florida 33156
Attention: VILLAGE Manager

Notices shall be deemed to have been received by the end of five (5) business days from the proper sending thereof unless proof of prior actual receipt is provided.

5. INVOICING

- a. The VILLAGE shall submit quarterly invoices for DEPARTMENT review, approval, and payment in accordance with this Agreement. Quarterly payments will be made upon invoice approval in an amount not to exceed one fourth of the eligible PROJECT costs. Each invoice shall include proof that the areas under this Agreement were maintained using specified frequencies, at minimum. The supporting documents showing proof of work can be properly executed payroll, or time records, or Contractor's invoices, or vouchers evidencing in proper detail the nature and propriety of the charges.
- b. In the event temporary work by the DEPARTMENT's forces or by other Contractors temporarily prevent the VILLAGE from performing the work described in this Agreement, the DEPARTMENT shall deduct from the affected quarterly payment(s) the acreage affected area and only compensate the VILLAGE for the actual work it performs.
 - i. The DEPARTMENT shall initiate this procedure only if the temporary work prevents the VILLAGE from performing its work for a period of one (1) month or longer.
- c. In the event this Agreement is terminated as established in Section 8 herein, payment will be prorated within the quarter in which termination occurs. The prorated payment shall be for approved work meeting the requirements stipulated in this Agreement.

6. FINANCIAL CONSEQUENCES

Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the Chief Financial Officer of the State of Florida under **Chapters 215 and 216, F.S.** Deliverable(s) must be received and accepted in writing by the Contract Manager on the DEPARTMENT's invoice transmittal forms prior to payment. If the DEPARTMENT determines that the performance of the VILLAGE is unsatisfactory, the DEPARTMENT shall notify the VILLAGE of the deficiency to be corrected, which correction shall be made within thirty (30) calendar days by the VILLAGE. The VILLAGE shall, within five (5) days after notice from the DEPARTMENT, provide the DEPARTMENT with a corrective action plan describing how the VILLAGE will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the DEPARTMENT, the DEPARTMENT may, at its option, proceed as follows:

- a. The VILLAGE shall be assessed a non-performance retainage equivalent to 10% of the total invoice amount. The retainage shall be applied to the invoice for the then-current billing period. The retainage shall be withheld until the VILLAGE resolves the deficiency. If the deficiency is subsequently resolved, the VILLAGE may bill the DEPARTMENT for the retained amount during the next billing period. If the VILLAGE is unable to resolve the deficiency, the funds retained may be forfeited at the end of the Agreement period. **(Section 287.058(1)(h), F.S.)**

- b. Maintain the median or roadside area(s) declared deficient with DEPARTMENT and/or a Contractor's material, equipment and personnel. The actual cost for such work will be deducted from the DEPARTMENT's affected quarterly payment to the VILLAGE; or
- c. Terminate this Agreement.

7. EXPIRATION/RENEWAL

This Agreement is for a term of one (1) year beginning on the date provided in the Notice to Proceed; and may be renewed twice, only if mutually agreed to in writing by the DEPARTMENT and the VILLAGE. Any such renewal shall be subject to the same terms and conditions set forth in this Agreement, and shall be contingent upon both satisfactory VILLAGE performance evaluations by the DEPARTMENT and the availability of funds.

This Agreement may be extended if mutually agreed in writing by both parties, for a period not to exceed six (6) months and shall be subject to the same terms and conditions set forth in this Agreement. There shall be only one (1) extension of this Agreement.

8. TERMINATION

This Agreement, or part hereof, is subject to termination under any one of the following conditions:

- a. In the event the DEPARTMENT exercises the option identified by Section 6 of this Agreement.
- b. As mutually agreed by both parties.
- c. In accordance with **Section 287.058(1)(c), F.S.**, the DEPARTMENT shall reserve the right to unilaterally cancel this Agreement if the VILLAGE refuses to allow public access to any or all documents, papers, letters, or other materials made or received by the VILLAGE pertinent to this Agreement which are subject to provisions of **Chapter 119, of the F.S.**

9. ENTIRE AGREEMENT

This Joint Participation Agreement is the entire Agreement between the parties hereto, and it may be modified or amended only by mutual consent of the parties in writing.

10. GOVERNING LAW

This Agreement shall be governed and construed in accordance with the laws of the State of Florida.

11. AMENDMENT

This Agreement may be amended by mutual agreement of the DEPARTMENT and the

VILLAGE expressed in writing, executed and delivered by each party.

12. INVALIDITY

If any part of this Agreement shall be determined to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, if such remainder continues to conform to the terms and requirements of applicable law.

13. INDEMNIFICATION

Subject to Section 768.28, Florida Statutes, as may be amended from time to time, the VILLAGE shall promptly indemnify, defend, save and hold harmless the DEPARTMENT, its officers, agents, representatives and employees from any and all losses, expenses, fines, fees, taxes, assessments, penalties, costs, damages, judgments, claims, demands, liabilities, attorneys fees, (including regulatory and appellate fees), and suits of any nature or kind whatsoever caused by, arising out of, or related to the VILLAGE's exercise or attempted exercise of its responsibilities as set out in this AGREEMENT, including but not limited to, any act, action, neglect or omission by the VILLAGE, its officers, agents, employees or representatives in any way pertaining to this agreement, whether direct or indirect, except that neither the VILLAGE nor any of its officers, agents, employees or representatives will be liable under this provision for damages arising out of injury or damages directly caused or resulting from the sole negligence of the DEPARTMENT.

The VILLAGE's obligation to indemnify, defend and pay for the defense of the DEPARTMENT, or at the DEPARTMENT's option, to participate and associate with the DEPARTMENT in the defense and trial of any claim and any related settlement negotiations, shall be triggered immediately upon the VILLAGE's receipt of the DEPARTMENT'S notice of claim for indemnification. The notice of claim for indemnification shall be deemed received if the DEPARTMENT sends the notice in accordance with the formal notice mailing requirements set forth in Section 5 of this AGREEMENT. The DEPARTMENT'S failure to notify the VILLAGE of a claim shall not release the VILLAGE of the above duty to defend and indemnify the DEPARTMENT.

The VILLAGE shall pay all costs and fees related to this obligation and its enforcement by the DEPARTMENT. The indemnification provisions of this section shall survive termination or expiration of this AGREEMENT, but only with respect to those claims that arose from acts or circumstances which occurred prior to termination or expiration of this AGREEMENT.

The VILLAGE's evaluation of liability or its inability to evaluate liability shall not excuse the VILLAGE's duty to defend and indemnify the DEPARTMENT under the provisions of this section. Only an adjudication or judgment, after the highest appeal is exhausted, specifically finding the Department was solely negligent shall excuse performance of this provision by the VILLAGE.

|

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, on the day and year above written.

VILLAGE OF PINECREST:

**STATE OF FLORIDA, DEPARTMENT
OF TRANSPORTATION:**

BY: _____
VILLAGE MAYOR

BY: _____
DISTRICT SECRETARY

ATTEST: _____
(SEAL) VILLAGE CLERK

ATTEST: _____
(SEAL) EXECUTIVE SECRETARY

LEGAL REVIEW:

VILLAGE ATTORNEY

DISTRICT CHIEF COUNSEL

DRAFT

Exhibit "A"

Maintenance Responsibilities

The VILLAGE shall be responsible for the maintenance of all turf and landscape areas within the DEPARTMENT's right of way on S.R. 5/US-1/South Dixie Highway, in accordance with all applicable DEPARTMENT guidelines, standards, and procedures, which shall include but shall not be limited to the Maintenance Rating Program Handbook, as may be amended from time to time. Additionally, the VILLAGE shall maintain the all turf and landscape areas in accordance with the International Society of Arboriculture standards, the latest FDOT Design Standard, guidelines, and procedures, as may be amended from time to time. The VILLAGE's maintenance obligations shall include but not be limited to:

- a. Mowing, cutting and/or trimming and edging the grass and turf.
- b. Pruning all plant materials, which include trees, shrubs and ground covers, and parts thereof.
- c. Maintaining existing decorative bricks, mulch and other aesthetic features currently found within these corridors.
- d. Fertilizing, insecticide, pesticide, herbicide and watering will be required to maintain the current landscape and turf in a healthy and vigorous growing condition.
- e. Paying for all water use and all costs associated therewith.
- f. Pruning such parts thereof which may present a visual or other safety hazard for those using or intending to use the right-of-way.
- g. Removing and disposing of all undesirable vegetation including but not limited to weeding of plant beds and removal of invasive exotic plant materials.
- h. Removing and properly disposing of dead, diseased or otherwise deteriorated plants in their entirety, and replacing those that fall below the standards set forth in all applicable DEPARTMENT guidelines, standards and procedures as may be amended from time to time.
- i. Removing and disposing of all trimmings, roots, branches, litter, and any other debris resulting from the activities described by (a) to (h).
- j. Maintaining a service log of all maintenance operations that sets forth the date of the maintenance activity, the location that was maintained, and the work that was performed.
- k. Submitting Lane Closure Requests to the DEPARTMENT when maintenance activities will require the closure of a traffic lane in the DEPARTMENT's right-of-way. Lane closure requests shall be submitted through the District Six Lane

Closure Information System, to the DEPARTMENT's area Permit Manager and in accordance with the District Six Lane Closure Policy, as may be amended from time to time.

FDOT Financial Project Number: 413171-2-78-03

County: *Miami-Dade*

FDOT Project Manager: Keith Jimmerson, P.E. 305-640-7277

VILLAGE Project Manager: Ms. Yocelyn Galiano Gomez, Village Manager

Exhibit "B"

Project Limits & Financial Summary

Below are the PROJECT limits and acreage of the areas to be maintained by the VILLAGE under this Agreement.

State Road No.	Street Name	From	To
5	State Road (S.R.) 5/US-1/South Dixie Highway	Snapper Creek Canal	SW 80th Street

Item Description	Quantity	# Cycles	Total Quantities	Unit Price	Total Amount
Mowing Small Machine (E104 4 3)	5.038	18	90.684	\$35.00	\$3,173.94
Weed Control Manual (E104 50)	0.24	18	4.32	\$200.00	\$864.00
Litter Removal (E110 30)	5.7	18	102.6	\$10.00	\$1,026.00
Edging and Sweeping (E110 32 1)	10.561	18	190.098	\$10.00	\$1,900.98
Landscape Maintenance (E 580 3 2)	0.042	18	0.756	\$1,200.00	\$907.20
					\$7,872.12

TOTAL ANNUAL AMOUNT ELIGIBLE FOR REIMBURSEMENT: \$7,872.12

Exhibit "C"
Village of Pinecrest's Resolution

To be herein incorporated once approved by the VILLAGE Council.



Yocelyn Galiano Gomez, ICMA-CM
Village Manager
manager@pinecrest-fl.gov

MEMORANDUM
Office of the Village Manager

DATE: June 1, 2015

TO: The Honorable Mayor and Members of the Village Council

FROM: Yocelyn Galiano Gomez, ICMA-CM, Village Manager 

RE: Resolution Authorizing the Village Manager to Execute an Agreement with the Florida Department of Transportation (FDOT) for the Landscape Maintenance of Pinecrest Parkway (US 1)

Every year, the Village enters into an agreement for Turf and Landscape Maintenance with the Florida Department of Transportation (FDOT) for the maintenance of all landscape and turf areas along the median on Pinecrest Parkway (US 1). FDOT has requested a new contract for one year which reimburses the Village \$7,812.12 and covers the cost for the Village's landscape contractor to provide the service.

I hereby respectfully recommend that the Village Council adopt the attached resolution which authorizes the Village Manager to execute the agreement with FDOT.



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Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

DATE: June 3, 2015
TO: Yocelyn Galiano Gomez, ICMA-CM, LEED-GA, Village Manager
FROM: Stephen R. Olmsted, AICP, LEED-GA, Planning Director
RE: US 1 Corridor Bicycle and Pedestrian Mobility Plan

The Village of Pinecrest entered into an agreement with The Street Plans Collaborative on May 19, 2014 for the preparation and completion of a Bicycle and Pedestrian Mobility Plan for the enhancement of pedestrian and bicycle access adjacent to Pinecrest Parkway (US 1), consistent with the generalized recommendations of the *Pinecrest Parkway (US 1) Vision Plan* previously adopted by the Village Council in 2012.

The Street Plans Collaborative has provided a draft copy of the proposed Bicycle and Pedestrian Mobility Plan for the Village Council's consideration on June 9, 2015. Completion of the draft plan has occurred over the past several months with input and participation by impacted stakeholders, members of the public, members of the Transportation Advisory Committee, administrative staff, and individual members of the Village Council.

Mr. Anthony Garcia, Principal Planner with the Street Plans Collaborative, will provide a presentation of the proposed plan to the Village Council on June 9, 2015. Following review and discussion by the Village Council, Mr. Garcia will make any necessary revisions prior to final consideration and adoption by the Village Council at a subsequent meeting.



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TAB 5

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ORDINANCE NO. 2015-

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 16 "OFFENSES AND MISCELLANEOUS PROVISIONS" BY CREATING ARTICLE VIII "EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES" AND PROVIDING FOR LEGISLATIVE INTENT, DEFINITIONS, PROHIBITIONS OF SALE OR USE BY VILLAGE CONTRACTORS AND SPECIAL EVENT PERMITTEES, AND EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Pinecrest (the "Village") declares that it is in the interest of the public health, safety, and welfare of its residents and visitors to reduce litter and pollutants within the Village; and

WHEREAS, expanded polystyrene, a petroleum by-product commonly known as Styrofoam, is neither readily recyclable nor biodegradable and takes hundreds to thousands of years to degrade in the environment; and

WHEREAS, expanded polystyrene is a common pollutant, which fragments into smaller, non-biodegradable pieces that are ingested by marine life and other wildlife, thus harming and killing them; and

WHEREAS, due to the physical properties of expanded polystyrene, the EPA states "that such materials can also have serious impacts on human health, wildlife, the aquatic environment and the economy;" and

WHEREAS, disposable food service articles constitute a portion of the litter in the Village's streets, parks, public places, and waterways; and

WHEREAS, the Village's goal is to replace expanded polystyrene food service articles with reusable, recyclable or compostable alternatives; and

WHEREAS, this Ordinance will preserve and enhance the environment of the Village; and

WHEREAS, the Village Council finds that this Ordinance is necessary for the preservation of the public health, safety and welfare of the Village's residents.

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

Section 1. Recitals Adopted. That the above stated recitals are hereby adopted and confirmed.

Section 2. Village Code Amended. The Village Council of the Village of Pinecrest hereby amends Chapter 16 of the Code of Ordinances as follows:

ARTICLE VIII. – EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES

Sec. 16-70. – Legislative intent.

Expanded polystyrene, a petroleum byproduct commonly known as "Styrofoam," is neither readily recyclable nor biodegradable and takes hundreds to thousands of years to degrade. Expanded polystyrene is a common pollutant, which fragments into smaller, non-biodegradable pieces that are harmful to marine life, other wildlife, and the environment. The Village's goals are to reduce the use of expanded polystyrene and encourage the use of reusable, recyclable, or compostable alternatives.

Sec. 16-71. - Definitions.

For purposes of this section only, the following definitions shall apply:

- (1) Village contractor means a contractor, vendor, lessee, concessionaire of the Village, or operator of a Village facility or property.
- (2) Expanded polystyrene means blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead foam), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene).
- (3) Expanded polystyrene food service articles means plates, bowls, cups, containers, lids, trays, coolers, ice chests, and all similar articles that consist of expanded polystyrene.
- (4) Village facility means any building, structure, or park, owned, operated, or managed by the Village.
- (5) Village property means any land, water, or air rights owned, operated, or managed by the city.
- (6) Special event permittee means any person or entity issued a special event permit by the Village for special event on Village property or in a Village facility.

Sec. 16-72. - Prohibitions regarding sale or use by Village contractors and special event permittees.

Village contractors and special event permittees shall not sell, use, provide food in, or offer the use of expanded polystyrene food service articles in Village facilities or on Village property. A violation of this section shall be deemed a default under the terms of the Village contract, lease, or concession agreement and is grounds for revocation of a special event permit. This subsection shall not apply to expanded polystyrene food service articles used for prepackaged food that have been filled and sealed prior to receipt by the Village contractor or special event permittee.

Sec. 16-73. - Exclusions.

Any Village contract, lease, or concession agreement entered into prior to the effective date of this section or any special event permit issued prior to the effective date

of this section shall not be subject to the requirements of this section, unless the Village contractor or special event permittee voluntarily agrees thereto.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Conflict. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. Codification. It is the intention of the Village Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Village of Pinecrest; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this __th day of _____, 2015.

PASSED AND ADOPTED on second reading this __th day _____, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

TAB 6

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ORDINANCE NO. 2015-

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING CHAPTER 15, "NUISANCES," BY CREATING ARTICLE III "TARGETED PICKETING," SECTION 15-30, "RESIDENTIAL PICKETING" RELATING TO CERTAIN PROHIBITIONS AND LIMITATIONS ON TARGETED PICKETING AT A RESIDENCE OR DWELLING WITHIN THE VILLAGE; PROVIDING FOR CRIMINAL PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council finds that a reported series of picketing activities targeted at the home of Village residents has resulted in the residents fearing for their safety as well as the safety of their family members; and

WHEREAS, the United States Supreme Court has found that these types of circumstances require a balancing of the conflicting interests between first amendment freedom of expression rights and the rights of an individual citizen to feel safe and secure in their home; and

WHEREAS, the restrictions presented in this ordinance are intended to be content and viewpoint neutral and, neutral with respect to time, place and manner restrictions; and

WHEREAS, the United States Supreme Court has stated in similar circumstances that "preserving the sanctity of the home, the one retreat to which men and women can repair to escape from the tribulations of their daily pursuits, is surely an important value." *Carey v. Brown*, 447 U.S. 455, 471 (1980); and

WHEREAS, in *Frisby v. Shultz*, 487 U.S. 474 (1998), the United States Supreme Court recognized that a special benefit that citizens enjoy is the benefit of “privacy... within their own walls, which the State may legislate to protect.” Moreover, there is an important societal interest “to avoid intrusions” into the domestic tranquility of persons residing in their homes and, as the Court stated in *Frisby*, “we have repeatedly held that individuals are not required to welcome unwanted speech into their own homes and that the government may protect this freedom.” *Id.* at 485; and

WHEREAS, in *Carey v. Brown*, the United States Supreme Court stated “the State’s interest in protecting the well-being, tranquility, and privacy of the home is certainly of the highest order in a free and civilized society.” *Id.* At 471; and

WHEREAS, in *Frisby v. Schultz*, the United States Supreme Court stated: “our prior decisions have often remarked on the unique nature of the home, the last citadel of the tired, the weary and the sick.” *Id.*, at 484, citing *Gregory v. Chicago*, 394 U.S. 111, 125 (1969); and

WHEREAS, the Village Council hereby enacts this ordinance for the primary purpose of protecting and providing a feeling of well-being, tranquility, privacy and safety for its residents, while narrowly tailoring the prohibitions contained in this ordinance so as to continue protecting the constitutional right of free expression for all individuals; and

WHEREAS, this ordinance does not prohibit any particular speech content and is directed to the protection of occupants in their residential dwellings within the Village; and

WHEREAS, the Village Council finds that this ordinance is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PINECREST AS FOLLOWS:¹

Section 1. Findings. The foregoing “whereas” clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Amendment to Chapter 15. The Village Council of the Village of Pinecrest hereby amends Chapter 15 of the Code of Ordinances as follows:

Article III. Targeted Picketing.

Sec. 15-30. Residential Picketing.

(a) **Intent.**

1. The protection and preservation of the home is the keystone of democratic government and the public health, welfare and good order of the community require that members of the community enjoy in their homes and dwellings a feeling of wellbeing, tranquility and privacy and, when absent from their homes and dwellings, carry with them the sense of security inherent in the assurance that they may return to the enjoyment of their homes and dwellings.
2. The practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes

¹ Words in ~~strike through~~ type are deletions; words in underlined type are additions.

with free use of public sidewalks and public ways of travel and such practice has as its object the harassing of such occupants.

3. Without resort to such practice, full opportunity exists, and under the terms and provisions of this article will continue to exist, for the exercise of freedom of speech and other constitutional rights.
4. The provisions enacted by this article are necessary for the public interest to avoid such detrimental results set forth above and are enacted by the Village Council pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter 166, Florida Statutes.

(b) **Picketing Residence or Dwelling Prohibited.** No person shall engage in picketing before or about the residence or dwelling of any individual in the Village.

(c) **Notice Requirement.** No person that is part of a group of 3 or more persons shall engage in picketing a residence or dwelling of any individual in the Village without first providing at least twenty-four hours (24) notice, which is to include the location and approximate time of the picketing activities, to the Village Chief of Police prior to engaging in any such activities. The Village Police Department shall post on its website the email and telephone number by which the operational unit may be notified 24 hours a day, and the address to which notification may be hand-delivered, as an alternative, during business hours. Any person who violates this subsection shall be issued a written notice of warning for the first violation. Any subsequent violation of this subsection shall subject the alleged violator to criminal penalties as set forth in subsection (d) below.

(d) **Criminal Penalties.** Any person who violates this Ordinance shall be subject to a fine not to exceed \$500 or a term of imprisonment in the county jail not to exceed 60 days or by both such fine and imprisonment. Any authorized law enforcement officer of the Village who witnesses a violation of this Ordinance may immediately arrest the violator, except if the violation is pursuant to subsection (c), wherein, prior to arrest, the law enforcement officer shall confirm that the person has previously been issued a notice of warning. This section shall in no way limit the discretion of the Village to enforce civil penalties pursuant to any other section of the Village Code.

Section 3. 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 4. Conflict. All Sections or parts of Sections of the Code or Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. Inclusion in the Code. It is the intent of the Village Council, and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Village of Pinecrest; that the section of this Ordinance may be re-numbered or lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this ____ day of _____, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR
THE SOLE USE OF THE VILLAGE OF PINECREST:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Village Attorney

Motion by:
Second by:

Vote:



Yocelyn Galiano Gomez, ICMA-CM
Village Manager
manager@pinecrest-fl.gov

MEMORANDUM
Office of the Village Manager

DATE: June 3, 2015
TO: The Honorable Mayor and Members of the Village Council
FROM: Yocelyn Galiano Gomez, ICMA-CM, Village Manager
RE: Ordinance Creating Article Regarding Targeted Picketing

In April 2014, the Village was contacted by a resident who was expecting targeted protests outside his residence by an animal rights group known as Smash HLS. Aside from wanting to alert authorities of the planned protest, the resident requested that the Village consider adopting new code to address this type of activity to ensure not only his family's safety, but also the overall quality of life for neighbors who might be impacted by future protests.

As a side note, during a protest in October of 2013, members of the same group had been arrested after attacking a van at his place of business (importing animals for research) in the Redland. Based on information he had received through social media postings, the resident advised that he believed the SMASH HLS group was planning a protest on Sunday, April 27, 2014 at his residence in Pinecrest and expressed concerns about the safety of his family. With the advanced notice, the Pinecrest Police Department was able to work with the resident and notify neighbors likely to be affected. The protest occurred without incident.

Attached for your consideration is an ordinance that prohibits picketing before or about the residence or dwelling of any individual in the Village, without impeding on any advocacy group's ability to exercise freedom of speech rights or other Constitutional rights.



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TAB 7

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33 WHEREAS, the Village Council of the Village of Pinecrest, Florida adopted the
34 *Pinecrest Parkway (US 1) Vision Plan* on October 9, 2012 for the future development,
35 redevelopment, beautification, and enhancement of Pinecrest Parkway; and

36 WHEREAS, the Village Council has identified amendments to the Village's Code
37 of Ordinances and Land Development Regulations necessary for implementation of the
38 goals, objectives, and policies of the Village's Comprehensive Development Master Plan,
39 and Pinecrest Parkway (US 1) Vision Plan; and

40 WHEREAS, the Village Charter empowers the Village Council to adopt, amend or
41 repeal its ordinances and resolutions as may be required for the benefit of the residents of
42 the Village of Pinecrest; and

43 WHEREAS, the Local Planning Agency, held a duly advertised public hearing on
44 June 9, 2015; and

45 WHEREAS, after reviewing the Local Planning Agency's recommendations, the
46 recommendations of Village staff, and comments from the public, the Village Council finds
47 that the proposed amendments to its Code of Ordinances and Land Development
48 Regulations are in compliance and consistent with Florida law, its adopted
49 Comprehensive Development Master Plan, and the Pinecrest Parkway (US 1) Vision Plan;
50 and

51 WHEREAS, the Village Council further finds it to be in the best interest of the public
52 health, safety and welfare of the citizens to adopt the ordinance amending the Village's
53 Code of Ordinances and Land Development Regulations;

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

56
57

SECTION 1. Recitals.

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

Note:
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61 **SECTION 2. Amendment and Adoption.**

62 That the Village of Pinecrest Code of Ordinances, Chapter 30, Land Development
63 Regulations, Article 3, Development Approval Procedures, Article 4, Zoning District
64 Regulations, and Article 5, Additional Regulations are hereby amended as follows:

65 **Chapter 30. Land Development Regulations**

66 **Article 3. Development Approval Procedures**

67 **Div. 3.1. – Generally**

68 (a) Building permit required. A building or other structure may not be erected,
69 demolished, moved, added to, or structurally altered, nor shall any site be cleared or
70 graded, until the administrative official has issued a permit for such work. A building
71 permit shall be granted only after the applicant has submitted all applications,
72 including appropriate supportive information, plans, and fees required by the village,
73 and after the applicant has received any development approvals required by this
74 land development code from the zoning board or village council. Such approvals
75 may include, but are not limited to, the following:

- 76 1. Conditional use permit (see division 3.3).
- 77 2. Site plan approval (see division 3.4).
- 78 3. Variance (see division 3.5).
- 79 4. Official zoning district map amendment (see division 3.6).
- 80 5. Text amendment to the land development code (see division 3.6).
- 81 6. Comprehensive development master plan amendment (see division 3.7).
- 82 7. Plat approval (see article 8).

83 These land development regulations shall be supplemental to the state building code and
84 no approval shall be granted pursuant to this land development code that is inconsistent
85 with the building code.

86 (b) Pre-application conference. A mandatory pre-application conference with the
87 administrative official is required prior to submitting a site plan application or
88 application for conditional use approval. The purpose of the pre-application

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89 conference is to provide potential applicants an opportunity to discuss conceptual
90 development and determine applicable public policy and regulatory procedures. A
91 potential applicant may request a pre-application conference to discuss any other
92 development approval and the application requirements and procedures related
93 thereto.

94 (c) Application and fee for building permit and development approval. All applications
95 for building permits or any other type of development approval shall be filed with the
96 administrative official, in a form specified by the administrative official and in the
97 number of copies as shall be required by the administrative official. The application
98 shall be accompanied by a fee as is established from time to time by the village
99 council to defray the cost of processing the application.

100 1. All applications shall include the following documents:

101 a. One copy of the application signed by the applicant and by the property
102 owner, plus two copies of all necessary supportive construction drawings and
103 documents:

104 b. Location map including geographic coordinates at a scale not less than 1" =
105 1000';

106 c. Identification of key persons, including, if applicable, owner; owner's
107 authorized agent, if any; architect and engineer; landscape architect; other
108 representatives or professionals involved in the application, if any;

109 d. A verified statement disclosing the name of each person having a legal or
110 equitable ownership interest in the subject property. Where the owner is a
111 private corporation or partnership, the name of each person holding an
112 interest in such entity shall be disclosed; where the owner is a publicly held
113 corporation, the stock of which is traded on a nationally recognized stock
114 exchange, the names and addresses of the corporation and principal
115 executive officers shall be disclosed, together with the names any stockholder
116 owning a majority of the stock;

117 e. A current certified survey, which accurately depicts site conditions in a
118 manner acceptable to the administrative official, at a scale not less than one
119 inch equals 30 feet, certified by a state registered land surveyor. Where a
120 survey is more than five years old, the owner shall verify by affidavit that the
121 survey is accurate;

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- 122 f. Sealed elevation plans showing all four elevations (i.e., north, south, east
123 and west), including heights, distances, and dimensions of both existing and
124 proposed new building conditions;
- 125 g. Sealed floor plans of all existing buildings (cross hatched) with proposed
126 additions. Revisions shall be clouded;
- 127 h. A scaled site plan as required by Division 3.4;
- 128 i. Copies of all applicable past variances, written orders and resolutions
129 applicable to the site;
- 130 j. Copies of permits required by other agencies;
- 131 k. Legal description;
- 132 l. Such other information as required by the administrative official as may be
133 necessary to determine conformance with and provide for the enforcement of
134 the land development code;
- 135 m. In order to assure that proposed developments are developed in compliance
136 with the provisions contained in the land development code, the
137 administrative official shall require proof of land ownership by warranty
138 deed or other instrument approved by the village. The administrative official
139 may require a property owner to file supporting legal instruments as outlined
140 below.
- 141 • Unity of title. A unity of title, or other similar agreement or covenant, may
142 be required to be submitted on a form approved for legal sufficiency by
143 the village attorney, **except that such unity of title or other**
144 **similar agreement or covenant shall not be permitted to join**
145 **parcels of land separated by a road right-of-way or water**
146 **body. Non-contiguous properties separated by right-of**
147 **way or water bodies shall be considered separate parcels**
148 **of land for site development purposes and shall meet all**
149 **requirements of the Land Development Regulations**
150 **irrespective of the adjoining features.**
 - 151 • Maintenance of common areas and facilities. A homeowners'
152 association, or similar association, shall be created for the entire
153 development (total property) as a master association, which shall provide
154 for the maintenance of all common areas, roadways, cross-easements
155 and other amenities common to the entire parcel of land. This does not
156 preclude individual associations for each phase in regard to

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157 maintenance of buildings and other common areas so long as said
158 associations, or the members thereof, are made members of the master
159 association; or, the property owner shall execute and record among the
160 public records a covenant running with the land for the entire property
161 providing for the maintenance of all common areas, roadways, cross-
162 easements and other amenities common to the entire parcel of land.

163 • Reciprocal rights or cross-easements. Recordable documents may be
164 required to establish reciprocal rights or covenants in cross easements for
165 purposes of facilitating effective provision and maintenance of
166 infrastructure, including water and sewer lines, common parking areas,
167 streets, driveways, entrances, exits, and similar improvements provided
168 for the common benefit pursuant to this land development code.

169 • Breach of agreements. The recording of separate mortgages on each
170 phase subsequent to the recording of a unity of title or other similar
171 agreement or covenant shall not be deemed as a breach of the
172 agreement, nor shall sales of individual units in the development.

173 2. The administrative official may make a written determination to waive required
174 documents if in his determination they are not necessary to protect the public
175 interest or adjacent properties; or bear no relationship to the proposed project or
176 its impacts on the environment, public facilities or adjacent land uses; or are
177 impractical based on the characteristics of the proposed use.

178 3. Each application shall also contain documents as may be required by the specific
179 additional development approval process that applies to the application,
180 pursuant to the relevant sections of this land development code.

181 (d) Review for completeness. Upon receipt of an application, the administrative official
182 shall have ten working days to determine that the application is complete and,
183 thereafter, accept or reject the application. The administrative official shall notify the
184 applicant in writing of the acceptance or rejection, including written findings of non-
185 completeness if rejected. The administrative official shall not be required to take
186 further action on the application until the deficiencies are remedied. Once the
187 application is determined complete, it shall be reviewed in accordance with the
188 applicable provisions of this land development code. However, any modification to
189 the application thereafter shall require an additional completeness determination
190 pursuant to this paragraph, and may delay the processing of the application, or
191 review and action on the requested approval.

192 (e) Administrative official review and recommendation.

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- 193 1. Each application shall be reviewed by the administrative official and such other
194 staff as may be designated by the administrative official based upon the type of
195 development proposed. The administrative official may retain consultants to assist
196 in the review of an application if the nature and content of the application
197 requires professional expertise in one or more professions not available on the
198 village staff. The direct costs and charges levied by the consultants shall be borne
199 and paid by the applicant. The administrative official shall review each
200 application for compliance with all applicable land development regulations.
- 201 2. Application conferences. One or more conferences between the representatives
202 of the applicant and the administrative official and designated staff may be
203 required in order to expedite the review of the proposed development,
204 coordinate local review with respect to all applicable village ordinances, and to
205 inform the village staff of the proposed plan in preparation. Prior to the submittal
206 of a complete application and plans containing all information as required by the
207 land development regulations, an applicant may submit partial plans for
208 conceptual review by the administrative official at subsequent application
209 conferences. The conferences shall be informal and focus primarily on the
210 following:
- 211 a. To inform the village staff of any related development approvals in order to
212 facilitate village planning including, but not limited to, the efficient
213 management of issues related to public facilities and service impacts and any
214 area-wide land use impacts.
- 215 b. To inform the applicant of the village's planning policies and potential issues
216 surrounding the scale and character of the proposed development, including
217 related land use and infrastructure concerns, as well as impacts on schools
218 and other public services. Village staff will alert the applicant to applicable
219 ordinances and regulations as well as specific issues regarding the site and
220 proposed plan for its development.
- 221 c. To clarify and inform both the applicant and the village concerning the
222 development approval procedure.
- 223 3. In cases where the administrative official must provide review and
224 recommendation to the village zoning board or the village council, the official
225 shall be provide a written staff report, together with recommendations for denial,
226 approval or approval with conditions, including such conditions that the
227 administrative official deems advisable. The administrative official shall schedule
228 any public hearing that may be required and shall advise the applicant as to any

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229 public notice requirements for the approval. However, it shall be the applicant's
230 obligation to provide the public notices pursuant to this land development code.

231

232 (f) Withdrawal or denial with prejudice.

233 1. Without prejudice. The applicant shall be entitled to a continuance or withdrawal
234 of an application for development approval if the request is made not later than
235 five working days before final action of the application by the decision-making
236 body or person. Requests for a continuance or withdrawal received later than five
237 working days before the date the decision is to be made, or the public hearing is
238 to take place, shall be granted by the decision-making body or person only with
239 or without prejudice.

240 2. With prejudice. Whenever any application for a development approval is
241 withdrawn or denied with prejudice, an application for development approval for
242 all or part of the same land shall not be considered for a period of one year after
243 the date of denial, unless the subsequent application involves a development
244 proposal that is materially different from the prior proposal, or unless the person
245 or a majority of the members of the decision-making body that made the final
246 decision on the application determines that the prior denial was based on a
247 material mistake of fact. For the purpose of this subsection, an application for
248 development approval shall be considered materially different if it involves a
249 change in use, or a change in intensity of density of use of 25 percent or more.
250 The body or person charged with the development application approval under
251 such successive application shall resolve any questions concerning the similarity
252 of a second application.

253 (g) Issuance of building permit. A building permit shall be issued only after the
254 administrative official determines that the structure, building site and the proposed use
255 thereof comply with the requirements of this land development code and all
256 development approvals granted pursuant to this land development code. The burden
257 of such demonstration shall rest with the applicant. The building permit shall also
258 comply with the state building code and the applicable laws. The issuance of a
259 permit shall not be deemed to permit any violation of this land development code or
260 any other Code of Ordinances and applicable laws.

261 (h) Posting of bond for public improvements. The village shall require the posting of a
262 bond, letter of credit or cash bond covering 125 percent of the cost for required
263 improvements to protect the public interest, including, but not limited to: drainage

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264 systems, potable water systems, wastewater disposal, roadway improvements,
265 sidewalks, or other requisite public improvements.

266 (i) Record of action. One copy of the development approval or denial and its
267 component parts, including all application materials, shall be returned to the
268 applicant after the administrative official has marked such copy approved or
269 disapproved and attested to same, by the administrative official's signature on the
270 copy. The applicant's copy shall become part of the construction plans and be kept
271 on the premises of construction and available for review by the village. This copy of
272 the plan shall be considered as the village's property and upon request shall be
273 returned to the village. The other copies, similarly signed, shall remain with the
274 village and become a public record.

275 (j) Required display of building permit. A building permit or copy thereof shall be kept
276 on the premises affected, in a conspicuous location visible from the public right-of-
277 way and protected from the weather, whenever construction work is being performed
278 thereon. An owner, contractor, worker or other person shall not perform any building
279 operations of any kind unless a building permit covering such operation is displayed
280 as required by this land development code, nor shall they perform construction
281 operations of any kind after notification of the revocation of the building permit.

282 (k) Inspections. Where construction is proceeding or at any time during the course of the
283 valid period of a building permit, the village staff shall be authorized to inspect the
284 premises to determine conformity with the approved plans as well as compliance with
285 the building code and land development code.

286 (l) Development approval expirations. If, within 12 months of the date of development
287 approval under this chapter a building permit has not been issued, the approval
288 becomes null and void; provided, however, that the original approving body and
289 applicant may jointly agree to extend such period of approval. Once begun,
290 construction of a project shall continue to completion without interruption. Interruption
291 shall be evidenced by six months or more of inactivity on the development site or the
292 phase under construction. Where a building permit expires, prior to considering an
293 application for a new building permit, the village may require the filing of a new
294 application that shall include necessary revisions to achieve compliance with the most
295 current land development code and other applicable laws and ordinances that may
296 have been enacted after the original approval.

297 (m) Certificate of occupancy or certificate of use. Land shall not be occupied or used and
298 a building shall not hereafter be erected, altered, extended, used, moved, or
299 changed in use until the administrative official shall have issued a certificate of
300 occupancy or a certificate of use. The certificate shall state that the building, structure

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301 or proposed use thereof complies with the provisions of the land development code
302 and adopted building codes. Where a certificate of occupancy is not applicable, a
303 certificate of use shall be issued in the same manner as a certificate of occupancy.

304 (n) Permits may be revoked. Where a permit has been issued that is subsequently found
305 to violate any local or state codes, such permit may be revoked upon notice to the
306 applicant, unless the applicant submits a revision to correct the violation and the
307 village accepts the revision.

308 (o) Easements not to be adversely affected by permits. Where real property is
309 encumbered by one or more easements for drainage purposes, canal maintenance,
310 water, sewage, gas, telephone, power lines, fire lanes, or similar purposes and the
311 easement is of record, by deed, survey, plat, land use map, or otherwise, and is of
312 notice to the village, no permit shall be issued unless the applicant therefore secures
313 from the easement owner a written statement that the proposed use, building or
314 structure, if installed in the proposed manner, will not interfere with the owner's
315 reasonable use of the easement.

316 (p) Placement and removal of construction materials/site grading. Construction materials
317 and equipment shall not be deposited on any premises, lot or proposed building site
318 prior to the obtaining of a building permit as required herein. Only materials
319 applicable to the permitted work on the site shall be placed on that site. A site shall
320 not be graded nor shall trees be removed until a permit is issued. Surplus materials,
321 construction debris, and construction equipment shall be removed from the premises if
322 the job is abandoned or delayed, and before a certificate of occupancy shall be
323 approved.

324

325 **ARTICLE 4. - ZONING DISTRICT REGULATIONS**

326 **Div. 4.3. - Commercial districts.**

327 (a) General purpose of commercial districts. The overall purpose of the commercial
328 districts is to help implement comprehensive development master plan commercial
329 development objectives and policies. The location and distribution of specific types of
330 commercial activities shall be determined based on the following considerations:

331 1. Existing and desired future trends in commercial land development within the
332 village and its environs;

333 2. Require that commercial development be consistent with the comprehensive
334 development master plan and the land development code;

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- 335 3. Maintain the existing compact linear commercial core that serves the village;
- 336 4. Protect environmentally sensitive natural systems, especially water resources,
337 including storm water management policies designed to preserve water quality in
338 the man-made canals east of the commercial area;
- 339 5. Provide and maintain transportation and infrastructure system improvements and
340 manage impacts of future development;
- 341 6. Establish a basis for regulating the location, intensity, scale, and design of
342 commercial development;
- 343 7. Ensure that future commercial development shall not encroach eastward into
344 established residential areas;
- 345 8. Consider trip generation characteristics, including impact on transportation
346 facilities and off-street parking systems;
- 347 9. Consider location and site requirements based on specific needs of respective
348 commercial activities, their market area, anticipated employment generation and
349 floor area requirements;
- 350 10. Provide compatibility with and impact on the quiet enjoyment of nearby
351 residential areas and of other surrounding commercial activities; and
- 352 11. Provide open space, landscaping and natural vegetative buffers and screening
353 between residential and nonresidential developments as well as developments of
354 varying intensity such as single-family and multiple-family residential uses.
355 Manmade walls should only be used in cases where necessary to abate noise
356 impacts.
- 357 (b) Generally. The BU districts shall not accommodate permanent or transient residential
358 units, including hotels or motels. The commercial land use districts herein established
359 are as follows:

360 TABLE 4.13
361 COMMERCIAL DISTRICTS

Office District:	RU-5
Restricted Business District:	BU-1
General Business District:	BU-1A

Note:

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Underlined words are additions to the existing words in the Land Development Regulations.

Special Business District:	BU-2
Intensive Business District:	BU-3

362 (c) Office development (RU-5) districts.

363 1. Intent. The RU-5 district is principally intended to accommodate office
364 development and provide a buffer between more intense commercial (BU)
365 districts on the east side of US 1 and west of the established residential EU and
366 RU land use districts.

367 2. Uses permitted. The following uses shall be allowed within an RU-5 district
368 following village council approval of a site plan pursuant to the procedures
369 established in the Code:

370 a. Business and professional offices;

371 b. Financial institutions without drive-in teller facilities;

372 c. Government facilities following a public hearing conducted by the village
373 council;

374 d. Medical services;

375 e. Mixed office and residential use. If sufficient lot area is available, an office
376 building may contain an apartment(s) or other multi-family dwelling units.
377 Similarly, if sufficient lot area is available, an office unit may have an
378 accompanying residential use in connection therewith.

379 f. Multiple family residential;

380 g. Municipal parking lots and facilities following a public hearing conducted by
381 the village council;

382 h. Townhouses; and

383 i. Foster care and group homes.

384 3. Conditional uses. Within the RU-5 district the following uses may be approved by
385 the village council but only as a conditional use.

386 a. Drive-thru banking facilities;

387 b. Child and family day care services for less than seven persons;

388 c. Community residential home with seven to 14 residents; and

Note:

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- 389 d. Public utilities.
- 390 4. Accessory uses. Within the RU-5 district the following uses may be approved by
- 391 the administrative official, but only as an accessory use, pursuant to procedures
- 392 set forth in this Code for the principal use of the property:
- 393 a. Recreational accessory uses;
- 394 b. Other accessory uses.
- 395 5. Prohibited uses. All uses not specifically or provisionally provided for herein.
- 396 Multiple-family residential structures: The following properties shall not be
- 397 developed for freestanding residential use, as each specific parcel was
- 398 previously zoned RU-5A by the county prior to the enactment of this land
- 399 development code. The previously applicable RU-5A County zoning policy did
- 400 not allow residential use within the RU-5A district unless the residential use is in
- 401 connection with an office use (i.e., mixed use as opposed to a free-standing
- 402 residential structure). The intent of the village is to not change land use policies
- 403 previously applicable to RU-5A properties under the county code.
- 404 a. Two RU-5 parcels abutting the eastside of SW 69th Court, 200 feet ± south
- 405 of SW 88th Street (Kendall Drive);
- 406 b. One parcel abutting the north side of SW 104th Street, 313 feet ± east of
- 407 US 1;
- 408 c. One parcel abutting the south side of SW 104th Street, 129 feet ± east of
- 409 US 1; and
- 410 d. One parcel abutting the southwest corner of SW 104th Street and SW 77th
- 411 Avenue.
- 412 6. Dimensional regulations.
- 413 a. Minimum lot or building site. The minimum lot or building site shall be
- 414 10,000 net square feet in area.
- 415 b. Maximum density. The maximum density shall be 50 dwelling units.
- 416 c. Maximum height:
- 417 i. Principal use: Two stories not exceeding 35 feet.
- 418 ii. Accessory use: 14 feet.
- 419 d. Maximum lot coverage:
- 420 i. Maximum building coverage (inclusive of all structures): 40 percent.

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- 421 ii. Maximum impervious surface: Ratio 75 percent.
- 422 iii. Minimum green space: 25 percent.
- 423 e. Minimum lot width and street frontage: 100 feet.
- 424 f. Minimum lot depth: 100 feet.
- 425 g. Minimum setbacks and maximum floor area ratio: All development must
- 426 comply with setbacks for wetlands stated in the Code. Also, the following
- 427 setbacks and floor area ratios shall apply within the RU-5 district:

428 TABLE 4.14

Structure	Required Setbacks and F.A.R. in RU-5 District					
	Setbacks				Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side Street	One-Story Building	Two-Story Building
Principal	25	25	20 ⁽²⁾	15	0.40	0.51
Accessory	⁽³⁾	10	20	20	N/A	N/A

429 Notes:

430 ⁽¹⁾ Twenty feet, except where doors, windows or other openings in the
 431 building wall of a living unit face a wall of the same building and/or a wall of
 432 another building on the same site, then a minimum clear distance shall be
 433 provided of not less than 30 feet. Said distance to be measured on a line
 434 projected at right angles at the opening to the opposite wall.

435 ⁽²⁾ See lot, corner (division 9.2).

436 ⁽³⁾ See accessory use regulations.

437 7. Green space and landscaping.

- 438 a. Green space. On each lot there shall be provided a green space equal to at
- 439 least 25 percent of the total lot area. The required green space shall be

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440 unencumbered with any structure or off-street parking and shall be
441 landscaped and well maintained with grass, trees and shrubbery, except that
442 ten percent of any driveway or parking area constructed of open cell unit
443 pavers (turf block) and two percent of any driveway or parking area
444 constructed of brick pavers with a sand and/or gravel sub base or
445 underlayment may be counted as green space.

446 b. Landscaping and tree protection. Landscaping and trees shall be provided
447 pursuant to article 6 of the land development code.

448 (d) Restricted business development (BU-1) district.

449 1. Intent. Businesses within the BU-1 district are located within the US 1 linear
450 corridor and are intended to service neighborhood residential markets within the
451 immediate vicinity, as opposed to village-wide or regional markets. Such
452 businesses are also intended to cater to specialized markets with customized
453 market demands. The BU-1 district is not intended to accommodate large-scale
454 retail sales and trade activities generally serving a citywide or regional market.
455 Such stores generally require a larger floor area, carry a relatively larger
456 inventory, and require a substantially greater off-street parking area. For
457 instance, the BU-1 district is not intended to accommodate the following: large
458 scale discount stores or supermarkets; department stores; mini-storage, outside
459 storage, wholesale or warehousing activities; sales, service or repair of motor
460 vehicles, machine equipment or accessory parts, including tire and battery shops;
461 automotive services centers; and drive through facilities.

462 2. Uses permitted. The following uses shall be allowed within an BU-1 district
463 following village council approval of a site plan:

464 a. Bakeries, retail only;

465 b. Business and professional offices;

466 c. Dry cleaning (with cleaning off-premises);

467 d. Financial institutions without drive-through facilities;

468 e. Government facilities following a public hearing conducted by the village
469 council;

470 f. General retail sales and services **provided any retail sales and**
471 **service establishment on a lot or parcel that is one acre (43,560**
472 **square feet) or larger shall contain a mixture of two or more**
473 **permitted commercial uses;**

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- 474 g. Medical services;
- 475 h. ~~Municipal parking lots and facilities following a public hearing conducted by~~
476 ~~the village council;~~
- 477 i. Personal services;
- 478 j. Plant and garden sales and services;
- 479 k. Restaurants without drive-through facilities;
- 480 l. Veterinary medical services, without outside kennels; and
- 481 m. Retail sales of used merchandise, provided establishments offering such
482 merchandise contain not more than 4,000 square feet of gross floor area;
483 and
- 484 n. Other similar uses as determined by the village council.
- 485 3. Conditional uses. Within the BU-1 district the following uses may be approved by
486 the village council, but only as a conditional use.
- 487 a. Sale of alcoholic beverages for consumption on the premises;
- 488 b. Clubs and lodges;
- 489 c. Child and family day care services;
- 490 d. Nursing homes, rest homes and convalescent homes; and
- 491 e. Public utilities.
- 492 4. Accessory uses. Within the BU-1 district the administrative official may approve
493 as an accessory use only uses customarily incidental and subordinate to a
494 principal permitted or conditional use. Such accessory uses shall be reviewed
495 pursuant to procedures set forth in this Code for the principal use of the property.
- 496 5. Prohibited uses. All uses not specifically or provisionally provided for herein are
497 prohibited. Any use not within a fully enclosed building is strictly prohibited.
498 Similarly, the sale or distribution of material or merchandise, fruit or other
499 commodities from trucks, wagons or other vehicles parked on or along public or
500 private streets or from open stands or vacant lots, or from outside any permanent
501 duly approved enclosed building is prohibited.
- 502 6. Dimensional regulations.
- 503 a. Minimum lot area, lot frontage, and lot width. Lots within the BU-1 district
504 shall have a minimum lot frontage and lot width of not less than 50 feet and
505 shall have a minimum area of not less than 5,000 square feet, except on

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- 506 corner lots. Corner lots shall have a frontage of not less than 75 feet on a
 507 designated arterial or collector street and not less than 7,500 square feet in
 508 area. Conditional uses may require larger lot area to meet conditional use
 509 standards of this Code.
- 510 b. Maximum height. The maximum height of a structure shall be two stories and
 511 shall not exceed 35 feet in height.
- 512 c. Maximum lot coverage:
- 513 i. Maximum building coverage (inclusive of all structures): 40 percent.
- 514 ii. Maximum impervious surface ratio: 82—88 percent.
- 515 iii. Minimum green space: 12—18 percent.
- 516 iv. Minimum setbacks and maximum floor area ratio: All development must
 517 comply with setbacks for wetlands stated in the Code. Also, the following
 518 setbacks and floor area ratios shall apply in BU-1 districts. The floor area
 519 ratio shall not exceed the following, provided, however, that structure
 520 parking shall not count as a part of the floor area, but shall be counted
 521 in computing building height, lot coverage, and number of stories.

522 TABLE 4.15

Structure	Required Setbacks and F.A.R. in BU-1 District						
	Setbacks					Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side Street	Side	Maximum 1st Floor	Maximum 2nd Floor
Principal	20 ^{(3),(7)}	5/20 ^{(4),(6)}	20 ⁽²⁾	15	^{(5),(6)}	0.40	0.51
Accessory	^{(1),(7)}	10 ⁽⁶⁾	20	15	^{(5),(6)}	N/A	N/A

523 Notes:

524 ⁽¹⁾See accessory use regulations.

Note:

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525 ⁽²⁾Twenty feet, except where doors, windows or other openings in the
526 building wall of the same building and/or a wall of another building on the same
527 site, then there shall be provided a minimum clear distance of not less than 30
528 feet. Said distance to be measured on a line projected at right angles at the
529 opening to the opposite wall.

530 ⁽³⁾Twenty feet, except where an RU or EU lot abuts a BU-1 lot, then the street
531 setback shall be 25 feet for the entire street frontage.

532 ⁽⁴⁾Five feet from a business district boundary, where any openings are
533 provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty
534 feet from residential district boundary.

535 ⁽⁵⁾Zero feet where the adjacent property is designated BU and where the
536 use of the building is limited exclusively to business use. The wall along the side
537 property line shall be constructed in accordance with the most current edition of
538 the Florida Building Code: Five feet where the wall does not meet unpierced four-
539 hour fire resistant construction standards.

540 ⁽⁶⁾Except where RU or EU abuts, it shall be 15 feet.

541 ⁽⁷⁾Principal and accessory structure may be located up to ten feet from the
542 front property line by site plan approval.

543 7. Green space and landscaping.

544 a. Green space. The minimum landscaped green space at one story shall be in
545 accordance with the following table. The required green space shall be
546 unencumbered with any structure or off-street parking and shall be
547 landscaped and well maintained with grass, ground cover included within
548 the "Florida-friendly plant database," trees and shrubbery, except that ten
549 percent of any driveway or parking area constructed of open cell unit pavers
550 (turf block) and two percent of any driveway or parking area constructed of
551 brick pavers with a sand and/or gravel sub base or underlayment may be
552 counted as green space. The minimum landscaped green space shall be
553 increased by one and one-half percent for each additional story or part
554 thereof up to a maximum of four stories exclusive of penthouse and
555 mezzanine. For the purpose of computing the amount of required landscaped
556 green space where the building height varies, the number of stories shall be

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557 determined by that portion of the building with the highest story exclusive of
558 penthouse and mezzanine.

559 TABLE 4.16
560 LANDSCAPED GREEN SPACE FOR THE BU-1 DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18%
More than one acre and up to five acres	16%
More than five acres and up to 25 acres	14%
More than 25 acres	12%

561
562 b. Water area. In BU districts water areas may be used as part of the required
563 landscaped green space provided such water areas do not exceed 20
564 percent of the required landscaped green space.

565 c. Landscaping and tree protection. Landscaping and trees shall be provided in
566 accordance with provisions of article 6 of the land development code.

567 (e) General business (BU-1A) district.

568 1. Intent. Businesses within the BU-1A district are located within the US 1 linear
569 commercial corridor and are intended to accommodate retail sales and services,
570 including highway-oriented sales and services to residents and motorists along
571 the US 1 corridor. The BU-1A district is not intended to accommodate
572 manufacturing of goods or other activities which may generate nuisance impacts,
573 including glare, smoke or other air pollutants, noise, vibration or major fire
574 hazards, or other impacts generally associated with more intensive industrial
575 uses. The BU-1A district is not intended to accommodate large-scale retail sales
576 and trade activities generally serving a citywide or regional market, such as
577 regional retail or wholesale trade and service centers, nor is it intended to attract
578 warehousing, mini-storage, outside storage or light manufacturing activities.

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- 579 2. Uses permitted. The following uses shall be allowed within a BU-1A district
580 following village council approval of a site plan:
- 581 a. Bakeries, retail only;
 - 582 b. Business and professional offices;
 - 583 c. Commercial recreation (excluding adult uses);
 - 584 d. Dry cleaning (with cleaning off premises);
 - 585 e. Financial institutions with or without drive-through;
 - 586 f. Funeral home and mortuary;
 - 587 g. General retail sales and services **provided any retail sales and**
588 **service establishment on a lot or parcel that is one acre (43,560**
589 **square feet) or larger shall contain a mixture of permitted**
590 **commercial uses;**
 - 591 h. Government facilities following a public hearing conducted by the village
592 council;
 - 593 i. Medical services;
 - 594 j. ~~Municipal parking lots and facilities following a public hearing conducted by~~
595 ~~the village council;~~
 - 596 k. Package stores;
 - 597 l. Personal services;
 - 598 m. Plant and garden center sales;
 - 599 n. Restaurants, with or without drive-through;
 - 600 o. Veterinary medical services with or without outside kennels;
 - 601 p. Retail sales of used merchandise, provided establishments offering such
602 merchandise contain not more than 4,000 square feet of gross floor area;
603 and
 - 604 q. And other similar uses as determined by the village council.
- 605 3. Conditional uses. Within the BU-1A district the following uses may be approved
606 by the village council but only as a conditional use.
- 607 a. Sale of alcoholic beverages for consumption on the premises;
 - 608 b. Clubs and lodges;

Note:

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- 609 c. Child and family day care services;
- 610 d. Cultural/civic activities, private;
- 611 e. Dry cleaning (with cleaning on premises);
- 612 f. Nursing homes, rest homes and convalescent homes;
- 613 g. Parking garages **when developed in conjunction with general**
- 614 **retail sales and services and/or restaurant uses on the ground**
- 615 **floor;**
- 616 h. Public utilities;
- 617 i. Vehicular sales and service center;
- 618 j. Vehicular service station, including gasoline sales, electrical vehicle charging
- 619 stations, and vehicle battery exchange facilities.
- 620 4. Accessory uses. Within the BU-1A district the administrative official may approve
- 621 as an accessory use only uses customarily incidental and subordinate to a
- 622 principal permitted or conditional use. Such accessory uses shall be reviewed
- 623 pursuant to procedures set forth in this Code for the principal use of the property.
- 624 5. Prohibited uses. All uses not specifically or provisionally provided for herein are
- 625 prohibited. Any use not within a fully enclosed building is strictly prohibited.
- 626 Similarly, the sale or distribution of material or merchandise, fruit or other
- 627 commodities from trucks, wagons or other vehicles parked on or along public or
- 628 private streets or from open stands or vacant lots, or from outside any permanent
- 629 duly approved enclosed building is prohibited.
- 630 6. Dimensional regulations.
- 631 a. Minimum lot area, lot frontage, and lot width. Lots within the BU-1A district
- 632 shall have a minimum lot frontage and lot width of not less than 50 feet and
- 633 shall have a minimum area of not less than 5,000 square feet, except on
- 634 corner lots. Corner lots shall have a frontage of not less than 75 feet on a
- 635 designated arterial or collector street and not less than 7,500 square feet in
- 636 area. Conditional uses may require larger lot area to meet conditional use
- 637 standards of this Code.
- 638 b. Maximum height. The maximum height of a structure within the BU-1A district
- 639 shall be four stories and shall not exceed 45 feet in height.
- 640 c. Maximum lot coverage:
- 641 i. Maximum building coverage (inclusive of all structures): 40 percent.

Note:

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- 642 ii. Maximum impervious surface ratio: 77.5—88 percent.
- 643 iii. Minimum green space: 12—22.5 percent.
- 644 d. Floor area ratio. The floor area ratio shall not exceed the following,
- 645 provided, however, that structure parking shall not count as a part of the
- 646 floor area, but shall be counted in computing building height, lot coverage,
- 647 and number of stories:

648 TABLE 4.17

Height of Building in BU-1A District	Maximum Floor Area Ratio
1 story	0.40
2 stories	0.51
3 stories	0.62
4 stories	0.73

- 649
- 650 e. Minimum setbacks. All development must comply with setbacks for wetlands
- 651 and waterways established in the Code. In addition, the following setbacks
- 652 shall apply within the BU-1A district:

653 TABLE 4.18

Structure	Required Setbacks in BU-1A district				
	Setbacks				
	Front	Rear	Between Buildings	Side	Side Street
Principal	20 ⁽³⁾	5/20 ^{(4),(6)}	20 ⁽²⁾	^{(5),(6)}	15

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Accessory	(1),(7)	10 ⁽⁶⁾	20	(5),(6)	15
-----------	---------	-------------------	----	---------	----

654 Notes:

655 (1) See accessory use regulations.

656 (2) Twenty feet, except where doors, windows or other openings in the
657 building wall of the same building and/or a wall of another building on the same
658 site, then there shall be provided a minimum clear distance of not less than 30
659 feet. Said distance to be measured on a line projected at right angles at the
660 opening to the opposite wall.

661 (3) Twenty feet, except where a RU or EU lot abuts a BU-1A lot, then the
662 street setback shall be 25 feet for the entire street frontage.

663 (4) Five feet from a business district boundary, where any openings are
664 provided in the wall of the proposed structure, adjacent to the rear lot line; 20 feet
665 from residential district boundary.

666 (5) Zero feet where the adjacent property is designated BU and where the
667 use of the building is limited exclusively to business use. The wall along the side
668 property line shall be constructed in accordance with the most current edition of
669 the state building code.

670 (6) Except where RU or EU abuts it shall be 15 feet.

671 (7) Principal and accessory structure may be located up to ten feet from the
672 front property line by site plan approval.

673 7. Green space and landscaping.

674 a. Green space. The minimum landscaped green space at one story shall be in
675 accordance with the following table. The required green space shall be
676 unencumbered with any structure or off-street parking and shall be
677 landscaped and well maintained with grass, ground cover included within
678 the "Florida-friendly plant database," trees and shrubbery, except that ten
679 percent of any driveway or parking area constructed of open cell unit pavers
680 (turf block) and two percent of any driveway or parking area constructed of
681 brick pavers with a sand and/or gravel sub base or underlayment may be
682 counted as green space. The minimum landscaped green space shall be

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683 increased by one and one-half percent for each additional story or part
 684 thereof up to a maximum of four stories exclusive of penthouse and
 685 mezzanine. For the purpose of computing the amount of required landscaped
 686 green space where the building height varies, the number of stories shall be
 687 determined by that portion of the building with the highest story exclusive of
 688 penthouse and mezzanine.

689 TABLE 4.19
 690 LANDSCAPED GREEN SPACE FOR THE BU-1A DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18 percent
More than one acre and up to five acres	16 percent
More than five acres and up to 25 acres	14 percent
More than 25 acres	12 percent

- 691
- 692 b. Water area. In BU districts water areas may be used as part of the required
 693 landscaped green space provided such water areas do not exceed 20
 694 percent of the required landscaped green space.
- 695 c. Landscaping and tree protection. Landscaping and trees shall be provided in
 696 accordance with article 6 of the land development code.
- 697 (f) Special business (BU-2) district.
- 698 1. Intent. Businesses within the BU-2 district are intended to accommodate retail
 699 sales and services, including highway oriented sales and service, to village
 700 residents and motorists along the US 1 corridor. In addition, the BU-2 district is
 701 intended to accommodate larger scale retail, discount, and regional facilities
 702 serving home and office markets within an area larger than the village. The BU-2
 703 district also includes a land use regulatory program for managing the site
 704 location process for night clubs, lounges serving alcoholic beverages, and related
 705 facilities, excluding adult uses as defined herein. The BU-2 district is not intended

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706 to accommodate manufacturing of goods or other activities, which may generate
707 nuisance impacts, including glare, smoke or other air pollutants, noise, vibration
708 or major fire hazards, or other impacts generally associated with more intensive
709 industrial uses. Similarly, the BU-2 district is not intended to accommodate
710 warehousing, mini-storage, outside storage or light manufacturing activities.

711 2. Uses permitted. The following uses shall be allowed within a BU-2 district
712 following village council approval of a site plan pursuant to the procedures
713 established in the Code:

- 714 a. Bakeries, retail only;
- 715 b. Business and professional offices;
- 716 c. Commercial recreation (excluding adult uses);
- 717 d. Dry cleaning (with cleaning off premises);
- 718 e. Financial institutions with or without drive-through;
- 719 f. Funeral home and mortuary;
- 720 g. Government facilities following a public hearing conducted by the village
721 council;
- 722 h. General retail sales and services **provided any retail sales and**
723 **service establishment on a lot or parcel that is one acre (43,560**
724 **square feet) or larger shall contain a mixture of permitted**
725 **commercial uses;**
- 726 i. Medical services;
- 727 j. ~~Municipal parking lots and facilities following a public hearing conducted by~~
728 ~~the village council;~~
- 729 k. Package stores;
- 730 l. Personal services;
- 731 m. Plant and garden center sales;
- 732 n. Restaurants, with or without drive-through;
- 733 o. Veterinary medical services with or without outside kennels; and
- 734 p. Retail sales of used merchandise, provided establishments offering such
735 merchandise contain not more than four thousand (4,000) square feet of
736 gross floor area; and
- 737 q. And other similar uses as determined by the village council.

Note:

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- 738 3. Conditional uses. Within the BU-2 district the following uses may be approved by
739 the village council but only as a conditional use.
- 740 a. Sale of alcoholic beverages for consumption on the premises;
741 b. Child care and family day care;
742 c. Clubs and lodges;
743 d. Cultural/civic activities, private;
744 e. Commercial recreation (excluding adult uses);
745 f. Clubs and lodges;
746 g. Cultural/civic activities, including assembly halls;
747 h. Dry cleaning (with cleaning on premises);
748 i. Hospitals and emergency care;
749 j. Nursing homes, rest homes and convalescent homes;
750 k. Parking garages **when developed in conjunction with general**
751 **retail sales and services and/or restaurant uses on the ground**
752 **floor;**
753 l. Public utilities;
754 m. Vehicular sales and service center; and
755 n. Vehicular service station, including gasoline sales, electrical vehicle charging
756 stations, and vehicle battery exchange facilities.
- 757 4. Accessory uses. Within the BU-2 district the administrative official may approve
758 as an accessory use only uses customarily incidental and subordinate to a
759 principal permitted or conditional use. Such accessory uses shall be reviewed
760 pursuant to procedures set forth in this Code for the principal use of the property.
- 761 5. Prohibited uses. All uses not specifically or provisionally provided for herein are
762 prohibited. Any use not within a fully enclosed building is strictly prohibited.
763 Similarly, sale or distribution of material or merchandise, fruit or other
764 commodities from trucks, wagons or other vehicles parked on or along public or
765 private streets, from open stands or vacant lots, or from outside any permanent
766 duly approved enclosed building is prohibited.
- 767 6. Dimensional regulations.
- 768 a. Minimum lot area, lot frontage, and lot width. Lots within the BU-2 district
769 shall have a minimum lot frontage and lot width of not less than 50 feet and

Note:

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- 770 shall have a minimum area of not less than 5,000 square feet, except on
 771 corner lots. Corner lots shall have a frontage of not less than 75 feet on a
 772 designated arterial or collector street and not less than 7,500 square feet in
 773 area. Conditional uses may require larger lot area to mitigate issues
 774 specified in this Code.
- 775 b. Maximum height. The maximum height of a structure shall be four stories and
 776 shall not exceed 45 feet in height.
- 777 c. Maximum lot coverage:
- 778 i. Maximum building coverage (inclusive of all structures): 40 percent.
- 779 ii. Maximum impervious surface ratio: 77.5—80 percent.
- 780 iii. Minimum green space: 12—22.5 percent.
- 781 d. Floor area ratio. The floor area ratio shall not exceed the following,
 782 provided, however, that structure parking shall not count as a part of the
 783 floor area, but shall be counted in computing building height, lot coverage,
 784 and number of stories:

785 TABLE 4.20

Height of Building in BU-2 District	Maximum Floor Area Ratio
1 story	0.40
2 stories	0.51
3 stories	0.62
4 stories	0.73

- 786
- 787 e. Minimum setbacks. All development must comply with setbacks for wetlands
 788 and waterways established in the Code. In addition, the following setbacks
 789 shall apply within the BU-2 district:

790

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791

TABLE 4.21

Structure	Required Setbacks in BU-2 district				
	Setbacks				
	Front	Rear	Between Buildings	Side	Side Street
Principal	20 ⁽³⁾	5/20 ^{(4),(6)}	20 ⁽²⁾	^{(5),(6)}	15
Accessory	^{(1),(7)}	10 ⁽⁶⁾	20	^{(5),(6)}	15

792

793 Notes:

794 ⁽¹⁾ See accessory use regulations.

795 ⁽²⁾ Twenty feet, except where doors, windows or other openings in the
796 building wall of a motel or hotel unit face a wall of the same building and/or a
797 wall of another building on the same site, then there shall be provided a minimum
798 clear distance of not less than 30 feet. Said distance to be measured on a line
799 projected at right angles at the opening to the opposite wall.

800 ⁽³⁾ Twenty-five feet, except where an RU or EU lot abuts a BU-2 lot, then the
801 street setback shall be 25 feet for the entire street frontage.

802 ⁽⁴⁾Five feet from a business district boundary, where any openings are
803 provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty
804 feet from residential district boundary.

805 ⁽⁵⁾Zero feet where the adjacent property is designated BU and where the
806 use of the building is limited exclusively to business use. The wall along the side
807 property line shall be constructed in accordance with the most current edition of
808 the state building code. Five feet where the wall does not meet unpierced four-hour
809 fire resistant construction standards.

810 ⁽⁶⁾Except where RU or EU abuts it shall be 15 feet.

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811 ⁽⁷⁾Principal and accessory structure may be located up to ten feet from the
812 front property line by site plan approval.

813 7. Green space and landscaping.

814 a. Green space. The minimum landscaped green space at one story shall be in
815 accordance with the following table. The required green space shall be
816 unencumbered with any structure or off-street parking and shall be
817 landscaped and well maintained with grass, ground cover included within
818 the "Florida-friendly plant database," trees and shrubbery, except that ten
819 percent of any driveway or parking area constructed of open cell unit pavers
820 (turf block) and two percent of any driveway or parking area constructed of
821 brick pavers with a sand and/or gravel sub base or underlayment may be
822 counted as green space. The minimum landscaped green space shall be
823 increased by one and one-half percent for each additional story or part
824 thereof up to a maximum of four stories exclusive of penthouse and
825 mezzanine. For the purpose of computing the amount of required landscaped
826 green space where the building height varies, the number of stories shall be
827 determined by that portion of the building with the highest story exclusive of
828 penthouse and mezzanine.

829 TABLE 4.22
830 LANDSCAPED GREEN SPACE FOR THE BU-2 DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18 percent
More than one acre and up to five acres	16 percent
More than five acres and up to 25 acres	14 percent
More than 25 acres	12 percent

831

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- 832 b. Water areas. Water areas may be used as part of the required landscaped
833 green space provided such water areas do not exceed 20 percent of the
834 required landscaped green space.
- 835 c. Malls. The specific areas within enclosed or non-enclosed malls which are
836 landscaped with grass, trees and/or shrubbery, water areas therein, and
837 areas therein with permanent art display may be used as part of the required
838 landscaped green space provided such areas do not exceed ten percent of
839 the required landscaped green space.
- 840 d. Landscaping and tree protection. Landscaping and trees shall be provided
841 pursuant to provisions of article 6 of the land development code.

842 (g) Intensive business (BU-3) district.

- 843 1. Intent. Businesses within the BU-3 district are within the US 1 commercial corridor
844 and are intended to accommodate retail sales and services, including highway
845 oriented sales and service to residents and motorists along the US 1 corridor. In
846 addition, the BU-3 district is intended to accommodate larger scale retail,
847 discount, and regional facilities serving home and office markets within an area
848 larger than the village. The BU-3 district also includes a land use regulatory
849 program for managing the site location process for night clubs, lounges serving
850 alcoholic beverages, and related facilities, including adult uses as defined herein.
851 The BU-3 district is not intended to accommodate manufacturing of goods or
852 other activities, which may generate nuisance impacts, including glare, smoke or
853 other air pollutants, noise, vibration or major fire hazards, or other impacts
854 generally associated with more intensive industrial uses. The BU-3 district can
855 accommodate limited storage activities within enclosed buildings, including mini-
856 storage, limited warehousing also within an enclosed building. The BU-3 district
857 is not intended to accommodate outside storage or light manufacturing activities.
- 858 2. Uses permitted. The following uses shall be allowed within a BU-3 district
859 following Village Council approval of a site plan and compliance with the
860 procedures established in the Code:
- 861 a. Bakeries, retail only;
- 862 b. Business and professional offices;
- 863 c. Commercial recreation (excluding adult uses);
- 864 d. Dry cleaning (with cleaning off premises);
- 865 e. Financial institutions with or without drive-through;

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- 866 f. Funeral home and mortuary;
- 867 g. Government facilities following a public hearing conducted by the village
868 council;
- 869 h. General retail sales and services;
- 870 i. Medical services;
- 871 j. ~~Municipal parking lots and facilities following a public hearing conducted by~~
872 ~~the village council;~~
- 873 k. Package stores;
- 874 l. Personal services;
- 875 m. Plant and garden center sales;
- 876 n. Restaurants, with or without drive-through;
- 877 o. Veterinary medical services with or without outside kennels;
- 878 p. Retail sales of used merchandise, provided establishments offering such
879 merchandise contain not more than four thousand (4,000) square feet of
880 gross floor area; and
- 881 q. Other similar uses as permitted by the village council.
- 882 3. Conditional uses. Within the BU-3 district the following may be approved by the
883 village council but only as a conditional use.
- 884 a. Adult uses;
- 885 b. Sale of alcoholic beverages for consumption on the premises;
- 886 c. Child care and family day care;
- 887 d. Clubs and lodges;
- 888 e. Cultural/civic activities, private;
- 889 f. Dry cleaning (with cleaning on premises);
- 890 g. Electrical and mechanical repair of appliances and household goods;
- 891 h. Hospitals and emergency care;
- 892 i. Limited storage within enclosed building;
- 893 j. Nursing homes, rest homes and convalescent homes;

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- 894 k. Parking garages **when developed in conjunction with general**
895 **retail sales and services and/or restaurant uses on the ground**
896 **floor;**
- 897 l. Public utilities;
- 898 m. Vehicular, major repair, paint and body work;
- 899 n. Vehicular sales and service center; and
- 900 o. Vehicular service station, including gasoline sales, electrical vehicle charging
901 stations, and vehicle battery exchange facilities.
- 902 4. Accessory uses. Within the BU-3 district the administrative official may approve
903 as an accessory use only uses customarily incidental and subordinate to a
904 principal permitted or conditional use shall only be approved as an accessory
905 use. Such accessory uses shall be reviewed pursuant to procedures set forth in
906 this Code for the principal use of the property.
- 907 5. Prohibited uses. All uses not specifically or provisionally provided for herein are
908 prohibited. Any use not within a fully enclosed building is strictly prohibited.
909 Similarly, sale or distribution of material or merchandise, fruit or other
910 commodities from trucks, wagons or other vehicles parked on or along public or
911 private streets or from open stands or vacant lots, or from outside any permanent
912 duly approved enclosed building is prohibited.
- 913 6. Dimensional regulations.
- 914 a. Minimum lot area, lot frontage, and lot width. Lots within the BU-3 district
915 shall have a minimum lot frontage and lot width of not less than 50 feet and
916 shall have a minimum area of not less than 5,000 square feet, except on
917 corner lots. Corner lots shall have a frontage of not less than 75 feet on a
918 designated arterial or collector street and not less than 7,500 square feet in
919 area. Conditional uses may require larger lot area to mitigate issues
920 specified in this Code.
- 921 b. Maximum height. The maximum height of a structure shall be four stories and
922 shall not exceed 45 feet in height.
- 923 c. Maximum lot coverage:
- 924 i. Maximum building coverage (inclusive of all structures): 40 percent.
- 925 ii. Maximum impervious surface ratio: 77.5—88 percent.
- 926 iii. Minimum green space: 12—22.5 percent.

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927 d. Floor area ratio. The floor area ratio shall not exceed the following,
 928 provided, however, that structure parking shall not count as a part of the
 929 floor area, but shall be counted in computing building height, lot coverage,
 930 and number of stories:

931 TABLE 4.23

Height of Building in BU-3 District	Maximum Floor Area Ratio
1 story	0.40
2 stories	0.51
3 stories	0.62
4 stories	0.73

932

933 e. Minimum setbacks. All development must comply with setbacks for wetlands
 934 and waterways established in the Code. In addition, the following setbacks
 935 shall apply within the BU-3 district:

936 TABLE 4.24

Structure	Required Setbacks in BU-3 district				
	Setbacks				
	Front	Rear	Between Buildings	Side	Side Street
Principal	20 ⁽³⁾	5/20 ⁽⁴⁾⁽⁶⁾	20 ⁽²⁾	⁽⁵⁾ (6)	15
Accessory	⁽¹⁾	10 ⁽⁶⁾	20	⁽⁵⁾ (6)	15

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937 Notes

938 (1) See accessory use regulations.

939 (2) Twenty feet, except where doors, windows or other openings in the
940 building wall of a motel or hotel unit face a wall of the same building and/or a
941 wall of another building on the same site, then there shall be provided a minimum
942 clear distance of not less than 30 feet. Said distance to be measured on a line
943 projected at right angles at the opening to the opposite wall.

944 (3) Twenty feet, except where a RU or EU lot abuts a BU-3 lot, then the
945 setback shall be 25 feet on any part of the commercial structure located within 25
946 feet of the residential district boundary.

947 (4) Five feet from a business district boundary, where any openings are
948 provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty
949 feet from residential district boundary except that credit shall be given for full width
950 of dedicated alleys in computing this setback.

951 (5) Zero feet where the adjacent property is designated BU and where the
952 use of the building is limited exclusively to business use. The wall along the side
953 property line shall be constructed in accordance with the most current edition of
954 the state building code. Five feet where the wall is not does not meet unpierced
955 four-hour fire resistant construction standards. Ten feet for any portions of a
956 business structure accommodating a residential use.

957 (6) Except where RU and EU abut it shall be 15 feet.

958 7. Green space and landscaping.

959 a. Green space. The minimum landscaped green space at one story shall be in
960 accordance with the following table. The required green space shall be
961 unencumbered with any structure or off-street parking and shall be
962 landscaped and well maintained with grass, ground cover included within
963 the "Florida-friendly plant database," trees and shrubbery, except that ten
964 percent of any driveway or parking area constructed of open cell unit pavers
965 (turf block) and two percent of any driveway or parking area constructed of
966 brick pavers with a sand and/or gravel sub base or underlayment may be
967 counted as green space. The minimum landscaped green space shall be
968 increased by one and one-half percent for each additional story or part
969 thereof up to a maximum of four stories exclusive of penthouse and

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970 mezzanine. For the purpose of computing the amount of required landscaped
971 green space where the building height varies, the number of stories shall be
972 determined by that portion of the building with the highest story exclusive of
973 penthouse and mezzanine.

974 TABLE 4.25
975 LANDSCAPED GREEN SPACE FOR THE BU-3 DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18 percent
More than one acre and up to five acres	16 percent
More than five acres and up to 25 acres	14 percent
More than 25 acres	12 percent

- 976
- 977 b. Water areas. In the BU-3 districts water areas may be used as part of the
978 required landscaped green space provided such water areas do not exceed
979 20 percent of the required landscaped green space.
- 980 c. Malls. The specific areas within enclosed or non-enclosed malls which are
981 landscaped with grass, trees and/or shrubbery, water areas therein, and
982 areas therein with permanent art display may be used as part of the required
983 landscaped green space provided such areas do not exceed ten percent of
984 the required landscaped green space.
- 985 d. Landscaping and tree protection. Landscaping and trees shall be provided
986 pursuant to provisions of article 6 of the land development code.

987

988 **ARTICLE 5. - ADDITIONAL REGULATIONS**

989

990 **Div. 5.1. - Lots**

Note:
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991 ~~The maximum number of children for kindergarten through the sixth grade shall not~~
992 ~~exceed sixty (60) children per acre.~~

993 (a) Minimum lot areas, frontage and yards.

994 1. RU districts lot area exceptions. Every residential lot in any RU district shall meet
995 the minimum frontage lot of land area requirements of the applicable district
996 regulations, except that a lot of record conveyed prior to August 2, 1938, or
997 platted by an un-revoked subdivision recorded prior to August 2, 1938, may be
998 permitted for residential use as follows:

999 a. For single-family residential use, providing the lot is zoned either RU-1 or RU-
1000 2 and:

1001 i. The lot is less than 75 feet in width, but not less than 50 feet in width,
1002 and has a total square foot area of not less than 5,000 square feet, or is
1003 a combination of two or more lots totaling the same in width and in
1004 square foot area; or

1005 ii. The lot is less than 50 feet in width, and has a total square foot area of
1006 not less than 3,750 square feet; provided it is at least the same width
1007 and depth as the other lots in use in the same subdivision; and provided
1008 further, the residence does not exceed the minimum height requirement
1009 within the applicable district and does not cover more than 30 percent of
1010 the total lot area. Two or more lots may be combined to provide such a
1011 lot, subject to the same provisions.

1012 b. For duplex use (two-family residential dwelling), provided the lot is zoned RU-
1013 2 and the lot is at least 50 feet in width and contains at least 5,550 square
1014 feet of lot area.

1015 2. Business lots in new subdivisions. BU zoned lots in subdivisions created after
1016 November 27, 2000 shall have a width of not less than 50 feet, except that
1017 corner lots shall have a frontage of not less than 75 feet on each street and not
1018 less than 7,500 square feet of area. Lots having an area of less than 7,500
1019 square feet shall be plat and deed restricted against residential use.

1020 3. Lots of record less than minimum size.

1021 a. Grandfathering. Any use on a legally platted lot of record which does not
1022 meet lot area or width requirements of this chapter may continue provided
1023 the use was legally established. This provision shall not be construed to
1024 permit the establishment of more than one dwelling unit on a lot that does not
1025 meet lot area requirements.

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1026 b. No further reduction of minimum lot dimensions. The area or dimension of
1027 any lot, yard, parking area or other space shall not be reduced to less than
1028 the minimum required by this chapter, except as provided in this chapter, if
1029 already less than the minimum required by this chapter, such area or
1030 dimension may be continued, but shall not be further reduced.

1031 (b) Lot width in RU-1, EU-M, EU-S and EU-1. In the RU-1, EU-M, EU-S and EU-1 districts,
1032 the minimum width of lots in new subdivisions may be decreased from the width
1033 otherwise required under this chapter, provided the lots meet the following
1034 conditions:

1035 1. The decrease shall be applicable to lots containing a portion of their frontage
1036 along the curvilinear streets and cul-de-sacs where development has been platted
1037 and approved.

1038 2. The minimum lot frontage as defined elsewhere for the various districts must be
1039 provided at the minimum building setback line of curvilinear lots.

1040 3. The minimum frontage requirement at street right-of-way line and the radius
1041 requirements of exterior street right-of-way line along curvilinear streets and cul-
1042 de-sac shall meet the following requirements:

1043 TABLE 5-1

Zoning Districts	Minimum Frontage (feet)
RU-1	50
EU-M	80
EU-S	85
EU-1	85

1044
1045 4. Lot area must comply with all other minimum requirements of the land
1046 development code.

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1047 5. The design of the streets where the lot frontage occurs must conform to standards
1048 adopted by the village.

1049 (c) Buildings on through lots. Where a lot extends through from one street to another, the
1050 setback requirement for each such street shall be complied with and any building
1051 shall have dual facing. Lots which have an approved decorative wall along the rear
1052 property line as required by plat shall not be considered through lots. No accessory
1053 building or other structure shall be placed in the front yard setback.

1054 **(d) Unity of Title. Unity of title or other similar agreement or covenant**
1055 **shall not be permitted to join parcels of land separated by a road**
1056 **right-of-way or water body. Non-contiguous properties separated by**
1057 **right-of way or water bodies shall be considered separate parcels of**
1058 **land for site development purposes and shall each meet all**
1059 **requirements of the Land Development Regulations irrespective of the**
1060 **adjoining features.**

1061

1062 **Div. 5.19. - Appearance of site and structures.**

1063 The following standards shall apply within all zoning districts:

1064 (a) *Architectural style and color.* All buildings constructed shall be of an architectural
1065 style and color which will harmonize with the premises and with other buildings
1066 in the same neighborhood. Facades shall be designed to reduce the mass/scale
1067 and uniform monolithic appearance of large unadorned walls, while providing
1068 visual interest that will be consistent with the community's identity and character
1069 through the use of detail and scale. Articulation shall be required and
1070 accomplished by varying the building's mass in height and width so that it
1071 appears to be divided into distinct massing elements and details that can be
1072 perceived at the scale of the pedestrian or motorist.

1073 Residential building facades and elevations shall be designed to minimize the
1074 visual impacts of the scale of the building. Front and side facade design of the
1075 second story of two-story residential dwellings shall include building design
1076 variations at intervals no greater than seventy-five (75) feet to minimize scale
1077 impacts and promote activated elevations. Design variations or intervals shall be
1078 a minimum of 7.5 feet in length and 5 feet in depth.

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1079 Buildings constructed within the commercial zoning districts adjacent to Pinecrest
1080 Parkway shall be designed in accordance with the architectural styles and color
1081 palette of the Pinecrest Parkway (US 1) Vision Plan. Corporate chain building
1082 designs and prototype/generic architectural designs may be permitted to the
1083 extent that they comport with the architectural design standards of the *Pinecrest*
1084 *Parkway (US 1) Vision Plan* adopted by the Village Council on October 9, 2012.

1085 **Commercial buildings shall be fenestrated with transparent**
1086 **windows and doorways for no less than 60 percent of the street**
1087 **frontage at the ground level and allow visibility to the inside of the**
1088 **building**

1089 The village council shall make the final determination of architectural harmony.

1090 (b) *Location and screening of mechanical equipment and utility hardware.*
1091 Mechanical equipment or other utility hardware on roofs shall be harmonious
1092 with the building or they shall be located and/or screened so as not to be visible
1093 from any public ways within the impacted area.

1094 (c) *Location and screening of solid waste containers.*

1095 1. *Permanent waste storage area.* All permanent waste storage areas shall be
1096 screened from adjacent properties and public ways by appropriate fences,
1097 walls or landscaping.

1098 2. *Required enclosure and access gate.* Dumpsters shall be maintained in an
1099 enclosure with the service and access gate(s) closed except when being
1100 serviced by a commercial refuse/garbage collector or when being used to
1101 access the dumpster.

1102 3. *Closed lid.* Dumpster lids shall be kept closed at all times when the dumpster
1103 is not being used or serviced.

1104 4. *Violations; health hazards.* Garbage and trash shall be placed inside the
1105 dumpster and not on or around the dumpster or the enclosure. Loose
1106 garbage and trash in plain view is a violation of this Code, a health hazard,
1107 and aesthetically undesirable. The property owner shall be responsible for
1108 keeping the enclosure and surrounding area litter, garbage, and trash free at
1109 all times. It shall be a violation of the Code of Ordinances to allow the
1110 dumpster to be filled to over capacity so that the dumpster lid is prevented
1111 from closing on top of the garbage bags.

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- 1112 5. *Maintenance and repair of enclosures.* Approved enclosures shall be
1113 maintained in good condition, repair and appearance at all times so as to
1114 allow for collection of materials and to eliminate odors.
- 1115 6. *Location of dumpster and enclosure.* The location on site of a dumpster and
1116 the dumpster enclosure shall require the prior approval of the director of
1117 public works. A dumpster shall be kept in a place easily accessible to
1118 authorized collection vehicles at all times and no service shall be given to
1119 those placing or permitting objects, ground level or overhead obstructions, or
1120 vehicles, to hinder in any way whatsoever the servicing of bulk containers by
1121 authorized collection vehicles. Unless in a public right-of-way for purposes of
1122 collection only, all dumpsters shall be placed within an approved enclosure.
1123 It shall be unlawful for any person to place or store, or allow to be placed or
1124 stored, a dumpster upon or in any public street, alley or right-of-way;
1125 provided, however, that such container or receptacle may be placed in the
1126 public right-of-way during the collection/emptying process.
- 1127 7. *Dumpster space designation and enclosure requirement.* All real property
1128 utilizing dumpsters in a BU or Office zoning district shall provide an
1129 enclosure of a size that would permit the moving in or out of the dumpster
1130 without damage to the enclosure. The enclosure shall be a minimum of 12
1131 inches above the dumpster.
- 1132 8. *Approved enclosure.* All enclosures shall consist of walls and any fencing
1133 shall be of wood, plastic lumber or chainlink. Wood or plastic lumber shall
1134 be a minimum of 1.5 inches thick. Enclosures shall have a gate for collection
1135 equipment access, and may also have a gate for pedestrian access. All gates
1136 shall be totally opaque and the enclosures shall be constructed of one of the
1137 following materials:
- 1138 a. *Masonry walls.* All exterior faces of the wall shall be finished and of
1139 professional quality such as stucco, pre-finished blocks, stacked block
1140 and struck joints, shadow blocks. The wall shall be painted and installed
1141 in a workmanlike manner and meet with the approval of the
1142 administrative official.
- 1143 b. *Concrete walls.* Pre-cast concrete walls of quality deemed acceptable to
1144 the administrative official.
- 1145 c. *Wood fencing.* Substantial wood fences of durable species,
1146 incorporating architectural design features to enhance appearance, of
1147 quality and design acceptable to the administrative official. In making

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1148 this determination, consideration shall be given to: i) The thickness of the
1149 wood which must be a minimum of 1.5 inches; ii) Whether the wood is
1150 pressure treated or has a finish that protects the wood from the elements;
1151 and iii) Minimum six inches by six inches corner post and four inches by
1152 four inches intermediate posts of pressure treated materials.

1153 d. *Plastic lumber fencing.* Lumber shall be plastic members of new or
1154 recycled materials able to withstand the climatic and ultraviolet
1155 conditions of the region and of a quality and design acceptable to the
1156 administrative official. In making this determination, consideration shall
1157 be given to: i) Whether the material is coated or has a finish that protects
1158 the plastic from the elements; ii) Adequacy of supporting in-ground posts;
1159 iii) The lumber must be a minimum of nominal one-inch by nominal six-
1160 inch boards and shall have a maximum spacing between boards of one
1161 inch; and iv) Compatibility of materials with existing materials on the
1162 subject property and surrounding neighborhood.

1163 e. *Chain-link fencing.* Dumpster enclosures may be made of chain-link
1164 fencing with opaque material attached to the chain-link fencing so that
1165 the dumpster is not in public view.

1166 f. *Gates.* Dumpster enclosure gates shall be constructed of a metal frame
1167 with wood or metal slats or other facing material. Servicing gates, upon
1168 opening, may not swing into the right-of-way and shall incorporate gate
1169 stops that are functional in the full open and closed positions. Hinge
1170 assemblies shall be strong and durable such that access and servicing
1171 gates do not sag and function properly. All gates for pedestrian access
1172 shall be no more than 48 inches in width and no less than 36 inches in
1173 width. Enclosure gates shall be closed at all times except for the time
1174 necessary to service the bulk container. Maze style openings shall be
1175 permitted in place of a pedestrian access gate. A maze style opening is
1176 an opaque wall or fence that can be located no more than 48 inches
1177 and no less than 36 inches from the enclosure opening and must be a
1178 minimum length of 1.5 times in length of the opening and shall be
1179 centered upon the opening. Enclosure openings shall be no more than
1180 48 inches in width and no less than 36 inches in width.

1181 9. *Setback.* All dumpster enclosure walls and/or fences shall be located a
1182 minimum of five feet from adjoining commercial areas and ten feet from
1183 adjoining residential uses; and a minimum of five feet from public and
1184 private rights-of-way unless not physically possible.

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1185 10. *Garbage containers.* All receptacles and bulk containers which receive
1186 garbage, liquid waste or food from food handling operations including, but
1187 not limited to, bakeries, meat processing plants, restaurants, or any business
1188 establishment where it is determined that garbage, liquid waste or food will
1189 be accumulated, shall have a poured to grade level concrete slab. If
1190 available, dumpster site shall have facilities for washing containers and
1191 ability to drain to an acceptable sanitary disposal system. If the
1192 aforementioned facilities are available, or can be reasonably installed then
1193 the dumpster shall have washout plugs. For purposes of this Code, storm
1194 drains shall not be considered as an acceptable sanitary disposal system. If
1195 no suitable drain, grease trap or sanitary disposal system is available, the
1196 dumpster containers shall be sealed so that no liquid gets on the pad or
1197 ground. Dumpster collection shall be frequent enough so as to keep odors to
1198 a minimum. Odors shall also be kept at a minimum through artificial means
1199 such as masking agents or whatever products are available to handle odors.
1200 Containers shall be constructed in accordance with the provisions of the state
1201 building code and must be approved by and meet the state department of
1202 health requirements.

1203 11. *Exceptions.* All dumpsters and trash receptacles must comply with this Code
1204 except for the following:

1205 a. Dumpsters and receptacles located in service yards, that are screened
1206 from public ways with a minimum six feet high fence or suitable dense
1207 landscaping as approved by the administrative official. The dumpsters
1208 and receptacles must not be visible from the public's view.

1209 b. Dumpsters and receptacles located at permitted construction sites.

1210 12. *Time of placement and removal of receptacles.* Residential trash, trash and
1211 garbage receptacles may not be placed for curbside pickup more than 24
1212 hours before pickup and all receptacles must be removed from the curbside
1213 within 24 hours after pickup.

1214 (d) *Utility lines.* In new construction, all utility lines shall be placed underground. All
1215 telephone lines shall be placed underground. Service lateral electrical distribution
1216 lines serving individual installations shall be placed underground. Other high
1217 voltage electrical lines may be placed underground or on concrete poles,
1218 provided that the poles are within the street right-of-way and have provisions for
1219 street lighting. Large transformers shall be placed on the ground and be mounted
1220 on pads and contained within enclosures or vaults. Where enclosures or vaults
1221 are used, the construction and design shall be compatible with primary building

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1222 design. Landscaping with shrubs and plants shall be provided to screen pad
1223 mounted transformers.

1224 (e) *Activities conducted in enclosed buildings.* All businesses and services shall be
1225 conducted within completely enclosed buildings unless otherwise permitted by the
1226 Code. If the village council determines that a demonstrated necessity exists for
1227 limited outside storage due to the impracticality and unreasonableness of
1228 enclosure of such goods, the goods shall be effectively screened by a ninety-five
1229 percent or greater opaque wall with a life expectancy of 20 years or more from
1230 the date of installation of said walls. Storage shall not occur above the height of
1231 such walls. No such storage shall be visible from a public way.

1232 (f) *Exterior lighting.* Light sources shall be shielded and arranged to eliminate glare
1233 from roadways and streets; and shall be directed away from properties lying
1234 outside the district. Shielding of lighting elements shall be accomplished by using
1235 an opaque shade to direct the light.

1236 (g) *Wooden decks not exceeding 18 inches in height.* Any side of any wooden deck
1237 above grade shall be enclosed from the edge of such deck to the existing grade,
1238 by wood slats or lattice work, in such a way as to prevent the area below the
1239 wooden deck from being visible from any adjacent property or waterway.

1240 (h) *Air conditioning and heating units; pool pumps.* In all districts, the exhaust or
1241 mechanical part of any air conditioning or heating unit, other than window units,
1242 and all pool pumps, shall not be placed or installed within five feet of any
1243 property line. Where feasible, air conditioning units should be baffled for noise.
1244 Pool pumps shall be baffled to reduce noise or covered to minimize noise at the
1245 property line. All such facilities shall be screened from public view.

1246 (i) *Construction fencing.* A project site that meets the following standards is required
1247 to install a construction fence, which means a temporary six-foot chain link fence
1248 with a green color fabric. The fence and screening must remain in place, upright
1249 and in good repair throughout the construction process.

1250 (1) Clearing, grading, stockpiling or soil or demolition. A construction fence is
1251 required where clearing, grading, stockpiling of soil or demolition is
1252 proposed as follows:

1253 a. A lot located in the residential or commercial zoning districts shall install
1254 a fence on the front, side, and rear lot lines prior to commencement of
1255 clearing, grading or demolition.

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1256 b. Fencing must be removed upon final grading and landscaping or upon
1257 replacement with a permanent fence or wall. If no construction has
1258 occurred within 45 days of completion of a demolition or lot clearing, the
1259 fence shall be removed within 30 days after the final inspection.

1260 (2) *Major remodeling.* Major remodeling shall mean an increase in the building
1261 volume of 10,000 cubic feet or more, an increase in the building footprint of
1262 1,000 square feet or more or new construction with a building footprint of
1263 1,000 square feet or more. A construction fence is required for major
1264 remodeling as follows:

1265 a. A lot located in the residential or commercial zoning districts shall
1266 contain a fence on the front, side and rear lot lines. Fencing must be
1267 removed upon final electrical inspection.

1268 b. All other lots shall contain a fence on the side and rear lot lines. Fencing
1269 may be removed upon final grading and landscaping or upon
1270 replacement with a permanent fence or wall.

1271 (3) *New Construction/Major alteration.* Major alteration shall mean a change of
1272 50 percent or more of the gross square footage of an existing structure for
1273 reconstruction, rehabilitation, removal of walls, or other improvement
1274 excluding replacement of the roof. A construction fence is required for major
1275 alteration as follows:

1276 a. A lot located in the residential or commercial zoning districts shall
1277 contain a fence on the front, side, and rear lot lines. Fencing must be
1278 removed upon final electrical inspection.

1279 b. All other lots shall contain a fence on the side and rear lot lines. Fencing
1280 must be removed upon final grading and landscaping or upon
1281 replacement with a permanent fence or wall.

1282 (4) *Exception to installation of construction fence.* Where a construction fence
1283 would be required for a residential lot pursuant to subsection (1), (2), or (3)
1284 above and the owner or contractor obtains a construction fence waiver from
1285 the owner of the property that abuts the project site, the building official may
1286 waive the requirement for all or a portion of the construction fence but retains
1287 the right to require a construction fence at any time. Any required silt and
1288 sediment barriers shall still be installed as required.

1289 (5) *Installation.* Installation of a construction fence shall occur prior to any
1290 construction activity or material deliveries. The fence shall not be placed so as

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1291 to create a public safety hazard. Where the project site is enclosed by a
1292 fence, the fence gate shall not open towards the road right-of-way and shall
1293 be locked during non-working hours.

1294 (j) *Permanently installed generators.*

1295 (1) *Setbacks.* In all districts, pads for permanently installed generators shall be
1296 located or installed no less than five feet from any property line or from the
1297 principal structure. Provided, however, the exhaust outlet of a generator shall
1298 be located no less than 10 feet from any part of any "packaged" air
1299 conditioning unit, any operable doors, windows, vent outlets, or other
1300 openings. In no event shall a generator or above-ground fuel tank be placed
1301 forward of the front or corner side building line.

1302 (2) *Vertical elevation.* When a permanently installed generator is located within
1303 an "AE" flood zone, the top elevation of the pad shall be no lower than the
1304 base flood. In "X" or "X-500" zones, the minimum elevation of the pad shall
1305 be set at an elevation no less than eight inches above the roadway crown.

1306 (3) *Fuel tanks.* All fuel tanks shall be located no less than five feet from any
1307 property line. Above-ground fuel tanks are considered as accessory structures
1308 and therefore subject to the setbacks of the appropriate zoning district.

1309 (4) *Screening.* Generators and above-ground fuel tanks must be screened from
1310 public view by landscaping or other acceptable material.

1311 (5) *Testing.* The testing of a permanently installed generator shall be limited to
1312 once per week for a period of no more than 30 minutes between 8:00 a.m.
1313 and 6:00 p.m., and further limited to Monday through Saturday.

1314 (k) *Maintenance of Construction Sites.* All construction sites shall be maintained in
1315 a safe and clean condition free from litter, abandoned and/or junk material.

1316

1317 **Div. 5-31. - Parking garages.**

1318 **(a) Design criteria. All parking garages shall be reviewed for**
1319 **compliance with the criteria for approval of a conditional use. The**
1320 **following additional design guidelines shall be implemented as**
1321 **applicable:**

1322 **(1) Use of stretched cable, open railings or an alternate design**
1323 **achieving the same degree of openness to allow for maximum**

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1324 surveillance and illumination in order to maximize openness and
1325 safety.

1326 (2) Use of reflective paint or materials inside.

1327 (3) Illumination of all pedestrian areas to increase safety as
1328 determined by the administrative official.

1329 (4) Detailing of the parking garage similar to the building it serves or
1330 if serving multiple buildings or uses, detailing of the parking
1331 garage to be compatible with the neighboring buildings.

1332 (5) Incorporation of natural light, plants, exterior landscaping,
1333 storefront details, screening, and other features to increase the
1334 aesthetic quality of the building and to improve the experience and
1335 safety of the user.

1336 (6) Open stairwells, appropriately illuminated as determined by the
1337 administrative official, clearly identified and located in such a way
1338 as to provide for a safe entrance and exit.

1339 (7) Use of additional architectural features, landscaping, fencing,
1340 buffering, courtyards, plazas, or pedestrian areas in order to
1341 provide architectural and land use compatibility with neighboring
1342 properties.

1343 (8) Review by the administrative official of the parking garage design
1344 for safety and recommendation of additional safety features if
1345 warranted.

1346

1347 **SECTION 3. Inclusion in the Code of Ordinances.**

1348 It is the intention of the Village Council and it is hereby ordained that the
1349 amendments to the Code of Ordinances and Land Development Regulations made by this
1350 Ordinance shall become part of the Code of Ordinances, and that the sections of this
1351 Ordinance may be renumbered and relettered as necessary, and that the word
1352 "Ordinance" may be changed to "Section", "Article" or other appropriate word.

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1353 **SECTION 4. Zoning in Progress.**

1354 Zoning in Progress is hereby declared and adopted, and shall become effectively
1355 immediately, and shall remain in effect until adoption of this ordinance at second
1356 reading. Complete applications for development permits that are submitted to the Village
1357 of Pinecrest on or after the date of publication of the public hearing notice advertising
1358 consideration of this ordinance at first reading on May 28, 2015 shall be reviewed and
1359 permitted in accordance with the provisions herein.

1360 **SECTION 5. Conflicts.**

1361 All ordinances or parts of ordinances and all resolutions or parts of resolutions in
1362 conflict with the provisions of this Ordinance are hereby repealed.

1363 **SECTION 6. Severability.**

1364 If any section, clause, sentence or phrase of this Ordinance is for any reason held
1365 invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect
1366 the validity of the remaining portions of this Ordinance.

1367 **SECTION 7. Effective Date**

1368 This Ordinance shall be effective immediately upon passage by the Village Council
1369 on second reading.

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1370 PASSED on first reading this 9th day of June, 2015.

1371 PASSED AND ADOPTED on second reading this th day of _____, 2015.

1372
1373
1374 _____
Cindy Lerner, Mayor

1375 ATTEST:

1376
1377
1378 _____
1379 Guido H. Inguanzo, Jr., CMC
1380 Village Clerk

1381 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

1382
1383
1384
1385 _____
1386 Mitchell Bierman
1387 Village Attorney

1388
1389 Motion on Second Reading by:
1390 Second on Second Reading by:

1391
1392 Vote:

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Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

DATE: June 3, 2015

TO: Yocelyn Galiano Gomez, ICMA-CM, LEED-GA, Village Manager

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

RE: Village of Pinecrest Code of Ordinances
Chapter 30, Land Development Regulations
Ordinance – First Reading

Following review and consideration of planning issues that have arisen over the course of the past several months, the Building and Planning Department has prepared proposed amendments to the Land Development Regulations to address and resolve those issues. An ordinance approving the amendments at first reading is scheduled for consideration by the Local Planning Agency (LPA) and Village Council at scheduled public hearings on June 9, 2015. A brief summary of the proposed amendments is provided for consideration by the LPA and Village Council at first reading as follows:

Article 3, Development Approval Procedures

Division 3.1, Generally –

The Land Development Regulations allow for issuance of a building permit “only after the Administrative Official determines that the structure, building site, and the proposed use thereof comply with the requirements of the Land Development Code”. It is the Building and Planning Department’s position that unification of two parcels separated by a road right-of-way, canal, or other water body via unity of title or covenant in lieu of unity of title is not permitted and that existing regulations do not preclude application of all provisions of the Land Development Regulations to each separate building site, irrespective of adjoining features. Clarification and reinforcement of the Building and Planning Department’s position is provided within proposed amendments to Division 3.1 of the Land Development Regulations.



Article 4, Zoning District Regulations

Division 4.3, Commercial Districts – Proposed amendments would require retail sales and service establishments on lots greater than 1 acre in area within the BU-1, Restricted Commercial Development; BU-1A, General Business Development; and BU-2, Special Business Development zoning districts to contain a mixture of two or more permitted commercial uses. The proposed amendment is consistent with the primary Goal 1-1 of the Future Land Use Element of the Village’s Comprehensive Development Master Plan to *maintain and enhance the extraordinary character and quality of land uses within the Village* and related Policy 1-1.2.3 to *improve the image and function of commercial development along Pinecrest Parkway*. The proposed amendment is also consistent with the vision and goals of the Pinecrest Parkway (US 1) Vision Plan adopted by the Village Council in October 2012.

“Municipal Parking lots and facilities following a public hearing by the Village Council” is proposed to be removed as a permitted use from the BU-1, Restricted Commercial Development; BU-1A, General Business Development; BU-2, Special Business Development; and BU-3, Intensive Business Development zoning districts. “Government facilities following a public hearing by the Village Council” are permitted within the districts and could include a publicly owned, municipal parking lot. Continued specification of a municipal parking lot as a permitted use is redundant.

“Parking Garages” are conditionally permitted uses within the BU-1A, General Business Development; BU-2, Special Business Development; and BU-3, Intensive Business Development zoning districts. Proposed amendments would require that stand-alone parking garages in those districts be required to include retail sales and services and /or restaurant uses on the first floor.

Article 5, Additional Regulations

Division 5.1 Lots - The Land Development Regulations allow for issuance of a building permit “only after the Administrative Official determines that the structure, building site, and the proposed use thereof comply with the requirements of the Land Development Code”. It is the Building and Planning Department’s position that unification of two parcels separated by a road right-of-way, canal, or other water body via unity of title or covenant in lieu of unity of title is not permitted and that existing regulations do not preclude application of all provisions of the Land Development Regulations to each separate building site, irrespective of adjoining features. Clarification and reinforcement of the Building and Planning Department’s position is provided within proposed amendments to Division 5.1 of the Land Development Regulations.

Division 5.19, Appearance of Site and Structures – This division is proposed to be amended to require commercial buildings to include transparent windows and doorways within a minimum of 60 percent of the frontage of any commercial building facing a street.

Division 5-31, Parking Garages – This is a new proposed division that includes proposed design criteria specific to parking garages to address issues related to safety, security and aesthetical and architectural compatibility.

An ordinance allowing for consideration of proposed amendments to the Village's Land Development Regulations at first reading is provided for consideration by the Local Planning Agency and Village Council. All potential text amendments are indicated in strike-through and underline format and are highlighted in yellow.

The proposed ordinance establishes "Zoning in Progress", which will allow applications to proceed through the development review process if in compliance with the proposed revisions to the Land Development Regulations.

If you have questions or require additional information regarding the draft amendments, please let me know.

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ORDINANCE NO. 2015-

**AN ORDINANCE OF THE VILLAGE OF
PINECREST, FLORIDA; AMENDING THE
2014-2015 OPERATING AND CAPITAL
OUTLAY BUDGET (2nd QUARTER);
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the 2014-2015 Operating and Capital Budget was adopted pursuant to the Village Charter and state law and was based upon estimates of revenues and expenses in various categories; and

WHEREAS, the Village Manager is recommending that the Village Council approve a transfer of funds for the 2014-2015 Operating and Capital Budget and said action requires a budget amendment;

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

Section 1. The Operating and Capital Budget of the Village of Pinecrest for Fiscal Year 2014-2015 is hereby amended as follows:

Revenue Source	Amount	Expenditure Item	Description
General Fund Balance	\$30,000	Information Technology - Capital Outlay - Machinery and Equipment	Funds attained from General Fund Surplus will be allocated to cover the budget shortfall for the cost of replacing the Village-wide telephone system

Section 2. This ordinance shall become effective upon adoption on second reading.

PASSED on first reading this 5th day of May, 2015.

PASSED AND ADOPTED on second reading this th day of , 2015.

Cindy Lerner, Mayor

ATTEST:

Guido H. Inguanzo, Jr., CMC
Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Mitchell Bierman
Village Attorney

Motion on Second Reading by:
Second on Second Reading by:

Vote:

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RECEIVED
VILLAGE OF PINECREST

MAY 29 2015

OFFICE OF THE
VILLAGE MANAGER

301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.floridaleagueofcities.com

TO: Municipal Key Official

FROM: Michael Sittig, Executive Director

DATE: May 20, 2015

SUBJECT: 89th Annual FLC Conference – *Florida Cities: A Public Conversation*
VOTING DELEGATE INFORMATION
August 13-15, 2015 – World Center Marriott, Orlando

As you know, the Florida League of Cities' Annual Conference will be held at the World Center Marriott, Orlando, Florida on August 13-15. This year the theme for this year's conference is *Florida Cities: A Public Conversation*, which will provide valuable educational opportunities to help Florida's municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. Voting delegates will also adopt the FLC 2016 Legislative Action Agenda because the 2016 Legislative Session will begin early next year. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League's by-laws, each municipality's vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2014.

Conference registration materials will be sent to each municipality in the month of June. Materials will also be posted on-line. Call us if you need additional copies.

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. **Voting delegate forms must be received by the League no later than August 7, 2015.**

Attachments: Form Designating Voting Delegate

**89th Annual Conference
Florida League of Cities, Inc.
August 13-15, 2015
Orlando, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. *Municipalities do not need to adopt a resolution to designate a voting delegate.*

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

Name

Title

Return this form to:

Gail Dennard
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Fax to Gail Dennard at (850) 222-3806 or email gdennard@flcities.com



Important Information

Submitting Resolutions for consideration by the FLC Resolutions Committee

The League's Resolutions Committee will be meeting in conjunction with the FLC Annual Conference, August 13-15, 2015. Any municipality interested in submitting resolutions for consideration must submit them to the League no later than **Wednesday, July 8, 2015**, to guarantee that they will be included in the packet of proposed resolutions to the Resolutions Committee. Resolutions are limited to federal, constitutional or commemorative issues that are of statewide concern. Attached are the procedures your municipality should follow for proposing resolutions to the League membership.

If you have questions regarding resolutions, please contact Allison Payne at apayne@flcities.com or 850-701-3602 at the League office.

FLC Legislative Policy Committee Process

With the Florida Legislature convening the 2016 Legislative Session in January instead of March 2016, the policy committee meetings will commence this June instead of September. This accelerated timeline means the proposed priorities adopted by each policy committee will then be submitted to the Legislative Committee and then ultimately the FLC membership for consideration and adoption at the FLC Annual Conference in August instead of the FLC Legislative Conference in November. These priorities then become the League's Legislative Action Agenda.

If you have questions regarding the legislative policy process, please contact Holly McPhail at hmcphail@flcities.com or 850-701-3604 at the League office.

**Procedures for Submitting Resolutions
Florida League of Cities' 89th Annual Conference
World Center Marriott, Orlando, Florida
August 13 – 15, 2015**

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 8, 2015, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy committees and the Legislative Committee, prior to the membership. At that time, a state Legislative Action Agenda will be adopted.
- (6) Proposed resolutions must address either federal issues, state constitutional issues, matters directly relating to the conference, matters recognizing statewide or national events or service by League officers. All other proposed resolutions will be referred for adoption to either the Florida League of Cities Board of Directors or FLC President.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Important Dates

May 2015

Notice to Local and Regional League Presidents and Municipal Associations
regarding the Resolutions and Legislative Committees

June 2015

Appointment of Resolutions Committee Members

June 25 – Legislative Post-Session Review (2015 Session)

June 26 – Policy Committee Meetings (2016 Session)

July 2015

July 8 – Deadline for Submitting Resolutions to the League office

July 17 – Policy Committee Meetings (2016 Session)

August 2015

August 13 – Policy Committee Meetings including the finalization of
proposed committee statements (FLC Annual Conference)

August 14 – Resolutions Committee Meeting

August 14 – Legislative Committee Meeting (2016 Session)

August 15 – Pick Up Voting Delegate Credentials Followed by Annual
Business Session

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Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
I	1/8/2013	Village Council	Red Light Camera Program	Office of the Village Manager
Status	<p>Project Completed</p> <p>June 10, 2015: Anticipate Red Light Camera system going live with actual ticketing.</p> <p>May 10, 2015: 30 Day warning phase commencement.</p> <p>April 16, 2015: Village Manager requested an update on the status of the installation of the camera.</p> <p>April 15, 2015: Anticipated completion of installation of the camera systems.</p> <p>April 6, 2015: E news regarding roll out of the red light camera program to be sent out.</p> <p>April 3, 2015: Communications Manager issued the press release.</p> <p>March 15, 2015: Commencement of installation of the camera systems.</p> <p>March 9, 2015: Mr. Buckles from Redflex advised that FDOT Miami is currently holding the final permits, pending the receipt of plans concerning the sign requirements. Mr. Heery at FDOT Tallahassee has agreed to revise the sign requirement memo allowing for direct approvals for signs on the mast arm without the need for full structural engineering. The state structural engineer agreed that the current or new mast arms are able to hold the additional signs required. If they are older mast arms then the approval is given to place the sign on the vertical pole for the signal. This is awaiting formalization through a memo from FDOT Tallahassee. FDOT Miami representatives have agreed to move forward with the final permit approval as soon as the memorandum from the Tallahassee office is received. If all goes according to anticipated plans, installation of the Red Lights should commence next week.</p> <p>February 17, 2015: The Village Manager emailed Deputy County Mayor Alina Hudak requesting assistance in obtaining final approval from Miami-Dade County for the 4 red light cameras and expressed frustration with the process that has taken over six months for just 4 cameras.</p> <p>January 28, 2015: Communications Manager received a sample press release from Redflex.</p> <p>January 20, 2015: Village Communications Manager commenced discussions on community outreach in reference to groundbreaking, implementation 30-day wait period for the program.</p> <p>January 9, 2015: Final permit was issued by FDOT.</p> <p>January 6, 2014: Received final approval from Miami-Dade County Public Works with some slight conditions.</p> <p>December 2, 2014: Village Manager spoke with Mr. Buckle of Redflex regarding difficulties with County review of the project. Assistant Village Manager contacted County Deputy Mayor Hudak for assistance in getting clarification from County staff regarding two comments on last plans reviewed.</p> <p>November 20, 2014: Assistant Village Manager Menendez reached out to Deputy County Mayor Hudak for assistance in completing this project following yet another round of comments from the County's staff.</p> <p>November 7, 2014: Redflex submitted additional information as required by the Miami-Dade County Public Works for permit approval.</p> <p>October 21, 2014: The County provides additional comments to Redflex with regards to permit application plans.</p> <p>October 3, 2014: The Village Manager executed the contracts with the Special Magistrate Hearing Officers.</p> <p>October 2, 2014: The consultant resubmitted plans with corrections to Miami-Dade County.</p> <p>September 30, 2014: FDOT approved the application subject to the approval from Miami-Dade County. Miami-Dade County provided comments to the plans.</p> <p>September 10, 2014: Redflex representatives meet with County representative to talk about the permits, County comments on the plans are provided.</p>			

September 9, 2014: Council appointed two Special Magistrate Hearing Officers for the Red Light Camera Program implementation.

June 2, 2014: Redflex has completed the walk-through of each intersection and are working on plans now for the two approaches. Those should be completed this week. These will then get forwarded to the Village's engineer for review. Once approved by the Village, the plans will be submitted to FDOT. The FDOT process may take a few months to get the permit.

May 13, 2014: The Village Council will consider the change of intersection.

April 28, 2014: Redflex completed a survey of all the intersections along US 1 to confirm the four intersections for the pilot program. As a result, two new intersections are recommended (SW 104 Street and SW 124 Street) instead of Kendall Drive and Datan Boulevard. The necessary permits for the cameras have been submitted to the County for approval.

April 9, 2014: The Village will hold a kick-off meeting with representatives of Redflex to discuss the roll-out of the pilot program and next steps including but not limited to the educational campaign that will be launched to advise drivers of the new cameras.

March 10, 2014: Contract has been executed.

February 11, 2014: The Village Council approved award of the contract with Redflex.

February 4, 2014: Assistant Village Manager Menendez, Police Chief Ceballos and Village Attorney Bierman met with representatives from Redflex to discuss the possibility of piggy-backing off an existing contract for the provision of the Pilot Red Light Camera Program.

January 31, 2014: Redflex representative requested a meeting with Village staff to discuss the red light camera program. Meeting is scheduled for February 4, 2014.

January 30, 2014: Assistant Village Manager met with representative from ATS. ATS will advise if revised contract language provisions are acceptable.

January 24, 2014: Village Manager and Assistant Village Manager met with representative from Sensys to discuss Red Light Camera Program.

January 7, 2014: The Village received a proposed agreement from ATS. Contract was reviewed by the Village Attorney and staff. A conference call was held and ATS was instructed to provide a final document for inclusion in the January regular meeting agenda.

December 2, 18 and 28, 2013: Assistant Village Manager Menendez had a follow-up discussion with ATS representatives regarding contract.

November 21, 2013: Communicated with ATS regarding proposed contract language (24 months and cost neutrality).

November 2013: ATS has continued to work with Village staff to develop a final agreement for Council's consideration. Meanwhile, the Village approached the County's Procurement Division to inquire as to the schedule for release of a bid for a County-wide Red Light Camera Program as an alternative to entering into a separate agreement with ATS. The County advised they do not anticipate letting the bid out until July 2014. Village staff is working with representatives from ATS to include a most favored nations clause in the proposed contract for the pilot program so that the Village may piggy back off the County's contract should it be more beneficial to the Village.

November 4, 2013: Village Attorney Bierman and Assistant Village Manager Menendez had a conference with ATS to discuss requested changes to the agreement.

October 29, 2013: The Village Manager, Assistant Village Manager and Village Attorney reviewed the ATS draft agreement and discussed the possibility for piggy backing on a contract that will be awarded by Miami-Dade County as an option.

October 23, 2013: The Assistant Village Manager held a conference call with representatives from ATS to discuss the terms of an agreement.

October 2013: Depending on the review of the amortization schedule for the equipment, the Village Manager may or may not recommend entering into an agreement with ATS. In the alternate, the Village Manager will issue an RFP for the Red Light Camera Program in the hope that competing companies may be willing to provide a better alternative for the implementation of the pilot program.

September 27, 2013: The Village Manager and Assistant Village Manager met to review the proposed agreement and the Village Manager directed that the Village request an amortization schedule from ATS for the four cameras.

	<p>September 25, 2013: The Village Manager received the proposed two year agreement with another two year extension. However, the proposed agreement includes a payment requirement in the event the Village Council decides not to extend the agreement for the additional two years after initial two to recoup costs of the equipment investment.</p> <p>September 17, 2013: The Village Manager and Assistant Village Manager met with ATS representative Greg Parks to discuss terms of pilot program agreement (piggy back).</p> <p>September 11, 2013: The draft ordinance was brought before the Village Council for consideration on second reading and adopted.</p> <p>July 16, 2013: The draft ordinance was approved by the Council on first reading.</p> <p>June 4, 2013: Staff is waiting for Governor Scott's signing of the new legislation that will impact enabling ordinance language prior to bringing draft ordinance to Council for consideration.</p> <p>March 7, 2013: In light of several pending bills under consideration by the Florida Legislature that may affect the implementation of the pilot program, the Village Manager will monitor those bills prior to finalizing the agreement with the vendor and ordinance language to implement the program.</p> <p>March 5, 2013: The Village Manager contacted the City of North Miami Beach to request a copy of the City's agreement with ATS.</p> <p>March 4, 2013: The Village Attorney notified the Village Manager of the availability of a new contract between ATS and the City of North Miami Beach which might be a better agreement than the one the Village was negotiating.</p> <p>February 12, 2013: The Village Council directed that the Village Manager direct the vendor to conduct physical counts of red light violations at all intersections along US 1 to confirm the findings of the computer simulations and develop the final pilot program for approval and implementation.</p> <p>February 5, 2013: Assistant Village Manager emailed ATS to contact Miami-Dade County to obtain the permission to install the temporary cameras in order to fulfill the representations previously made by ATS to the Village.</p> <p>February 1, 2013: Assistant Village Manager contacted FPL to request assistance in allowing the cameras to be installed for testing on the poles. FPL advised that the poles in question were actually owned by the State and maintained by Miami-Dade County.</p> <p>January 31, 2013: The Village received a response from ATS stating that they no longer had permission from FPL to install the temporary cameras on their poles.</p> <p>January 24, 2013: Assistant Village Manager met with representatives from ATS to discuss the installation of the test cameras at different intersections along US 1 to monitor real-life violations to determine final course of action.</p> <p>January 8, 2013: The Village Council directed the Manager to initiate the first phase of the Red Light Camera Program that involves the installation of camera equipment at six intersections along the US 1 corridor to monitor the accuracy of the data that was presented to the Village Council by ATS.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
2	3/19/2013	Village Council	Implementation of Phase I of Safe Routes to School Project	Public Works Department
Status	<p>June 10, 2015: The Village will issue the Notice to Proceed and set up a pre-construction meeting with the contractor.</p> <p>May 15, 2015: State provided Notice to Proceed on construction of Phase I.</p> <p>April 14, 2015: Council decided to proceed with construction of Phase I and design of Phase 2.</p> <p>April 3, 2015: Letters were sent out to residents living adjacent to proposed sidewalks in Phase 2 advising them that the Village Council would be considering approval of those sidewalks at the April 14, 2015 Council meeting.</p> <p>March 30, 2015: State advised failure to build the sidewalks slated for Phase I would result in a forfeiture of the entire grant amount \$194,520 in</p>			

addition to requirement to reimburse the \$40,000 that was awarded for the Safe Routes to School Study.

March 17, 2015: Construction project was brought before Council for consideration. The Village Council asked the Village Manager to research the impact to any grants should the Village decide to do away with the construction of sidewalks as part of the project.

February 20, 2015: Will receive responses for construction bid.

February 10, 2015: The Village Council will hear a presentation regarding the Safe Routes to School Plan (all phases) during the regular meeting.

February 4, 2015: Pre-bid conference.

December 1, 2014: Bid was advertised.

November 24, 2014: FDOT issued the Notice to Proceed after approving the bid documents.

June 9, 2014: Completed design of the Phase I will be submitted for review to the State, County and Village.

May 30, 2014: Village received a revised schedule for project completion. The design should be completed during the week of June 9th.

March 10, 2014: The Village received approval from the Florida Department of Transportation of a \$4,000 LAP grant to cover the costs of surveying service in connection with the design of the project.

December 23, 2013: The Village Manager executed the contract for design of Phase I improvements.

December 10, 2013: The Village Council will consider a resolution awarding the contract for design of the Phase I improvements.

November 12, 2013: Contract negotiations are underway with David Plummer and Associates.

October 8, 2013: The Village Council awarded of the Phase I design contract to David Plummer and Associates.

September 6, 2013: The Village will receive responses to the RFQ.

August 19, 2013: Request for Qualifications was sent out for design of Phase I of the Safe Routes to School Program.

August 18, 2013: The Village is awaiting the final review by FDOT of the proposed RFQ document for compliance with LAP agreement parameters.

July 2, 2013: Assistant Village Manager received comments from FDOT regarding the proposed RFQ document.

June 2013: Village staff is working with FDOT representatives to develop a Request for Qualifications for the design of the Phase I improvements of Safe Routes to School program.

April 16, 2013: Based on discussions with FDOT, certain requirements are necessary in order to award design contract. A new request for Qualification will need to be advertised. Subsequently, the Village Manager cancelled the contract with David Plummer & Associates for design services.

March 27, 2013: The Village Manager executed the LAP agreement with FDOT.

March 19, 2013: Village Council authorized the Village Manager to enter into a Local Agency Program Agreement with FDOT for the Safe Routes to Schools Program funding and authorized the Village Manager to enter into an agreement with David Plummer & Associates for professional design services relating to the safe routes to school program Phase I implementation.

Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
3	4/8/2014	Village Council	Stormwater Basin Master Plan	Office of the Village Manager
Status	<p>July 14, 2015: Anticipate bringing top priority project list to the Village Council for consideration.</p> <p>June 9, 2015: Anticipate bringing draft code change language and Stormwater Basin Master Plan to the LPA/Village Council for consideration regarding water retention options.</p> <p>May 7, 2015: The Village Council held a Stormwater Master Plan workshop with the consultant during which the plan was presented to the</p>			

	<p>Village Council.</p> <p>April 2015: Consultant will have one-on-one meetings with members of the Village Council to review the preliminary draft report. Public Opinion survey will be administered to the areas identified as target capital improvement projects to solicit additional information.</p> <p>March 10, 2015: Consulting engineer held a workshop with representatives from the development community to review the draft recommendation of proposed land development regulation changes that would allow some of the requirements for water retention on private property to be developed in the public right-of-way.</p> <p>March 3, 2015: Consulting engineer held a public workshop to review the preliminary draft of the Capital Improvement Program that will be presented to the Village Council.</p> <p>January 20, 2015: The Village Manager, Assistant Manager, Building Official, Planning Director, Acting Public Works Director and consulting engineer met to discuss the establishment of an option that would allow the construction of drainage facilities in the public right-of-way in lieu of requiring the first inch of rainfall to be retained on the property.</p> <p>December 15, 2014: The Village submitted information regarding all the Flood Elevation Certificates to the consultant for inclusion in the report.</p> <p>December 4, 2014: The Village Manager, Assistant Village Manager, Planning Director, Building Official and Public Works Director will meet with the Stormwater Master Plan consultant to go over recommendations related to development sites and stormwater requirements and review initial report regarding existing conditions.</p> <p>November 12, 2014: Village staff will be meeting with the Stormwater Master Plan consultant to review some recommendations with regards to the internal regulatory review of new developments as well as review the preliminary project list for problem areas identified to date by the consultant.</p> <p>September 30, 2014: The Village held a public workshop at Evelyn Greer Park where approximately 20 residents attended to discuss stormwater concerns with the Stormwater Master Plan consultant and Village staff. Additional public workshops are expected to be scheduled at the beginning of the 2015 calendar year to allow further input from residents.</p> <p>September 23, 2014: The Village held a meeting with the Stormwater Master Plan consultants and area developers to discuss existing Village regulations and service level requirements of the Comprehensive Master Plan.</p> <p>June 24, 2014: The Village Manager and staff conducted the project kick-off meeting with representatives from ADA Engineering, Inc.</p> <p>June 2014: Project commences. This is a ten month project.</p> <p>May 13 2014: Submitted final negotiated contract with No. 1 ranked firm for Council approval. Council authorized the Village Manager to enter into an agreement with ADA Engineering, Inc.</p> <p>April 8, 2014: Council to review Manager recommendation for ranked firms that submitted responses to the RFQ.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
4	7/12/2011	Village Council	Old Cutler Road Bike Path	Office of the Village Manager
Status	<p>January 2016: Anticipated completion of construction.</p> <p>March - April 2015: Anticipate commencement of construction.</p> <p>February 3, 2015: Board of County Commissioner's awarded the project contract to Arce Engineering and Construction.</p> <p>January 2015: Will appear before the CITT Board for funding allocation.</p> <p>November 12, 2014: The Village Manager received notification that the Miami-Dade Public Works Department anticipates commencing the project in January 2015 as opposed to October 2014 (as originally scheduled).</p>			

October 7, 2014: The Village Manager corresponded with the Miami-Dade County Public Works department and requested an update on the status of this project.

July 16, 2014: Village Manager requested a status update on the project from Miami-Dade County.

January 28, 2014: Mr. Cotarelo advised that as the project will be funded in part with Federal monies the process of bidding out the project is more extensive. The Federal government requires FDOT's review of bid documents prior to the commencement of a competitive bid process, and again prior to the award to the lowest responsive and responsible bidder. Additionally, the balance of funds come from the Charter County Transportation Surtax (PTP), which require that the eventual award be approved by the Board of County Commissioners, the Citizen's Transportation Trust, and their respective committees. As such, these additional levels of review and approval create a procurement process appreciably longer than the typical.

January 27, 2014: The County offered additional clarification on project delays.

January 21, 2014: Received an update from Antonio Cotarelo, County Engineer, Public Works Department. County finished construction of Phase 1 of the Old Cutler Trail in January of 2012. That project was 7.10 miles long from SW 216 Street to SW 136 Street. Phase 2 of the Old Cutler Trail is from SW 136 Street to the Cartagena Circle; 4.79 miles long. Part of the funding for Phase 2 is from the FDOT (Transportation Enhancement Program -TEP funds); and those funds became available in December 2013. The County has completed the plans for Phase 2 and is in the process of putting the project out to bid in coordination and compliance with FDOT grant requirements. The project consists of reconstructing the bike path to a minimum 8' wide and relocate further away from the traffic lanes where possible; constructing curb and gutter, install remedial drainage as necessary, resurface segments that are to remain, prune tree roots and place root barriers to prevent future damage, and install regulatory signage for bicycles and pedestrians. Estimated Construction Cost: \$1,579,58.1

January 17, 2014: The Village Manager contacted Deputy Mayor Hudak to inquire as to the status of the project that would repair the bike path along Old Cutler Road from SW 136 Street north to Old Cartagena Road (Northern entrance to Coco Plum).

September 26, 2012: Village Manager met with Mr. Borrego to discuss several county related matters including this project.

April 20, 2012: Village Manager met with Eddie Borrego of Commissioner Bell's Office to update on the project.

April 6, 2012: Village Manager Galiano made a second request for copies of the final plans. Request was forwarded to Jeff Cohen, Assistant Chief of Traffic Engineering. Mr. Cohen forwarded the request to the Highway Division. Mr. Ona provided 30% completed set of construction plans for the project.

March 29, 2012: Village Manager Galiano requested copies of the plans for the Phase 2 Reconstruction of the Old Cutler Bike Path from Ms. Esther Calas, County Director of Public Works.

September 16, 2011: Village Manager met with Eddie Borrego of Commissioner Bell's Office to request assistance with expediting the Bike Path project.

September 8, 2011: Mr. Whittaker of Commissioner Suarez' Office advised the Village Manager that the project would not be able to be accelerated.

September 7, 2011: Mr. Leo Ona of the Highway Division advised Mr. Whittake from Commissioner Suarez' Office that as the funds for the project was administered through the MPO, the project timeline would not be able to be accelerated.

September 2, 2011: Mr. Joel Trujillo wrote Mr. Rene Idarraga of the County's Public Works Department to advise if the project could be expedited. Mr. Idarraga wrote Leo Ona, in the Highway Division requesting a response whether the project timeline could be moved up.

August 31, 2011: Mr. Homer Whittaker of Commissioner Suarez' office wrote Mr. Joel Trujillo with the County requesting confirmation of the information provided by the Village in the August 22, 2011 and asking if the project could be completed sooner than planned.

August 22, 2011: Village Manager Galiano wrote a letter to Commissioner Suarez regarding the Bike Path project relaying the Village's interest in

	<p>completing this project sooner than planned and requesting assistance from the Commissioner in expediting the project.</p> <p>August 17, 2011: The Village Manager provided the information regarding the anticipated project timeline to the Village Council.</p> <p>August 5, 2011: The Village Manager requested the timeline for completion of the Phase 2 project. Assistant Chief of the Highway Division, Mr. Marin advised that part of the funding necessary for the project would be available through the MPO Transportation Improvement Program as follows: \$321,000 during Fiscal Year 2012-2013 and \$998,000 during Fiscal Year 2013-2014. Mr. Marin indicated that construction of this phase would begin in late Fiscal Year 2012-2013.</p> <p>July 26, 2011: Village Manager wrote Mr. Cohen to follow-up on the timing of the Phase 2 Old Cutler Bike Path Reconstruction Project. Assistant Chief of the Highway Division, Octavio Marin provided Village Manager Galiano with a copy of the preliminary plans.</p> <p>July 20, 2011: Mr. Cohen advised the Village Manager that the County had a follow-up Old Cutler Bike Path project that would continue to Cocoplum Circle.</p> <p>July 19, 2011: Village Manager Galiano contacted County's representative Jeff Cohen with the Public Works Department to investigate the possibility of extending the reconstruction of the bike path.</p> <p>July 12, 2011: The Village Council directed the Village Manager to contact the County to inquire about the possibility of extending reconstruction of the bike path on Old Cutler Road, north of SW 136 Street.</p> <p>May 9, 2011: Village Manager Lombardi was forwarded a copy of the preliminary project plans.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
5	5/13/2014	Village Council	US 1 Bicycle/Pedestrian Mobility Plan	Building and Planning Department
Status	<p>Project Completed</p> <p>June 9, 2015: Anticipated completion of the project. Consultant will present the plan to the Village Council. Anticipate Council acceptance of the plan.</p> <p>April 21, 2015: The Village Manager met with the consultant to review the preliminary draft of the US 1 Bicycle/Pedestrian Mobility Plan. Village Manager instructed the consultant to revise the plan to coincide with the US 1 Vision Plan and remove reference of US 1 as a Main Street concept.</p> <p>February 24, 2015: The Village held a public workshop meeting at Evelyn Greer Park at 6:00 p.m. to receive recommendations and suggestions from the public and to review the consultant's preliminary finding and recommendations.</p> <p>January 26, 2015: The consultant attended the Transportation Advisory Committee meeting and presented the preliminary findings. Committee members provided input.</p> <p>January 22, 2015: The Planning Director met with consultant to review the preliminary report and provide input.</p> <p>October 16, 2014: Consultant met with commercial property owner representatives and property owners adjacent to the proposed project area to solicit input regarding the proposed plan elements.</p> <p>August 2014: Consultant is in the process of completing a survey of existing conditions.</p> <p>June 13, 2014: Planning Director Steve Olmstead held a kick-off meeting with the consultant.</p> <p>May 22, 2014: The Village Manager executed the agreement and a project commencement date of June 1, 2014 was established.</p> <p>May 13, 2014: The Village Council authorized the manager to execute and agreement with Streets Plan Collaborative to develop the US 1 Bicycle/Pedestrian Mobility Plan that is funded through a MPO grant. (Resolution 2014-26)</p> <p>April 8, 2014: The Village Council heard presentations from representatives of the firms that submitted proposals in response to the RFP.</p>			

Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
6	9/23/2014	Village Council	Veterans Wayside Park Miscellaneous Improvements	Parks and Recreation Department
Status	<p>June 2015: Miscellaneous improvements such as new park benches and trash cans, parking area and landscaping will be completed.</p> <p>September 23, 2014: The Village Council approved the FY 2014-15 Budget which allocated \$50,000 for miscellaneous improvements to Veterans Wayside Park such as new park benches, improvements to the parking area, etc.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
7	9/23/2014	Village Council	Community Center Expansion	Office of the Village Manager and Parks and Recreation Department
Status	<p>January 2015: Commencement of construction of expansion.</p> <p>December 2015: Award of the construction contract is anticipated.</p> <p>October 2015: Anticipate release of the Invitation to Bid for the construction of the project.</p> <p>June 2015: Commencement of design of Phases 1 and 2 of the Community Center Expansion project. Anticipate the design phase will take approximately 6 months to complete.</p> <p>July 14, 2015: Anticipate the Village Council will approve the negotiated contract.</p> <p>April 22, 2015: Village Manager met with Mr. Heisenbottle to negotiate a proposal for the project. Anticipate receipt of a final proposal by May 2015.</p> <p>April 14, 2015: Council authorized the Village Manager to negotiate an agreement with the top ranked firm as recommended by the Selection Committee.</p> <p>March 2015: Presentations from respondents to the Request for Qualifications will be held by the Selection Committee.</p> <p>February 10, 2015: The 2nd reading ordinance authorizing the issuance of the bond for the improvements is approved.</p> <p>January 15, 2015: The Village received 11 responses to the Request for Qualifications that was published on December 1, 2014. The selection committee is in the process of reviewing the qualifications and scoring each company. Based on the scores, a ranked order will be presented to the Village Council and the top three companies will be invited to present before the Village Council in March.</p> <p>January 13, 2015: The Village Council adopted the required ordinance for the required bond in the amount not to exceed \$6 Million on first reading.</p> <p>September 23, 2014: The Village Council approved the FY 2014-2015 Budget which allocated \$5 Million towards the expansion of the Community Center.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
8	9/23/2014	Village Council	Coral Pine Park Improvements	Office of the Village Manager and Parks and Recreation Department
Status	<p>September 2016: Expect substantial completion of the construction.</p> <p>November/December 2015: Expect completion of the construction plans that will include sustainable/energy efficiency components to the new</p>			

	<p>building. Expect construction to commence in Fall of 2015.</p> <p>September 2015: Award of the design/build contract is expected to come before the Village Council for approval.</p> <p>July 1, 2015: Advertise the design/build contract.</p> <p>February 13, 2015: Village Council approved the bond on 2nd reading.</p> <p>January 30, 2015: Met with AECOM regarding construction plans proposal.</p> <p>December 2015: Staff commenced the process of developing the bid documents with the assistance of AECOM (the Master Plan consultant), to move forward with a bid for design/build contract. The bid documents will include 30% design of the facilities, and allow for a design/build company to finalize the construction drawings (i.e. plumbing, electrical, mechanical, HVAC, structural, etc.)</p> <p>September 23, 2014: The Village Council approved the FY 2014-2015 Budget which allocated \$900 K towards the construction of a new tennis concession building, new playground and miscellaneous landscape improvements for Coral Pine Park.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
9	9/23/2014	Village Council	Pinecrest Gardens Parking Lot Drainage Improvements	Office of the Village Manager and Pinecrest Gardens
Status	<p>On Hold</p> <p>February 2, 2015: The Village Manager communicated with Titan America regarding the delay for the project.</p> <p>January 14, 2015: The Village Manager received bid totals from the Pompano Alley Project which could potentially be used as a piggy-back contract for the drainage improvements as well as a quote from RP Utility and Excavation Corp to complete the project in the amount of \$211,745.</p> <p>January 9, 2015: The Village Manager contacted Titan America to follow-up with regards to the receipt of a quote for the project.</p> <p>December 15, 2014: The Village Manager received an email from Titan America representatives indicating they would be contacting some of the contractors that have current contracts with other governmental entities to provide a quote for the drainage project.</p> <p>November 14, 2014: Village Manager received notification from Titan America that they had visited Pinecrest Gardens to develop the parameters of the drainage project and would be contacting several project contractors to obtain quotes.</p> <p>November 4, 2014: Village Manager met with representatives from Titan America to review product samples and answer some questions regarding the scope of the project.</p> <p>October 30, 2014: Village Manager received an email from Titan America inquiring as to status of commencement of this project.</p> <p>October 5, 2014: Village Manager met with representatives from Titan America to review the project.</p> <p>September 23, 2014: Village Council adopted FY 2014-2015 which set aside funding in the amount of \$87,000 towards Parking Lot Improvements at Pinecrest Gardens to improve drainage on the last row of the parking lot directly behind the colonnade.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
10	9/23/2014	Village Council	Banyan Bowl Improvements	Office of the Village Manager and Pinecrest Gardens
Status	<p>July 2015: Anticipated completion of all the projects.</p> <p>May 2015: Commencement of improvements such as new stage floor, center platform, electrical conduits, and stairs to mezzanine will be completed once the Season of Arts has finished.</p>			

	<p>January 30, 2015: The Banyan Bowl gates have been ordered, expect delivery and installation in May 2015.</p> <p>October 31, 2014: Replacement of overhead lights on stage where completed.</p> <p>September 23, 2014: Village Council adopted FY 2014-15 Budget which set aside \$107,410 towards improvements to the Banyan Bowl such as a new stage floor, new entrance gates, mezzanine level, a center platform and the replacement of overhead lighting.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
11	9/23/2014	Village Council	Kendall Drive Median Beautification Project	Office of the Village Manager
Status	<p>September 2015: Completion of design and permits from the County prior to putting out to bid.</p> <p>March 17, 2015: Design contract was awarded to O'leary Design and Associates by the Village Council.</p> <p>February 10, 2015: Recommendation for ranked list was submitted to the Village Council. Village Council will authorize the Village Manager to negotiate a contract for the design of the Kendall Drive Median Beautification Project with O'Leary Design Associates.</p> <p>January 30, 2015: Scores from the members of the selection committee are due to the Administrative Services Manager. A ranked list will be developed based on the scores and submitted as a recommendation to the Council.</p> <p>January 14, 2015: The Selection Committee members received copies of the submittals and must review and score by January 30th.</p> <p>December 16, 2014: The Village received 9 proposals in response to the Request for Qualifications for landscape architects.</p> <p>September 23, 2014: The Village Council approved the FY 2014-15 Budget which allocated \$175,000 for design and construction of the improvements.</p>			
Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
12	9/23/2014	Village Council	US I Median Beautification Project	Office of the Village Manager
Status	<p>November 2015: Anticipate completion of design.</p> <p>June 9, 2015: Anticipate award of the design contract for the US I Median Beautification Project with O'Leary Design and Associates.</p> <p>March 17, 2015: Recommendation for ranked list was submitted to the Village Council. Village Council authorized the Village Manager to negotiate a contract for the design of the US I Median Beautification Project with the number one ranked firm, O'Leary Design and Associates.</p> <p>February 6, 2015: Scores from the members of the selection committee are due to the Administrative Services Manager. A ranked list will be developed based on the scores and submitted as a recommendation to the Council.</p> <p>January 15, 2015: The Selection Committee members received copies of the submittals and must review and score by February 6th.</p> <p>December 17, 2014: The Village received 9 proposals in response to the Request for Qualifications for landscape architects.</p> <p>November 23, 2014: The Village issued the Request for Qualifications for landscape architects to develop design plans for the beautification of US I Median.</p> <p>September 23, 2014: The Village Council approved the FY 2014-15 Budget which allocated \$300,000 for design and construction of the improvements.</p>			

Item No.	Action Initiation Date	Councilmember or Staff Member	Topic of Follow-up	Department Assigned
13	10/14/2014	Village Council	Street Repaving Program	Office of the Village Manager and Public Works Department
Status	<p>Project Completed</p> <p>June 30, 2015: Anticipate 100% completion of Phase I of the repaving program.</p> <p>April 6, 2015: As of this date, Phase I of the street repaving program is approximately 65% complete.</p> <p>March 10, 2015: As of this date, Phase I of the street repaving program is approximately 60% complete.</p> <p>January 30, 2015: As of this date, Phase I of the street repaving program is approximately 40% complete.</p> <p>October 14, 2014: The Village Council authorized the Village Manager to enter into a contract with H&J Asphalt, Inc. for the Street Repaving Program. (Resolution 2014-43) The Village Council also authorized the Village Manager to enter into an agreement with the Stantec Consulting Services, Inc. for project management services relating to the Street Repaving Program. (Resolution 2014-44)</p>			

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Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 001 - General Fund									
Department 000 -	20,537,870.00	.00	20,537,870.00	1,077,760.99	.00	14,939,274.99	5,598,595.01	73	19,377,768.06
REVENUE TOTALS	\$20,537,870.00	\$0.00	\$20,537,870.00	\$1,077,760.99	\$0.00	\$14,939,274.99	\$5,598,595.01	73%	\$19,377,768.06
EXPENSE									
Department 000 -	2,517,900.00	.00	2,517,900.00	.00	.00	619,793.56	1,898,106.44	25	1,692,938.60
Department 511 - Village Council	207,570.00	(40,000.00)	167,570.00	5,966.66	.00	152,810.54	14,759.46	91	291,854.62
Department 512 - Administrative	952,870.00	.00	952,870.00	91,707.36	.00	578,298.30	374,571.70	61	861,814.90
Department 513 - Finance Department	347,970.00	.00	347,970.00	32,732.15	.00	229,380.44	118,589.56	66	335,386.19
Department 514 - Village Attorney	456,500.00	.00	456,500.00	6,433.60	.00	223,654.52	232,845.48	49	1,107,050.81
Department 519 - General Government	1,624,420.00	4,908.00	1,629,328.00	101,062.51	.00	1,186,211.74	443,116.26	73	1,406,607.49
Department 521 - Police Department	8,169,110.00	53,728.00	8,222,838.00	795,888.92	.00	5,088,786.28	3,134,051.72	62	7,289,457.45
Department 524 - Building, Planning & Zoning - BPZ	1,868,290.00	2,880.00	1,871,170.00	190,989.77	13,595.80	1,193,766.77	663,807.43	65	1,694,586.39
Department 539 - Public Works	689,250.00	7,630.00	696,880.00	52,464.79	.00	386,085.26	310,794.74	55	637,081.05
Department 572 - Parks and Recreation	2,181,550.00	.00	2,181,550.00	217,594.78	.00	1,472,296.74	709,253.26	67	2,255,591.07
Department 575 - Pinecrest Gardens	1,952,420.00	57,370.00	2,009,790.00	176,049.78	.00	1,333,881.89	675,908.11	66	1,738,757.97
EXPENSE TOTALS	\$20,967,850.00	\$86,516.00	\$21,054,366.00	\$1,670,890.32	\$13,595.80	\$12,464,966.04	\$8,575,804.16	59%	\$19,311,126.54

Fund 001 - General Fund Totals	20,537,870.00	.00	20,537,870.00	1,077,760.99	.00	14,939,274.99	5,598,595.01	73	19,377,768.06
REVENUE TOTALS	20,537,870.00	.00	20,537,870.00	1,077,760.99	.00	14,939,274.99	5,598,595.01	73	19,377,768.06
EXPENSE TOTALS	20,967,850.00	86,516.00	21,054,366.00	1,670,890.32	13,595.80	12,464,966.04	8,575,804.16	59	19,311,126.54
Fund 001 - General Fund Totals	(\$429,980.00)	(\$86,516.00)	(\$516,496.00)	(\$593,129.33)	(\$13,595.80)	\$2,474,308.95	(\$2,977,209.15)		\$66,641.52



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 101 - Stormwater Utility Fund									
REVENUE									
Department 000 -	667,990.00	.00	667,990.00	15,195.29	.00	581,250.50	86,739.50	87	538,623.32
	<u>\$667,990.00</u>	<u>\$0.00</u>	<u>\$667,990.00</u>	<u>\$15,195.29</u>	<u>\$0.00</u>	<u>\$581,250.50</u>	<u>\$86,739.50</u>	<u>87%</u>	<u>\$538,623.32</u>
EXPENSE									
Department 538 - Stormwater	762,040.00	.00	762,040.00	69,003.07	49,886.29	261,849.79	450,303.92	41	761,108.78
	<u>\$762,040.00</u>	<u>\$0.00</u>	<u>\$762,040.00</u>	<u>\$69,003.07</u>	<u>\$49,886.29</u>	<u>\$261,849.79</u>	<u>\$450,303.92</u>	<u>41%</u>	<u>\$761,108.78</u>
Fund 101 - Stormwater Utility Fund Totals									
REVENUE TOTALS	667,990.00	.00	667,990.00	15,195.29	.00	581,250.50	86,739.50	87	538,623.32
EXPENSE TOTALS	762,040.00	.00	762,040.00	69,003.07	49,886.29	261,849.79	450,303.92	41	761,108.78
Fund 101 - Stormwater Utility Fund Totals	<u>(\$94,050.00)</u>	<u>\$0.00</u>	<u>(\$94,050.00)</u>	<u>(\$53,807.78)</u>	<u>(\$49,886.29)</u>	<u>\$319,400.71</u>	<u>(\$363,564.42)</u>		<u>(\$222,485.46)</u>



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 102 - Transportation Fund									
REVENUE									
Department 000 - .	940,150.00	.00	940,150.00	41,890.64	.00	529,744.08	410,405.92	56%	1,019,092.22
	\$940,150.00	\$0.00	\$940,150.00	\$41,890.64	\$0.00	\$529,744.08	\$410,405.92		\$1,019,092.22
EXPENSE									
Department 000 - .	.00	.00	.00	.00	.00	.00	.00	+++	.00
Department 541 - Transportation	2,625,430.00	234,586.00	2,860,016.00	153,120.18	376,063.45	1,017,097.84	1,466,854.71	49%	467,731.15
	\$2,625,430.00	\$234,586.00	\$2,860,016.00	\$153,120.18	\$376,063.45	\$1,017,097.84	\$1,466,854.71	49%	\$467,731.15
Fund 102 - Transportation Fund Totals									
REVENUE TOTALS	940,150.00	.00	940,150.00	41,890.64	.00	529,744.08	410,405.92	56	1,019,092.22
EXPENSE TOTALS	2,625,430.00	234,586.00	2,860,016.00	153,120.18	376,063.45	1,017,097.84	1,466,854.71	49	467,731.15
Fund 102 - Transportation Fund Totals	(\$1,685,280.00)	(\$234,586.00)	(\$1,919,866.00)	(\$111,229.54)	(\$376,063.45)	(\$487,353.76)	(\$1,056,448.79)		\$551,361.07



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Recd	Prior Year Total
Fund 103 - Police Education Fund									
REVENUE									
Department 000 - .	5,200.00	.00	5,200.00	7,739.56	.00	9,340.58	(4,140.58)	180	4,805.22
	<u>\$5,200.00</u>	<u>\$0.00</u>	<u>\$5,200.00</u>	<u>\$7,739.56</u>	<u>\$0.00</u>	<u>\$9,340.58</u>	<u>(\$4,140.58)</u>	<u>180%</u>	<u>\$4,805.22</u>
REVENUE TOTALS									
EXPENSE									
Department 521 - Police Department	9,010.00	.00	9,010.00	130.00	.00	4,511.99	4,498.01	50	4,296.28
	<u>\$9,010.00</u>	<u>\$0.00</u>	<u>\$9,010.00</u>	<u>\$130.00</u>	<u>\$0.00</u>	<u>\$4,511.99</u>	<u>\$4,498.01</u>	<u>50%</u>	<u>\$4,296.28</u>
EXPENSE TOTALS									
Fund 103 - Police Education Fund Totals									
REVENUE TOTALS	5,200.00	.00	5,200.00	7,739.56	.00	9,340.58	(4,140.58)	180	4,805.22
EXPENSE TOTALS	9,010.00	.00	9,010.00	130.00	.00	4,511.99	4,498.01	50	4,296.28
Fund 103 - Police Education Fund Totals	<u>(\$3,810.00)</u>	<u>\$0.00</u>	<u>(\$3,810.00)</u>	<u>\$7,609.56</u>	<u>\$0.00</u>	<u>\$4,828.59</u>	<u>(\$8,638.59)</u>		<u>\$508.94</u>



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 104 - Police Forfeiture Fund									
REVENUE									
Department 000 - .	.00	.00	.00	.00	.00	18,225.20	(18,225.20)	+++	33,386.83
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,225.20	(\$18,225.20)	+++	\$33,386.83
REVENUE TOTALS									
EXPENSE									
Department 521 - Police Department	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
EXPENSE TOTALS									
Fund 104 - Police Forfeiture Fund Totals									
REVENUE TOTALS	.00	.00	.00	.00	.00	18,225.20	(18,225.20)	+++	33,386.83
EXPENSE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
Fund 104 - Police Forfeiture Fund Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,225.20	(\$18,225.20)	+++	\$33,386.83



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 105 - Hardwire, 911 Fund									
REVENUE									
Department 000 - .	54,950.00	.00	54,950.00	3,983.00	.00	17,483.21	37,466.79	32	62,865.17
	\$54,950.00	\$0.00	\$54,950.00	\$3,983.00	\$0.00	\$17,483.21	\$37,466.79	32%	\$62,865.17
REVENUE TOTALS									
EXPENSE									
Department 521 - Police Department	65,600.00	.00	65,600.00	4,667.87	.00	44,481.40	21,118.60	68	75,555.52
	\$65,600.00	\$0.00	\$65,600.00	\$4,667.87	\$0.00	\$44,481.40	\$21,118.60	68%	\$75,555.52
EXPENSE TOTALS									
Fund 105 - Hardwire, 911 Fund Totals									
REVENUE TOTALS	54,950.00	.00	54,950.00	3,983.00	.00	17,483.21	37,466.79	32	62,865.17
EXPENSE TOTALS	65,600.00	.00	65,600.00	4,667.87	.00	44,481.40	21,118.60	68	75,555.52
Fund 105 - Hardwire, 911 Fund Totals	(\$10,650.00)	\$0.00	(\$10,650.00)	(\$684.87)	\$0.00	(\$26,998.19)	\$16,348.19		(\$12,690.35)



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 106 - Wireless, 911 Fund									
REVENUE									
Department 000 - .	11,880.00	.00	11,880.00	398.84	.00	1,833.05	10,046.95	15%	25,713.11
	\$11,880.00	\$0.00	\$11,880.00	\$398.84	\$0.00	\$1,833.05	\$10,046.95	15%	\$25,713.11
REVENUE TOTALS									
Department 521 - Police Department	14,750.00	.00	14,750.00	1,024.07	.00	9,949.12	4,800.88	67%	15,111.44
	\$14,750.00	\$0.00	\$14,750.00	\$1,024.07	\$0.00	\$9,949.12	\$4,800.88	67%	\$15,111.44
EXPENSE TOTALS									
Fund 106 - Wireless, 911 Fund Totals	11,880.00	.00	11,880.00	398.84	.00	1,833.05	10,046.95	15%	25,713.11
REVENUE TOTALS									
EXPENSE TOTALS	14,750.00	.00	14,750.00	1,024.07	.00	9,949.12	4,800.88	67%	15,111.44
Fund 106 - Wireless, 911 Fund Totals	(\$2,870.00)	\$0.00	(\$2,870.00)	(\$625.23)	\$0.00	(\$8,116.07)	\$5,246.07		\$10,601.67



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 107 - CITT Public Transit Fund									
REVENUE									
Department 000 - .	130,100.00	.00	130,100.00	.00	.00	51,963.63	78,136.37	40%	131,116.34
	<u>\$130,100.00</u>	<u>\$0.00</u>	<u>\$130,100.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$51,963.63</u>	<u>\$78,136.37</u>	<u>40%</u>	<u>\$131,116.34</u>
REVENUE TOTALS									
Department 541 - Transportation	207,600.00	102,268.00	309,868.00	435.00	50,243.13	136,155.04	123,469.83	60%	480,872.76
	<u>\$207,600.00</u>	<u>\$102,268.00</u>	<u>\$309,868.00</u>	<u>\$435.00</u>	<u>\$50,243.13</u>	<u>\$136,155.04</u>	<u>\$123,469.83</u>	<u>60%</u>	<u>\$480,872.76</u>
EXPENSE TOTALS									
Fund 107 - CITT Public Transit Fund Totals									
REVENUE TOTALS	130,100.00	.00	130,100.00	.00	.00	51,963.63	78,136.37	40	131,116.34
EXPENSE TOTALS	207,600.00	102,268.00	309,868.00	435.00	50,243.13	136,155.04	123,469.83	60	480,872.76
Fund 107 - CITT Public Transit Fund Totals	<u>(\$77,500.00)</u>	<u>(\$102,268.00)</u>	<u>(\$179,768.00)</u>	<u>(\$435.00)</u>	<u>(\$50,243.13)</u>	<u>(\$84,191.41)</u>	<u>(\$45,333.46)</u>		<u>(\$349,756.42)</u>



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 108 - CITT Busway Shelter Fund									
REVENUE									
Department 000 - .	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
EXPENSE									
Department 000 - .	.00	.00	.00	.00	.00	.00	.00	+++	.00
Department 541 - Transportation	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
Fund 108 - CITT Busway Shelter Fund Totals									
REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
EXPENSE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
Fund 108 - CITT Busway Shelter Fund Totals									
REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00
EXPENSE TOTALS	.00	.00	.00	.00	.00	.00	.00	+++	.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	+++	\$0.00



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 201 - Debt Service Fund									
REVENUE									
Department 000 - .	2,017,060.00	.00	2,017,060.00	.00	.00	645,783.56	1,371,276.44	32%	1,494,928.60
	\$2,017,060.00	\$0.00	\$2,017,060.00	\$0.00	\$0.00	\$645,783.56	\$1,371,276.44	32%	\$1,494,928.60
REVENUE TOTALS									
EXPENSE									
Department 000 - .	2,017,060.00	.00	2,017,060.00	.00	.00	645,783.56	1,371,276.44	32%	1,494,928.60
	\$2,017,060.00	\$0.00	\$2,017,060.00	\$0.00	\$0.00	\$645,783.56	\$1,371,276.44	32%	\$1,494,928.60
EXPENSE TOTALS									
Fund 201 - Debt Service Fund Totals									
REVENUE TOTALS	2,017,060.00	.00	2,017,060.00	.00	.00	645,783.56	1,371,276.44	32%	1,494,928.60
EXPENSE TOTALS	2,017,060.00	.00	2,017,060.00	.00	.00	645,783.56	1,371,276.44	32%	1,494,928.60
Fund 201 - Debt Service Fund Totals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00



Budget by Organization Report

Through 05/31/15
 Prior Fiscal Year Activity Excluded
 Summary Listing

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 301 - Capital Projects Fund									
REVENUE									
Department 000 - -	6,446,330.00	.00	6,446,330.00	.00	.00	5,963,468.54	482,861.46	93%	2,310,956.16
	\$6,446,330.00	\$0.00	\$6,446,330.00	\$0.00	\$0.00	\$5,963,468.54	\$482,861.46	93%	\$2,310,956.16
EXPENSE									
Department 000 - -	.00	.00	.00	.00	.00	39,439.44	(39,439.44)	+++	2,085,424.00
Department 519 - General Government	75,000.00	150,000.00	225,000.00	.00	.00	.00	225,000.00	0	.00
Department 572 - Parks and Recreation	5,996,700.00	27,135.00	6,023,835.00	2,100.00	27,135.00	65,410.00	5,931,290.00	2	159,415.00
Department 575 - Pinecrest Gardens	346,540.00	.00	346,540.00	3,135.00	12,297.00	89,393.95	244,849.05	29	198,119.57
	\$6,418,240.00	\$177,135.00	\$6,595,375.00	\$5,235.00	\$39,432.00	\$194,243.39	\$6,361,699.61	4%	\$2,442,958.57
Fund 301 - Capital Projects Fund Totals									
REVENUE TOTALS	6,446,330.00	.00	6,446,330.00	.00	.00	5,963,468.54	482,861.46	93	2,310,956.16
EXPENSE TOTALS	6,418,240.00	177,135.00	6,595,375.00	5,235.00	39,432.00	194,243.39	6,361,699.61	4	2,442,958.57
	\$28,090.00	(\$177,135.00)	(\$149,045.00)	(\$5,235.00)	(\$39,432.00)	\$5,769,225.15	(\$5,878,838.15)		(\$132,002.41)
Fund 301 - Capital Projects Fund Totals									
Grand Totals	30,811,530.00	.00	30,811,530.00	1,146,968.32	.00	22,758,367.34	8,053,162.66	74	24,999,255.03
REVENUE TOTALS	33,087,580.00	600,505.00	33,688,085.00	1,904,505.51	529,220.67	14,779,038.17	18,379,826.16	45	25,053,689.64
EXPENSE TOTALS	(\$2,276,050.00)	(\$600,505.00)	(\$2,876,555.00)	(\$757,537.19)	(\$529,220.67)	\$7,979,329.17	(\$10,326,663.50)		(\$54,434.61)

VILLAGE OF PINECREST

INVESTMENT RETURNS INTEREST RATES

SOURCE	June 14	July 14	Aug, 14	Sept. 14	Oct. 14	Nov. 14	Dec. 14	Jan. 15	Feb. 15	Mar. 15	Apr. 15	May-15
STATE POOL	0.15%	0.16%	0.16%	0.16%	0.16%	0.15%	0.15%	0.17%	0.16%	0.18%	0.19%	0.20%
BB&T/BK SWEEP	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
T-BILLS												
6 Months	0.05%	0.06%	0.05%	0.05%	0.06%	0.07%	0.04%	0.08%	0.07%	13.50%	0.10%	0.08%
3 Months	0.03%	0.03%	0.03%	0.04%	0.02%	0.02%	0.01%	0.02%	0.02%	0.04%	0.02%	0.02%
BBB&T, CD's over \$1MM												
One Year	0.01%	0.01%	0.01%	0.01%	0.01%	0.05%	0.01%	0.05%	0.05%	0.05%	0.05%	0.05%
6 Months	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.02%	0.03%	0.03%	0.01%
National Rates												
One Year	0.88%	0.90%	0.94%	0.97%	1.00%	0.99%	0.99%	1.06%	1.05%	1.06%	0.98%	1.00%
30 day libor rate	0.08%	0.09%	0.59%	0.06%	0.01%	0.01%	0.01%	-0.004%	0.006%	-0.02%	-0.06%	-0.07%
PRIME RATE	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	3.25%	na
CONSUMER PRICE INDEX	238.3	238.3	237.9	238.0	237.4	239.2	234.8	233.7	240.1	236.1	236.6	na
Plus/Minus Year Ago	2.1%	2.0%	1.7%	1.7%	1.7%	1.3%	0.8%	-0.1%	0.0%	0.6%	-0.2%	na
MORTGAGE/SECURITIES *												
30 Years -												
Fannie Mae (FNMA)	3.76%	3.77%	3.68%	3.80%	3.61%	3.48%	3.40%	3.14%	3.36%	3.31%	3.36%	3.43%
NAPM ** / ISM	55.3	57.1	59.0	56.6	59.0	58.7	55.5	53.5	52.9	51.5	51.5	na

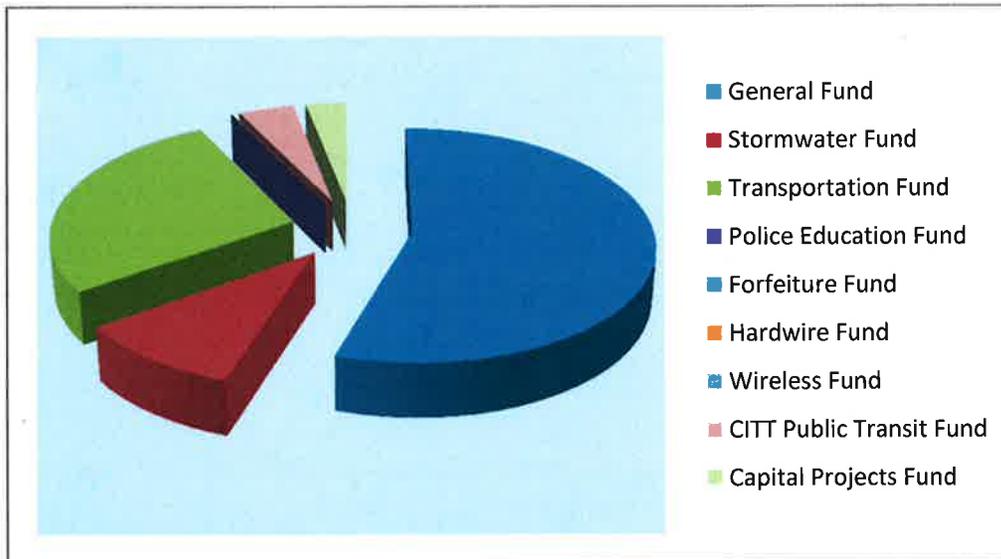
* Mortgage/Securities Return Principal and Interest on a Monthly Basis

** Institute for Supply Management, a reading of under 50 denotes contraction and a reading of above 50 denotes expansion in the manufacturing sector of the economy.

Cash Summary

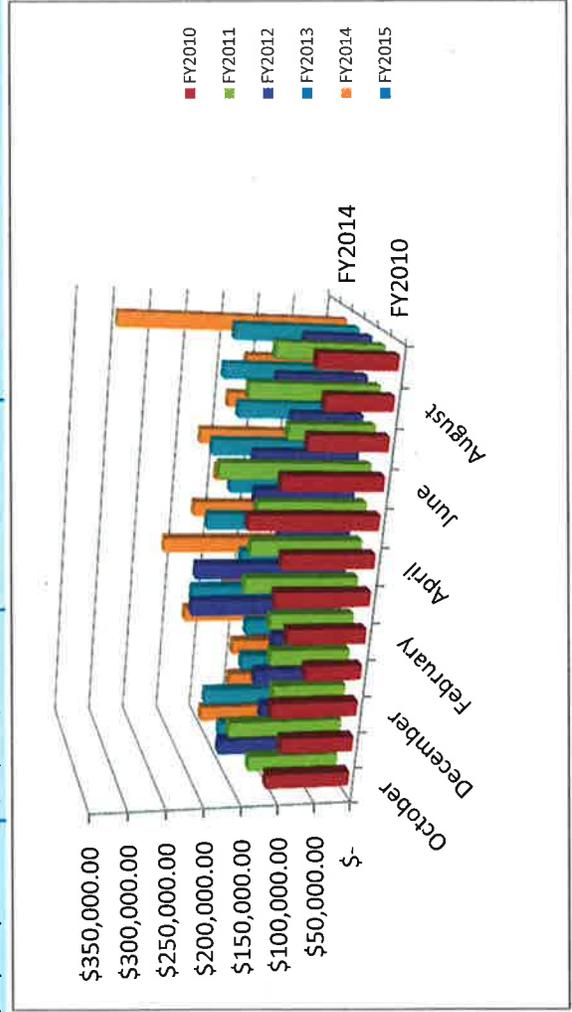
FY 2015
May, 2015

Fund #		Total	BBandT	State Investment Pool
001	General Fund	\$ 11,159,964	\$ 622,906	\$ 10,537,058
101	Stormwater Fund	\$ 750,976	\$ 270,952	\$ 480,024
102	Transportation Fund	\$ 5,881,575	\$ 2,702,541	\$ 3,179,034
103	Police Education Fund	\$ 8,324	\$ 8,324	
104	Forfeiture Fund	\$ 51,612	\$ 51,612	
105	Hardwire Fund	\$ (203)	\$ (203)	
106	Wireless Fund	\$ 26,730	\$ 26,730	
107	CITT Public Transit Fund	\$ 186,944	\$ 34,861	\$ 152,083
301	Capital Projects Fund	\$ 6,271,404	\$ 413,793	\$ 5,857,611
Totals		\$ 24,337,326	\$ 4,131,516	\$ 20,205,810



Building, Planning & Zoning
FY 2009-Present

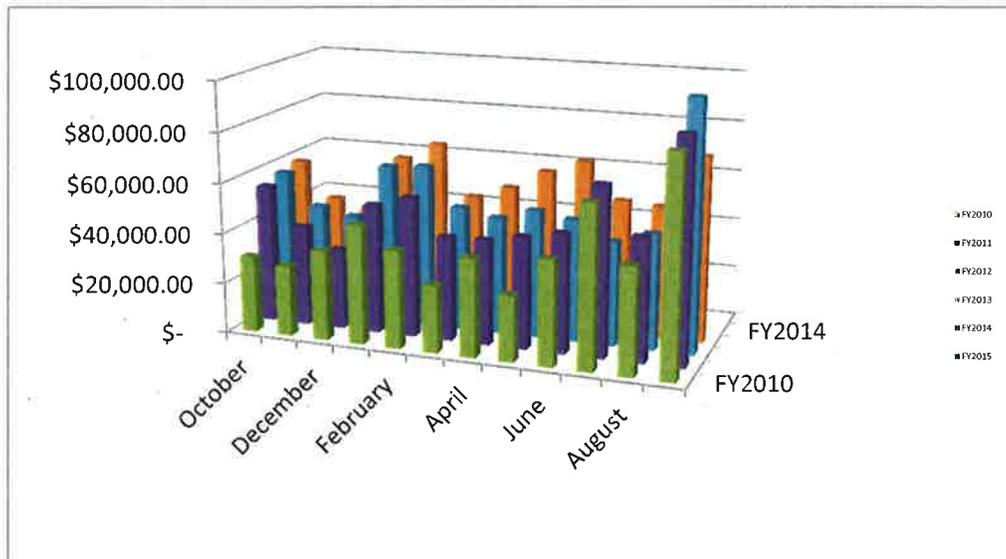
	322.000	322.000	322.000	322.000	322.000	322.000	322.000	322.000	322.000	322.000
	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015				
October	\$ 113,312.91	\$ 124,372.72	\$ 153,151.16	\$ 139,836.17	\$ 154,221.74	\$ 208,891.46				
November	\$ 98,732.31	\$ 156,274.48	\$ 97,634.95	\$ 164,116.86	\$ 117,371.73	\$ 168,584.76				
December	\$ 116,364.25	\$ 99,397.63	\$ 111,113.29	\$ 116,232.17	\$ 116,826.14	\$ 150,381.66				
January	\$ 75,361.52	\$ 108,105.11	\$ 90,161.72	\$ 114,054.80	\$ 189,594.75	\$ 173,820.94				
February	\$ 105,639.82	\$ 113,181.14	\$ 206,746.95	\$ 194,576.33	\$ 136,664.18	\$ 143,674.08				
March	\$ 126,484.04	\$ 152,109.22	\$ 204,799.10	\$ 130,675.26	\$ 225,909.66	\$ 203,023.50				
April	\$ 122,021.55	\$ 148,677.70	\$ 96,539.87	\$ 181,100.21	\$ 188,486.79	\$ 165,932.19				
May	\$ 170,508.39	\$ 145,284.67	\$ 133,604.20	\$ 154,103.18	\$ 161,354.35					
June	\$ 132,493.81	\$ 198,657.20	\$ 140,277.60	\$ 182,684.14	\$ 186,916.99					
July	\$ 103,448.67	\$ 114,144.13	\$ 94,231.13	\$ 152,110.96	\$ 153,450.16					
August	\$ 87,486.42	\$ 169,889.69	\$ 118,856.41	\$ 176,013.58	\$ 132,811.12					
September	\$ 103,325.49	\$ 140,014.68	\$ 87,754.30	\$ 165,860.78	\$ 308,928.65					
Totals	\$ 1,355,179.18	\$ 1,670,108.37	\$ 1,534,870.68	\$ 1,871,364.44	\$ 2,072,536.26	\$ 1,214,308.59				



Community Center

FY 2009-Present

	347.100 FY2010	347.100 FY2011	347.100 FY2012	347.100 FY2013	347.100 FY2014	347.100 FY2015
October	\$ 30,385.48	\$ 55,051.73	\$ 57,225.98	\$ 58,686.14	\$ 68,959.57	\$ 56,473.78
November	\$ 28,032.51	\$ 39,804.73	\$ 44,446.17	\$ 44,368.36	\$ 68,776.34	\$ 47,475.82
December	\$ 35,669.45	\$ 31,951.96	\$ 41,692.76	\$ 40,571.33	\$ 51,388.63	\$ 49,638.73
January	\$ 47,217.27	\$ 51,300.08	\$ 63,373.86	\$ 63,490.21	\$ 74,955.92	\$ 68,917.05
February	\$ 38,641.42	\$ 55,579.38	\$ 64,512.86	\$ 70,217.72	\$ 59,146.69	\$ 68,682.40
March	\$ 26,413.08	\$ 41,352.20	\$ 49,299.82	\$ 50,046.06	\$ 50,695.16	\$ 54,796.81
April	\$ 38,627.50	\$ 41,698.79	\$ 46,405.40	\$ 55,033.50	\$ 71,363.41	\$ 55,704.60
May	\$ 25,997.67	\$ 44,321.48	\$ 50,707.09	\$ 62,644.78	\$ 69,243.65	
June	\$ 41,388.99	\$ 47,204.06	\$ 48,466.45	\$ 67,919.22	\$ 60,962.11	
July	\$ 64,042.20	\$ 67,134.36	\$ 41,381.22	\$ 53,627.90	\$ 56,275.05	
August	\$ 42,152.43	\$ 48,701.35	\$ 45,806.14	\$ 52,576.77	\$ 49,459.73	
September	\$ 84,996.91	\$ 88,060.83	\$ 98,695.91	\$ 73,404.73	\$ 95,671.44	
Totals	\$ 503,564.91	\$ 612,160.95	\$ 652,013.66	\$ 692,586.72	\$ 776,897.70	\$ 401,689.19





Budget Performance Report

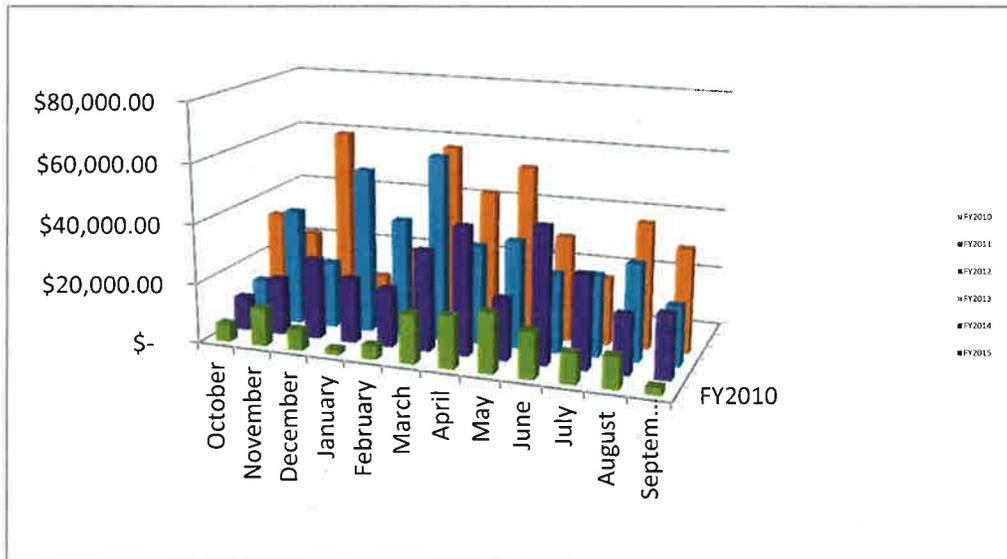
Fiscal Year to Date 04/30/15
 Include Rollup Account and Rollup to Object

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 001 - General Fund											
REVENUE											
Department 000 -											
Division 00 -											
347 Cult & Rec											
347.100	Cult & Rec Community Center, Control	725,000.00	.00	725,000.00	.00	.00	.00	.00	725,000.00	0	.00
347.101	Cult & Rec CC Building Rentals	.00	.00	.00	.00	.00	4,323.90	4,323.90	(4,323.90)	+++	6,245.00
347.103	Cult & Rec CC User League Fees	.00	.00	.00	.00	.00	.00	.00	.00	+++	60.00
347.104	Cult & Rec CC Camps	.00	.00	.00	.00	.00	750.00	750.00	(750.00)	+++	84,088.00
347.105	Cult & Rec CC Concession Sales	.00	.00	.00	2,132.83	.00	11,878.23	11,878.23	(11,878.23)	+++	21,959.96
347.106	Cult & Rec CC Donations	.00	.00	.00	.00	.00	75.00	75.00	(75.00)	+++	75.00
347.107	Cult & Rec CC Classes, Member	.00	.00	.00	7,470.00	.00	52,418.52	52,418.52	(52,418.52)	+++	124,762.35
347.108	Cult & Rec CC Trainer Fees	.00	.00	.00	2,400.00	.00	12,400.00	12,400.00	(12,400.00)	+++	24,100.00
347.109	Cult & Rec CC Day Passes	.00	.00	.00	30.00	.00	250.00	250.00	(250.00)	+++	373.22
347.110	Cult & Rec CC Memberships, Annual, Residen	.00	.00	.00	10,141.25	.00	74,754.35	74,754.35	(74,754.35)	+++	147,779.64
347.111	Cult & Rec CC Memberships, 90 Days, Res.	.00	.00	.00	970.00	.00	8,070.33	8,070.33	(8,070.33)	+++	11,774.08
347.112	Cult & Rec CC Memberships, 30 Days, Residen	.00	.00	.00	2,865.42	.00	15,693.13	15,693.13	(15,693.13)	+++	35,014.55
347.113	Cult & Rec CC Memberships, One Week	.00	.00	.00	21.40	.00	61.40	61.40	(61.40)	+++	.00
347.116	Cult & Rec CC, Special Events	.00	.00	.00	.00	.00	3,773.33	3,773.33	(3,773.33)	+++	3,938.00
347.117	Cult & Rec CC Classes, Nonmember	.00	.00	.00	28,432.10	.00	210,608.99	210,608.99	(210,608.99)	+++	294,780.11
347.120	Cult & Rec CC Memberships, Annual Non-res.	.00	.00	.00	1,027.50	.00	4,720.00	4,720.00	(4,720.00)	+++	10,575.00
347.121	Cult & Rec CC Memberships, 90 Day, Non res.	.00	.00	.00	120.00	.00	1,560.00	1,560.00	(1,560.00)	+++	3,360.00
347.122	Cult & Rec CC Memberships, 30 Day Non-Res	.00	.00	.00	1,035.00	.00	6,175.00	6,175.00	(6,175.00)	+++	17,606.94
347.199	Cult & Rec CC Credit Card Fees	.00	.00	.00	(940.90)	.00	(5,822.99)	(5,822.99)	5,822.99	+++	(9,594.15)
	347 - Cult & Rec Totals	\$725,000.00	\$0.00	\$725,000.00	\$55,704.60	\$0.00	\$401,689.19	\$401,689.19	\$323,310.81	55%	\$776,897.70
	Division 00 - Totals	\$725,000.00	\$0.00	\$725,000.00	\$55,704.60	\$0.00	\$401,689.19	\$401,689.19	\$323,310.81	55%	\$776,897.70
	Department 000 - Totals	\$725,000.00	\$0.00	\$725,000.00	\$55,704.60	\$0.00	\$401,689.19	\$401,689.19	\$323,310.81	55%	\$776,897.70
	REVENUE TOTALS	\$725,000.00	\$0.00	\$725,000.00	\$55,704.60	\$0.00	\$401,689.19	\$401,689.19	\$323,310.81	55%	\$776,897.70
Fund 001 - General Fund											
EXPENSE											
Fund 001 - General Fund Totals											
	REVENUE TOTALS	725,000.00	.00	725,000.00	55,704.60	.00	401,689.19	401,689.19	323,310.81	55	776,897.70
	EXPENSE TOTALS	.00	.00	.00	.00	.00	.00	.00	.00	+++	.00
	Fund 001 - General Fund Totals	\$725,000.00	\$0.00	\$725,000.00	\$55,704.60	\$0.00	\$401,689.19	\$401,689.19	\$323,310.81	55%	\$776,897.70
	Grand Totals										
	REVENUE TOTALS	725,000.00	.00	725,000.00	55,704.60	.00	401,689.19	401,689.19	323,310.81	55	776,897.70
	EXPENSE TOTALS	.00	.00	.00	.00	.00	.00	.00	.00	+++	.00
	Grand Totals	\$725,000.00	\$0.00	\$725,000.00	\$55,704.60	\$0.00	\$401,689.19	\$401,689.19	\$323,310.81	55%	\$776,897.70

Pinecrest Gardens

FY 2010-Present

	347.300 FY2010	347.300 FY2011	347.300 FY2012	347.300 FY2013	347.300 FY2014	347.300 FY2015
October	\$ 6,039.47	\$ 11,243.76	\$ 13,450.16	\$ 33,732.10	\$ 54,371.87	\$ 57,055.54
November	\$ 12,583.72	\$ 18,808.29	\$ 38,968.46	\$ 28,178.10	\$ 40,726.62	\$ 44,278.99
December	\$ 6,986.01	\$ 26,755.29	\$ 22,240.33	\$ 63,964.43	\$ 63,360.51	\$ 58,727.69
January	\$ 1,807.97	\$ 21,477.43	\$ 54,943.45	\$ 15,290.47	\$ 50,434.14	\$ 61,992.27
February	\$ 4,661.02	\$ 19,487.57	\$ 39,095.43	\$ 25,440.29	\$ 6,444.61	\$ 68,940.12
March	\$ 16,403.24	\$ 33,558.90	\$ 61,439.29	\$ 61,885.62	\$ 62,552.68	\$ 66,362.13
April	\$ 17,357.11	\$ 42,693.96	\$ 32,931.61	\$ 47,644.32	\$ 56,389.43	\$ 40,328.49
May	\$ 19,946.61	\$ 20,454.06	\$ 35,778.82	\$ 57,180.07	\$ 31,627.53	
June	\$ 15,554.94	\$ 45,174.14	\$ 26,152.56	\$ 35,194.79	\$ 54,588.70	
July	\$ 10,179.47	\$ 31,086.35	\$ 27,231.50	\$ 22,487.25	\$ 33,654.39	
August	\$ 10,694.59	\$ 19,646.32	\$ 32,070.29	\$ 42,008.65	\$ 24,941.25	
September	\$ 2,455.20	\$ 21,152.96	\$ 19,923.30	\$ 34,773.04	\$ 29,640.34	
Totals	\$ 124,669.35	\$ 311,539.03	\$ 404,225.20	\$ 467,779.13	\$ 508,732.07	\$ 397,685.23





Budget Performance Report

Fiscal Year to Date 04/30/15
 Include Rollup Account and Rollup to Object

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 001 - General Fund											
REVENUE											
Department 000 - -											
Division 00 - -											
347 Cult & Rec											
347.300	Cult & Rec Pinecrest Gardens, Control	540,000.00	.00	540,000.00	.00	.00	.00	.00	540,000.00	0	.00
347.301	Cult & Rec PG Corporate Sponsorship	.00	.00	.00	4,000.00	.00	44,990.00	44,990.00	(44,990.00)	+++	52,980.00
347.302	Cult & Rec PG Farmers Market	.00	.00	.00	7,000.00	.00	30,475.00	30,475.00	(30,475.00)	+++	44,100.00
347.305	Cult & Rec PG Admissions, Adult	.00	.00	.00	.00	.00	15.00	15.00	(15.00)	+++	78,575.44
347.306	Cult & Rec PG Admissions, Child	.00	.00	.00	.00	.00	.00	.00	.00	+++	12,522.00
347.307	Cult & Rec PG Admissions, Splash & Play	.00	.00	.00	.00	.00	.00	.00	.00	+++	26,441.00
347.308	Cult & Rec PG Memberships, Annual Passes	.00	.00	.00	684.00	.00	4,688.00	4,688.00	(4,688.00)	+++	6,260.75
347.309	Cult & Rec PG Concessions, Iguana Bite	.00	.00	.00	399.81	.00	3,441.81	3,441.81	(3,441.81)	+++	11,392.09
347.310	Cult & Rec PG Concessions, Events	.00	.00	.00	.00	.00	4,726.90	4,726.90	(4,726.90)	+++	3,633.00
347.311	Cult & Rec PG Children's Workshops	.00	.00	.00	.00	.00	230.00	230.00	(230.00)	+++	.00
347.312	Cult & Rec PG Banyan Bowl Ticket Sales	.00	.00	.00	860.00	.00	64,495.30	64,495.30	(64,495.30)	+++	58,188.10
347.313	Cult & Rec PG Fine Arts Festival, Booths	.00	.00	.00	.00	.00	17,450.00	17,450.00	(17,450.00)	+++	22,900.00
347.314	Cult & Rec PG Fine Arts Festival Posters	.00	.00	.00	.00	.00	145.00	145.00	(145.00)	+++	66.11
347.315	Cult & Rec PG Eggstravaganza, Tickets	.00	.00	.00	1,715.00	.00	11,955.00	11,955.00	(11,955.00)	+++	13,791.00
347.316	Cult & Rec PG Eggstravaganza, Baskets	.00	.00	.00	.00	.00	333.00	333.00	(333.00)	+++	570.00
347.317	Cult & Rec PG Eggstravaganza Booths	.00	.00	.00	.00	.00	2,836.60	2,836.60	(2,836.60)	+++	2,650.00
347.319	Cult & Rec PG General Admissions	.00	.00	.00	13,480.00	.00	86,397.78	86,397.78	(86,397.78)	+++	.00
347.320	Cult & Rec PG Senior Admissions	.00	.00	.00	858.00	.00	6,017.05	6,017.05	(6,017.05)	+++	.00
347.322	Cult & Rec PG Earth Day Booth Sales	.00	.00	.00	320.00	.00	2,205.00	2,205.00	(2,205.00)	+++	1,620.00
347.325	Cult & Rec PG Movie Tickets	.00	.00	.00	1,972.00	.00	7,552.00	7,552.00	(7,552.00)	+++	8,410.00
347.326	Cult & Rec PG Movie Concession	.00	.00	.00	776.00	.00	2,747.00	2,747.00	(2,747.00)	+++	1,202.00
347.327	Cult & Rec PG Vending Machine Sales	.00	.00	.00	68.00	.00	138.00	138.00	(138.00)	+++	745.00
347.328	Cult & Rec PG Venue, Patio Rental	.00	.00	.00	800.00	.00	3,500.00	3,500.00	(3,500.00)	+++	5,600.00
347.329	Cult & Rec PG, Pergola Rental	.00	.00	.00	.00	.00	400.00	400.00	(400.00)	+++	6,137.50
347.330	Cult & Rec PG, Venue, Lakeview Rental	.00	.00	.00	.00	.00	3,980.00	3,980.00	(3,980.00)	+++	7,762.50
347.331	Cult & Rec PG Venue, Meadows Rental	.00	.00	.00	.00	.00	2,400.00	2,400.00	(2,400.00)	+++	7,770.00
347.332	Cult & Rec PG Venue Picnic Rentals	.00	.00	.00	2,650.00	.00	14,490.00	14,490.00	(14,490.00)	+++	24,993.00
347.333	Cult & Rec PG Venue Rental, Hibiscus Rental	.00	.00	.00	.00	.00	4,665.00	4,665.00	(4,665.00)	+++	8,380.00
347.334	Cult & Rec PG Venue Rental, Plant Societie	.00	.00	.00	1,350.00	.00	5,300.00	5,300.00	(5,300.00)	+++	5,050.00
347.335	Cult & Rec PG Banyan Bowl Rental	.00	.00	.00	(436.80)	.00	15,328.20	15,328.20	(15,328.20)	+++	17,168.80
347.336	Cult & Rec PG Original Entrance Rental	.00	.00	.00	1,225.00	.00	7,300.00	7,300.00	(7,300.00)	+++	9,212.50
347.338	Cult & Rec PG Commercial Video - Photo	.00	.00	.00	400.00	.00	4,000.00	4,000.00	(4,000.00)	+++	2,500.00
347.339	Cult & Rec PG Volunteer Packages	.00	.00	.00	.00	.00	3,920.00	3,920.00	(3,920.00)	+++	2,500.00
347.342	Cult & Rec PG Donations	.00	.00	.00	.00	.00	.00	.00	.00	+++	6.83
347.343	Cult & Rec PG Fish Food	.00	.00	.00	194.00	.00	3,700.00	3,700.00	(3,700.00)	+++	2,150.00
							1,228.50	1,228.50	(1,228.50)	+++	3,808.00



Budget Performance Report

Fiscal Year to Date 04/30/15
 Include Rollup Account and Rollup to Object

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 001 - General Fund											
REVENUE											
Department	000 - -										
Division	00 - -										
347 Cult & Rec											
347.344	Cult & Rec PG Book Sales	.00	.00	.00	.00	.00	.00	4.00	(4.00)	+++	16.00
347.345	Cult & Rec PG Field Trips	.00	.00	.00	925.00	.00	2,345.00	2,345.00	(2,345.00)	+++	13,377.45
347.346	Cult & Rec PG Event Photos	.00	.00	.00	.00	.00	2,641.00	2,641.00	(2,641.00)	+++	2,449.00
347.348	Cult & Rec PG Horticulture Class	.00	.00	.00	120.00	.00	1,036.40	1,036.40	(1,036.40)	+++	1,674.00
347.349	Cult & Rec PG Masquerade Ball Tickets	.00	.00	.00	.00	.00	.00	.00	.00	+++	10,635.00
347.350	Cult & Rec PG Chili Cook-off Booths	.00	.00	.00	.00	.00	1,835.00	1,835.00	(1,835.00)	+++	2,056.00
347.351	Cult & Rec PG Chili Cook-off Admission	.00	.00	.00	.00	.00	5,230.00	5,230.00	(5,230.00)	+++	3,455.00
347.352	Cult & Rec PG Holiday Festival Booths	.00	.00	.00	.00	.00	2,381.00	2,381.00	(2,381.00)	+++	3,150.00
347.353	Cult & Rec PG Holiday Festival Admission	.00	.00	.00	.00	.00	11,382.00	11,382.00	(11,382.00)	+++	7,396.00
347.354	Cult & Rec PG Nights of Lights Admission	.00	.00	.00	2,100.00	.00	3,560.00	3,560.00	(3,560.00)	+++	5,697.05
347.355	Cult & Rec PG Butterfly House	.00	.00	.00	.00	.00	6,375.00	6,375.00	(6,375.00)	+++	5,225.00
347.356	Cult & Rec PG Hammock Pavillion	.00	.00	.00	.00	.00	4,000.00	4,000.00	(4,000.00)	+++	6,075.00
347.357	Cult & Rec PG Summer Camps	.00	.00	.00	.00	.00	2,000.00	2,000.00	(2,000.00)	+++	7,010.50
347.358	Cult & Rec Secret Garden	.00	.00	.00	.00	.00	.00	.00	.00	+++	450.00
347.399	Cult & Rec PG Credit card fees	.00	.00	.00	(1,131.52)	.00	(6,154.31)	(6,154.31)	6,154.31	+++	(9,019.55)
	347 - Cult & Rec Totals	\$540,000.00	\$0.00	\$540,000.00	\$40,328.49	\$0.00	\$397,685.23	\$397,685.23	\$142,314.77	74%	\$508,732.07
	Division 00 - - Totals	\$540,000.00	\$0.00	\$540,000.00	\$40,328.49	\$0.00	\$397,685.23	\$397,685.23	\$142,314.77	74%	\$508,732.07
	Department 000 - - Totals	\$540,000.00	\$0.00	\$540,000.00	\$40,328.49	\$0.00	\$397,685.23	\$397,685.23	\$142,314.77	74%	\$508,732.07
	REVENUE TOTALS	\$540,000.00	\$0.00	\$540,000.00	\$40,328.49	\$0.00	\$397,685.23	\$397,685.23	\$142,314.77	74%	\$508,732.07
Fund 001 - General Fund Totals		540,000.00	.00	540,000.00	40,328.49	.00	397,685.23	397,685.23	142,314.77	74	508,732.07
	REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	.00	+++	.00
	EXPENSE TOTALS	\$540,000.00	\$0.00	\$540,000.00	\$40,328.49	\$0.00	\$397,685.23	\$397,685.23	\$142,314.77		\$508,732.07
	Grand Totals	540,000.00	.00	540,000.00	40,328.49	.00	397,685.23	397,685.23	142,314.77	74	508,732.07
	REVENUE TOTALS	.00	.00	.00	.00	.00	.00	.00	.00	+++	.00
	EXPENSE TOTALS	\$540,000.00	\$0.00	\$540,000.00	\$40,328.49	\$0.00	\$397,685.23	\$397,685.23	\$142,314.77		\$508,732.07

VILLAGE OF PINECREST
BUDGET HIGHLIGHTS
May, 2015

The Village of Pinecrest's overall financial health is strong in the midst of the current economic climate. The following items are areas worthy of comment:

General Fund:

- Community Center revenues through April are \$401,689, a decrease of \$43,597 or 9.8% over the previous year.
- Pinecrest Garden revenues through April are \$397,685, an increase of \$63,405 or 19.0% from the previous year.
- The BPZ revenues through April were \$1,214,309, an increase of \$85,013 or 7.5% from the previous year.
- The audited general fund balance for FY14 is \$8,158,074. The unassigned fund balance and prepaid expenses equal \$7,601,578. The breakdown is:
 - Carryovers and used to balance subsequent years budget \$ 556,496.
 - Prepaid expenses 181,632
 - Unassigned 7,419,946
- The tree account has a balance of \$29,120 as of April, 2015.
- CITT has asked that we break out the CITT 80% funds from the Transportation Fund commencing in the FY16 budget. This will require a transfer of the CITT funds remaining in the Transportation Fund to the CITT fund. A budget amendment will be submitted at the end of the third quarter
- For the year ending 9/30/2015, GASB 68 will require that the Village carry an actuarial pension liability on its government-wide financial statements. The State of Florida FRS plan actuaries will provide us with that figure at year end.



Leo Llanos, P.E.
 Building Official
 building@pinecrest-fl.gov

MEMORANDUM
 Department of Building and Planning

DATE: June 1, 2015
 TO: Yocelyn Galiano Gomez, ICMA-CM, Village Manager
 FROM: Leo Llanos, P.E., Building Official *[Signature]*
 RE: Building Division MAY 2015 Monthly Report

	MAY 2015	MAY 2014	10/1/14- 5/31/2015 YTD	10/1/13 – 5/31/2014 YTD
PERMITS ISSUED:				
Building	155	189	1,311	1,292
Electrical	54	42	353	297
Mechanical	24	21	196	213
Plumbing / LPGX	39	50	414	377
TOTAL PERMITS ISSUED:	272	302	2,274	2,179
VALUE OF CONSTRUCTION	24,222,371	6,894,492	72,652,348	40,375,590
PERMITS FOR NEW HOUSES	2	4	19	19
CERTIFICATE OF OCCUPANCY & CC'S	5	6	23	24
CERTIFICATE OF USE & OCCUPANCY	1	0	5	18
BUILDING CODE CASES	17	21	188	178
INSPECTIONS:				
Building & Roofing	911	986	7,389	7,041
Electrical	146	103	1,138	1,010
Mechanical	103	94	688	663
Plumbing / LPGX	173	157	1,525	1,113
Zoning Inspections by Building Dept	1	1	5	43
TOTAL INSPECTIONS:	1,334	1,341	10,745	9,870



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Stephen R. Olmsted, AICP
 Planning Director
 planning@pinecrest-fl.gov

MEMORANDUM
 Department of Building and Planning

DATE: June 1, 2015
TO: Yocelyn Galiano, ICMA-CM, LEED-GA, Village Manager
FROM: Stephen R. Olmsted, AICP, Planning Director *SRO*
RE: Planning Division May 2015 Monthly Report

	May 2015	May 2014	10/1/14 - 5/31/2015 YTD	10/1/13 - 5/31/2014 YTD
PLANNING				
Comp Plan Amendments	0	0	0	0
Land Development Code Amendments/ Plat	0 / 0	0 / 0	0 / 1	0 / 2
Conditional Uses/ Road Vacation	0 / 0	0 / 0	0 / 0	3 / 0
Variances/ Modification to Resolution	0 / 0	2 / 0	3 / 3	6 / 0
Site Development Plans	0	0	0	4
Zoning Compliance –Plans Review	237	290	1,925	1,809
Zoning Letters/Code Interpretations	35	25	208	246
Zoning Permits	42	46	312	325
CODE COMPLIANCE				
Code Cases Opened	112	118	740	781
Code Compliance Reminders	60	64	312	370
Notices to Appear	24	28	155	187
Notice of Violation - Building	3	13	104	101
Zoning Inspections Completed / Code Compliance, Landscape and LBT	241 / 390	235	1,382 / 2,566	1,660
Civil Violations	0	8	11	50
Special Magistrate Cases	16	10	194	137
Total Unclosed Cases (Active): 747	N/A	N/A	N/A	N/A
LICENSES				
Business Tax – NEW	2	5	44	61
Business Tax - RENEWAL	6	13	130	101
TOTAL LICENSES (* reflects new & renewal licenses)	8	18	174	162



Commercial Development/Redevelopment

Within the Village of Pinecrest, commercial development and redevelopment has been approved and is occurring as follows:

1. Former Baer's Furniture – This building is currently undergoing remodeling and renovation. Potential businesses include professional offices and an audio store. Work continues on the interior of the building and exterior landscape improvements are still incomplete.
2. St Louis Catholic Church and Covenant School – Gymnasium – Building permits have been issued. The applicant has indicated that site improvements are expected to commence in the next few weeks and construction of the gymnasium will start at the end of the school year.
3. Baptist Health - The former Post Office has been demolished. Construction plans have been submitted for permitting and building permits have been approved. Construction has commenced and is projected to be completed within the next 12 months.
4. Pinecrest Shops – Building construction is underway. Completion is anticipated within the next 6 months.
5. Christ the King Lutheran Church Pre-school and Kindergarten – The site plan has been approved. An application for building permits has not yet been submitted.



Loren C. Matthews
Parks and Recreation Director
parks@pinecrest-fl.gov

MEMORANDUM

Department of Parks and Recreation

DATE: June 1, 2015
TO: Yocelyn Galiano Gomez, ICMA-CM, Village Manager
FROM: Loren Matthews, Parks and Recreation Department
RE: Parks and Recreation Department- May 2015 Monthly Report

ACTIVITY - COMMUNITY CENTER	Number of Participants May 2014	Number of Participants May 2015
RECREATIONAL CLASSES		
Ballet	56	41
Blood Pressure Screening	22	28
Bridge	28	48
Conversational Italian	1	1
Everyone Can Draw	8	6
Game Day	26	36
Guitar	5	13
Genealogical Society	18	20
Greater Miami Youth Symphony	36	40
Gymnastics	29	25
Jump Rope	12	14
Kixs 4 Kids	14	14
Line Dancing	70	74
Lectures	169	163
Music Together	85	52
Photography & Photoshop	17	0
Quilting	18	12
Salsa & Flamenco	13	30
Spanish	10	10



Sharpminds	140	69
Sports Performance	12	1
Watercolor Experience	5	5
Total:	794	702
FITNESS CLASSES		
Azucar	32	90
Body Sculpting	123	212
BodyTec	38	56
Café con Leche	164	100
Fitness Plus	84	81
Jiving Jazz	29	16
Rock 'n Thru The Decades	36	9
Spinning	341	356
Strength & Stretch with Hyla	84	56
Stretch, Breath, & Meditate with Jojo	21	8
Stretch, Walk, & Keep Young with Nora	162	154
The Workout	159	175
Gentle Yoga	47	42
Zumba with Martha	74	24
Dance Body and Stretch	N/A	25
Butts and Guts	N/A	7
Barre by Maru	N/A	14
TOTAL CLASS PARTICIPANTS	1394	1425

WELLNESS CENTER MEMBERSHIP TYPES	Memberships May 2014		Memberships May 2015	
Resident Adult	New: 3 Renewal: 3	6	New: 4 Renewal:3	7
Resident Senior	New: 3 Renewal: 5	8	New: 3 Renewal:9	12
Resident Family	New: 7 Renewal:9	16	New:10 Renewal:15	25
Resident 90 Day	New: 8 Renewal: 4	12	New: 12 Renewal: 4	16
Resident Monthly	New: 24 Renewal:88	112	New:25 Renewal:71	96
Non-Resident Adult	New: 0 Renewal: 3	3	New:0 Renewal:0	0
Non-Resident Senior	New: 1 Renewal: 3	4	New: 0 Renewal: 2	2
Non-Resident Family	New: 0 Renewal: 0	0	New: 2 Renewal:0	2
Non-Resident 90 Day	New: 4 Renewal: 1	5	New: 5 Renewal: 0	5
Non-Resident Monthly	New: 8 Renewal:34	42	New: 5 Renewal:19	24
10 Class Punch Pass	New: 16 Renewal:64	80	New: 6 Renewal:63	69
Monthly Unlimited (Members)	New: 5 Renewal:3	8	New: 1 Renewal:4	5
Weekly Membership	New: 0 Renewal:0	0	New: 8 Renewed: 1	9
Members Under Family Memberships	New: 38 Renewal:32	70	New: 49 Renewal:68	117
Free One Week Trials	New: 39	39	New: 73	73
MONTHLY TOTAL	403		477	
TOTAL MEMBERS FOR CALENDAR YEAR (INCLUDING CURRENT MONTH)	2,142		2,120	

MISCELLANEOUS STATISTICS	May 2014	May 2015
Facebook Fans	603	754
Monthly Visitors to Community Center	26,482	20,996
Community Center Vending Revenue	\$2,002.33	\$2,418.00
TOTAL FOR FISCAL YEAR(No. of Months)	\$12,295.12 (8)	\$13,479.98 (8)

FACILITY	RENTALS May 2014	RENTALS May 2015
Evelyn Greer Park	6	9
Suniland Park	6	7
Coral Pine Park	14	15

REVENUES	May 2014	May 2015
Coral Pine Park Vending	\$1,269.00	\$989.25
Coral Pine Tennis Court	\$8,106.00	\$7,562.00
TOTAL MONTH	\$9,375.00	\$8,551.25
TOTAL FOR FISCAL YEAR(No. of Months)	\$75,321.55(8)	\$78,059.80 (8)

ACTIVITY	Number of Participants- May 2014	Number of Participants- May 2015
CORAL PINE PARK		
Women's Tennis League	192	192
Men's Tennis League	128	128
Mixed Doubles Tennis League	48	48
Panther Middle School Lacrosse	35	35
SUNILAND PARK		
Howard Palmetto Baseball	580	600
Optimist Basketball	118	225
EVELYN GREER PARK		
Miami Premier Soccer	200	200
Pinecrest Premier	1200	200
Black Panther Karate	50	29
Kendall Camera Club	100	100
Fit Kids	500	500

Howard Palmetto Banquet	200	200
Police Safety Expo	200	200

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Alana S. Perez
 Pinecrest Gardens Director
 gardens@pinecrest-fl.gov

MEMORANDUM
 Pinecrest Gardens

DATE: June 1, 2015
 TO: Yocelyn Galiano Gomez, Village Manager
 FROM: Alana Perez, Pinecrest Gardens Director 
 RE: Pinecrest Gardens May 2015 Monthly Report

Indicated below are number of paid facility permits issued for the rental of various locations throughout the Gardens for meetings, picnics, weddings, parties and special events.

	May 2015	May 2014	Oct. - May 2014 YTD	Oct. - May 2015 YTD
Picnic Tables	17	19	68	74
Butterfly House	9	4	21	33
Lakeview Terrace/Pergola	0	0	9	6
Patio	1	0	4	6
Meadow	0	1	2	1
Hammock Pavilion	0	0	1	4
Hibiscus Room	1	2	10	10
Historical Entrance Room	4	3	11	18
Hidden Garden	0	0	1	0
Banyan Bowl	0	2	3	4
Parking Lot	0	0	2	4
Photography/Filming	4	3	9	19
Total Rentals	36	34	110	179

Park Attendance

May 2015*	May 2014*	Oct. - May 2014 YTD*	Oct. - May 2015 YTD*
8,100	7,866	88,696	83,591

*Includes paid and non-paid admissions (special events, birthdays, weddings, meetings, field trips, etc., included in rental fees)



Admission Revenue Breakdown May 2015

General Admission	Senior Admission	Total Admission Revenues
\$18,120	\$940	\$19,060

Memberships May 2015

Ind. Adult (18-64)	Ind. Senior (65+)	FT Student	Family	Patron	Cypress Society	Total New Memberships May 2015	Total New Oct. - May 2015 YTD
-	-	2	4	-	-	6	56

Total Active Memberships Oct. - May 2015 YTD	Total Number Resident	Total Number Non-Resident
141	85	56

Total Revenues

	May 2015	May 2014
Rental	\$10,270	\$9,920
Admissions	\$19,060	\$11,874
Memberships	\$530	\$125
Field Trips	\$2,298	\$947
PG Banyan Bowl Events*	\$1,300	\$1,390
Gardens Gallery	-	-
Educational/Horticulture Programming	\$100	\$250
Family/Educational Movie	\$250	-
Farmers Market	\$2,000	\$2,000
Concessions**	\$984	\$1,074
Total Revenues	\$36,792	\$27,580

** I-Guana Bite, Family Movie, Events

* Gardens Events (i.e. Jazz, Flamenco, Theater, etc.)

Communications

- As of May 31, 2015, Facebook members at 4,714, up 23 from April 2015 at 4,691.
- E-newsletter sent out to approximately 6,800 subscribers; Gardens Gossip highlighting upcoming monthly events and membership.
- Ask the Plant Guy blog decreased to average of 94,000/month; 3,600,000 reads since inception in 2010.

Education

- The climate change lecture held at Nature Film Night had 35 adults and children in attendance. Speakers included Luiz Rodrigues from ECOMB, Caroline Lewis from CLEO, student Delaney Reynolds and Dr. David Enfield from RSMAS. The lecture engaged the audience, challenging guests to "Ask an Expert" their climate change questions.

Horticulture

Notable Projects and Details

- Volunteer hours decreased to 40; volunteers' medical appointments stalled several visits.
- Approx. 50 visitors for Talipot Palm specifically to see the development of flowering and seed production; several visitors from Naples Botanical garden, Montgomery Botanical Center, Fairchild Tropical Gardens.
- Several series of up-close photos taken of Talipot Palm crown, courtesy of a pro bono use of the services of a lift truck; photos taken by Fairchild/Montgomery/PG staff for historical use.

Gardens Specialized Horticulture

- Parking lot Ficus trees are continue to recover at an increasing rate; leaf-drop is a small fraction of what it was 5 months ago. At current rate of recovery, trees will be close to their original status by December. Staff will continue to add liquid fertilizer and preventative insecticides to help control possible pests.
- Water spillway Master Plan renovation project in Zone 9 lower garden completed; Early results from re-directing water flow shows 10-20,000 gallons of well water saved per day; lower garden water levels show improved stability versus pre-construction.
- Endangered fish species re-stock program for PG lower gardens should begin in June, provided the selected fish species can be caught in Biscayne Bay by our aquatic areas consultant.
- Haas sculpture area now re-landscaped.
- Sotloff Memorial Garden conceptual plans finished, awaiting approval by OVM and Sotloff family.

Banyan Bowl

- 4 Performances of Miami Children's Theater - Frog and Toad
- School Play
- Nature Film Night – March of the Penguins
- Banyan Fest Electronic Music Show
- Load-in; set-up for a school Graduation

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Samuel Ceballos, Jr.
 Chief of Police
 police@pinecrest-fl.gov

MEMORANDUM
 Department of Police

DATE: May 20, 2015
 TO: Yocelyn Galiano Gomez, ICMA-CM, Village Manager
 FROM: Samuel Ceballos, Jr., Chief of Police *[Signature]*
 RE: Police Department April 2015 Monthly Report

	Apr 15	Apr 14	Jan - Apr 2015	Jan - Apr 2014
ARSON	0	0	0	0
AUTO THEFT	2	4	7	10
BAKER ACT-MENTAL	2	5	10	13
ASSAULT - SIMPLE	2	4	6	12
BURGLARY	7	7	47	38
CAR BREAK-VEHICLE BURGLARY	11	10	46	45
DECEASED PERSON	3	0	9	6
DISTURBANCE	33	52	195	234
DOMESTIC VIOLENCE	1	1	5	2
FALSE ALARMS	169	185	645	670
FRAUD/ECONOMIC CRIMES	25	19	79	62
FIELD INTERVIEWS	3	2	20	16
FOUND PROPERTY	3	3	10	11
GRAFFITI	1	0	1	1
HOMICIDE	0	0	0	0
MISSING PERSONS	0	1	2	5
NARCOTICS VIOLATIONS	3	2	9	5
ROBBERY	1	1	2	2
INDECENT EXPOSURES	0	1	0	1
LEWD & LASCIVIOUS ACT	0	0	0	0
SHOPLIFTING	2	4	7	15
SUSPICIOUS PERSON - VEHICLE	14	10	49	21
THEFT	13	18	45	71
THEFT FROM EXT. OF VEHICLE	4	1	16	11
VANDALISM	7	8	22	32
VEHICLE RECOVERY	3	1	9	1
WARRANT ARRESTS	2	2	11	7
WEAPONS VIOLATION	0	0	0	0



UCR CRIME FOR PINECREST IN THE PRECEDING 12 MONTHS

TYPE OF CRIME	May 2014	Jun 2014	Jul 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	Totals
HOMICIDE	0	0	0	0	0	0	0	0	0	0	0	0	0
RAPE/SEXUAL OFF	0	0	1	0	0	0	0	0	0	0	1	0	2
ROBBERY	0	0	0	1	1	0	0	1	0	1	0	1	5
BATTERY/ASSAULT	1	0	0	0	0	0	1	3	2	0	2	2	11
BURGLARY	1	11	8	9	11	10	11	12	19	10	11	7	120
LARCENY	28	49	34	41	21	41	19	55	23	22	39	30	402
AUTO THEFT	4	1	2	1	4	3	1	4	0	2	3	2	27
ARSON	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL PART ONE	34	61	45	52	37	54	32	75	44	35	56	42	567

NOTE: Totals are subject to revision as the result of follow up investigation or reclassification by the detective bureau, and therefore may not accurately reflect the final official figures subsequently submitted to FDLE.

GENERAL CRIME TRENDS

There was one robbery in the month of April 2015. The total number of residential burglaries in March 2015 was five, which was two less than April 2014.

There were 227 Crime Prevention tips handed out in the month of April 2015.

DETECTIVE BUREAU

The Criminal Investigation Section received a total of 76 cases for the month of April 2015. All were assigned to a member of the Investigations Section for follow-up. Forty-seven cases were reclassified as inactive due to insufficient investigative leads, or no further police action required. One case was exceptionally cleared, and three cases were closed by arrest.

VEHICLE PATROL MILEAGE

February	March	April
24,835	25,788	20,872

TRAFFIC ENFORCEMENT

	May 2014	Jun 2014	Jul 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	Totals
Traffic Details	67	29	33	38	85	58	42	41	36	35	34	56	554
Total Stops	644	581	615	745	578	554	427	300	351	390	600	769	6554
Moving Citations	479	480	461	515	449	388	327	230	299	339	375	507	4849
Non-Moving Citations	194	128	131	170	139	103	84	58	64	43	114	101	1329
Written Warning	0	0	0	0	0	1	1	1	0	1	0	3	7
Verbal Warning	134	167	131	233	179	206	154	127	134	123	275	289	2152
Parking Citations	83	41	47	48	95	75	48	49	15	67	68	93	729
Driving Under the Influence	9	10	9	6	13	9	9	16	7	10	8	4	110

TRAFFIC CRASHES

	May 2014	Jun 2014	Jul 2014	Aug 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	Totals
Crashes Interior	61	50	31	57	60	56	48	43	53	52	44	66	621
Crashes -US 1	29	27	26	21	21	31	30	37	32	23	28	27	332

TRAINING

February	March	April
408 Hours	79 Hours	120 Hours

The Department attended a total of 120 hours of training in the month of April 2015. Records Clerk Zapata attended Managing Police Records at Key Biscayne Police Department. Officers Cruz and Ferrer attended the DUI Blood Warrant training at Miami-Dade Police Department. Officer Cruz attended Prosecuting the Drugged Driver training at the Renaissance Hotel in Orlando. Officer Oliva attended the Instructor Techniques Workshop training at Miami Dade College.

MEETINGS WITH OTHER AGENCIES AND CITIZEN GROUPS:

The following are the meetings attended during the month of April, 2015.

- Apr 1 – Chief Ceballos and Deputy Chief Skumanich attended the Dade Chiefs Executive meeting at Miami Shores.
- Apr 14 – Chief Ceballos attended the Criminal Intelligence Enterprise presentation at MDPD.
- Apr 16 – Detective Rivera attended the FISA meeting at U.S. Secret Service in Miami.
- Apr 23 – Chief Ceballos and Deputy Chief Skumanich attended the Dade Chiefs Officer of the Month award dinner at Don Shula's in Miami Lakes.
- Apr 29 – Detective Perez and Victim Services Coordinator Vivancos attended the Robbery Clearinghouse meeting at F.D.L.E.



Public Works Director
publicworks@pinecrest-fl.gov

MEMORANDUM
Department of Public Works

DATE: May 27, 2015

TO: Yocelyn Galiano Gomez, ICMA-CM, Village Manager

FROM:  Mark Spanioli, P.E., Public Works Director

RE: Public Works Department May 2015 Monthly Report

Concerns/Work Performed:	May 2015	May 2014	YTD 2015	Prior YTD 2014
Sign	52	46	245	192
Sidewalk	20	14	64	81
Graffiti	10	6	18	26
Street	87	64	408	295
Pothole/Shoulder	6	21	62	56
Storm Drain	244	218	942	1,098
Tree/Shrub	192	142	667	626
Canal	6	4	22	20
Shopping Cart	19	9	91	74
Flooding	3	7	4	12
Parking	17	16	71	80
Debris	104	76	437	347
Swale Area	18	42	184	161
Downed Tree Erected	0	0	0	0
Total	778	665	3,215	3,068

Inspections Only:	May 2015	May 2014	YTD 2015	Prior YTD 2014
Sidewalk/Driveway	0	0	5	2
Paving/Drainage	8	7	42	44
Parking/Swale	0	0	0	0
Tree	0	0	0	2
Total	8	7	47	48



Permits Review Only:	May 2015	May 2014	YTD 2015	Prior YTD 2014
Commercial Property	0	1	9	1
Sidewalk/Driveway	3	5	4	7
WASA/Water Main	6	0	18	34
AT&T/Cable TV	0	0	6	4
FPL	2	1	9	9
Curb/Gutter	0	0	0	0
Paving/Drainage	1	0	6	1
Tree	22	14	88	79
Sewer	0	0	0	0
Fence/Column	0	0	1	0
Parking/Swale	0	n/a	0	n/a
Total	34	21	141	135

Activities details:

- Repaired “Stop” signs at SW 104 Street & 64 Avenue, at SW 102 Street & 65 Avenue, at SW 81 Road & 80 Road, at SW 69 Court & 96 Street, at SW 133 Street & 67 Avenue, at SW 60 Avenue & 118 Street, at SW 114 Street & 77 Avenue, at SW 57 Avenue & 88 Street, at SW 121 Street & 62 Avenue, at Rolling Road & Rock Garden Lane, at SW 113 Street & 64 Avenue, and at SW 69 Court & 98 Street.
- Repaired “Street” signs at SW 106 Street & 63 Avenue, at SW 114 Terrace & 72 Avenue, at SW 110 Terrace & 73 Avenue, at SW 101 Street & 71 Avenue, at SW 99 Terrace & 63 Court, and at SW 102 Street & 61 Avenue.
- Installed a “No Left Turn” sign at SW 126 Street & 74 Avenue.
- Installed a “No Right Turn” sign at SW 127 Street & 74 Avenue.
- Repaired “Speed Limit” signs at SW 128 Street & 62 Avenue, at 7880 SW 112 Street, at 11305 SW 81 Road, and at SW 88 Street & 59 Avenue.
- Repaired a “School Zone” sign at SW 118 Street & 77 Avenue.
- Repaired a “Crosswalk” sign at SW 136 Street & 77 Avenue.
- Repaired an “Arrow” sign at 11305 SW 81 Road.
- Repaired a “No Parking” sign at SW 81 Road & 112 Street.
- Installed a “Dead End” sign at SW 94 Street & 69 Avenue.
- Repaired a “Divided Road” sign at 10710 SW 60 Avenue.
- Removed advertising signs from US-1 corridor and other rights-of-way as necessary.

Yocelyn Galiano Gomez, ICMA-CM, Village Manager

May 27, 2015

Page 3

- Reported dead animals at SW 68 Court & 136 Street, at SW 128 Street & US-1, at SW 104 Street & 57 Avenue, at 7601 SW 132 Street, at 7900 SW 124 Street, and at SW 114 Terrace & Old Cutler Road to Miami-Dade County.
- Repaired pot holes/road shoulders at SW 67 Avenue & 120 Street, at SW 67 Avenue & 105 Street, at SW 72 Avenue & 120 Street, at SW 67 Court & 120 Street, and at 9047 SW 67 Avenue.
- Reported traffic signal malfunctions at SW 88 Street & 67 Avenue to Miami-Dade County.
- Graffiti removed at SW 69 Court & 115 Street, along US-1, at SW 117 Street & 81 Road, at 9212 SW 73 Road, and at SW 102 Street & 57 Avenue.
- Wiped clean and removed spider webs from all traffic and street signs as necessary.
- Collected palm fronds in the rights-of-way along SW 72 Avenue and along SW 77 Avenue.
- Collected and returned shopping carts to area stores.
- Cleared obstructions from storm drains, rights-of-way and signage.
- Inspected canals for illicit discharges.
- Provided maintenance at parking lots of Village Hall and Public Works Complex.
- Collected debris from US-1 business corridor, US-1 medians, canals and rights-of-way.
- Emptied trash cans at bus stops, Veterans' Wayside Park and Red Road Linear Park.
- Removed stakes and low branches from street trees throughout the Village.
- Collected heavy litter behind the busway fence at Pinecrest Parkway.
- Requested Miami-Dade Traffic Signs & Signals to extend the time limit at the SW 128 Street & 77 Avenue crosswalk.
- Reported a solar sign down at SW 118 Street & 77 Avenue to Miami-Dade County.
- Reported a gator in canal at SW 102 Street & 57 Avenue to Florida Wildlife.
- Sold faded/damaged signs/poles for recycling.
- Repaired swale at 11325 SW 70 Avenue.

Supervised activities by contractors/engineers:

- A total of 116 street trees have been planted this fiscal year (since 10/1/14) by Mesis Landscape.
- Roadway resurfacing began 11/3/14 by H&J Asphalt Inc., and working in next group of streets now. Project notification door tags being hand delivered as needed. Job currently 95% complete.
- Stantec Consulting Services designing proposed bike lanes for SW 104 Street, SW 77 Avenue, SW 124 Street, and SW 128 Street.
- Stormwater Master Plan in progress by ADA Engineering, draft complete.

Yocelyn Galiano Gomez, ICMA-CM, Village Manager

May 27, 2015

Page 4

- David Plummer & Associates designing the proposed sidewalk on the south side of SW 132 Street (US-1 to SW 77 Avenue).
- David Plummer & Associates preparing plans and acquiring Miami-Dade approval for Pinecrest by the Sea median extension at SW 134 Street & Old Cutler Road.
- Kendall Drive Beautification being designed by O'Leary Landscape Design.
- Pinecrest Parkway Medians Beautification being designed by O'Leary Landscape Design.
- Williams Paving Co. to begin 6/15 with Phase I of infrastructure improvements at Pinecrest and Palmetto Elementary Schools (Safe Routes to School Program).
- Mesis Landscape removed hazard tree at 7885 SW 117 Street.
- Mesis Landscape removed sidewalk flags and installed sod at SW 133 Street & 72 Avenue and at SW 124 Street & 71 Avenue.
- Mesis Landscape trimmed trees away from new red light cameras at SW 128 Street & US-1 and at SW 124 Street & US-1.
- Mesis Landscape also cleared vacant lot at 11490 SW 72 Avenue per Code Compliance.

/mc



Alana S. Perez
Pinecrest Gardens Director
gardens@pinecrest-fl.gov

MEMORANDUM
Pinecrest Gardens

DATE: June 3, 2015
TO: Yocelyn Galiano Gomez, Village Manager
FROM: Alana Perez, Pinecrest Gardens Director
RE: Lugufelo Art Exhibit

An interesting opportunity has presented itself for another monumental art exhibit at Pinecrest Gardens. A veteran public sculptural artist, Lugufelo, is dedicated to creating environmentally friendly, multifaceted public art, and is willing to place one of his pieces in the gardens for a year free of charge. Herewith attached is the proposal and a copy of the artist's biography and portfolio.

I am recommending proceeding with this exhibit which will be installed in anticipation of Art Basel 2015 and remain in the gardens for a full year. The only cost that would be incurred by the Village is the cost of insuring the sculpture which would be approximately \$5,000.



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Summary

Veteran public sculptural artist, lugufelo, is dedicated to creating environmentally friendly, multi-faceted public art, which questions the fragility and instability of our seemingly certain reality. Unique in style, curators discuss his monumental sculptures as being created under “a scientific paradigm of optical geometrics.” A long-time friend of the famous Jesus Soto, lugufelo refined his approach to kinetic sculpture through study under the great master.

Exhibitions and Installations

- Coral Gables, FL.** Permanent Public Installation: “*Spinnaker*”. Lugo 2015
Rd roundabout, Gables by the Sea. 8’ x 10’ x 3’ aluminum sculpture.
- Coconut Creek, FL.** Permanent Public Installation: “*The Champion*”. 2015
American Top Team Headquarters. 12’ x 5’ x 3’.
- Pinecrest, FL.** Temporary Public Exhibition: “*The Torso*”. Pinecrest 2015-2016
Gardens’ Artist Series: principal exhibitor. 10’ x 10’ x 3’ aluminum sculpture.
- Miami, FL.** Permanent Public Installation. “*Sunny Ring*”. Miami 2014
Convention Center/James L. Knight Center. 10’ x 10’ x 15’ aluminum sculpture.
- Northglenn, CO.** Permanent Public Installation: “*The Eye*”. 2014
Northglenn Art on Parade, Douglass County Art Encounters. 10’ x 8’ x 4’ aluminum sculpture.
- Miami, FL.** Temporary Public Exhibition: “*Red Petals*”. Curator’s 2014
Voice Art Projects, NW 25th St Exhibit. 6’ x 40” x 6” aluminum sculpture.
- Doral, FL.** Temporary Public Exhibition: “*SOS Venezuela*”. Atrium 2014
Office Park/Art in Public Places series. Small-scale aluminum and computer animation wall art.
- Coconut Creek, FL.** Permanent Public Installation: “*Butterfly*”. 2014
Hampton Inn & Suites. 14’ x 6’ x 6’ aluminum sculpture
- City of Doral, FL.** Temporary Public Exhibition: “*The Torso*”. 2013-2015
Public art celebrating the initiation of the new arts district. 10’ x 10’ x 3’ aluminum sculpture.
- Castle Rock, CO.** Temporary Public Exhibition: “*The Eye*”. Art 2013-2014
Encounters Program. 10’ x 8’ x 4’ aluminum sculpture.
- Miami, FL.** Temporary Public Exhibition: “*Stand Butterfly*”. Miami 2013, 2014
River Art Fair. 8’ x 8’ x 7’ aluminum sculpture.



- Northglenn, CO.** Temporary Public Exhibition. *“Loaded Stone”* 2013
Douglass County Art Encounters Program. 10’ x 8’ x 8’ aluminum sculpture.
- Kendall, FL.** Permanent Public Installation: *“Stand Butterfly”*. Art in 2013
the Street Display. 8’ x 8’ x 7’ aluminum sculpture.
- Miami, FL.** Temporary Public Exhibition: *“Dream Catchers”*. Datran January/February 2012
Center. Display of 10 maquettes.
- Miami, FL.** Temporary Public Exhibition: *“Geometric Fragments”*. July 2012
Datran Center. Small-scale aluminum art maquettes.
- Madrid, Spain.** Temporary Public Exhibition: *“Concepts”*. Academia 2011
de Arte El Enclave. Maquettes and concepts of large-scale aluminum art.
- Coral Gables, FL.** Permanent Public Installation: *“The Wave Wall”*. 2010
International Studies Preparatory Academy. Lobby wall aluminum sculpture. 3.5’ x 5’ x 4”.

2014 Sample Gallery Exhibitions

- Miami, FL.** *“Beautified Objects”* Curator’s Voice Art Projects,
Wynwood Arts District. Aluminum and computer animation art.
- Miami, FL.** *“Abstract Anthropomorphic”*. Curator’s Voice Art Projects,
Wynwood Arts District. Aluminum maquettes.
- Miami, FL.** International Biennale Artists Show, NINA Torres Fine
Art. Aluminum wall art.

Awards and Associations

- Americans for the Arts, Member 2015
- Florida Association of Public Art Professionals (FAPAP) 2011-2015
- Appreciation and Achievement Award. Hispanic Heritage Art Exhibit. City of Doral, FL. 2014
- 1st Place, Sculpture. Artists and Arts Juried Show. Wynwood Arts District. Miami, FL 2014
- Official dedication of February 25 *“lugufelo Day”* by City of Doral, FL. 2013
- People’s Choice Award, Douglas County Art Encounters. *“The Eye”*, Castle Rock, CO. 2013



lugufelo

8540 SW 87th Ave, Miami FL 33173
(786) 356-6143 - art@lugufelo.com
www.lugufelo.com



IMAGE: 1

Title: Torso Artist: lugufelo

Media: Aluminum Date: 2012

Size: (H) 10 FT x (W) 3 FT x (D) 10 FT

Budget: \$90,000

Public Art (2013) - Location: 7905 NW 36 Street, Doral, FL 33166
Frank Siberio (Private Founding) & City of Doral.



IMAGE: 2

Title: Share a Dream Artist: lugufelo

Media: Aluminum Date: 2014

Size: (H) 15 FT x (W) 12 FT x (D) 20 FT

Budget: \$200,000

Proposal for Los Angeles, California - Farhang Foundation



IMAGE: 3

Title: Load Stone Artist: lugufelo

Media: Aluminum Date: 2010

Size: (H) 10 FT x (W) 8 FT x (D) 8 FT

Budget: \$45,000

Location: 8540 SW 87 AVE, Miami, FL 33173



IMAGE: 4

Title: Sunny Ring Artist: lugufelo

Media: Aluminum Date: 2014

Size: (H) 10 FT x (W) 10 FT x (D) 15"

Budget: \$25,000

Gallery: **Public Art** at river side - Downtown Miami Convention Center.
James L. Knight International Center - 400 SE 2nd Ave, Miami, FL 33131 USA



IMAGE: 5

Title: Eye Artist: lugufelo

Media: Aluminum Date: 2012

Size: (H) 10 FT x (W) 8 FT x (D) 4 FT

Budget: \$45,000

Public Art (2014) - Location: 11801 Community Center Dr. Northglenn,
CO 80233 - Northglenn Arts & Humanities Foundation



lugufelo

8540 SW 87th Ave, Miami FL 33173
(786) 356-6143 - art@lugufelo.com
www.lugufelo.com



IMAGE: 6

Title: Flamingo Dance

Artist: lugufelo

Media: Aluminum

Date: 2014

Size: (H) 4 FT x (W) 3 FT x (D) 3 FT

Budget: \$12,000

Location: 8540 SW 87 AVE, Miami, FL 33173



IMAGE: 7

Title: Butterfly

Artist: lugufelo

Media: Aluminum

Date: 2014

Size: (H) 14 FT x (W) 6 FT x (D) 6 FT

Budget: \$36,000

Public Art (2014) Location: Hampton Inn & Suites Coconut Creek

5740 State Road 7, Coconut Creek, Florida, 33073

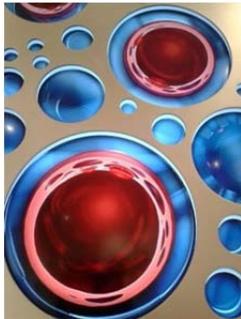


IMAGE: 8

Title: Animated Vortex Acrylic

Artist: lugufelo

Media: Aluminum / Computer Animation

Date: 2010

Size: (H) 44" x (W) 30" x (D) 6"

Budget: \$14,000

Gallery: Curator's Voice Art Projects

Location: 299 NW 25th ST, Miami, FL 33127



IMAGE: 9

Title: Spinnaker (ongoing project)

Artist: lugufelo

Media: Aluminum

Date: 2015

Size: (H) 7 FT x (W) 10 FT x (D) 5 FT

Budget: \$48,000

Future **Public Art (2015)** - Location: Gables by the sea circle, Coral Gables, FL.



IMAGE: 10

Title: Hand

Artist: lugufelo

Media: Stainless Steel

Date: 2012

Size: (H) 24" x (W) 20" x (D) 18"

Budget: \$12,000

Location: 8540 SW 87 AVE, Miami, FL 33173

Lugufelo Sculptor

Luis Fernandez
8540 SW 87 AVE, Miami, FL 33173
art@lugufelo.com - www.lugufelo.com
786-356-61-43

May 3, 2015

Alana Perez
Director, Pinecrest Gardens
11000 Red Rd.
Pinecrest, FL 33156

Dear Alana,

Thank you for the opportunity to speak with you about exhibiting my work in Pinecrest Gardens. Enclosed, please find details about me, the specific piece to be displayed, exhibition terms and other related information.

I look forward to working with you on this exhibition. The synthesis of abstract forms and natural spaces has always been of particular interest to me and this is an exciting opportunity for me to share my passion with others. Thank you for considering me to include in the Garden's prestigious list of artists and exhibitions!

Sincere regards,

A handwritten signature in blue ink, consisting of a stylized, overlapping loop and a long horizontal stroke extending to the right.

Luis Fernandez
Lugufelo

EXHIBITION PARAMETERS
LUGUFELO ART EXHIBITION
at PINECREST GARDENS
Pinecrest, FL 33156
May 3, 2015



ARTWORK

1. Artwork to be displayed: "The Torso"
2. Size: (H) 10FT x (W) 10FT x (D) 3FT
3. Weight: 1,500 Pounds
4. Color: off-white
5. Artist: lugufelo (Luis Fernandez)
6. Date completed: 2012
7. Pervious exhibitions: 3 Years at - 7905 NW 36 Street, Doral, FL 33166
8. Significance of work: The Torso symbolizes the Courage, Wisdom and Strength.



EXHIBITION PROPOSAL

1. Dates of exhibition: at least 1 year
2. Location of exhibition: PINECREST GARDENS
Pinecrest, FL 33156
3. Insurance:
4. Requirements:
 - a. Base requirements: ARTIST will provide bars for anchoring the sculpture in the soil
 - b. Space requirements: soil must be level and compacted. PINECREST GARDENS will be responsible for preparing the site for the piece.
 - c. Additional Plantings: grass, to be installed by PINECREST GARDENS
 - d. Maintenance plan: the sculpture requires very low maintenance due to the material and finish. An annual maintenance program should include one washing with light hose pressure, using a diluted



e. solution of mild detergent in water followed by water rinse using a soft nylon bristle brushes or sponges to apply the detergent. PINECREST GARDENS will coordinate the maintenance of the artwork.

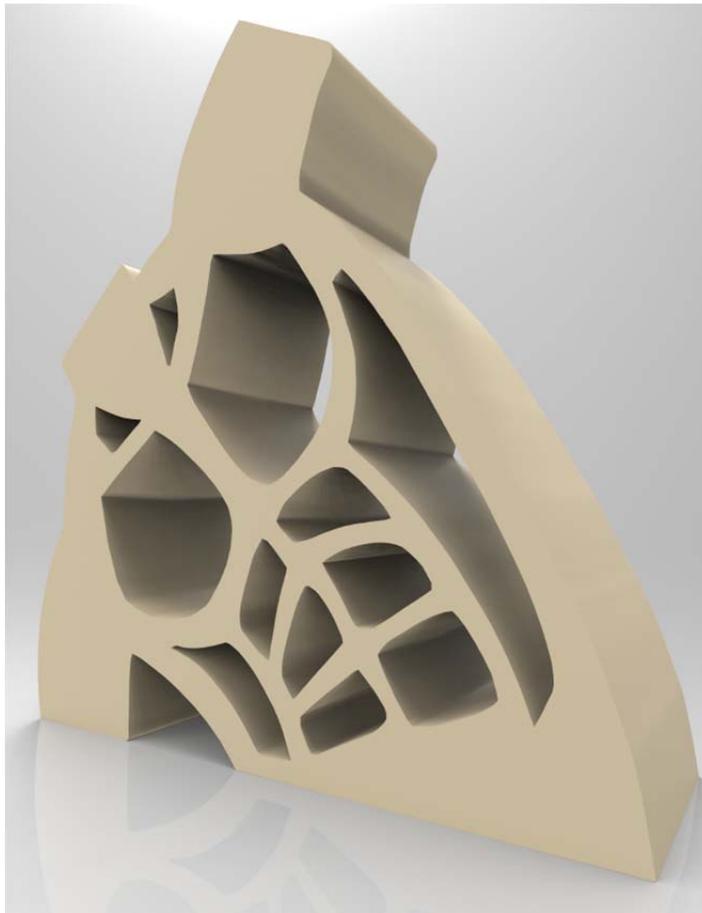
f. Lighting requirements: depending on the surrounding existing lighting, 2 spot lights pointed at the piece will enhance the viewing experience of the patron. PINECREST GARDENS will consider the installation of additional lighting as required.

5. Placement/Removal:

- a. Responsibility for placement , anchoring , removal, and any required permitting is the responsibility of PINECREST GARDENS
- b. Transporting the Work (FOB) (including packaging) from the point of delivery to the Site as well as pickup will be the responsibility of the ARTIST.

6. Damage Release

- a. PINECREST GARDENS will not hold the ARTIST responsible in the event of natural disaster or other damages to the property related to the artwork.





TAB II

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VILLAGE OF PINECREST
Committee Action Form

COMMITTEE: Transportation Advisory Committee
MEETING DATE: 05/04/2015
MEMBERS PRESENT: Steven Silverman, Chair Gary Simon, Vice Chair Gregory Borgognoni Jean Pollock Jason Haim Councilmember Cheri Ball Maria A. Menendez, Assistant Village Manager - Staff Liaison
OFFICIAL ACTION (ATTACH DOCUMENTATION IF NECESSARY): Chairman Silverman called the meeting to order at 7:02p.m. A motion to approved the March 30, 2015 meeting minutes was made by CM Borgognoni, and seconded by CM Simon and passed by unanimous vote. Mr. Danny Casals, Field Operation Supervisor from the Village of Palmetto Bay, was present and provided an overview of the Village of Palmetto Bay Master Plan. Mr. Casals reviewed the proposed bike and lanes and routes and discussed connectivity with Pinecrest. Chair Silverman asked if SW 77th Avenue could be considered in lieu of SW 82nd Avenue for a bike lane, to provided connectivity between both cities. Mr. Casals stated he would share the request with his Director. Staff Liaison will forward the list of bike lanes and routes to Mr. Casals to see where they can connect with the Village. CM Borgognoni requested that traffic counts and speed information be taken at the intersection of SW 104th St and SW 72nd Ave to determine if a traffic circle meets County criteria and may be warranted. CM Borgognoni mentioned that he recently traveled to Orlando and saw the transitional area concept mentioned by the Staff Liaison and stated that it seems to work, both visually and calming the traffic transitioning from a commercial to a residential area. Staff Liaison mentioned that the Consultant working on the US 1 Mobility Plan has identified some of the possible transitional areas, along the US 1 corridor. CM Simon suggested that sidewalk gaps be filled along US 1, consistent with the recommendations from the US 1 study. CM Simon also mentioned the need for a dedicated right-hand turn from SW 124th Street onto US 1. There seems to be plenty of right-of-way and would alleviate the congestion during peak hours. Further evaluation will be conducted by the Village, after certain information is obtained. i.e. r/w dimensions, width of existing lanes, plans for the area, etc. Staff Liaison went over the various criteria and standards used by the County for sidewalk, bike lanes and roadway widths, as well as the clearance requirement for roadway, and the materials used for bike paths. The information provided to the Committee Members will be useful in considering future Village projects for sidewalks, paths, and roadway improvements. Staff Liaison provided an update on the Red Light Camera Safety Program and reviewed with Committee Members the stats on the Pinecrest People Mover. Committee Members asked about the possibility of extending the People Mover to other locations, i.e. Metro Rail. Village is limited to the uses of the People Mover because costs and there seems to be very little demand for scheduling additional locations. Perhaps a user survey could be conducted to see if there is appetite to expand the services. Councilmember Ball provided an overview of the proposed Golf Cart Regulation Ordinance and asked Committee Members to review and provide comments. The Ordinance will be considered by Village Council at the June 10, 2015 meeting. Chairman Silverman requested that the Ordinance be sent to each Committee Member to discuss at the next meeting scheduled for June 9, 2015. <i>Official action by a committee shall be in the form of a motion, approved by the membership, making a recommendation to the Village Council.</i>
OTHER COMMENTS/NEW BUSINESS: Staff Liaison Menendez informed Committee Members of the appointment of the Village's new Public Works Director, Mark Spanioli. Mr. Spanioli comes from the City of Miami Capital Improvement Department where he served as Director. Mr. Spanioli will be taking over as Staff Liaison for the Transportation Advisory Committee.
NEXT MEETING DATE: 06/08/2015
APPROVED MINUTES OF LAST MEETING OF _____ ATTACHED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
SUBMITTED BY: Maria Alberro Menendez, Assistant Village Manager

PLEASE SUBMIT THIS FORM TO THE CLERK'S OFFICE IMMEDIATELY FOLLOWING THE MEETING.

THIS FORM SHALL SERVE AS AN INTERIM RECORD OF THE MEETING UNTIL SUCH TIME AS THE MINUTES HAVE BEEN APPROVED.

12645 Pinecrest Parkway, Pinecrest, Florida 33156
T: 305.234.2121 | F: 305.234.2131
www.pinecrest-fl.gov

Rev. 2/26/2013



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TAB 12

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RESOLUTION NO. 2015-

**A RESOLUTION OF THE VILLAGE OF
PINECREST, FLORIDA, JOINING WITH THE
CITIES OF MIAMI AND SOUTH MIAMI FOR
ENGAGEMENT OF AN ECONOMIST RELATING
TO EARLY COST RECOVERY MATTERS BEFORE
THE PUBLIC SERVICE COMMISSION;
PROVIDING FOR AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS
FOLLOWS:

Section 1. That a commitment of \$15,000 is hereby authorized for the
engagement of an economist, in partnership with the cities of Miami and South Miami, in
connection with *Early Cost Recovery* matters before the Florida Public Service Commission.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of June, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

Motion by:
Second by:

Vote:

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TAB 13

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RESOLUTION NO. 2015-

**A RESOLUTION OF THE VILLAGE OF PINECREST,
FLORIDA, PROVIDING FREE ADMISSION TO
PINECREST GARDENS FOR U.S. ACTIVE DUTY
MILITARY PERSONNEL AND THEIR IMMEDIATE
FAMILY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Village of Pinecrest salutes the men and women serving in the United States Armed Forces; and

WHEREAS, as token of appreciation for their continued service, all active duty military personnel, with military I.D., including the Army, Navy, Air Force, Marines, Coast Guard, National Guard and Reservists, and their immediate family, shall be eligible for free admission to Pinecrest Gardens;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That admission fees for Pinecrest Gardens for U.S. active duty military personnel and their immediate family (parents, spouses, children) are hereby waived.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of June, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

Motion by:
Second by:

Vote:

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TAB 14

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RESOLUTION NO. 2015-

**A RESOLUTION OF THE VILLAGE OF PINECREST,
FLORIDA, WAIVING FEES FOR RENTAL OF
PINECREST GARDENS' MEADOW AND ADMISSION
FEES FOR A FRIENDSHIP CIRCLE (CHABAD OF
KENDALL) EVENT TO BE HELD IN SUMMER 2015;
PROVIDING FOR AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That the fees for rental of Pinecrest Gardens' Meadow and admission fees for guests, for an event for volunteers and special needs children, conducted by Friendship Circle (Chabad of Kendall), to be held on a Sunday during Summer 2015, are hereby waived.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of June, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

Motion by:
Second by:

Vote:

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TAB 15

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RESOLUTION NO. 2015-

**A RESOLUTION OF THE VILLAGE OF
PINECREST, FLORIDA, AUTHORIZING THE
COMMUNITY GARDENS CHARITABLE FUND TO
USE THE WHILDEN-CARRIER COTTAGE FOR
OFFICE SPACE; PROVIDING FOR AN
EFFECTIVE DATE.**

BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS
FOLLOWS:

Section 1. That the Village Manager is hereby authorized to execute the attached
lease agreement with the Community Gardens Charitable Fund, a non-for-profit
organization, for use of the Whilden-Carrier Cottage at Pinecrest Gardens for office space.

Section 2. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of June, 2015.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Mitchell Bierman
Village Attorney

Motion by:
Second by:

Vote:

LEASE AGREEMENT

This lease is entered into between the Village of Pinecrest, a Florida municipal corporation hereinafter referred to as “Grantor” and “Landlord”, whose address is 12645 Pinecrest Parkway, Pinecrest, FL 33156, and Community Gardens Charitable Fund, Inc., whose address is 6101 SW 126th Street, Pinecrest, FL 33156, hereinafter referred to as “Tenant”, does this day lease unto Tenant the premises known as The Whilden-Carrier Cottage, located at 5825 SW 111 Street, Pinecrest, FL 33156, hereinafter referred to as the “Premises.”

WHEREAS, Grantor acquired the property on which the The Whilden-Carrier Cottage is situated with partial funding from the Florida Communities Trust (FCT), and that property is subject to certain limitations provided in the FCT Grant Award Agreement a/k/a the Declaration of Restrictive Covenants (as recorded in OR Book ____, Page ____ in _____ County)(the “Agreement,”) and

WHEREAS, as part and condition of the FCT funding, the Village provided and FCT approved a Management Plan for the project site, and together with the Agreement, the terms of which are hereby incorporated herein by reference; and

WHEREAS, Grantor intends that the conservation and recreation values of the property be preserved and enhanced in accordance with the Management Plan, as it may be amended from time to time only after review and approval by FCT; and

WHEREAS, all activities by the Grantor and Grantee shall be consistent with the Agreement and Management Plan; and

WHEREAS, the Whilden-Carrier Cottage was placed on the property now known as Pinecrest Gardens due to its historical designation by Miami-Dade County; and

WHEREAS, the Community Gardens Charitable Fund is a non-profit 501(c)(3) organization whose mission is to identify and enhance the horticultural needs of the Pinecrest Community; and

WHEREAS, the Community Gardens Charitable Fund has chosen the enhancement of Pinecrest Gardens as its priority due to its existing botanical character and its historical significance; and

WHEREAS, the Community Gardens Charitable Fund will use the Whilden-Carrier Cottage as office space for fund-raising purposes to assist in the maintenance and enhancement of Pinecrest Gardens:

It is further agreed and covenanted by and between the parties hereto as follows:

1. Term and Rent. Landlord demises the above premises for a term of 1 year commencing June

1, 2015 and terminating May 31, 2016, or sooner as provided herein at the annual rental of one dollar (\$1) payable at the beginning of the lease term. All rental payments shall be made to Landlord, at the above specified address, in care of the Finance Director.

2. Use. Tenant shall have exclusive use of the Premises and shall use and occupy the Premises for office purposes. The Premises shall be used for no other purpose. Landlord represents that the Premises may lawfully be used for such purpose.

3. Care and Maintenance of Premises. Tenant acknowledges that the Premises are in good order and repair, unless otherwise indicated herein. Tenant shall, at its own expense and at all times, maintain the Premises in good and safe condition, and shall surrender the same at termination hereof, in as good condition as received, normal wear and tear excepted. Village shall be responsible for all repairs and maintenance, the foundations, and the air conditioning system. Additionally, the Village shall be responsible for the structural aspects of the Premises, which include the infrastructure, such as electrical, plumbing and all other systems. Tenant shall, at its own expense, be responsible for janitorial services and shall deposit its trash and refuse in the dumpster south of the Library.

4. Alterations. Tenant shall not, without first obtaining the written consent of the Village Manager, make any alterations, additions, or improvements, in, to or about the Premises.

5. Ordinances and Statutes. Tenant shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the Premises, occasioned by or affecting the use thereof by Tenant. Tenant acknowledges and agrees that the Premises have been designate as "historic" pursuant to Miami-Dade County Ordinance Section 16A and that Tenant and Landlord must comply with its regulations for the protection, enhancement and perpetuation of historic properties.

6. Assignment and Subletting. Tenant shall not assign this lease or sublet any portion of the Premises. Any such assignment or subletting without consent shall be void and, at the option of the Landlord, may terminate this lease.

7. Utilities. All applications and connections for necessary utility services on the demised Premises shall be made in the name of Tenant only, and Tenant shall be solely liable for utility charges as they become due, including those for electricity, and telephone services.

8. Signs. Exterior signs will be of the design and form of letter to be first approved by the Village Manager; the cost of creating, erecting, installing, and painting the signs are to be paid by Tenant. Tenant shall remove all signs at termination of this Lease Agreement and any damage or unsightly condition caused to building, because of or due to said signs, shall be satisfactorily corrected or repaired by Tenant.

9. No liability for Personal Property. All personal property placed or moved into or on the Premises above described shall be at the risk of Tenant or the owner thereof. Landlord shall not

be liable to Tenant for any damage to said personal property unless caused by or due to negligence or willful misconduct of Landlord, Landlord's agents or employees.

10. Entry and Inspection. Tenant shall permit Landlord or Landlord's agents to enter upon the Premises at reasonable times and upon reasonable notice, for the purposes of inspecting the same.

11. Possession. If Landlord is unable to deliver possession of the Premises at the commencement hereof, Tenant shall not be liable for any rent until possession is delivered. Tenant may terminate this lease if possession is not delivered within sixty (60) days of the commencement of the term hereof.

12. Indemnification of Landlord. Landlord shall not be liable for any damage or injury to Tenant, or any other person, or to any property, occurring on the demised Premises or any part thereof, and Tenant agrees to hold Landlord harmless from any claim for damages, no matter how caused.

13. Insurance. Tenant, at its expense, shall maintain plate glass and public liability insurance including bodily injury and property damage insuring Tenant and Landlord with minimum coverage as follows: \$100,000/\$300,000. Tenant shall provide Landlord with a Certificate of Insurance showing Landlord as an additional insured. The Certificate shall provide for a ten-day written notice to Lessor in the event of cancellation or material change of coverage. To the maximum extent permitted by insurance policies which may be owned by Landlord or Tenant, Tenant and Landlord, for the benefit of each other, waive any and all rights of subrogation which might otherwise exist.

14. Destruction of Premises. In the event of a partial destruction of the Premises during the term hereof, from any cause, Landlord shall forthwith repair the same, provided that such repairs can be made within sixty (60) days under existing governmental laws and regulations. In the event that Landlord shall not elect to make such repairs within sixty (60) days, Landlord may terminate this lease. A total destruction of the building in which the premises may be situated shall terminate this lease.

15. Landlord's Remedies on Default. If Tenant defaults in the payment of rent, or any additional rent, or defaults in the performance of any of the other covenants or conditions hereof, Landlord may give Tenant notice of such default and if Tenant does not cure any such default within 30 days, after the giving of such notice (or if such other default is of such nature that it cannot be completely cured within such period, if Tenant does not commence such curing within such 45 days and thereafter proceed with reasonable diligence and in good faith to cure such default), then Landlord may terminate this lease on not less than 30 days' notice to Tenant. On the date specified in such notice the term of this lease shall terminate, and Lessee shall then quit and surrender the Premises to Lessor, but Tenant shall remain liable as hereinafter provided. If this lease shall have been so terminated by Landlord, Landlord may at any time thereafter resume

possession of the Premises by any lawful means and remove Tenant or other occupants and their effects. No failure to enforce any term shall be deemed a waiver.

16. Attorney's Fees. In case suit should be brought for recovery of the Premises, or for any sum due hereunder, or because of any act which may arise out of the possession of the Premises, by either party, the prevailing party shall be entitled to all costs incurred in connection with such action, including reasonable attorney's fee.

17. Notices. Any notice which either party may, or is required to give, shall be given mailing same, postage prepaid, to Tenant at the Premises, or Landlord at its Village Hall address, or at such other places as may be designated in writing by the parties from time to time.

18. Option to renew. Provided that Tenant is not in default in the performance of this lease, Tenant shall have the option to renew the lease for three (3) additional terms of twelve (12) months commencing at the expiration of the initial lease term. All of the terms and conditions of the lease shall apply during the renewal term. The option shall be exercised by written notice given to Landlord not less than sixty (60) days prior to the expiration of the initial lease term. If notice is not given in the manner provided herein within the time specified, this option shall expire.

19. Cancellation. Either party shall have the right to cancel this Lease Agreement at any time by giving the other party at least ninety (90) days' written notice prior to its effective date.

20. Subordination. This lease is and shall be subordinated to all existing and future liens and encumbrances against the property.

21. Radon Disclosure, and OFAC Statement and Disclaimers.

Radon: The following notification is required by Florida Law:

“Radon is a naturally occurring radioactive gas that, when it is accumulated in buildings in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed Federal and State guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department.” Landlord has not tested for Radon gas at the Property and therefore, makes no representation or warranty regarding the presence or absence of same. Tenant hereby waives any and all actions against Landlord related to the presence of such gas and Tenant confirms that it was given every reasonable opportunity prior to initially entering into possession of the Premises, to engage in any such testing as it determine was appropriate in Tenant's own business judgment and after securing any professional advice or guidance Tenant elected to engage in Tenant's sole discretion.

OFAC: Tenant hereby represents and warrants that neither Tenant, nor any persons or entities holding any legal or beneficial interest whatsoever in Tenant, are (i) the target of any sanctions program that is established by Executive Order of the President or published by the Office of Foreign Assets Control, U.S. Department of the Treasury (“OFAC”); (ii) designated by the President or OFAC pursuant to the Trading with the Enemy Act, 50 U.S.C. App. § 5, the International Emergency Economic Powers Act, 50 U.S.C. §§ 1701-06, the Patriot Act, Public Law 107-56, Executive Order 13224 (September 23, 2001) or any Executive Order of the President issue pursuant to such statutes; or (iii) named on the following list that is published by OFAC: “List of Specially Designated Nationals and Blocked Persons.” If the foregoing representation is untrue at any time during the Term, an Event of Default will be deemed to have occurred, without the necessity of notice to Tenant.

22. Holdover. If Tenant, with Landlord’s consent, remains in possession of the Premises past the expiration of the term of the lease and if Landlord and Tenant have not executed an express written agreement as to such holding over, then such occupancy shall be a tenancy from month to month. In the event of such holding over, all of the terms of the Lease Agreement including the payment of all charges owing hereunder other than rent shall remain in force and effect on said month to month basis.

23. Entire Agreement. The foregoing constitutes the entire agreement between the parties and may be modified only in a writing signed by both parties. The following Exhibits, if any, have been made a part of this lease before the parties' execution hereof:
None.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Lease Agreement to be executed by their respective and duly authorized officers.

Signed this _____ day of _____ 2015.

VILLAGE OF PINECREST

By: _____
Yocelyn Galiano Gomez, ICMA-RC
Village Manager

RESOLUTION NO. 2008-49

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE COMMUNITY GARDENS CHARITABLE FUND TO USE THE WHILDEN-CARRIER COTTAGE FOR OFFICE SPACE AND AUTHORIZING THE VILLAGE ATTORNEY TO DRAFT A LEASE FOR SUCH USE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That the Community Gardens Charitable Fund, a non-for-profit organization, is hereby authorized to use the Whilden-Carrier Cottage at Pinecrest Gardens for office space.

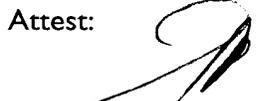
Section 2. That the Village Attorney is hereby directed to draft a lease agreement to be executed by the Village, contingent upon Village Council approval, and the Community Gardens Charitable Fund for use of a Village facility.

Section 3. This Resolution shall take effect immediately upon adoption.

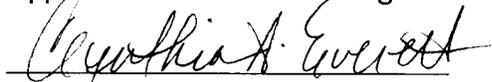
PASSED AND ADOPTED this 9th day of December, 2008.


Cindy Lerner, Mayor

Attest:


Guldo H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:


Cynthia A. Everett
Village Attorney



Motion by: Councilmember Harter
Second by: Councilmember Ross

Vote: Councilmembers Corradino, Harter, Ross, Vice Mayor Cutler, and Mayor Lerner voting Yes



Yocelyn Galiano Gomez, ICMA-CM
Village Manager
manager@pinecrest-fl.gov

MEMORANDUM
Office of the Village Manager

DATE: June 3, 2015

TO: The Honorable Mayor and Members of the Village Council

FROM: Yocelyn Galiano Gomez, ICMA-CM, Village Manager 

RE: Resolution Authorizing a Lease Agreement with the Community Garden Charitable Fund for Whilden-Carrier Cottage Use

The Community Gardens Charitable Fund has used the Whilden-Carrier Cottage at Pinecrest Gardens as office space for their volunteers since 2009 for an annual payment of \$1.00. Their current lease has expired. The organization has requested to enter into a new lease from June 1, 2015 through May 31, 2016.

As you may be aware, the Community Gardens Charitable Fund is a non-profit 501(c)(3) organization whose mission is to identify and enhance the horticultural needs of the Pinecrest Community and they have chosen the enhancement of Pinecrest Gardens as its priority.

I hereby respectfully recommend that the Village Council approve the attached resolution which authorizes me to enter into a Lease Agreement with the Community Gardens Charitable Fund for use of the Whilden-Carrier Cottage.

YGG/atg



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TAB 16

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Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

DATE: June 3, 2015

TO: Yocelyn Galiano Gomez, ICMA-CM, LEED-GA
Village Manager

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

RE: Censig Pinecrest Holdings/Censig Pinecrest Subdivision
Preliminary Subdivision Plat; 7853 SW 112 Street

PETITION REQUEST

CENSIG Pinecrest Holdings, LLC (Applicant/Owner) is requesting approval of a preliminary subdivision plat ("Censig Pinecrest Subdivision") for the division of property and creation of two (2) single-family residential lots on property located at 7853 SW 112 Street, within the RU-1, Residential Single Family zoning district. Lot 1 is proposed to be 9,659 square feet (net) in area; lot 2 is proposed to be 9,737.01 square feet (net) in area.

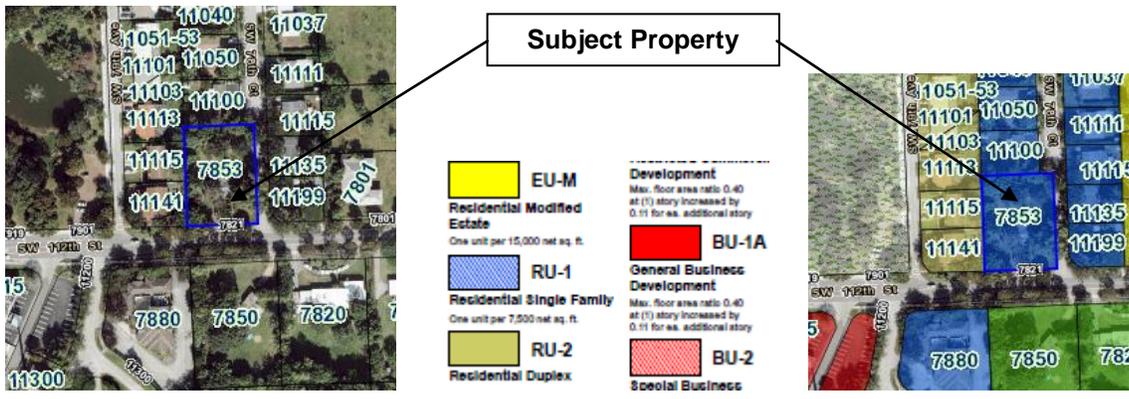
OWNER/APPLICANT

Censig Pinecrest Holdings, LLC. is the owner of the subject property and the applicant.

SITE LOCATION

The subject property is located at 7853 SW 112 Street, Pinecrest, Florida 33156 within the RU-1, Residential Single Family zoning district.





EXISTING CONDITIONS

The subject property currently includes a single-family residence and other structures on site. Development on the two lots as shown on the preliminary plat will require demolition of the existing structures that currently extend across proposed lots.

PUBLIC COMMENT

The Building and Planning Department has not received any correspondence in opposition to the requested 2-lot subdivision.

PINECREST LAND DEVELOPMENT REGULATIONS

Article 8 of the Pinecrest Land Development Regulations contains standards for the subdivision and platting of property in the Village of Pinecrest.

The preliminary plat shows existing fences within the public right-of-way. Fences will be required to be removed or relocated from the right-of-way prior to approval of the final subdivision plat.

A Miami-Dade County Water and Sewer Availability Form dated December 4, 2014 indicates that an 8-inch water main exists within the SW 78 Court right-of-way. The developer will be required to connect to the available water main as a condition of approval of the final plat.

The Miami-Dade County Environmental Quality Control Board has granted a variance to the property owner to have a septic tank on both lots even though one of the lots is less than 15,000 square feet in area. The variance was approved because although sanitary sewer is located in close proximity to the subject property, it is inaccessible because of insufficient depth. A copy of the EQCB Order is attached. Permits for installation of on-site septic

systems from the Miami-Dade County Health Department and Department of Economic and Regulatory Resources will be required.

Miami-Dade County Fire Rescue Department requirements relative to fire control facilities and appurtenances will be reviewed by the Miami-Dade County Fire Rescue Department prior to review of the final plat.

Any required utility easements will be identified and shown on the final plat.

An existing single-family residence exists on the subject property and will be removed prior to approval of the final plat.

For the purpose of issuing a development order, the proposed lot split may be deemed to have a minimal impact and may not be subject to the transportation concurrency requirements of the Village of Pinecrest, provided the following conditions are met:

The development proposal is for an increase in density or intensity of less than or equal to twice the density or intensity of the existing development, or for the development of a vacant parcel of land at a residential density of less than four dwelling units per acre. Isolated vacant lots in predominantly built residential areas where construction of a single-family house would be the most suitable use may be developed for single-family residential use under the minimal impact exception even if smaller than 1/4 acre in size.

The transportation impact of the proposed development alone does not exceed 0.1 percent of the maximum service volume at the adopted level of service standard for peak hour of the affected transportation facility.

The cumulative total transportation impact from the minimal impact exception does not exceed three percent of the maximum service volume at the adopted level of service standard of the affected transportation facility, if the proposed development does not meet the minimum level of service standard.

As part of the proposed dedication of right-of-way by the developer, roadway widening is required along SW 78 Court from the north end of property corner to meet and match the existing 24 foot-wide asphalt pavement with construction and extension southbound to meet SW 112 Street. In addition to widening, milling and resurfacing of the existing roadway on the east side of the centerline along the same section shall be required. All roadway and paving work will require a Public Works permit from the Village of Pinecrest.

Information reviewed by the Building and Planning Department indicates that the proposed subdivision consisting of one additional home (net increase) will have a de minimus impact on the adjoining transportation network.

A pedestrian sidewalk exists adjacent to SW 78 Court, terminating at the northern boundary of the subject property, and adjacent to SW 112 Street, terminating at the western property line. Extension of sidewalks to the east along SW 112 Street and north adjacent to SW 78 Court will be required in conjunction with construction of residences on each lot.

Review and approval of the preliminary plat by Miami-Dade County (Fire Rescue Department, Department of Environmental Resources and Management, Public Works Department, Water and Sewer Department) and the State Department of Health will be required prior to submittal of a final plat to the Village of Pinecrest.

Storm water management is proposed to be addressed on each individual lot in conjunction with the issuance of building permits.

All utilities are required to be installed underground and will be identified within easements to be shown on the final plat.

Mature trees exist both on the subject property and within the public right-of-way adjacent to both SW 78 Court and SW 112 Street. A tree removal permit will be required before building permits are issued for the construction of a new home on either lot.

An environmental report indicating the existence of any protected species will be required at the time of review of the final plat, prior to the commencement of any construction or demolition.

The Dimensional Requirements of the RU-1, Residential Single Family zoning district are provided for the Village Council's consideration as follows:

- a. Minimum lot area: 7,500 square feet in area (net).
- b. Maximum density: One principal dwelling unit per 7,500 net square feet.
- c. Maximum height: Principal use: One-story structure or portion of the structure that is one story: 24 feet. If the roof of the structure has a pitch of at least 6/12, then the peak of such roof may be 28 feet in height.

Two-story structure or portion of the structure that is two stories: 32 feet. Maximum height of the wall: 26 feet. However, any portion of the building or structure with a flat roof shall not exceed 24 feet including the parapet.

Wall height at side setback: 20 feet. The maximum wall height may increase by one foot for each additional one foot of side setback provided beyond the minimum side setback requirement up to the maximum permitted height.

Maximum height of truss heel height: 1 foot.

d. Maximum lot coverage:

i. Maximum building coverage (inclusive of all structures): 30 percent.

ii. Maximum impervious surface ratio: 65 percent.

iii. Minimum green space: 35 percent.

e. Minimum lot width and street frontage: 75 feet.

f. Minimum lot depth: 100 feet.

g. Minimum setbacks and maximum floor area ratios: All development must comply with setbacks for wetlands. Also, the following setbacks and floor area ratios shall apply within the RU-1 district:

Front: 50 Feet; Rear: 25 feet; Side 20 Feet; Street Side: 25 Feet

h. Minimum size living area: 1,000 square feet.

RECOMMENDATION

Staff recommends approval of the proposed preliminary subdivision plat subject to the following conditions of approval:

1. Review and approval of the proposed preliminary plat by the Miami-Dade County Water and Sewer Department, Department of Economic and Regulatory Resources, Fire Rescue Department, Public Works and Waste Management Department and Health Department prior to submittal of a final plat.

2. Demolition of the existing home and other structures that currently extend across existing property lines.
3. Removal of existing fences from the adjoining road right-of-way prior to approval of the final subdivision plat.
4. Dedication of additional right-of-way as shown on the submitted preliminary plat, widening of pavement within the SW 78 Court right-of-way, and construction of pedestrian sidewalks adjacent to both adjoining roads subject to review and approval of the Administrative Official.
5. Submittal of an environmental impact report indicating the existence of any protected species at the time of review of the final plat, prior to the commencement of any construction or demolition.
6. Review and approval of a separate tree removal permit prior to the removal of any trees on the subject property or within the adjoining road right-of-way.



Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

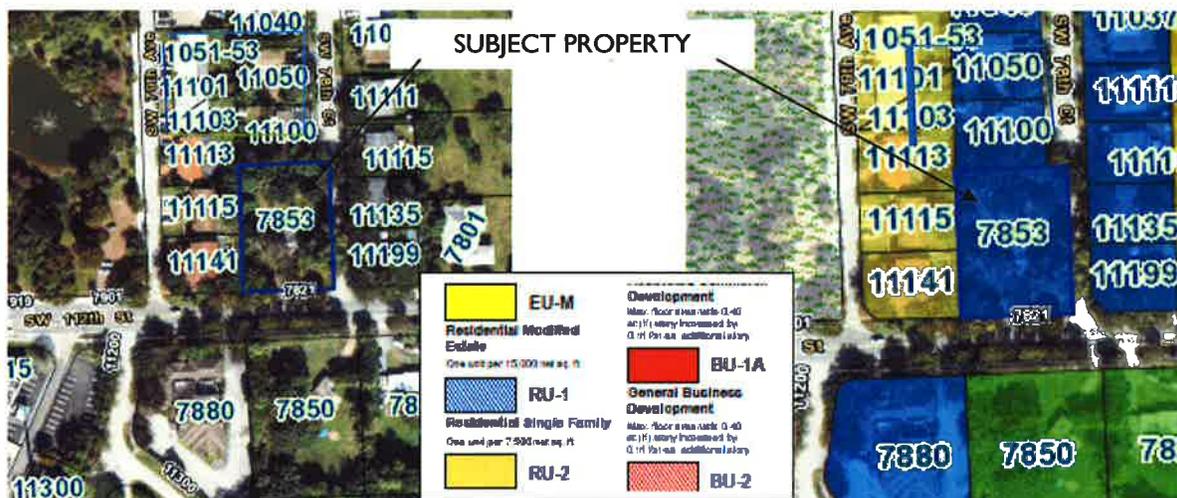
On **Tuesday, June 9, 2015 at 8:00 p.m.**, the Village Council will conduct the following public hearing at the Pinecrest Municipal Center, Council Chamber, 12645 Pinecrest Parkway, Pinecrest, Florida:

APPLICANT: CENSIG Pinecrest Holdings, LLC

ITEM: Preliminary Subdivision Plat (2 Lots)

LOCATION: The subject property is located at 7853 Southwest 112 Street, Pinecrest, FL 33156

REQUEST: CENSIG Pinecrest Holdings, LLC (Applicant/Owner) is requesting approval of a preliminary subdivision plat ("Censig Pinecrest Subdivision") for the division of property and creation of two (2) single-family residential lots on property located at 7853 SW 112 Street, within the RU-1, Residential Single-Family zoning district. Lot 1 is proposed to be 9,659 square feet (net) in area; lot 2 is proposed to be 9,737.01 square feet (net) in area.

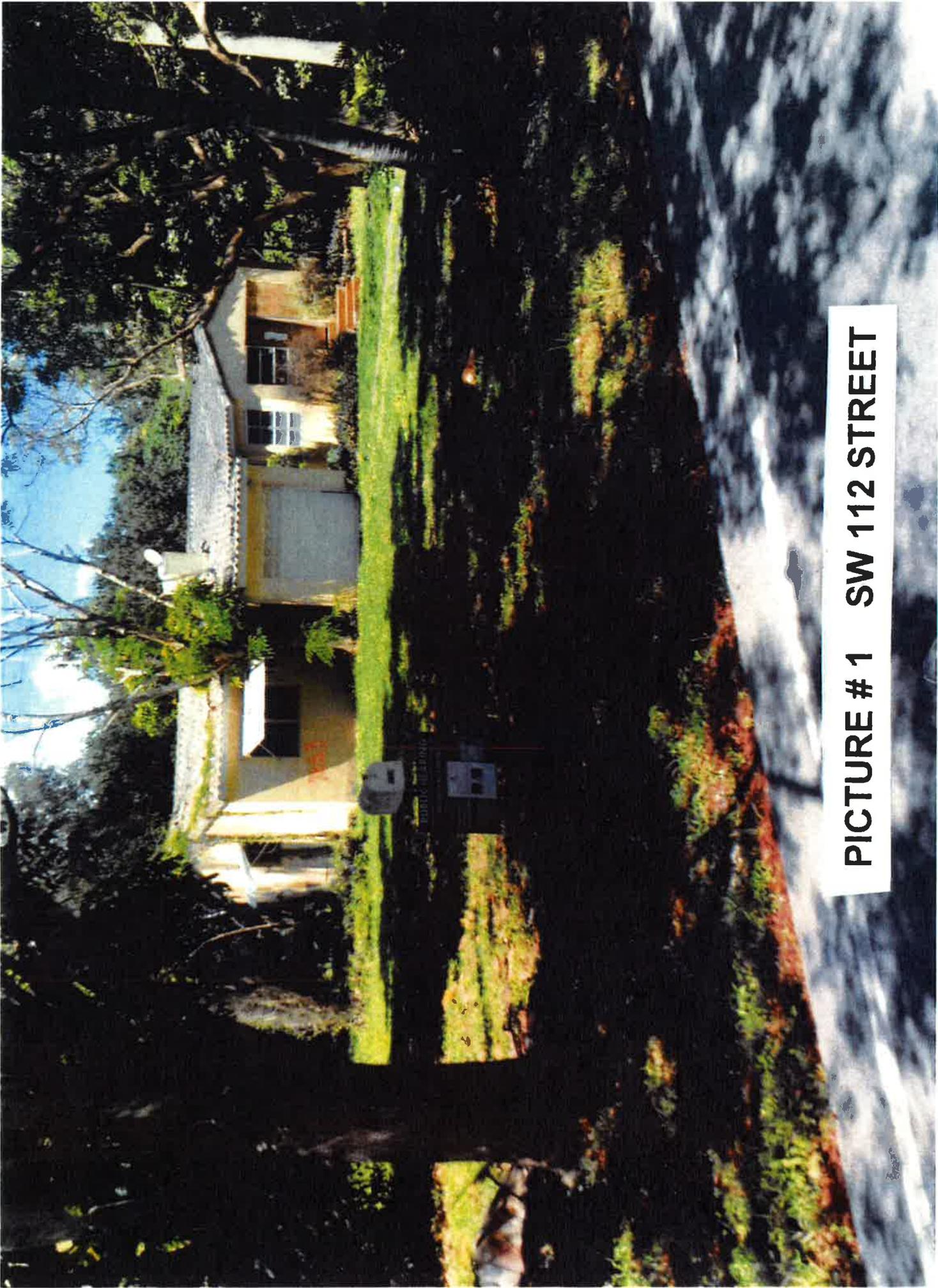


All interested parties are urged to attend. Objections or expressions of approval may be made in person at the hearing or filed in writing prior to or at the hearing. Interested parties requesting information are asked to contact the Building and Planning Department by calling (305) 234-2121 or writing to the address indicated below, where a plan is on file.

You are hereby advised that if any person desires to appeal any decision made with respect to any other matter considered at this meeting or hearing, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Refer to the item number when making an inquiry.

In accordance with the American with Disabilities Act of 1990, all persons with disabilities and who need special accommodations to participate in this meeting because of that disability should contact the Village Clerk at (305) 234-2121 no later than four (4) business days prior to such proceeding.





PICTURE # 1 SW 112 STREET



PUBLIC HEARING APPLICATION

Please check one:
X VILLAGE COUNCIL
PLANNING BOARD

OFFICIAL USE ONLY
Application No.:
Date Received:

INSTRUCTIONS

This application, with all supplemental data and information, must be completed in accordance with the specific instructions in this application. Applications and all supplemental information must be filed no later than 60 days prior to the regular public hearing date.

APPLICATION

Please indicate which type of application you are submitting by checking one category below:

- Change in Zoning District
Use Variance
Non-Use Variance
Appeal of Decision of Planning Board
Conditional Use
X Plat
Entry Feature
Site Plan
Other

IMPORTANT: THE APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE HEARING TO PRESENT THE PROPOSAL.

Please print or type

Name of Applicant, agent or tenant (with owner's affidavit)
CENSIG Pinecrest Holdings, LLC, a Florida limited liability company
Mailing Address: 5901 SW 74 Street Suite 306
City, State, Zip: South Miami, Florida 33143
Telephone (305) 667-6022
bob@cenconstruction.com

PROPERTY INFORMATION

A LEGAL DESCRIPTION (if subdivided - lot, block, complete name of subdivision, plat book and page numbers). If metes and bounds description - Complete description, including section, township and range).

Folio Number 20-5010-000-0131 Address 7853 SW 112 Street Pinecrest, Florida 33156

Lot(s) Block Section Plat Book No. Page No.

THE EAST 132 FEET OF THE WEST 394 FEET, OF THE SW 1/4, OF THE SE 1/4, OF THE NE 1/4, LESS THE NORTH 450 FEET OF SECTION 10, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING SITUATED IN MIAMI DADE COUNTY, FLORIDA.

PINE

B. ADDRESS (if number has been assigned) 7853 SW 112 Street

C. SIZE OF PROPERTY 212.67 ft X 132 ft. = 28,732 sq. ft. 0.66 acre(s), ²

D. Provide legal description or address of any property held by the owner which is contiguous to that which is the subject matter of this application.

Not Applicable

E. DATE SUBJECT PROPERTY WAS ACQUIRED November 5, 2014

APPLICANT'S PROPOSAL

Specify in full the request. (Use a separate sheet of paper if necessary.)

To subdivide the property into two (2) RU-1 lots(residential Single family)

INTENT

Explain purpose of application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal. (Use a separate sheet of paper if necessary.)

The property is zoned RU-1 and is located in a established RU-1 residential neighborhood.

The applicant will be n creating two single family homesites that exceed the requirements of the

RU-1 zoning. The lots would have 91 feet of frontage (75 feet required) and 9737 sq. ft. of

Area (7,500 sq.ft. required).

Is this application the result of a Notice of Violation or deviation from approved plans? Yes No

Are there any existing structures on the property? Yes No. The applicant will remove

the existing house before the Final Plat is submitted for Pinecrest City Council approval.

If so, what type? (CBS, Frame, Frame-Stucco, Wood, Other) CBS structure

Any applications (except plat applications) which involve new building construction or exterior improvements to an existing building must submit the plans with this application. Plans that are not filed with this application will not be considered by the Village of Pinecrest.

All data and exhibits submitted in connection with this application become a PERMANENT PART OF THE PUBLIC RECORDS OF THE VILLAGE OF PINECREST.

The following enclosures where applicable MUST BE ATTACHED to complete the application:

- A. **SURVEY OF PROPERTY:** For vacant or improved property. Must be no more than five years old and sealed by a registered land surveyor. The Building and Planning Department may require a more recent survey if a site visit indicates any discrepancies. Survey must include, where applicable, lot lines, all structures, walls, fences, landscaping, and all physical improvements.
- B. **SITE DEVELOPMENT PLAN:** Where applicable, plans shall show location and elevations of existing and proposed buildings, proposed additions, alterations and use of each; all dimensions of buildings and space between buildings; setbacks from property lines; proposed and existing off-street parking showing lined spaces, driveways, handicap spaces, compact spaces; a landscape plan that complies with Village of Pinecrest Landscape Ordinance showing location of existing and proposed vegetation, landscaping (i.e. trees and hedges), number, height and species type. The plan shall also show wall and fence height, location and material.
- C. **LETTER OF INTENT:** A letter of intent must be filed explaining in detail the extent of the development. Signature and address must be shown.
- D. **OTHER GOVERNMENTS/AGENCIES ENDORESEMENTS:** All applicable DERM, Miami-Dade Fire Department, or the Miami-Dade Water and Sewer Department's endorsement must be submitted.
- E. **OWNER'S AFFIDAVIT:** Owner's affidavit allowing the filing of an application is required on all applications where the applicant is not the owner of the property under consideration; same form allows posting of property.
- F. **TRAFFIC STUDY:** A detailed traffic analysis considering the impacts of the proposed development on current level-of-service (LOS) standards in abutting (or nearby) roads and intersections.

NOTE: SURVEYS, SITE DEVELOPMENT PLANS, LANDSCAPE PLANS MUST BE SUBMITTED AT STANDARD PLAN SIZE. AN APPLICATION WILL NOT BE CONSIDERED COMPLETE UNLESS 12 COPIES OF THE APPLICATION AND SUPPORTING DOCUMENTATION (FRONT AND BACK), APPROPRIATE PLAN DRAWINGS AND SURVEYS ARE SUBMITTED.

In support of this request, I submit the following additional items, which are attached hereto and made a part of this application:

- Owner's Affidavit
- 35 MM Photo(s) (Mounted 8 1/2 x 11)
- Letters from Area Residents
- Other _____

Please check only one of the following options:

FOR VILLAGE COUNCIL PURPOSES

I/We understand that additional public hearings may be required and any interested person may discuss the application with Village staff to the same extent as the applicant. The application may change during the hearing process and additional public notices may affect the schedule of the hearings. If my/our appeal is denied, I/we must file an appeal to the Circuit Court within 30 days of the meeting.

FOR PLANNING BOARD PURPOSES

I/We understand that additional public hearings may be required and any interested person may discuss the application with Village staff to the same extent as applicant. The application may change during the hearing process and additional public notices may affect the schedule of the hearings. If my/our appeal is denied, I/we must file an appeal with the Village Clerk within 10 days of the decision.

2/19/15
Date


Applicant's Signature

Bob Liv
Print Name

2/19/15
Date


Applicant's Signature (if more than one)

Fadi Bahri
Print Name

I / We CENSIG Pinecrest Holdings, LLC a Florida limited liability company as Owner (s) of Lot (s) _____

The East 132' of the W 394' of the SW 1/4 of the SE 1/4 of the NE 1/4 less the North 450' of Sec. 10, TWP 55 S Rg 40 E.

Block N/A Section _____ PB / PG _____

of property which is located at 7853 SW 112 Street desire to file an application for a public hearing before the Village Council Planning Board, and I/We do understand and agree as follows:

1. That the application for a variance will not be heard unless the applicant is present at the hearing.
2. The property will be posted with a sign, which must not be removed until after the public hearing, at which time the Village staff will remove the sign.
3. That the requirements of the zoning code, Miami-Dade County Ordinances, the South Florida Building Code, and other government agencies may affect the scheduling and ability to obtain/issue a permit for the proposal.
4. That the only exceptions to the zoning code are those that have been specified in the written application and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the Village of Pinecrest or Miami-Dade County ordinances.
5. That the applicant will be responsible for complying with all the conditions and restrictions imposed by the Village Council or Planning Board in connection with the request and will take the necessary steps to make the request effective if approved by the Village Council or Planning Board.
6. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the Village Council or Planning Board to hear the applicant's request.
7. That the applicant is responsible for timely submission and accuracy of all items requested on the application.
8. That the applicant is responsible for an additional fee for mailing notice to surrounding property owners.

I / We as the owners of the subject property (check one):

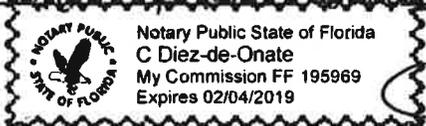
do hereby authorize _____ to act on my/our behalf as the applicant.

will on my/our own behalf act as applicants, and make application in connection with this request for a public hearing before the Village Council or Planning Board.

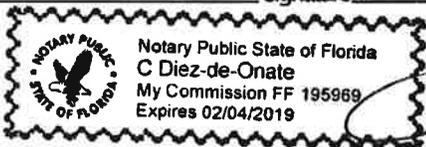
CENSIG Pinecrest Holdings, LLC a Florida limited liability company

Owner's Name Bob Liu Signature _____ Date 2/19/15

Owner's Name Eadi Bahri Signature _____ Date 2/19/15

Notary to Owner.  Signature _____ Date 2/19/15

Applicant's Name _____ Signature _____ Date 2/19/15

Notary to Applicant.  Signature _____

CENSIG PINECREST HOLDINGS LLC

5901 SW 74 Street Suite 306 South Miami, Florida 33143
(305) 667-6022/6023

E-mail: bob@cenconstruction.com or Fadi@cenconstruction.com

February 20, 2015

Mr. Stephen R. Olmstead AICP
Department of Building & Planning
12645 Pinecrest Parkway
Village of Pinecrest, FL 33156

Re: Letter of Intent for Preliminary Plat Approval

Dear Mr. Olmstead

This letter shall serve as our official letter of intent for approval of our Preliminary Plat of "CENSIG Pinecrest Subdivision", located at 7853 SW 112 Street Village of Pinecrest, our proposal is to subdivide the property into two lots and construct two single family residences.

The property is zoned RU-1 Single Family Residential District and each of the proposed lots will have a frontage of 91 feet (75.00' required) and lot area 9650 sq. ft. (7500 sq. ft. required). The lots in the immediate vicinity have already been developed and our intended development will not cause any detriment to the neighborhood.

There is an existing residence located on the property that will be removed prior to our submittal of the Final Plat. We are requesting a variance from the submittal of a Traffic Analysis as there was an existing residence on the property and the additional home traffic impact (one additional trip) is considered *di minimis* when factored in the "Institute of Transportation Engineers Trip Generation and County Summary of Trip Generation Calculation. The Miami-Dade Fire Department and DERM memo will be provided after the review of the tentative plat by the Miami-Dade County Plat Committee prior to Final Plat submittal to the city.

If you have questions or require additional information please contact me at 305 667 6022

Sincerely,



Bob Liu

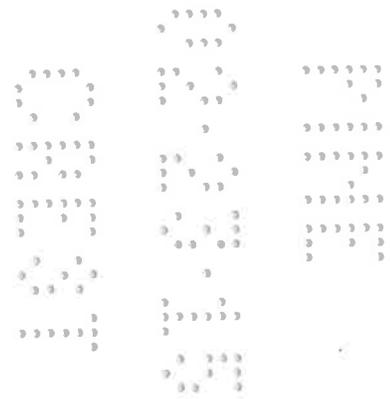


Fadi Bahri

Cc CENSIG Pinecrest Subdivision folder

LEGAL DESCRIPTION:

THE EAST 132 FEET, OF THE WEST 394 FEET, OF THE SW 1/4, OF THE SE 1/4, OF THE NE 1/4, LESS THE NORTH 450 FEET OF SECTION 10, TOWNSHIP 55 SOUTH, RANGE 40 EAST, LYING AND BEING SITUATE IN MIAMI-DADE COUNTY, FLORIDA.



ENVIRONMENTAL QUALITY CONTROL BOARD PUBLIC HEARING APPLICATION

Environmental Quality Control Board – Water & Sewer Availability Form



Department of Regulatory and Economic Resources
 Environmental Resources Management
 701 NW 1st Court • 4th Floor
 Miami, Florida 33136-3912
 T 305-372-6764 F 305-372-6543

EQCB Number: _____

Property Description (To Be Completed by Applicant)			
Property Owner:	CENSIG PINECREST HOLDINGS, LLC		
Property Address:	7853 S.W. 112 th STREET	City: Aventura	Zip: 33156
Folio Number(s):	20-5010-000-0131		

Please submit a survey with this form for Miami-Dade Water and Sewer Department reviews.

Water & Sewer Availability Information (To Be Completed by Utility)

Water Availability Summary			Sewer Availability Summary		
Name of Water Utility:	M-D WUSD		Name of Sewer Utility:	M-D WUSD	
Water Acct No(s):	N/A		Sewer Acct No(s):	N/A	
Water Meter Installed?	YES	<input checked="" type="radio"/> NO	Receiving Pump Station:	30-1075	
Property currently connected to water?	YES ⁽¹⁾	<input checked="" type="radio"/> NO	Property currently connected to sewer?	YES	<input checked="" type="radio"/> NO
Attach Atlas Page and Asbuilt of Water Main	P21		Attach Atlas Page and Asbuilt of Sewer Main	P21	
Utility able to provide Water Service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Utility able to provide Sewer Service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Water Main Available For Connection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Sewer Main Available For Connection?	YES	<input checked="" type="radio"/> NO
Water Main Extension Planned?	YES ⁽²⁾	<input checked="" type="radio"/> NO	Sewer Main Extension Planned?	YES ⁽²⁾	<input checked="" type="radio"/> NO

Point of Connection to Water Main:
 This is to certify that the closest available water main connection point to serve this property is an 8 inch water main located at SW 78 CT at a distance approximately 0 feet from the closest property line of the above described property.

Point of Connection to Sewer Main:
 This is to certify that the closest available sewer connection point to serve this property is an 8 inch force main/ 8 inch gravity sewer (there may be underground obstructions or difference in ground elevations that may prohibit extension. An engineering analysis may be necessary for final determination of availability) located at Alley west of SW 81st RD & south of SW 112th ST at a distance of approximately 400 feet from the closest property line of the above described property.

Additional Comments / Remarks Regarding Points of Connection and Alternate Points of Connection:
N/A

Additional Comments / Remarks Regarding Points of Connection and Alternate Points of Connection:
N/A

Sergio A. Garcia
 Name of Utility Official

 Signature
12/4/14
 Date

Sergio A. Garcia
 Name of Utility Official

 Signature
12/4/14
 Date

(1) Attach latest water bill.
 (2) Attach sketch and identify estimated completion date.

**BEFORE THE MIAMI-DADE COUNTY
ENVIRONMENTAL QUALITY CONTROL BOARD**

IN RE: : **Board Order No. 15-09**
:
:
:
Censig Pinecrest Holdings LLC :

THIS MATTER came before the Board on February 12, 2015 as a request by Petitioner, Censig Pinecrest Holdings LLC, for a variance from the requirements of Section 24-43.1(3) of the Code of Miami-Dade County, Florida. The request is to allow the subdivision of a parcel of land into two lots and the subsequent development of each lot into single family residences served by public water and a septic tank system. One of the lots would not comply with the minimum 15,000 square foot lot size Code requirement for a single family residence to be served by a septic tank system. The subject property is located at 7853 S.W. 112th Street, Village of Pinecrest, Florida and is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 24-43.1(3)(a)(i) of the Code states that the minimum lot size for a single family residence served by public water and septic tank shall be fifteen thousand (15,000) square feet (gross).

Section 24-43.1(3) of the Code states that no County or municipal officer, agent, employee or Board shall approve, grant or issue any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any residential land use served or to be served by any source of potable water supply and a septic tank, unless it has been ascertained that the proposed residential land use complies with one or more of the provisions contained therein, and that the property is not within feasible distance for connection to public sanitary sewers. Feasible distance is defined by the Code and is calculated based on building square footage.

The subject property contains 27,720 square feet and is currently developed with a single family residence served by public water and a septic tank. The Petitioner proposes to demolish the existing single family residence and subdivide the property into two lots to construct a single family residence on each lot. The Miami-Dade Water and Sewer Department indicated that the closest point of connection to the public sanitary sewer is an 8-inch gravity main terminal manhole located approximately 400 feet from the subject property on the alley west of S.W. 81st Road and south of S.W. 112th Street. DERM concurs with the Petitioner's engineer that a sewer main extension is not feasible since the gravity sewer does would have sufficient depth to serve this project.

Staff notes that one of the lots would not comply with the 15,000 square feet minimum lot size requirement for a single family residence to be served by a septic tank. Lot 1 or the corner lot would contain 16,632 square feet and meet the minimum lot size however Lot 2 would contain 12,012 square feet or 80% of the required area.

DERM analyzed the sewage loading for the two proposed houses and determined that the average sewage loading is approximately 999 gallons per day per unsubmerged acre, or 67% of the allowed sewage loading (1,500 gallons per day per unsubmerged acre) for residential uses other than single family residence and duplex.

The Board finds that based upon the evidence and testimony presented and the foregoing facts, granting a variance from the requirements of Section 24-43.1(3) of the Code of Miami-Dade County, Florida variance to allow the subdivision of the parcel of land into two lots where one would not comply with the minimum lot size requirement for a single family residence to be served by a septic tank, will not be detrimental to the public health, welfare and safety, will not create a nuisance, and will not materially increase the level of pollution in this County.

ACCORDINGLY, IT IS

ORDERED AND ADJUDGED that, based upon the evidence and testimony presented, the request for granting a variance from the requirements of Section 24-43.1(3) of the Code of Miami-Dade County, Florida, be and the same is hereby granted.

*The Petitioner is advised that this approval does not guarantee or ensure approvals from the Department of Health or any other federal, state, county or municipal agency and that the variance granted herein does not affect or modify any requirement of any other provision of law.

Done and Ordered this 7th day of April, 2015 in Miami-Dade County, Florida.

Claire Bradshaw-Sidran

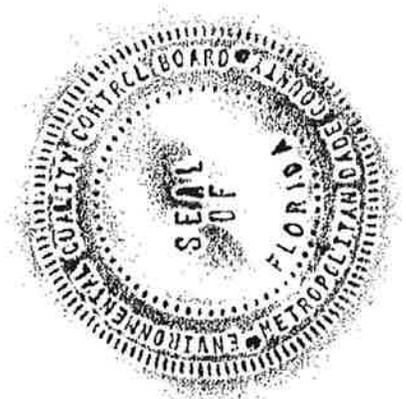
Claire Bradshaw-Sidran, Ph.D.
Chairperson

FILING AND ACKNOWLEDGEMENT

Filed on this 7th day of April, 2015 with the Secretary of the Board as Clerk of the Environmental Quality Control Board, receipt of which is hereby acknowledged and the seal of the Board affixed below.

[Signature]
Secretary and Clerk

SEAL



Approved as to form and legal sufficiency:

R. A. CUEVAS, JR.
Miami-Dade County Attorney

Attorney for the Board
[Signature]

By: David Sherman
Assistant County Attorney

TAB 17

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Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

DATE: June 3, 2015

TO: Yocelyn Galiano Gomez, ICMA-CM, LEED-GA
Village Manager

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

RE: Palmcorp Development Group/Suburban Drive Estates – Preliminary
Subdivision Plat; 10080 SW 61 Avenue

PETITION REQUEST

Palmcorp Development Group, LLC (Owner) is requesting approval of a preliminary subdivision plat ("Suburban Drive Estates") for the division of property and the creation of two (2) single-family residential lots on property located at 10080 SW 61 Avenue within the EU-1, Residential Estate zoning district. Lot 1 is proposed to be 1.001 acres (43,609 square feet) in gross area; lot 2 is proposed to be 1.211 acres (52,750 square feet) in gross area.

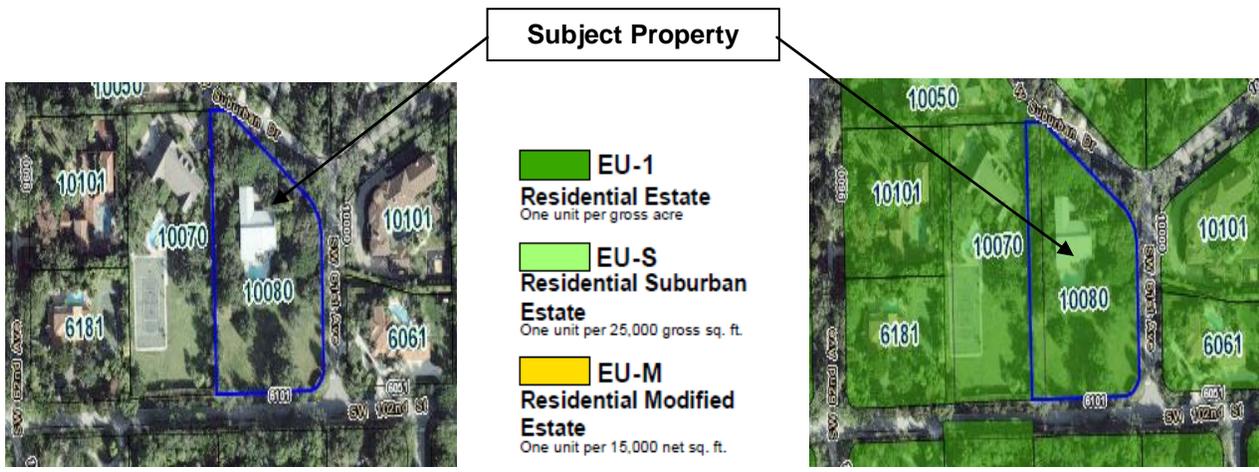
OWNER/APPLICANT

Palmcorp Development Group, LLC. is the applicant and the owner of the subject property.

SITE LOCATION

The subject property is located at 10080 Southwest 61 Avenue, Pinecrest, Florida 33156 within the EU-1, Residential Estate zoning district.





EXISTING CONDITIONS

The subject property currently includes a single-family residence on site. Development on the two lots as shown on the preliminary plat will require demolition of the swimming pool that currently exists on proposed lot 2, inconsistent with the setback requirements of the Land Development Regulations.

PUBLIC COMMENT

The Building and Planning Department has not received any correspondence in opposition to the requested 2-lot subdivision.

PINECREST LAND DEVELOPMENT REGULATIONS

Article 8 of the Pinecrest Land Development Regulations contains standards for the subdivision and platting of property in the Village of Pinecrest.

The preliminary plat shows existing fences within the public right-of-way. As indicated in a note on the submitted preliminary plat, fences will be removed or relocated from the right-of-way.

A letter from Miami-Dade County Water and Sewer Department, dated May 28, 2015, indicates that a 12-inch water main exists within the SW 102 Street right-of-way at SW 61 Avenue. The developer will be required to connect and extend an eight-inch water main westerly in SW 102 Street to the southwestern corner of the property.

Sanitary sewer is not available to the subject property. Permits for installation on-site septic systems from the Miami-Dade County Health Department and Department of Economic and Regulatory Resources will be required.

Miami-Dade County Fire Rescue Department requirements relative to fire control facilities and appurtenances will be reviewed by the Miami-Dade County following prior to consideration of a final plat.

Any required utility easements will be identified and shown on the plat at the time of consideration of a final plat.

An existing single-family residence exists on the subject property and is proposed to be removed prior to approval of the final plat.

For the purpose of issuing a development order, the proposed lot split may be deemed to have a minimal impact and may not be subject to the transportation concurrency requirements of the Village of Pinecrest, provided the following conditions are met:

The development proposal is for an increase in density or intensity of less than or equal to twice the density or intensity of the existing development, or for the development of a vacant parcel of land at a residential density of less than four dwelling units per acre. Isolated vacant lots in predominantly built residential areas where construction of a single-family house would be the most suitable use may be developed for single-family residential use under the minimal impact exception even if smaller than 1/4 acre in size.

The transportation impact of the proposed development alone does not exceed 0.1 percent of the maximum service volume at the adopted level of service standard for peak hour of the affected transportation facility.

The cumulative total transportation impact from the minimal impact exception does not exceed three percent of the maximum service volume at the adopted level of service standard of the affected transportation facility, if the proposed development does not meet the minimum level of service standard.

The Public Works Director has indicated in his correspondence that widening of the pavement is not required at this time. However, at time of a new construction permit request, repaving of the roadway may be required fronting the property in order to obtain a Public Works permit for any new driveway connections depending on the condition of the existing roadway (to be determined at time of permit request). Any damage to the roadway during the construction of a new residence may also require repaving of the roadway at the Village's sole discretion.

Information reviewed by the Building and Planning Department indicates that the proposed subdivision consisting of one additional home (net increase) will have a de minimus impact on the adjoining transportation network.

Pedestrian sidewalks do not exist within the area of the proposed subdivision. Payment of a fee in lieu of construction of sidewalks will be required in conjunction with the issuance of building permits for construction on either lot.

Review and approval of the preliminary plat by Miami-Dade County (Fire Rescue Department, Department of Environmental Resources and Management, Public Works Department, Water and Sewer Department) and the State Department of Health will be required prior to submittal of a final plat to the Village of Pinecrest.

Stormwater management is proposed to be addressed on each individual lot in conjunction with the issuance of building permits.

All utilities are required to be installed underground and will be identified within easements to be shown on the final plat.

A tree removal permit will be required before building permits are issued for the construction of a new home on either lot.

An environmental report indicating the existence of any protected species will be required at the time of review of the final plat.

The dimensional requirements of the EU-1, Residential Estate zoning district are provided for the Village Council's consideration as follows:

- a. Minimum lot area: One acre, including one-half of the rights-of-way adjacent to the site.
- b. Maximum density: One principal dwelling unit per one gross acre.
- c. Maximum height: Principal use - One-story structure or portion of the structure that is one story: 24 feet. If the roof of the one story structure has a pitch of at least 6/12, then the peak of such roof may be 28 feet in height.

Two-story structure or portion of the structure that is two-story, including the parapet: 35 feet. However, any portion of the building or structure with a flat roof shall not exceed 24 feet including the parapet.

- d. Maximum lot coverage:
 - i. Maximum building coverage (inclusive of all structures): 20 percent.
 - ii. Maximum impervious surface ratio: 45 percent.
 - iii. Minimum green space: 55 percent.
- e. Minimum lot width and street frontage: 125 feet.

Pursuant to the requirements of Division 8.2 (o) 2. of the Pinecrest Land Development Regulations, corner lots are required to have a width equal to the width for internal lots plus *"the difference between the required front yard width and required side yard width"*. The required width for internal lots within the EU-1, residential Estate zoning district is 125 feet. The difference between the depth of the required front yard (50 feet) and required side street yard (25 feet) is 25 feet. Thus, the required width of the proposed corner lot at the southwest corner of SW 61 Avenue and West Suburban Drive is 150 feet. The applicants received a lot width variance from the Pinecrest Zoning Board on April 29, 2015 to allow the proposed corner lot to be 141.8 feet in width at the property line instead of 150 feet as otherwise required.

- f. Minimum lot depth: 200 feet. The measurement shall be from the centerline of the abutting front right-of-way.
- g. Minimum setbacks and maximum floor area ratios: All development must comply with setbacks for wetlands. Also, the following setbacks apply within the EU-1 district:

Front: 50 Feet; Rear: 25 feet; Side 20 Feet; Street Side: 25 Feet

- h. Minimum size living area: 1,800 square feet.

RECOMMENDATION

Staff recommends approval of the proposed preliminary plat subject to the following conditions of approval:

- 1. Review and approval of the proposed preliminary plat by the Miami-Dade County Water and Sewer Department, Department of Economic and Regulatory Resources, Public Works and Waste Management Department, Fire Rescue Department, and Health Department prior to submittal of a final plat.

2. Demolition of all non-conforming structures inconsistent with the setback requirements of the Land Development Regulations.
3. Removal of existing fences from the adjoining road right-of-way prior to approval of the final subdivision plat.
4. Payment of pedestrian sidewalk fees in lieu of construction in conjunction with consideration of the final plat, prior to issuance of building permits.
5. Submittal of an environmental impact report indicating the existence of any protected species at the time of review of the final plat, prior to the commencement of any construction or demolition.
6. Review and approval of a separate tree removal permit prior to the removal of any trees on the subject property or within the adjoining road right-of-way.



Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

On **Tuesday, June 9, 2015 at 8:00 p.m.**, the Village Council will conduct a public hearing at the Pinecrest Municipal Center, Council Chamber, 12645 Pinecrest Parkway, Pinecrest, Florida for consideration of an application for a variance as follows:

APPLICANT: Palmcorp Development Group, LLC

ITEM: Preliminary Subdivision Plat to divide property located at 10080 Southwest 61 Avenue into two (2) single-family residential lots.

LOCATION: The subject property is located at 10080 Southwest 61 Avenue, Pinecrest, Florida 33156 within the EU-1, Residential Estate zoning district.

REQUEST: Palmcorp Development Group, LLC (Owner) is requesting approval of a preliminary subdivision plat ("Suburban Drive Estates") for the division of property and creation of two (2) single-family residential lots on property located at 10080 SW 61 Avenue within the EU-1, Residential Estate zoning district. Lot 1 is proposed to be 1.211 acres (52,750 square feet) in gross area; lot 2 is proposed to be 1.001 acres (43,609 square feet) in gross area.

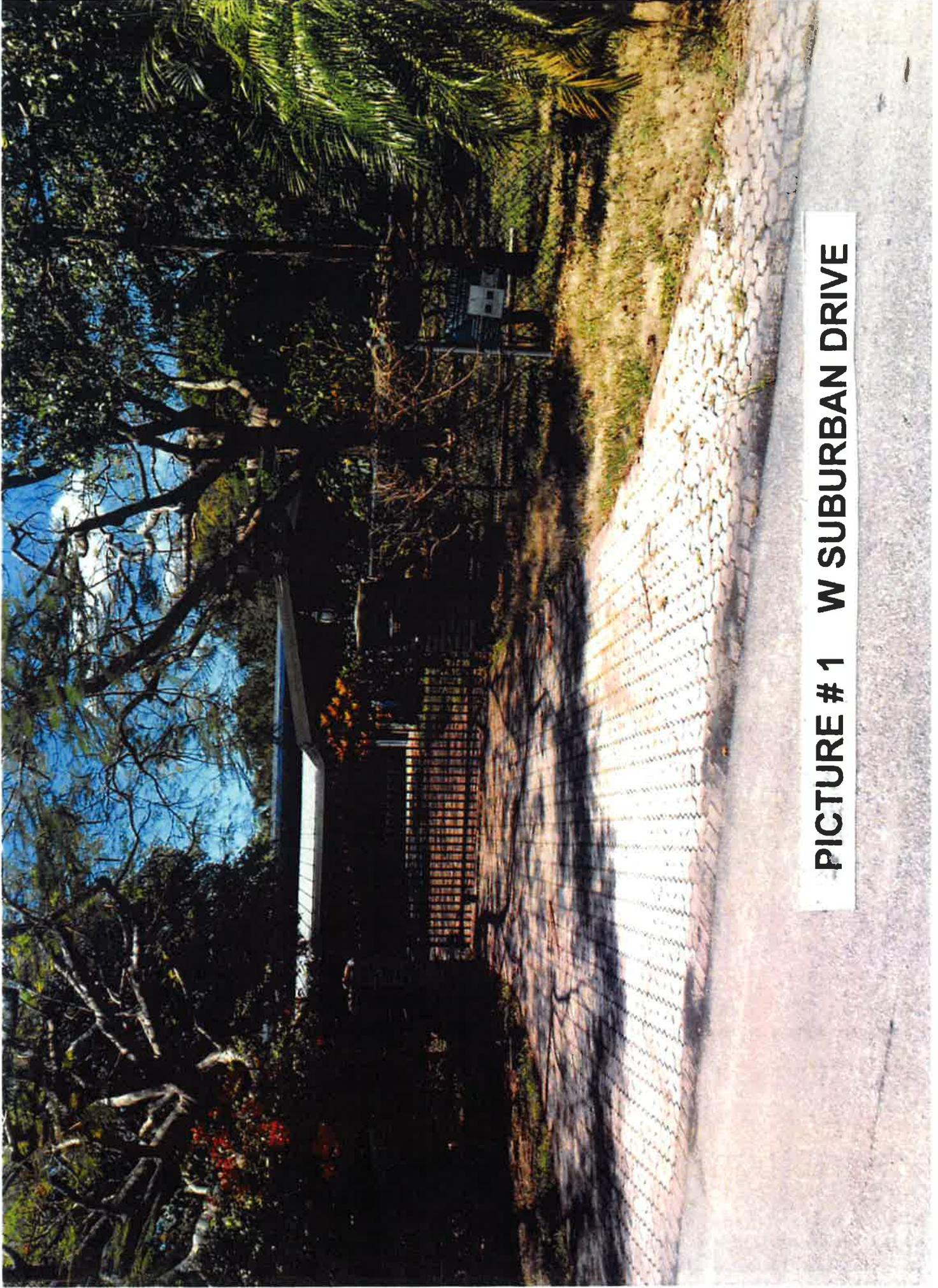


All interested parties are urged to attend. Objections or expressions of approval may be made in person at the hearing or filed in writing prior to or at the hearing. Interested parties requesting information are asked to contact the Building and Planning Department by calling (305) 234-2121 or writing to the address indicated below, where a plan is on file.

You are hereby advised that if any person desires to appeal any decision made with respect to any other matter considered at this meeting or hearing, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Refer to the item number when making an inquiry.

In accordance with the American with Disabilities Act of 1990, all persons with disabilities and who need special accommodations to participate in this meeting because of that disability should contact the Village Clerk at (305) 234-2121 no later than four (4) business days prior to such proceeding.





PICTURE # 1 W SUBURBAN DRIVE

Carolina Rojas (BPD)

From: Janet Fielder (BPD)
Sent: Monday, May 11, 2015 1:46 PM
To: Carolina Rojas (BPD)
Subject: FW: new request/10080 SW 61st Ave

From: Steinfeld, David [mailto:David.Steinfeld@am.jll.com]
Sent: Monday, May 11, 2015 12:44 PM
To: Janet Fielder (BPD)
Cc: Steinfeld, Noel
Subject: new request/10080 SW 61st Ave

Hi Janet,

We've again received a new notice request for variance..10080 SW 61st Ave..

We're opposed to variances unless the village sees a hardship that cannot be overcome.

We're not able to attend the meetings, however, would like our voices heard.

Thanks,

David Steinfeld | LEED AP
Vice President
Jones Lang LaSalle
1221 Brickell Avenue, Suite 200, Miami, Florida 33131
Direct +1 305-704-1402 Mobile +1 305-205-6603
David.Steinfeld@am.jll.com



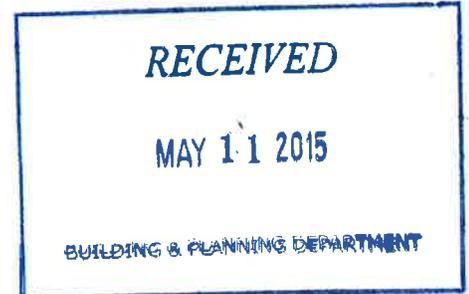
About Jones Lang LaSalle

Jones Lang LaSalle (NYSE:JLL) is a financial and professional services firm specializing in real estate. The firm offers integrated services delivered by expert teams worldwide to clients seeking increased value by owning, occupying or investing in real estate. With 2011 global revenue of \$3.6 billion, Jones Lang LaSalle serves clients in 70 countries from more than 1,000 locations worldwide, including 200 corporate offices. The firm is an industry leader in property and corporate facility management services, with a portfolio of approximately 2.1 billion square feet worldwide. LaSalle Investment Management, the company's investment management business, is one of the world's largest and most diverse in real estate with \$47.7 billion of assets under management. For further information, please visit our website, www.joneslanglasalle.com.

From: Steinfeld, David (US)
Sent: Monday, October 21, 2013 6:14 PM
To: Janet Fielder (BPD)
Cc: Steinfeld, Noel (US)
Subject: RE: Public Hearing.. October 30th, 2013

Janet,

Please let Mr. Olmsted that based on our conversation, we're OK that the neighbor keeps the current basketball court in place and should not have to re-size it down because it's in the setback. We are @ 6222 SW 100th Terrace, directly in back of the subject property.



Thanks,

David Steinfeld | LEED AP
Vice President
Jones Lang LaSalle Brokerage, Inc.
1221 Brickell Avenue, Suite 200, Miami, Florida 33131
Direct +1 305-704-1402 Mobile +1 305-205-6603
David.Steinfeld@am.jll.com

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From: Janet Fielder (BPD) [<mailto:fielder@pincrest-fl.gov>]
Sent: Wednesday, October 02, 2013 5:03 PM
To: Steinfeld, David (US)
Subject: RE: Public Hearing.. October 30th, 2013

I have forwarded your inquiry to Mr. Olmsted. You should hear from him shortly.

Janet A. Fielder
Administrative Assistant

Building and Planning Department
Village of Pincrest
12645 Pincrest Parkway
Pincrest, Florida 33156
t 305.234.2121 | f 305.234.2131
fielder@pincrest-fl.gov
www.pincrest-fl.gov

 pincrest-fl.gov



From: Steinfeld, David (US) [<mailto:David.Steinfeld@am.jll.com>]
Sent: Monday, September 30, 2013 1:58 PM
To: Janet Fielder (BPD)
Cc: Steinfeld, Noel (US)
Subject: Public Hearing.. October 30th, 2013

Hi,

I left a message for Steven Olmstead (not sure if spelling is accurate) early last week and have not heard back as of yet, In any event, the reason for my inquiry (my Address:6222 SW 100th Terrace) is that my neighbor is seeking a variance to go into the setback to seemingly accommodate an expanded basketball court or to move the existing one? I'm not sure I understand, the prior owner Tim Hardaway was an NBA/Heat player and it was fine for him? Does this qualify for a

hardship? I would like not to be involved disputing a neighbors rights at an open meeting for the obvious, but found this particularly odd?

Additionally, Pat Janise whom I've met and have had Architects...while planning a renovation ourselves concur that she is vigilant in keeping the integrity/beauty of the area by sticking to the letter of the code unless extreme conditions are present. This among other reasons were drivers for our decision to move to Pinecrest.

Can you advise?

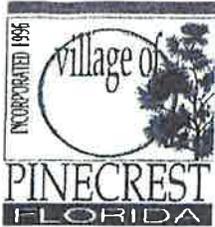
Thanks,

David Steinfeld | LEED AP
Vice President
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PUBLIC HEARING APPLICATION / Administrative Review Application

OFFICIAL USE ONLY, Application No.: Date Received:

- Please check one: [] VILLAGE COUNCIL [] PLANNING BOARD [] ADMINISTRATIVE REVIEW

INSTRUCTIONS

This application, with all supplemental data and information, must be completed in accordance with the specific instructions in this application. Applications and all supplemental information must be filed no later than 60 days prior to the regular public hearing date.

APPLICATION

Please indicate which type of application you are submitting by checking one category below:

- [] Change in Zoning District [] Variance [] Appeal of Decision [] Conditional Use [X] Plat [] Entry Feature [] Site Plan [] Other

IMPORTANT: THE APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE HEARING TO PRESENT THE PROPOSAL.

Please print or type Name of Applicant, agent or tenant (with owner's affidavit) Palmcorp Development Group, LLC Mailing Address 4904 SW 72 Avenue City, State, Zip Miami, FL 33155 Telephone (305) 446-7990 Fax (305) 446-4151 Name of Owner Palmcorp Development Group, LLC by Tosca real Estate Corporation ,MGRM Mailing Address 4904 SW 72 Avenue City, State, Zip Miami, FL. 33155 Telephone (305) 446-7990 Fax (305) 446-4151

PROPERTY INFORMATION

A. LEGAL DESCRIPTION. (If subdivided – lot, block, complete name of subdivision, plat book and page numbers). If metes and bounds description – Complete description, including section, township and range).

Folio Number 20-5001-009-0040 Address 10080 SW 61 Avenue

Lot(s) Block Section Plat Book No. Page No. Lot 4, Martin Suburban Acres, according to the plat thereof, recorded in Plat 50, at Page 7 of the Public Records of Miami-Dade County, Florida

FINISHED FLOOR ELEVATION (If applicable): FLOOD ZONE:

- B. ADDRESS (If number has been assigned) 10080 SW 61 Avenue
- C. SIZE OF PROPERTY 221 ft. X varies ft. = 76,037 sq. ft.; 1.75 acre(s)
 lot is irregular Width Depth gross = 96,360 sq. ft. 2.21 acre(s)
- D. Provide legal description or address of any property held by the owner which is contiguous to that which is the subject matter of this application.

Owner does not own any contiguous property to 10080 SW 61 Avenue.

E. DATE SUBJECT PROPERTY WAS ACQUIRED April 17, 2014 ORB 29119 Pg. 1056

APPLICANT'S PROPOSAL

Specify in full the request. (Use a separate sheet of paper if necessary.)

To subdivide the property into to EU-1 lots in accordance with the current zoning regulations and to reface-resub the existing Lot 4 and permit the proposed lots to have frontage on SW 61 Avenue.

Note: the existing house numerical address refers to SW 61 Avenue.

INTENT

Explain purpose of application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal. (Use a separate sheet of paper if necessary.)

The intent of the owner is to construct single family homes on the proposed lots that are in compliance with the EU-1 Residential Estate (One unit per gross acre) requirements.

Is this application the result of a Notice of Violation or deviation from approved plans? Yes No

Are there any existing structures on the property? Yes No

If so, what type? (CBS, Frame, Frame-Stucco, Wood, Other) House will be demolished prior to the Village of Pinecrest Agenda for the final plat.

Any applications (except plat applications) which involve new building construction or exterior improvements to an existing building must submit the plans with this application. Plans that are not filed with this application will not be considered by the Village of Pinecrest.

I/We Palmcorp Development Group, LLC as Owner (s) of Lot (s) 4, Martin Suburban Acres

Block _____ Section _____ PB/PG (50-7)

of property which is located at 10080 SW 61 Avenue Village of Pinecrest, FL desire to file an application for a public hearing before the Village Council Planning Board, and I/We do understand and agree as follows:

1. That the application for a variance will not be heard unless the applicant is present at the hearing.
2. The property will be posted with a sign, which must not be removed until after the public hearing, at which time the Village staff will remove the sign.
3. That the requirements of the zoning code, Miami-Dade County Ordinances, the South Florida Building Code, and other government agencies may affect the scheduling and ability to obtain/issue a permit for the proposal.
4. That the only exceptions to the zoning code are those that have been specified in the written application and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the Village of Pinecrest or Miami-Dade County ordinances.
5. That the applicant will be responsible for complying with all the conditions and restrictions imposed by the Village Council or Planning Board in connection with the request and will take the necessary steps to make the request effective if approved by the Village Council or Planning Board.
6. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the Village Council or Planning Board to hear the applicant's request.
7. That the applicant is responsible for timely submission and accuracy of all items requested on the application.
8. That the applicant is responsible for an additional fee for mailing notice to surrounding property owners.

I/We as the owners of the subject property (check one):

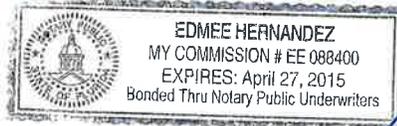
- do hereby authorize Tony Toledo LLC - Consultant to act on my/our behalf as the applicant. to process the Preliminary and Final Plat in the Village of Pinecrest
- will on my/our own behalf act as applicant(s), and make application in connection with this request for a public hearing before the Village Council or Planning Board.

Palmcorp Development Group, LLC
Owner's Name _____ Signature [Signature] Date 7-10-14

by Tosca Real estate Corporation, MGRM

Owner's Name _____ Signature _____ Date _____

Notary to Owner:



7/10/14
[Signature]

Applicant's Name CARLOS TOSCA Signature _____ Date 7-10-14

Notary to Applicant:



[Signature]

I/We Palmcorp Development Group, LLC as Owner (s) of Lot (s) 4, Martin Suburban Acres

Block _____ Section _____ PB/PG (50-7)

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7. That the applicant is responsible for timely submission and accuracy of all items requested on the application.
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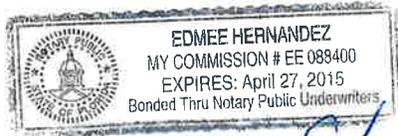
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will on my/our own behalf act as applicant(s), and make application in connection with this request for a public hearing before the Village Council or Planning Board.

Palmcorp Development Group, LLC
 Owner's Name _____ Signature [Signature] Date 7-10-14

by Tosca Real estate Corporation, MGRM
 Owner's Name _____ Signature [Signature] Date 7/10/14

Notary to Owner:



Applicant's Name _____ Signature [Signature] Date 7/10/14

Notary to Applicant:

The following enclosures where applicable MUST BE ATTACHED to complete the application:

- A. **SURVEY OF PROPERTY:** For vacant or improved property. Must be no more than five years old and sealed by a registered land surveyor. The Building and Planning Department may require a more recent survey if a site visit indicates any discrepancies. Survey must include, where applicable, lot lines, all structures, walls, fences, landscaping, and all physical improvements.
- B. **SITE DEVELOPMENT PLAN:** Where applicable, plans shall show location and elevations of existing and proposed buildings, proposed additions, alterations and use of each, all dimensions of buildings and space between buildings; setbacks from property lines; proposed and existing off-street parking showing lined spaces, driveways, handicap spaces, compact spaces; a landscape plan that complies with Village of Pinecrest Landscape Ordinance showing location of existing and proposed vegetation, landscaping (i.e. trees and hedges), number, height and species type. The plan shall also show wall and fence height, location and material.
- C. **LETTER OF INTENT:** A letter of intent must be filed explaining in detail the extent of the development. Signature and address must be shown.
- D.* **OTHER GOVERNMENTS/AGENCIES ENDORESEMENTS:** All applicable DERM, Miami-Dade Fire Department, or the Miami-Dade Water and Sewer Department's endorsement must be submitted. **To be provided after Miami-Dade County Plat Committee Meeting**
- E. **OWNER'S AFFIDAVIT:** Owner's affidavit allowing the filing of an application is required on all applications where the applicant is not the owner of the property under consideration; same form allows posting of property.
- F. **TRAFFIC STUDY:** A detailed traffic analysis considering the impacts of the proposed development on current level-of-service (LOS) standards in abutting (or nearby) roads and intersections.

NOTE: SURVEYS, SITE DEVELOPMENT PLANS, LANDSCAPE PLANS MUST BE SUBMITTED AT STANDARD PLAN SIZE. AN APPLICATION WILL NOT BE CONSIDERED COMPLETE UNLESS 12 COPIES OF THE APPLICATION AND SUPPORTING DOCUMENTATION (FRONT AND BACK), APPROPRIATE PLAN DRAWINGS AND SURVEYS ARE SUBMITTED.

In support of this request, I submit the following additional items, which are attached hereto and made a part of this application:

- Owner's Affidavit
- Letters from Area Residents
- 35 MM Photo(s) (Mounted 8 1/2 x 11)
- Other _____

Please check only one of the following options:

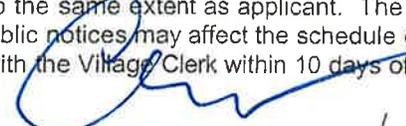
FOR VILLAGE COUNCIL PURPOSES

I/We understand that additional public hearings may be required and any interested person may discuss the application with Village staff to the same extent as the applicant. The application may change during the hearing process and additional public notices may affect the schedule of the hearings. If my/our appeal is denied, I/we must file an appeal to the Circuit Court within 30 days of the meeting.

FOR PLANNING BOARD PURPOSES

I/We understand that additional public hearings may be required and any interested person may discuss the application with Village staff to the same extent as applicant. The application may change during the hearing process and additional public notices may affect the schedule of the hearings. If my/our appeal is denied, I/we must file an appeal with the Village Clerk within 10 days of the decision.

7-10-14
Date


Applicant's Signature

Carlos Tosca
Print Name

**Palmcorp Development Group LLC
by Tosca Real Estate Corporation, MGRM**

Date

Applicant's Signature (if more than one)

Print Name



PUBLIC HEARING APPLICATION SUPPLEMENT

OPTIONAL

However, applicants are encouraged to contact neighbors regarding application.

PALMCORP DEVELOPMENT GROUP LLC was applied to the Village of Pinecrest for a variance,

Name of Applicant

which will affect the property located at 10080 SW 61 AVENUE as follows:

Property Address

To permit the division of Lot 4 into two (2) EU-1 lots each containing over one acre gross area

The Village Council Planning Board will hold a public hearing on this request. I have read the above requested variance, the applicable plans and understand that I am waiving any objection to the proposed variance and related construction as described above. By subscribing my name below, I hereby certify that I have done so freely and without any duress or misrepresentation on the part of the applicant.

Parcel #1 Owner Name _____ Address _____ Signature _____ Date _____	Parcel #2 Owner Name _____ Address _____ Signature _____ Date _____	Parcel #3 Owner Name _____ Address _____ Signature _____ Date _____
Parcel #4 Owner Name _____ Address _____ Signature _____ Date _____	<p style="text-align: center;">SUBJECT PROPERTY</p> <p style="text-align: center;">Please indicate the NORTH direction. (Circle one)</p> <p style="text-align: center;">← ↑ ↓ →</p> <p style="text-align: center;">STREET / AVENUE / TERRACE / ROAD / COURT</p>	Parcel #5 Owner Name _____ Address _____ Signature _____ Date _____
Parcel #6 Owner Name _____ Address _____ Signature _____ Date _____	Parcel #7 Owner Name _____ Address _____ Signature _____ Date _____	Parcel #8 Owner Name _____ Address _____ Signature _____ Date _____

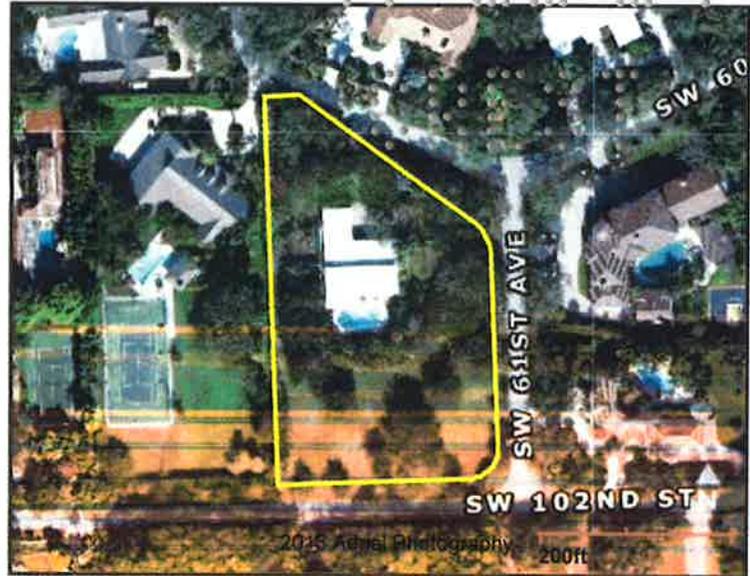


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/19/2014

Property Information	
Folio:	20-5001-009-0040
Property Address:	10080 SW 61 AVE <
Owner	PALMCORP DEVELOPMENT GROUP LLC
Mailing Address	4904 SW 72 AVE MIAMI , FL 33155
Primary Zone	2300 ESTATES - 1 ACRE
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	2 / 1 / 0
Floors	1
Living Units	1
Actual Area	1,780 Sq.Ft
Living Area	1,066 Sq.Ft
Adjusted Area	1,360 Sq.Ft
Lot Size	69,260 Sq.Ft
Year Built	1949



Assessment Information			
Year	2014	2013	2012
Land Value	\$1,041,080	\$936,972	\$832,864
Building Value	\$7,099	\$7,099	\$39,780
XF Value	\$1,996	\$2,004	\$12,305
Market Value	\$1,050,175	\$946,075	\$884,949
Assessed Value	\$524,267	\$516,520	\$507,886

Benefits Information				
Benefit	Type	2014	2013	2012
Save Our Homes Cap	Assessment Reduction	\$525,908	\$429,555	\$377,063
Homestead	Exemption	\$25,000	\$25,000	\$25,000
Second Homestead	Exemption	\$25,000	\$25,000	\$25,000

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
1 55 40 1.59 AC
MARTIN SUBURBAN ACRES PB 50-7
LOT 4
OR 14083-1655 0489 3
F/A/U 30-5001-009-0040

Taxable Value Information			
	2014	2013	2012
County			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$474,267	\$466,520	\$457,886
School Board			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$499,267	\$491,520	\$482,886
City			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$474,267	\$466,520	\$457,886
Regional			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$474,267	\$466,520	\$457,886

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
04/17/2014	\$1,900,000	29119-1056	Qual by exam of deed
12/01/2007	\$100	26367-3151	Qual by exam of deed
04/01/1989	\$0	14083-1655	Qual by exam of deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

PALMCORP DEVELOPMENT GROUP, LLC.

7

July 10, 2014

Mr. Stephen R. Olmstead AICP
Department of Building & Planning
12645 Pinecrest Parkway
Village of Pinecrest, FL 33156

Re: Proposed Subdivision Suburban Drive Estates
18880 SW 61 Avenue Folio #20-5001-009-0040

Dear Mr. Olmstead

Please allow this to serve as written confirmation that our intention for the subject proposed sub-division "Suburban Drive Estates", is to subdivide the property into two EU-1 lots and construct two single family residences.

There is an existing residence located on the property that will be removed prior to submittal of the Final Plat.

If you have questions or require additional information please contact me at (305) 446-7990.

Sincerely,



Carlos Tosca
Managing Member

4904 SW 72 AVENUE, MIAMI, FL, 33155
305-446-7990 FAX 305-446-4151

OPINION OF TITLE

To: Village of Pinecrest

With the understanding that this Opinion of Title is furnished to Village of Pinecrest, as inducement for acceptance of a Declaration of Use/Unity of Title/ Declaration of Restrictions/Development Agreement or in compliance with Chapter 28, and as an inducement for acceptance of a proposed final subdivision plat covering the real property, hereinafter described, it is hereby certified that I have examined a complete "Abstract of Title" or Title Policy Number OXFL-08268672 by Old Republic National Title Insurance Company dated April 22, 2014, AND THE following: Attorneys' Title Fund Services, LLC Attorney Title Information Data System computer printout covering the period from the beginning to June 18, 2014, inclusive, of the following described property:

Lot 4, MARTIN SUBURBAN ACRES, according to the Plat thereof recorded in Plat Book 50, Page 7, in the Public Records of Miami-Dade County, Florida.

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in: Palmcorp Development Group, LLC, a Florida limited liability company.

With Carlos J. Tosca as President of Tosca Real Estate Corporation, a Florida corporation, as Managing Member of Palmcorp Development Group, LLC, a Florida limited liability company, authorized to sign of behalf of Palmcorp Development Group, LLC, a Florida limited liability company.

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

- a. Mortgage in the original principal amount of \$2,250,000.00 from Palmcorp Development Group, LLC, a Florida limited liability company to London Financial Company, LLC, a Florida limited liability company recorded at Official Records Book 29119 Page 1062, of the Public Records of Miami-Dade County, Florida.

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGEMENTS:**

None

3. **GENERAL EXCEPTIONS:**

- a. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid.
- b. Rights of persons other than the above owners who are in possession.
- c. Facts that would be disclosed upon accurate survey.
- d. Any unrecorded labor, mechanics' or materialmen' liens.
- e. Zoning and other restrictions imposed by governmental authority.

4. **SPECIAL EXCEPTIONS:**

- a. Orders related to Miami-Dade County Environmental Quality Control Board recorded in Official Records Book 26063 Page 2832 and in Official Records Book 26924 Page 421 of the Public Records of Miami-Dade County, Florida.
- b. Mortgage in the original principal amount of \$2,250,000.00 from Palmcorp Development Group, LLC, a Florida limited liability company to London Financial Company, LLC, a Florida limited liability company recorded at Official Records Book 29119 Page 1062, of the Public Records of Miami-Dade County, Florida.

FINE
02-11-14
BOOK 29119
PAGE 1079

- c. Assignment of Permits, Developer's Rights, Agreements and Contract recorded at Official Records Book 29119 Page 1075, of the Public Records of Miami-Dade County, Florida.
- d. UCC-1 Financing Statement recorded at Official Records, Book 29119 Page 1079, of the Public Records of Miami-Dade County, Florida.
- e. Notice of Commencement recorded in Official Records Book 29119 Page 1083, of the Public Records of Miami-Dade County, Florida.
- f. Driveway and fence and concrete ribbon for rail into the 25 foot setback along the Northern property line; fence into the 25 foot setback along the Western property line; fence into the 25 foot setback and crosses property boundary along the Southern property line; and c.b.s. wall into the 25 foot setback and 50 foot setback along the Southeastern corner; and fence crosses property boundary along the Eastern property line and pool, concrete and spa into the 20 foot setback easements which lie inside and along the midline of the property, as shown by that certain survey dated February 16, 2014, prepared by Alvarez, Aiguesvives and Associates, Inc. Job # 14-16712.
- g. All matters contained in the Plat of MARTIN SUBURBAN ACRES recorded in Plat Book 50, Page 7, in the Public Records of Miami-Dade County, Florida.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
Palmcorp Development Group, LLC, a Florida limited liability company	Owner	N/A
London Financial Company, LLC a Florida limited liability company	Mortgagee	b, c, d

The following is a description of the aforementioned abstract and its continuations:

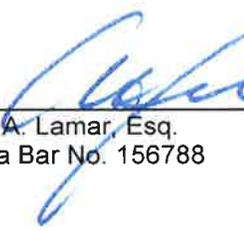
<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
1. Title Policy Number OXFL-08268672 dated April 22, 2014	Old Republic National Title Insurance Company		
2. Attorney Title Information Data System computer printout covering the period from the date of the respective policy to June 18, 2014 at the hour of 11:00P.M.	Attorneys' Title Fund Services, LLC		

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Opinion of Title
Page 3

Respectfully submitted this 2 day of July, 2014.



Mario A. Lamar, Esq.
Florida Bar No. 156788

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 2 day of July 2014, by Mario A. Lamar, who is personally known to me or has produced _____ as identification.

My Commission Expires



Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
Andres J. de Cardenas
Commission # EE092308
Expires: MAY 10, 2015
BONDED THRU ATLANTIC BONDING CO., INC.

This instrument prepared by:
Joel N. Minsker, Esq.
Bloom & Minsker, P.L.
Courthouse Plaza, 11th Floor
28 West Flagler Street
Miami, FL 33130
Tel: (305) 371-6800

Property Appraiser's Folio No. 20-5001-009-0040

TRUSTEE'S DEED

THIS TRUSTEE'S DEED made and executed this 17 day of April, 2014, between JOHN H. JORDAN, a single person, and MARK JORDAN, each individually, and as Trustee of the LILLIAN JORDAN FAMILY RESIDENTIAL LAND TRUST AGREEMENT dated as of January 1, 2007, whose addresses are: 9437 Calle Del Diablo, Desert Hot Springs, CA 92240 and 5701 Collins Avenue, #302, Miami Beach, Florida 33140, respectively, (hereinafter called the "Grantor"), to PALMCORP DEVELOPMENT GROUP, LLC, a Florida limited liability company, whose address is 4904 SW 72nd Avenue, Miami, FL 33155, (hereinafter called the "Grantee").

THAT GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain and sell to Grantee, the following described property in Miami-Dade County, Florida ("Real Property"), to-wit:

Lot 4, MARTIN SUBURBAN ACRES, according to the plat thereof, recorded in Plat Book 50, Page 7, in the Public Records of Miami-Dade County, Florida.

This conveyance is subject to:

1. Taxes and assessments for the year 2014 and subsequent years; and
2. Conditions, restrictions, limitations, easements, reservations, assignments, and instruments of record and all matters of survey, but this provision shall not operate to remipose same; and
3. Zoning, building and all other governmental regulations.

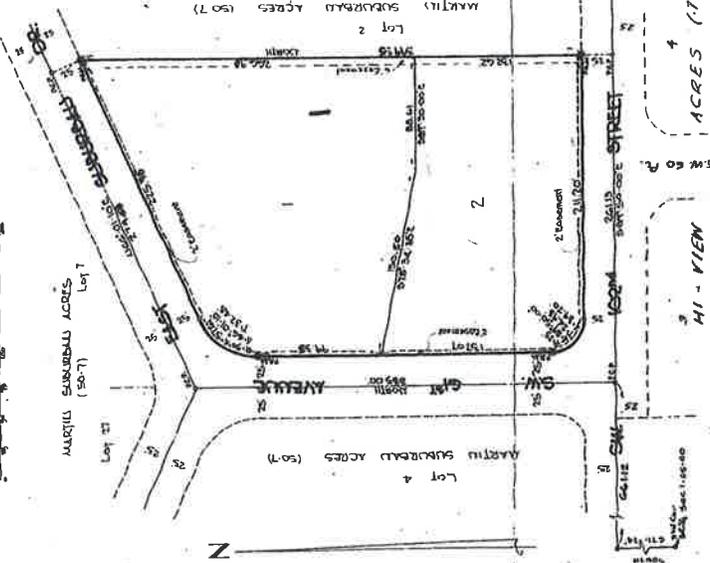
The Real Property is neither the homestead property of JOHN H. JORDAN nor MARK JORDAN nor PATRICIA ANN JORDAN, the spouse of MARK JORDAN. JOHN H. JORDAN resides at 9437 Calle Del Diablo, Desert Hot Springs, CA 92240. MARK JORDAN resides at 5701 Collins Avenue, #302, Miami Beach, Florida 33140.

TOGETHER WITH ALL THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THEREOF BEING OR IN ANYWISE APPERTAINING TO THE REAL PROPERTY.

SEPE SUBDIVISION

A RESUBDIVISION OF LOT 3, 'MARTIUS SUBURBAN ACRES' (PB. 50-171)
LAINING IN THE 26th SECTION 1-TWENTY-ONE-RANGE 40E
FLORIDA
DADE COUNTY

HAL SCHULER & SON, INC.
LAND SURVEYORS
SCALE: 1"=60'
NOVEMBER, 1974



Surveyor's Notes
 Bearings based on an assumed
 meridian.
 o P.M. indicates Permanent
 Control Point.
 @ P.M. indicates Permanent
 Reference Monument.

Filed for record this 22nd day of _____ 1974 of
 in Book 27 of Plats of Plats of the Public Records of Dade County,
 Florida. This plat complies with the Laws of the State of Florida, and
 Metropolitan Dade County, Florida.
 The Clerk of the Circuit Court.

By: Hal Schuler & Son, Inc. Deputy Clerk.

KNOW ALL MEN BY THESE PRESENTS:
 That Paul C. Sepe and Dorcas Sepe, his wife, have caused to be made the attached plat entitled "SEPE SUBDIVISION" as being a resubdivision of the following described property:
 DESCRIBED IN: All of Lot 3, Martius Suburban Acres, according to the plat thereof as returned to be Book 50 of Page 101 of the Public Records of Dade County, Florida.
 The Street, Avenue and Drive as shown on the attached plat "SEPE SUBDIVISION" are hereby dedicated to the perpetual use of the public of Dade County, Florida.
 The easements, rights, reservations or conditions that are shown on the attached plat "SEPE SUBDIVISION" are hereby reserved to the grantors, their heirs, successors or assigns, the reversion or remainder thereof, or the use of the same for any purpose that may hereafter be permitted on and within this subdivision except for irrigation, air conditioning or swimming pools. The use of the same for any other purpose shall be permitted on and within this subdivision only if such use is shown on the attached plat "SEPE SUBDIVISION" and is approved in writing by the Board of Commissioners of Dade County, Florida.
 All new electric and communication lines other than transmission lines shall be installed in the easements, rights, reservations or conditions shown on the attached plat "SEPE SUBDIVISION" and shall be installed in the easements, rights, reservations or conditions shown on the attached plat "SEPE SUBDIVISION" and shall be installed in the easements, rights, reservations or conditions shown on the attached plat "SEPE SUBDIVISION".
 A strip of land of the rear and/or sides of certain lots as shown by dashed lines on the attached plat "SEPE SUBDIVISION" shall be reserved for the use of the grantors, their heirs, successors or assigns, the reversion or remainder thereof, or the use of the same for any purpose that may hereafter be permitted on and within this subdivision.

Witnesses as to both signatories:
 1. Paul C. Sepe
 2. Dorcas Sepe
 SEAL
 Paul C. Sepe
 Dorcas Sepe

ACKNOWLEDGMENT
 I, Herbert Casper, before me this day personally appeared Paul C. Sepe and Dorcas Sepe, his wife, and they acknowledged to me that they executed the foregoing instrument and the same freely and voluntarily for the uses and purposes therein expressed.
 Witness my hand and official seal this 22nd day of February, 1974.
J. B. [Signature]
 Notary Public State of Florida at Large

NOTARIAL APPROVAL
 KNOW ALL MEN BY THESE PRESENTS:
 That DEBRAE FEDERAL SAVINGS, ALSO LOANS ASSOCIATION, a United States Corporation, the owners are members of Homeowners Mortgage Bank of Florida, Inc., a Florida corporation, and who executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily for the uses and purposes therein expressed.
 Witness my hand and official seal this 22nd day of February, 1974.
 By: Debrae Federal Savings and Loan Association
 Its President
 By: E. Albert [Signature]
 Secretary

My commission expires July 28, 1977
 State of Florida
 I, Herbert Casper, before me this day personally appeared E. Albert [Signature] and Debrae Federal Savings and Loan Association, a United States Corporation, and they acknowledged that they executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily for the uses and purposes therein expressed.
 Witness my hand and official seal this 22nd day of February, 1974.
 My commission expires July 28, 1977
 State of Florida
 I, Herbert Casper, before me this day personally appeared Harold J. Schuler, a Florida corporation, and they acknowledged that they executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily for the uses and purposes therein expressed.
 Witness my hand and official seal this 22nd day of February, 1974.
 By: Harold J. Schuler
 Registered Land Surveyor U.S.S.C.
 State of Florida.

APPROVALS
 This plat was approved by the Dade County, Florida, Planning Department
 this 22 day of February, 1974
 By: Ellen [Signature] City Engineer
 This plat was approved by the Dade County, Florida, Public Works Department,
 this 22 day of February, 1974
 By: John [Signature] Deputy Clerk
 This plat was approved by the Dade County, Florida, Building and Zoning Department,
 this 22 day of February, 1974
 By: John [Signature] Deputy Clerk
 This plat was approved and approved by Resolution No. 1118 of the Board of County Commissioners of Dade County, Florida, this 22 day of February, 1974.
 Attest: The Clerk of the Circuit Court.
 By: John [Signature] Deputy Clerk.

1-41817
 2-33541
 10080 SW 61 AVE
 69,260.52 SF

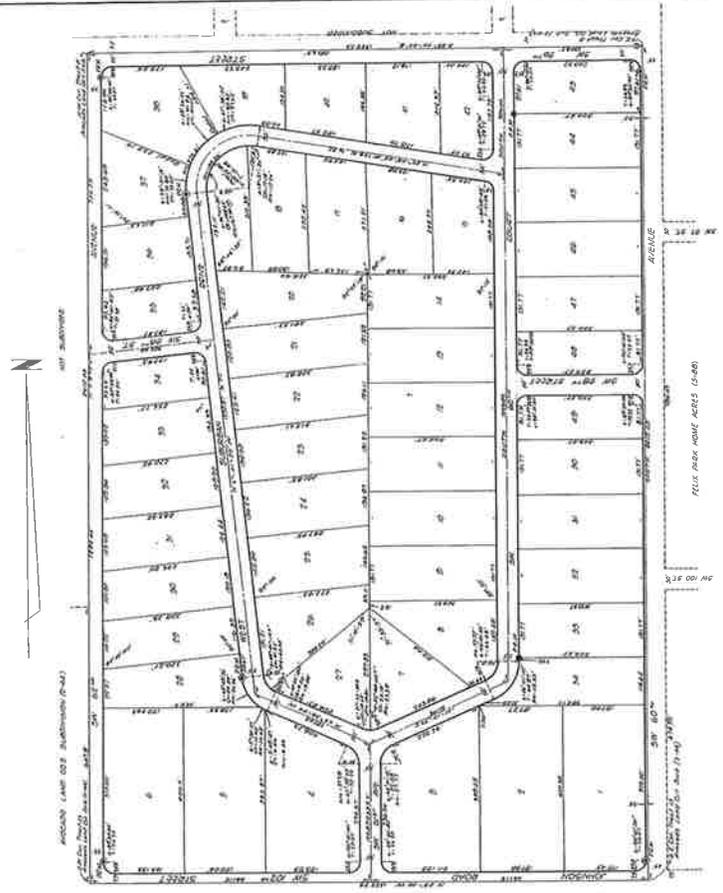
KNOW ALL MEN BY THESE PRESENTS

That I, **WALTER W. MARTIN**, of the County of **DADE**, State of **FLORIDA**, do hereby certify that the within and foregoing plat of subdivision of land is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of said County, and that the same has been duly recorded in the public records of said County, and that the same is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of said County, and that the same has been duly recorded in the public records of said County.

Witness my hand and seal of office this **15th** day of **June**, 1950.

At **MIAMI**, Florida.

WALTER W. MARTIN
 County Clerk



MARTIN SUBURBAN ACRES

A SUBDIVISION OF LOTS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, PUBLIC RECORDS OF DADE COUNTY, FLA.

SCALE: 1" = 40'



LOCATION MAP

RESERVATION OF RIGHTS

TAB 18

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Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

DATE: June 3, 2015

TO: Yocelyn Galiano Gomez, ICMA-CM, LEED-GA
Village Manager

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

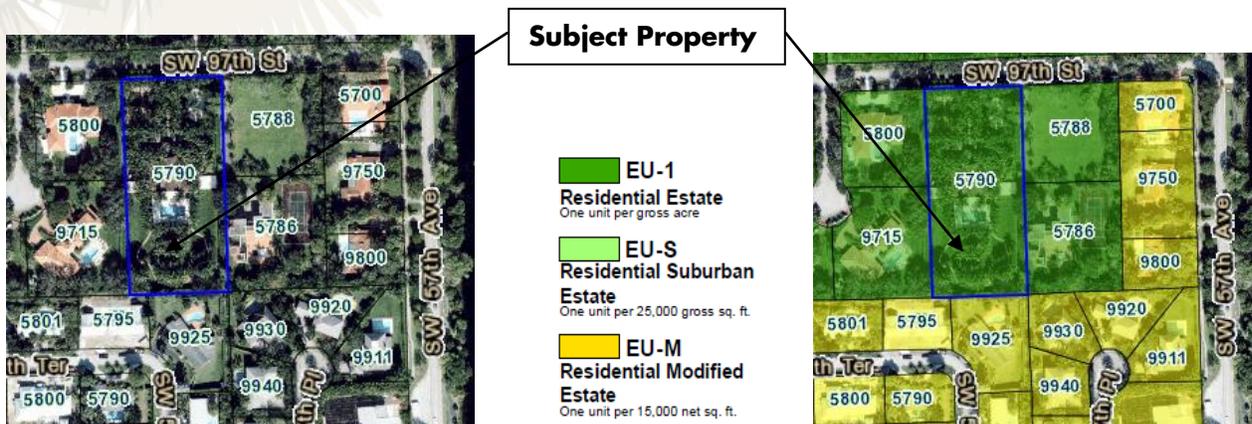
RE: 5790 SW 97 Street
Conditional Use Permit – Outdoor Tennis Court Lighting

PETITION REQUEST

Mr. and Mrs. Marcello Porcelli (owners) and Mr. Brant Bauer (applicant) are requesting approval of a conditional use permit to allow the outdoor lighting of a tennis court pursuant to the requirements of the Village of Pinecrest Land Development Regulations, Division 5.25, Tennis court/basketball court lighting; and in accordance with the requirements and standards for a conditional use as provided in Division 3.3 of the Pinecrest Land Development Regulations. The owners intend to construct a tennis court in the rear yard, 17 feet from the rear property line to include outdoor lights, 18 feet in height.

SITE LOCATION

The subject property is located at 5790 SW 97 Street, Pinecrest, FL 33156 within the EU-1, Residential Estate zoning district.



OWNER/APPLICANT

OWNER: Mr. and Mrs. Marcello Porcelli

APPLICANT: Mr. Brant Bauer

BACKGROUND

The owner and applicant are requesting the approval of a conditional use to permit the lighting of a proposed tennis court. The tennis court is proposed to be located 17 feet from the rear property line, oriented in an east-west direction.

PUBLIC COMMENT

Mr. and Mrs. Canary, neighboring property owners residing immediately south of the subject property at 9925 SW 57 Court, have submitted a letter in opposition to the proposed conditional use permit for outdoor lighting. A copy of the letter is attached.

ANALYSIS

In order to obtain approval of a conditional use, an applicant is required to demonstrate compliance with the following standards of Division 3.3 of the Land Development Regulations:

- 1. LAND USE COMPATIBILITY** - *The Conditional Use, including its proposed scale and intensity, traffic generating characteristics, and off-site impacts shall be compatible and harmonious with adjacent land uses and shall not adversely impact land use activities in the immediate vicinity.*

The proposed lighting of the tennis court will be compatible with adjoining residential land uses if shielded as required and if adequately screened with a fence and landscaping. There is an existing ficus hedge, approximately 12 feet tall, and a 6-foot tall wooden fence that currently exists along the rear property line, on the applicant's property. Additionally, there are approximately 3 large oak trees that exist on the applicant's property at the rear corners adjacent to the rear lot line. Landscaping on the neighboring property adjacent to the applicant's rear property line includes several tall trees. The Building and Planning Department recommends that the existing ficus hedge be supplemented with additional landscaping to include clusters of bamboo, clusia or equivalent plantings that are a minimum of eight feet at the time of planting, and shade trees to be planted every 25 feet along the rear property line.

- 2. SUFFICIENT SIZE, SITE SPECIFICATIONS AND INFRASTRUCTURE TO ACCOMMODATE THE PROPOSED USE** - *The size and shape of the site, the proposed access and internal circulation, and the urban design must be adequate to accommodate the proposed scale and intensity of conditional use requested. The site shall be of sufficient size to provide adequate screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.*

The proposed lighting is for a proposed tennis court. The size of the subject property is 1.94 acres in area and of sufficient size necessary to accommodate the proposed tennis court and lighting in compliance with setback requirements of the Pinecrest Land Development Regulations.

3. COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDMP) AND LAND DEVELOPMENT CODE - *The conditional use and site plan shall comply with environmental, zoning and other applicable regulations of the Land Development Code, and shall be consistent with the CDMP.*

The proposed use is consistent with the CDMP Policy 1-1.2.2 and the provisions of Ordinance 2005-5.

4. PROPER USE OF MITIGATIVE TECHNIQUES - *The conditional use and site plan shall incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.*

The Building and Planning Department recommends mitigative measures to include shielding of the proposed lights and planting of supplemental landscaping at the rear of the property with bamboo plantings, clusia, or equivalent landscaping that is a minimum of 8 feet high at the time of planting and 14 foot high shade trees planted every 25 feet along the rear property line.

5. HAZARDOUS WASTE - HAZARDOUS WASTE - *No conditional use which generates hazardous waste or uses hazardous materials shall be located in the Village unless the specific location is consistent with the CDMP, Land Development Code, and does not adversely impact well fields, aquifer recharge areas, or other conservation resources, as may be applicable now or in the future. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation unless the Village Council approves conditions requiring mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare.*

This standard is not applicable to the proposed conditional use.

In addition to the general standards that are applicable to all conditional uses as provided in Division 3.3 of the Pinecrest Land Development Regulations, Division 5.25 of the Land Development Regulations includes specific standards for approval of outdoor court lighting as follows:

(a) A photometric plan shall be submitted which specifies the illumination levels, expressed in initial foot-candles, along all affected property lines.

A photometric plan including all required information has been provided.

(b) The lighting shall be designed so that any overspill of lighting onto adjoining properties or street rights-of-way shall not exceed 0.5 foot-candles vertically or horizontally and shall not cause any reflected illumination onto adjacent properties, structures or rights-of-way.

Lighting is proposed to be shielded "if necessary" and does not exceed 0.5 foot-candles at the property line. Lights are required to be aimed downward and are required to be shielded as necessary to prevent glare and illumination onto adjacent properties.

- (c) Lighting standards and fixtures shall not exceed 18 feet in overall height and shall be located within the confines of the tennis court(s)/basketball court(s).**

Lighting standards are proposed to be 18 feet in height, consistent with the maximum permitted height of outdoor sports court lighting.

- (d) Tennis court/basketball court lighting shall not be used between the hours of 10:00 p.m. and 8:00 a.m.**

The applicants have agreed to comply with restricted hours of use.

- (e) Prior to the issuance of a certificate of use, the permittee must submit a letter of compliance from a registered engineer or architect stating that the installation has been inspected under operating conditions and found to be within the requirements set forth above.**

If approved by the Village Council, a letter of compliance will be required to be submitted.

- (f) The lighting shall not be injurious to the area involved or otherwise detrimental to the public welfare.**

The lighting will not be injurious to the public, if approved and maintained in compliance with the Village's land Development Regulations and recommended conditions of approval.

RECOMMENDATION

The Building and Planning Department recommends approval of the proposed tennis court lighting subject to the following conditions:

1. Lighting shall be shielded with lighting shields available from the vendor.
2. Planting of additional landscaping to include clusters of bamboo, clusia or equivalent plantings that are a minimum of eight feet at the time of planting, and planting of 14 foot shade trees every 25 feet along the rear property line.
3. Outdoor court lighting shall not be used between the hours of 10:00 p.m. and 8:00 a.m.
4. Submittal of a letter of compliance from a registered engineer or architect stating that the installation has been inspected under operating conditions and found to be within the requirements of the Land Development Regulations.

5. Approval of an electrical permit by the Building and Planning Department for the exterior lighting of the tennis court.



Stephen R. Olmsted, AICP
Planning Director
planning@pinecrest-fl.gov

MEMORANDUM

Department of Building and Planning

On **Tuesday, June 9, 2015 at 8:00 p.m.**, the Village Council will conduct the following public hearing at the Pinecrest Municipal Center, Council Chamber, 12645 Pinecrest Parkway, Pinecrest, Florida:

OWNER/APPLICANT: Marcello Porcelli (Owner); Brant Bauer (Applicant)

ITEM: Conditional Use Permit – Outdoor Tennis Court Lighting

LOCATION: The subject property is located at 5790 Southwest 97 Street, Pinecrest, Florida

REQUEST: Mr. Marcello Porcelli is requesting approval of a conditional use permit to allow tennis court lighting pursuant to the requirements of the Village of Pinecrest Land Development Regulations, Division 5.25, Tennis court/basketball court lighting, in accordance with the requirements and standards for a conditional use permit as provided in Division 3.3 of the Pinecrest Land Development Regulations. The subject property is located at 5790 SW 97 Street, Pinecrest, FL 33156 within the EU-1, Residential Estate zoning district.



All interested parties are urged to attend. Objections or expressions of approval may be made in person at the hearing or filed in writing prior to or at the hearing. Interested parties requesting information are asked to contact the Building and Planning Department by calling (305) 234-2121 or writing to the address indicated below, where a plan is on file.

You are hereby advised that if any person desires to appeal any decision made with respect to any other matter considered at this meeting or hearing, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Refer to the item number when making an inquiry.

In accordance with the American with Disabilities Act of 1990, all persons with disabilities and who need special accommodations to participate in this meeting because of that disability should contact the Village Clerk at (305) 234-2121 no later than four (4) business days prior to such proceeding.



PUBLIC HEARING

PERTAINING TO THIS PROPERTY TO BE HELD AT:
MUNICIPAL CENTER

12645 PINECREST PARKWAY

**ADDITIONAL
INFORMATION
CALL: 805-234-2121**

**DEPARTMENT
OF
BUILDING
AND
PLANNING**



May 18th, 2015

Mr. Stephen R. Olmsted, AICP
Planning Director
Village of Pinecrest
12645 Pinecrest Parkway
Pinecrest, FL



**RE: Owner/Applicant: Marcello Porcelli (Owner);
Brant Bauer (Applicant)**
ITEM: Conditional Use Permit – Outdoor Tennis Court Lighting
Location: 5790 SW 97 Street, Pinecrest, FL 33156
**Request: Request for approval of conditional use permit to allow tennis
court lighting.**

Dear Mr. Olmsted,

We are William and Linda Canary, homeowners in the Village of Pinecrest and our address is 9925 SW 57 Court, Pinecrest, FL 33156.

Our backyard directly abuts the subject property at the location of the proposed lighted tennis court and we would like to express our concerns about the outdoor tennis lighting.

The back of our house consists of all glass doors facing our pool patio area. The pool patio area is not far from Mr. Porcelli's property and proposed lighted tennis court.

We would like to object to lights on a tennis court this close to our pool patio and back of our house. **The proposed lights will shine directly into our house through our glass doors.** I have attached a boundary survey which shows the proximity of the tennis courts to the back of our house. Also attached are photos of the back of our house and the glass doors which will be impacted by the proposed lighting.

Page 2

We request that the Village of Pinecrest deny the outdoor tennis court lights.

Sincerely,



William Canary



Linda Canary

Home: (305) 667-2298
Cell: (305) 986-5283
Email: wcanary@durafloor.net
9925 SW 57 Court
Pinecrest, FL 33156

WILLIAM & LINDA
CANARY RESIDENCE
"BACK OF HOUSE"
9925 SW 57 COURT
Pinecrest, FL



WILLIAM & LINDA
CANARY RESIDENCE - PINECREST
"BACK OF HOUSE"
9925 SW 57 COURT
Pinecrest, FL



WILLIAM & LINDA
CANARY RESIDENCE
"BACK OF HOUSE"
9985 SW 57 COURT
PINECREST, FL





PUBLIC HEARING APPLICATION

Please check one:
[X] VILLAGE COUNCIL
[] PLANNING BOARD

OFFICIAL USE ONLY
Application No.:
Date Received:

INSTRUCTIONS

This application, with all supplemental data and information, must be completed in accordance with the specific instructions in this application. Applications and all supplemental information must be filed no later than 60 days prior to the regular public hearing date.

APPLICATION

Please indicate which type of application you are submitting by checking one category below:

- Change in Zoning District
Use Variance
Non-Use Variance
Appeal of Decision of Planning Board
Conditional Use
Plat
Entry Feature
Site Plan
Other

IMPORTANT: THE APPLICANT, OR REPRESENTATIVE, MUST BE PRESENT AT THE HEARING TO PRESENT THE PROPOSAL.

Please print or type

agilebrant@yahoo.com

Name of Applicant, agent or tenant (with owner's affidavit)

BRANT BAUER

305-667-1228-OFFICE

Mailing Address

7335 SW 104 STREET

City, State, Zip

MIAMI, FL 33156

Telephone

305-343-2182-CELL

Fax

305-667-6959

Name of Owner

MARCELO PORCELLI

Mailing Address

5790 SW 97 STREET

City, State, Zip

PINECREST, FL 33156

Telephone

917-533-6513

Fax

718-782-5175

PROPERTY INFORMATION

A. LEGAL DESCRIPTION. (If subdivided - lot, block, complete name of subdivision, plat book and page numbers). If metes and bounds description - Complete description, including section, township and range).

Folio Number 20-5001-006-0480 Address 5790 SW 97 STREET, PINECREST, FL

Lot(s) 38 Block Section Plat Book No. 5 Page No. 88

LOT #38 OF FELIX PARK HOME ACRES HIBISCUS COURT

David - 31431-3294 - agilecoeni

B. ADDRESS (If number has been assigned) 5797 SW 97 STREET, PINECREST, FL 33156
C. SIZE OF PROPERTY 200 ft. X 422.22 ft. = 84,445 sq. ft.; 1.94 acre(s)
Width Depth

D. Provide legal description or address of any property held by the owner which is contiguous to that which is the subject matter of this application.

N/A

E. DATE SUBJECT PROPERTY WAS ACQUIRED 8/15/2014

APPLICANT'S PROPOSAL

Specify in full the request. (Use a separate sheet of paper if necessary.)

INSTALLATION OF TENNIS COURT LIGHTING IN CONJUNCTION WITH CONSTRUCTION OF NEW TENNIS COURT.

INTENT

Explain purpose of application, benefit(s) in the change and reasons why this application should be approved. Specify the exact nature of the use or operation applied for, together with any pertinent technical data, which will clarify the proposal. (Use a separate sheet of paper if necessary.)

* INSTALLATION OF TENNIS COURT LIGHTS AS PER VILLAGE OF PINECREST ORDINANCE #2005-5.

* PLEASE SEE ATTACHED LETTER OF INTENT.

Is this application the result of a Notice of Violation or deviation from approved plans? Yes No

Are there any existing structures on the property? Yes No

If so, what type? (CBS, Frame, Frame-Stucco, Wood, Other) CBS

Any applications (except plat applications) which involve new building construction or exterior improvements to an existing building must submit the plans with this application. Plans that are not filed with this application will not be considered by the Village of Pinecrest.

PUBLIC HEARING APPLICATION

OWNER AFFIDAVIT

I/We MARCELLO PORCELLI as Owner (s) of Lot (s) #38

Block FELIX PARK Section HIBISCUS COURT PB/PG PB-5, PG-88

of property which is located at 5790 SW 97 STREET, PINECREST, FL desire to file an application for a public hearing before the Village Council Planning Board, and I/We do understand and agree as follows:

1. That the application for a variance will not be heard unless the applicant is present at the hearing.
2. The property will be posted with a sign, which must not be removed until after the public hearing at which time the Village staff will remove the sign.
3. That the requirements of the zoning code, Miami-Dade County Ordinances, the South Florida Building Code, and other government agencies may affect the scheduling and ability to obtain a permit for the proposal.
4. That the only exceptions to the zoning code are those that have been specified in the written application and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the Village of Pinecrest or Miami-Dade County ordinances.
5. That the applicant will be responsible for complying with all the conditions and restrictions imposed by the Village Council or Planning Board in connection with the request and will take the necessary steps to make the request effective if approved by the Village Council or Planning Board.
6. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the Village Council or Planning Board to hear the applicant's request.
7. That the applicant is responsible for timely submission and accuracy of all items requested on the application.
8. That the applicant is responsible for an additional fee for mailing notice to surrounding property owners.

I/We as the owners of the subject property (check one):

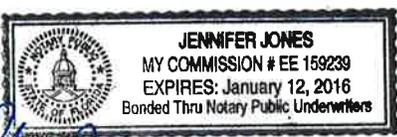
do hereby authorize BRANT BAUER to act on my/our behalf as the applicant.

will on my/our own behalf act as applicant(s), and make application in connection with this request for a public hearing before the Village Council or Planning Board.

Owner's Name MARCELLO PORCELLI Signature [Signature] Date 2/23/15

Owner's Name _____ Signature _____ Date _____

Notary to Owner: [Signature]



Applicant's Name BRANT BAUER Signature [Signature] Date 3/25/15

Notary to Applicant: [Signature]



PUBLIC HEARING APPLICATION



PUBLIC HEARING APPLICATION SUPPLEMENT

OPTIONAL

However, applicants are encouraged to contact neighbors regarding application.

_____ has applied to the Village of Pinecrest for a variance,
 Name of Applicant
 which will affect the property located at _____, as follows:
 Property Address
 To permit _____

The (Village Council) Planning Board will hold a public hearing on this request. I have read the above requested variance, the applicable plans and understand that I am waiving any objection to the proposed variance and related construction as described above. By subscribing my name below, I hereby certify that I have done so freely and without any duress or misrepresentation on the part of the applicant.

Parcel #1 _____ Owner Name _____ Address _____ Signature _____ Date _____	Parcel #2 _____ Owner Name _____ Address _____ Signature _____ Date _____	Parcel #3 _____ Owner Name _____ Address _____ Signature _____ Date _____
Parcel #4 _____ Owner Name _____ Address _____ Signature _____ Date _____	SUBJECT PROPERTY Please indicate the NORTH direction. (Circle one) ← ↑ ↓ →	Parcel #5 _____ Owner Name _____ Address _____ Signature _____ Date _____
STREET / AVENUE / TERRACE / ROAD / COURT		
Parcel #6 _____ Owner Name _____ Address _____ Signature _____ Date _____	Parcel #7 _____ Owner Name _____ Address _____ Signature _____ Date _____	Parcel #8 _____ Owner Name _____ Address _____ Signature _____ Date _____

Marcello & Nicole Sayfie Porcelli
5790 SW 97th Street
Pinecrest, FL 33156

Village of Pinecrest
Village Council
126 Pinecrest Pkwy
Pinecrest, FL 33156

March 2, 2015

RE: LETTER OF INTENT
"CONDITIONAL USE APPLICATION FOR TENNIS COURT LIGHTING"

To the Village Council

In accordance to Ordinance No. 2005-5, 1, 7-19-05, my wife Nicole Sayfie Porcelli and I propose to install tennis court lighting at our residence located at 5790 SW 97th Street, Pinecrest, FL 33156.

The purpose of this request is to facilitate the ability to use our new tennis court during the early evening hours especially during the fall and winter months. We have three young children (Jordan 8, Leonardo, 6 and Enzo 5) who have enjoyed playing tennis for many years. Living in New York City has limited the amount of time they can devote to this beloved sport, but now that our family is moving to Pinecrest, we are very excited for that to change. However, the realities of after-school activities coupled with ever increasing homework demands will not allow sufficient time to use the tennis courts during the fall and winter seasons without the flexibility that lights provide.

We are committed to abide by all the standards set forth by the Pinecrest's Land Development Regulations (Division 5.25). We are proud to be future Pinecrest residents and promise to do our share to ensure that Pinecrest remains one of the best communities to live in South Florida. We respectfully request that our application receives your favorable consideration.

Should you have any question, please do not hesitate to contact me as follows –
Cell - 917-533-6513 or via email at mporcelli@largavista.com

Thank you


Marcello Porcelli

THE VILLAGE OF PINECREST
OPINION OF TITLE

To: **THE VILLAGE OF PINECREST**

With the understanding that this original Opinion of Title is furnished to **THE VILLAGE OF PINECREST**, as an inducement for execution of an agreement covering the real property hereinafter described or for acceptance of a warranty deed, easement, covenant or unity of title, as applicable, it is hereby certified that I have examined the complete Abstract of Title from Attorney's Title Fund Services, LLC, certified Title Search covering the period from the BEGINNING to May 20, 2015, at 11:00 p.m., inclusive, of the following described real property:

The East 132 feet of the West 394 feet of the SW 1/4 of the SE 1/4 of the NE 1/4, less the North 450 feet of Section 10, Township 55 South, Range 40 East, lying and being situate in Miami-Dade County, Florida.

Basing my opinion on said complete abstract or title policy covering said period, I am of the opinion that on the last mentioned date the fee simple title to the above described real property was vested in **CENSIG Pinecrest Holdings, LLC**, a Florida limited liability company, with the following Managing Members authorized to sign on behalf of **CENSIG Pinecrest Holdings, LLC**, a Florida limited liability company:

By its Managing Members:

CEN Development, LLC, a Florida limited liability company
Fadi A. Bahri, its President

Southeastern Investment Group Corporation, a Florida corporation
Alex T. Zakharia, its President

Subject to the following liens, encumbrances and other exceptions:

GENERAL EXCEPTIONS

1. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid.
2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics or materialmen's liens.
5. Zoning and other restrictions imposed by governmental authority

SPECIAL EXCEPTIONS

1. Any lien arising under Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water system, sewer system or gas system servicing the lands described herein.
2. Notice of Commencement recorded in OR Book 29444, Page 616 of the Public Records of Miami-Dade County, Florida.
3. Agreement with Miami-Dade County Environmental Quality Control Board recorded in OR Book 29569, Page 1282 of the Public Records of Miami-Dade County, Florida.

None of the exceptions listed above will restrict the use of the property for the purposes set forth in the water and sewer agreement, assignment, warranty deed, easement, covenant and unity of title, as applicable.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice law in the State of Florida, and am a member in good standing of the Florida Bar.

Respectfully submitted this 15th day of June, 2015.

QUESADA LAW

1313 Ponce de Leon Boulevard, Suite 200

Coral Gables, Florida 33134

Telephone: (305) 446-2517

Facsimile: (305) 446-7521

E-mail: gjq@quesadalaw.net

By: _____

Juan C. Valdes, Esq.

Florida Bar No. 787191



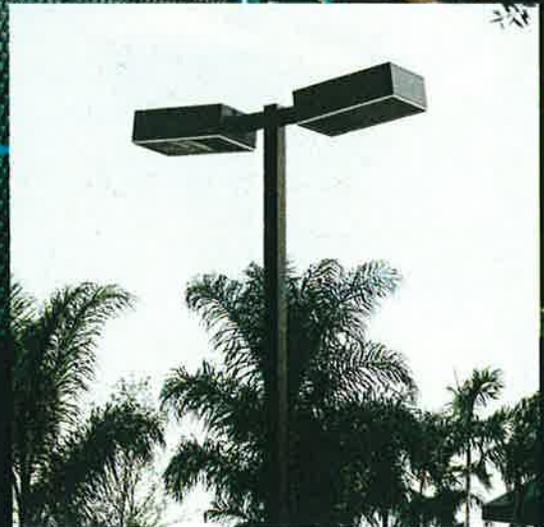




RLS

LIGHTING, INC.
MANUFACTURERS OF QUALITY LIGHTING PRODUCTS

SHARP
CUT-OFF



Distributed by:

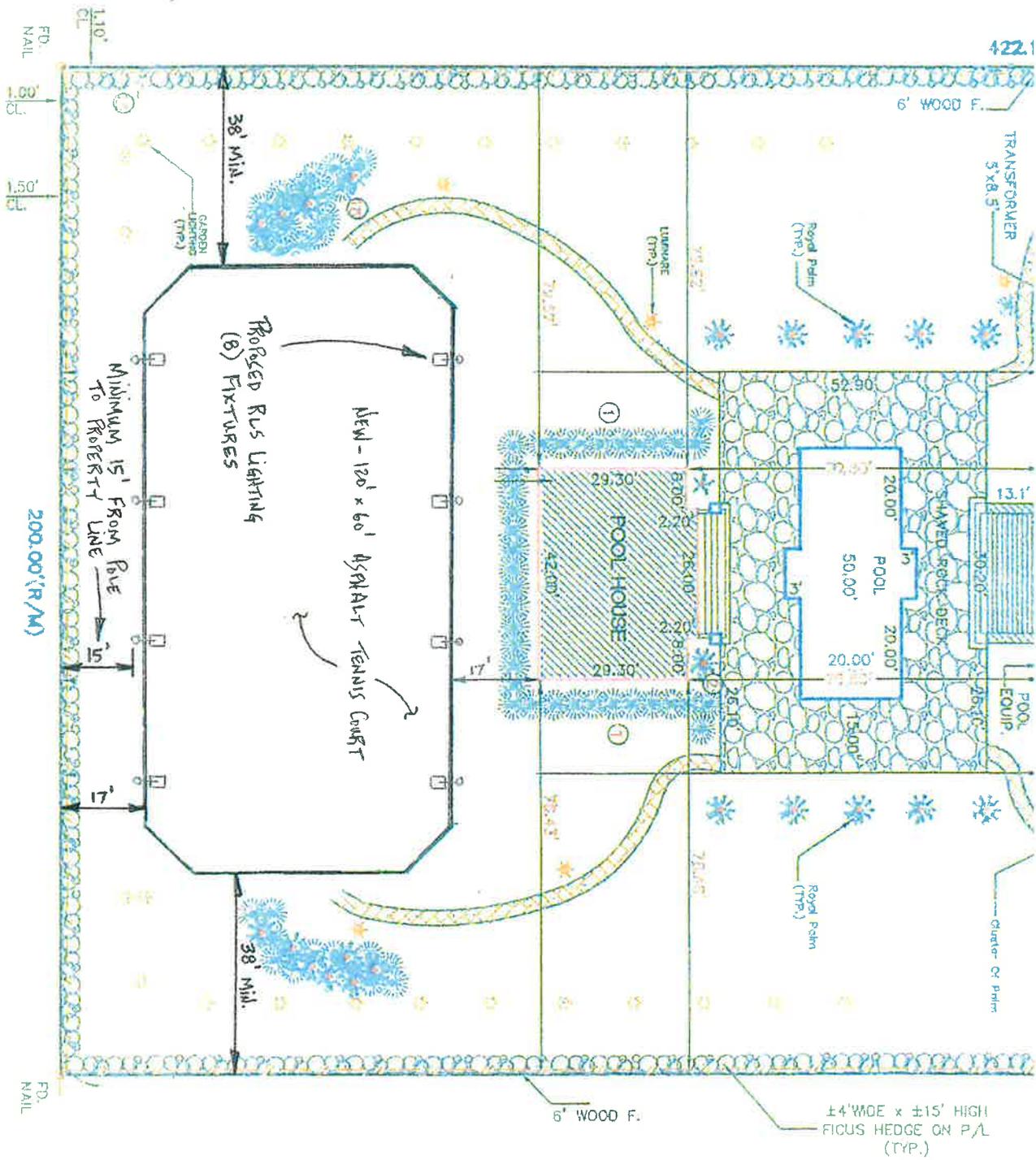
AGILE COURTS

7335 S.W. 104th Street
MIAMI, FLORIDA 33156
(305) 667-1228 FAX (305) 667-6959

2160 SW 58 Way
Hollywood, FL 33023
(954) 983-4340
FAX (954) 983-3691
TOLL FREE 1-800-226-1757

Catalog No. 08015

90°01'47"(C)



89°58'13"(C)

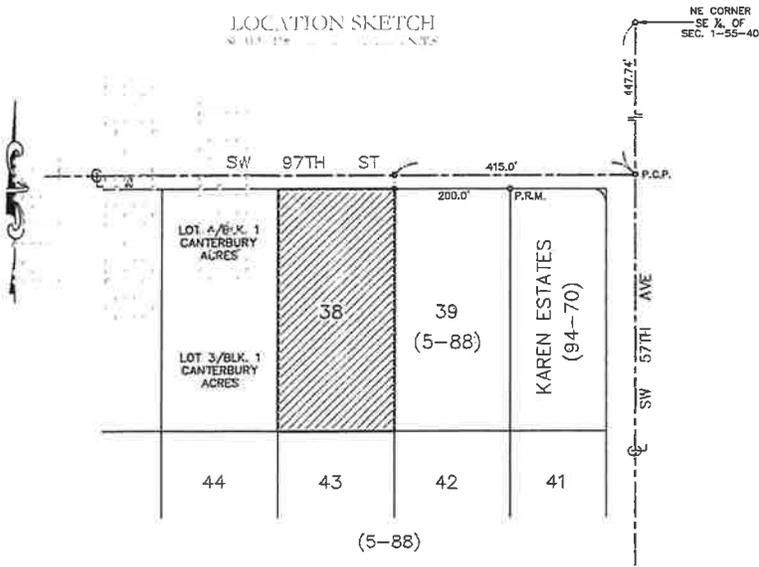


SCALE: 1" = 20'

PORCELLI RESIDENCE
 5790 SW 97 STREET
 PINECREST, FL 33156

AGILE COURTS
 7335 S.W. 104th Street
 MIAMI, FLORIDA 33156
 (305) 667-1228 FAX (305) 667-6959

LOCATION SKETCH



LEGEND OF SURVEY ABBREVIATIONS

- | | | |
|--|--------------------------------|------------------------------|
| A..... ARC DISTANCE | P.O.C... POINT OF COMMENCEMENT | PL..... PROPERTY LINE |
| A.C..... AIR CONDITIONER | R.W.... RIGHT OF WAY | CONC... CONCRETE |
| C.B.S.... CONCRETE BLOCK STRUCTURE | F.L.P.... FOUND IRON PIPE | F.H.... FIRE HYDRANT |
| NGVD... NATIONAL GEODETIC VERTICAL DATUM | P.O.B... POINT OF BEGINNING | U.E.... UTILITY EASEMENT |
| C..... CALCULATED | B.L.D.G... BUILDING | U.P.... UTILITY POLE |
| C.B..... CATCH BASIN | SEC.... SECTION | F.D.... FOUND |
| O.U.L.... OVERHEAD UTILITY LINE | O/H.... OVER HANG | R..... RADIUS |
| P.R.C.... POINT REVERSE CURVATURE | W.M.... WATER METER | SWK.... SIDE WALK |
| CL..... CLEAR | CH.... CHORD DISTANCE | CH.F.... CHAIN LINK FENCE |
| CL..... CENTER LINE | SCR.... SCREENED | W.F.... WOODEN FENCE |
| P.C.C.... POINT OF COMPOUND CURVE | P.B.... PLAT BOOK | M.E.... MAINTENANCE EASEMENT |
| R.A.D.... RADIAL | M..... MEASURED | B/C.... BLOCK CORNER |
| ENC.... ENCROACHMENT | D.E.... DRAINAGE EASEMENT | C/G.... CURB/GUTTER |
| P.C.... POINT OF CURVATURE | S.I.P.... SET IRON PIPE | E.L.E.... EXISTING ELEVATION |
| (R/M) RECORD & MEASURED | S..... MAN HOLE | H.C.P. HANDICAP PARKING |
| D/H... DRILL HOLE | C.B... CATCH BASIN | |
| FE... FIRE HYDRANT | W.M... WATER METER | |

SURVEYOR'S NOTES

- IF SHOWN, BEARING ARE TO AN ASSUMED MERIDIAN PLAT)
- IF SHOWN, ELEVATIONS ARE REFERRED N.G.V. DATUM
- THIS IS AN ALTA SURVEY.
- CLOSURE ABOVE 1:7500
- LICENSE BUSINESS NO. 0456
- ALL CLEARANCES AND/OR ENCROACHMENTS SHOWN HEREON ARE OF APPARENT NATURE. FENCE OWNERSHIP BY VISUAL MEANS. LEGAL OWNERSHIP OF FENCES NOT DETERMINED
- THIS SURVEY IS INTENDED FOR MORTGAGE OR REFINANCE PURPOSES ONLY EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN, OR ANY OTHER USE WITHOUT WRITTEN CONSENT OF THOMAS J KELLY INC.
- CODE RESTRICTION AND TITLE SEARCH ARE NOT REFLECTED ON THIS SURVEY.
- THE FLOOD INFORMATION SHOWN HEREON DOES NOT IMPLY THAT THE REFERENCED PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE AND DOES NOT CREATE LIABILITY ON THE PART OF THE FIRM, ANY OFFICER OR EMPLOYEE THEREOF, FOR ANY DAMAGE THAT RESULTS FROM RELIANCE ON SAID INFORMATION.
- THE LANDS DEPICTED HEREON WERE SURVEYED PER THE LEGAL DESCRIPTION AND NO CLAIMS AS TO OWNERSHIP OR MATTERS OF TITLE ARE MADE OR IMPLIED.
- UNDERGROUND ENCROACHMENTS, IF ANY, NOT LOCATED.
- THE LANDS SURVEYED BY THE LEGAL DESCRIPTION CONTAIN ± 84,445 SQ FEET OR 1.94 ACRES MORE OR LESS
- THE SUBJECT RESIDENCE/BUILDING CONTAINS (SEE SURVEY FOR INFORMATION) SQ FEET MORE OR LESS AT ITS FOOT PRINT
- THE SUBJECT RESIDENCE/BUILDING HAS A HEIGHT OF (SEE SURVEY FOR INFORMATION) FEET MORE OR LESS FROM GRADE.
- THE SUBJECT PROPERTY IS ZONED:
- EXISTING STRIPED PARKING SPACES ON THE SUBJECT PROPERTY:
N/A REGULAR PARKING SPACES
N/A HANDICAP PARKING SPACES
- ZONING: TR, SINGLE FAMILY GENERAL
- BM OF ORIGIN: DCBM NO. SC-25-R
SW 104TH STREET — 38 FEET NORTH OF CENTERLINE
SW 57TH AVENUE — 54 FEET WEST OF CENTERLINE
BRASS BAR IN CONCRETE MONUMENT
ELEVATION = 5.50' NGVD1929

CERTIFY TO: MARCELLO PORCELLI

ADDRESS: 5790 SW 97TH STREET
PINECREST, FLORIDA 33156

LEGAL DESCRIPTION:

LOT 38, OF FELIX PARK HOME ACRES HIBISCUS COURT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5 AT PAGE 88, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

FLOOD ZONE: X

THIS IS A FLOOD HAZARD ZONE X THIS IS NOT A FLOOD HAZARD ZONE

COMMUNITY PANEL NO. 120635

PANEL NO. 466

SUFFIX: 1

DATE OF FIRM: 09/11/2009

BASE FLOOD ELEV. N/A

FINISH FLOOR ELEV. ELEVATION

LOWEST ADJ. GRADE: N/A

NOTE: UNDERGROUND ENCROACHMENTS, IF ANY, NOT LOCATED. ENCROACHMENTS NOTED: NONE

THIS CERTIFIES THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH ITS IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARDS (RETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEY)" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 2011, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH "MINIMUM ANGLE DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS" WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS.

06/13/2014
THOMAS J. KELLY, INC. (DATE OF FIELD WORK)
PROFESSIONAL LAND SURVEYOR, 8445
STATE OF FLORIDA

(NOT VALID UNLESS IMPRINTED WITH AN EMBOSSED SURVEYOR'S SEAL)

THOMAS J. KELLY, INC. P.S. & M.

8125 SW 120 STREET
PINECREST, FL 33156

Date: 06/13/2014
Survey No.: 14-0822

ZONING:

DISTRICT	FAMILIES	MIN. WIDTH	MIN. LOT AREA (ACRES)	MAX. LOT COVERAGE (%)	MIN. BLDG. HEIGHT (FT.)	MIN. BLDG. AREA (SQ. FT.)
R34	PRIOR TO 4-13-21 NEW 800-120	100'	1 ACRE (INC. 800' 1 ACRE (INC. 800')	35% 15%	15'	15000 15,000

EXISTING DISTRICT

R34

TABLE OF DISTANCE LIMITS IN RESIDENTIAL AND INDUSTRIAL DISTRICTS

DISTRICT/FAMILIES	FRONT (FT)	REAR (FT)	BETWEEN BUILDINGS (FT)	INTER-ROW (FT)	SIDE STREET (FT)
R34	30	25	10	20	30
ACC. BLDG.			10	20	30
CAPACITY CARPORT	30	1		2	5

TREE TABLE

No.	Description	Diam	Canopy	High	Qty
1	Cluster Of Palm		VARIES		
2	Real Palm Tree	2'	15'	40'	
3	Palm Tree	1.7'	15'	40'	
4	Cluster Of Palm		VARIES		
5	Oak Tree	1.2'	50'	40'	
6	Oak Tree	1.0'	?	?	
7	Oak Tree	2'	20'	30'	
8	Oak Tree	1.2'	15'	20'	
9	Oak Tree	2'	10'	18'	
10	Oak Tree	2'	10'	30'	
11	Oak Tree	2.3'	?	?	
12	Mamey Tree	0.5'	10'	15'	
13	Oak Tree	1.0'	15'	25'	
14	Oak Tree	1.5'	35'	35'	
15	Oak Tree	1.5'	35'	35'	
16	Oak Tree	1.5'	35'	35'	
17	Oak Tree	1.5'	35'	35'	
18	Cluster Of Palm		VARIES		
19	Cluster Of Palm		VARIES		
20	Cluster Of Palm		VARIES		
21	Cluster Of Palm		VARIES		
22	Cluster Of Palm		VARIES		
23	Cluster Of Palm		VARIES		
24	Cluster Of Palm & Bamboo		VARIES		
25	Cluster Of Palm & Bamboo		VARIES		
26	Cluster Of Palm		VARIES		
27	Cluster Of Palm		VARIES		
28	Cluster Of Bamboo		VARIES		

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