

# VILLAGE OF PINECREST

## MINUTES



### VILLAGE COUNCIL MEETING

TUESDAY, MARCH 18, 2008, 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 mayor at 7:00 p.m. Present were the following:

Councilmember Joseph M. Corradino  
Councilmember Jeff Cutler  
Councilmember Gail D. Serota  
Vice Mayor Nancy L. Harter  
Mayor Gary C. Matzner

Village Manager Peter Lombardi  
Village Clerk Guido Inguanzo  
Village Attorney Cynthia Everett

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

III. **APPROVAL OF MINUTES:** Vice Mayor Harter made a motion adopting the minutes of the regular meeting of February 11, 2008 and the minutes of the special meeting of February 20, 2008. The motion was seconded by Councilmember Cutler and adopted by a unanimous voice vote. The vote was as follows: Councilmembers Corradino, Cutler, Serota, Vice Mayor Harter, and Mayor Matzner voting Yes.

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

V. **SPECIAL PRESENTATIONS:** There were no special presentations.

VI. **ORDINANCES:** The clerk read the following ordinances, on first reading, relating to a small scale amendment to the Village's Comprehensive Development Master Plan and rezoning of the property located at 7520 Southwest 100 Street and adjacent vacant parcel, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S FUTURE LAND USE MAP (SMALL SCALE AMENDMENT) BY CHANGING THE DESIGNATION OF THE PROPERTY LOCATED AT 7520 SOUTHWEST 100 STREET AND ADJACENT VACANT PARCEL (FOLIO 20-5002-008-0020) FROM EU-1 (RESIDENTIAL ESTATE DISTRICT) TO RU-4 (RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT); PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S ZONING MAP BY RE-ZONING THE PROPERTY LOCATED AT 7520 SOUTHWEST 100 STREET AND ADJACENT VACANT PARCEL (FOLIO 20-5002-008-0020) FROM EU-1 (RESIDENTIAL ESTATE DISTRICT) TO RU-4 (RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Jerry Proctor, 200 South Biscayne Boulevard, Miami, representing the applicant, requested a deferral of the matter to June 10, 2008. Councilmember Corradino made a motion granting the deferral. The motion was seconded by Vice Mayor Harter and adopted by unanimous consent.

The clerk read the following ordinances, on first reading, relating to a small scale amendment to the Village's Comprehensive Development Master Plan and rezoning of the property located at 8100 Southwest 124 Street, by title:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S FUTURE LAND USE MAP (SMALL SCALE AMENDMENT) BY CHANGING THE DESIGNATION OF THE PROPERTY LOCATED AT 8100 SOUTHWEST 124 STREET FROM EU-1 (RESIDENTIAL ESTATE DISTRICT) TO EU-M (RESIDENTIAL MODIFIED ESTATE DISTRICT); PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE VILLAGE'S ZONING MAP BY RE-ZONING THE PROPERTY LOCATED AT 8100 SOUTHWEST 124 STREET FROM EU-1 (RESIDENTIAL ESTATE DISTRICT) TO EU-M (RESIDENTIAL MODIFIED ESTATE DISTRICT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

All witnesses giving testimony in the quasi-judicial proceeding were sworn-in by the clerk.

The Local Planning Agency submitted a favorable recommendation.

Stanley Price, 200 South Biscayne Boulevard, Miami, representing the property owners making the request, addressed the Council.

Planning Director James Holland gave an oral report, based on his memorandum of March 11, 2008, recommending approval of the request.

The mayor opened the public hearing. Ofra Chanti, 12601 Southwest 81 Avenue, and Jorge Pella, 7795 Southwest 117 Street, addressed the Council.

Councilmember Corradino made a motion adopting the ordinance amending the Village's Comprehensive Development Master Plan by approving a small scale amendment. The motion was seconded by Vice Mayor Harter and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Serota, Vice Mayor Harter, and Mayor Matzner voting Yes.

Vice Mayor Harter made a motion adopting the ordinance rezoning the property. The motion was seconded by Councilmember Corradino and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Serota, Vice Mayor Harter, and Mayor Matzner voting Yes.

The clerk announced the second reading of both ordinances for April 8, 2008.

VII. **RESOLUTIONS:** The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH PINECREST HEALTH AND FITNESS FOR THE MANAGEMENT AND OPERATION OF THE WELLNESS CENTER AT THE PINECREST COMMUNITY CENTER; PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Corradino made a motion adopting the resolution. The motion was seconded by Vice Mayor Harter. Resolution 2008-11 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Serota, Vice Mayor Harter, and Mayor Matzner voting Yes.

The Council discussed the following resolution:

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, AUTHORIZING THE MAYOR TO PROFFER A LETTER OF INTENT, INCORPORATING COMMENTS AND CHANGES MADE AT THE MARCH 18, 2008 MEETING, TO WATER OAKS ENTERPRISES FOR THE OPERATION OF A RESTAURANT AT PINECREST GARDENS; PROVIDING FOR AN EFFECTIVE DATE.

Jeremy Larkin, of NAI Commercial Real Estate Services, and Danny Kaplan, of Water Oaks Enterprises, participated in discussions with the Council regarding the proposed resolution.

Councilmember Cutler made a motion adopting the resolution. The motion was seconded by Vice Mayor Harter. Resolution 2008-12 was adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Serota, Vice Mayor Harter, and Mayor Matzner voting Yes.

**VIII. REPORTS AND RECOMMENDATIONS:** Councilmember Serota discussed the Pinecrest Foundation and recommended that the Council schedule a workshop to further discuss the future of the foundation. The workshop was scheduled for April 10, 2008 at 7:00 p.m.

The manager announced that construction of Flagler Grove Park is substantially complete. The Council scheduled a dedication ceremony for May 10, 2008 at 10:00 a.m.

The manager discussed the retention of a consultant to conduct a feasibility study for the development of a municipal fire rescue service. The Council deferred consideration of the matter to a future meeting.

The clerk submitted a conceptual design of a Village logo for the Council's consideration. The Council directed the clerk to proceed with the development of variations of the conceptual design.

The attorney submitted a status report in the matter of GREC Pinecrest, LLC vs. Village of Pinecrest.

The Council discussed the development of a transitional zoning district ordinance for consideration at a future meeting. The Council directed the manager to meet with community groups prior to submitting the ordinance for consideration by the Local Planning Agency.

**IX. PLANNING:** The following hearing was held at 7:45 p.m. time certain. All witnesses giving testimony were sworn-in by the clerk.

Hearing Number 2008-0318-1. Gardner's Market, the applicant, requested a modification to certain conditions granted by Miami-Dade County Resolution 5-ZAB-11-96 to broaden the range of products which may be sold and increase the number of vendors from twenty to twenty-five during the farmer's market held at 8287 Southwest 124 Street.

Maurice Bared, 8287 Southwest 124 Street, representing the applicant, addressed the Council.

Planning Director Holland submitted an oral report, based on his memorandum of March 11, 2008, recommending approval of the request subject to the following recommendations:

- Use shall be limited to the sale of locally grown fruits, vegetables, plants, herbs, and that the sale of juice shall be prohibited;
- Use shall be limited to the sale of local crafts which shall be determined as artistic quality or effect or handmade workmanship.

The mayor opened the public hearing. There were no speakers present.

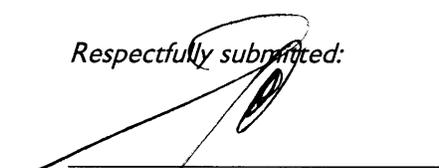
Councilmember Cutler made a motion adopting staff's recommendation. The motion was seconded by Councilmember Serota and adopted by a unanimous roll call vote. The vote was as follows: Councilmembers Corradino, Cutler, Serota, Vice Mayor Harter, and Mayor Matzner voting Yes.

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

- PLANNING BOARD  
WEDNESDAY, MARCH 26, 2008, 7:00 P.M.
- VILLAGE COUNCIL  
TUESDAY, APRIL 8, 2008, 7:00 P.M.

XI. **ADJOURNMENT:** The meeting was adjourned at 9:40 p.m.

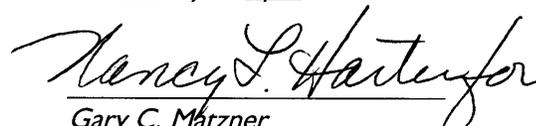
*Respectfully submitted:*



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Guido M. Inguanzo, Jr., CMC  
Village Clerk

*Approved by the Village Council  
this 8th day of April, 2008:*



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Gary C. Matzner  
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).**