



APPROVED
E. Silva
 Edward Silva, Village Manager
 3/22/18
 Date

VILLAGE OF PALMETTO BAY
 9705 E. HIBISCUS STREET
 PALMETTO BAY, FLORIDA 33157
 (305) 259-1234 Fax: (305) 259-1290

REQUEST FOR PUBLIC RECORDS

Requests are filled in accordance with the provisions of Chapters 119 and 257, Florida Statutes.

DATE: 3-19-18
 NAME: John DuBois
 COMPANY: _____
 ADDRESS: _____
 PHONE: _____ FAX: _____
 EMAIL: JDubois @ eye-cast.com

REQUEST (Attach additional page, if necessary): Copies of the following documents:

Copy of all emails sent between Scott Silver regarding the Palmetto Bay Village Center property on old Cutler Road and SW 177-184th - and yourself during last 7 days (3-12-18 - 3-19-18)

FOR USE BY VILLAGE STAFF ONLY TRACKING NO.: 2018-085
 DATE FORWARDED: _____ ASSIGNED DEPT: _____
 DATE REQUEST FILLED: _____ NUMBER OF COPIES: _____
 ESTIMATED TIME (IF APPLICABLE): _____ ESTIMATED COST: _____
 HOW WAS REQUEST FILLED? _____
 IF NOT FILLED, REASON: _____
 BY: _____

MS

Melissa Dodge

From: Missy Arocha
Sent: Tuesday, March 20, 2018 1:10 PM
To: Melissa Dodge; Yvonne Picado; Eric D. Machado
Cc: Edward Silva
Subject: FW: Public Record Request from me

For process.



Missy Arocha
Village Clerk
MDCMCA Treasurer

Village of Palmetto Bay
9705 East Hibiscus Street
Palmetto Bay, FL 33157
Phone: (305) 259-1234
www.palmettobay-fl.gov

PLEASE NOTE: Florida has very broad public records laws. Most written communications to or from local officials regarding official business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.



Please save a tree. Don't print this e-mail unless it's really necessary.

From: John DuBois [<mailto:JDubois@eyecast.com>]
Sent: Monday, March 19, 2018 4:31 PM
To: Edward Silva; Missy Arocha; Dexter Lehtinen
Subject: Public Record Request from me

Mr. Ed Silva, I am hereby making a public records request for a copy of all email sent between Scott Silver regarding the Palmetto Bay Village Center property (on Old Cutler and sw 177-184th) and yourself during the last 7 days (3/12/2018-3/19/2018 inclusive). If you have any such email during the last 7 days, please forward it/them to me. Thank you.

John DuBois

Yvonne Picado

From: Scott Silver <ssilver@grouperfinancial.com>
Sent: Monday, March 19, 2018 3:45 PM
To: dmsinger@bellsouth.net
Cc: Edward Silva
Subject: Tonight's hearing

We saw the traffic numbers per unit. If you do what the ordinance at issue says, which is to require any new project to have no more impact than the prior ordinance, which included 300 senior, 100 multi family, an unlimited hotel (assume a modest 100 unit hotel) and the 85 residential units in the front land, our traffic number for 485 multi family is actually less impact.

I'm not just being an advocate here. That's the actual number. It looks like the city might be trying to say that you don't include the 85 residential units for the front land or the hotel in the base number, but that's not what the ordinance says. Dexter specifically agreed with us at our last meeting that you include the 85 in the base number. Even if you don't, the hotel elimination pretty much evens it out.

The bottom line is that whatever we propose has to have no more impact than what we used to have. So what's the issue? Do we really want to have a large lawsuit, attorneys fees, etc. over something that really will have no more impact, as specifically evidenced by our compliance with any traffic impact?

We agreed we should have no more impact, so why don't we wait until the site plan is reviewed to make sure that we only submit a complaint site plan, after responding to any comments by the village.

You guys never really responded to our proposal, so I would have to say that we really have not even had settlement negotiations. That's really too bad, as I had hoped this could be resolved amicably.



Scott A. Silver, President
Grouper Financial, Inc.
2980 McFarlane Road, Suite 12
Miami, Florida 33133
Phone: (305) 788-6164
ssilver@grouperfinancial.com

Yvonne Picado

From: Jerry B. Proctor <jproctor@proctorpa.com>
Sent: Monday, March 19, 2018 3:20 PM
To: Mark Alvarez
Cc: Edward Silva; Jerry B. Proctor; Juan Espinosa; Scott Silver Esq.; Russell Read; Tom Dotzenrod
Subject: RE: VMU Traffic

Mark- thanks for sending the email. We take issue with some of the conclusions (including the TDR aspects) and would like to take them up with you in an appointment soon. As you may know the 2016 code will continue to apply to the site plan application regardless of tonight's results. See you tonight.

Jerry B. Proctor
Attorney
Jerry B. Proctor, P.A.
9130 S. Dadeland Blvd., Suite 1700
Miami, FL 33156
305.779.2924
jproctor@proctorpa.com

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From: [Mark Alvarez](#)
Sent: Thursday, March 15, 2018 2:35 PM
To: [Jerry B. Proctor](#)
Cc: [Edward Silva](#)
Subject: RE: VMU Traffic

Jerry,

Under the current ordinances for the VMU, 2016-13 and 2016-14 that are applicable to the site plan that was submitted and stamped received on October 5, 2017, the zoning trip generation restriction would result in the current site plan being not compliant.

The trip generation restriction requires that the VMU part of the plan not generate more trips than the prior 08-09 Ordinance with allowance of trips from up to 85 single family residences as part of the TDR permitted by Resolution 2016-28. Based on the report from our consultants, the external trip generation for the site is limited by the current requirement to the limits in the table below:

VILLAGE MIXED USE (VMU) SITE RESIDENTIAL DEVELOPMENT AND TRIPS					
Development Units	ITE Trip Rate Land Use Codes	Development	Trip Generation		
			AM Peak	PM Peak	Weekday
Market Condominium Residential	MidRise Multi Fam ITE LU 221	100	36	44	544
Senior Residential Units (FS 760.29)	Adult Housing	300	60	78	1,110

	Attached ITE LU# 252				
TOTAL before TDR		400	96	122	1,654
TDR RESIDENTIAL DEVELOPMENT AND TRIPS					
Single Family Residential	Single Family ITE LU 210 (FCE)	85	65	87	896
TOTAL WITH TDR		485	161	209	2,550

External gross trip generation based on ITE Trip Generation Manual, 10th Edition: Land Use #221, MultiFamily Housing Mid-Rise; Land Use #252 Adult Attached Housing; Land Use #210, Single-Family Detached Housing; and as needed; Condominium / Townhouse Land Use #230- all using Average Rates except where noted FCE (Fitted Curve Equation)

The submitted site plan is for 460 condominium units and 24 townhouse units. The sum of external trips generated by this mix and volume of residential uses exceed the limits above in the AM peak, the PM peak and for the Average Weekday.

Additionally, the TDR has not been executed at this time, so the trips permissible from the 85 theoretical single-family residences are not available, and the current trip generation limit would be from the "Total before TDR" row above.

If you would prefer for us to formally proceed with the review, we shall. If you prefer to proceed after the Council meeting (Monday, March 19, 2018) for which the ordinances under which the site plan review will be performed are to be heard for amendment, we shall proceed then. Please let us know. All the best.

Best regards,
Mark Alvarez



4055 NW 97th Avenue Miami, FL 33178
Office: 305.594.0735
Mobile: 786.385.0548
malvarez@corradino.com

From: Jerry B. Proctor [mailto:jproctor@proctorpa.com]
Sent: Tuesday, March 13, 2018 3:30 PM
To: Mark Alvarez <malvarez@CORRADINO.com>
Cc: Edward Silva <esilva@palmettobay-fl.gov>; Jerry B. Proctor <jproctor@proctorpa.com>
Subject: RE: VMU Traffic

Gents, is there any update on our pending site plan application which has now been in for about 6 months? Thks

Jerry B. Proctor
Attorney
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9130 S. Dadeland Blvd., Suite 1700
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From: [Mark Alvarez](#)
Sent: Wednesday, February 28, 2018 1:42 PM
To: [Jerry B. Proctor](#)
Cc: [Edward Silva](#)
Subject: VMU Traffic

Jerry,
We will have Marlin working on a traffic impact analysis for the VMU for the purposes of the ordinances. We'd like to have your site plan traffic analysis consultant meet with them and I to review your methodology. Next week is good. Please send a couple of alternate times so that I can coordinate a meeting. Thank you.

Best regards,
Mark Alvarez



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malvarez@corrardino.com