



V I L L A G E O F K E Y B I S C A Y N E

Office of the Village Manager

Village Council
Robert Oldakowski, *Mayor*
Robert L. Vernon, *Vice Mayor*
Enrique Garcia
Steve Liedman
Jorge E. Mendia
Thomas Thornton
Patricia Weinman

Village Manager
Jacqueline R. Menendez

DT: August 22, 2006
TO: Honorable Mayor and Members of the Village Council
FR: Jacqueline R. Menendez, Village Manager
RE: Site Plan Review: 101 Sunrise Drive - Construction of an 11 Unit Apartment Building

RECOMMENDATION

It is recommended that the Village Council approve a site plan showing an 11 unit apartment building at 101 Sunrise Drive because it is consistent with the review criteria listed in the Zoning and Land Development Regulations. This recommendation is subject to the conditions as set forth in the attached memorandum from the Building, Zoning, and Planning Director.

BACKGROUND

The applicant desires to construct an 11 unit apartment building at 101 Crandon Boulevard. For this type of project, the Zoning and Land Development Regulations require approval of a site plan by the Village Council. The Regulations contain criteria to evaluate Site Plan applications. The Building, Zoning, and Planning Director has compared the application with the criteria. The Director found that the request is consistent with the review criteria and has recommended approval of the application subject to the conditions as set forth in the attached memorandum. His report and recommendation are attached to this memorandum.



VILLAGE OF KEY BISCAIYNE

Department of Building, Zoning and Planning

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DT: August 22, 2006

TO: Jacqueline R. Menendez, Village Manager

FR: Jud Kurlancheek, AICP, Director
Building, Zoning, and Planning Department

Director
Jud Kurlancheek, AICP

Chief Building Official
Eugenio M. Santiago, P.E.

RE: Site Plan Review: 101 Sunrise Drive - Construction of an 11 Unit Apartment Building

APPLICATION SUMMARY

Applicant	101 Gettysburg, LLC
Request	Approval of a Site Plan for an 11 Unit Apartment Building
Site Address	101 Sunrise Drive
Master Plan Land Use	Medium Density Multiple Family
Zoning District	RM-16 Medium Density Multiple Family
File Number	SP 13
Recommendation	Approval with Conditions

Purpose of Site Plan Review: Site plan review is designed to achieve the following objectives:

1. To insure that infrastructure (water, sewers, and roads) is in place at the time the development is completed.
2. To encourage logic, imagination, and variety in the design process.
3. To insure that projects are compatible, both aesthetically and functionally, with the surrounding area.
4. To promote excellence in urban design.
5. To encourage buildings that are consistent with the high quality environment associated with the Village.

Site Plan Review Criteria: The Village's Zoning and Land Development Regulations

requires the site plan for the above captioned project be reviewed/approved by the Village Council. In order to approve a site plan, the Council must find that the project is consistent with the following criteria:

Criteria 1 *Natural Environment.* All proposed development shall be designed in such a manner as to preserve, perpetuate and improve the existing natural character of the site. Existing trees and other landscape features shall, to the maximum extent possible, be preserved in their natural state; and additional landscape features shall be provided to enhance architectural features, to relate structural design to the site, and to conceal unattractive uses. In all instances the Village's tree protection, landscaping and all other applicable regulations shall be fully complied with as minimum standards.

Analysis: The site does not contain any protected or specimen trees.

Recommendation: Consistent

Criteria 2 *Open space.* Adequate landscaped open space shall be provided which meets the particular needs and demands of the proposed development and all specific zoning district requirements.

- a. Passive open spaces (those areas not planned for intensive activity) shall be arranged as to enhance internal spatial relationships between proposed structures, to provide buffers between the project and adjacent less intensive uses, to facilitate pedestrian movements within the development, and to improve the overall visual quality of the site.
- b. Active open spaces (those areas containing activities such as playgrounds, tennis courts, swimming pools and other active recreational facilities) shall be located so as to permit easy access to all residents or users within a development. Private recreational facilities and activities within specific projects shall, wherever possible, complement, rather than duplicate, nearby public recreational activities.

Analysis: Pedestrian access is provided from the public sidewalk on Sunrise Drive from the driveway through a decorative concrete structure. There is a wall between the sidewalk and entrance to the building. As such, pedestrians must use the driveway to walk into the building.

The project has an at-grade swimming pool that is accessible to all residents and their guests. The roof deck includes a private fenced-in deck with a jacuzzi for each of the six (6) apartments on the fourth floor. The ground floor contains a 180 sq. ft. gymnasium.

Recommendation: Consistent subject to direct pedestrian access into the building from the public sidewalk.

Criteria 3 *Circulation and parking.* All circulation systems and parking facilities within

a proposed development shall be designed and located in such a manner as to comply with the following:

- a. A clearly defined vehicular circulation system shall be provided which allows free movement within the proposed development while discouraging excessive speeds. Said systems shall be separated insofar as practicable from pedestrian circulation systems. Pavement widths and access points to peripheral streets shall be provided which adequately serve the proposed development and which are compatible and functional with circulation systems outside the development.
- b. Whenever possible in proposed residential developments, living units should be located on residential streets or courts that are designed to discourage non-local through traffic.
- c. Off-street parking areas shall be provided which adequately accommodate maximum vehicle storage demands for the proposed project and are located and designed in such a manner so as to conveniently serve the uses to which they are accessory and not create incompatible visual relationships.
- d. Safe and efficient access to all areas of the proposed development shall be provided for emergency and service vehicles, as required by Chapter 52.11 of the South Florida Building Code.
- e. Sidewalks shall be provided as required by the Village regulations.
- f. Handicapped Accessibility shall be provided as required by all applicable regulations.

Analysis: The project contains 32 parking spaces for 11 units or nearly 3 spaces per unit. The Zoning Code requires 23 spaces. Vehicular access is provided through two driveways from Sunrise Drive. The design is consistent with each of the criteria.

Recommendation: Consistent.

Criteria 4 *Community services and utilities.* All proposed developments shall be designed and located in such a manner as to insure the adequate provision, use and compatibility of necessary community services and utilities.

- a. An adequate sanitary sewer collection system including all necessary extensions and connections, shall be provided in accordance with Village standards for location and design. Where necessitated by the size of the development and/or by the unavailability of Village treatment facilities, sanitary sewage treatment and disposal systems must be provided in accordance with Village and state standards and regulations.
- b. An efficient solid waste collection system, including the provisions of an

adequate number of properly screened local receptacles in locations which afford maximum use and collection convenience, shall be provided in accordance with all applicable Village standards.

- c. A well designed internal system for fire protection, including the provisions of an adequate number of properly located fire hydrants and an efficient access arrangement for emergency fire vehicles, shall be provided to insure the safety of all persons within the project.

Analysis: There is sufficient capacity in the sanitary sewer system to accommodate the project. A trash room is located inside the building.

Recommendation: Consistent.

Criteria 5 *Building and other structures.* All buildings and structures proposed to be located within a development shall be oriented and designed in such a manner as to enhance, rather than detract from, the overall quality of the site and its immediate environment. The following guidelines shall be followed in the review and evaluation of all buildings and structures:

- a. Proposed buildings and structures shall be related harmoniously to the terrain, other buildings and the surrounding neighborhood, and shall not create through their location, style, color or texture incompatible physical or visual relationships.
- b. All buildings and structures shall be designed and oriented in a manner insuring maximum privacy of residential uses and related activities both on the site being developed and property adjacent thereto.
- c. All permanent outdoor identification features which are intended to call attention to proposed projects and/or structures shall be designed and located in such a manner as to be an integral part of the total project and/or structural design and shall not exceed a size and scale necessary for the recognition from vehicles moving along adjacent streets at prescribed legal speeds.

Analysis: The building is situated on the northeast corner of Crandon Boulevard and Sunrise Drive. There is a three story commercial building across Crandon Boulevard which is under construction. Adjacent to the proposed building are two residential buildings which are 9 and 4 stories.

The building contains four floors over parking. The floor plan provides for 11 two story, three bedroom units. The existing building contains 20 units with 28 bedrooms. The site plans includes a 32 space parking lot with most of the spaces located under the building. The proposed building footprint matches many of the buildings on Sunrise and Galen Drive. The proposed Sunrise Drive setback is the same as the other buildings along Sunrise

Drive.

The adjacent surrounding buildings are composed of concrete and stucco (CBS). The commercial building which is under construction at 580 Crandon Boulevard is also CBS and is has a very "modern" design. The proposed building is nearly 100% glass. Depending on the number of apartments that are occupied, at night the building will appear to be illuminated and very noticeable. The design of the building is not consistent with the adjacent buildings. However, those buildings were typical of the very modest garden style apartments that were built throughout the Village and South Florida from 1950 to the 1980's.

Review Criteria "A" addresses incompatible physical or visual relationships between the proposed structure and adjacent buildings. While the proposed building is nearly 100% glass, it does not create the incompatibility that is addressed in this review criteria. The adjacent buildings all have sliding glass doors and windows and when balconies are present, the railing is CBS. With the exception of one unit facing Sunrise Drive, the railing on the balconies in the proposed building are very transparent. The building includes a perimeter wall that is approximately 42 in. high.

The Village does not have guidelines to address architectural compatibility. As, such Staff finds the building is compatible with this criteria.

Review Criteria "B" addresses residential privacy. The architect has verbally indicated that the units will have "black out" curtains to insure maximum privacy.

Review Criteria "C" addresses signage. One sign is proposed for the project and it is located on a perimeter wall facing Sunrise Drive. Although dimensions are not provided, the sign appears to be proportional to the wall and consistent with other building signs on Sunrise Drive.

The plans show a 42 inch wall surrounding the property. The placement of a wall facing Crandon Boulevard and Sunrise Drive is inconsistent with similar properties in this area of the Village. It is recommended that the wall be replaced with a hedge.

Recommendation: Consistent subject to signage with letters not exceeding 12 inches in height.

Criteria 6 *Other Requirements.* Requirements and recommendations as provided in the Village tree and landscape regulations shall be observed as will the requirements of all applicable standards and regulations.

Analysis: The Village will be constructing improvements to Crandon Boulevard on the right of way adjacent to the project. The Village has required, as part of the Site Plan Review Process, developers to contribute funds that will be used

to construct these improvements or to construct them as part of the project. The 200 Crandon Boulevard project contributed funds while the 580 Crandon Boulevard project will construct them as part of their project.

Phase 3 improvements to Crandon Boulevard will be under construction before the proposed apartment project. As such, the contribution of funds is appropriate.

Recommendation: Consistent.

RECOMMENDATION

Staff recommends approval of the site plan subject to the following conditions:

1. Each window shall have "black out" window coverings.
2. The pedestrian entrance shall be redesigned to permit direct access into the building from the public sidewalk and through the parking lot.
3. The building identification sign shall be composed of reverse channel letters with a maximum height of 12 inches.
4. The balconies shall not be enclosed with any material.
5. The applicant shall contribute funds to construct the improvements on the frontage that are planned for Crandon Boulevard. The amount shall be based on a linear footage based on the cost of the Crandon Boulevard Phase 3 project. The funds shall be received by the Village prior to the issuance of a building permit.
6. The wall facing Crandon Boulevard and Sunrise Drive shall be removed and replaced with a hedge.
7. The above conditions shall be recorded in the public records of Miami-Dade County as a covenant running with the land. The covenant shall be approved by the Village Attorney and recorded prior to the issuance of a building permit.



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Patricia Weinman

Director
Jud Kurlancheek, AICP
Chief Building Official
Eugenio M. Santiago, P.E.

PLANNING AND ZONING APPLICATION

Date Filed: July / 2006

File # SP13
to be completed by staff

1. REQUEST FOR:

- SUPERVISORY VARIANCE
- ADMINISTRATIVE VARIANCE
- REGULATORY VARIANCE
- APPEAL OF AN ADMINISTRATIVE DECISION
- SITE PLAN APPROVAL
- UNUSUAL USE
- OTHER _____
- AMENDMENT TO ZONING ORDINANCE
- SPECIAL EXCEPTION
- AMENDMENT TO THE COMPREHENSIVE PLAN
- ZONING DISTRICT CHANGE

Explain your request: Replace the existing structure composed of 20 units, with a new 5 story building which will have 11 units, in compliance with current building and zoning code.

2. Street Address of Property: 101 Sunrise Drive
Legal Description: Lot(s) _____ Block _____
Subdivision: _____

3. Name of Applicant: 101 Gattysburg LLC
o/b Ginette Orozco
Mailing Address of Applicant: 104 Crandon Blvd #315 KB.
Business Telephone: 305 361-0163 Home _____ Fax 305 361-8470

4. Name of Property Owner if Different from Applicant: _____
Address of Property Owner if Different from Applicant: _____
Business Telephone: _____ Home _____ Fax _____

5. Contact Person: Name Ginette Orozco Address 527 Crandon Blvd # 315
Phone Number 305-361-0163 Fax 305-361-8470

6. Name/address of anyone else who should receive notice of the hearing?

7. If applicant is owner, indicate date purchased: Dec / 2004

8. If applicant is lessee, indicate date leased _____ Years _____

9. Is there an option to purchase the property? Yes () No (X)

10. Is the request the result of a violation notice? No If yes, attach a copy of the violation.

11. Existing use of property 20 rental Units. If residential, how many apartments 20 hotel units _____. If commercial, how many sq. ft. _____ in your space.
Single family home? Yes () No (X)

12. If this application pertains to an Appeal of a Administrative Decision, indicate the basis of the appeal. (If necessary attach additional explanation)
n/a

13. If this is a request for a variance, the Code requires that you substantiate why this request should be granted. In order to do this properly, please indicate how your request complies with the following standards:

a. Maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community.

n/a

b. Is compatible with the surrounding land uses and would not be detrimental to the community.

n/a

14. If this is a request for any other type of application, please see staff for a listing of the evaluation criteria.
15. All supporting data and exhibits submitted with this application become a permanent part of the public records.
16. If you are a lobbyist as described in the Village Code, please contact the Village Clerk at 305 365 5506.

SUPERVISORY VARIANCES ONLY

The Supervisory procedure requires the nearest abutting property owner to approve your request and your certification that the work was not performed by you. Your signature on this application constitutes your certification that you did not perform the work. The next step is to request the nearest property owner to sign below or provide a letter approving your request. Their signature certifies that they have read this application and approves of the request.

ABUTTING PROPERTY OWNER AFFIDAVIT

I, the undersigned, have read or have had read to me the information applicable for a request for a Supervisory Variance from the Zoning Regulations. I fully understand that by subscribing my name to the below consent form that I am waiving any objection to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant.

Date Name (Type or Print Address Signature

ADMINISTRATIVE VARIANCES ONLY

The Administrative Variance procedures require all abutting property owners to approve your request. The attached map will assist you in identifying who must sign the below petition. It is suggested you meet with staff prior to circulating your petition.

ABUTTING PROPERTY OWNER AFFIDAVIT

I, the undersigned, have read or have had read to me the information applicable for a request for and Administrative Variance from the Zoning Regulations. I fully understand that by subscribing my name to the below consent form that I am waiving any objection to the proposed construction as outlined above and as shown on the plans accompanying this application. I further certify that I have subscribed my name freely and without any duress or apparent misrepresentation on the part of the applicant.

Date Name (Type or Print Address Signature

If you need additional signatures please use the above format.

CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the Zoning Regulations. (I)(we) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(we) understand that the application and attachments become part of the official records of the Village and are not returnable.

Signature of Applicant: _____ Date _____

Signature of Owner: _____ Date _____

Application Received by: _____ Date _____

Approved by: _____ Date _____

AFFIDAVITS

Complete one or more of the following that relates to your request.

Tenant or Owner Affidavit (if tenant is applicant then owner must sign owner/power of attorney affidavit)

I, _____, being first duly sworn, depose and say that I am the owner/tenant of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all supplemental data attached to and made a part of the application are honest and true to the best of my knowledge and belief.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant

Sworn to (or affirmed) and subscribed before me this
____ day of _____, by _____
Name of person making statement

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

Corporation Affidavit

I, Ginette Drozco, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Ass't. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application and all supplemental data attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, Ginette Drozco, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

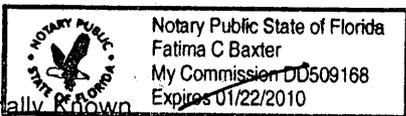
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Ginette Drozco
Signature of President (Corp. Seal)

Sworn to (or affirmed) and subscribed before me this
29th day of July, by Fatima C. Baxter
Name of person making statement

Fatima C. Baxter
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

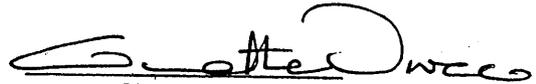
Owner/Power of Attorney Affidavit

I, being duly sworn, depose and say that I am the owner of the described real property and that I am aware of the nature and effect the request for: _____

_____ relative to my property, which is hereby made by me OR I am here by authorizing _____ to be my legal representative before the Village Council.

I, _____, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members of the Village Council to inspect my property. I understand these inspections are necessary to permit staff and members of the Village Council to perform their responsibilities as required by the Zoning Ordinance.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE


Signature of Owner

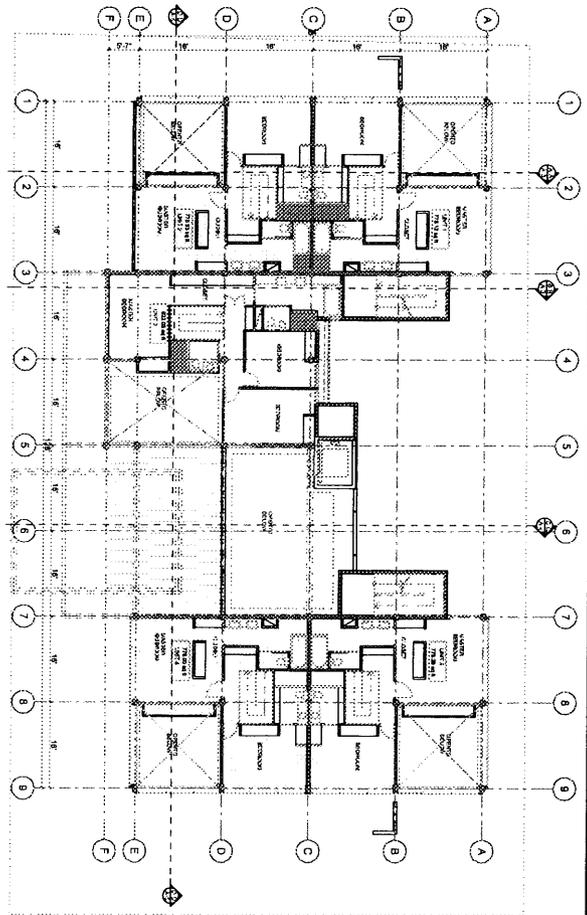
Sworn to (or affirmed) and subscribed before me this _____ day of _____, by _____
Name of person making statement

Signature of Notary Public - State of Florida

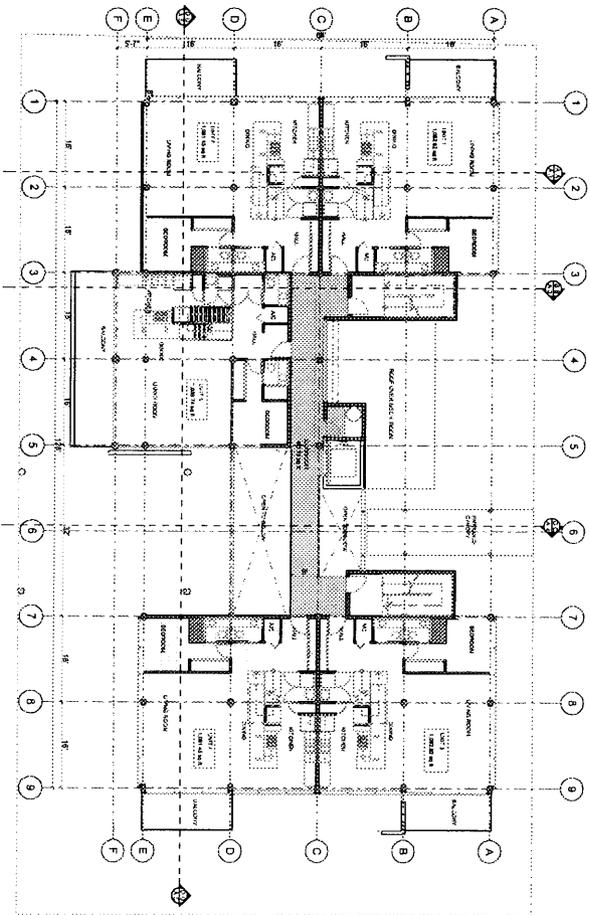
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced Identification _____

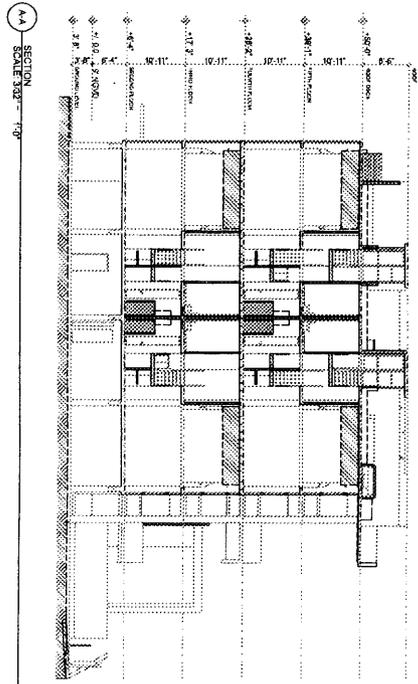
Type of Identification Produced _____



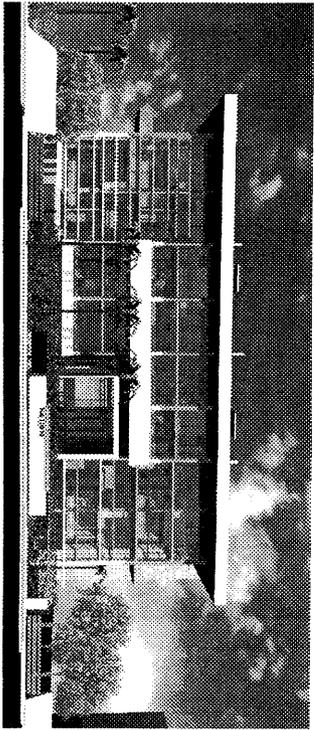
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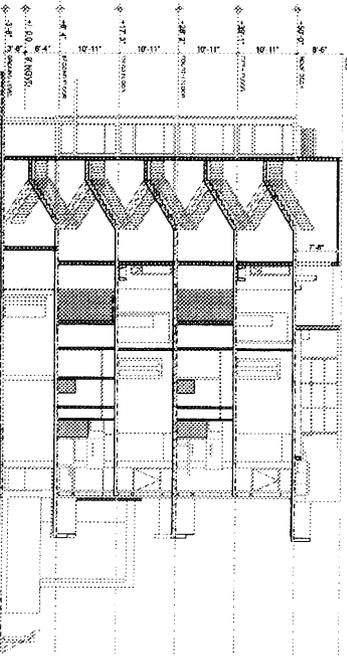
1 SECOND FLOOR
SCALE 1/8" = 1'-0"



AA SECTION
SCALE 1/8" = 1'-0"



3 FRONT VIEW



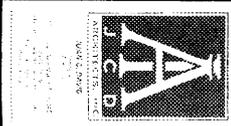
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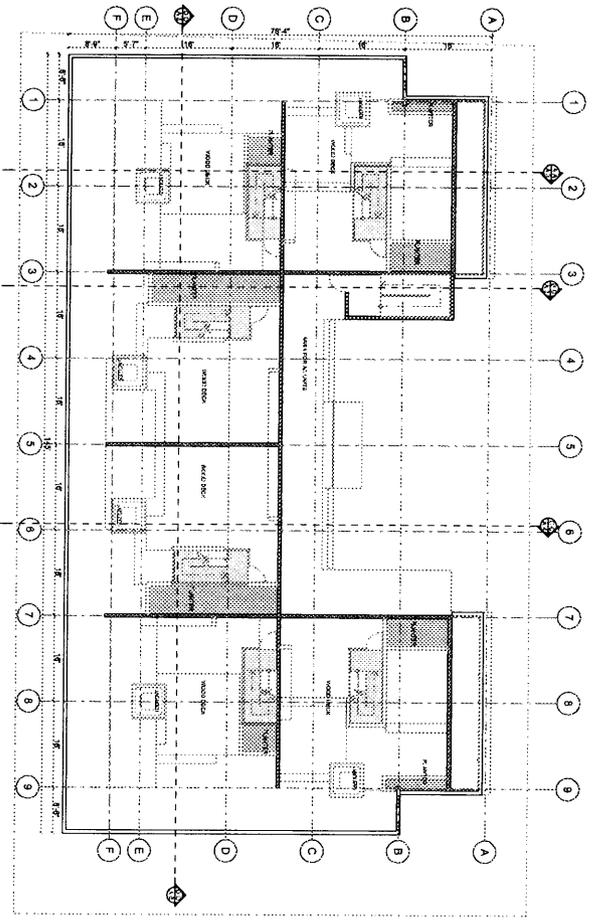
ARCHITECTURAL DESIGN
gabriellopez
 Gabriel Lopez
 Design, LLC
 303 473 4338
 101 Sunrise Drive
 Key Biscayne, FL 33149
 7409 NW 151st Avenue
 Miami, FL 33186
 gabriellopez@gabriellopez.com
 www.gabriellopez.com

101 GETTYSBURG LLC
LOFTS AT KEY BISCAIYNE
 101 SUNRISE DRIVE
 KEY BISCAIYNE, FLORIDA 33149

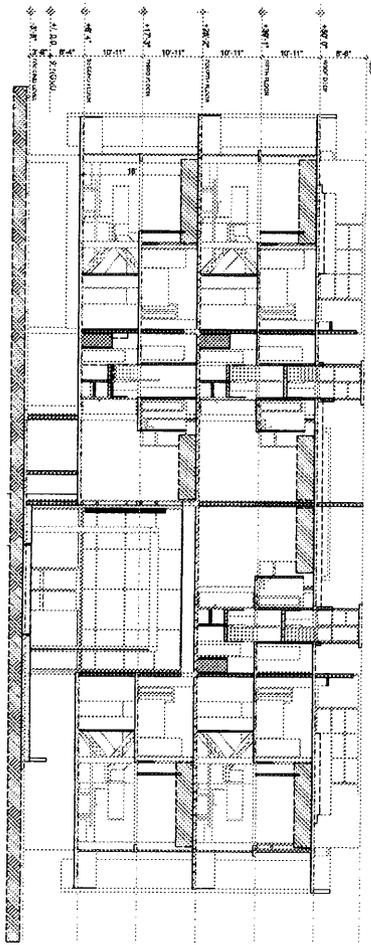
NO.	DATE	DESCRIPTION

PROJECT TITLE
 FLOOR PLANS
 SECTIONS
 3D VIEW

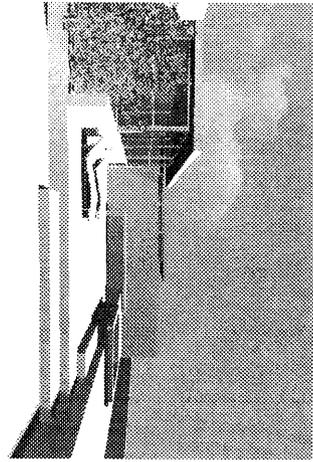




1 TERRACE
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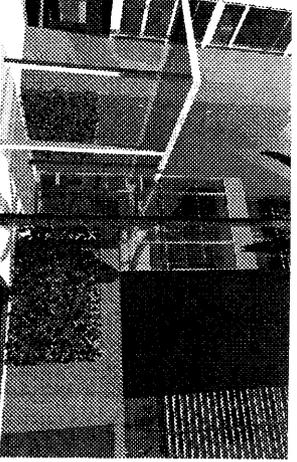
00 SECTION
SCALE 3/32" = 1'-0"



2 AREA ANALYZED IN VIEW



3 POOL AREA 3D VIEW



4 ENTRANCE TO LOBBY

ARCHITECTURAL
DESIGN

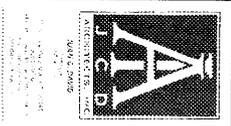
Garbriel Lopez
Design, LLC
305.479.4934
glopedesign@gmail.com
www.garibriellopezdesign.com
4102 NW 141 STREET
FORT LAUDERDALE, FL 33409
P.O. BOX 768 242 3398

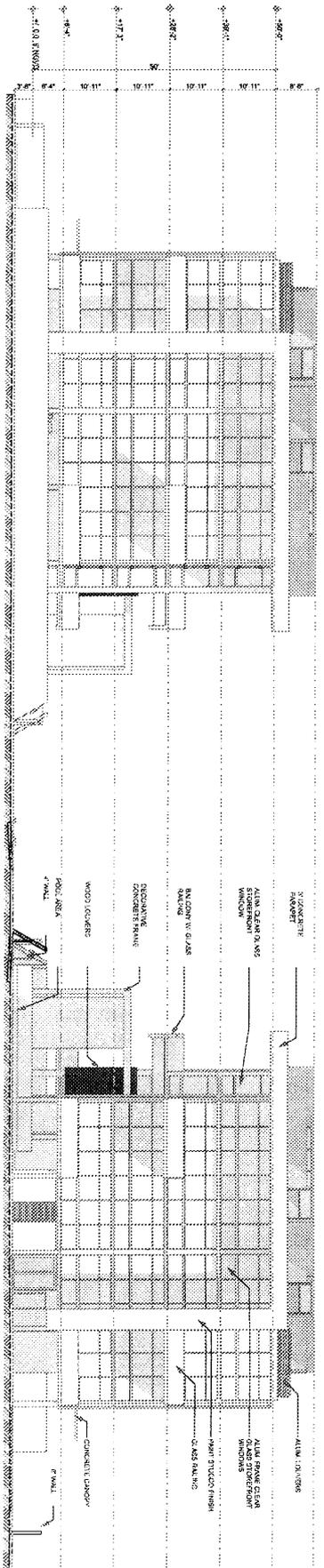


101 GETTYSBURG LLC
LOFTS AT KEY BISCAIYNE
101 SUNRISE DRIVE
KEY BISCAIYNE, FLORIDA 33149

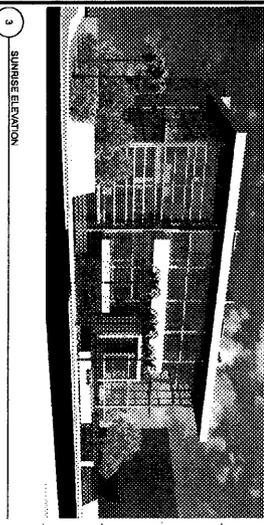
DATE	BY	DESCRIPTION

START TITLE
ROOF DECK
SECTION
3D VIEWS

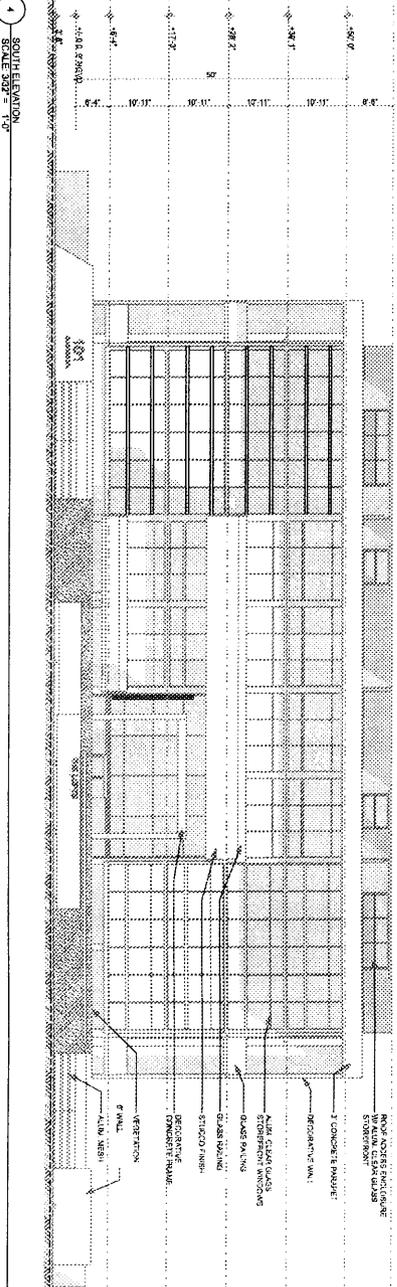




1 EAST ELEVATION
SCALE SIZE - 1/8"

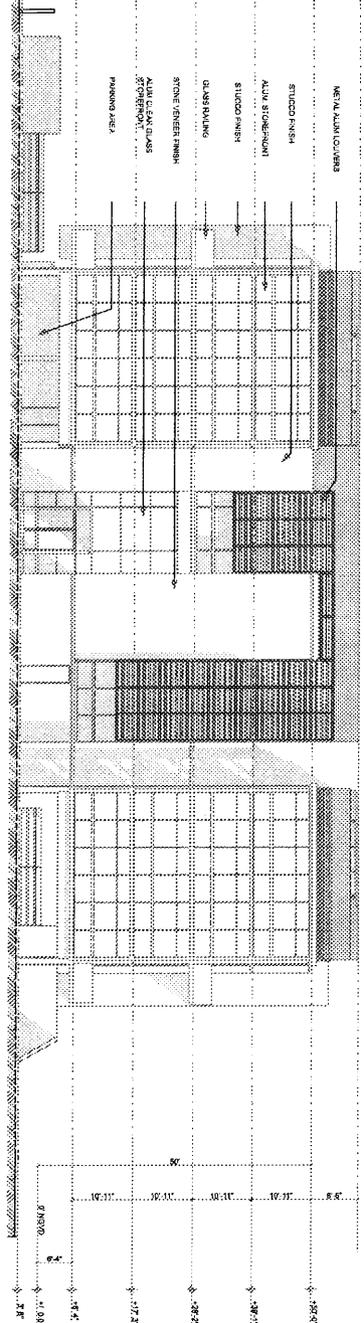


3 SUNRISE ELEVATION

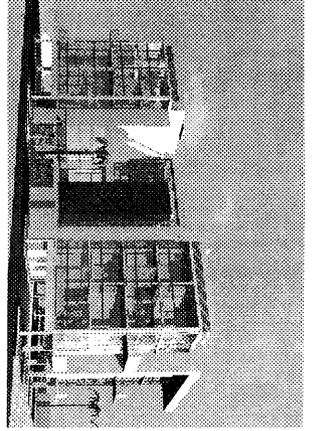


2 WEST ELEVATION
SCALE SIZE - 1/8"

4 SOUTH ELEVATION
SCALE SIZE - 1/8"



5 NORTH ELEVATION
SCALE SIZE - 1/8"



6 NORTH ELEVATION

ARCHITECTURAL DESIGN

Gabrieli Lopez Design, LLC
 303.478.4938
 glopez@gabrieli.com
 7409 NW 113th Ave
 Ft. Lauderdale, FL 33322-5388

101 GETTYSBURG LLC
LOFTS AT KEY BISCAWAY
 101 SUNRISE DRIVE
 KEY BISCAWAY, FLORIDA 33149

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 05-11-2011

ELEVATIONS

AEC D
 ARCHITECTURAL ENGINEERING CONSULTANTS
 1000 N. W. 11th St.
 Ft. Lauderdale, FL 33304
 954.575.1111
 www.aec-d.com