



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

MEMORANDUM

Village Council
Mayra P. Lindsay, *Mayor*
Franklin H. Caplan, *Vice Mayor*
Luis F de la Cruz
Theodore Holloway
Michael E. Kelly
Edward London
James S. Taintor

DATE: June 23, 2015

TO: Honorable Mayor and Council Members

FROM: John C. Gilbert, Village Manager

Village Manager
John C. Gilbert

RE: Site Plan Review: 202 Sunrise Drive

RECOMMENDATION

It is recommended that the Village Council approve the attached site plan for a five (5) story 11 unit development at 202 Sunrise Drive. This recommendation is subject to the conditions as set forth in the attached memorandum from the Building, Zoning, and Planning Director. The recommendation is based on the Director's determination that the project is consistent with the review criteria.

BACKGROUND

The applicant has filed an application for Site Plan approval for a five (5) story 11 unit apartment building at 202 Sunrise Drive. 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.



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council
Mayra P. Lindsay, *Mayor*
Franklin H. Caplan, *Vice Mayor*
Luis F de La Cruz
Theodore Holloway
Michael E. Kelly
Edward London
James Taintor

DT: June 23, 2015
TO: John C. Gilbert, Village Manager
FR: Jud Kurlancheek, AICP, Director
Building, Zoning, and Planning Department
RE: Site Plan Review: 202 Sunrise Drive

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

APPLICATION SUMMARY

Applicant	101 Sunrise Holdings, LLC
Request	Site Plan Approval for a 11 Unit Development
Site Address	202 Sunrise Drive
Master Plan	Multiple Family Medium Density
Zoning District	RM-16 Multiple Family Medium Density
File Number	SP - 23
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, sewer, 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.

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:

- a. Passive Open Spaces are located in the front, rear and sideyards which are easily accessible and provide the ability to walk around the project. The roof top deck provides an opportunity to sunbathe, enjoy the views, and rest.
- b. Active Open Space is located on the rooftop deck which includes a pool for active recreation, a gym, and a room for yoga.

Finding: Consistent

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 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 following analysis is alphabetically keyed to the above criteria.

- a. The vehicular circulation system provides for two way ingress and egress from Sunrise Drive to the building. Parking is located at grade near the side property lines and circulation is below the building.
- b. Sunrise Drive is a residential street that only provides for local traffic.
- c. There are 30 parking spaces while 22 are required. This count includes two (2) handicap parking spaces. Not included in the parking space count are 8 golf cart parking spaces. All of the parking spaces are conveniently located to either the front or rear entrances of the building.
- d. During the permitting process, inspectors will review the plans to insure the project is consistent with the Florida Building Code.
- e. All sidewalks and walkways shall meet or exceed Village standards.
- f. There are two (2) handicap parking spaces which are consistent with the requirements.

Finding: 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 provision 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 ensure the safety of all persons within the project.

Analysis: The following analysis is alphabetically keyed to the above criteria.

- a. When the plans are submitted for a building permit, the Village and Miami-Dade County Sewer Water Authority will require the appropriate connections.
- b. The proposed build has one enclosed trash room on each side of the building and as well as the dumpster.
- c. During the review of the plans for building permit, the Fire Department will insure that the project meets all of the applicable fire related life safety codes.

Finding: 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 following analysis is alphabetically keyed to the above criteria.

- a. The building is located in a neighborhood that has mostly three (3) to five (5) story buildings. The proposed building has five (5) levels of apartments with a recreation deck on the roof. A description of the project and architectural style was submitted as part of the application.
- b. Like all the other buildings in this neighborhood, the entrance to the building faces the street. There are windows on all sides of the building but only the front has balconies. This is consistent with other buildings in the neighborhood.
- c. Signage will be located on the building which is consistent with the Zoning and Land Development Regulations.

Finding: Consistent.

Criteria 6 All applicants are required to prove that the project meets the Village's Concurrency Level of Service Standards for Roads, Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Recreation and Open Space.

Analysis: The current building contains 12 units. The proposed building will have 11 units. The Level of Service standards are set forth in Article VI Concurrency Management. As this building has a reduction in the number of units, it is exempt from the Level of Service standards. This is set forth in Section 30-164 (a)(6) Exemptions which states "any new construction that results in a reduction in square footage or density".

Finding: Consistent

Criteria 7 *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 project exceeds the landscape requirements that are set forth in the Zoning and Land Development Regulations.

Finding: Consistent

RECOMMENDATION

Staff recommends approval of the project subject to the following conditions:

1. The dumpster shall be constructed of concrete block and stucco. The building material for the gate shall only be comprised of metal.

2. The Building, Zoning and Planning Director shall approve the design of the aluminum picket fence which surrounds the Property, sliding gates at the two (2) entrances to the parking garages and the dumpster enclosure.
3. The Property contains a variety of palm trees and canopy trees. Page LA 102 lists those trees which will be removed or retained on the site. Prior to demolition, the Village shall have the opportunity to remove those trees that will not be retained on site and place them on public property. The relocation cost shall be at the expense of the developer.



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning, Planning and Public Works
 88 West McIntyre Street, Suite 250 Key Biscayne, FL 33149
 Phone (305) 365-5512 Fax (305) 365-5556
 www.keybiscayne.fl.gov

PLANNING AND ZONING APPLICATION

(Application is nine pages. Please fill out completely.)

Date Filed: 5-21-2015

File #: SP-23
(to be completed by Staff)

1. REQUEST FOR:

- | | |
|---|--|
| <input type="checkbox"/> SUPERVISORY VARIANCE | <input type="checkbox"/> AMENDMENT TO ZONING ORDINANCE |
| <input type="checkbox"/> ADMINISTRATIVE VARIANCE | <input type="checkbox"/> CONDITIONAL USE |
| <input type="checkbox"/> REGULATORY VARIANCE | <input type="checkbox"/> AMENDMENT TO THE MASTER PLAN |
| <input type="checkbox"/> APPEAL OF AN ADMINISTRATIVE DECISION | <input type="checkbox"/> ZONING DISTRICT CHANGE |
| <input checked="" type="checkbox"/> SITE PLAN APPROVAL | |
| <input type="checkbox"/> OTHER | |

Explain your request:

Sub Planning to construct five storage unit building on 207 sunrise drive

2. Street Address of Property: 200, 202, 204 Sunrise Dr. Key Biscayne FL

Legal Description: Lot(s) _____ Block _____

Subdivision: Bahama House South Condo

3. Name of Applicant: 101 Sunrise Holdings, LLC.

Mailing Address of Applicant: 240 Crandon Blvd Suite 250

Business Telephone: 786-360-5149 Home: _____ Fax: _____

Email: HGARBATI@HGIFL.COM / IGOMEZ@RENUSA.COM

4. Name of Property Owner if Different from Applicant: Bahama House South Condo Geraldine O'Hara Pres.

Address of Property Owner if Different from Applicant: 200 Sunrise Dr. #D Key Biscayne, FL

Business Telephone: 305.361.6162 Home: 305.283.3929 Fax: 305.365.0610

Email: gerri@fir.com

5. Contact Person: Name Hugo Garbat Address: 12725 SW 98 CT
Telephone: 786 422 8800 Fax: _____ Email: Hgarbat@wgifl.com

6. Name/address of anyone else who should receive notice of the hearing?
Gabriel Lopez: 2100 Coral Way, Coral Gables, FL 33145 Suite 600

7. If applicant is owner, indicate date purchased: _____

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

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

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

11. Existing use of property residential. If residential, how many apartments 12?

Hotel units 0? If commercial, how many sq. ft. in your space _____?

Single family home? Yes () No

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

No

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.

We intent to maintains the existing zoning

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.

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
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Date	Name (Type or Print)	Address	Signature
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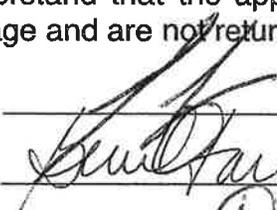
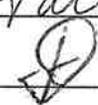
Date	Name (Type or Print)	Address	Signature
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Date	Name (Type or Print)	Address	Signature
Date	Name (Type or Print)	Address	Signature
Date	Name (Type or Print)	Address	Signature

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	5/3/15
Signature of Owner:		Date	5/2/15
Application Received by:		Date	5-21-15
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, Geraldine O'HARA, 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, Geraldine O'HARA, 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

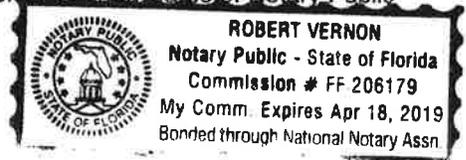
[Signature]
Signature of Applicant

Sworn to (or affirmed) and subscribed before me this
30 day of APRIL, by GERALDINE O'HARA
Name of person making statement

[Signature]
Signature of Notary Public - State of Florida

ROBERT VERNON
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____



Corporation Affidavit

I, _____, 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, _____, 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 President (Corp. Seal)

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 _____

Owner/Power of Attorney Affidavit

I, Geraldine O'HARA, 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 101 Sunrise Holdings LLC to be my legal representative before the Village Council.

I, Geraldine O'HARA, 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

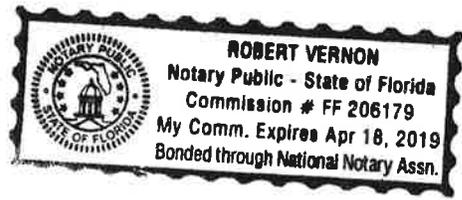
[Signature]
Signature of President (Corp. Seal)

Sworn to (or affirmed) and subscribed before me this
2 day of MAY, by ROBERT VERNON
Name of person making statement

[Signature]
Signature of Notary Public - State of Florida

ROBERT VERNON
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____



BAHAMA HOUSE SOUTH CONDOMINIUM ASSOCIATION
NOVEMBER 5, 2014

Call to Order: 5:40pm, Poolside

Present: Don and Audrey Murray, Gerri O'Hara, Eileen Martin, Maria Larrea, Dora (for Sandra Cappelletti), Terry Wilson and Toni Saul. Bob Hinkley, Association Manager, chaired the meeting.

SPECIAL MEMBERSHIP MEETING

1. Waiving of statutory reserves for 2015 was approved.

BUDGET MEETING

1. The 2015 budget was approved.
2. Monthly maintenance fee of \$595 was approved for 2015.

ASSESSMENT MEETING

An assessment of \$144,000/\$12,000/unit or \$1,000/month was approved for 2015.

The estimates below total \$129, 500. The remaining \$14,500 will be used for restoration costs that may exceed the estimates and/or placed in a reserve fund.

ASSESSMENT ESTIMATES

1. Concrete restoration of balconies	\$40,000
2. Lobby floor tiles, paint and wainscoting	12,000
3. New front doors	6,000
4. Painting of building	24,000
5. Pool Landscaping	1, 500
6. Insurance Shortfall	40,000
7. Airstrom Balance Due (Attic Plumbing)	6,000

BUILDING PURCHASE OFFER

Gerri O'Hara, as president of this association, was approved to pursue the sale of 200, 202 and 204 Sunrise Drive (Bahama House South).

If the owners approve a building purchase, the assessment will be null and void and any collected funds will be returned to the owners less those funds needed to satisfy the balances due to the insurance company and to Airstrom.



Toni Saul, Secretary

BAHAMA HOUSE SOUTH CONDOMINIUM ASSOCIATION

MAY 21, 2015

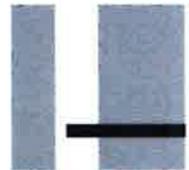
As of today, all owners of Bahama House South have entered into a purchase and sale agreement with 101 Sunrise Holding LLC and have authorized Gerri O'Hara, president of this association, to sign all documents and forms required by the Village of Key Biscayne.



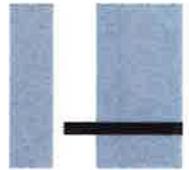
**Toni Saul
Secretary**

EXISTING STRUCTURES

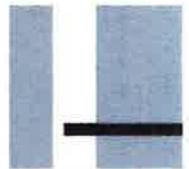
202 SUNRISE DR



GABRIEL LOPEZ ARCHITECT, PA
A.L.C.0601522
PLANNING ARCHITECTURE INTERIOR DESIGN
TEL. 305 479 4956
FAX 786 391 1989
gl@gabriellopezarchitect.com
2100 CORAL WAY, SUITE 500, MIAMI, FL 33145

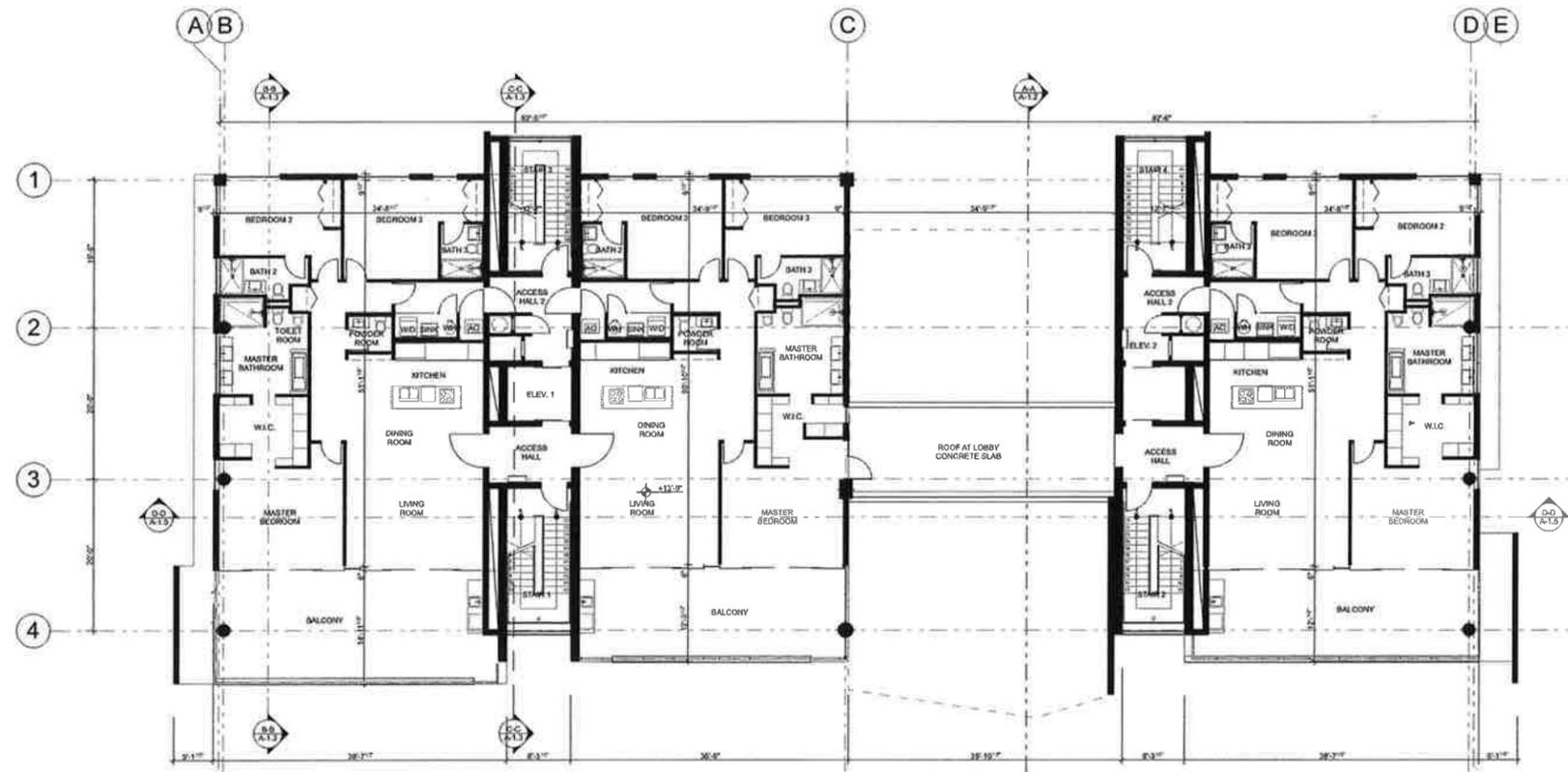


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2100 CORAL WAY, SUITE 200, MIAMI, FL 33145

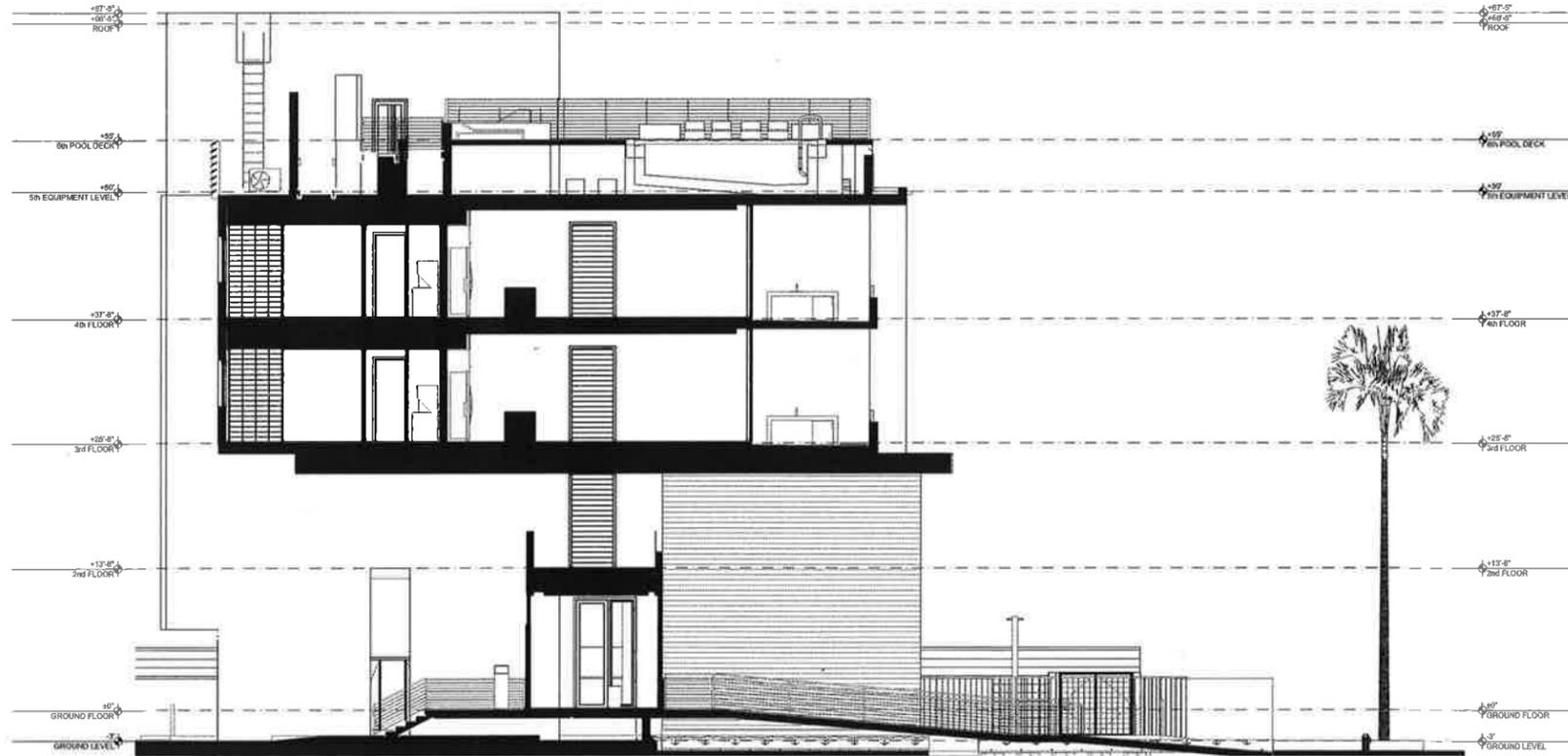


GABRIEL LOPEZ ARCHITECT, PA
A.A. 25091222
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TEL: 305 479 4956
FAX: 786 391 1989
gl@gabriellopezarchitect.com
1100 CORAL WAY, SUITE 600, MIAMI, FL 33145





1 SECOND FLOOR
SCALE: 3/32" = 1'-0"



A-A SECTION
SCALE: 1/8" = 1'-0"

GABRIEL LOPEZ ARCHITECT, PA
AA26001622
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TEL/FAX 786 391 1989
gl@gabriellopezarchitect.com
2100 CORAL WAY, SUITE 600, MIAMI, FL, 33145

202 SUNRISE DR
101 SUNRISE LLC.
202 SUNRISE DR KEY BISCAYNE FL 33149

CONSULTANTS

MARK	DATE	DESCRIPTION
▲	05/19/2015	ZONING REVIEW

DRAWING BY : GL - EL - GC
SCALE :
DATE : <DATE OF ISSUE>
PROJECT NO : #Pn
PHASE : #Project Status
CHECKED BY :
CHECKED ON :

SECOND FLOOR & SECTIONS

A-1.2

ARCHITECT
GABRIEL LOPEZ
AR04243

▲ USE DIMENSIONS SHOWN. DO NOT SCALE DRAWINGS. IF IN DOUBT, PLEASE CONTACT THE ARCHITECT.

