

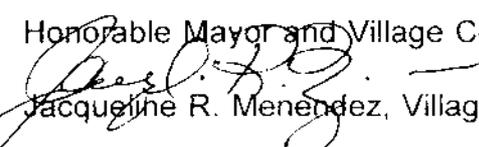


VILLAGE OF KEY BISCAYNE

Office of the Village Manager

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

Village Manager
Jacqueline R. Menendez

DT: January 18, 2007
TO: Honorable Mayor and Village Council
FR:  Jacqueline R. Menendez, Village Manager
RE: Sonesta Resort

The owners of the Sonesta Resort Project requested this meeting in order to present their current plans to the Village Council. In addition, the Council has permitted representatives from the Preserve Our Key Biscayne, Inc. to present their information.

SONESTA RESORT PACKAGE OUTLINE

Tab 1. Sonesta Applications

- a. October 27, 2006 Site Plan Application Revisions SP 15-16-17
- b. August 29, 2006 Site Plan Application SP 15-16-17
- c. January 24, 2006 PUD and Site Plan Application SP 14
- d. Sonesta Program - Existing and Proposed Sq. Ft. by Use
- e. Sonesta Concurrency Reports: Traffic, Water, Sewer, and Solid Waste, and Recreation and Open Space

Tab 2 Correspondence

- a. Preserve Our Key Biscayne, Inc. "White Paper"
- b. Ilyse Kelly Correspondence (not dated)
- c. Sonesta Correspondence on Hotel Units

Public Comments

VILLAGE OF KEY BISCAIYNE

Department of Building, Zoning and Planning

Village Council

Robert Oldakowski, *Mayor*
Jorge E. Mendia, *Vice Mayor*
Martha Fdez-León Broucek
Carol Diaz-Castro
Mortimer Fried
James L. Peters
Robert L. Vernon
Jud Kurlancheek, AICP
Director

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

PLANNING AND ZONING APPLICATION

Date Filed: 10-27-06

File # SP 15-16-17 Rowson
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"/> SPECIAL EXCEPTION
<input type="checkbox"/> REGULATORY VARIANCE	<input type="checkbox"/> AMENDMENT TO THE COMPREHENSIVE PLAN
<input checked="" type="checkbox"/> SITE PLAN APPROVAL	<input type="checkbox"/> ZONING DISTRICT CHANGE
<input type="checkbox"/> UNUSUAL USE	
<input type="checkbox"/> OTHER _____	

Explain your request:

See attached Letter of Intent.

2. Street Address of Property: 350 Ocean Drive, Key Biscayne, Florida
Legal Description: Lot(s) See Exhibit "A" Block: _____
Subdivision _____
3. Name of Applicant: SBR - Fortune Associates, LLLP
Mailing Address of Applicant: 1300 Brickell Avenue, Miami, Florida 33131
Business Telephone: 305-351-1000 Home Fax: 305-351-0999

4. Name of Property Owner if Different from Applicant: N/A
 Address of Property Owner if Different from Applicant: _____
 Business Telephone: _____ Home Fax: _____
5. Contact Person: Name: Carter McDowell, Esq. affiliated with the law firm of Bilzin Sumberg Baena Price & Axelrod LLP
 Address: 200 S. Biscayne Blvd. Suite 2500, Miami, Florida 33131
 Phone Number: 305-350-2355 Fax: 305-351-2239
6. Name/address of anyone else who should receive notice of the hearing?
Edgardo Defortuna 1300 Brickell Avenue, Miami, Florida 33131
Carter N. McDowell, Esq. 200 S Biscayne Blvd. Suite 2500, Miami, Florida 33131
7. If applicant is owner, indicate date purchased: April 13, 2005
8. If applicant is lessee, indicate date leased N/A 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 Hotel. If residential, how many apartments _____
 hotel units 292. 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)
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)	Signature
Address		

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)	Signature
Address		

Date	Name (Type or Print)	Signature
Address		

Date	Name (Type or Print)	Signature
Address		

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

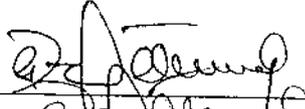
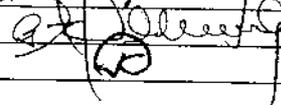
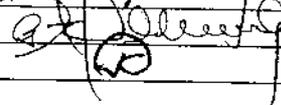
Date _____ Name (Type or Print) _____ Signature _____
Address _____

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

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: 
Signature of Owner: 
Application Received by: 
Approved by: _____

Date _____
Date _____
Date 10-27-06
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, Edgardo Defortuna, 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, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 25, 2006
October 2

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant Sworn to (or affirmed) and subscribed before me this 25 day of October, 2006, by Edgardo A. Defortuna (name of person making statement).



Sudian Perez
Commission # DD295584
Expires: MAR. 02, 2008
www.AARONNOTARY.com

[Signature]
Signature of Notary Public - State of Florida
SUDIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

CORPORATION AFFIDAVIT

I, Edgardo Defortuna, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Assistant 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 beliefs that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 25, 2006
October

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to (or affirmed) and subscribed before me this 25 day of October, 2006,
by Edgardo A. Defortuna (name of person making statement)



Sudran Perez
Commission #DD295584
Expires: MAR. 02, 2008
www.AARONNOTARY.com

[Signature]
Signature of Notary Public - State of Florida
SUDRAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

OWNER/POWER OF ATTORNEY AFFIDAVIT

I, Edgardo Defortuna, 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: site plan approval relative to my property, which is hereby made by me OR I am here by authorizing Carter N. McDowell, Esq., affiliated with the law firm of Bilzin Sumberg Baena Price & Axelrod LLP to be my legal representative before the Village Council.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 25, 2006
October



Sudian Perez
Commission # DD295584
Expires: MAR. 02, 2008
www.AARONNOTARY.com

[Signature]

Signature of Notary Public, State of Florida

SUDIAN PEREZ

Print, Type, or Stamp

Commissioned Name of Notary Public

Personally Known

Type of Identification Produced

OR Produced Identification

LEGAL DESCRIPTION:

Parcel 1

All that piece, parcel or lot of land situate, lying and being in the SW 1/4, Section 32 and Fractional Section 33, Township 54 South, Range 42 East, in the City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to the POINT OF BEGINNING of the following described parcel of land, said POINT OF BEGINNING also being the S.E. corner of the Plat of HOLIDAY COLONY as recorded in Plat Book 50 at Page 87, of the Public Records of Miami-Dade County, Florida; thence continue East for a distance of 761.0 feet more or less to the mean high water line of the Atlantic Ocean; thence meander Northwestery, Northerly and Northeastery along the mean high water line of the Atlantic Ocean for a distance of 518.3 feet more or less to a point lying 500.00 feet North of the South line of Tract 6 extended East as measured at right angles; thence run West along a line 500.00 feet North of, and parallel to, the South line of said Tract 6, as measured at right angles, for a distance of 631.8 feet more or less to a point; thence run South 0°38'55" West for a distance of 327.79 feet to a point; thence run North 89°24'30" West for a distance of 157.55 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North 89°51'26" West from the aforementioned point of non-tangency; said point also being a point on the Easterly line of Block 5 of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Southerly along the arc of said circular curve having for its elements a central angle of 3°14'04" and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING.

and

Parcel 2

All that piece parcel or lot of land situate, lying and being in the SW 1/4, Section 32, Township 54 South, Range 42 East, in City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North 86°37'22" West from the aforementioned point of non-tangency, said point also being the SE corner of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Northerly along the arc of said circular curve, having for its elements a central angle of 3°14'04" and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue Northerly and Northwestery along the arc of said circular curve having for its elements a central angle of 16°46'23" and a radius of 3081.59 feet for a distance of 579.42 feet to a point; said point also being a point on the Southerly right of way line of East Drive; thence run along the said right of way line, East for a distance of 160.62 feet to a point of curvature with a curve concave to the Southwest; thence run along the arc of said curve having for its elements a central angle of 80°18'47" and a radius of 25.00 feet for a distance of 35.05 feet to a point of compound curvature with a circular curve concave to the West, said point also being a point on the Westerly right of way line of Ocean Boulevard; thence run Southerly along the said Westerly right of way line on the arc of the circular curve having for its elements a central angle of 4°03'53" and a radius of 3260.29 feet for a distance of 231.29 feet to a point; thence leaving the said right of way line, run West 1.87 feet to a point; thence run South 0°38'55" West for a distance of 327.79 feet to a point; thence run North 89°24'30" West for a distance of 157.55 feet to the POINT OF BEGINNING.



Disclosure of Ownership Interest
for SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership

SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership 100%
1300 Brickell Avenue
Miami, FL 33131

A. Partners

Fortune KB GP, LLC, a Florida limited liability company
General Partner
1300 Brickell Avenue
Miami, FL 33131

Fortune KB, LLC, a Florida limited liability company
Limited Partner
1300 Brickell Avenue
Miami, FL 33131

Sonesta Beach Resort Limited Partnership, a Delaware limited partnership
Limited Partner
116 Huntington Avenue
Boston, MA 02116

B. Ownership

1. Sonesta Beach Resort Limited Partnership, a Delaware limited partnership 50%
116 Huntington Avenue
Boston, MA 02116

i. Ownership

a. Sonesta International Hotels Corporation, a publicly traded company 100%
116 Huntington Avenue
Boston, MA 02116

(i) Officers

A. Peter J. Sonnabend
Chief Executive Officer and Vice Chairman
116 Huntington Avenue
Boston, MA 02116

B. Stephanie Sonnabend
Chief Executive Officer and President
116 Huntington Avenue
Boston, MA 02116

C. Boy A.J. Van Riel
Vice President and Treasurer
116 Huntington Avenue
Boston, MA 02116

2. Fortune KB, LLC, a Florida limited liability company 49%

i. Ownership

a. See Exhibit "B" 100%

3. Fortune KB GP, LLC, a Florida limited liability company 1%

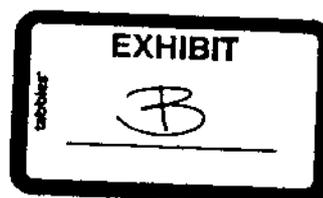
i. Ownership

a. Edgardo Defortuna 99%
1300 Brickell Avenue
Miami, FL 33131

b. Ana Cristina Defortuna 1%
1300 Brickell Avenue
Miami, FL 33131

Fortune KB LLC % Ownership	Entity Owning % in Fortune KB LLC	Entity Owning a 100% interest in entity disclosed in Column (B) if applicable	Ultimate Individual Owner
1 2.04%	Orange Tree Group Investments LLC	N/A	Raja Wahab
2 2.04%	Bay View Alliance LLC	N/A	William Houtzet
3 2.04%	Bay Village Group LLC	N/A	Adib Chartouni
4 1.04%	Bay North Trading LLC	N/A	Alfredo Bolasini
5 3.06%	Emerald House Investments Corp	Cascade Association Ltd.	Carlos Mattos
6 2.04%	Mint Systems LLC	N/A	Juan Calle
7 2.04%	Key Systems LLC	N/A	Andres Martinez
8 2.04%	Grape Tree Investments LLC	N/A	Michel Daccach
9 2.04%	Blue Pond Investments Corp	Falls Group Ltd.	Johanna Von Der Goltz
10 2.04%	EAD Beachfront Investments LLC	N/A	Maria Amalia Sonego
11 0.61%	Tech Alliance Holdings LLC	N/A	Agusto Nitti
12 2.04%	Marine Group Holdings Corp.	Marine Team Ltd.	Herman Engelhard
13 1.02%	Palms Investments LLC	N/A	Guido Fraiman
14 1.02%	Lake Side Investments Corp.	North Side Group S. A.	Fernando Mihanovich
15 1.02%	Watercourse Investments Corp.	Canal Members Ltd.	Diego Pomerane
16 2.04%	Iceland Investments Corp	Arctic Members Ltd.	Sergio Boccitto
17 2.04%	Green Group Systems Corp.	Fall Leaves Group Holdings Ltd.	Felipe Piñeiro
18 2.04%	Ocean Side Trading Corp.	Blue Falls Group S. A.	Juan Uruela Nanne
19 2.04%	Wind Side Investments Corp.	Wind Trading S. A.	Gabriel Chapochnik
20 4.08%	WSW Realty Trust, LLC	N/A	Lance Chody
21 4.08%	Key Towers Group LLC	N/A	Woods Staton
22 0.51%	Seas Trading Corp.	Bay Side Trading S. A.	Carlos Rolando Tarrab
23 1.02%	Coast Group Trading Corp.	Ocean Front Group S. A.	Pierre Kopec
24 1.02%	Astor LLC	N/A	Attilio Bugliotti
25 1.02%	South Bay Group Corp.	Grand Bay Group S. A.	Victor Blanco
26 1.02%	Pond Holdings LLC	N/A	Hugo Bianchi
27 1.02%	Harbor Alliance Corp.	Bay Alliance S. A.	Alvaro Alvarez Mora
28 2.53%	Beirut Holdings LLC	N/A	Fares D. Noujaim
29 49.41%	Fortune Island LLC	N/A	Edgardo Defortuna (99%) Ana Cristina Defortuna (1%)

100.00%



October 27, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

**Re: SBR – Fortune Associates, LLLP - Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida
(Glover Smith Bode Inc.)**

Dear Jud:

Please accept this letter and the enclosed revised application for site plan approval (the "Application") for the property located at 350 Ocean Drive (the "Property") as a modification to our previously filed application for site plan approval dated January 24, 2006. This firm represents the property owner, SBR – Fortune Associates, LLLP (the "Applicant"). The Sonesta Beach Resort currently operated on the Property but closed on August 31, 2006.

On January 24, 2006, the Applicant submitted an application for site plan approval, an amendment to the zoning ordinance to create a Planned Unit Development (PUD) District and a rezoning to PUD. Based upon requests from the community and the Village Council, the Applicant withdrew the requests for amendment to the zoning ordinance and rezoning on May 23, 2006. The Applicant did not withdraw the site plan review application at that time and stated that we would be filing revised plans that conform to the existing zoning as suggested by the Village Council.

As you are aware from our several meetings, the Applicant has been working on revised plans for the redevelopment of the Sonesta Beach Resort property. As a result of trying to create a project which is compatible to the community, the revised Project includes 63 dwelling units and 191 hotel units and fully conforms to the existing zoning. The Applicant hired Glover Smith Bode Inc. ("GSB") to design a site plan which responds to the Village comments we have received to date from Village staff. In addition, GSB has designed an exterior elevation for the property. GSB has experience on Key Biscayne including the neighboring property, the Grand Bay. The purpose of submitting a site plan and an alternative design to the exterior is to provide the Village with the opportunity to provide input as to which design would be most compatible with Key Biscayne. When the Applicant appeared at the May 23 hearing to withdraw the text amendment, the Village Council asked the Applicant to consider alternative designs which would be more compatible with the Village's existing character. The Applicant has complied with this request by providing an alternative exterior design with this submittal.

As the applicants and design team were working on the design of the project it became clear that one of the major challenges in designing a project to be compatible with the

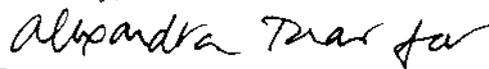
Jud Kurlancheck, AICP, Director
October 26, 2006
Page 2

surrounding properties is the inclusion of all necessary and required parking for the project. The project is required to have a minimum of 617 parking spaces and is in fact providing approximately 822 parking spaces to ensure that there is sufficient parking on site so that there will be no overflow parking into the adjoining residential neighborhood. In the initial designs it became clear that the bulk of the structure necessary to accommodate the required parking was going to make it very difficult to design and develop a project that would be acceptable to both the property owners and to the surrounding properties. As a result, the applicants have made an extraordinary decision to place essentially all of the parking in a parking structure that extends two stories below grade. As shown on the plans, this parking structure will be excavated underneath the central portion of the site. Not surprisingly, the cost of constructing this underground garage will be two and half times the cost of building a conventional parking structure above grade. That represents an additional cost of approximately \$20,000,000 for the project, however, it also means that we will have the ability to put approximately 450,000 square feet of building mass below grade thereby substantially reducing the building bulk that otherwise would effect the neighboring property owners.

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurant, meeting space, spa and other facilities. As documented in the traffic study, these accessory uses such as the meeting space, restaurant and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services; however, the capacity of the new spa is similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a slight reduction as compared to the existing development.

Finally, we believe this submittal is complete and sufficient allowing the Village to initiate review and finalize an evaluation. Accordingly, we expect the enclosed application to be placed on the next available zoning meeting agenda with the Wallace Roberts and Todd presentation. We look forward to working with you, the Village Manager and the Village Council as we process these applications through the various hearings. As always if you have any additional questions or need any additional information we will be happy to submit that information to you. We believe that the proposed redevelopment of the Sonesta property is clearly in keeping with the quality of the Village of Key Biscayne. The new facilities will upgrade the existing Sonesta to meet and even exceed today's standards for luxury hotel and residential properties. We are excited about bringing this new facility to the Village of Key Biscayne and look forward to delivering a truly exceptional project to the Village.

Sincerely,



Carter N. McDowell

cc: Steve Helfman, Esq.

Concurrency Analysis - Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres or 16,988.4 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 18,000 square feet of open space. In addition, the project proposes to dedicate a 15 foot wide beach access along the northern boundary of the property, this beach access will contain 7,393.6 square feet of open space. In addition, there will be a dedicated access easement on the south property line consisting of 17,457.4 square feet of open space. Therefore, the total recreation and open space to be dedicated and provided by the project is 43,251 square feet or more than double the amount of space that would be required for the 63 dwelling units included in the property. In addition to these dedications, the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

2.47 persons per unit x 63 dwelling units = 156 people

156 people/ 1000 x 2.5 ac = .39 AC

.39 AC x 43,560 SF/AC = 16,988.4 SF of required recreation and open space

Recreation and Open Space to be dedicated as part of the Project

25'-0" Landscape Zone (West Property Boundary) = 18,000 sf

15'-0" Dedicated Access (South Property Boundary) = 7,393.6 sf

Dedicated Access (North Property Boundary) = 17,457.4 sf

Total = 43,251 sf

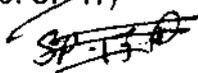
October 27, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

**Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida
(Application No. SP 17)**

Dear Jud:



Please accept this letter and the enclosed revised application for site plan approval (the "Application") for the property located at 350 Ocean Drive (the "Property") as a modification to our previously filed application for site plan approval dated January 24, 2006. This firm represents the property owner, SBR – Fortune Associates, LLLP (the "Applicant"). The Sonesta Beach Resort previously operated on the Property but closed on August 31, 2006.

On January 24, 2006, the Applicant submitted an application for site plan approval, an amendment to the zoning ordinance to create a Planned Unit Development (PUD) District and a rezoning to PUD. Based upon requests from the community and the Village Council, the Applicant withdrew the requests for amendment to the zoning ordinance and rezoning on May 23, 2006. The Applicant did not withdraw the site plan review application at that time and stated that we would be filing revised plans that conform to the existing zoning as suggested by the Village Council.

On September 5, 2006, the Applicant filed its modifications to the site plan application, which the Village accepted and assigned it filing numbers. We are in receipt of your letter dated October 25, 2006 where you determined that the submittal for Application No. SP 17 was "entirely insufficient." At the time of submittal, these elevations were intended to be an alternative. However if you consider the elevations as a separate application, we will provide you with a complete site plan application package. Therefore this letter and attached application are intended to complete Application No. SP 17.

As you are aware from our several meetings, the Applicant has been working on revised plans for the redevelopment of the Sonesta Beach Resort property. As a result of trying to create a project which is compatible to the community, the revised Project includes 63 dwelling units and 191 hotel units and fully conforms to the existing zoning. The Applicant hired SB Architects to design alternative exterior elevations for the buildings shown on the site plan; SB Architects were the designers of the Key Colony project and therefore have previous experience with projects on Key Biscayne. The purpose of submitting an alternative design the exterior is

to provide the Village with the opportunity to provide input as to which design would be most compatible with Key Biscayne. When the Applicant appeared at the May 23 hearing to withdraw the text amendment, the Village Council asked the Applicant to consider alternative designs which would be more compatible with the Village's existing character. The Applicant has complied with this request by providing an alternative exterior design with this submittal.

As the applicants and design team were working on the design of the project it became clear that one of the major challenges in designing a project to be compatible with the surrounding properties is the inclusion of all necessary and required parking for the project. The project is required to have a minimum of 617 parking spaces and is in fact providing approximately 822 parking spaces to ensure that there is sufficient parking on site so that there will be no overflow parking into the adjoining residential neighborhood. In the initial designs it became clear that the bulk of the structure necessary to accommodate the required parking was going to make it very difficult to design and develop a project that would be acceptable to both the property owners and to the surrounding properties. As a result, the applicants have made an extraordinary decision to place essentially all of the parking in a parking structure that extends two stories below grade. As shown on the plans, this parking structure will be excavated underneath the central portion of the site. Not surprisingly, the cost of constructing this underground garage will be two and half times the cost of building a conventional parking structure above grade. That represents an additional cost of approximately \$20,000,000 for the project, however, it also means that we will have the ability to put approximately 450,000 square feet of building mass below grade thereby substantially reducing the building bulk that otherwise would effect the neighboring property owners.

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurant, meeting space, spa and other facilities. As documented in the traffic study, these accessory uses such as the meeting space, restaurant and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services; however, the capacity of the new spa is similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a slight reduction as compared to the existing development.

Finally, we believe Application No. SP 17 is complete and sufficient allowing the Village to initiate review of Application No. SP 17 and finalize an evaluation. Accordingly, we expect Application No. SP 17 to be placed on the next available zoning meeting agenda with the Wallace Roberts and Todd presentation. We look forward to working with you, the Village Manager and the Village Council as we process these applications through the various hearings. As always if you have any additional questions or need any additional information we will be happy to submit that information to you. We believe that the proposed redevelopment of



Jud Kurlancheck, AICP, Director
October 27, 2006
Page 3

the Sonesta property is clearly in keeping with the quality of the Village of Key Biscayne. The new facilities will upgrade the existing Sonesta to meet and even exceed today's standards for luxury hotel and residential properties. We are excited about bringing this new facility to the Village of Key Biscayne and look forward to delivering a truly exceptional project to the Village.

Sincerely,


Carter N. McDowell

CNM/ALD/mp

cc: Steve Helfman, Esq.

October 27, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

**Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida
(Application No. SP 15)**

Dear Jud:

As you are aware, this law firm represents Fortune-SBR Associates LLLP, the owner of the property located at 350 Ocean Drive, Key Biscayne, Florida. Please accept the enclosed revised site plan application submittal package for the application you have assigned to as "Application No. SP 15." The revised plans include a modified site plan prepared by Glover Smith Bode Inc. which responds to the comments we have received from the Village to date regarding our previous site plan.

In addition, we are in receipt of your letter dated October 25, 2006 where you found several insufficiencies regarding our pending application for site plan review. We would like to take this opportunity to provide you with the following comments in response. According to your letter, you have determined the submittal insufficient for the following reasons:

1. An irrigation plan must be submitted with the landscape plan.
 - a.) Key Biscayne code section 30-80(f)(3)(c) requires the landscape plan to show the "method of irrigation." The submittal satisfies this requirement by the note shown on Sheet L 2.0. For your reference, the note states the following:

GENERAL IRRIGATION NOTE:

Landscaped areas will be watered with an electro mechanical irrigation system using drip, bubbler & spray irrigation heads. The system will be operational with electro-mechanical valves connected to a controller, with soil moisture monitored by electro-mechanical sensors.

Viability of utilizing captured rainwater runoff for irrigation is currently being evaluated.

The code does not state an "irrigation plan" is required, merely the "method" of irrigation. Thus the note complies with the code by stating the method of irrigation to be utilized.

- b.) The revised submittal includes the same note on Sheet L- 2.0.
2. Signage plans and specifications must be submitted.
- a.) Sheets A-2.0, A-2.4 and L-1.00 indicate the location of the proposed signs on the September 5, 2006 filing. All of the sheets depict three proposed monument signs to be constructed 4'-0" high and 8'-0" wide. Two of the signs are located at the entrance of the property on Ocean Drive and an additional sign is located at the end of Sonesta Drive. At this time, the three monument signs include all of the signs proposed in the submittal. Any additional signs will be approved by the Village pursuant to Chapter 30 of the zoning code.

- b.) The revised plans depict the signage plans on Sheet A-2.0.

3. Pavement marking and traffic signage plans must be submitted.

- a.) Sheets A-2.0, A-4.0 – 4.3, C-1 and C-3 all illustrate the pavement markings and traffic signage included in the September 5, 2006 submittal.

- b.) Sheets C-1 and C-3 of the revised submittal depict the pavement marking and traffic signs.

As stated above, we believe that the enclosed plans address all of the insufficiencies you found with our previous submittal. As a result, we believe Application No. SP 15 is complete and sufficient allowing the Village to initiate review of Application No. SP 15 and finalize an evaluation. Accordingly, we expect Application No. SP 15 to be placed on the next available zoning meeting agenda with the Wallace Roberts and Todd presentation.

Thank you for your consideration of this matter and please do not hesitate to contact me with any questions or requests for additional information.

Sincerely,



Carter N. McDowell

cc: Steve Helfman, Esq.

October 27, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

**Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida
(Application No. SP 15)**

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1. An irrigation plan must be submitted with the landscape plan.

a.) Key Biscayne code section 30-80(f)(3)(c) requires the landscape plan to show the "method of irrigation." The submittal satisfies this requirement by the note shown on Sheet L 2.0. For your reference, the note states the following:

GENERAL IRRIGATION NOTE:

Landscaped areas will be watered with an electro mechanical irrigation system using drip, bubbler & spray irrigation heads. The system will be operational with electro-mechanical valves connected to a controller, with soil moisture monitored by electro-mechanical sensors.

Viability of utilizing captured rainwater runoff for irrigation is currently being evaluated.

The code does not state an "irrigation plan" is required, merely the "method" of irrigation. Thus the note complies with the code by stating the method of irrigation to be utilized.

b.) The revised submittal includes the same note on Sheet L- 2.0.

2. Signage plans and specifications must be submitted.

a.) Sheets A-2.0, A-2.4 and L-1.00 indicate the location of the proposed signs on the September 5, 2006 filing. All of the sheets depict three proposed monument signs to be constructed 4'-0" high and 8'-0" wide. Two of the signs are located at the entrance of the property on Ocean Drive and an additional sign is located at the end of Sonesta Drive. At this time, the three monument signs include all of the signs proposed in the submittal. Any additional signs will be approved by the Village pursuant to Chapter 30 of the zoning code.

b.) The revised plans depict the signage plans on Sheet A-2.0.

3. Pavement marking and traffic signage plans must be submitted.

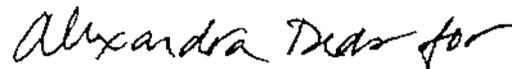
a.) Sheets A-2.0, A-4.0 - 4.3, C-1 and C-3 all illustrate the pavement markings and traffic signage included in the September 5, 2006 submittal.

b.) Sheets C-1 and C-3 of the revised submittal depict the pavement marking and traffic signs.

As stated above, we believe that the enclosed plans address all of the insufficiencies you found with our previous submittal. As a result, we believe Application No. SP 15 is complete and sufficient allowing the Village to initiate review of Application No. SP 15 and finalize an evaluation. Accordingly, we expect Application No. SP 15 to be placed on the next available zoning meeting agenda with the Wallace Roberts and Todd presentation.

Thank you for your consideration of this matter and please do not hesitate to contact me with any questions or requests for additional information.

Sincerely,



Carter N. McDowell

cc: Steve Helfman, Esq.



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council

Robert Oldakowski, *Mayor*
Jorge E. Mendia, *Vice Mayor*
Martha Fdez-León Broucek
Carol Diaz-Castro
Mortimer Fried
James L. Peters
Robert L. Vernon
Jud Kurlancheek, AICP
Director

PLANNING AND ZONING APPLICATION

Date Filed: 8-29-06

File # SP-15
to be completed by staff

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

1. REQUEST FOR:

<input type="checkbox"/> SUPERVISORY VARIANCE	<input type="checkbox"/> AMENDMENT TO ZONING ORDINANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> SPECIAL EXCEPTION
<input type="checkbox"/> REGULATORY VARIANCE	<input type="checkbox"/> AMENDMENT TO THE COMPREHENSIVE PLAN
<input checked="" type="checkbox"/> SITE PLAN APPROVAL	<input type="checkbox"/> ZONING DISTRICT CHANGE
<input type="checkbox"/> UNUSUAL USE	
<input type="checkbox"/> OTHER _____	

Explain your request:

See attached Letter of Intent.

2. Street Address of Property: 350 Ocean Drive, Key Biscayne, Florida
Legal Description: Lot(s) See Exhibit "A" Block: _____
Subdivision _____
3. Name of Applicant: SBR - Fortune Associates, LLLP
Mailing Address of Applicant: 1300 Brickell Avenue, Miami, Florida 33131
Business Telephone: 305-351-1000 Home Fax: 305-351-0999

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

5. Contact Person: Name: Carter McDowell, Esq. affiliated with the law firm of Bilzin Sumberg Baena Price & Axelrod LLP
Address: 200 S. Biscayne Blvd. Suite 2500, Miami, Florida 33131
Phone Number: 305-350-2355 Fax: 305-351-2239

6. Name/address of anyone else who should receive notice of the hearing?
Edgardo Defortuna 1300 Brickell Avenue, Miami, Florida 33131
Carter N. McDowell, Esq. 200 S Biscayne Blvd. Suite 2500, Miami, Florida 33131

7. If applicant is owner, indicate date purchased: April 13, 2005

8. If applicant is lessee, indicate date leased N/A 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 Hotel. If residential, how many apartments _____
hotel units 292. 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)
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)	Signature
Address		

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)	Signature
Address		

Date	Name (Type or Print)	Signature
Address		

Date	Name (Type or Print)	Signature
Address		

Date Address	Name (Type or Print)	Signature
Date Address	Name (Type or Print)	Signature
Date Address	Name (Type or Print)	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: [Signature]
 Signature of Owner: [Signature]
 Application Received by: [Signature]
 Approved by: _____

Date 8-31-06
 Date 8-31-06
 Date 8-29-06
 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, Edgardo Defortuna, 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, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant Sworn to (or affirmed) and subscribed before me this 29 day of August, 2006, by _____ (name of person making statement).



Sodian Perez
Commission #DD295584
Expires: MAR. 02, 2008
www.AARGNNotary.com

[Signature]

Signature of Notary Public - State of Florida

SODIAN PEREZ

Print, Type, or Stamp

Commissioned Name of Notary Public

Personally Known

OR Produced Identification

Type of Identification Produced _____

CORPORATION AFFIDAVIT

I, Edgardo Defortuna, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Assistant 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 beliefs that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to (or affirmed) and subscribed before me this 29 day of August, 2006,
by _____ (name of person making statement)/



[Signature]
Signature of Notary Public - State of Florida
SUDIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

OWNER/POWER OF ATTORNEY AFFIDAVIT

I, Edgardo Defortuna, 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: site plan approval relative to my property, which is hereby made by me OR I am here by authorizing Carter N. McDowell, Esq., affiliated with the law firm of Bilzin Sumberg Baena Price & Axelrod LLP to be my legal representative before the Village Council.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006



Sudian Perez
Commission # DD295584
Expires: MAR. 02, 2008
www.AARONNOTARY.com

[Signature]
Signature of Notary Public - State of Florida
SODIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

LEGAL DESCRIPTION:

Parcel 1

All that piece, parcel or lot of land situate, lying and being in the SW 1/4, Section 32 and Fractional Section 33, Township 54 South, Range 42 East, in the City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to the POINT OF BEGINNING of the following described parcel of land, said POINT OF BEGINNING also being the S.E. corner of the Plat of HOLIDAY COLONY as recorded in Plat Book 50 at Page 87, of the Public Records of Miami-Dade County, Florida; thence continue East for a distance of 761.0 feet more or less to the mean high water line of the Atlantic Ocean; thence meander Northwesterly, Northerly and Northeasterly along the mean high water line of the Atlantic Ocean for a distance of 518.3 feet more or less to a point lying 500.00 feet North of the South line of Tract 6 extended East as measured at right angles; thence run West along a line 500.00 feet North of, and parallel to, the South line of said Tract 6, as measured at right angles, for a distance of 631.8 feet more or less to a point; thence run South 0°38'55" West for a distance of 327.79 feet to a point; thence run North 89°24'30" West for a distance of 157.55 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North 89°51'26" West from the aforementioned point of non-tangency; said point also being a point on the Easterly line of Block 5 of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Southerly along the arc of said circular curve having for its elements a central angle of 3°14'04" and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING.

and

Parcel 2

All that piece parcel of lot of land situate, lying and being in the SW 1/4, Section 32, Township 54 South, Range 42 East, in City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North 86°37'22" West from the aforementioned point of non-tangency, said point also being the SE corner of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Northerly along the arc of said circular curve, having for its elements a central angle of 3°14'04" and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue Northerly and Northwesterly along the arc of said circular curve having for its elements a central angle of 16°46'23" and a radius of 3081.59 feet for a distance of 579.42 feet to a point; said point also being a point on the Southerly right of way line of East Drive; thence run along the said right of way line, East for a distance of 160.62 feet to a point of curvature with a curve concave to the Southwest; thence run along the arc of said curve having for its elements a central angle of 80°19'47" and a radius of 25.00 feet for a distance of 35.05 feet to a point of compound curvature with a circular curve concave to the West, said point also being a point on the Westerly right of way line of Ocean Boulevard; thence run Southerly along the said Westerly right of way line on the arc of the circular curve having for its elements a central angle of 4°03'53" and a radius of 3260.29 feet for a distance of 231.29 feet to a point; thence leaving the said right of way line, run West 1.87 feet to a point; thence run South 0°38'55" West for a distance of 327.79 feet to a point; thence run North 89°24'30" West for a distance of 157.55 feet to the POINT OF BEGINNING.



Disclosure of Ownership Interest
for SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership

SBR-Fortune Associates, L.L.P., Delaware limited liability limited partnership 100%
1300 Brickell Avenue
Miami, FL 33131

A. Partners

Fortune KB GP, LLC, a Florida limited liability company
General Partner
1300 Brickell Avenue
Miami, FL 33131

Fortune KB, LLC, a Florida limited liability company
Limited Partner
1300 Brickell Avenue
Miami, FL 33131

Sonesta Beach Resort Limited Partnership, a Delaware limited partnership
Limited Partner
116 Huntington Avenue
Boston, MA 02116

B. Ownership

1. Sonesta Beach Resort Limited Partnership, a Delaware limited partnership 50%
116 Huntington Avenue
Boston, MA 02116

i. Ownership

a. Sonesta International Hotels Corporation, a publicly traded company 100%
116 Huntington Avenue
Boston, MA 02116

(i) Officers

A. Peter J. Sonnabend
Chief Executive Officer and Vice Chairman
116 Huntington Avenue
Boston, MA 02116

B. Stephanie Sonnabend
Chief Executive Officer and President
116 Huntington Avenue
Boston, MA 02116

C. Boy A.J. Van Riel
Vice President and Treasurer
116 Huntington Avenue
Boston, MA 02116

2. Fortune KB, LLC, a Florida limited liability company 49%

i. Ownership

a. See Exhibit "B" 100%

3. Fortune KB GP, LLC, a Florida limited liability company 1%

i. Ownership

a. Edgardo Defortuna 99%
1300 Brickell Avenue
Miami, FL 33131

b. Ana Cristina Defortuna 1%
1300 Brickell Avenue
Miami, FL 33131

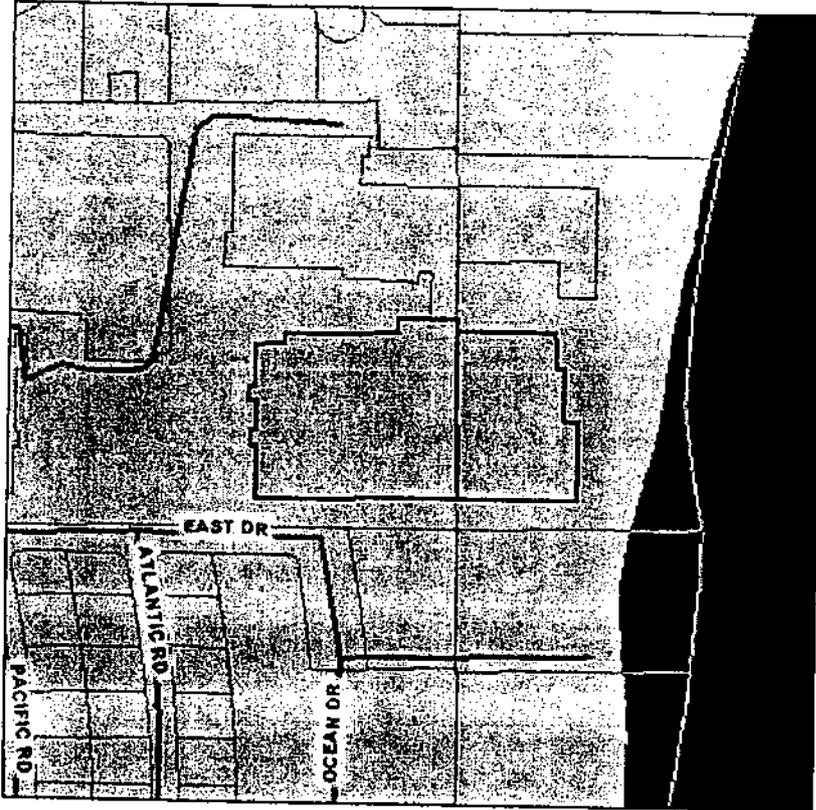
	Fortune KB, LLC % Ownership	Entity Owning % in Fortune KB, LLC	Entity Owning a 100% interest in entity disclosed in Column (B), if applicable	Ultimate Individual Owner
1	2.04%	Orange Tree Group Investments LLC	N/A	Raja Wahab
2	2.04%	Bay View Alliance LLC	N/A	William Houzet
3	2.04%	Bay Village Group LLC	N/A	Adib Chartouni
4	1.04%	Bay North Trading LLC	N/A	Alfredo Bolasini
5	3.06%	Emerald House Investments Corp	Cascade Assotiation Ltd.	Carlos Mattos
6	2.04%	Mint Systems LLC	N/A	Juan Calle
7	2.04%	Key Systems LLC	N/A	Andres Martinez
8	2.04%	Grape Tree Investments LLC	N/A	Michel Daccach
9	2.04%	Blue Pond Investments Corp	Falls Group Ltd.	Johanna Von Der Goltz
10	2.04%	EAD Beachfront Investmnts LLC	N/A	Maria Amalia Sonogo
11	0.61%	Tech Alliance Holdings LLC	N/A	Agusto Nitti
12	2.04%	Marine Group Holdings Corp.	Marine Team Ltd.	Herman Engelhard
13	1.02%	Palms Investments LLC	N/A	Guido Fraiman
14	1.02%	Lake Side Investments Corp.	North Side Group S. A.	Fernando Mihanovich
15	1.02%	Watercourse Investments Corp.	Canal Members Ltd.	Diego Pomerane
16	2.04%	Iceland Investments Corp	Artic Members Ltd.	Sergio Boccitto
17	2.04%	Green Group Systems Corp.	Fall Leaves Group Holdings Ltd.	Felipe Piñeiro
18	2.04%	Ocean Side Trading Corp.	Blue Falls Group S. A.	Juan Urruela Nanne
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20	4.08%	WSW Realty Trust, LLC	N/A	Lance Chody
21	4.08%	Key Towers Group LLC	N/A	Woods Staton
22	0.51%	Seas Trading Corp.	Bay Side Trading S. A.	Carlos Rolando Tarrab
23	1.02%	Coast Group Trading Corp	Ocean Front Group S. A.	Pierre Kopec
24	1.02%	Astor LLC	N/A	Atilio Bugliotti
25	1.02%	South Bay Group Corp.	Grand Bay Group S. A.	Victor Bianco
26	1.02%	Pond Holdings LLC	N/A	Hugo Bianchi
27	1.02%	Harbor Alliance Corp.	Bay Alliance S. A.	Alvaro Alvarez Mora
28	2.53%	Beirut Holdings LLC	N/A	Fares D. Noujaim
29	49.41%	Fortune Island LLC	N/A	Edgardo Defortuna (99%), Ana Cristina Defortuna (1%)

100.00%



CONDOMINIUM LEGAL DESCRIPTION AND LOCATION

Property Information Map



Summary Details:

Folio No.:	24-4232-016-0001
Property:	
Mailing Address:	REF ONLY

Property Information:

Primary Zone:	
CLUC:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	0 SQ FT
Year Built:	0
Legal Description:	KEY COLONY NO 1 CONDO DESC 32-33 54 42 & 4-5-6 55 42 5.155 AC MAL MATHESON EST PB 46-86 PORT OF TR 4 DESC BEG 1975.95FTE & 63.42FTN OF SW COR OF TR 4

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

INFORMATION NOT AVAILABLE



August 29, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

**Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida
(Nichols Brosch)**

Dear Jud:

Please accept this letter and the enclosed application for site plan approval (the "Application") for the property located at 350 Ocean Drive (the "Property") as an alternative plan to our previously filed application for site plan approval dated January 24, 2006, as modified on August 30, 2006. This firm represents the property owner, SBR – Fortune Associates, LLLP (the "Applicant"). The Sonesta Beach Resort currently operates on the Property but is scheduled to close on August 31, 2006.

After input from the Key Biscayne Village Council, at the May 23, 2006 hearing regarding the originally requested PUD, the Applicant hired the additional architecture firm, Nichols, Brosch, Wurst, Wolfe & Associates, to design an alternative site plan and exterior for the Sonesta redevelopment. The package includes a different site plan and two alternative exterior elevations to the site plan. The Nichols Brosch firm has extensive experience designing hotels and mixed-use residential use resort properties. More importantly, Nichols Brosch has experience designing hotels on Key Biscayne including the neighboring Grand Bay.

As the applicants and design team were working on the design of the project it became clear that one of the major challenges in designing a project to be compatible with the surrounding properties is the inclusion of all necessary and required parking for the project. The project is required to have a minimum of 590 parking spaces and is in fact providing approximately 688 parking spaces to ensure that there is sufficient parking on site so that there will be no overflow parking into the adjoining residential neighborhood. In the initial designs it became clear that the bulk of the structure necessary to accommodate the required parking was going to make it very difficult to design and develop a project that would be acceptable to both the property owners and to the surrounding properties. As a result, the applicants have made an extraordinary decision to place all of the parking in a parking structure that extends below grade. As shown on the plans, this parking structure will be excavated underneath the central portion of the site. Not surprisingly, the cost of constructing this underground garage will be two

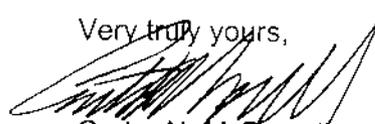
Jud Kurlancheck, AICP, Director
August 29, 2006
Page 2

and half times the cost of building a conventional parking structure above grade. That represents an additional cost of approximately \$20,000,000 for the project, however, it also means that we will have the ability to put approximately 450,000 square feet of building mass below grade thereby substantially reducing the building bulk that otherwise would effect the neighboring property owners.

As documented in the traffic study prepared by The Corradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurant, meeting space, spa and other facilities. As documented in the traffic study, these accessory uses such as the meeting space, restaurant and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services, however, the capacity of the new spa is, in fact, similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a slight reduction as compared to the existing development.

We look forward to working with you, the Village Manager and the Village Council as we process these applications through the various hearings. As always if you have any additional questions or need any additional information we will be happy to submit that information to you. We believe that the proposed redevelopment of the Sonesta property is clearly in keeping with the quality of the Village of Key Biscayne. The new facilities will upgrade the existing Sonesta to meet and even exceed today's standards for luxury hotel and residential properties. We are excited about bringing this new facility to the Village of Key Biscayne and look forward to delivering a truly exceptional project to the Village.

Very truly yours,



Carter N. McDowell

Attachment

MIAMI 1147135.3 7471322281

Concurrency Analysis

Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres or 16,988.4 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 18,000 square feet of open space. In addition, the project proposes to dedicate a 15 foot wide beach access along the northern boundary of the property, this beach access will contain 7,393.6 square feet of open space. In addition, there will be a dedicated access easement on the south property line consisting of 17,457.4 square feet of open space. Therefore, the total recreation and open space to be dedicated and provided by the project is 43,251 square feet or more than double the amount of space that would be required for the 63 dwelling units included in the property. In addition to these dedications, the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

2.47 persons per unit x 63 dwelling units = 156 people

156 people/ 1000 x 2.5 ac = .39 AC

.39 AC x 43,560 SF/AC = 16,988.4 SF of required recreation and open space

Recreation and Open Space to be dedicated as part of the Project

25'-0" Landscape Zone (West Property Boundary) = 18,000 sf

15'-0" Dedicated Access (North Property Boundary) = 7,393.6 sf

Dedicated Access (South Property Boundary) = 17,457.4 sf

Total = 43,251 sf

Water and Sewer

In terms of water and sewer concurrency, adequate water and sewer facilities exist on site to serve the existing 292 hotel unit building including supporting facilities such as restaurants and a spa. VSN, the civil engineers of this project, have examined the lift stations which service the property and verified with DERM that there is adequate capacity to serve the redevelopment of the Sonesta. Further, any improvements which may be required as a result of the redevelopment will be the sole responsibility of the Applicant.

Traffic

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurants, meeting spaces, a spa and other facilities. Included in this package, you will find a traffic study, prepared by the Corradino Group, concluding the project will satisfy concurrency requirements. In fact, the study determines there will be an overall reduction in the number of trips generated by the redevelopment.

As documented in the traffic study, these accessory uses such as the meeting spaces, restaurants and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services; however, the capacity of the new spa is similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a reduction as compared to the existing development.

VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council

Robert Oldakowski, *Mayor*
Jorge E. Mendia, *Vice Mayor*
Martha Fdez-León Broucek
Carol Diaz-Castro
Mortimer Fried
James L. Peters
Robert L. Vernon
Jud Kurlancheek, AICP
Director

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

PLANNING AND ZONING APPLICATION

Date Filed: 8-29-06

File # SP-16
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"/> SPECIAL EXCEPTION
<input type="checkbox"/> REGULATORY VARIANCE	<input type="checkbox"/> AMENDMENT TO THE COMPREHENSIVE PLAN
<input checked="" type="checkbox"/> SITE PLAN APPROVAL	<input type="checkbox"/> ZONING DISTRICT CHANGE
<input type="checkbox"/> UNUSUAL USE	
<input type="checkbox"/> OTHER _____	

Explain your request:

See attached Letter of Intent.

2. Street Address of Property: 350 Ocean Drive, Key Biscayne, Florida
Legal Description: Lot(s) See Exhibit "A" Block: _____
Subdivision _____
3. Name of Applicant: SBR - Fortune Associates, LLLP
Mailing Address of Applicant: 1300 Brickell Avenue, Miami, Florida 33131
Business Telephone: 305-351-1000 Home Fax: 305-351-0999

4. Name of Property Owner if Different from Applicant: N/A
 Address of Property Owner if Different from Applicant: _____
 Business Telephone: _____ Home Fax: _____
5. Contact Person: Name: Carter McDowell, Esq. affiliated with the law firm of
Bilzin Sumberg Bacna Price & Axelrod LLP
 Address: 200 S. Biscayne Blvd. Suite 2500, Miami, Florida 33131
 Phone Number: 305-350-2355 Fax: 305-351-2239
6. Name/address of anyone else who should receive notice of the hearing?
Edgardo Defortuna 1300 Brickell Avenue, Miami, Florida 33131
Carter N. McDowell, Esq. 200 S Biscayne Blvd. Suite 2500, Miami, Florida 33131
7. If applicant is owner, indicate date purchased: April 13, 2005
8. If applicant is lessee, indicate date leased N/A 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: Hotel. If residential, how many apartments _____
 hotel units 292. 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)
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)	Signature
Address		

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)	Signature
Address		

Date	Name (Type or Print)	Signature
Address		

Date	Name (Type or Print)	Signature
Address		

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

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

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

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: [Signature]
Signature of Owner: [Signature]
Application Received by: [Signature]
Approved by: _____

Date 8-31-06
Date 8-31-06
Date 8-29-06
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, Edgardo Defortuna, 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, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant Sworn to (or affirmed) and subscribed before me this 29 day of August, 2006, by _____ (name of person making statement).



[Signature]
Signature of Notary Public - State of Florida
SODIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

CORPORATION AFFIDAVIT

I, Edgardo Defortuna, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Assistant 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 beliefs that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

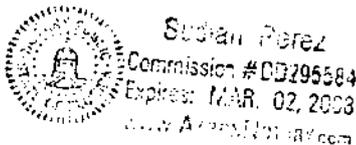
By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to (or affirmed) and subscribed before me this 29 day of August, 2006,
by _____ (name of person making statement)/



[Signature]
Signature of Notary Public - State of Florida
SUDIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

OWNER/POWER OF ATTORNEY AFFIDAVIT

I, Edgardo Defortuna, 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: site plan approval relative to my property, which is hereby made by me OR I am here by authorizing Carter N. McDowell, Esq., affiliated with the law firm of Bilzin Sumberg Bacna Price & Axelrod LLP to be my legal representative before the Village Council.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, I.L.C, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

 Susan Perez
Commission #DD295584
Expires: MAR. 02, 2008
www.AARONNOTARY.com

[Signature]
Signature of Notary Public - State of Florida
SUSIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

LEGAL DESCRIPTION:

Parcel 1

All that piece, parcel or lot of land situate, lying and being in the SW 1/4, Section 32 and Fractional Section 33, Township 54 South, Range 42 East, in the City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

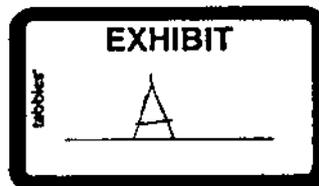
Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to the POINT OF BEGINNING of the following described parcel of land, said POINT OF BEGINNING also being the S.E. corner of the Plat of HOLIDAY COLONY as recorded in Plat Book 50 at Page 87, of the Public Records of Miami-Dade County, Florida; thence continue East for a distance of 761.0 feet more or less to the mean high water line of the Atlantic Ocean; thence meander Northwesterly, Northerly and Northeasterly along the mean high water line of the Atlantic Ocean for a distance of 518.3 feet more or less to a point lying 500.00 feet North of the South line of said Tract 6, East as measured at right angles; thence run West along a line 500.00 feet North of, and parallel to, the South line of said Tract 6, as measured at right angles, for a distance of 631.9 feet more or less to a point; thence run South $0^{\circ}38'55''$ West for a distance of 327.79 feet to a point; thence run North $89^{\circ}24'30''$ West for a distance of 157.55 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North $89^{\circ}51'25''$ West from the aforementioned point of non-tangency; said point also being a point on the Easterly line of Block 5 of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Southerly along the arc of said circular curve having for its elements a central angle of $3^{\circ}14'04''$ and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING.

and

Parcel 2

All that piece parcel of lot of land situate, lying and being in the SW 1/4, Section 32, Township 54 South, Range 42 East, in City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North $86^{\circ}37'22''$ West from the aforementioned point of non-tangency, said point also being the SE corner of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Northerly along the arc of said circular curve, having for its elements a central angle of $3^{\circ}14'04''$ and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue Northerly and Northwesterly along the arc of said circular curve having for its elements a central angle of $16^{\circ}46'23''$ and a radius of 3081.59 feet for a distance of 579.42 feet to a point; said point also being a point on the Southerly right of way line of East Drive; thence run along the said right of way line, East for a distance of 160.62 feet to a point of curvature with a curve concave to the Southwest; thence run along the arc of said curve having for its elements a central angle of $80^{\circ}19'47''$ and a radius of 25.00 feet for a distance of 35.05 feet to a point of compound curvature with a circular curve concave to the West, said point also being a point on the Westerly right of way line of Ocean Boulevard; thence run Southerly along the said Westerly right of way line on the arc of the circular curve having for its elements a central angle of $4^{\circ}03'53''$ and a radius of 3260.29 feet for a distance of 231.29 feet to a point; thence leaving the said right of way line, run West 1.87 feet to a point; thence run South $0^{\circ}38'55''$ West for a distance of 327.79 feet to a point; thence run North $89^{\circ}24'30''$ West for a distance of 157.55 feet to the POINT OF BEGINNING.



Disclosure of Ownership Interest
for SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership

SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership 100%
1300 Brickell Avenue
Miami, FL 33131

A. Partners

Fortune KB GP, LLC, a Florida limited liability company
General Partner
1300 Brickell Avenue
Miami, FL 33131

Fortune KB, LLC, a Florida limited liability company
Limited Partner
1300 Brickell Avenue
Miami, FL 33131

Sonesta Beach Resort Limited Partnership, a Delaware limited partnership
Limited Partner
116 Huntington Avenue
Boston, MA 02116

B. Ownership

1. Sonesta Beach Resort Limited Partnership, a Delaware limited partnership 50%
116 Huntington Avenue
Boston, MA 02116

i. Ownership

a. Sonesta International Hotels Corporation, a publicly traded company 100%
116 Huntington Avenue
Boston, MA 02116

(i) Officers

A. Peter J. Sonnabend
Chief Executive Officer and Vice Chairman
116 Huntington Avenue
Boston, MA 02116

B. Stephanie Sonnabend
Chief Executive Officer and President
116 Huntington Avenue
Boston, MA 02116

C. Boy A.J. Van Riel
Vice President and Treasurer
116 Huntington Avenue
Boston, MA 02116

2. Fortune KB, LLC, a Florida limited liability company 49%

i. Ownership

a. See Exhibit "B" 100%

3. Fortune KB GP, LLC, a Florida limited liability company 1%

i. Ownership

a. Edgardo Defortuna 99%
1300 Brickell Avenue
Miami, FL 33131

b. Ana Cristina Defortuna 1%
1300 Brickell Avenue
Miami, FL 33131

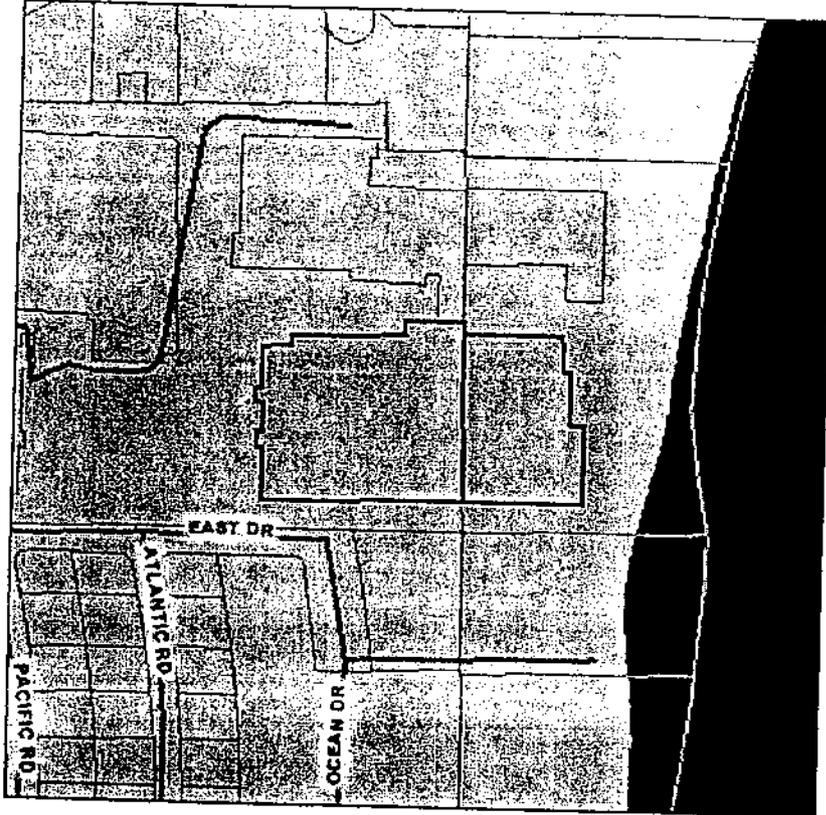
	Fortune KB, LLC % Ownership	Entity Owning % in Fortune KB, LLC	Entity Owning a 100% interest in entity disclosed in Column (B), if applicable	Ultimate Individual Owner
1	2.04%	Orange Tree Group Investments LLC	N/A	Raja Wahab
2	2.04%	Bay View Alliance LLC	N/A	William Houtzel
3	2.04%	Bay Village Group LLC	N/A	Adib Charlouni
4	1.04%	Bay North Trading LLC	N/A	Alfredo Bolasini
5	3.06%	Emerald House Investments Corp	Cascade Assoiation Ltd.	Carlos Mattos
6	2.04%	Mini Systems LLC	N/A	Juan Calle
7	2.04%	Key Systems LLC	N/A	Andres Martinez
8	2.04%	Grape Tree Investments LLC	N/A	Michel Daccach
9	2.04%	Blue Pond Investments Corp	Falls Group Ltd.	Johannna Von Der Goltz
10	2.04%	EAD Beachfront Investmmts LLC	N/A	Maria Amalia Sonogo
11	0.61%	Tech Alliance Holdings LLC	N/A	Agusto Nitti
12	2.04%	Marine Group Holdings Corp.	Marine Team Ltd.	Herman Engelhard
13	1.02%	Palms Investments LLC	N/A	Guido Fraiman
14	1.02%	Lake Side Investments Corp.	North Side Group S. A.	Fernando Mihanovich
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24	1.02%	Astor LLC	N/A	Atilio Bugliotti
25	1.02%	South Bay Group Corp.	Grand Bay Group S. A.	Victor Blanco
26	1.02%	Pond Holdings LLC	N/A	Hugo Bianchi
27	1.02%	Harbor Alliance Corp.	Bay Alliance S. A.	Alvaro Alvarez Mora
28	2.53%	Beirut Holdings LLC	N/A	Fares D. Noujaim
29	49.41%	Fortune Island LLC	N/A	Edgardo Defortuna (99%) And Cristina Defortuna (1%)

100.00%



CONDOMINIUM LEGAL DESCRIPTION AND LOCATION

Property Information Map



Summary Details:

Folio No.:	24-4232-016-0001
Property:	
Mailing Address:	REF ONLY

Property Information:

Primary Zone:	
CLUC:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	0 SQ FT
Year Built:	0
Legal Description:	KEY COLONY NO 1 CONDO DESC 32-33 54 42 & 4-5-6 55 42 5.155 AC ML MATHESON EST PB 46-86 PORT OF TR 4 DESC BEG 1975.95FTE & 63.42FTN OF SW COR OF TR 4

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

INFORMATION NOT AVAILABLE



August 29, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

***Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida
(Oppenheim)***

Dear Jud:

Please accept this letter and the enclosed revised application for site plan approval (the "Application") for the property located at 350 Ocean Drive (the "Property") as a modification to our previously filed application for site plan approval dated January 24, 2006. This firm represents the property owner, SBR – Fortune Associates, LLLP (the "Applicant"). The Sonesta Beach Resort currently operates on the Property but is scheduled to close on August 31, 2006.

On January 24, 2006, the Applicant submitted an application for site plan approval; an amendment to the zoning ordinance to create a Planned Unit Development (PUD) District and a rezoning to PUD. Based upon requests from the community and the Village Council, the Applicant withdrew the requests for amendment to the zoning ordinance and rezoning on May 23, 2006. The Applicant did not withdraw the site plan review application at that time and stated that we would be filing revised plans that conform to the existing zoning as suggested by the Village Council.

As you are aware from our several meetings, the applicants and the design team of Oppenheim Architecture + Design have been working on revised plans for the redevelopment of the Sonesta Beach Resort property. The revised Project includes 63 dwelling units and 191 hotel units and fully conforms to the existing zoning. In addition to Oppenheim's revised design, the Applicant hired Sandy Babcock Architects to design alternative exterior elevations for the buildings shown on the Oppenheim site plan. Sandy Babcock Architects were the designers of the Key Colony project and therefore have previous experience with projects on Key Biscayne. The purpose of submitting an alternative design the exterior is to provide the Village with the

opportunity to provide input as to which design would be most compatible with Key Biscayne. When the Applicant appeared at the May 23 hearing to withdraw the text amendment, the Village Council asked the Applicant to consider alternative designs which would be more compatible with the Village's existing character. The Applicant has complied with this request by providing an alternative exterior design with this submittal.

As the applicants and design team were working on the design of the project it became clear that one of the major challenges in designing a project to be compatible with the surrounding properties is the inclusion of all necessary and required parking for the project. The project is required to have a minimum of 617 parking spaces and is in fact providing approximately 822 parking spaces to ensure that there is sufficient parking on site so that there will be no overflow parking into the adjoining residential neighborhood. In the initial designs it became clear that the bulk of the structure necessary to accommodate the required parking was going to make it very difficult to design and develop a project that would be acceptable to both the property owners and to the surrounding properties. As a result, the applicants have made an extraordinary decision to place essentially all of the parking in a parking structure that extends three stories below grade. As shown on the plans, this parking structure will be excavated underneath the central portion of the site. Not surprisingly, the cost of constructing this underground garage will be two and half times the cost of building a conventional parking structure above grade. That represents an additional cost of approximately \$20,000,000 for the project, however, it also means that we will have the ability to put approximately 450,000 square feet of building mass below grade thereby substantially reducing the building bulk that otherwise would effect the neighboring property owners.

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurant, meeting space, spa and other facilities. As documented in the traffic study, these accessory uses such as the meeting space, restaurant and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services; however, the capacity of the new spa is similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a slight reduction as compared to the existing development.

We look forward to working with you, the Village Manager and the Village Council as we process these applications through the various hearings. As always if you have any additional questions or need any additional information we will be happy to submit that information to you. We believe that the proposed redevelopment of the Sonesta property is clearly in keeping with the quality of the Village of Key Biscayne. The new facilities will

Jud Kurlancheck, AICP, Director
August 29, 2006
Page 3

upgrade the existing Sonesta to meet and even exceed today's standards for luxury hotel and residential properties. We are excited about bringing this new facility to the Village of Key Biscayne and look forward to delivering a truly exceptional project to the Village.

Very truly yours,



Carter N. McDowell

Attachment

Concurrency Analysis

Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres or 16,988.4 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 18,000 square feet of open space. In addition, the project proposes to dedicate a 15 foot wide beach access along the northern boundary of the property, this beach access will contain 7,393.6 square feet of open space. In addition, there will be a dedicated access easement on the south property line consisting of 17,457.4 square feet of open space. Therefore, the total recreation and open space to be dedicated and provided by the project is 43,251 square feet or more than double the amount of space that would be required for the 63 dwelling units included in the property. In addition to these dedications, the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

2.47 persons per unit x 63 dwelling units = 156 people

156 people/ 1000 x 2.5 ac = .39 AC

.39 AC x 43,560 SF/AC = 16,988.4 SF of required recreation and open space

Recreation and Open Space to be dedicated as part of the Project

25'-0" Landscape Zone (West Property Boundary) = 18,000 sf

15'-0" Dedicated Access (North Property Boundary) = 7,393.6 sf

Dedicated Access (South Property Boundary) = 17,457.4 sf

Total = 43,251 sf

Water and Sewer

In terms of water and sewer concurrency, adequate water and sewer facilities exist on site to serve the existing 292 hotel unit building including supporting facilities such as restaurants and a spa. VSN, the civil engineers of this project, have examined the lift stations which service the property and verified with DERM that there is adequate capacity to serve the redevelopment of the Sonesta. Further, any improvements which may be required as a result of the redevelopment will be the sole responsibility of the Applicant.

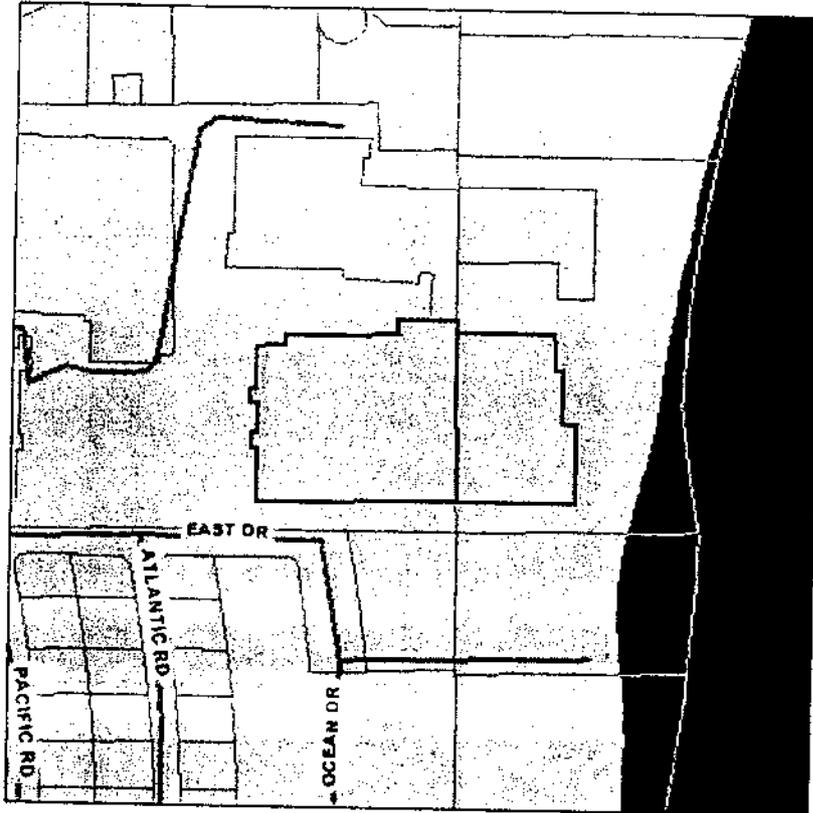
Traffic

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurants, meeting spaces, a spa and other facilities. Included in this package, you will find a traffic study, prepared by the Corradino Group, concluding the project will satisfy concurrency requirements. In fact, the study determines there will be an overall reduction in the number of trips generated by the redevelopment.

As documented in the traffic study, these accessory uses such as the meeting spaces, restaurants and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services; however, the capacity of the new spa is similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a reduction as compared to the existing development.

CONDOMINIUM LEGAL DESCRIPTION AND LOCATION

Property Information Map



Summary Details:

Folio No.:	24-4232-016-0001
Property:	
Mailing Address:	REF ONLY

Property Information:

Primary Zone:	
CLUC:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	0 SQ FT
Year Built:	0
Legal Description:	KEY COLONY NO 1 CONDO DESC 32-33 54 42 & 4-5-6 55 42 5.155 AC ML MATHESON EST PB 46-86 PORT OF TR 4 DESC BEG 1975.95FTE & 63.42FTN OF SW COR OF TR 4

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

INFORMATION NOT AVAILABLE



1300 BRICKELL AVENUE
MIAMI FL 33131

Bumato, New York 14203

1-108/210 Vendor No:
VIL004

Check No.
000287

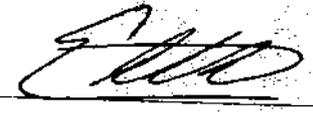
000287
Check Date
08/28/06

EIGHT THOUSAND FOUR HUNDRED SEVENTY NINE DOLLARS AND 50 CENTS*****

\$8,479.50

Pay

VILLAGE OF KEY BISCAYNE
88 WEST MCINTYRE STREET
KEY BISCAYNE FL 33149



⑈000287⑈ ⑆021001088⑆ 610930257⑈

SBR Fortune Associates LLLP

VIL004 VILLAGE OF KEY BISCAYNE

Check Date: 08/28/06

Check No.: 000287

INVOICE NO.	INVOICE DATE	REFERENCE	GROSS	DISCOUNT	NET AMOUNT
082806-2	08/28/06		8,479.50	.00	8,479.50
TOTAL			8,479.50	.00	8,479.50



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council

Robert Oldakowski, *Mayor*
Jorge E. Mendia, *Vice Mayor*
Martha Fdez-León Broucek
Carol Diaz-Castro
Mortimer Fried
James L. Peters
Robert L. Vernon
Jud Kurlancheck, AICP
Director

PLANNING AND ZONING APPLICATION

Date Filed: 8-29-06

File # SP-17
to be completed by staff

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

1. REQUEST FOR:

<input type="checkbox"/> SUPERVISORY VARIANCE	<input type="checkbox"/> AMENDMENT TO ZONING ORDINANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> SPECIAL EXCEPTION
<input type="checkbox"/> REGULATORY VARIANCE	<input type="checkbox"/> AMENDMENT TO THE COMPREHENSIVE PLAN
<input checked="" type="checkbox"/> SITE PLAN APPROVAL	<input type="checkbox"/> ZONING DISTRICT CHANGE
<input type="checkbox"/> UNUSUAL USE	
<input type="checkbox"/> OTHER _____	

Explain your request:

See attached Letter of Intent.

2. Street Address of Property: 350 Ocean Drive, Key Biscayne, Florida
Legal Description: Lot(s) See Exhibit "A" Block: _____
Subdivision _____
3. Name of Applicant: SBR – Fortune Associates, LLLP
Mailing Address of Applicant: 1300 Brickell Avenue, Miami, Florida 33131
Business Telephone: 305-351-1000 Home Fax: 305-351-0999

4. Name of Property Owner if Different from Applicant: N/A
 Address of Property Owner if Different from Applicant: _____
 Business Telephone: _____ Home Fax: _____
5. Contact Person: Name: Carter McDowell, Esq. affiliated with the law firm of Bilzin Sumberg Baena Price & Axelrod LLP
 Address: 200 S. Biscayne Blvd. Suite 2500, Miami, Florida 33131
 Phone Number: 305-350-2355 Fax: 305-351-2239
6. Name/address of anyone else who should receive notice of the hearing?
Edgardo Defortuna 1300 Brickell Avenue, Miami, Florida 33131
Carter N. McDowell, Esq. 200 S Biscayne Blvd. Suite 2500, Miami, Florida 33131
7. If applicant is owner, indicate date purchased: April 13, 2005
8. If applicant is lessee, indicate date leased N/A 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 Hotel. If residential, how many apartments _____
 hotel units 292. 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)
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)	Signature
Address _____		

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)	Signature
Address _____		

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

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

Date Name (Type or Print) Signature
Address _____

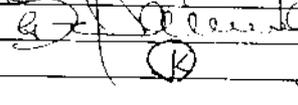
Date Name (Type or Print) Signature
Address _____

Date Name (Type or Print) Signature
Address _____

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: 
Signature of Owner: 
Application Received by: 
Approved by: _____

Date 8-31-06
Date 8-31-06
Date 8-29-06
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, Edgardo Defortuna, 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, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

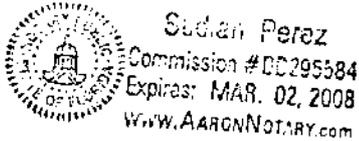
By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Signature of Applicant Sworn to (or affirmed) and subscribed before me this 29 day of August, 2006, by _____ (name of person making statement).



[Signature]
Signature of Notary Public - State of Florida
SODIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

CORPORATION AFFIDAVIT

I, Edgardo Defortuna, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Assistant 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 beliefs that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to (or affirmed) and subscribed before me this 29 day of August, 2006,
by _____ (name of person making statement)/



[Signature]
Signature of Notary Public - State of Florida
SUDIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

OWNER/POWER OF ATTORNEY AFFIDAVIT

I, Edgardo Defortuna, 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: site plan approval relative to my property, which is hereby made by me OR I am here by authorizing Carter N. McDowell, Esq., affiliated with the law firm of Bilzin Sumberg Baena Price & Axelrod LLP to be my legal representative before the Village Council.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: August 29, 2006

 Sodian Perez
Commission # DD295584
Expires: MAR. 02, 2008
WWW.AARCNOTARY.COM

[Signature]
Signature of Notary Public - State of Florida
SODIAN PEREZ
Print, Type, or Stamp
Commissioned Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____

LEGAL DESCRIPTION:

Parcel 1

All that piece, parcel or lot of land situate, lying and being in the SW 1/4, Section 32 and Fractional Section 33, Township 54 South, Range 42 East, in the City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to the POINT OF BEGINNING of the following described parcel of land, said POINT OF BEGINNING also being the S.E. corner of the Plat of HOLIDAY COLONY as recorded in Plat Book 50 at Page 87, of the Public Records of Miami-Dade County, Florida; thence continue East for a distance of 761.0 feet more or less to the mean high water line of the Atlantic Ocean; thence meander Northwesterly, Northerly and Northeasterly along the mean high water line of the Atlantic Ocean for a distance of 518.3 feet more or less to a point lying 500.00 feet North of the South line of said Tract 6, East as measured at right angles; thence run West along a line 500.00 feet North of, and parallel to, the South line of said Tract 6, East as measured at right angles, for a distance of 631.9 feet more or less to a point; thence run South $0^{\circ}38'55''$ West for a distance of 327.79 feet to a point; thence run North $89^{\circ}24'30''$ West for a distance of 157.55 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North $89^{\circ}51'26''$ West from the aforementioned point of non-tangency; said point also being a point on the Easterly line of Block 5 of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Southerly along the arc of said circular curve having for its elements a central angle of $3^{\circ}14'04''$ and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING.

and

Parcel 2

All that piece parcel of lot of land situate, lying and being in the SW 1/4, Section 32, Township 54 South, Range 42 East, in City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North $86^{\circ}37'22''$ West from the aforementioned point of non-tangency, said point also being the SE corner of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Northerly along the arc of said circular curve, having for its elements a central angle of $3^{\circ}14'04''$ and a radius of 3081.59 feet for a distance of 173.96 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue Northerly and Northwesterly along the arc of said circular curve having for its elements a central angle of $16^{\circ}46'23''$ and a radius of 3081.59 feet for a distance of 578.42 feet to a point; said point also being a point on the Southerly right of way line of East Drive; thence run along the said right of way line, East for a distance of 160.62 feet to a point of curvature with a curve concave to the Southwest; thence run along the arc of said curve having for its elements a central angle of $80^{\circ}19'47''$ and a radius of 25.00 feet for a distance of 35.05 feet to a point of compound curvature with a circular curve concave to the West, said point also being a point on the Westerly right of way line of Ocean Boulevard; thence run Southerly along the said Westerly right of way line on the arc of the circular curve having for its elements a central angle of $4^{\circ}03'53''$ and a radius of 3260.29 feet for a distance of 231.29 feet to a point; thence leaving the said right of way line, run West 1.87 feet to a point; thence run South $0^{\circ}38'55''$ West for a distance of 327.79 feet to a point; thence run North $89^{\circ}24'30''$ West for a distance of 157.55 feet to the POINT OF BEGINNING.



Disclosure of Ownership Interest
for SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership

SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership 100%
1300 Brickell Avenue
Miami, FL 33131

A. Partners

Fortune KB GP, LLC, a Florida limited liability company
General Partner
1300 Brickell Avenue
Miami, FL 33131

Fortune KB, LLC, a Florida limited liability company
Limited Partner
1300 Brickell Avenue
Miami, FL 33131

Sonesta Beach Resort Limited Partnership, a Delaware limited partnership
Limited Partner
116 Huntington Avenue
Boston, MA 02116

B. Ownership

1. Sonesta Beach Resort Limited Partnership, a Delaware limited partnership 50%
116 Huntington Avenue
Boston, MA 02116

i. Ownership

a. Sonesta International Hotels Corporation, a publicly traded company 100%
116 Huntington Avenue
Boston, MA 02116

(i) Officers

A. Peter J. Sonnabend
Chief Executive Officer and Vice Chairman
116 Huntington Avenue
Boston, MA 02116

B. Stephanie Sonnabend
Chief Executive Officer and President
116 Huntington Avenue
Boston, MA 02116

C. Boy A.J. Van Riel
Vice President and Treasurer
116 Huntington Avenue
Boston, MA 02116

2. Fortune KB, LLC, a Florida limited liability company 49%

i. Ownership

a. See Exhibit "B" 100%

3. Fortune KB GP, LLC, a Florida limited liability company 1%

i. Ownership

a. Edgardo Defortuna 99%
1300 Brickell Avenue
Miami, FL 33131

b. Ana Cristina Defortuna 1%
1300 Brickell Avenue
Miami, FL 33131

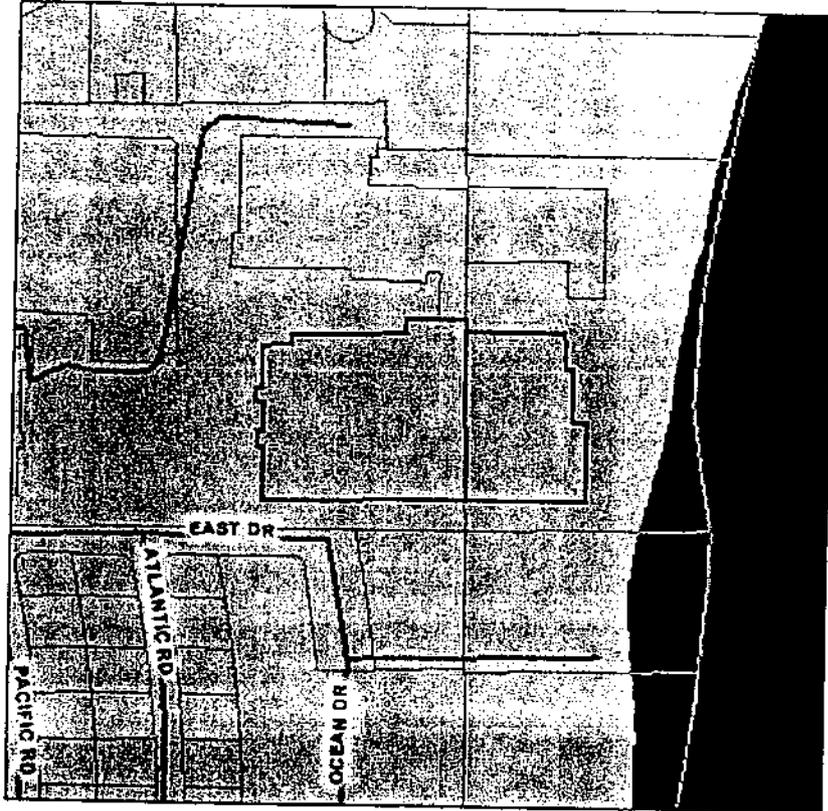
	Fortune KB, LLC % Ownership	Entity Owning % in Fortune KB, LLC	Entity Owning a 100% interest in entity disclosed in Column (B), if applicable	Ultimate Individual Owner
1	2.04%	Orange Tree Group Investments LLC	N/A	Raja Wahab
2	2.04%	Bay View Alliance LLC	N/A	William Houizet
3	2.04%	Bay Village Group LLC	N/A	Adib Chartouni
4	1.04%	Bay North Trading LLC	N/A	Alfredo Bolasini
5	3.06%	Emerald House Investments Corp	Cascade Association Ltd.	Carlos Mattos
6	2.04%	Mint Systems LLC	N/A	Juan Calle
7	2.04%	Key Systems LLC	N/A	Andres Martinez
8	2.04%	Grape Tree Investments LLC	N/A	Michel Daccach
9	2.04%	Blue Pond Investments Corp	Falls Group Ltd	Johanna Von Der Goltz
10	2.04%	EAD Beachfront Investments LLC	N/A	Maria Amalia Sonego
11	0.61%	Tech Alliance Holdings LLC	N/A	Agusto Nitti
12	2.04%	Marine Group Holdings Corp.	Marine Team Ltd.	Herman Engelhard
13	1.02%	Palms Investments LLC	N/A	Guido Fraiman
14	1.02%	Lake Side Investments Corp	North Side Group S. A.	Fernando Mihanovich
15	1.02%	Watercourse Investments Corp.	Canal Members Ltd.	Diego Pomerane
16	2.04%	Iceland Investments Corp	Arlic Members Ltd.	Sergio Boccitto
17	2.04%	Green Group Systems Corp.	Fall Leaves Group Holdings Ltd.	Felipe Piñeiro
18	2.04%	Ocean Side Trading Corp	Blue Falls Group S. A.	Juan Uruela Nanne
19	2.04%	Wind Side Investments Corp.	Wind Trading S. A.	Gabriel Chapochnick
20	4.08%	WSW Realty Trust, LLC	N/A	Lance Chody
21	4.08%	Key Towers Group LLC	N/A	Woods Staton
22	0.51%	Seas Trading Corp.	Bay Side Trading S. A.	Carlos Rolando Tarrab
23	1.02%	Coast Group Trading Corp	Ocean Front Group S. A.	Pierre Kopec
24	1.02%	Astor LLC	N/A	Atilio Bugliotti
25	1.02%	South Bay Group Corp	Grand Bay Group S. A.	Victor Blanco
26	1.02%	Pond Holdings LLC	N/A	Hugo Bianchi
27	1.02%	Harbor Alliance Corp	Bay Alliance S. A.	Alvaro Alvarez Mora
28	2.53%	Beirut Holdings LLC	N/A	Fares D. Noujaim
29	49.41%	Fortune Island LLC	N/A	Edgardo Defortuna (99%) Ana Cristina Defortuna (1%)

100.00%



CONDOMINIUM LEGAL DESCRIPTION AND LOCATION

Property Information Map



Summary Details:

Folio No.:	24-4232-016-0001
Property:	
Mailing Address:	REF ONLY

Property Information:

Primary Zone:	
CLUC:	
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	0 SQ FT
Year Built:	0
Legal Description:	KEY COLONY NO 1 CONDO DESC 32-33 54 42 & 4-5-6 55 42 5.155 AC ML MATHESON EST PB 46-86 PORT OF TR 4 DESC BEG 1975.95FTE & 63.42FTN OF SW COR OF TR 4

Sale Information:

Sale O/R:	
Sale Date:	0/0
Sale Amount:	\$0

Assessment Information:

INFORMATION NOT AVAILABLE



SP-14
file #'s determined
on 9-6-06 by



VILLAGE OF KEY BISCAYNE

Department of Building, Zoning and Planning

Village Council

Robert Oldakowski, Mayor
Jorge E. Mendia, Vice Mayor
Martha Fdez-León Broucek
Carol Diaz-Castro
Mortimer Fried
James L. Peters
Robert L. Vernon

Jud Kurlancheek, AICP
Director

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

PLANNING AND ZONING APPLICATION

5-23-06
PUD + MAP CHANGES
WITHDRAWN BY
APPLICANT (LORA?)
SP-14 SITE PLAN
NOT WITHDRAWN

Date Filed: 1-24-06

File # SP-14
to be completed by staff

1. REQUEST FOR:

<input type="checkbox"/> SUPERVISORY VARIANCE	<input checked="" type="checkbox"/> AMENDMENT TO ZONING ORDINANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> SPECIAL EXCEPTION
<input type="checkbox"/> REGULATORY VARIANCE	<input type="checkbox"/> AMENDMENT TO THE COMPREHENSIVE PLAN
<input checked="" type="checkbox"/> SITE PLAN APPROVAL	<input checked="" type="checkbox"/> ZONING DISTRICT CHANGE
<input type="checkbox"/> UNUSUAL USE	
<input type="checkbox"/> OTHER _____	

Explain your request:

See attached Letter of Intent

2. Street Address of Property: 350 Ocean Drive, Key Biscayne, Florida
Legal Description: Lot(s) See Exhibit "A" Block: _____
Subdivision _____

3. Name of Applicant: SBR - Fortune Associates, LLLP
Mailing Address of Applicant: 1300 Brickell Avenue, Miami, Florida 33131
Business Telephone: 305-351-1000 Home Fax: 305-351-0999

4. Name of Property Owner if Different from Applicant: N/A
 Address of Property Owner if Different from Applicant: _____
 Business Telephone: _____ Home Fax: _____
5. Contact Person: Name: Carter McDowell
 Address: 200 S. Biscayne Blvd. Suite 2500, Miami, Florida 33131
 Phone Number: 305-350-2355 Fax: 305-351-2239
6. Name/address of anyone else who should receive notice of the hearing?
Edgardo Defortuna 1300 Brickell Avenue, Miami, Florida 33131
Carter McDowell 200 S Biscayne Blvd. Suite 2500, Miami, Florida 33131
7. If applicant is owner, indicate date purchased: April 13, 2005
8. If applicant is lessee, indicate date leased N/A 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 Hotel. If residential, how many apartments _____
 hotel units 292. 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)
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.

CORPORATION AFFIDAVIT

I, Edgardo Defortuna, being first duly sworn, depose and say that we are the President/Vice President, and Secretary/Assistant 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 beliefs that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing.

I, Edgardo Defortuna, 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

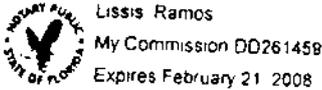
By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: January __, 2006

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to (or affirmed) and subscribed before me this 23 day of Jan., 2006,
by _____ (name of person making statement)/



[Signature]
Signature of Notary Public - State of Florida

Print, Type, or Stamp
Commissioned Name of Notary Public

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

OWNER/POWER OF ATTORNEY AFFIDAVIT

I, Edgardo Defortuna, 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: site plan approval; amendment to zoning ordinance; zoning district change relative to my property, which is hereby made by me OR I am here by authorizing Carter McDowell to be my legal representative before the Village Council.

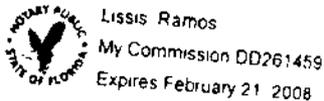
I, Edgardo Defortuna, hereby authorize the staff of the Village of Key Biscayne to enter my property for the purpose of inspecting the property and posting a NOTICE OF PUBLIC HEARING on my property and I take the responsibility of removing this notice after the date of hearing. I also authorize members 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.

SBR-FORTUNE ASSOCIATES, LLLP, a Delaware limited liability limited partnership

By: Fortune KB GP, LLC, a Florida limited liability company, General Partner

By: Fortune International Management Inc., a Florida corporation, its Manager

By: [Signature]
Name: Edgardo Defortuna
Title: President
Date: January, 2006



[Signature]
Signature of Notary Public - State of Florida

Print, Type, or Stamp
Commissioned Name of Notary Public

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

Disclosure of Ownership Interest
for SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership

SBR-Fortune Associates, LLLP, Delaware limited liability limited partnership 100%
1300 Brickell Avenue
Miami, FL 33131

A Partners

Fortune KB GP, LLC, a Florida limited liability company
General Partner
1300 Brickell Avenue
Miami, FL 33131

Fortune KB, LLC, a Florida limited liability company
Limited Partner
1300 Brickell Avenue
Miami, FL 33131

Sonesta Beach Resort Limited Partnership, a Delaware limited partnership
Limited Partner
116 Huntington Avenue
Boston, MA 02116

B. Ownership

1. Sonesta Beach Resort Limited Partnership, a Delaware limited partnership 50%
116 Huntington Avenue
Boston, MA 02116

i. Ownership

a. Sonesta International Hotels Corporation, a publicly traded company 100%
116 Huntington Avenue
Boston, MA 02116

(i) Officers

A. Peter J. Sonnabend
Chief Executive Officer and Vice Chairman
116 Huntington Avenue
Boston, MA 02116

B. Stephanie Sonnabend
Chief Executive Officer and President
116 Huntington Avenue
Boston, MA 02116

C. Boy A.J. Van Riel
Vice President and Treasurer
116 Huntington Avenue
Boston, MA 02116

2. Fortune KB, LLC, a Florida limited liability company 49%

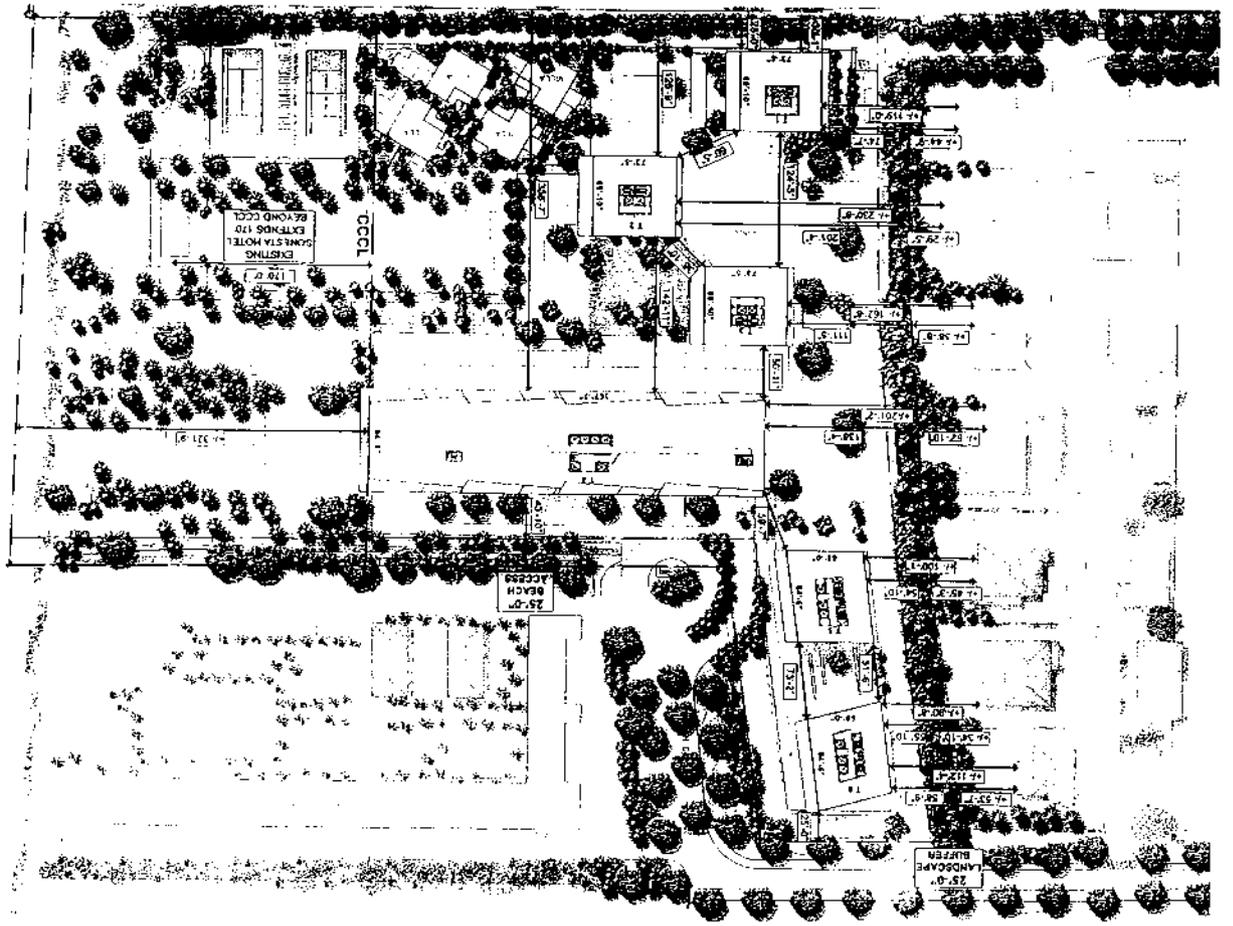
i. Ownership

a. Edgardo Defortuna 100%
1300 Brickell Avenue
Miami, FL 33131

3. Fortune KB GP, LLC, a Florida limited liability company 1%

i. Ownership

a. Edgardo Defortuna 100%
1300 Brickell Avenue
Miami, FL 33131



AS PLANNED TO BE CONSTRUCTED IN 1977

BILZIN SUMBERG BAENA PRICE & AXELROD LLP

A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

200 SOUTH BISCAYNE BOULEVARD, SUITE 2500 • MIAMI, FLORIDA 33131-8340

TELEPHONE: (305) 374-7880 • FAX: (305) 374-7593

E-MAIL: INFO@BILZIN.COM • WWW.BILZIN.COM

Carter N. McDowell, Esq.
Direct Dial: (305) 350-2355
Direct Facsimile: (305) 351-2239
E-mail: cmcdowell@bilzin.com

January 24, 2006

VIA HAND DELIVERY

Jud Kurlancheek, AICP, Director
Building, Zoning and Planning Department
Village of Key Biscayne Village Hall
88 W. McIntyre Street
Key Biscayne, FL 33149

*Re: SBR – Fortune Associates, LLLP
Zoning and Site Plan Approval Application for 350 Ocean Drive, Key
Biscayne, Florida*

Dear Jud:

Please accept this letter and the enclosed application (the "Application") for the property located at 350 Ocean Drive (the "Property"). This firm represents the property owner, SBR – Fortune Associates, LLLP (the "Applicant"). As you are aware from our several meetings, the applicants and their design team lead by Chad Oppenheim of Oppenheim Architecture + Design have been working on plans for the redevelopment of the Sonesta Beach property located at 350 Ocean Drive for several months. As the applicants and designers have worked on the plans for the redevelopment they have found that the building envelope both permitted and encouraged by the existing regulations would create a continuous wall of structure running both north/south along the western boundary of the property and east/west within the property. Having reviewed several preliminary design alternatives that fit within the zoning envelope, we determined that it would make more sense and be more compatible and aesthetically more appropriate to seek modification of zoning envelope in order to allow the creation of separate slender towers on the property as opposed to a single monolithic tower. Therefore, we are seeking a rezoning from Hotel Resort District to Planned Unit Development. Seeking rezoning to Planned Unit Development will create additional design flexibility by allowing the plans for the project become the "zoning" for the property.

In order to accomplish this we are submitting an Application for: 1) Text Amendment to the Land Development Regulations in order to create the Planned Unit Development District; 2)

Jud Kurlancheck, AICP, Director

January 24, 2006

Page 2

Rezoning from Hotel Resort District to the Planned Unit Development District; and 3) finally we are seeking Site Plan Approval as part of the Plan Unit Development approval process.

As the applicants and design team were working on the design of the project it became clear that one of the major challenges in designing a project to be compatible with the surrounding properties is the inclusion of all necessary and required parking for the project. The project is required to have a minimum of 707 parking spaces and is in fact providing approximately 852 parking spaces to ensure that there is sufficient parking on site so that there will be no overflow parking into the adjoining residential neighborhood. In the initial designs it became clear that the bulk of the structure necessary to accommodate the required parking was going to make it very difficult to design and develop a project that would be acceptable to both the property owners and to the surrounding properties. As a result, the applicants have made an extraordinary decision to place essentially all of the parking in a parking structure that extends three stories below grade. As shown on the plans, this parking structure will be excavated underneath the central portion of the site. Not surprisingly, the cost of constructing this underground garage will be two and half times the cost of building a conventional parking structure above grade. That represents an additional cost of approximately \$20,000,000 for the project, however, it also means that we will have the ability to put approximately 450,000 square feet of building mass below grade thereby substantially reducing the building bulk that otherwise would effect the neighboring property owners.

As part of these applications we are submitting a number of different documents and studies. The following is a general list of those documents including:

1. Plans, including floor plans, elevations, renderings, landscape plans, etc. meeting the requirement for the Site Plan Review Approval process along with the Planned Unit Development Regulations;
2. The draft proposed Text Amendment, for the Planned Unit Development Regulations;
3. Studies by our civil and traffic engineers addressing project impact on water, sewer and solid waste issues and traffic issues;
4. A chart comparing the existing conditions, the allowable conditions under the Hotel Resort District and the proposed conditions under the PUD (attached is Exhibit "A");

The Project as proposed includes 37 dwelling units and 240 multi-bedroom hotel units. As you are aware from some of our prior discussions, it is our intention to seek an amendment to the Key Biscayne Comprehensive Plan language to allow us to create lockout units for a portion of the multi-bedroom hotel units so that the total number of hotel units would be 350 units, as is otherwise permitted by the Key Biscayne Comprehensive Plan. We will be filing that Amendment shortly, although we understand that pursuant to state statutes that application

Jud Kurlancheck, AICP, Director
January 24, 2006
Page 3

cannot be finally approved until Key Biscayne has completed its Evaluation and Appraisal Report ("EAR") process.

The project includes 37 residential dwelling units and therefore must address the recreation and open space currency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 37 dwelling units included within the development program will generate an expected population of 92 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .23 acres or 10,018 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 17,896 square feet of space. In addition, the project proposes to dedicate a 25 foot wide beach access along the northern boundary of the property, this beach access will contain 14,034 square feet. Therefore, the total recreation and open space to be dedicated and provided by the project is 31,931 square feet or slightly more than three times the amount of space that would be required for the 37 dwelling units including in the property. In addition to these dedications the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

2.47 persons per unit x 37 dwelling units = 92 people

92 people/ 1000 x 2.5 ac = .23 AC

.23 AC x 43,560 SF/AC = 10,018 SF of required recreation and open space

Recreation and Open space to be dedicated as part of the Project

25 foot wide beach access	14,034 SF
25 foot wide linear park	<u>17,896 SF</u>
Recreation and open space provided	31,931 SF

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a slight reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurant, meeting space, spa and

Jud Kurlancheck, AICP, Director

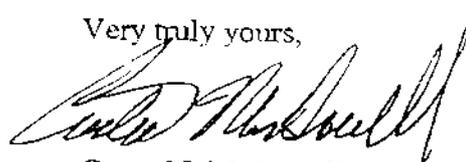
January 24, 2006

Page 4

other facilities. As documented in the traffic study, these accessory uses such as the meeting space, restaurant and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services, however, the capacity of the new spa is, in fact, similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a slight reduction as compared to the existing development.

We look forward to working with you, the Village Manager and the Village Council as we process these applications through the various hearings. As always if you have any additional questions or need any additional information we will be happy to submit that information to you. We believe that the proposed redevelopment of the Sonesta property is clearly in keeping with the quality of the Village of Key Biscayne. The new facilities will upgrade the existing Sonesta to meet and even exceed today's standards for luxury hotel and residential properties. We are excited about bringing this new facility to the Village of Key Biscayne and look forward to delivering a truly exceptional project to the Village.

Very truly yours,



Carter N. McDowell

CNM/mc
Attachment

SONESTA PROGRAM COMPARISON

1/16/2007

AREA	EXISTING SF ¹ SF ¹	EXISTING SF ¹ UNITS	PROPOSED SF ¹ SF ¹	UNITS	% CHANGE SF ¹ SF ¹	UNITS
Hotel	245,314	292	378,486	2	54%	-35%
Retail	1,613		4,715	191	192%	
Restaurants/Kitchens	9,990		19,910		99%	
Bars/Lounges	3,820		1,342		-65%	
Spa/Health/Fitness	8,500		15,657		84%	
Tennis Courts	10		2		-80%	
Meeting Rooms	16,280		16,749		3%	
Residential Condos	0		374,682	3		
Structural/Mechanical	inc.		37,468			
	<u>285,527</u>		<u>849,011</u>		<u>197%</u>	

1) The above information compares square footage (SF) above grade Programs of existing and proposed Sonesta projects.

2) 306,671 SF of underground parking is not included.

3) This number includes 36,940 SF of cores, stairs, corridors, service and support



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LAND DEVELOPMENT
TRAFFIC AND TRANSPORTATION

SONESTA

CONCURRENCY STUDY FOR WATER-SEWER-SOLID WASTE

October 2006



Since 1989

CIVIL
LAND DEVELOPMENT
TRAFFIC AND TRANSPORTATION

1. Water Distribution System

A. Existing Water System Facilities:

Miami-Dade Water & Sewer Department (MD-WASD) owns and operates the following domestic water facilities in the vicinity of this project:

- An existing 12-inch water main on East Drive that run along the entire north side of the project.
- An existing 16-inch water main on Ocean Drive that runs along the entire of east side project.
- An existing 8-inch water main on Ocean Drive that runs along entire the east side of the project.

These existing 8 and 16-inch water mains will be in conflict with the proposed structures and will be relocated.

B. Required Water System Improvements:

The existing 8-inch water main will be abandoned and the existing 16-inch water main will be recoated along Atlantic Road to be able to maintain the existing loops in the system.

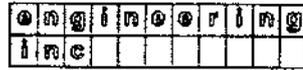
The proposed project will be served from the remaining portion of the 16-inch main on Ocean Drive.

Based on meetings with Miami-Dade Water and Sewer Department, the existing system is adequate to provide domestic water and fire protection for the proposed project.

C. Anticipated water use:

The water use requirements for this project are calculated based on the build-out information previously described.

An additional flow demand of **30,121 GPD** is expected from this project. For determination of anticipated flows see attached Water Use Calculations.



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 TRAFFIC AND TRANSPORTATION

PROPOSED WATER USE CALCULATIONS

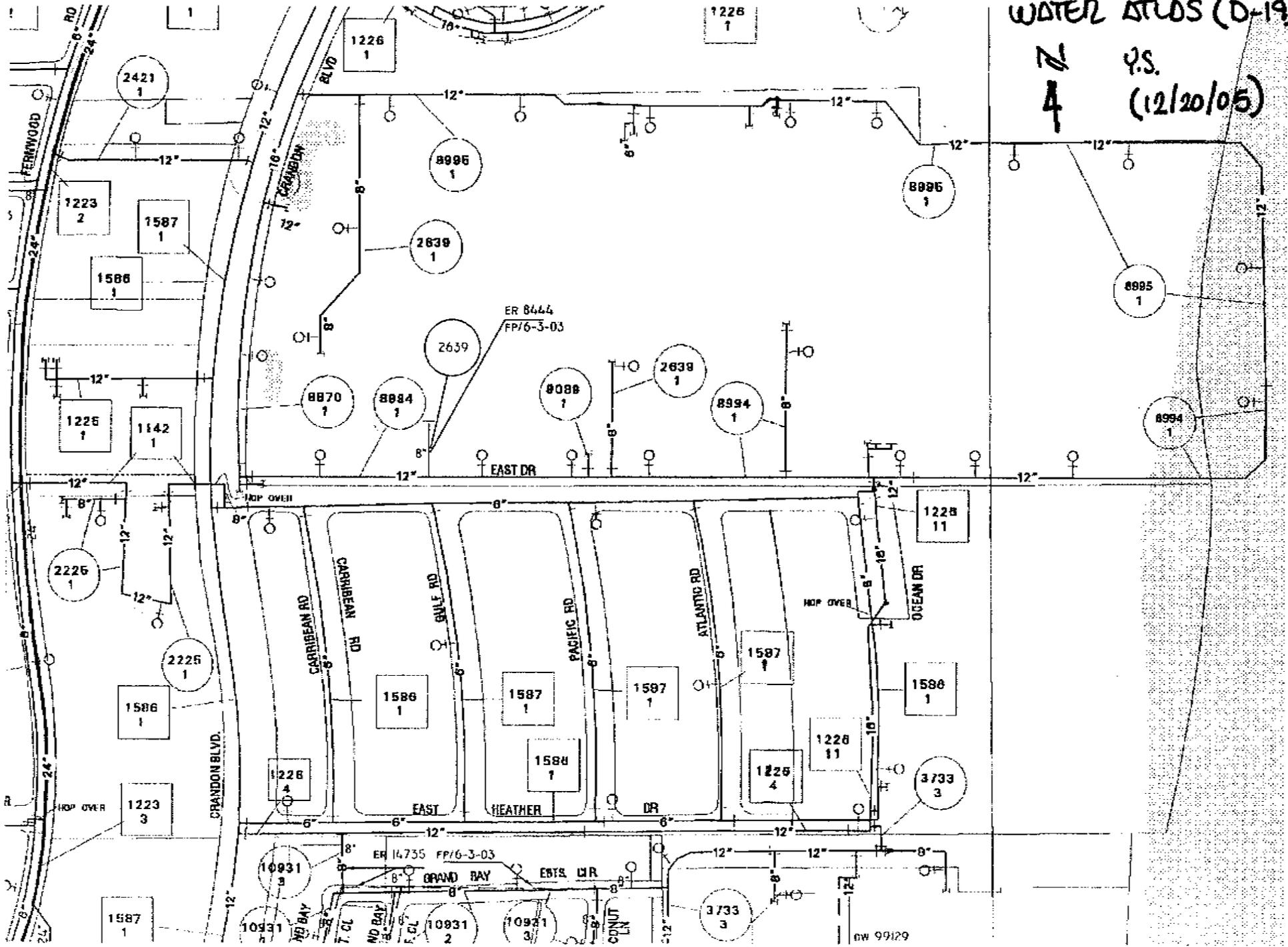
PROJECT: SONESTA
 DATE: 26-Oct-06

TYPE OF BUILDING USE	AREA	RATE	ADF
	[sf] [#seats]	[gpd/sf] [gpd/seat]	[gpd]
<u>PROPOSED FLOWS:</u>			
Residential Apartments	59	200	11,800
Hotel Rooms	191	100	19,100
Bar/Lounge (2,619 sf)	105	15	1,575
Retail	2,369	0.05	118
Restaurant (8,537 sf)	342	50	17,100
Ballrooms & Meeting Rooms (16,729 sf)	1,116	3	3,348
Townhomes	4	250	1,000
Spa	15,657	0.35	5,480
SUB-TOTAL			<u>59,521</u>
<u>PREVIOUS FLOWS:</u>			
Hotel	294	100	29,400
SUB-TOTAL			<u>29,400</u>
NET INCREASE:			30,121

WATER STOS (D-19)

N
4

Y.S.
(12/20/05)





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LAND DEVELOPMENT
TRAFFIC AND TRANSPORTATION

4. Sewer Collection System

A. Existing Sanitary Sewer System Facilities:

- Existing Sanitary Miami-Dade Water and Sewer Pump Station # 30-0134 that is located within the site of the proposed development. This Pump Station directs the flow to MD-WASD Pump Station # 30-0095.
- An existing private sanitary sewer pumps station that serves the existing hotel. This Pump will be removed as part of the development of this project.

B. Required Sanitary Sewer System Improvements:

The ~~proposed project~~ will collect all the sanitary flows by gravity and will direct them to the existing Pump Station 30-0134 that will remain in operation within the project site.

C. Transmission Capacity Requirements

Pump Station No. 30-014 currently runs at approximately 3.40 hours or 34% capacity. It is expected that this pump station will be adequate to serve this project.

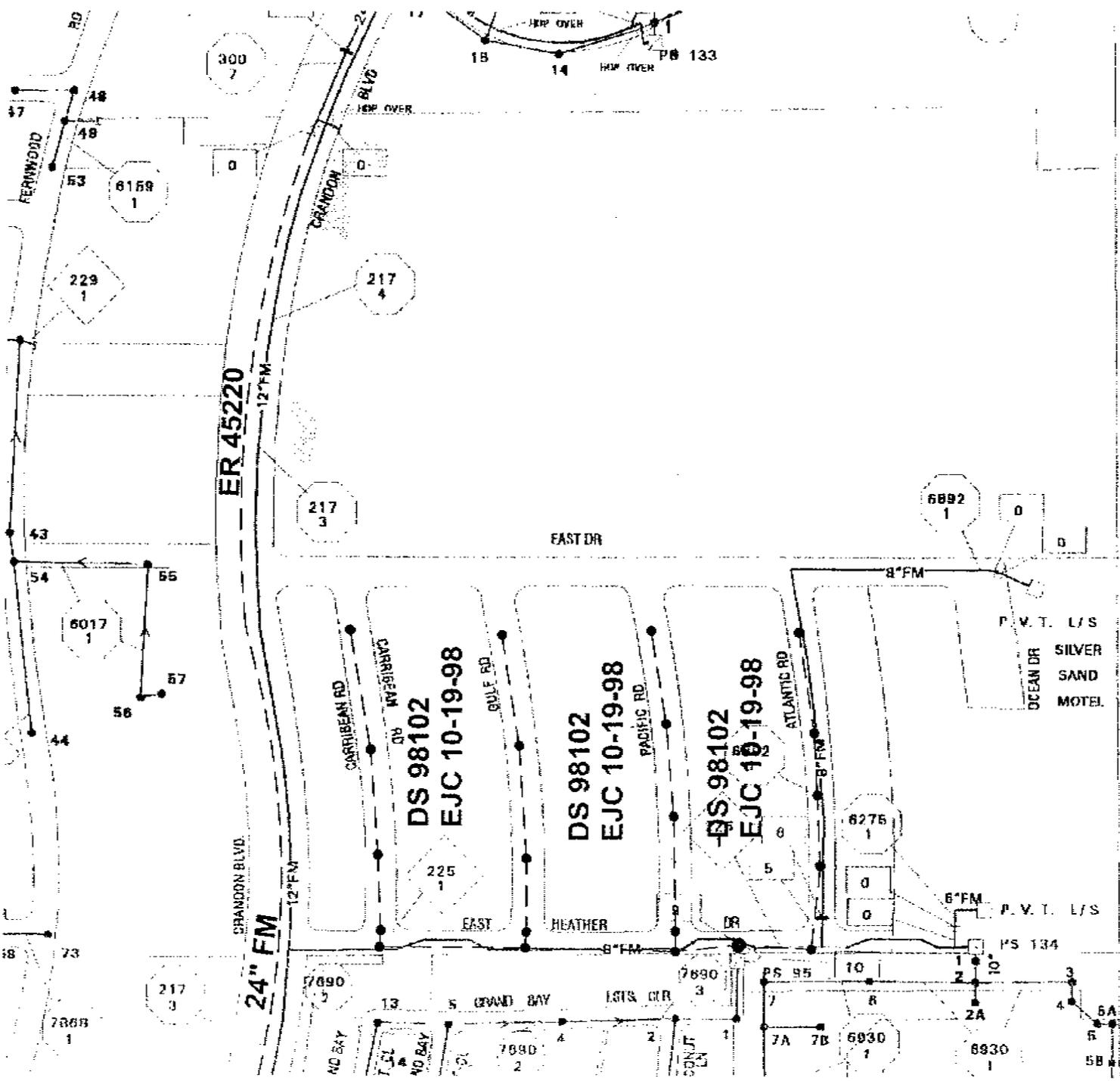
The downstream pump station for PS 30-0134 is MD-WASD Pump Station No. 30-0095. This pump station currently runs at approximately 0.62 hours or 6.2% capacity. It is expected that this pump station will be adequate to serve this project.

Flows from this Pump Station are transmitted to the MD-WASD Treatment Plant at Virginia Key.

See attached DERM Pump Station Reports

SEWER STUDY (D-19)

N 4.S.
4 (12/20/05)



*2006010411273381*CABALP
ent. *

* This is not an official docum

M Stat	Station	Station	Current	Delta	Projected
R Type	Owner	Number	ET (Hrs)	ET (Hrs)	ET (Hrs)
Proposed Number of gallons (gpd): 17550					

***** Downstream Stations *****

OK NORMA	30	0095	0.62	2.61	3.23
AC	30	CD	1002.09	0.00	1002.09

*2006010411271291*CABALP
ent. *

* This is not an official docum

M Stat	Station	Station	Current	Delta	Projected
R Type	Owner	Number	ET (Hrs)	ET (Hrs)	ET (Hrs)
Proposed Number of gallons (gpd): 17550					

***** Downstream Stations *****

OK B21L-	30	0134	3.40	0.43	3.83
AC	30	CD	1002.09	0.00	1002.09

Pump Station Monthly Information

<Plan Review>

Station..30 -0134 las Pg..D19
 MIAMI DADE WATER & SEWER DEPARTMENT
 Addr..340 OCEAN DR
 Sec-Township-Range.....32-54-42
 Genr.U ET clock.Y Telm.N #Pumps. 2
 Pump Type.B Stn Class.L Speed.1 Hrspwr.-

Moratorium..OK

Moratorium effective since 04/30/1999

Res flow(gpd)	Proj Napot	% Cap
Plans.. 350	3.40 hrs	34.00

Yearly NAPOT (hrs).....	3.39
Stn Gross Capacity(gpd)..	972,000
Station Reduction Factor.....	1.00
Stn Net Cap Certif(gpd)..	0
Stn Net Capacity(gpd)....	972,000
Indicated Flows(gpd)	137,295

Date	Mo.NAPOT	Avg Daily	Regard Reading	Number of pumps	Comments
11/16/2005	2.85	2.85	Y	2	
10/12/2005	2.92	2.92	Y	2	
09/14/2005	3.86	3.86	Y	2	
08/10/2005	3.68	3.68	Y	2	
07/13/2005	3.91	3.91	Y	2	
06/08/2005	3.45	3.45	Y	2	
05/11/2005	3.28	3.28	Y	2	

Signature..LEVINSON_M Sign Date..12/11/1996 10:05:47.17

GOLD/M Station I<m>provement GOLD/S <S>tation Inform. GOLD/U <U>pstream Station
 GOLD/D <D>ownstream Station GOLD/P <P>ump Information
 GOLD/G Codes & Cata<g>ories GOLD/T Sewer Cer<t>ification

Pump Station Monthly Information

<Plan Review>

Station..30 -0095 las Pg..

Moratorium..OK

MIAMI DADE WATER & SEWER DEPARTMENT

Addr..455 CRANDON BLVD

Moratorium effective since / /

Sec-Township-Range.....32-54-42

Genr.N ET clock.Y Telm.N #Pumps. 2

Pump Type.C Stn Class.L Speed.1 Hrspwr.=

Res flow(gpd)	Proj Napot	% Cap
Plans.. 0	0.62 hrs	6.20

Yearly NAPOT (hrs)	0.62
Stn Gross Capacity(gpd)	161,280
Station Reduction Factor	1.00
Stn Net Cap Certif(gpd)	0
Stn Net Capacity(gpd)	161,280
Indicated Flows(gpd)	4,166

Date	Mo.NAPOT	Avg Daily	Regard Reading	Number of pumps	Comments
11/16/2005	0.57	0.57	Y	2	
10/12/2005	0.54	0.54	Y	2	
09/14/2005	0.62	0.62	Y	2	
08/10/2005	0.63	0.63	Y	2	
07/13/2005	0.70	0.70	Y	2	
06/08/2005	0.62	0.62	Y	2	
05/11/2005	0.60	0.60	Y	2	

Signature..ROQUER

Sign Date..06/25/1999 16:07:22.98

GOLD/M Station I<m>provement GOLD/S <S>tation Inform. GOLD/U <U>pstream Station
 GOLD/D <D>ownstream Station GOLD/P <P>ump Information
 GOLD/G Codes & Cata<g>ories GOLD/T Sewer Cer<t>ification



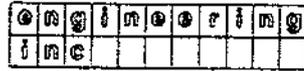
Since 1989

CIVIL
LAND DEVELOPMENT
TRAFFIC AND TRANSPORTATION

5. Solid Waste Generation

- A. Solid Waste Generated by this project will be collected in standardized on-site containers for refuse and re-cyclables. Either hauling companies and/or the Miami-Dade County Solid Waste Department will provide regular pick-up services.

The anticipated daily solid waste generation for this project is **12 CY per day**. (See attached Proposed Solid Waste Calculations).



Since 1989

CIVIL
LAND DEVELOPMENT
TRAFFIC AND TRANSPORTATION

PROPOSED SOLID WASTE CALCULATIONS

PROJECT: SONESTA
DATE: 26-Oct-06

TYPE OF BUILDING USE	AREA/UNITS [sf] [seats]	RATE [lb/sf] [lb/seat]	SOLID WASTE GENERATED [lb]	SOLID WASTE GENERATED [tons]
HOTEL	191	4	764	0.38
RETAIL	2,369	0.025	59	0.03
RESTAURANT	342	5	1,710	0.86
TOWNHOMES	4	10	40	0.02
RESIDENTIAL APARTMENTS	59	8	472	0.24
BAR & LAUNGE	105	2	210	0.11
SPA	15,657	0.005	78	0.04
SUB-TOTAL			3,334	1.67
NET INCREASE:			3,334	1.67

ANTICIPATED SOLID WASTE VOLUME AT 7 CY PER TON: 12 CY / DAY

CARTER N. MCDOWELL, ESQ.
Direct Dial: (305) 350-2355
Direct Facsimile:(305) 351-2239
E-mail: cmcdowell@bilzin.com

December 4, 2006

Mr. Jud Kurlancheek
Village of Key Biscayne
85 West McIntyre Street
Key Biscayne, Florida 33149

Steve Helfman, Esq., Village Attorney
2655 South Bayshore Drive
Miami, Florida 33133

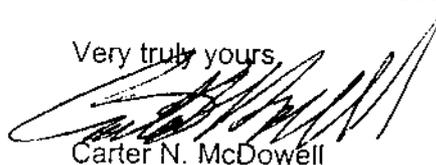
Re: Village of Key Biscayne

Dear Mr. Kurlancheek and Mr. Held:

Based on the most recent calculations by the architect, the enclosed letter is to supplement our previous letter dated November 29, 2006 by updating the Recreation and Open Space to be dedicated for the Sonesta redevelopment on Key Biscayne.

As always, should you need to discuss, I can be reached at 305-350-2335.

Very truly yours,



Carter N. McDowell

CNM:id

CARTER N. MCDOWELL, ESQ.
Direct Dial: (305) 350-2355
Direct Facsimile:(305) 351-2239
E-mail: cmcdowell@bilzin.com

December 4, 2006

Mr. Jud Kurlancheek
Village of Key Biscayne
85 West McIntyre Street
Key Biscayne, Florida 33149

**Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida**

Dear Mr. Kurlancheek:

This letter is intended to supplement our previous analysis of concurrency, specifically Open Space and Recreation, for the Sonesta redevelopment on Key Biscayne.

Fla. Stat. ch. 163.3180(1)(a) requires sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities to be subject to concurrency requirements on a statewide basis. F.A.C. ch. 9J-5.0055 clarifies the purpose of requiring a concurrency management system as to provide "an ongoing mechanism which ensures that public facilities and services needed to support development are available concurrent with the impacts of such development." That same section sets forth the general requirements of the concurrency management system as "[e]ach local government shall government adopt, as a component of the comprehensive plan, objectives, policies and standards for the establishment of a concurrency management system. The concurrency management system will ensure that issuance of a development order or development permit is conditioned upon availability of public facilities and services necessary to serve new development." The concurrency management requirements include:

- 1) Each local government must adopt level of service standards for roads, sanitary sewer, solid waste, drainage, potable water, parks and recreation, mass transit, and schools if imposed by local option.
- 2) The local government's comprehensive plan include a Capital Improvements Element which includes a financially feasible plan which demonstrates the adopted level of service standards will be achieved and maintained.

- 3) A system which will monitor and ensure adherence to the adopted level of service standards, the schedule of capital improvements, and availability of public facility capacity.
- 4) Guidelines for interpreting and applying level of service standards to applications for development orders and development permits and determining when the test for concurrency must be met.
- 5) A requirement that the local land development regulations specify and implement provisions of the concurrency management system and provides for a program which will ensure that development orders and development permits are issued in a manner which will not result in a reduction in the level of service below the adopted level of service standards.

The Key Biscayne Code of Ordinances (the "Code") includes a section which addresses concurrency management. Sec. 30-11 of the Code defines a concurrency management system as "the procedures and/or process that the Village will utilize to assure that Development Permits are not issued unless the necessary facilities and services will be available concurrent with the impacts of Development." Development is defined to have the same meaning as the Florida Statutes define it in Sec. 380.04. Sec. 380.04(1) defines development as "the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels." In this case, the redevelopment of the Sonesta would qualify as the "making of any material change in the use or appearance of any structure or land" triggering the definition of development. Sec. 30-161 of the Code states that all building permit applications will be treated as applications for a Concurrency Determination. Under the Code, the Building, Zoning and Planning Director makes the Concurrency Determination. The Director shall determine:

- (1) Whether the necessary facilities are in place and the Village's level of service standards are met at the time that a Development permit is issued, or that such permit will be conditioned upon the necessary facilities being in place and the level of service standards being met prior to the issuance of a certificate of occupancy; or
- (2) Whether the necessary facilities are under construction at the time a permit is issued or that there is a binding contract for the construction of such facilities at the time of permit issuance; or
- (3) Whether the necessary facilities are included in the Village's approved annual budget at the time of permit issuance; or
- (4) Whether the Development has vested rights determined pursuant to the provisions of this article.

On September 1, 2006 the South Florida Regional Planning Council ("SFRPC") notified Key Biscayne's Department of Building, Planning and Zoning that Key Biscayne's Evaluation

Mr. Jud Kurlancheek

December 4, 2006

Page 3

and Appraisal Report (EAR) was insufficient. Florida Statutes require that the State land planning agency review the EAR for sufficiency for its adherence to statutory requirements. One of deficiencies results from Key Biscayne's shortfall of the required amount of recreational open space. The Village requires 2.5 acres per 1,000 persons. According to the SFRPC, the Village is short 6.2 acres of recreational open space pursuant to the adopted level of service standard for parks and recreational facilities.

Fla. Stat. ch. 163.3180(2)(b) requires:

...parks and recreation facilities to serve new development shall be in place or under actual construction no later than 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, **the acreage for such facilities shall be dedicated or be acquired by the local government prior to issuance by the local government of a certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share shall be committed no later than the local government's approval to commence construction.**

F.A.C. ch. 9J-5.003 defines a park as "a neighborhood, community, or regional park." Recreation facilities are defined as "a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool." Recreation is defined to mean "the pursuit of leisure time activities occurring in an indoor or outdoor setting."

F.A.C. ch. 9J-5.0055(3)(b) applies to parks and recreation facilities. The section states that a local government shall meet the following standards to satisfy the parks and recreation facilities:

(b) For parks and recreation facilities, at a minimum, a local government shall meet the following standards to satisfy the concurrency requirement:

1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or
2. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, **the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the local government, or funds in the amount of the developer's fair share are committed; and**
 - a. A development order or permit is issued subject to the conditions that the **necessary facilities and services needed to serve the new development** are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government 5-year schedule of capital improvements; or
 - b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which



requires the **necessary facilities and services to serve the new development** to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

c. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent. [Section 163.3180(2)(b), F.S.] (emphasis added)

From the language of the statute and the Florida Administrative Code, the parks and open space concurrency requirement applies to "the new development" rather than the more general term "development." The language of F.A.C.ch. 9J-5.0055(3)(b)(2) particularly refers to a "development permit or order" for a new development being conditioned on addressing only the "necessary facilities and services to serve *the new development*." To bolster this argument, the Code references specific "development permits" in relation to concurrency requirements. As defined by the Statute, a development permit references concurrency requirements apply to new development projects and if one development project meets the level of service required by the concurrency requirements, the project will comply with those requirements even though the municipality itself may not meet concurrency requirements.

In reference to the redevelopment of the Sonesta, 16,988.4 sq. ft. of recreation and open space would be required to satisfy the current concurrency requirement of 2.5 acres per 1,000 residents. The proposed redevelopment includes 63 dwelling units which will bring approximately 156 new residents to the Village. Please see below for the calculation.

Recreation and Open Space Calculation
2.47 persons per unit x 63 dwelling units = 156 people
156 people/ 1000 x 2.5 ac = .39 AC
.39 AC x 43,560 SF/AC = 16,988.4 sq. ft. of required recreation and open space

The redevelopment proposes more than 2.5 times amount of recreation and open space as required by the Village of Key Biscayne by the developer dedicating approximately 48,942.5 sq. ft. of open space and recreation. The following table illustrates the amount of the land which will be dedicated to the Village of Key Biscayne. In the alternative, the statute provides that a developer may satisfy the concurrency requirement by paying the local government its fair share. Fla. Stat. Sec. 163.3180(2)(b).

Recreation and Open Space to be dedicated as part of the Project
North Beach Access: 4043 SF (15'+7.5' x 539') = 12,127.5 sq. ft.
South Beach Access: 5993 SF (15'+7.5' x 799') = 17,977.5 sq. ft.
West Open Space: 15,067 SF (753.5' x 25') = 18,837.5 sq. ft.
Total = 48,942.5 sq. ft.

Mr. Jud Kurlancheek

December 4, 2006

Page 5

Due to the fact the proposed redevelopment provides more than twice what is required to comply with concurrency requirements, the project cannot be held up by the failure of the Village to meet its own concurrency requirements.

Furthermore, the fact that the EAR did not sufficiently address concurrency requirements should not delay the issuance of a development order if the new development itself satisfies concurrency requirements. Fla. Stat. Sec. 163.3191 requires the EAR process to take place and amend the Comprehensive Plan accordingly. The statute requires the state land planning agency to review the adopted EAR report amendments for sufficiency with its compliance to statutory requirements. If the state land planning agency deems the adopted report insufficient during its preliminary review, Fla. Stat. 163.3191(7) requires that the governing body adopt a revision to the report and submit it to the state land planning agency. If this does not occur and no amendments to comprehensive plan are made based on the EAR, the statute states that failure to timely adopt and transmit update amendments to the comprehensive plan shall result in the local government from being prohibited from adopting amendments to the comprehensive plan until the EAR updates have been adopted and transmitted to the state land planning agency. The prohibition will begin when the update amendments are past due. A prohibition against adopting amendments to the comprehensive plan should not delay this project because the Applicant is not requesting any amendments to the comprehensive plan.

Thank you for your consideration of this matter and please do not hesitate to contact me if you have any questions or would like to discuss this further.

Very truly,



Carter N. McDowell

CNM:id

cc: Steve Helfman, Esq.

CARTER N. MCDOWELL, ESQ.
Direct Dial: (305) 350-2355
Direct Facsimile:(305) 351-2239
E-mail: cmcdowell@bilzin.com

November 29, 2006

Mr. Jud Kurlancheek
Village of Key Biscayne
85 West McIntyre Street
Key Biscayne, Florida 33149

**Re: SBR – Fortune Associates, LLLP
Site Plan Approval Application
350 Ocean Drive, Key Biscayne, Florida**

Dear Mr. Kurlancheek:

This letter is intended to supplement our previous analysis of concurrency, specifically Open Space and Recreation, for the Sonesta redevelopment on Key Biscayne.

Fla. Stat. ch. 163.3180(1)(a) requires sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities to be subject to concurrency requirements on a statewide basis. F.A.C. ch. 9J-5.0055 clarifies the purpose of requiring a concurrency management system as to provide "an ongoing mechanism which ensures that public facilities and services needed to support development are available concurrent with the impacts of such development." That same section sets forth the general requirements of the concurrency management system as "[e]ach local government shall government adopt, as a component of the comprehensive plan, objectives, policies and standards for the establishment of a concurrency management system. The concurrency management system will ensure that issuance of a development order or development permit is conditioned upon availability of public facilities and services necessary to serve new development." The concurrency management requirements include:

- 1) Each local government must adopt level of service standards for roads, sanitary sewer, solid waste, drainage, potable water, parks and recreation, mass transit, and schools if imposed by local option.

- 2) The local government's comprehensive plan include a Capital Improvements Element which includes a financially feasible plan which demonstrates the adopted level of service standards will be achieved and maintained.
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The Key Biscayne Code of Ordinances (the "Code") includes a section which addresses concurrency management. Sec. 30-11 of the Code defines a concurrency management system as "the procedures and/or process that the Village will utilize to assure that Development Permits are not issued unless the necessary facilities and services will be available concurrent with the impacts of Development." Development is defined to have the same meaning as the Florida Statutes define it in Sec. 380.04. Sec. 380.04(1) defines development as "the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels." In this case, the redevelopment of the Sonesta would qualify as the "making of any material change in the use or appearance of any structure or land" triggering the definition of development. Sec. 30-161 of the Code states that all building permit applications will be treated as applications for a Concurrency Determination. Under the Code, the Building, Zoning and Planning Director makes the Concurrency Determination. The Director shall determine:

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- (3) Whether the necessary facilities are included in the Village's approved annual budget at the time of permit issuance; or
- (4) Whether the Development has vested rights determined pursuant to the provisions of this article.

On September 1, 2006 the South Florida Regional Planning Council ("SFRPC") notified Key Biscayne's Department of Building, Planning and Zoning that Key Biscayne's Evaluation and Appraisal Report (EAR) was insufficient. Florida Statutes require that the State land planning agency review the EAR for sufficiency for its adherence to statutory requirements. One of deficiencies results from Key Biscayne's shortfall of the required amount of recreational open space. The Village requires 2.5 acres per 1,000 persons. According to the SFRPC, the Village is short 6.2 acres of recreational open space pursuant to the adopted level of service standard for parks and recreational facilities.

Fla. Stat. ch. 163.3180(2)(b) requires:

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b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the **necessary facilities and services to serve the new development** to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

c. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent. [Section 163.3180(2)(b), F.S.] (emphasis added)

From the language of the statute and the Florida Administrative Code, the parks and open space concurrency requirement applies to "the new development" rather than the more general term "development." The language of F.A.C.ch. 9J-5.0055(3)(b(2) particularly refers to a "development permit or order" for a new development being conditioned on addressing only the "necessary facilities and services to serve *the new development*." To bolster this argument, the Code references specific "development permits" in relation to concurrency requirements. As defined by the Statute, a development permit references concurrency requirements apply to new development projects and if one development project meets the level of service required by the concurrency requirements, the project will comply with those requirements even though the municipality itself may not meet concurrency requirements.

In reference to the redevelopment of the Sonesta, 16,988.4 sq. ft. of recreation and open space would be required to satisfy the current concurrency requirement of 2.5 acres per 1,000 residents. The proposed redevelopment includes 63 dwelling units which will bring approximately 156 new residents to the Village. Please see below for the calculation.

Recreation and Open Space Calculation
2.47 persons per unit x 63 dwelling units = 156 people
156 people/ 1000 x 2.5 ac = .39 AC
.39 AC x 43,560 SF/AC = 16,988.4 sq. ft. of required recreation and open space

The redevelopment proposes more than 2.5 times amount of recreation and open space as required by the Village of Key Biscayne by the developer dedicating approximately 43,251 sq. ft. of open space and recreation. The following table illustrates the amount of the land which will be dedicated to the Village of Key Biscayne. In the alternative, the statute provides that a developer may satisfy the concurrency requirement by paying the local government its fair share. Fla. Stat. Sec. 163.3180(2)(b).

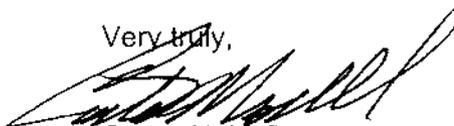
Recreation and Open Space to be dedicated as part of the Project
25'-0" Landscape Zone (West Property Boundary) = 18,000 sq. ft.
15'-0" Dedicated Access (South Property Boundary) = 7,393.6 sq. ft.
Dedicated Access (North Property Boundary) = 17,457.4 sq. ft.
Total = 43,251 sq. ft.

Due to the fact the proposed redevelopment provides more than twice what is required to comply with concurrency requirements, the project cannot be held up by the failure of the Village to meet its own concurrency requirements.

Furthermore, the fact that the EAR did not sufficiently address concurrency requirements should not delay the issuance of a development order if the new development itself satisfies concurrency requirements. Fla. Stat. Sec. 163.3191 requires the EAR process to take place and amend the Comprehensive Plan accordingly. The statute requires the state land planning agency to review the adopted EAR report amendments for sufficiency with its compliance to statutory requirements. If the state land planning agency deems the adopted report insufficient during its preliminary review, Fla. Stat. 163.3191(7) requires that the governing body adopt a revision to the report and submit it to the state land planning agency. If this does not occur and no amendments to comprehensive plan are made based on the EAR, the statute states that failure to timely adopt and transmit update amendments to the comprehensive plan shall result in the local government from being prohibited from adopting amendments to the comprehensive plan until the EAR updates have been adopted and transmitted to the state land planning agency. The prohibition will begin when the update amendments are past due. A prohibition against adopting amendments to the comprehensive plan should not delay this project because the Applicant is not requesting any amendments to the comprehensive plan.

Thank you for your consideration of this matter and please do not hesitate to contact me if you have any questions or would like to discuss this further.

Very truly,



Carter N. McDowell

CNM:id

cc: Steve Helfman, Esq.

Concurrency Analysis

Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres or 16,988.4 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 18,000 square feet of open space. In addition, the project proposes to dedicate a 15 foot wide beach access along the northern boundary of the property, this beach access will contain 7,393.6 square feet of open space. In addition, there will be a dedicated access easement on the south property line consisting of 17,457.4 square feet of open space. Therefore, the total recreation and open space to be dedicated and provided by the project is 43,251 square feet or more than double the amount of space that would be required for the 63 dwelling units included in the property. In addition to these dedications, the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

2.47 persons per unit x 63 dwelling units = 156 people

156 people/ 1000 x 2.5 ac = .39 AC

.39 AC x 43,560 SF/AC = 16,988.4 SF of required recreation and open space

Recreation and Open Space to be dedicated as part of the Project

25'-0" Landscape Zone (West Property Boundary) = 18,000 sf

15'-0" Dedicated Access (North Property Boundary) = 7,393.6 sf

Dedicated Access (South Property Boundary) = 17,457.4 sf

Total = 43,251 sf

Water and Sewer

In terms of water and sewer concurrency, adequate water and sewer facilities exist on site to serve the existing 292 hotel unit building including supporting facilities such as restaurants and a spa. VSN, the civil engineers of this project, have examined the lift stations which service the property and verified with DERM that there is adequate capacity to serve the redevelopment of the Sonesta. Further, any improvements which may be required as a result of the redevelopment will be the sole responsibility of the Applicant.

Traffic

As documented in the traffic study prepared by The Coradino Group, the proposed redevelopment of the Sonesta, as submitted as part of this application, will result in a reduction in traffic on the Village roadways as compared to the existing condition today. The existing Sonesta Hotel includes 292 hotel units along with restaurants, meeting spaces, a spa and other facilities. Included in this package, you will find a traffic study, prepared by the Corradino Group, concluding the project will satisfy concurrency requirements. In fact, the study determines there will be an overall reduction in the number of trips generated by the redevelopment.

As documented in the traffic study, these accessory uses such as the meeting spaces, restaurants and other uses in the new development will be of similar magnitude and capacity as the existing facilities on site. The primary difference between the new development and the existing development is the size and quality of the hotel rooms and the accessory facilities, particularly the spa. The spa area has increased significantly over the existing spa reflecting today's standards for spa services; however, the capacity of the new spa is similar to the capacity of the existing spa and recreational facilities provided on site. As a result, the traffic generation from the proposed redevelopment is a reduction as compared to the existing development.

Concurrency Analysis - Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres or 16,988.4 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 18,000 square feet of open space. In addition, the project proposes to dedicate a 15 foot wide beach access along the northern boundary of the property, this beach access will contain 7,393.6 square feet of open space. In addition, there will be a dedicated access easement on the south property line consisting of 17,457.4 square feet of open space. Therefore, the total recreation and open space to be dedicated and provided by the project is 43,251 square feet or more than double the amount of space that would be required for the 63 dwelling units included in the property. In addition to these dedications, the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

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Recreation and Open Space to be dedicated as part of the Project

25'-0" Landscape Zone (West Property Boundary) = 18,000 sf
 15'-0" Dedicated Access (South Property Boundary) = 7,393.6 sf
 Dedicated Access (North Property Boundary) = 17,457.4 sf

Total = 43,251 sf

Concurrency Analysis - Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people.

The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres or 16,988.4 square feet of recreation and open space land. As shown more clearly on the plans, the project proposes to dedicate a 25 foot linear park along the western boundary of the property providing both green space, and a pedestrian, bicycle and possibly even golf cart north/south access. This 25 foot wide linear park will contain 18,000 square feet of open space. In addition, the project proposes to dedicate a 15 foot wide beach access along the northern boundary of the property, this beach access will contain 7,393.6 square feet of open space. In addition, there will be a dedicated access easement on the south property line consisting of 17,457.4 square feet of open space. Therefore, the total recreation and open space to be dedicated and provided by the project is 43,251 square feet or more than double the amount of space that would be required for the 63 dwelling units included in the property. In addition to these dedications, the project will include extensive recreational facilities including but not limited to pools and two tennis courts.

Recreation and Open Space Calculation

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Preserve Our Key Biscayne

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I. INTRODUCTION

The current owner of the Sonesta parcel, SBR-Fortune Associates, LLLP, a Delaware limited liability limited partnership, whose partners include Fortune and Sonesta (the "Sonesta applicant" or "Sonesta") has submitted an application for site plan approval for re-subdivision of the Sonesta parcels. In a nutshell, the site plans submitted to the Village for review generally request the approval of a site plan which would re-subdivide the Sonesta property to permit the construction of 63 residential dwelling units and 191 "condo-hotel" units but in fact seek 254 residential condominium units. The site plan application submitted to the Village by Sonesta for approval however disingenuously differentiates between the proposed units to be built as having *only* 63 residential dwelling units in order to ensure that more residential units can be built on the property and to further ensure that the Village's concurrency analysis is limited to the impact of *only* 63 residential dwelling units.

Sonesta International Hotels Corporation's 2005 Annual Report, as well as, the notes to the consolidated financial statements, filed on August 12, 2005 and again on November 14, 2005, in its form 10-Q as required by Federal Securities laws of a publicly-traded company disclose to shareholders the *real* hotel component of this project as follows:

Once the new condominium hotel is completed, the non-guestroom areas of the hotel, which include restaurants, bars, meeting space, office and storage facilities, etc. (the "Hotel Lot") will be transferred to a newly formed partnership, of which Sonesta is a 70% partner and general partner, and Fortune is a 30% limited partner. Sonesta will operate the Hotel Lot, and will offer a rental program to the buyers of condo units that wish to make their units available for rental to the public.

The Sonesta applicant's charade here is transparent and should not be tolerated by the Village of Key Biscayne. The proposed re-subdivision of the Sonesta parcel is in violation of the current Master Plan and the Zoning Codes and Land Development Regulations adopted by the Village. The new project will have a "Hotel Lot" with no guestrooms. All condo-units which Sonesta would prefer to label "guestrooms" will be owned outright by condominium unit owners. Those condominium unit owners may then choose to participate in the rental program. When condominium unit owners "have the *opportunity to participate* in a rental program" as Sonesta describes it, such units are by definition residential condominium units and not hotel units, and therefore, must comply with all requirements of the Village Master Plan and Zoning Code and Land Development Regulations as residential dwelling units. Sonesta's condo-hotel units are merely residential condominium units disguised as "hotel units" by Sonesta's marketing machine.

II. SONESTA PROJECT VIOLATES THE 16 UNIT PER ACRE DENSITY LIMITATIONS IMPOSED BY THE MEDIUM DENSITY MULTIFAMILY AND OCEAN RESORT HOTEL DISTRICT FOR ITS PROPOSED MULTIFAMILY RESIDENTIAL CONDOMINIUM DEVELOPMENT

The existing Sonesta Hotel is located within the Medium Density Multifamily and Ocean Resort Hotel District as provided in the Master Plan and Zoning Code for the Village of Key Biscayne. Currently, the Sonesta Hotel property consists of two parcels which are subdivided and were approved to be used strictly as a hotel property with 292 true "hotel rooms".

In its application, the Sonesta applicant states that its development will generate a mere 156 additional residents of Key Biscayne even though the Sonesta applicant intends to build a whopping 875,000 square feet or 5,600 square feet per additional resident. Sonesta's application fails to disclose to the Village what its shareholders were told more than a year ago, only "Hotel

Lot”, the non-guestroom areas of the hotel, which include restaurants, bars, meeting space, office and storage facilities, etc will be owned and operated by transferred Sonesta, which will offer a voluntary rental program to the buyers of each individual residential condo units that wish to voluntarily participate in the rental program by making their units available for rental to the public.

The land use category “Medium Density Multifamily and Ocean Resort Hotel District” expressly limits construction on the 10.329 acre Sonesta parcels to a maximum number of 165 residential dwelling units. This specific ceiling of 165 is arrived at by multiplying the allowable 16 units per acre in this land use district for residential dwelling units by the total acreage comprising the two Sonesta parcels (i.e., 10.329 acres). Because this land use district also allows for a greater number of hotel rooms to be built on the Sonesta parcels (30 hotel units per acre), the Sonesta applicant engages in semantic word games, inappropriately labeling residential condominium units “condo-hotel units” in order to improperly seek and obtain the higher “hotel” density for its residential condominium development project on its 10.329 acre parcels. The land use category “Medium Density Multifamily and Ocean Resort Hotel District” states in its entirety as follows:

Medium Density Multifamily and Ocean Resort Hotel

This category of land use is intended to allow primarily for multifamily residential development and ocean resort hotel development. Either multifamily residential alone or ocean resort hotel development alone may occur on a single parcel or multifamily residential and ocean resort hotel development may occur together on a single parcel.

If only multifamily residential development occurs on a single parcel, then it shall be subject to the same use and density limitations applicable to the medium density residential development (16 dwelling units per acre) land use category.

If only ocean resort hotel development occurs on a single parcel, then it may be permitted at a density not to exceed 30 hotel units per acre; furthermore, no hotel shall contain more than 350 hotel units.

If both multifamily residential development and ocean resort hotel development occur together on a single parcel, then no lot area which is counted toward meeting the lot area required for multifamily residential uses on a lot shall also be counted toward meeting the lot area required for hotel uses on the same lot. If both multifamily residential development and ocean resort hotel development occur together on a single parcel, then the ancillary facilities permitted for each type of development may be shared or otherwise coordinated.

For the purposes of the Medium Density Multifamily and Ocean Resort Hotel land use category, the term "hotel units" may include individual hotel rooms as well as groups of rooms in suites, provided said suites are designed exclusively to be rented as a unit rather than rented separately as individual rooms. Accessory convenience retail uses sized to serve only the needs of hotel guests may be permitted within hotels. Accessory restaurants, bars and lounges necessary to serve hotel guests may be permitted within hotels, provided they are sized so that they can be supported primarily by hotel guests and island residents. Ancillary recreation facilities such as swimming pools, cabanas and tennis courts may be permitted within hotel sites provided they are sized so that they can be supported primarily by hotel guests and island residents. Gaming facilities are not permitted.

Other uses permitted in the Medium Density Multifamily and Ocean Resort Hotel category include public parks and public utilities necessary to serve the uses within this category.

No buildings in this category shall exceed 150 feet in height.

III. THE SONESTA PROJECT VIOLATES THE VILLAGE OF KEY BISCAYNE'S MASTER PLAN ZONING CODE AND LAND DEVELOPMENT REGULATIONS

A. The Sonesta project violates the Village's Concurrency Management System.

Of course, the maximum allowable density is not necessarily equal to the maximum number of units which would be permitted by the Village to be built because of additional restrictions placed on such approvals by the Master Plan, including the proposed development project's legally mandated compliance with concurrency. The Village's concurrency management system mandates "that no development permit shall be issued unless the public facilities necessitated by a development (in order to meet the level of service standards specified in the Traffic Circulation, Recreation and Open Space) will be in place concurrent with the impacts of the development or the permit is conditional to assure that they will be in place." (See, Master Plan, Policy 1.4.1) Therefore, the proposed Sonesta development is required to fully comply with the Village's concurrency requirements because of the extraordinary impacts of such a massive residential development project would have on our community and the level of

service the Village is mandated by Florida law to provide its residents. It must be noted here that Key Biscayne is currently deficient and does not currently meet concurrency and level of service requirements mandated by its own Master Plan. For instance, in the area of Recreation and Open Space, the Village's Evaluation and Appraisal Report evidences a 6.2 acre shortfall. Moreover, the Village is expressly prohibited by law from incurring expenditures which have effect of, facilitating the construction of and, subsidizing a specific private development project, such as the Sonesta project, including its compliance with concurrency. See Master Plan, Objective 3.1 and Policy 3.1.1, which provide:

Objective 3.1 Coastal High-Hazard Area Land Use and Infrastructure

9J-5.012 (3) (b) 5 and 6

Limit Village funds on infrastructure within the Village (all of which is within the coastal high-hazard area) that would have the effect of directly subsidizing development which is significantly more intensive than authorized by this Plan.

Policy 3.1.1

9J-5.012 (3) (c) 7

The Village shall limit its funding of public infrastructure expansion if such funding and such expansion would have the effect of directly subsidizing a specific private development in the Village.

B. The Sonesta project violates the Village of Key Biscayne Zoning Code and Land Development Regulations

Additionally, Sonesta's site plan approval application to the Village expressly requires a resubdivision of the Sonesta parcels to accomplish the plan of development sought by the Sonesta applicant. In its site plan application, Sonesta desires the Village to approve what it in self serving fashion labels 191 condo-hotel units in addition to 63 residential condo dwelling units, the total of which (i.e., 254) are neither permissible under the existing Village Zoning Code or Land Use Regulations applicable to the Sonesta parcels or the Master Plan for residential developments within the Medium Density Multifamily and Ocean Resort Hotel District.

Under Section 30-23(b)(2) of the Village Zoning Code, the Sonesta applicant's proposed installation of Cooking Facilities into a Hotel Unit will **convert the prior Use (i.e., the Sonesta 292 room hotel) into a Multifamily Dwelling**, thus requiring compliance with multifamily Building, life safety, and Zoning Code requirements. Under Section 30-23(b)(2) of the Village Zoning Code, prior to the issuance of a certificate of occupancy, upon resubdivision, the new Use of the Multifamily Dwelling must meet all of the requirements for Multifamily Dwellings, be consistent with Density, Parking, Lot Coverage, and Floor Area Ratio Regulations as set forth in the district where the property is located. The Sonesta applicant has repeatedly stated that the 191 proposed condo hotel units which range in size from approximately 1,000 to 4,000 square feet will have Cooking Facilities, e.g., a microwave and a five-cubic-foot refrigerator. As used in the Village's Zoning Code and Land Development Regulations, Sec. 30.11, the term "Cooking Facilities" is defined as follows:

Cooking Facilities. Any device used for food preparation, specifically to cook, heat, or defrost food. Such devices may include, but should not be limited to, a wet-bar sink, a microwave, or toaster.

Therefore, pursuant to Sec. 30-23, the inclusion of *any* Cooking Facilities within the proposed condo hotel units automatically converts the prior use (i.e., hotel) to a multifamily residential dwelling or unit. As shown hereinabove the Medium Density Multifamily and Ocean Resort Hotel District specifically limits the maximum number of residential units to 16 units per acre or 165, not the 254 total condo units proposed by the Sonesta applicant's site plan application, regardless of what terminology (e.g., "hotel") the Sonesta applicant uses to refer to such condominium units. Sec. 30-23 is clear that installation of *any* Cooking Facility whatsoever functions to immediately convert any hotel unit to a residential multifamily unit (i.e., a residence).

Specifically, Sec. 30-23 of the Village Zoning and Land Development Regulations states as follows:

Sec. 30-23. Replatted Lots and resubdivision of Hotel and Motels.

(a) *Replatted Lots.* No resubdivision of platted Lots shall be permitted except by an approved and recorded amended Plat. In such resubdivision, no Lot shall be created which does not conform to the Regulations of the zoning district within which such land is located.

(b) *Resubdivision of Hotel or Motels.*

- (1) No resubdivision of Hotel or Motels into Multifamily Dwellings shall be permitted unless the Building Official issues a new certificate of occupancy illustrating that the resubdivision is in compliance with all codes, including the South Florida Building Code and the Life Safety Code, as may be amended from time to time.
- (2) **The installation of Cooking Facilities into a Hotel or Motel Unit will convert the prior Use into a Multifamily Dwelling, thus requiring compliance with multifamily Building, life safety, and Zoning Code requirements.** (emphasis added)
- (3) Prior to the issuance of a certificate of occupancy, upon resubdivision, the new Use of the Multifamily Dwelling must meet all of the requirements for Multifamily Dwellings, be consistent with Density, Parking, Lot Coverage, and Floor Area Ratio Regulations as set forth in the district where the property is located.

(Ord. No. 2000-5, § 2, 5-9-00)

C. Under the Village Zoning Code and Land Use Regulations the Sonesta project is a Multifamily Residential Project and not a “Hotel”

The Sonesta project is not a hotel by any definition recognized by the Village’s Master Plan or Zoning Code. In fact, the concept of an Apartment Hotel is recognized and defined by the Zoning and Land Use Development Regulations as follows: *Apartment Hotel.* “A multiple Dwelling under resident supervision, which maintains an inner lobby through which all tenants must pass to gain Access to the apartments and which may furnish dinning room service.” Such

¹ *Subdivision* is defined In Sec.30-11 of the Village Zoning Code as any division or re-subdivision of a Lot, tract or parcel of land, regardless of how it is to be used, either by platting or by metes and bounds into two or more Lots, Building sites or other divisions of one acre or less, for the purpose, whether for the immediate or future transfer of ownership, lease, legacy, or Building Development, including any division of land involving a Dedication, change or abandonment of a Public Street, site, Easement or other Right-of-Way for any public Use of facility.

definition recognizes the inherent residential dwelling component of an “apart hotel”, which contemplates residents’ control and supervision of the apartment hotel and “multifamily dwelling”. By contrast, Sec. 30-11 defines Hotel and Hotel Room or Unit, respectively as follows:

Hotel. A Building, or part thereof, in which sleeping accommodations are offered to the public, primarily on a short term or transient basis.

Hotel Room or Unit. A room, or group of rooms with ingress or egress, intended for rental to transients on day-to-day, week-to-week, or month-to-month basis; but not intended for Use or used as a permanent Dwelling.

Pursuant to the Village’s Zoning Code and Regulations, no permanent or temporary residential dwelling use of Hotel Units is permitted; *only* transient non residential use is allowed. Only **rentals** of such Hotel Units to transient users is permitted; No sale of such individual Hotel Units is allowed. As shown herein, Sonesta’s shareholder disclosures state that the new Sonesta “Hotel Lot” will not even include sleeping accommodations. The 191 Sonesta proposed condominium hotel units which would be sold separately to prospective individual buyers fall squarely within the definition set forth in Sec. 30-11 of an “Apartment Unit” and a “Dwelling”. An *Apartment Unit* is defined as “a room or group of rooms, Occupied or intended to be Occupied as separate living quarters by one Family and containing independent cooking and sleeping facilities.” A *Dwelling* is defined as “any building or part thereof, Occupied in whole or in part, as the residence or living quarters of one or more Persons, permanently or temporarily, continuously or transiently”.

Although the Medium Density Multifamily and Ocean Resort Hotel District permits both multifamily residential development and ocean resort hotel development to occur together on a single parcel, the term “hotel units” is expressly limited to individual hotel rooms or groups of

rooms in suites, provided that said “hotel units” or suites **are designed exclusively to be rented as a unit rather than rented separately as individual rooms.** Indeed, this land use district restricts “hotel units” to those designed exclusively to be rental units, not individual residential condominium units sold to third party purchasers who may in their sole discretion reside in such units and/or *participate* voluntarily or pursuant to contractual obligations in a rental program offered by the Sonesta applicant to the buyers of such residential condominium units (designated unilaterally for self serving purposes by Sonesta in its application as “condo-hotel units”) that *wish* to make their residential condominium units available for rental to the public.

D. Under Florida Law and Florida’s Condominium Act (Chapter 718, Fla. Stat.) the Sonesta Project is a “Residential Condominium” project and not a “Condo-Hotel”

Under Florida law compulsory participation in the rental program by the owners of these residential condominium units and the prohibition of residential dwelling use by the owners of such residential condominium units is strictly prohibited. Florida’s Condominium Act, Chapter 718 of the Florida Statutes, sets forth the statutory framework governing every condominium created and existing in Florida. No such concept as a “condo-hotel” unit is defined or separately recognized by the provisions of Chapter 718.²

Instead, Florida Statutes, Section 718.103 provides the following definitions to terms relevant to Village’s review of the Sonesta applicant’s site plan application:

² See, Fla. Stat., Section 718.102. Purposes

The purpose of this chapter is:

- (1) To give statutory recognition to the condominium form of ownership of real property.
- (2) To establish procedures for the creation, sale, and operation of condominiums.

Every condominium created and existing in this state shall be subject to the provisions of this chapter.

718.103. Definitions

(11) "Condominium" means that form of ownership of real property created pursuant to this chapter, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

(12) "Condominium parcel" means a unit, together with the undivided share in the common elements appurtenant to the unit.

(13) "Condominium property" means the lands, leaseholds, and personal property that are subjected to condominium ownership, whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium.

(23) "Residential condominium" means a condominium consisting of two or more units, any of which are intended for use as a private temporary or permanent residence, except that a condominium is not a residential condominium if the use for which the units are intended is primarily commercial or industrial and not more than three units are intended to be used for private residence, and are intended to be used as housing for maintenance, managerial, janitorial, or other operational staff of the condominium. With respect to a condominium that is not a timeshare condominium, a residential unit includes a unit intended as a private temporary or permanent residence as well as a unit not intended for commercial or industrial use. With respect to a timeshare condominium, the timeshare instrument as defined in s. 721.05(35) shall govern the intended use of each unit in the condominium. If a condominium is a residential condominium but contains units intended to be used for commercial or industrial purposes, then, with respect to those units which are not intended for or used as private residences, the condominium is not a residential condominium. A condominium which contains both commercial and residential units is a mixed-use condominium and is subject to the requirements of s. 718.404.

(27) "Unit" means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration.

(28) "Unit owner" or "owner of a unit" means a record owner of legal title to a condominium parcel.

As is evident from a review of Florida's Condominium Act, any condominium units proposed by the Sonesta applicant to be sold as "hotel condo units" are by legal definition merely "residential condominium units under Section 718.103(23) and Section 718.103(27) which *are intended for use as a private temporary or permanent residence and subject to exclusive ownership*. Further, pursuant to Section 718.106(3), "*A unit owner is entitled to the exclusive possession of his or her unit*". Therefore, under Florida law the proposed condominium units referred to in the Sonesta applicant's site plan application as "condo hotel units" are merely residential condominium units masquerading as hotel units or rooms for all purposes other than

Sonesta's application seeking to improperly obtain approval of 254 residential dwelling units from the Village subject to the 16 unit per acre limitation provided in the Medium Density Multifamily and Ocean Resort Hotel District.³ Even for the purpose of property and casualty insurance risk classification, condominiums are expressly classified as residential property. See, Section 718.1256, Fla. Stat.

IV. THE SONESTA PROJECT DOES NOT MEET VILLAGE CONCURRENCY REQUIREMENTS

As is clearly evident from any cursory analysis of its application, the Sonesta applicant is blatantly attempting to circumvent the 16 residential unit per acre limitation imposed by Master Plan in Ocean Resort District by deceptively labeling some of the 254 proposed residential condominium units "hotel condo units" even though Florida law does not recognize such specific legal term or distinction. All applicable legal definitions under the Village's Master Plan and the Zoning and Land Use Regulations and Florida Statutes Chapter 718 define all of the Sonesta applicant's 254 proposed condominium units as residential dwelling units pursuant to which owners are entitled to a legal and inherent right to reside and possess such unit; not merely a transient right to use such a small hotel room or hotel unit designed exclusively for rent or rental purposes. The terms "hotel room" and "hotel unit" do contemplate any use, whether permanent, temporary, continuous or transient, as a residence and a multifamily dwelling unit here. Such residential use of any kind is expressly incompatible and mutually exclusive for all relevant purposes applicable to the Village's review of Sonesta's site plan application pursuant to the requirements of Master Plan and the Zoning Code and Land Use Regulations. All 254

³ See, Section 718.106 (3), Fla. Stat., which provides "A unit owner is entitled to the exclusive possession of his or her unit, subject to the provisions of s. 718.111(5). He or she is entitled to use the common elements in accordance with the purposes for which they are intended, but no use may hinder or encroach upon the lawful rights of other unit owners."

condominium units are by legal definition under Florida's Condominium Act "residential condominium" dwelling units, no matter the size or the label attributed to them and therefore exceed the 165 unit ceiling by at least 89 residences. Consequently, the proposed development and site plan application does not meet Village requirements for concurrency.⁴ In fact, using the formula provided by Sonesta in its application, the project's concurrency requirements for Open Space and Recreation *alone* for 254 residential units would require the Sonesta applicant to provide approximately 1.6 acres of Recreation and Open space.

Recreation and Open Space Calculation

2.47 persons per unit x 254 dwelling units = 627 people

627 people / 1000 x 2.5 ac = 1.57 AC

1.57 AC x 43,560 SF/AC = 68,389.20 SF of required recreation and open space

Remarkably, when the Village level-of-service and concurrency requirements are currently insufficient to meet the needs of our community as mandated by the Master Plan, how can the Village entertain permitting a massive residential development project that would only

⁴ **Concurrency Analysis for Open Space and Recreation provided by Sonesta applicant to Village for review in connection with the Sonesta site plan application.**

Open Space and Recreation

The project includes 63 residential dwelling units and therefore must address the recreation and open space concurrency requirements for those dwelling units. As outlined in the table below, in accordance with the 2000 census data for the Village of Key Biscayne, there are 2.47 persons per dwelling unit. That means that the 63 dwelling units included within the development program will generate an expected population of 156 people. The Key Biscayne recreation and open space standard is 2.5 acres per thousand population resulting in a recreation and open space need of .39 acres of 16,988.4 square feet of recreation and open space land.

Recreation and Open Space Calculation

2.47 persons per unit x 63 dwelling units = 156 people

156 people / 1000 x 2.5 ac = .39 AC

.39 AC x 43,560 SF/AC = 16,988.4 SF of required recreation and open space

further tax the Village with respect to its currently deficient Recreation and Open Space, Traffic Circulation and Infrastructure concurrency requirements. The Village's Master Plan is clear "that no development permit shall be issued unless public facilities necessitated by the project are in place concurrent with the impacts of development". Here, when the Village already has a 6.2 acre deficiency in the Recreation and Open Space Category alone and the Sonesta project would add at least an additional 1.6 acres of Recreation and Open Space concurrency requirement to that negative equation, how can the Village even consider the approval at this time of such site plan application when the Master Plan requires the Village to do otherwise in measuring the Village's conformance with the level-of-service and concurrency.

V. CONCLUSION

Sonesta has already tried to pull the wool over the community's collective eyes once before with its PUD ordinance and prior site plan application. While the Sonesta applicant continues to tout this project in the general media for marketing purposes as a new luxury residential condominium project, Sonesta insists to Key Biscayne residents that its project is a hotel development project with a small residential component. The Sonesta applicant and project cannot be allowed to circumvent the clear requirements of concurrency under the Master Plan and to violate the clear and unambiguous language of our Zoning Code and Land Development Regulations. It is high time for the Village to require Sonesta to remove its mask, stop this charade and file a compliant and legitimate site plan application for a development consistent with Master Plan, the Zoning Code and Regulations, including concurrency, and to ensure the preservation of Key Biscayne forever!

STOP SONESTA'S MASQUERADE; PRESERVE OUR KEY BISCAYNE!

Ilyse Kelly
395 Gulf Road
Key Biscayne, FL 33149
ilyse@thekellys.cc

VIA E-MAIL AND HAND DELIVERY

Stephen Helfman
Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.A.
2665 S. Bayshore Drive, Suite 420
Miami, FL 33133

Dear Steve,

According to Jud Kurlancheek, you will be rendering to him an opinion as to whether the current proposed Site Plan Approval Application for the redevelopment of the Sonesta property (the "Site Plan Application") submitted by SBR-Fortune Associates, LLP (the "Developers"), is in compliance with the Village of Key Biscayne's Master Plan and Zoning and Land Development Regulations (the "Village Code"). The main reason that I am writing this letter is to address the issue of the proposed use of the project, and to contend that such use renders the Site Plan Application in violation of the Village Code because it exceeds the permitted density for that zoning district. While I believe that there are other problems with the Site Plan Application (such as concurrency issues and environmental concerns), I am limiting this letter to the issues of use and density.

As you know, the current zoning for the Sonesta property is Hotel Resort District. If hotel units are built, the density is 30 Units per acre, and if apartments, or residences, are built, the density is 16 Units per acre. The project, as set forth in the Site Plan Application, uses the 30 Units per acre density calculation for the proposed condo-hotel portion of the project (the "Condo-Hotel Portion"). The Developers use that calculation because they maintain that the Condo- Hotel Portion will be used as a hotel. I believe that the Condo-Hotel Portion is not, in fact, a hotel and, therefore, violates the Village Code.

I don't think that this issue is all that complicated. I believe that the issue of the use of the project has been obfuscated by threats of lawsuits, discussions about the form of ownership of the units, inane references to washers and dryers for bathing suits, and premature investigations into ways the Village could limit how long owners may reside in their units. The true nature of the Condo-Hotel Portion is in its very name; that is, Condo-Hotel. It is a hybrid project that is neither a traditional hotel, nor a pure residential project. I am not referring to the Condo part of the name as it relates to ownership, but as it relates to use. The people that purchase the condominiums will have an expectation of residing there (for how long will be addressed further on). Mr. Defortuna has stated in quotes from various news articles, in discussions with Holiday Colony owners, and in statements from him during Village Council meetings, that he

“cannot build, nor get financing for, a traditional hotel.” Even Mr. Defortuna acknowledges that the Condo-Hotel Portion is not a traditional hotel.

Other than verbal assurances from the Developers that the Condo-Hotel Portion will be used as a hotel, there is absolutely no other written indication or proof that what the Developers will be selling to purchasers of the Condo-Hotel units will be used as hotel rooms under the current Village Code. In fact, without an amendment to our Village Code that restricts occupancy of the units by the owners, there is no guarantee that any of the units will ever be used as a hotel during any part of a year. It is important to understand why the Developers are reluctant to offer any written, substantive statements as to specifically how the units are supposedly intended to be used as hotel units. As most of us know, it is because they do not want to subject themselves to the jurisdiction of the Securities and Exchange Commission (the “SEC”).

Securities and Exchange Commission Issues

Hotel industry articles written over the last few years (typically written by attorneys specializing in hospitality law) specifically discuss the “difference between the sale of real estate and the sale of securities as the SEC currently sees it.”¹ One article entitled “Avoiding the Pitfalls of Condo Hotel Structuring” from an online industry publication specifically states:

While condo hotels rooms may be generally thought of as real estate, some contracts to purchase condo hotel rooms, particularly if the sale is tied to a rental program or involves pooling of rental income or expenses, may be considered a security. If it is a security, the sale must be registered with the [SEC] or exempt from registration; both are processes with which hotel and condo developers have little experience.²

Another industry article further explains that most developers “shun securities compliance as too expensive, time consuming, and ill-suited to the customs and practice of real estate sales. They do not want to offer and sell their units only through registered securities brokers and salespersons, or to comply with strict disclosure and liability rules.”³

Finally, most of these same articles state that the SEC has indicated in a series of no-action letters that the SEC will not require projects to be registered if the developer sells hotel condo units in accordance with certain requirements including, but not limited to, the following:

- the developer doesn’t emphasize the economic benefits of a rental program managed by the developer or a third party.
- there is no advertising of the rental services in the materials offering the unit for sale

- no contract with any buyer for unit rental services is entered into before the buyer has entered into a purchase contract for the condominium unit
- there are no material limitations on the ability of an owner to occupy a purchased unit except for those imposed by local zoning or similar regulations. (In fact, one author writes that “developers must be cautious about their own involvement in the adoption of municipal ordinances, as they run the risk of converting the offering of their condo hotel units into an offering of “securities” under federal securities law. This same author cautions that “[o]verly restrictive use and rental conditions in an ordinance on owners of condo hotel units could, under certain conditions, result in the units being characterized as securities...”⁴)

Over the last several weeks I have discussed some of the SEC issues with Mr. Kurlancheek. His response is that this is not the Village’s problem; it’s the Developers’ problem. While the question of whether the Developers will be subject to SEC jurisdiction may not be the Village’s “problem”, it certainly explains why the Developers cannot provide anything other than verbal assurances that the units will be used as hotel rooms. It also explains their pitiful responses to the set of questions relating to use and rental put to them by Mr. Kurlancheek in his letter to them dated November 28, 2006.

I have not seen such doublespeak and circular thinking since I read George Orwell’s novel 1984 when I was in high school. When asked by Mr. Kurlancheek whether the owners of the units will occupy the units, the Developers’ response is “the owner will occupy the units as transient occupants only in accordance with all applicable regulations.” First of all, the use of the word “transient” in their answer is laughable. The interpretation of the word “transient” is part of the determination as to whether or not the units will be used as hotels. To use the word transient in their answer is not only circuitous, it provides no illumination nor proof as to how the units will ultimately be used.

Furthermore, the Developers state that the owner will occupy the units in accordance with all applicable regulations. **There are no applicable regulations in the current Village Code that limit use of the rooms as hotel units.** And, as we learned above, the developers cannot place any limits as to use in their sales documents, lest they may fall under the purview of the SEC. Mr. Kurlancheek has intimated that the applicable zoning limitation would be the provision defining a Hotel Room or Unit “intended for rental to transients on day-to-day, week-to-week, or month-to-month basis...” As previously discussed with both you and Mr. Kurlancheek, and as mentioned above, the unit owners cannot be required to place their units into the rental pool or program. Accordingly, this so-called limitation assumes that the units will be placed in the rental program. Moreover, our current Village Code does not even begin to address how to force an owner to comply with regulations that only apply to renters (without even having to address the issue of transience).

As to the issue of unit owners renting units from themselves, I have not seen any written information from the Developers as to what convoluted scheme they plan on using to convince owners of the units that they should pay rent for the use of their own units. All I have read is the question posed by Mr. Kurlancheek "will the owner pay rent?", and the Developers' response "The owner will pay rent for any time that it occupies the unit." Again, circuitous, and the response contains no explanation as to the mechanics of this, nor an estimate as to how much rent will be charged. Will the owners pay the same rent as 'true' renters will be paying, or will it be some nominal charge that the Developers deem "rent."?

Perhaps I'm missing some of the paperwork provided by the Developers. After all, it is difficult to believe that the one and two sentence terse responses from the Developers as to the USE of the units are all there is from them. This project is the first major development on Key Biscayne since the Incorporation of our Village. As we all know, a primary impetus for incorporating was to prevent or, at least, limit substantial developments on our small barrier island, particularly after the Ocean Club and Grand Bay developments were approved by the county prior to incorporation. I cannot believe that those meager responses could possibly be sufficient for a proposed project that will have a profound impact on the quality of life for all of the residents of Key Biscayne.

As both you and Mr. Kurlancheek have repeated, and as Village Councilmember Steve Leidman said, it is the use of the project that is paramount. As I believe I have made clear, the Developers cannot provide any substantial written assurances that what they are selling to owners will ultimately be used as a hotel unit, nor does the Village Code currently restrict in any meaningful or adequate manner, the use of those units by their respective unit owners. Accordingly, the Site Plan Application is in violation of the Village Code because it uses a density calculation for Hotel Units, when, in fact, the units will not be sold as Hotel Units. The Site Plan Application exceeds the permitted density for Hotel Resort District.

Amending the Village Code

I am not in support of amending our Village Code in order to accommodate a project that as proposed is in violation of our current laws. However, as I sense that the Village staff and Council may be considering amending our Village Code, I am compelled to address the parameters pursuant to which I believe that should take place.

The only way to make the project "comply" with the Village Code on this issue would be to amend the code to add a definition for this hybrid condo-hotel use that includes limitations as to how long the units may be occupied by the owners on a continuous basis and within one year. However, it needs to be made clear to the Village Council and to the residents of Key Biscayne, that this would be an amendment to the Village Code in order to accommodate a project that is otherwise NOT in compliance. Such an amendment would not be a "clarification", but rather, it would be a significant change to the Village Code. Moreover, such an amendment should not be proposed without other

Subj: **RE: yesterday's meeting**
Date: 12/5/2006 2:08:05 P.M. Eastern Standard Time
From: jkurlancheek@keybiscayne.fl.gov
To: ilyse1@bellsouth.net
CC: vkbbzp@aol.com

Thank you for your e mail. I will take your comments into consideration. For a faster reply to e mails, pls use vkbbzp@aol.com
Jud Kurlancheek

From: Ilyse Kelly [mailto:ilyse1@bellsouth.net]
Sent: Friday, December 01, 2006 2:06 PM
To: Jud Kurlancheek
Subject: yesterday's meeting

Jud Kurlancheek, Director
Building, Zoning and Planning Dept.
Village of Key Biscayne

VIA E-MAIL

Dear Jud,

Thank you for meeting with us yesterday. As a follow-up to that meeting, I just wanted to reiterate two items that I had mentioned.

My first issue concerns your most recent set of questions to the developer. I agree that those questions go a long way toward getting them to explain how the proposed condo-hotel portion of their project will operate as a hotel. However, I believe that part of the discussion of whether these units will be used as hotel rooms is not only a question of how long they plan to allow their owners to occupy their units in any given year, but also must include the question about whether their owners will have to put their condos into a rental program in the first place.

In other words, they need to directly answer the question as to whether their purchaser/owners will be required to deposit their units into the hotel rental program. If those condo owners are not required to put their units into the hotel rental program, that means that any given time, it is possible, in theory that 90% of them will, and, it is possible, in theory, that only 20% of them will deposit their units (or, obviously, any percentage in between). After all, it is entirely conceivable that the wealthy people who have the financial means to purchase these large expensive units, may not want to deal with the rental program, other people living in their units, storing their personal items in their "owners closets", etc. There are many wealthy families who have second and third homes that are not rented out, but simply sit empty until they are ready to live in them.

In short, as this is fundamental to the proposed USE of the project, I believe you should immediately request a response in writing from the developer to the follow-up question of whether the purchaser/owners will be required to enter the rental program.

I also had mentioned to you the idea of making Heather Drive the only way of ingress/egress into the Holiday Colony area (not gated), and Sonesta Drive the only way into the new project. While I understand that this would probably happen during the construction phase of the project, I also believe

this would be a great idea to try to alleviate some of the impact to our neighborhood on a permanent basis. You mentioned that you had not previously been made aware of this idea. However, some residents from Holiday Colony raised this possibility about 5 years ago (at the time we requested the lighting that is now on Heather Drive). Also, this was mentioned at Holiday Colony's first meeting with you last spring.

As you pointed out, the loading docks are currently located on the South side of the proposed project, and there is no "thru" street in the entire project for trucks to travel from Sonesta Drive, into the project, and get to the loading docks. Thus, all of the delivery trucks for this massive project, as well as the taxis, rental cars and new residential traffic, will have to go through Holiday Colony. Again, I believe that now is the time to explore this idea of making Holiday Colony a discrete area with one road into the neighborhood, and another road into the project. At the very least, this will alleviate some of the concerns of our neighborhood relating to increased traffic, noise, employees, owners and guests walking through our area, etc..

I appreciate your consideration of these issues, and look forward to hearing from you.

Sincerely,

Ilyse Kelly
395 Gulf Road

cc: Village Council Members and Mayor (via e-mail)
Stephen Helfman, Esq. (via e-mail)

Subj: Re: HOTEL CONDO ADMINISTRATIVE DECISION
Date: 1/6/2007 6:06:21 P.M. Eastern Standard Time
From: cmcdowell@bilzin.com
To: vkbbzp@aol.com, SHelfman@wsh-flalaw.com, jmenendez@keybiscayne.fl.gov,
edefortuna@fortune-network.com, jherndon@fortune-network.com,
asonnabend@trumpsonesta.com, george.abrams@wilmerhale.com

Jud-

I would be happy to respond and will attempt to do so ASAP, however, with the benefit of at least talking through your reasoning it is hard to be responsive other than to answer your questions. Would you be available to meet Monday around 11:00 to discuss the issues so that I can prepare a written response to your concerns?

With regard to your questions:

1) The owner will pay a rental fee to the hotel operator. The owner will ultimately receive a portion of the gross revenues generated by their unit after payment of all required fees for operation, maintenance, furniture replacement etc....but the rental fees for the time the owner occupies a unit on a transient basis will be paid the the hotel operator.

2) In the rare instance that an owner does not voluntarily put their unit into the rental program (5 of the 412 units in the Fontainebleau II project are not in the rental program - even though each of those units are actually permitted to be occupied as permanent residences) the use of the unit will still be restricted to transient use by the condominium documents and any restrictive covenants imposed by the Village.. There will still be no kitchen in the units so they will not meet the minimum housing standards for use as a residence. They will be a hotel room or suite because they will not legally qualify as anything else. In short, they will effectively be a vacant hotel room for a vast majority of the year depending upon the temporal limits that you, the Village, impose. So the length of time that an owner will be allowed in the unit will depend upon you. I am not aware of any hotel that has achieved 100% occupancy year round so there is certainly nothing unusual about there being vacant rooms in a hotel

Carter McDowell
 Bilzin Sumberg Baena Price & Axelrod LLP
 200 South Biscayne Boulevard, Suite 2500
 Miami, Florida 33131-5340

Tel 305.350.2355
 Fax 305.351.2239
 cmcdowell@bilzin.com
 www.bilzin.com

----- Original Message -----

From: VKBBZP@aol.com <VKBBZP@aol.com>
To: Carter McDowell; SHelfman@wsh-flalaw.com <SHelfman@wsh-flalaw.com>; jmenendez@keybiscayne.fl.gov <jmenendez@keybiscayne.fl.gov>
Cc: VKBBZP@aol.com <VKBBZP@aol.com>
Sent: Sat Jan 06 13:16:49 2007
Subject: HOTEL CONDO ADMINISTRATIVE DECISION

Hi Carter, I just opened up Steve's legal opinion and his advisory e mail notice to you. As per your request in your last e mail, I will meet with you one more time before I render my opinion. I would like to meet with you on Monday. Any time that is convenient for you. Please forward a memorandum, two hours in advance of the meeting, on why I should take a position that is contrary to the Village Attorney and copy Steve and Jackie

Please focus on the following issues:

1. How can a condo hotel owner pay rent to himself and this can still be considered as a hotel unit?
2. If the condo hotel unit owner, decides not to enter into the rental pool and decides never to rent out his unit,

how that can the unit be determined to be a hotel unit under our definitions for hotel.

Jud Kurlancheek

"BILZIN.COM" made the following annotations.

TAX ADVICE DISCLOSURE

Pursuant to Internal Revenue Service Circular 230, we are required to advise you that if there is any tax advice contained herein, it is not intended to be used, and cannot be used, by the addressee or any taxpayer, for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code.

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail or reply to info@bilzin.com, and delete the message. Thank you very much...

=====

November 20, 2006

Mr. Jud Kurlancheek
Village of Key Biscayne
85 West McIntyre Street
Key Biscayne, Florida 33149

Re: Village of Key Biscayne

Dear Mr. Kurlancheek:

Please forgive the length of the following; however, we understand that a new theory about the proposed Condo- hotel units has been raised. Misquoting the Key Biscayne Code the argument is apparently that all hotel units must be "rented to transients" and therefore the owners of a condo hotel unit may not stay in the hotel because they are not renters.

This argument does not hold up to scrutiny and logic. Below, I have copied certain definitions from the Key Biscayne, Miami Beach, City of Miami, and Miami-Dade County Codes. I think you will find the similarities striking. As everyone is well aware Condo-hotels are in widespread use in all of these jurisdictions.

The law in the State of Florida is very clear when it comes to the interpretation of Land Use and Zoning Regulations. As clearly stated by the Third District Court of Appeals in *Mandelstam v. City of South Miami*, 539 So.2d 1139, (3rd DCA 1988) "zoning laws are in derogation of the common law and as a general rule are subject to strict construction in favor of the right of the property owner to unrestrictive use of his property." Further, "courts and other governmental bodies are prohibited from inserting words or phrases into municipal ordinances to express intentions that do not appear." In the *Mandelstam* case, the Zoning Code permitted schools by special exception. *Mandelstam* applied for approval of a gymnastic school and the City denied the approval stating that the Code did not intend to allow for gymnastic schools but only traditional kindergarten through twelfth-grade schools. The court overturned the City's denial based on the reasoning quoted above, finding that the City did not have the right to insert wording to the Code to limit schools to K-12.

The Key Biscayne Code clearly and unequivocally states that hotels are permitted uses in the Hotel-Resort Zoning District. As quoted below, Key Biscayne has a specific definition of hotel. Likewise, the Code includes definition of hotel room or unit and a definition of hotel or suite hotel. The proposed Sonesta complies with these definitions.

The Minimum housing standards for Miami-Dade County, are directly applicable in Key Biscayne. These regulations require a minimum of two (2) top burners as part of a nonportable cooking facility in every dwelling unit. The proposed suite hotel units at the Sonesta do not meet these standards and therefore may not be used as a dwelling unit.

As we have discussed in the past, Zoning and Land Development Regulations regulate use. They do not regulate not ownership. The Zoning Code may not prohibit rental apartments buildings in favor of condominium ownership, and the converse is also true; the Zoning Code may not prohibit condominium form of ownership.

"Chapter 718 of the Florida Statutes regulates condominiums. Section 718.507 specifically applies to "[z]oning and building laws, ordinances, and regulations" and states in relevant part:

All laws, ordinances, and regulations concerning buildings or zoning shall be construed and applied with reference to the nature and use of such property, without regard to the form of ownership. No law ordinance or regulation shall establish any requirement concerning the use, location, placement, or construction of buildings or other improvements which are, or may thereafter be, subjected to the condominium form of ownership, unless such requirement shall be equally applicable to all buildings and improvements of the same kind not then, or thereafter to be, subjected to the condominium form of ownership. FLA. STAT. ch. 718.507 (2005).

In essence, the Statute prohibits laws that discriminate against the condominium form of ownership. See *Orange West, Ltd. v. City of Winter Garden*, 528 So. 2d 84, 86 (Fla. Dist. Ct. App. 1988) ("...the language of that section when read as a whole...is clearly not preemption, but is instead a prohibition against condominium discrimination.") (citing *City of Miami Beach v. Rocio Corp.*, 404 So. 2d 1066, 1069 (Fla. Dist. Ct. App. 1981)."

The Key Biscayne Code Definitions:

Hotel. A Building, or part thereof, in which sleeping accommodations are offered to the public, **primarily** on a short term or transient basis.

Hotel Room or Unit. A room, or group of rooms with ingress or egress, **intended for rental to transients on day-to-day, week-to-week, or month-to-month basis; but, not intended for Use or used as a permanent Dwelling.** The definition includes:

- (1) A sleeping room within a Hotel;
- (2) A living or sleeping room within a Dwelling, having a separate entrance from outside the Dwelling other than the principal entrance of Dwelling; and
- (3) A living or sleeping room within a Dwelling Unit of a Multiple Family Dwelling, having a separate entrance from outside the Dwelling Unit.

(m) **Suites Hotel or suite Hotel Units.** When a Hotel Unit contains Cooking Facilities it shall be considered as a suite Hotel Unit and shall conform with the following:

- (1) The Units shall only be permitted in new construction or in Buildings which have been substantially rehabilitated or where the suites Hotel Units are part of a request for a building permit that will result in the Building being substantially rehabilitated.

(2) **Cooking Facilities shall be limited to one microwave oven. The Unit is further limited to one five-cubic-foot refrigerator.**

(3) The Building shall contain a registration desk and a lobby;

(4) The Building shall have central air conditioning or flush mounted Wall units;

(5) Except for Units on the ground floor, the Building shall not have unenclosed exterior walkways that provide Access to the Units; and

(6) If a door is provided to a hallway or as a means of exit and entrance into the Unit from the exterior of a Building, then it is considered as a separate Unit for purposes of calculating Density.

Note that the code states hotels offer accommodations **primarily** on a short term or transient basis and they are **intended for rental** to transients on day-to day, week to week or month to month basis, but are **not intended for use** as a permanent Dwelling. It does **not** say that hotel units may **only** be rented, it only requires that they be intended for rental primarily on a short term basis. As the suite hotel units may not be used as a dwelling unit because they do not meet the minimum housing standards they are clearly intended primarily for rental.

Contrast the definition of Hotel and Hotel unit with the following definitions.

Apartment Building. A Building with or without resident supervision Occupied or **intended to be Occupied** by more than two families living separately **with separate cooking and sleeping facilities in each Unit.**

Apartment Unit. A room or group of rooms, Occupied or intended to be Occupied as separate living quarters **by one Family and containing independent cooking** and sleeping facilities.

Family. Any number of individuals living together as a single housekeeping Unit and **doing their cooking on the Premises**, as distinguished from a group occupying a Boarding or Rooming House or Hotel.

Note that each definition of an apartment or apartment unit refers to independent cooking facilities and/or cooking on the premises, yet suite hotels only permit a single microwave and 5 cubic foot refrigerator--- hardly independent cooking facilities for a family.

Practice in other communities is also instructive. There are literally hundreds if not thousands of operating condo- hotel units on Miami Beach. Note the definitions in the Miami Beach code quoted below are virtually identical to the Key Biscayne Code definitions.

II City of Miami Beach Code Definitions:

Hotel means a building **occupied or intended to be occupied by transient residents**, with all residents occupying hotel units and where ingress or egress may or may not be through a common lobby or office that is supervised by a person in charge at all times.

Hotel unit means a room, or group of rooms, with ingress or egress which may or may not be through a common lobby, **intended for rental to transients on a day-to-day, week-to-week, or month-to-month basis, not intended for use or used as a permanent dwelling and without cooking facilities.** (This term includes a suite hotel unit, see section 142-1105.)

Sec. 142-1105. Suites hotel.

When a hotel unit contains cooking facilities it shall be considered as a suite hotel unit and shall conform with the following:

(1) The units shall only be permitted in new construction, in historic district suites hotels that have been rehabilitated in general accordance with the U.S. Secretary of the Interior's standards for rehabilitation of historic buildings as determined by the planning and zoning director, or in buildings which have been substantially rehabilitated or where the suites hotel units are part of a request for a building permit that will result in the building being substantially rehabilitated.

(2) Cooking facilities in units of less than 550 square feet shall be limited to one microwave oven and one five-cubic-foot refrigerator. Notwithstanding the forgoing, historic district suites hotels may have full cooking facilities in units with a minimum of 400 square feet.

(3) The building shall be maintained and operated as a hotel.

(4) A minimum of 20 percent of the total gross area shall be maintained as common area, however this requirement shall not apply to historic district suites hotels. This provision shall not be waived or affected through the variance procedure.

(5) The building shall contain a registration desk and a lobby.

(6) The building shall have central air conditioning or flush-mounted wall units; however no air conditioning equipment may face a street, bay or ocean.

(7) The building shall not have unenclosed exterior walkways that provide access to the units; however this requirement shall not apply to historic district suites hotels.

(8) Should the facility convert from a suites hotel to a multifamily residential building, the minimum average unit size and all other zoning requirements for the underlying district shall be met.

(Ord. No. 89-2665, § 6-22(D), eff. 10-1-89; Ord. No. 99-3176, § 2, 3-3-99)

Apartment building means a building with or without resident supervision **occupied or intended to be occupied by more than two families living separately with separate cooking facilities in each unit**

Apartment unit means a **room, or group of rooms, occupied or intended to be occupied as separate living quarters by one family and containing independent cooking and sleeping facilities.** (Term includes condominium).

Family means an individual or two or more persons related by blood or marriage, or a group of not more than three persons (excluding servants) who need not be related by blood or marriage, **living together as a single housekeeping unit** in a dwelling.

Miami Dade County takes a different approach allowing kitchens in all units and even allowing up to 5% of the individual units to be occupied for more than 6 months. Note the requirement of central mail and key service and daily maid service being distinguishing characteristics.

III Miami- Dade County Code Definitions;

(58) *Hotel.* **A building in which lodging, or boarding and lodging, are provided as the more or less temporary residence of individuals who are lodged therein and in which ingress and egress to and from all rooms are made through an inside lobby supervised by a person in charge at all times. As such, it is open to the public in contradistinction to a**

boarding, lodging house or an apartment building. Keys to the rooms and mail for the occupant of the hotel are received and generally kept by the attendant at the desk in the lobby. Daily linen service and other normal and customary hotel services shall be offered to the individuals lodged therein. No more than five (5) percent of the individual hotel units shall be occupied for more than six (6) months. Kitchen facilities in individual units may be offered.

(6) Apartment. A room or a suite of rooms within an apartment house, arranged, intended or designed to be used as a home or residence of one (1) family with kitchen facilities for the exclusive use of the one (1) family.

(44) Family. One (1) person, or group of two (2) or more persons living together and interrelated by blood, marriage or legal adoption, occupying a dwelling unit designed as a single-family use, as a separate housekeeping unit with a single set of kitchen facilities. The persons thus constituting a family may also include gratuitous guests and domestic servants.

IV City of Miami Zoning Code Definitions :

Hotel; motel. A facility of eleven (11) or more lodging units offering transient lodging to the general public and providing accessory services such as dining rooms, restaurants, meeting rooms and recreational facilities.

Lodging unit. Attached or semidetached living quarters comprised of furnished room(s) of approximately two hundred (200) gross square feet or more in area, including sanitary facilities **but with only limited kitchen facilities, if any; not qualifying as a dwelling unit or efficiency apartment; occupied by transients on a rental or lease basis for limited periods of time**

Apartment. See Dwelling, multifamily.

Dwelling, multifamily; multiple; apartment building. A multifamily dwelling, multiple dwelling, or apartment building is a building containing three (3) or more dwelling units.

Dwelling unit. One (1) or more interconnected rooms with a single kitchen facility and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. As defined by this ordinance, and except for purposes of federally subsidized housing, minimal dwelling unit size shall be as follows: efficiency - four hundred (400) square feet, one-bedroom - five hundred fifty (550) square feet, two-bedroom - six hundred fifty (650) square feet.

Family. A family is one (1) or more persons occupying a single dwelling or lodging unit, provided that, unless all members are related by blood, marriage, or adoption, no such family shall contain over three (3) persons (including servants). A family may also include a group of not more than eight (8) foster children, in addition to the foster parents' natural children, provided that such home is approved by appropriate state and/or local agencies. The term "family" shall not be construed to mean fraternity, sorority, club, or institutional group.

V Metropolitan Miami-Dade County Minimum Housing Standards

Chapter 17 of the Miami-Dade County Code of Ordinances (the "Code"), also referred to as the "Metropolitan Miami-Dade County Minimum Housing Standards Ordinance", establishes the minimum housing standards for **all** properties located in Miami-Dade County. Pursuant to Section 17-4 of the Code the ordinance is applicable to both incorporated and unincorporated areas of Miami-Dade County.

Sec. 17-06 defines a "dwelling" as "any building, including, to the extent not inconsistent with State or Federal law, a manufactured home or mobile home, which is wholly or partly used or intended to be used for living, sleeping, cooking and eating, provided that temporary housing as hereinafter defined shall not be regarded as a dwelling."

The same section defines a "**dwelling unit**" as "**any room or group of rooms located within a dwelling and forming a single habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating.**"

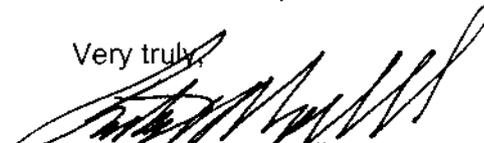
Sec. 17-23 establishes the minimum standards for **dwelling units**. Sec. 17-23(6) states:

6) **every occupied dwelling unit** shall be provided with **an installed nonportable cooking facility** which shall not be capable of being carried easily by one (1) person, and shall have at **least two (2) top burners**. Vacant dwelling units shall be provided with utility connections for such facility.

Hotel rooms in the Sonesta project do not provide nonportable cooking facilities which include at least two top burners. Therefore the Sonesta hotel rooms do not meet the minimum housing standards and cannot be classified as "dwellings" or "dwelling units" in Miami-Dade County and Key Biscayne.

In conclusion, the Zoning Code of the Village of Key Biscayne permits hotels and suite Hotels in the Hotel-Resort Zoning District. The Village may not insert words into the definition of those types of facilities that do not exist. Moreover, Florida Statutes prohibits the Village from interpreting or adopting land development regulations and zoning codes that would prohibit or interfere with condominium for of ownership. Therefore, the suite Hotel project incorporated into the proposed redevelopment of the Sonesta is in fact in compliance with the Village Code.

Very truly,



Carter N. McDowell

CNM:id

Westlaw

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(Cite as: 539 So.2d 1139)

H

Mandelstam v. City Com'n of City of South
Miami Fla.App. 3 Dist., 1988.

District Court of Appeal of Florida, Third District.

Rod and Carol **MANDELSTAM**, Violet L.

Wilson, and John and Virginia Sharp, Petitioners,

v.

The CITY COMMISSION OF the CITY OF
SOUTH MIAMI, Florida, Respondent.

No. 88-651.

Nov. 1, 1988.

Property owners petitioned for writ of certiorari from Circuit Court decision affirming city's denial of special use permit for construction of children's gymnastics school. The District Court of Appeal, Jorgenson, J., held that city could not narrow scope of zoning code to deny permit for gymnastics school.

Certiorari granted and cause remanded with directions.

West Headnotes

[1] Municipal Corporations 268 ↪120

268 Municipal Corporations

268IV Proceedings of Council or Other
Governing Body

268IV(B) Ordinances and By-Laws in
General

268k120 k. Construction and Operation.

Most Cited Cases

Courts and other governmental bodies are prohibited from inserting words or phrases into municipal ordinances to express intentions that do not appear.

[2] Zoning and Planning 414 ↪388

414 Zoning and Planning

414VIII Permits, Certificates and Approvals

414VIII(A) In General

414k384 Nature of Particular Structures or

Uses

414k388 k. Churches, Schools, Clubs
and Other Institutions. Most Cited Cases

City could not narrow scope of zoning code to deny special use permit for construction of children's gymnastics school in area in which "schools, public and private," were permitted uses; normal dictionary definition of "school" encompassed proposed gymnastics school, and code provided that words and terms not defined should be interpreted in accord with normal dictionary meaning.

[3] Zoning and Planning 414 ↪232

414 Zoning and Planning

414V Construction, Operation and Effect

414V(A) In General

414k232 k. Strict or Liberal Construction.

Most Cited Cases

Zoning laws are in derogation of common law and, as general rule, are subject to strict construction in favor of right of property owner to unrestricted use of his property.

*1139 Fine Jacobson Schwartz Nash Block & England, and Linda Ann Wells and Stanley B. Price, Miami, for petitioners.

John R. Dellagloria, City Atty., for respondent.

Before HUBBART, BASKIN and JORGENSEN,
JJ.

JORGENSEN, Judge.

Rod and Carol Mandelstam, Violet Wilson, and John and Virginia Sharp petition for a writ of certiorari from a decision of the Dade County Circuit Court, Appellate Division, which affirmed the denial of a special use permit by the City of South Miami. For the reasons which follow, we grant the writ of certiorari and quash the decision below.

The Mandelstams, in late 1986, applied to the City of South Miami for a special use permit to build a

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(Cite as: 539 So.2d 1139)

children's gymnastics school on Red Road adjacent to Dante Fascell Park. The area is zoned RS-3 (single family residences). However, section 16-22-1 of the City of South Miami's Zoning Ordinance provides that in an RS-3 zone "schools, public and private," are permitted uses. Section 10-1-1.05 of the same ordinance provides that "words and terms not defined herein shall be interpreted in accord with their normal dictionary meaning."

The City Commission of the City of South Miami unanimously denied the permit, stating that "private schools of this character" (emphasis added) were not permitted under the zoning ordinance. The Commission further stated that the requested use was a "commercial use" incompatible with the existing character of the surrounding neighborhood. The Commission also denied the permit on the ground that the Mandelstams failed to satisfy the requirements of the planned development section of the zoning ordinance.

The Mandelstams appealed to the Circuit Court of the Eleventh Judicial Circuit, Appellate Division, which held that the Mandelstams had satisfied all requirements of the planned development section. In affirming the City's denial of the special use permit, the appellate division relied upon *1140 *Wadsworth v. Board of Adjustment of Bedminster Township*, 11 N.J.Super. 502, 78 A.2d 619 (1951). The New Jersey court defined a school under the terms of a local zoning ordinance as an institution which is "purely academic" in character. The Mandelstams then sought relief by petitioning this court for a writ of certiorari.^{FN1}

FN1. The City did not file a cross-petition to challenge that portion of the court's decision which found that the Mandelstams complied with all requirements of the code.

[1][2] We find that the circuit court departed from the essential requirements of the law when it inserted additional terms into the City of South Miami's zoning ordinance and defined the term "school," which was undefined in the ordinance, in derogation of its ordinary dictionary meaning.

Courts and other governmental bodies are prohibited from inserting words or phrases into municipal ordinances to express intentions that do not appear. *Rinker Materials Corp. v. City of North Miami*, 286 So.2d 552 (Fla.1973). Nowhere does the City's code allow only those schools which are purely academic.^{FN2} Neither the City of South Miami nor the circuit court could, therefore, narrow the scope of the code to deny the Mandelstams a permit.

FN2. Although the Mandelstams offered evidence that their proposed school would offer some academic training to preschoolers, such a showing was not required under the terms of the code.

Moreover, the circuit court, ignoring the directive of the City's code which required that undefined terms be given their normal dictionary meaning, specifically rejected Webster's definition of a school as "any place of discipline or training," and "as a place where instruction is imparted to the young." *New Webster's Encyclopedic Dictionary* 751. See also *The Random House Dictionary of the English Language* 1278 (1966) ("a place, institution, or building where instruction is given"); *The Oxford English Dictionary* 212 (1933) ("an institution in which instruction of any kind is given ... often with defining word indicating the special subject taught, as dancing, music, riding school").^{FN3} The normal dictionary definitions of "school" encompass the Mandelstams' proposed gymnastics school.

FN3. In his dissent from the panel opinion, Judge Robinson aptly noted that "obviously the city did not mean a school of fish."

[3] Dissenting from the panel opinion of the circuit court, Judge Robinson stated that "permitted uses must be interpreted broadly, prohibited uses strictly, so that doubts are resolved in a property owner's favor." *Mandelstam v. City Comm'n of the City of South Miami, Florida*, No. 87-063 AP (Circuit Court of the Eleventh Judicial Circuit, Appellate Division, Jan. 11, 1988) (Robinson, J., dissenting).

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(Cite as: 539 So.2d 1139)

Zoning laws are in derogation of the common law and, as a general rule, are subject to strict construction in favor of the right of a property owner to the unrestricted use of his property. *City of Miami Beach v. 100 Lincoln Rd., Inc.*, 214 So.2d 39 (Fla.3d DCA 1968). Strict construction of sections 10-1-1.05 and 16-22-1 of the South Miami Zoning Ordinance mandates the issuance of a special use permit to the Mandelstams.

We, therefore, grant the writ of certiorari and quash the decision of the circuit court with directions to enter an order directing the City of South Miami to grant the Mandelstams' special use permit.

Certiorari granted and cause remanded with directions.

Fla.App. 3 Dist.,1988.

Mandelstam v. City Com'n of City of South Miami
539 So.2d 1139, 52 Ed. Law Rep. 858, 13 Fla. L.
Weekly 2423

END OF DOCUMENT

TRAFFIC IMPACT ANALYSIS REPORT

For

Proposed Sonesta Key Biscayne Resort

(191 Hotel Units and 63 Residential Units with Accessory Uses)

Prepared By:

**THE CORRADINO GROUP
4055 NW 97th Avenue
Miami, FL 33178**

8-24-06

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D – Arterial Analyses	
E – Traffic Impact Study Methodology	

1.0 Introduction and Summary

1.1 Purpose of Report and Study Objectives

The purpose of this study was to evaluate traffic-related impacts of the proposed Sonesta Key Biscayne Resort on the adjacent roadway network in Key Biscayne, Florida. The study methodology was reviewed and accepted by the Village of Key Biscayne. Please refer to appendix E for details on the methodology.

The study objectives are: documentation of existing traffic conditions in the vicinity of the site; evaluation of traffic conditions for the proposed resort; and determination of off-site improvements, if needed, to achieve acceptable Level of Service (LOS).

1.2 Site Location and Study Area

The project site is located on Ocean Drive and Sonesta-East Drive off Crandon Boulevard in Key Biscayne, Florida. Figure 1-1 shows the site location and traffic analysis study area. This figure is complimented by an aerial photograph on the following page.

The traffic impact study area includes the following intersections:

- Crandon Boulevard and Harbor Drive
- Crandon Boulevard and Key Colony
- Crandon Boulevard and Sonesta-East Drive
- Crandon Boulevard and Heather Drive
- Crandon Boulevard and McIntyre-Galen Drive

1.3 Proposed Development

1.3.1 Existing Land Use

Currently the site is being used for the Sonesta Beach Hotel and Tennis Club which houses 292 units, tennis courts, spa, meeting rooms, retail shops, bars/lounges and restaurants.

1.3.2 Proposed Land Use

The proposed project will consist of a resort that will house 191 hotel units, 63 residential units, plus accessory meeting rooms, spa, bars/lounges, restaurants and retail uses. Please refer to page 7 for details. Table 3-1 depicts information on the trip generation for both the AM and PM peak hours.

1.3.3 Proposed Project Phasing

As indicated above, this project consists of 191 hotel units, 63 residential condominiums plus additional uses which will be constructed in one phase.

1.3.4 Traffic Impact Analysis Sphere of Influence

The five intersections indicated above will serve as the traffic impact analysis area.

1.4 Summary of Findings

The results of this study demonstrate that the proposed project will not have an adverse impact on the affected roadway network. In fact, there will be an overall trip reduction for both the AM and PM peak hours.

With regards to Concurrency, the site's generated traffic will meet the Concurrency requirements.

Figure 1-1 Location and Site Plan Map

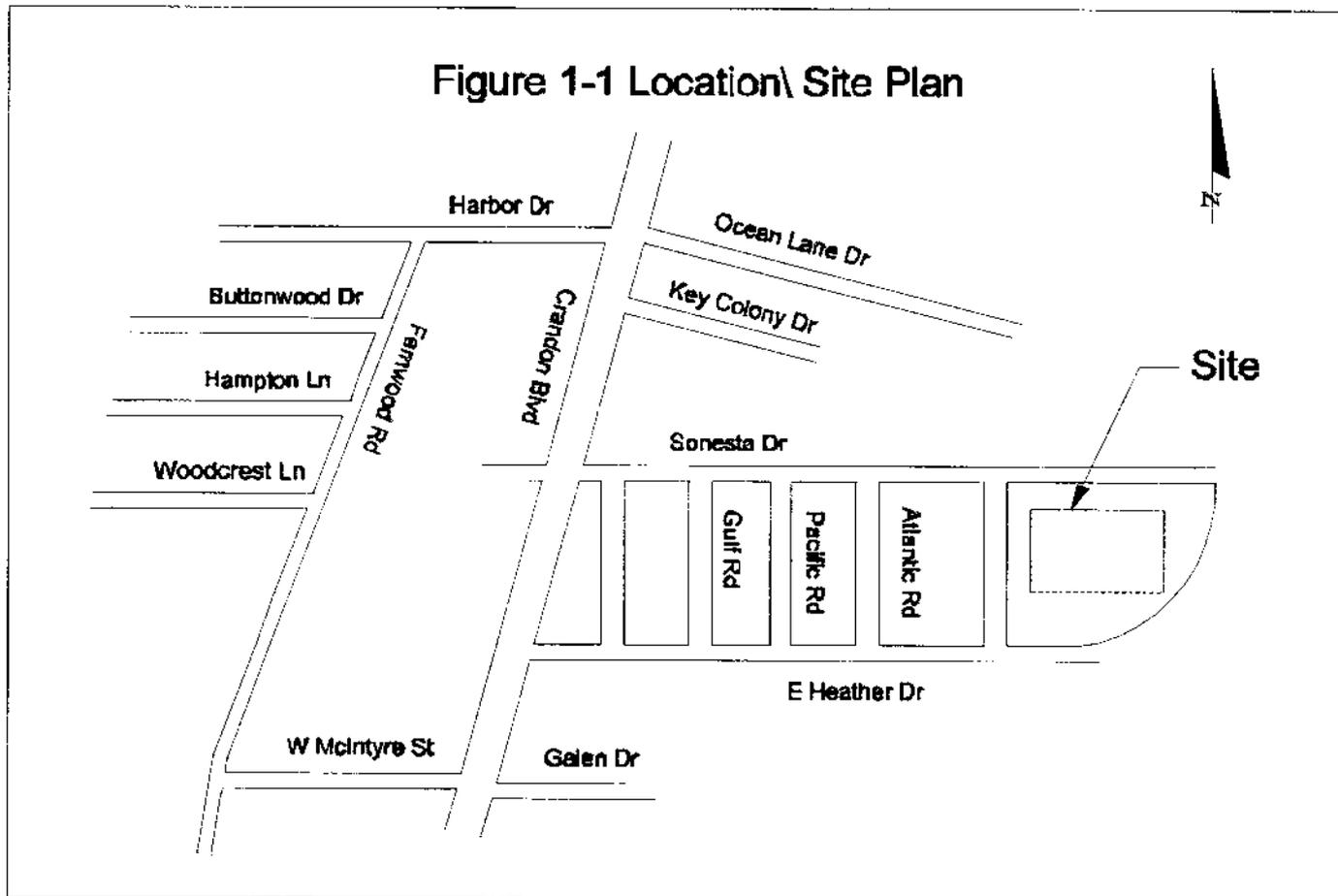


Figure 1-1 Location \ Site Plan



2.0 Area Traffic Conditions

2.1 Study Area and Intersections

The following intersections were studied. These intersections would be the most impacted by the proposed site's generated traffic volumes.

1. Crandon Boulevard and Harbor Drive
2. Crandon Boulevard and Key Colony
3. Crandon Boulevard and Sonesta-East Drive
4. Crandon Boulevard and Heather Drive
5. Crandon Boulevard and McIntyre-Galen Drive

Crandon Blvd is a four-lane divided non-State principal arterial serving both local and longer regional trip purposes. It is also designated as a historic roadway. The other five intersecting roadways are functionally classified as local roads.

2.2 Existing Traffic Control

Existing intersection numbers of lanes for the project study area are indicated in Figure 2-1. It also depicts their traffic movement designation. All intersections are controlled by a traffic signal, except Crandon Blvd and Heather Drive, which is controlled by stop signs on Heather Dr.

2.3 Current Traffic Volumes (Refer to figure 2-1. It reflects both AM & PM peak hour traffic volumes.)

2.4 Existing Roadway Level of Service (LOS)

Traffic analyses for all scenarios were performed in accordance with the methodology agreed upon with the Village's engineer; and using HCS 2000 software, which is based on the methodologies of the Highway Capacity Manual (HCM) 2000 as explained in detail in Appendix B. Existing AM and PM peak hour operations have been evaluated for the study area intersections. The results of the analyses are summarized in Table 2-1. Existing intersection LOS calculations are based upon currently available peak hour turning movement counts.

For the existing traffic conditions, the study area intersections, according to the analyses, are currently operating at LOS "D" or better during both peak hours with the exception of the intersection at Crandon Blvd and Galen-McIntyre Dr, which operates at a LOS "F" in the AM and LOS "E" in the PM hours. Field observations actually showed a much better LOS for the intersection with Galen-McIntyre. Furthermore according to field reviews, with the exception of construction related delays, Crandon Blvd is currently operating relatively well with no major vehicular delays during both the morning and afternoon typical commuting periods. Field observations made during the AM peak noted that northbound (NB) vehicles experienced more than one signal cycle delay at the intersection with Harbor Dr/Ocean Lane Dr.; however these delays were not continuous and occurred only sporadically between 8:00 and 8:30 am. Overall, both NB and SB vehicular traffic moved well during both the AM and PM peaks with speeds and delays typically reflective of LOS D.

Figure 2-1 Existing Intersection Geometrics and Peak Hour Traffic

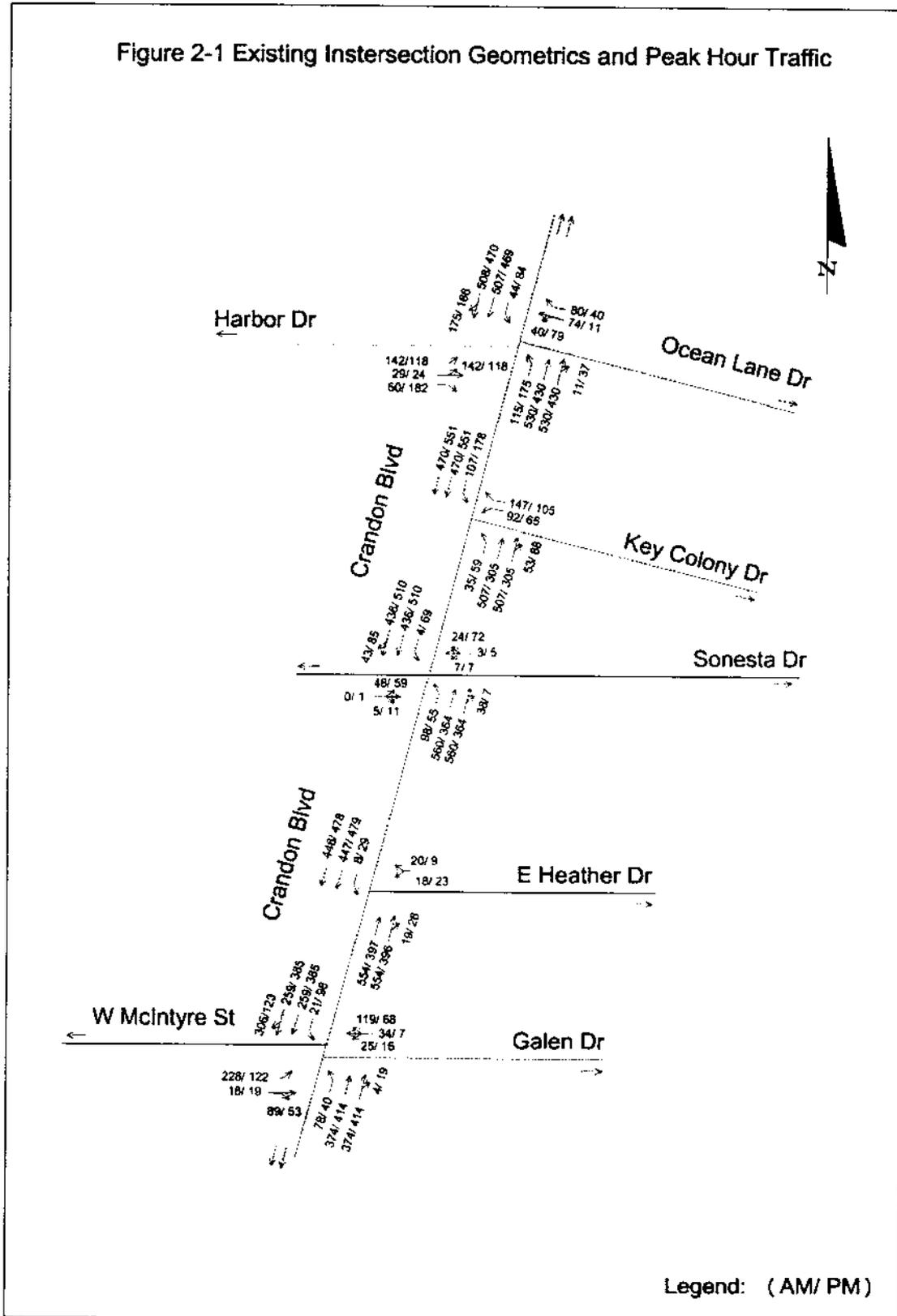


Table 2-1 Intersection Analysis for Existing Current Conditions

Intersection	Traffic Control	DELAY (SEC)	LEVEL OF SERVICE
		AM/ PM	AM/ PM
Crandon Boulevard Harbor Drive	<i>SIG</i>	51.1 / 41.0	D / D
Crandon Boulevard Key Colony Drive	<i>SIG</i>	18.5 / 13.2	B / B
Crandon Boulevard Sonesta-East Drive	<i>SIG</i>	12.3 / 13.0	B / B
Crandon Boulevard Heather Drive	<i>UNSIG</i>	WB 19.0 / 18.1	C / C
Crandon Boulevard Mc Intyre-Galen Drive	<i>SIG</i>	105.8 / 57.3	F / E

Concurrency

The Level-of-Service (LOS) standard adopted by the Village of Key Biscayne is LOS D for Crandon Blvd and all the intersections contained in this study. All the intersections are operating at LOS D or better, except the intersection of Crandon Blvd with McIntyre-Galen. However, the following observations and analyses are offered to demonstrate that operating conditions at this intersection are better than what is shown in the analyses and furthermore with signal timing modifications the LOS can be improved to meet the LOS D standard.

Crandon Blvd / McIntyre-Galen Intersection.

1 - Field observations indicated that vehicular traffic moved at better LOS than reflected by the intersection capacity/level-of-service analysis. This could be attributed in part to the presence of an exclusive pedestrian signal phase which is not continuously used. The capacity/LOS analysis take into account the exclusive pedestrian phase on a theoretical continuous basis. Field observations confirmed that the exclusive pedestrian phase is only randomly activated by occasional pedestrian. This is evidenced by the fact that when the analyses were performed assuming no exclusive pedestrian phase, the resulting intersection LOS were C in the AM peak and LOS D in the PM peak hour. Obviously, this study would not recommend this pedestrian phase be eliminated.

2 – It should be noted that although the intersection is operating at LOS F in the AM and LOS E in the PM, all the approaches on Crandon Blvd operate at LOS D (according to LOS standards) except the southbound (SB) approach which operates at LOS E in the PM peak. With relatively minor changes to the traffic signal timing, the LOS for this SB approach improved to LOS D and the NB approach improved to LOS C. In fact, the whole intersection LOS improved to “D” for the PM period. Also modifications to the signal timing improved the intersection LOS to “E” for the AM peak hour. Changing the signal cycle length along with timing changes will result in the intersection operating at LOS D during the AM period. This however, would require further detailed arterial studies to determine if overall arterial signal progression will not be adversely affected.

3 – A planning level arterial LOS analysis was performed on Crandon Blvd and the results indicated that the facility would operate at LOS D, thus conforming to Concurrency LOS standards. Please refer to appendix D for details.

3.0 Proposed Project Traffic

3.1 Project Traffic

3.1.1 Trip Generation

Trip generation rates were obtained from the Institute of Transportation Engineers (ITE) Trip Generation Handbook, 7th Edition. Based on these rates, AM and PM peak hour traffic volumes were calculated for both the existing Sonesta Beach Hotel and Tennis Club and the proposed Sonesta Key Biscayne Resort. The existing and proposed land uses are as follows:

Existing Sonesta Beach Hotel and Tennis Club

- Hotel units = 292
- Retail = 1,613 square feet (sf)
- Restaurants = 5,730 sf
- Bars/Lounges = 3,820 sf
- Spa-Health-Fitness = 8,500 sf
- Tennis Courts = 10
- Meeting Rooms = 16,280 sf

Proposed Sonesta Key Biscayne Resort

- Hotel Units = 191
- Residential Condos = 63
- Retail = 4,715 sf
- Restaurants = 11,011 sf
- Bar/Lounges = 1,342 sf
- Spa-Health-Fitness = 15,406 sf
- Meeting Rooms = 16,927 sf
- Tennis Courts = 2

Table 3-1 on next page depicts the ITE’s trip generation rates, the resulting generated trips (traffic volumes) for both the existing and proposed uses, as well as the net trip difference between the two.

It should be noted that typical hotel accessory facilities such as meeting rooms, retail, restaurants, bars/lounges, spas and health fitness rooms as well as others are already accounted for in the trip generation rates for hotels. The Institute of Transportation Engineers Trip Generation Manual, 7th Edition, under Land Use Code # 310 – Hotel on page 541, explains it the following way:

“Hotels are places of lodging that provide sleeping accommodations and supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room) and/or other retail and service shops.”

The trip generation rates for hotels already include these accessory facilities. However, Table 3-1 does reflect trip generation rates for these uses as separate uses for informational purposes and even if their individual trip generation were to be used (a very conservative approach) as also reflected by Table 3-1, it can be observed that the proposed project will not generate additional trips. In fact, even including these uses as separate generators results in an overall trip reduction for both the AM and PM peak hours.

Table 3-1 Project Trip Generation

TRIP GENERATION RATES – Existing and Proposed Land Uses

ITE Land Use/ Units / Code	EXISTING			Trip Generation (vph)					
	Trip Rates AM / PM			AM Peak			PM Peak		
	Total	IN%	OUT%	Total	IN	OUT	Total	IN	OUT
Hotel / 292 Units / 310	.67 / .70	58/49	42/51	196	114	82	204	100	104
Retail / 1.613K S.F. / 814 –See Note 1	2.71 / 2.71	44/44	56/56	2	1	1	2	1	1
Restaurant/ 5.730K S.F. / 931 –See Note 2	.81 / 7.49	67/67	33/33	2	1	1	22	15	7
Bar-Lounges/ 3.820K S.F. / 936 – See Note 3	0 / 11.34	0/66	0/34	0	0	0	22	15	7
Spa-Health-Fitness Club/ 8.5K S.F./ 492-See Note 4	1.21 / 4.05	42/51	58/49	5	2	3	17	9	8
Tennis Courts / 10 courts / 490 – See Note 4	1.67 / 3.88	50/50	50/50	8	4	4	19	10	9
Meeting Rooms / 16.28 K / 710 –See Note 5	1.55 / 1.49	88/17	12/83	13	11	2	12	2	10
Total Trips				226	133	93	298	152	146

ITE Land Use/ Units / Code	PROPOSED			Trip Generation (vph)					
	Trip Rates AM / PM			AM Peak			PM Peak		
	Total	IN %	OUT %	Total	IN	OUT	Total	IN	OUT
Hotel / 191 Units / 310	.67 / .70	58/49	42/51	128	74	54	134	66	68
Condos/T. House / 63 units / 232	.34 / .36	19/62	81/38	21	4	17	23	14	9
Retail / 4.715 K S.F. / 814 –See Note 1	2.71 / 2.71	44/44	56/56	4	2	2	4	2	2
Restaurant/ 11.011 K S.F. / 931 –See Note 2	.81 / 7.49	67/67	33/33	4	3	1	41	27	14
Bar-Lounges/ 1.342 K S.F. / 936 – See Note 3	0 / 11.34	0/66	0/34	0	0	0	8	5	3
Spa-Health-FitnessClub/15.406KS.F./492-See Note 4	1.21/4.05	42/51	58/49	9	4	5	31	16	15
Tennis Courts / 2 courts / 490 –See note 4	1.67 / 3.88	50/50	50/50	2	1	1	4	2	2
Meeting Rooms / 16.927 K / 710 –See Note 5	1.55 / 1.49	88/17	12/83	13	11	2	13	2	11
Total Trips				181	99	82	258	134	124

Difference between Existing and Proposed Land Uses

	Trip Generation (vph)					
	AM Peak			PM Peak		
	Total	IN	OUT	Total	IN	OUT
Existing	226	133	93	298	152	146
Proposed	181	99	82	258	134	124
Difference	-45	-34	-11	-40	-18	-22

Notes

1. AM trip rates for peak hour of adjacent street were not available. Assume same rate as for PM (peak hour of adjacent street traffic). Trips reduced by 70 % to account for passer-by and the fact that hotel rates do account for ancillary uses such as restaurants, lounges, retails, meeting rooms, pools, fitness rooms, etc. Therefore conservative approach.
2. ITE 2nd edition handbook, Table 5.21 average pass-by = 44%, with high = 62%. Used 50% trip reduction. Also see note # 1 above w/regards to fact that hotel rates include several ancillary uses. Therefore conservative approach.
3. No trip data available for AM. Same trip reduction assumptions as in restaurant. See note # 2 above.
4. No data available for pass-by trips. However, assumed 50% trip reduction to account for fact that hotel rates do account for ancillary uses such as restaurants, lounges, retails, meeting rooms, pools, fitness rooms, etc. Therefore conservative approach.
5. ITE Trip Generation does not contain trip rates for meeting rooms. Therefore assumed trip rates from LUC 710, General Office facilities. Also used a 50 % trip reduction as in the other computations above.

3.1.2 Net Project Traffic

As reflected by Table 3-1 above, there is an overall trip reduction from the proposed project when compared with currently generated traffic volumes from the existing Sonesta Beach Hotel and Tennis Club. Technically, it will result in a negative trip distribution and assignment since there are no additional trips resulting from the proposed project.

3.2 Total Traffic Including Proposed Project.

Even though there are no additional trips resulting from the proposed project, a **conservative assumption** was made to use currently available traffic volumes as depicted by figure 2-1, even though there would be an actual overall trip reduction from the proposed project.

4.0 Findings and Recommendations

4.1 Findings / Conclusion

The results of this study demonstrate that the proposed project will not have an adverse impact on the affected roadway network. No additional trips would be generated. In fact, there will be an overall trip reduction for both the AM and PM peak hours.

With regards to Concurrency, the site's generated traffic **will meet the concurrency requirements** as recommended by this study, since there are no additional trips assigned to the roadway network.

4.2 Recommendations / Proposed Improvements

It is recommended that the Village of Key Biscayne pursue, in conjunction with Miami Dade County Public Works Department, the potential traffic signal modifications reflected by this report for the intersection of Crandon Blvd with McIntyre-Galen. This modification consists of revising the traffic signal timings for both the AM and PM peak operations period, as well as increasing the signal cycle length for the AM peak. Please refer to appendix C for details.

Appendix A Existing Traffic Count Data Sheets / Traffic Signal Data

APPENDIX III
CIVIL WORKS, INC.
 SUMMARY OF INTERSECTION VEHICLE MOVEMENTS

LOCATION: Crandon Blvd. & Harbor Drive

COMMENT: None

COUNTY : Miami-Dade

CITY: Village of Key Biscayne

OBSERVER: Traffic Counts Plus

DATE: May 28, 2003

PROJECT: Crandon Blvd. Streetscape Master Plan

FILE: TMCOUNT8.WK4

PROJ. No.: 23132.00

AADT

TIME BEGIN	END	NORTHBOUND					SOUTHBOUND					EASTBOUND					WESTBOUND					GRAND TOTAL
		L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	
07:00 AM	07:15 AM	7	124	0	0	131	3	156	11	0	170	23	1	5	0	29	2	2	4	0	8	338
07:15 AM	07:30 AM	12	171	1	0	184	3	173	19	0	195	31	2	8	0	41	1	3	4	0	8	428
07:30 AM	07:45 AM	19	175	1	0	195	5	211	23	0	239	40	1	12	0	53	3	5	7	0	15	502
07:45 AM	08:00 AM	24	217	2	0	243	7	195	39	0	241	27	4	15	0	46	5	9	16	0	30	560
08:00 AM	08:15 AM	29	221	1	0	251	10	229	52	0	291	64	2	17	0	83	3	12	20	0	35	660
08:15 AM	08:30 AM	26	299	2	0	327	9	283	28	0	320	91	9	20	0	120	7	18	17	0	42	809
08:30 AM	08:45 AM	33	332	7	0	372	11	245	45	0	301	69	7	12	1	89	15	16	20	0	51	813
08:45 AM	09:00 AM	27	208	1	0	236	14	258	50	0	322	59	11	11	0	81	15	28	23	0	66	705
11:00 AM	11:15 AM	33	201	3	0	237	9	165	21	0	195	42	3	34	0	79	13	7	8	0	28	539
11:15 AM	11:30 AM	38	155	5	0	198	6	169	19	0	194	38	2	39	0	79	11	3	7	0	21	492
11:30 AM	11:45 AM	35	177	4	0	216	13	220	30	0	263	51	6	44	0	101	14	5	5	0	24	604
11:45 AM	12:00 PM	47	183	6	0	236	7	193	24	0	224	57	5	51	0	113	19	4	10	0	33	606
12:00 PM	12:15 PM	52	207	3	0	262	17	182	29	0	228	54	7	56	0	117	23	5	13	0	41	648
12:15 PM	12:30 PM	48	199	4	0	251	6	186	32	3	227	44	6	53	0	103	14	3	6	0	23	604
12:30 PM	12:45 PM	32	155	6	0	193	8	239	27	0	274	59	5	36	0	100	16	8	6	0	30	597
12:45 PM	01:00 PM	52	203	5	0	260	13	197	30	0	240	54	2	43	1	100	16	6	6	0	28	628
04:00 PM	04:15 PM	47	227	13	0	287	15	224	38	0	277	72	7	50	0	129	24	2	13	0	39	732
04:15 PM	04:30 PM	40	205	7	0	252	24	246	51	3	324	51	3	42	0	96	17	2	9	0	28	700
04:30 PM	04:45 PM	45	219	11	0	275	28	252	53	0	333	59	5	49	0	113	20	3	11	0	34	755
04:45 PM	05:00 PM	43	208	6	0	257	17	217	44	0	278	53	9	41	0	103	18	4	7	0	29	667
05:00 PM	05:15 PM	40	185	3	0	228	19	208	47	1	275	57	7	53	0	117	23	5	8	0	36	656
05:15 PM	05:30 PM	42	189	11	0	242	25	174	40	4	243	57	10	43	0	110	13	4	18	0	35	630
05:30 PM	05:45 PM	35	158	9	0	202	26	241	59	0	326	38	4	37	1	80	17	4	11	0	32	640
05:45 PM	06:00 PM	23	142	12	0	177	29	244	44	0	317	43	10	25	3	81	19	3	10	0	32	607

SUMMARY OF PEAK HOUR VEHICLE MOVEMENTS

PEAK HOUR FROM TO	NORTHBOUND					SOUTHBOUND					EASTBOUND					WESTBOUND					GRAND TOTAL
	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	
AM Peak 08:00 AM 09:00 AM	115	1060	11	0	1186	44	1015	175	0	1234	283	29	60	1	373	40	74	80	0	194	2987
Peak Hour Factor	0.87	0.80	0.39		0.80	0.79	0.90	0.84		0.96	0.78	0.66	0.75		0.78	0.67	0.66	0.87		0.73	0.92
Midday Peak 12:00 PM, 01:00 PM	184	764	18	0	966	44	804	118	3	969	211	20	188	1	420	69	22	31	0	122	2477
Peak Hour Factor	0.88	0.92	0.75		0.92	0.65	0.84	0.92		0.88	0.89	0.71	0.84		0.90	0.75	0.69	0.60		0.74	0.96
PM Peak 04:00 PM 05:00 PM	175	859	37	0	1071	84	939	186	3	1212	235	24	182	0	441	79	11	40	0	130	2854
Peak Hour Factor	0.93	0.95	0.71		0.93	0.75	0.93	0.88		0.91	0.82	0.67	0.91		0.85	0.82	0.69	0.77		0.83	0.95

APPENDIX III
CIVIL WORKS, INC.

SUMMARY OF INTERSECTION VEHICLE MOVEMENTS

LOCATION: Crandon Blvd. & Key Colony

COMMENT: None

COUNTY: Miami-Dade

CITY: Village of Key Biscayne

OBSERVER: Traffic Counts Plus

DATE: May 29, 2003

PROJECT: Crandon Blvd. Streetscape Master Plan

FILE: TMCOUNT7.WK4

PROJ. No.: 23132.00

AADT

TIME BEGIN END	NORTHBOUND					SOUTHBOUND					EASTBOUND					WESTBOUND					GRAND TOTAL
	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	
07:00 AM 07:15 AM	0	91	1	0	92	11	150	0	0	161	0	0	0	0	0	4	0	23	0	27	280
07:15 AM 07:30 AM	2	146	5	0	153	16	154	0	0	170	0	0	0	0	0	4	0	37	2	43	366
07:30 AM 07:45 AM	5	165	3	0	173	24	201	0	0	225	0	0	0	0	0	7	0	44	0	51	449
07:45 AM 08:00 AM	7	208	9	0	224	18	191	0	0	209	0	0	0	0	0	18	0	27	0	45	478
08:00 AM 08:15 AM	4	204	15	0	223	17	198	0	0	215	0	0	0	0	0	42	0	40	0	82	520
08:15 AM 08:30 AM	5	294	18	0	317	23	273	0	0	296	0	0	0	0	0	13	0	30	0	43	656
08:30 AM 08:45 AM	12	318	6	0	336	34	231	0	0	265	0	0	0	0	0	18	0	52	0	70	671
08:45 AM 09:00 AM	14	198	14	0	226	33	238	0	0	271	0	0	0	0	0	19	0	25	0	44	541
11:00 AM 11:15 AM	22	159	11	0	192	27	206	0	0	233	0	0	0	0	0	17	0	21	0	38	463
11:15 AM 11:30 AM	19	163	13	0	195	25	186	0	0	211	0	0	0	0	0	16	0	22	0	38	444
11:30 AM 11:45 AM	17	163	16	0	196	21	230	0	0	251	0	0	0	0	0	15	0	15	0	30	477
11:45 AM 12:00 PM	29	207	18	0	254	35	225	0	0	260	0	0	0	0	0	20	0	25	0	45	559
12:00 PM 12:15 PM	15	194	17	0	226	35	244	0	0	279	0	0	0	0	0	13	0	23	0	36	541
12:15 PM 12:30 PM	25	133	12	0	170	43	250	0	0	293	0	0	0	0	0	8	0	19	0	27	490
12:30 PM 12:45 PM	16	164	5	0	185	35	217	0	0	252	0	0	0	0	0	13	0	20	0	33	470
12:45 PM 01:00 PM	20	171	7	0	198	31	179	0	0	210	0	0	0	0	0	11	0	17	0	28	436
04:00 PM 04:15 PM	8	225	10	0	243	46	270	0	0	316	0	0	0	0	0	13	0	24	0	37	596
04:15 PM 04:30 PM	9	171	15	0	195	39	235	0	0	274	0	0	0	0	0	13	0	21	0	34	503
04:30 PM 04:45 PM	20	208	9	0	237	38	237	0	0	275	0	0	0	0	0	14	0	21	0	35	547
04:45 PM 05:00 PM	17	155	16	0	188	25	241	0	0	266	0	0	0	0	0	12	0	25	0	37	491
05:00 PM 05:15 PM	20	156	21	0	197	39	281	0	0	320	0	0	0	0	0	19	1	25	0	45	562
05:15 PM 05:30 PM	14	143	23	0	180	49	249	0	0	298	0	0	0	0	0	11	0	32	0	43	521
05:30 PM 05:45 PM	13	180	21	0	214	49	278	0	0	327	0	0	0	0	0	20	0	23	0	43	584
05:45 PM 06:00 PM	12	131	23	0	166	41	294	0	0	335	0	0	0	0	0	15	0	25	0	40	541

SUMMARY OF PEAK HOUR VEHICLE MOVEMENTS

PEAK HOUR FROM TO	NORTHBOUND					SOUTHBOUND					EASTBOUND					WESTBOUND					GRAND TOTAL
	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	
AM Peak 08:00 AM 09:00 AM	35	1014	53	0	1102	107	940	0	0	1047	0	0	0	0	0	92	0	147	0	239	2388
Peak Hour Factor	0.63	0.80	0.74		0.82	0.79	0.86	NA		0.88	NA	NA	NA		NA	0.55	NA	0.71		0.73	0.89
Midday Peak 11:30 AM 12:30 PM	86	697	63	0	846	134	949	0	0	1083	0	0	0	0	0	56	0	82	0	138	2067
Peak Hour Factor	0.74	0.84	0.88		0.83	0.78	0.95	NA		0.92	NA	NA	NA		NA	0.70	NA	0.82		0.77	0.92
PM Peak 05:00 PM 06:00 PM	59	610	88	0	757	178	1102	0	0	1280	0	0	0	0	0	65	1	105	0	171	2208
Peak Hour Factor	0.74	0.85	0.96		0.88	0.91	0.94	NA		0.96	NA	NA	NA		NA	0.81	0.25	0.82		0.95	0.95

APPENDIX III
CIVIL WORKS, INC.
SUMMARY OF INTERSECTION VEHICLE MOVEMENTS

LOCATION: Crandon Blvd. & East Sonesta Drive
COUNTY : Miami-Dade
OBSERVER: Traffic Counts Plus
PROJECT: Crandon Blvd. Streetscape Master Plan
PROJ.No.: 23132.00

COMMENT: None
CITY: Village of Key Biscayne
DATE: May 28, 2003
FILE: TMCOUNT6.WK4

AADT

TIME BEGIN	END	NORTHBOUND					SOUTHBOUND					EASTBOUND					WESTBOUND					GRAND TOTAL
		L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	
07:00 AM	07:15 AM	8	119	3	1	131	1	115	2	0	118	2	0	1	0	3	0	0	1	0	1	253
07:15 AM	07:30 AM	13	121	3	0	137	0	163	3	0	166	5	0	1	0	6	0	1	3	1	5	314
07:30 AM	07:45 AM	17	156	6	0	179	0	169	3	0	172	4	0	1	0	5	0	0	3	0	3	359
07:45 AM	08:00 AM	21	199	11	1	232	3	206	7	0	216	7	0	3	0	10	1	0	5	0	6	464
08:00 AM	08:15 AM	28	187	10	1	226	0	204	9	0	213	10	0	2	0	12	2	2	7	2	13	464
08:15 AM	08:30 AM	28	216	12	1	257	2	233	12	0	247	11	0	1	0	12	1	1	4	1	7	523
08:30 AM	08:45 AM	23	123	7	2	155	1	207	7	0	215	15	0	0	0	15	1	0	5	0	6	391
08:45 AM	09:00 AM	19	244	9	0	272	1	228	15	0	244	12	0	2	0	14	3	0	8	0	11	541
11:00 AM	11:15 AM	8	168	2	1	179	13	162	17	0	192	11	1	1	0	13	3	3	7	9	22	406
11:15 AM	11:30 AM	12	150	4	3	169	4	164	15	0	183	10	0	1	0	11	0	1	12	2	15	378
11:30 AM	11:45 AM	11	173	3	0	187	8	164	29	0	201	10	0	4	0	14	1	2	7	5	15	417
11:45 AM	12:00 PM	15	166	2	1	184	6	197	14	0	217	8	1	1	0	10	3	2	20	4	29	440
12:00 PM	12:15 PM	17	169	4	1	191	6	170	16	0	192	15	0	3	0	18	4	2	17	3	26	427
12:15 PM	12:30 PM	12	173	3	3	191	7	173	19	0	199	12	1	1	0	14	2	1	11	2	16	420
12:30 PM	12:45 PM	9	177	2	2	190	9	181	23	0	213	11	1	1	0	13	3	1	9	4	17	433
12:45 PM	01:00 PM	11	174	3	2	190	11	192	29	0	232	13	0	2	0	15	1	3	15	2	21	458
04:00 PM	04:15 PM	7	214	1	0	222	14	262	12	0	288	12	0	2	0	14	0	2	20	4	26	550
04:15 PM	04:30 PM	7	175	0	1	183	20	245	21	0	286	10	0	3	0	13	3	2	12	3	20	502
04:30 PM	04:45 PM	31	178	4	3	216	15	272	30	0	317	16	1	5	0	22	2	1	23	0	26	581
04:45 PM	05:00 PM	10	161	2	5	178	20	241	22	0	283	21	0	1	0	22	2	0	17	5	24	507
05:00 PM	05:15 PM	13	189	5	0	207	18	237	23	0	278	18	0	4	0	22	3	2	19	3	27	534
05:15 PM	05:30 PM	5	145	1	2	153	15	197	18	0	230	11	1	2	0	14	2	0	10	2	14	411
05:30 PM	05:45 PM	7	147	2	2	158	22	252	32	0	306	15	0	3	0	18	2	2	13	1	18	500
05:45 PM	06:00 PM	8	151	2	1	162	27	304	35	0	366	12	0	3	0	15	1	1	9	3	14	557

SUMMARY OF PEAK HOUR VEHICLE MOVEMENTS

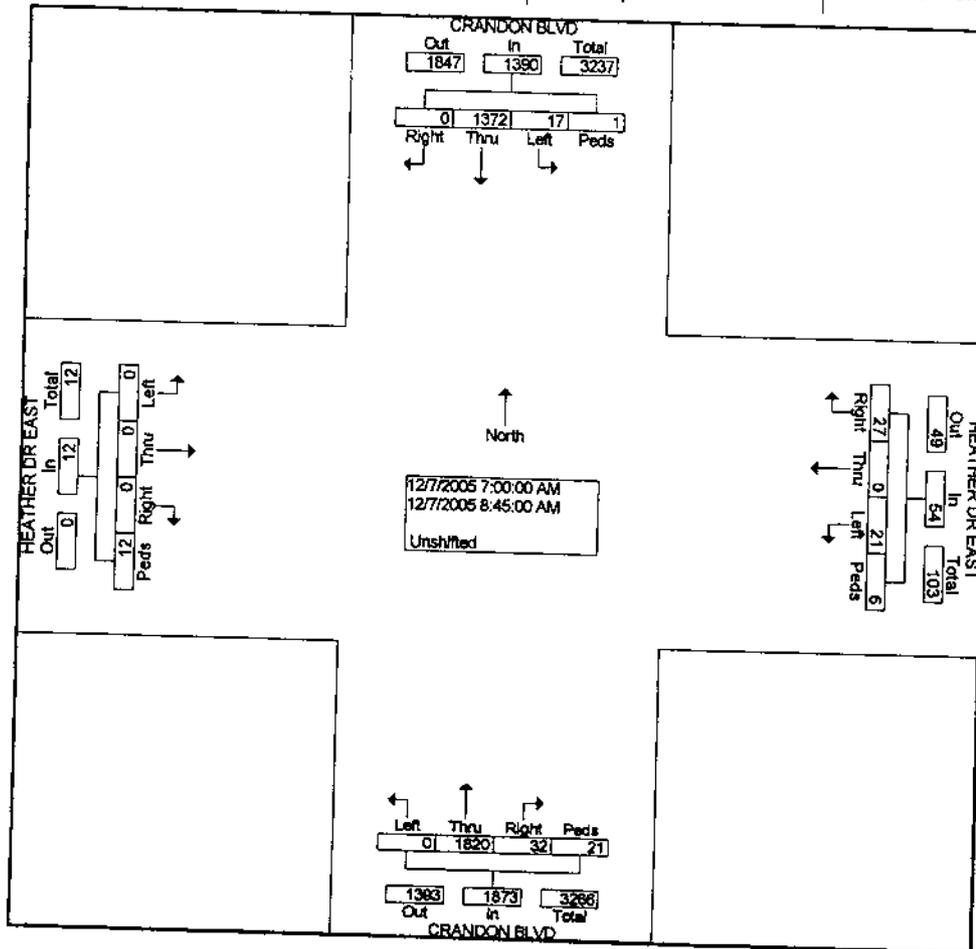
PEAK HOUR FROM TO	NORTHBOUND					SOUTHBOUND					EASTBOUND					WESTBOUND					GRAND TOTAL
	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	L	T	R	PEDS	Total	
AM Peak 08:00 AM 09:00 AM	98	770	38	4	910	4	872	43	0	919	48	0	5	0	53	7	3	24	3	34	1919
Peak Hour Factor	0.88	0.79	0.79		0.84	0.50	0.94	0.72		0.93	0.80	NA	0.63		0.88	0.58	0.38	0.75		0.71	0.89
Midday Peak 12:00 PM 01:00 PM	49	693	12	8	762	33	716	87	0	836	51	2	7	0	60	10	7	52	11	69	1738
Peak Hour Factor	0.72	0.98	0.75		1.00	0.75	0.93	0.75		0.90	0.85	0.50	0.58		0.83	0.63	0.58	0.76		0.77	0.95
PM Peak 04:00 PM 05:00 PM	55	728	7	9	799	69	1020	85	0	1174	59	1	11	0	71	7	5	72	12	84	2140
Peak Hour Factor	0.44	0.85	0.44		0.90	0.86	0.94	0.71		0.93	0.70	0.25	0.55		0.81	0.58	0.63	0.78		0.92	0.92

Richard Garcia & Associates, Inc.
 13117 NW 107 Ave, Suite 4
 Hialeah Gardens, FL 33018
 PH: 305.595.7505 FAX: 305.675.6474

File Name : am
 Site Code : 00000000
 Start Date : 12/7/2005
 Page No : 1

Groups Printed- Unshifted

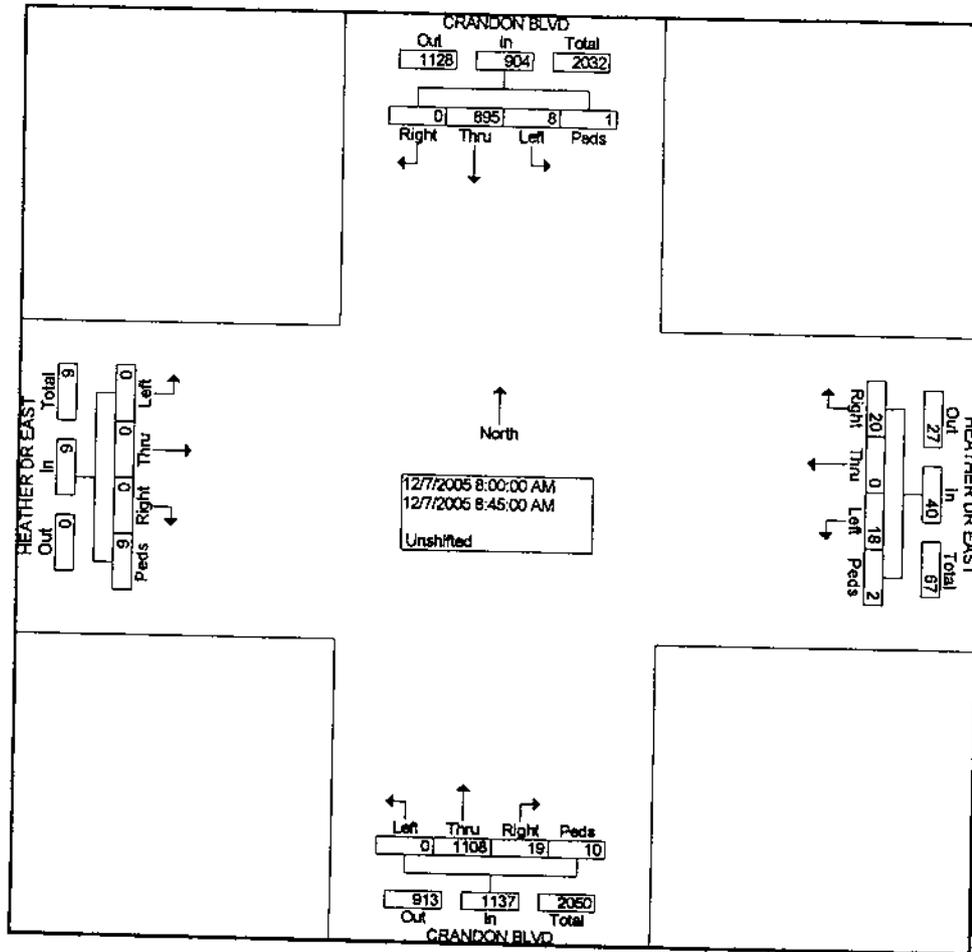
Start Time	CRANDON BLVD From North					HEATHER DR EAST From East					CRANDON BLVD From South					HEATHER DR EAST From West					Int. Total
	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
07:00 AM	0	84	2	0	86	3	0	1	4	8	2	170	0	6	178	0	0	0	3	3	275
07:15 AM	0	96	1	0	97	3	0	0	0	3	2	167	0	3	172	0	0	0	0	0	272
07:30 AM	0	161	4	0	165	0	0	1	0	1	3	214	0	1	218	0	0	0	0	0	384
07:45 AM	0	136	2	0	138	1	0	1	0	2	6	161	0	1	168	0	0	0	0	0	308
Total	0	477	9	0	486	7	0	3	4	14	13	712	0	11	736	0	0	0	3	3	1239
08:00 AM	0	244	3	1	248	1	0	0	0	1	3	222	0	7	232	0	0	0	8	8	489
08:15 AM	0	271	3	0	274	1	0	6	2	9	8	266	0	1	275	0	0	0	1	1	559
08:30 AM	0	205	2	0	207	7	0	5	0	12	4	334	0	2	340	0	0	0	0	0	559
08:45 AM	0	175	0	0	175	11	0	7	0	18	4	286	0	0	290	0	0	0	0	0	483
Total	0	895	8	1	904	20	0	18	2	40	19	1108	0	10	1137	0	0	0	9	9	2090
Grand Total	0	1372	17	1	1390	27	0	21	6	54	32	1820	0	21	1873	0	0	0	12	12	3329
Apprch %	0.0	98.7	1.2	0.1		50.0	0.0	38.9	11.1		1.7	97.2	0.0	1.1		0.0	0.0	0.0	100.0		
Total %	0.0	41.2	0.5	0.0	41.8	0.8	0.0	0.6	0.2	1.6	1.0	54.7	0.0	0.6	56.3	0.0	0.0	0.0	0.4	0.4	



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File Name : am
 Site Code : 00000000
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 Page No : 2

Start Time	CRANDON BLVD From North					HEATHER DR EAST From East					CRANDON BLVD From South					HEATHER DR EAST From West					Int. Total					
	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total						
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																										
Intersection																										
08:00 AM	0	895	8	1	904	20	0	18	2	40	19	1108	0	10	1137	0	0	0	9	9	2090					
Volume	0.0	99.0	0.9	0.1		50.0	0.0	45.0	5.0		1.7	97.4	0.0	0.9		0.0	0.0	0.0	100.0							
Percent	0	205	2	0	207	7	0	5	0	12	4	334	0	2	340	0	0	0	0	0	559					
08:30 Volume																										
Peak Factor	0.825					0.556					0.836					0.281					0.935					
High Int. Volume Peak	08:15 AM	0	271	3	0	274	08:45 AM	11	0	7	0	18	08:30 AM	4	334	0	2	340	08:00 AM	0	0	0	8	8		
Factor																										

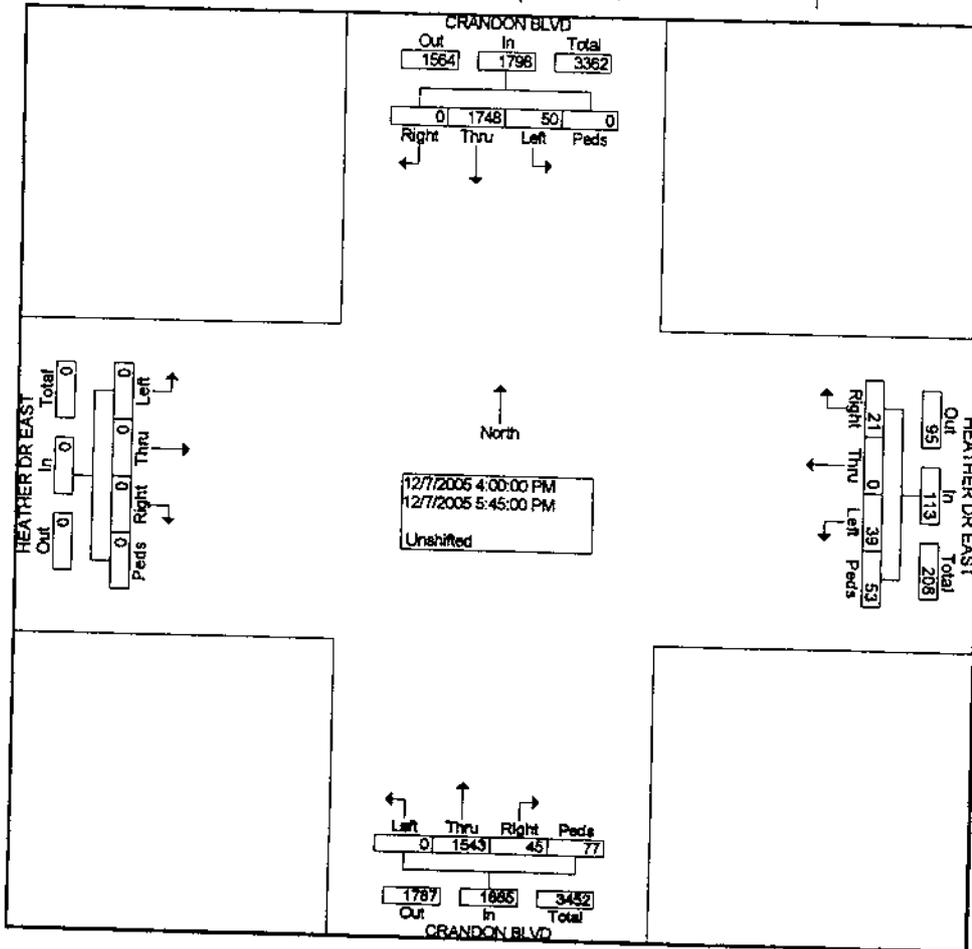


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 Site Code : 00000000
 Start Date : 12/7/2005
 Page No : 1

Groups Printed- Unshifted

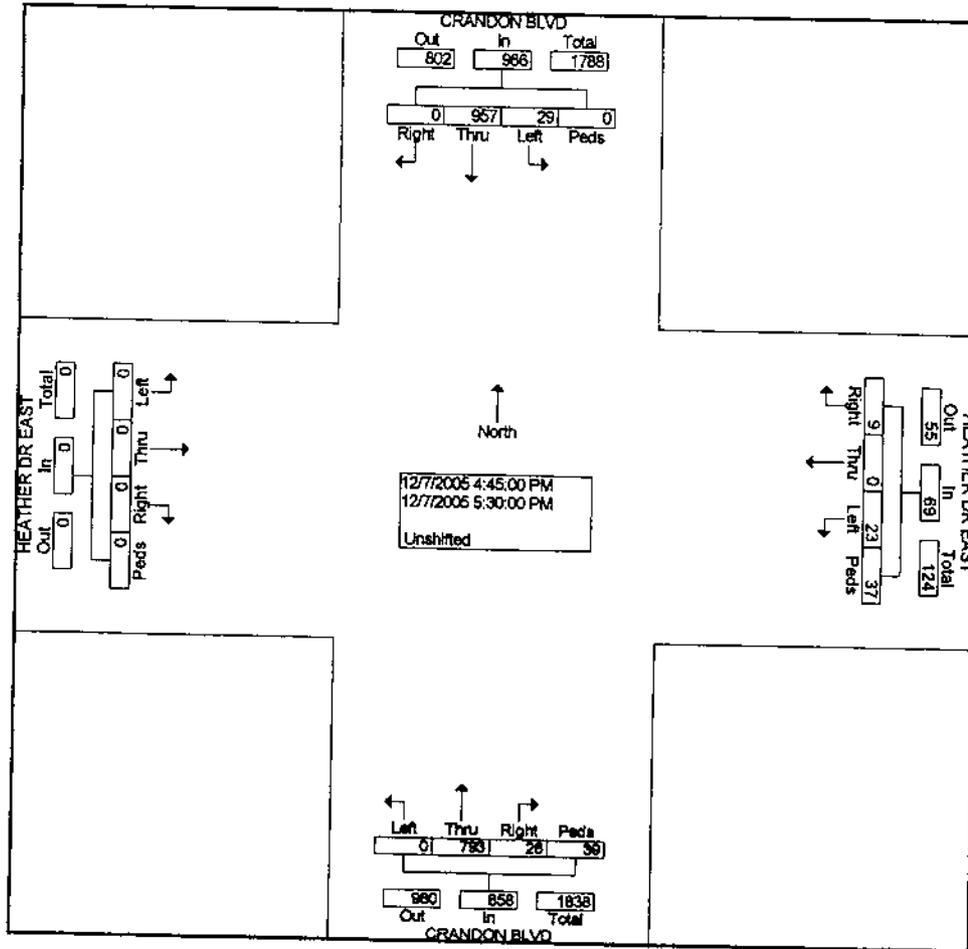
Start Time	CRANDON BLVD From North					HEATHER DR EAST From East					CRANDON BLVD From South					HEATHER DR EAST From West					Int. Total
	Rig ht	Thru	Left	Ped s	App. Total	Rig ht	Thru	Left	Ped s	App. Total	Rig ht	Thru	Left	Ped s	App. Total	Rig ht	Thru	Left	Ped s	App. Total	
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
04:00 PM	0	228	3	0	231	1	0	6	2	9	3	238	0	10	251	1	0	0	0	0	0
04:15 PM	0	191	3	0	194	3	0	4	5	12	4	248	0	15	267	0	0	0	0	0	0
04:30 PM	0	208	3	0	211	4	0	1	4	9	6	194	0	10	210	0	0	0	0	0	0
04:45 PM	0	237	8	0	245	3	0	9	9	21	6	220	0	1	227	0	0	0	0	0	0
Total	0	864	17	0	881	11	0	20	20	51	19	900	0	36	955	0	0	0	0	0	0
05:00 PM	0	228	14	0	242	3	0	2	15	20	8	222	0	24	254	0	0	0	0	0	0
05:15 PM	0	229	5	0	234	1	0	7	9	17	6	174	0	9	189	0	0	0	0	0	0
05:30 PM	0	263	2	0	265	2	0	5	4	11	6	177	0	5	188	0	0	0	0	0	0
05:45 PM	0	164	12	0	176	4	0	5	5	14	6	70	0	3	79	0	0	0	0	0	0
Total	0	884	33	0	917	10	0	19	33	62	26	643	0	41	710	0	0	0	0	0	0
Grand Total	0	1748	50	0	1798	21	0	39	53	113	45	1543	0	77	1665	0	0	0	0	0	0
Apprch %	0.0	97.2	2.8	0.0		18.6	0.0	34.5	46.9		2.7	92.7	0.0	4.6		0.0	0.0	0.0	0.0		
Total %	0.0	48.9	1.4	0.0	50.3	0.6	0.0	1.1	1.5	3.2	1.3	43.1	0.0	2.2	46.6	0.0	0.0	0.0	0.0	0.0	

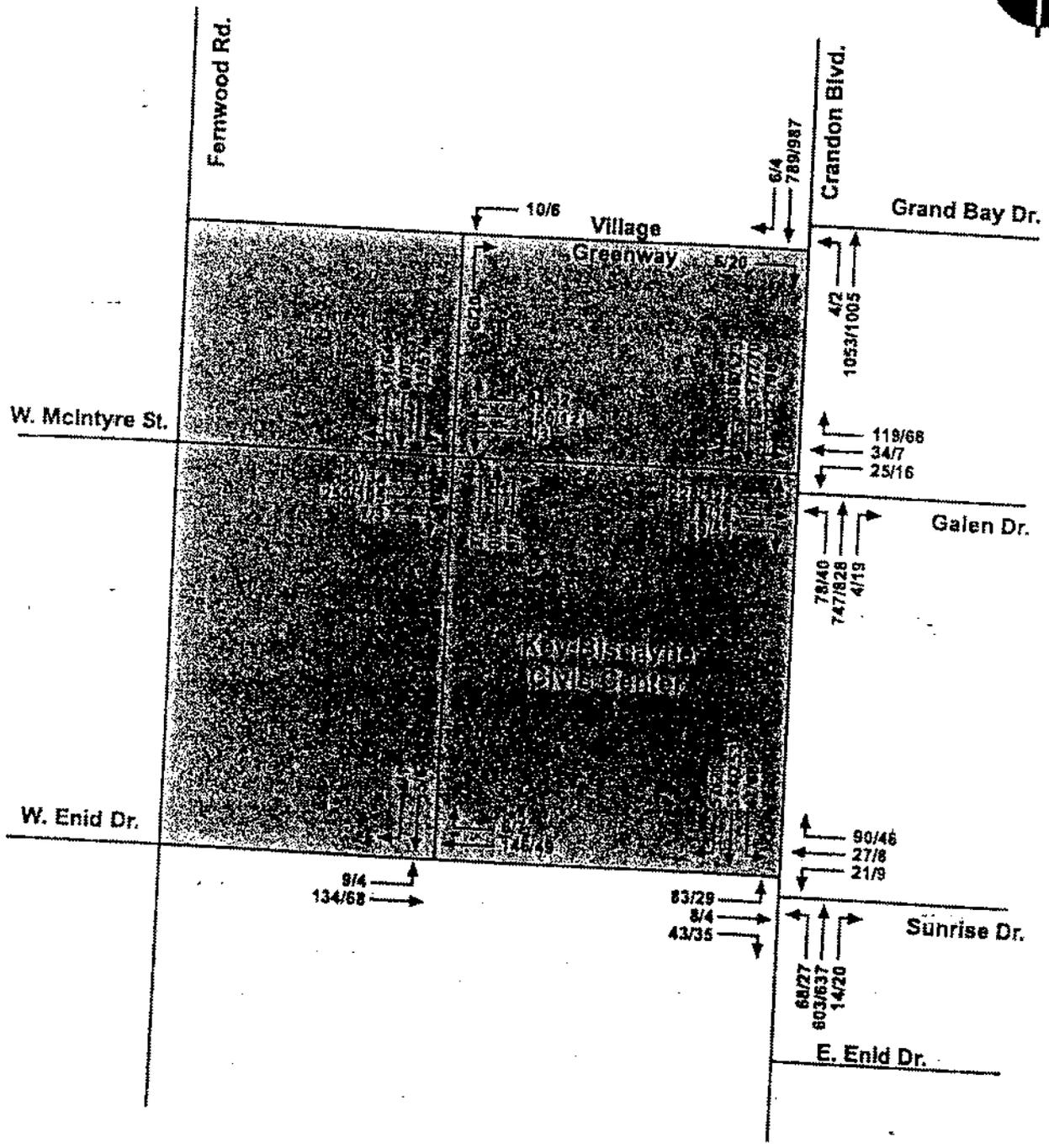


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File Name : pm
 Site Code : 00000000
 Start Date : 12/7/2005
 Page No : 2

Start Time	CRANDON BLVD From North					HEATHER DR EAST From East					CRANDON BLVD From South					HEATHER DR EAST From West					Int. Total		
	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total			
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																							
Intersection	04:45 PM																						
Volume	0	957	29	0	986	9	0	23	37	69	26	793	0	39	858	0	0	0	0	0	1913		
Percent	0.0	97.1	2.9	0.0		13.0	0.0	33.3	53.6		3.0	92.4	0.0	4.5		0.0	0.0	0.0	0.0				
05:00 Volume	0	228	14	0	242	3	0	2	15	20	8	222	0	24	254	0	0	0	0	0	516		
Peak Factor	0.927																						
High Int. Volume	05:30 PM																						
Peak Factor	0	263	2	0	265	04:45 PM	3	0	9	9	21	05:00 PM	8	222	0	24	254	3:45:00 PM					
	0.930					0.821					0.844												





Key Biscayne Civic Center Traffic Study
Future (2002) Peak Hour Traffic With Project

Figure 12

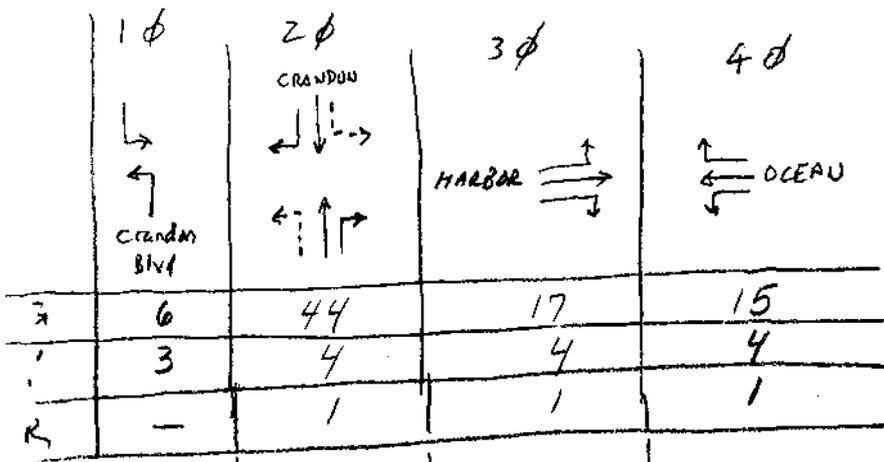
TRAFFIC SIGNAL DATA

TIMING
Intersection Timing Plans for 3545 CRANDON, HARBOR & OCEAN

PN	SC	EY	MC	OFF	EAST				WEST				FLASH DOWN WALK					
					NSG	G	Y	R	EG	Y	R	DW	F	G	Y	R	NSL	Y
1			8	0	37	1	4	1	15	4	1	7	5	1	4	1	6	3
2			8	0	43	1	4	1	15	4	1	7	4	1	4	1	6	3
3			8	0	43	1	4	1	17	4	1	7	7	1	4	1	6	3
4			8	0	44	1	4	1	17	4	1	7	6	1	4	1	6	3
5				16	49	1	4	1	18	4	1	7	10	1	4	1	6	3
6			7	0	27	1	4	1	15	4	1	7	5	1	4	1	6	3
23			6	0	21	1	4	1	7	4	1	7	20	1	4	1	5	3
24			7	0	21	1	4	1	7	4	1	7	20	1	4	1	5	3

Timing Plan Schedule:

SUN	PN	MON	PN	TUE	PN	WED	PN	THU	PN	FRI	PN	SAT	PN	N-S	MON	PN	N-S	TUE	PN	N-S	WED	PN	N-S	THU	PN	N-S	FRI	PN	
0	1	0	23	0	23	0	23	0	23	0	23	0	1	0	23	0	23	0	23	0	23	0	23	0	23	0	23	0	23
100	23	600	1	315	24	600	1	600	1	600	1	100	23	600	1	315	24	600	1	600	1	600	1	600	1	600	1	600	1
700	1	700	3	345	23	700	3	700	3	700	3	700	1	700	3	345	23	700	3	700	3	700	3	700	3	700	3	700	3
900	2	1000	1	600	1	1000	1	1000	1	1000	1	900	2	1000	1	600	1	1000	1	1000	1	1000	1	1000	1	1000	1	1000	1
1200	1	1100	2	700	3	1100	2	1100	2	1100	2	2200	1	1100	2	700	3	1100	2	1100	2	1100	2	1100	2	1100	2	1100	2
		1300	1	1000	1	1300	1	1300	1	1300	1			1300	1	1000	1	1300	1	1300	1	1300	1	1300	1	1300	1	1300	1
		1500	4	1100	2	1500	4	1500	4	1500	4			1500	4	1100	2	1500	4	1500	4	1500	4	1500	4	1500	4	1500	4
		1900	2	1300	1	1900	2	1900	2	1900	2			1900	2	1300	1	1900	2	1900	2	1900	2	1900	2	1900	2	1900	2
		2000	6	1500	4	2000	6	2000	6	2000	6			2000	6	1500	4	2000	6	2000	6	2000	6	2000	6	2000	6	2000	6
				1900	2									2000	6	1900	2												
				2000	6											2000	6												



AM

2	6	44	17	15
1	3	4	4	4
R	-	1	1	1

cycle = 100 sec

PM

G	6	45	17	14
Y	3	4	4	4
R		1	1	1

cycle = 100 sec

Intersection Timing Plans for 4578 CRANDON @ KEY COLONY

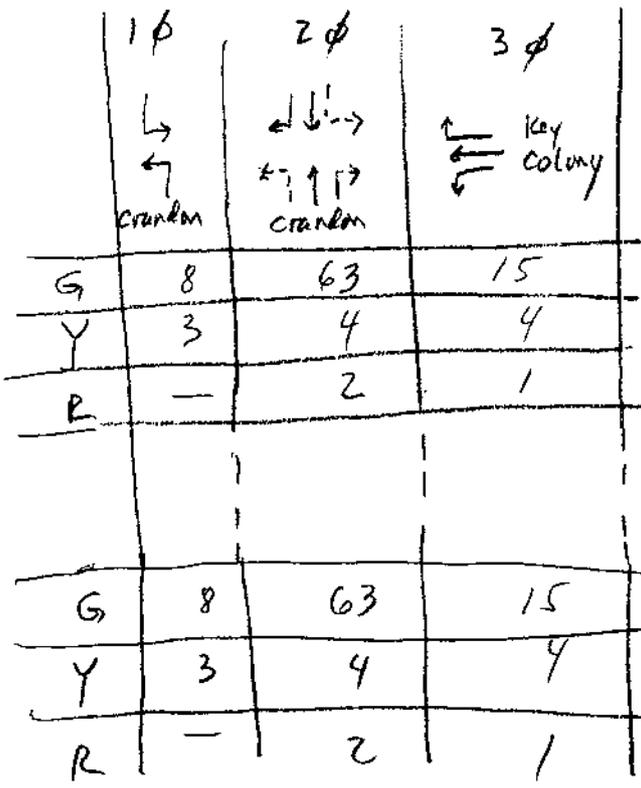
TIMING

NSW (E) Y R (WW) F G Y R NSL Y

PN	SC	EY	MC	OFF	NSW	(E)	Y	R	(WW)	F	G	Y	R	NSL	Y
1				77	33	20	4	2	7	7	1	4	1	8	3
2				81	38	20	4	2	7	7	1	4	1	8	3
3				86	43	20	4	2	7	7	1	4	1	8	3
4				8	43	20	4	2	7	7	1	4	1	8	3
5				96	44	20	4	2	7	14	1	4	1	10	3
6		7		0	8	20	4	2	7	7	1	4	1	8	3
23		6		0	12	20	4	2	7	18	1	4	1	5	3
24		7		0	12	20	4	2	7	18	1	4	1	5	3

Timing Plan Schedule:

SUN	PN	MON	PN	TUE	PN	WED	PN	THU	PN	FRI	PN	SAT	PN	N-S	MON	PN	N-S	TUE	PN	N-S	WED	PN	N-S	THU	PN	N-S	FRI	PN	
0	1	0	23	0	23	0	23	0	23	0	23	0	1	0	23	0	23	0	23	0	23	0	23	0	23	0	23	0	23
100	23	600	1	315	24	600	1	600	1	600	1	100	23	600	1	315	24	600	1	600	1	600	1	600	1	600	1	600	1
700	1	700	3	345	23	700	3	700	3	700	3	700	1	700	3	345	23	700	3	700	3	700	3	700	3	700	3	700	3
900	2	1000	1	600	1	1000	1	1000	1	1000	1	900	2	1000	1	600	1	1000	1	1000	1	1000	1	1000	1	1000	1	1000	1
200	1	1100	2	700	3	1100	2	1100	2	1100	2	2200	1	1100	2	700	3	1100	2	1100	2	1100	2	1100	2	1100	2	1100	2
		1300	1	1000	1	1300	1	1300	1	1300	1			1300	1	1000	1	1300	1	1300	1	1300	1	1300	1	1300	1	1300	1
		1500	4	1100	2	1500	4	1500	4	1500	4			1500	4	1100	2	1500	4	1500	4	1500	4	1500	4	1500	4	1500	4
		1900	2	1300	1	1900	2	1900	2	1900	2			1900	2	1300	1	1900	2	1900	2	1900	2	1900	2	1900	2	1900	2
		2000	6	1500	4	2000	6	2000	6	2000	6			2000	6	1500	4	2000	6	2000	6	2000	6	2000	6	2000	6	2000	6
				1900	2									1900	2			1900	2										
				2000	6									2000	6			2000	6										



AM

CYCLE = 100 SEC

PM

CYCLE = 100 SEC

FAST WART + wide display

Intersection Timing Plans for 6316 CRANDON B & SONESTA DR

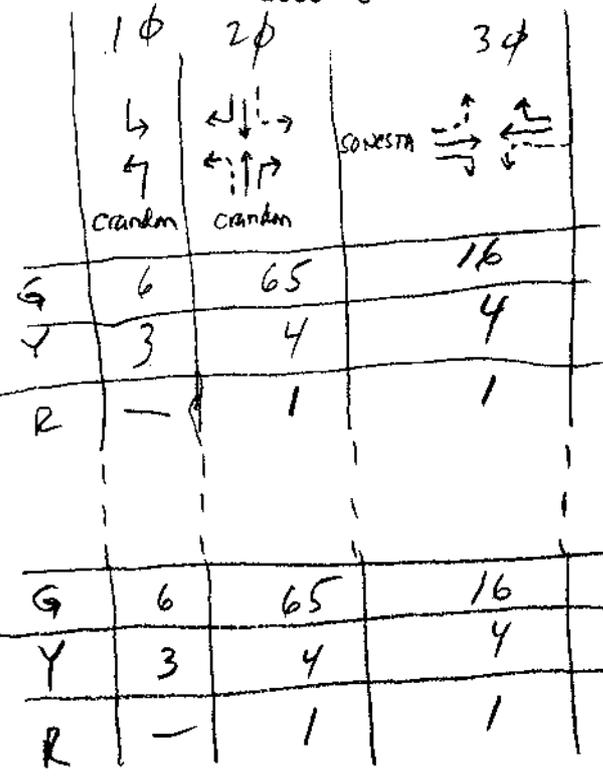
TIMING

PN	SC	EY	MC	OFF	NSG	G	Y	R	EW	F	G	Y	R	NSL	Y
1				44	52	1	4	1	7	10	1	4	1	6	3
2				38	55	1	4	1	7	12	1	4	1	6	3
3				49	64	1	4	1	7	8	1	4	1	6	3
4				13	64	1	4	1	7	8	1	4	1	6	3
5				83	70	1	4	1	7	12	1	4	1	6	3
6			7	44	35	1	4	1	7	10	1	4	1	6	3
23			6	83	22	1	4	1	7	15	1	4	1	5	3
24			7	0	22	1	4	1	7	15	1	4	1	5	3

AM
PM

Timing Plan Schedule:

SUN	PN	MON	PN	TUE	PN	WED	PN	THU	PN	FRI	PN	SAT	PN	N-S	MON	PN	N-S	TUE	PN	N-S	WED	PN	N-S	THU	PN	N-S	FRI	PN	
0	1	0	23	0	23	0	23	0	23	0	23	0	1	0	23	0	23	0	23	0	23	0	23	0	23	0	23	0	23
100	23	600	1	315	24	600	1	600	1	600	1	100	23	600	1	315	24	600	1	600	1	600	1	600	1	600	1	600	1
700	1	700	3	345	23	700	3	700	3	700	3	700	1	700	3	345	23	700	3	700	3	700	3	700	3	700	3	700	3
300	2	1000	1	600	1	1000	1	1000	1	1000	1	900	2	1000	1	600	1	1000	1	1000	1	1000	1	1000	1	1000	1	1000	1
200	1	1100	2	700	3	1100	2	1100	2	1100	2	2200	1	1100	2	700	3	1100	2	1100	2	1100	2	1100	2	1100	2	1100	2
		1300	1	1000	1	1300	1	1300	1	1300	1			1300	1	1000	1	1300	1	1300	1	1300	1	1300	1	1300	1	1300	1
		1500	4	1100	2	1500	4	1500	4	1500	4			1500	4	1100	2	1500	4	1500	4	1500	4	1500	4	1500	4	1500	4
		1900	2	1300	1	1900	2	1900	2	1900	2			1900	2	1300	1	1900	2	1900	2	1900	2	1900	2	1900	2	1900	2
		2000	6	1500	4	2000	6	2000	6	2000	6			2000	6	1500	4	2000	6	2000	6	2000	6	2000	6	2000	6	2000	6
				1900	2									1900	2			1900	2					1900	2				
				2000	6									2000	6			2000	6					2000	6				



AM

Cycle = 100 sec

PM

Cycle = 100 sec

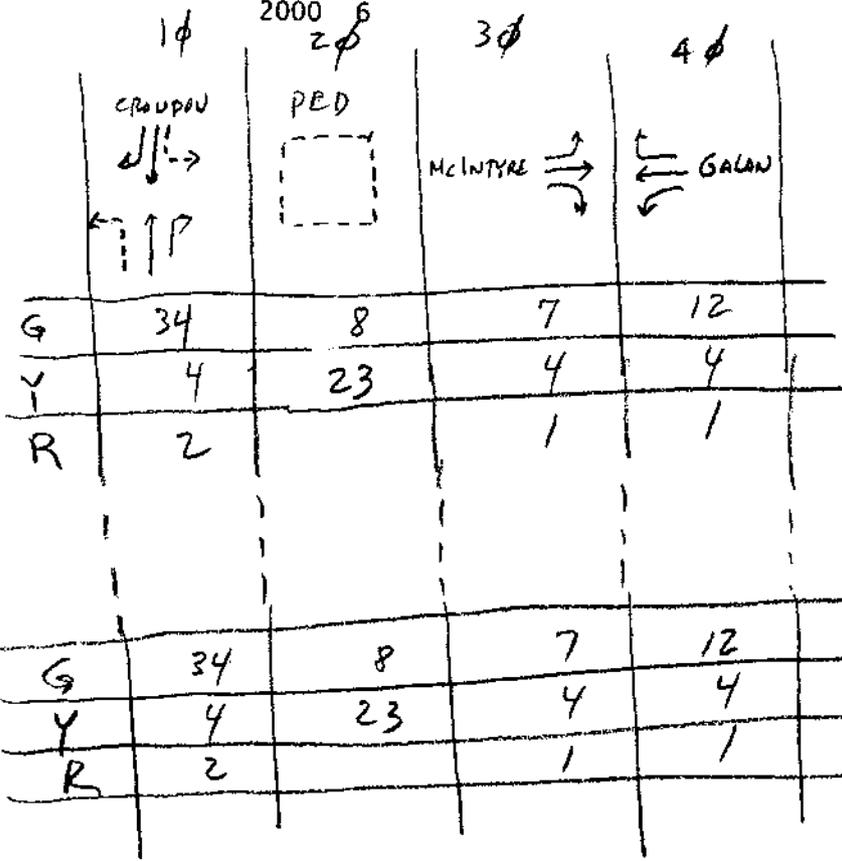
Intersection Timing Plans for 3834 CRANDON, GALEN & MCINTI

North-South Green
INITIAL WALK INTERVAL EXCLUSIVE ped. phase
FLASHING DONUT WALK

PN	SC	EY	MC	OFF	TIMING											
					NSG	G	Y	R	XW	F	EG	Y	R	WG	Y	R
1			8	40	23	1	4	2	8	23	7	4	1	12	4	1
2			8	36	28	1	4	2	8	23	7	4	1	12	4	1
3			8	42	33	1	4	2	8	23	7	4	1	12	4	1
4			8	56	33	1	4	2	8	23	7	4	1	12	4	1
5				59	38	1	4	2	8	23	12	4	1	12	4	1
6			7	0	47	1	4	2	8	23	7	4	1	12	4	1
23			6	0	31	1	4	2	8	23	7	4	1	7	4	1
24			7	0	31	1	4	2	8	23	7	4	1	7	4	1

Timing Plan Schedule:

SUN	PN	MON	PN	TUE	PN	WED	PN	THU	PN	FRI	PN	SAT	PN	N-S	MON	PN	N-S	TUE	PN	N-S	WED	PN	N-S	THU	PN	N-S	FRI	PN	
0	1	0	23	0	23	0	23	0	23	0	23	0	1	0	23	0	23	0	23	0	23	0	23	0	23	0	23	0	23
100	23	600	1	315	24	600	1	600	1	600	1	100	23	600	1	315	24	600	1	600	1	600	1	600	1	600	1	600	1
700	1	700	3	345	23	700	3	700	3	700	3	700	1	700	3	345	23	700	3	700	3	700	3	700	3	700	3	700	3
300	2	1000	1	600	1	1000	1	1000	1	1000	1	900	2	1000	1	600	1	1000	1	1000	1	1000	1	1000	1	1000	1	1000	1
200	1	1100	2	700	3	1100	2	1100	2	1100	2	2200	1	1100	2	700	3	1100	2	1100	2	1100	2	1100	2	1100	2	1100	2
		1300	1	1000	1	1300	1	1300	1	1300	1			1300	1	1000	1	1300	1	1300	1	1300	1	1300	1	1300	1	1300	1
		1500	4	1100	2	1500	4	1500	4	1500	4			1500	4	1100	2	1500	4	1500	4	1500	4	1500	4	1500	4	1500	4
		1900	2	1300	1	1900	2	1900	2	1900	2			1900	2	1300	1	1900	2	1900	2	1900	2	1900	2	1900	2	1900	2
		2000	6	1500	4	2000	6	2000	6	2000	6			2000	6	1500	4	2000	6	2000	6	2000	6	2000	6	2000	6	2000	6
				1900	2											1900	2												
				2000	6											2000	6												



AM

CYCLE = 100 sec

PM

CYCLE =

Appendix B HCM Level of Service (LOS) Methodology

HCM Level of Service (LOS) Methodology

Urban street level of service (LOS) is based on average through-vehicle travel speed for the segment, section, or entire urban street under consideration. The following general statements taken from the Year 2000 Highway Capacity Manual (HCM 2000, Transportation Research Board) characterize LOS along urban streets. Refer to Exhibit 15-2 of the HCM 2000 (copied on next page) for speed ranges for each LOS.

- **LOS A**—describes primarily free-flow operations at average travel speeds, usually about 90 percent of the Free Flow Speed (FFS) for the given street class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at signalized intersections is minimal.
- **LOS B**—describes reasonably unimpeded operations at average travel speeds, usually about 70 percent of the FFS for the street class. The ability to maneuver within the traffic stream is only slightly restricted, and control delays at signalized intersections are not significant.
- **LOS C**—describes stable operations; however, ability to maneuver and change lanes in mid-block locations may be more restricted than at LOS B, and longer queues, adverse signal coordination, or both may contribute to lower average travel speeds of about 50 percent of the FFS for the street class.
- **LOS D**—borders on a range in which small increases in flow may cause substantial increases in delay and decreases in travel speeds. LOS D may be due to adverse signal progression, inappropriate signal timing, high volumes, or a combination of these factors. Average travel speeds are about 40 percent of FFS.
- **LOS E**—is characterized by significant delays and average travel speeds of 33 percent or less of the FFS. Such operations are caused by a combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.
- **LOS F**—is characterized by urban street flow at extremely low speeds, typically one-third to one-fourth of the FFS. Intersection congestion is likely at critical signalized locations, with high delays, high volumes, and extensive queuing.

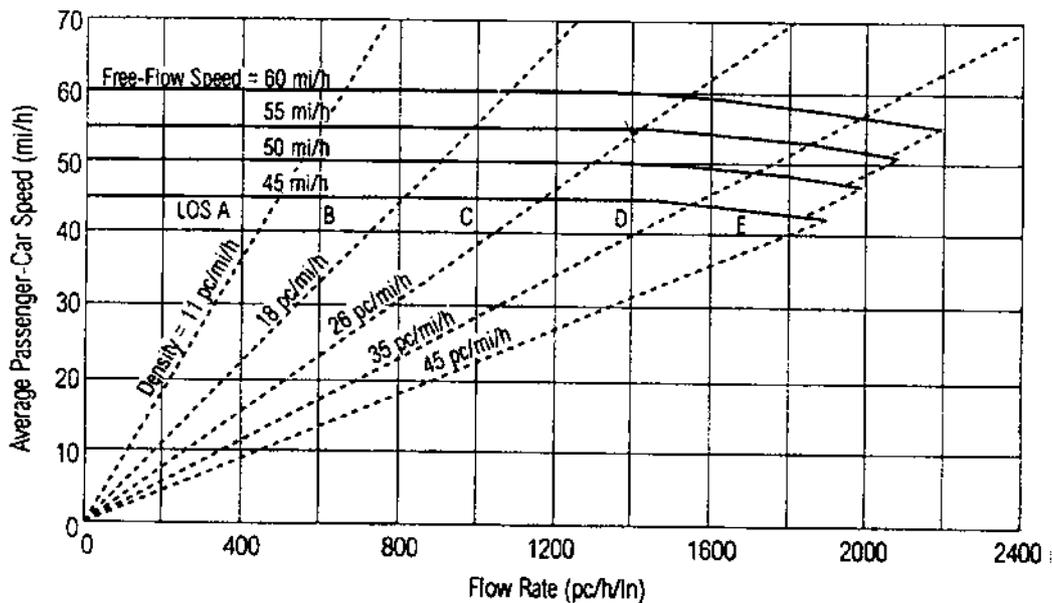
EXHIBIT 15-2. URBAN STREET LOS BY CLASS

Urban Street Class	I	II	III	IV
Range of free-flow speeds (FFS)	55 to 45 mi/h	45 to 35 mi/h	35 to 30 mi/h	35 to 25 mi/h
Typical FFS	50 mi/h	40 mi/h	35 mi/h	30 mi/h
LOS	Average Travel Speed (mi/h)			
A	> 42	> 35	> 30	> 25
B	> 34-42	> 28-35	> 24-30	> 19-25
C	> 27-34	> 22-28	> 18-24	> 13-19
D	> 21-27	> 17-22	> 14-18	> 9-13
E	> 16-21	> 13-17	> 10-14	> 7-9
F	≤ 16	≤ 13	≤ 10	≤ 7

The Year 2000 Highway Capacity Manual (HCM 2000, Transportation Research Board) also serves as a technical guide for the evaluation of “free-flow” and intersection traffic operations. The HCM defines Level of Service (LOS) as a qualitative measure which describes operational conditions within a traffic stream—generally in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. The criteria used to evaluate LOS conditions vary, based on the type of roadway and whether the traffic flow is considered interrupted or uninterrupted.

The definitions of LOS for uninterrupted flow (flow unrestrained by the existence of traffic control devices) are given in Exhibit 21-3 of the HCM 2000 as copied below:

EXHIBIT 21-3. SPEED-FLOW CURVES WITH LOS CRITERIA



The definitions of LOS for interrupted traffic flow (flow restrained by the existence of traffic signals and other traffic control devices) differ depending on the type of traffic control.

The LOS are typically dependent on the quality of traffic flow at the intersections along a roadway. The HCM methodology expresses the LOS at an intersection in terms of delay time for the various intersection approaches. The HCM uses different procedures depending on the type of intersection control. The LOS determined in this study are determined using the HCM methodology.

For signalized intersections, average total control delay per vehicle for the overall intersection is used to determine LOS. LOS at the signalized study area intersection have been evaluated using the "HCS" intersection analysis program.

For stop-sign controlled intersections with stop control on the minor street only the calculation of LOS is dependent on the occurrence of gaps occurring in the traffic flow of the main street. The LOS criteria for this type of intersection analysis is based on average total delay per vehicle for the worst minor street movement(s).

For all-way stop- (AWS) controlled intersections, the ability of vehicles to enter the intersection is not controlled by the occurrence of gaps in the flow of the main street. The LOS criteria for AWS-controlled intersections is based on average total delay per vehicle for the overall intersection. The Levels of Service (LOS) are defined for the various analysis methodologies as follows:

Level of Service (LOS) Standards

LEVEL OF SERVICE	AVERAGE TOTAL DELAY PER VEHICLE (SECONDS)	
	SIGNALIZED	UNSIGNALIZED
A	0 to 10.00	0 to 10.00
B	10.01 to 20.00	10.01 to 15.00
C	20.01 to 35.00	15.01 to 25.00
D	35.01 to 55.00	25.01 to 35.00
E	55.01 to 80.00	35.01 to 50.00
F	80.01 and up	50.01 and up

Appendix C Intersection Analyses - Existing Conditions

	EB			WB		NB		SB			
v/c ratio, X											
Total green ratio, g/C	0.17	0.17	0.17		0.15	0.15	0.53	0.44		0.53	0.44
Uniform delay, d_1	41.5	35.3	36.3		39.9	38.4	20.0	26.0		18.7	26.1
Progression factor, PF	1.000	1.000	1.000		1.000	1.000	1.000	1.000		1.000	1.000
Delay calibration, k	0.50	0.50	0.50		0.50	0.50	0.50	0.50		0.50	0.50
Incremental delay, d_2	136.7	0.9	3.0		10.8	4.9	25.6	9.4		4.8	9.9
Initial queue delay, d_3											
Control delay	178.2	36.2	39.4		50.8	43.3	45.7	35.4		23.4	36.0
Lane group LOS	F	D	D		D	D	D	D		C	D
Approach delay	142.6				48.2		36.3			35.5	
Approach LOS	F				D		D			D	
Intersection delay	51.1				$X_c = 0.96$		Intersection LOS			D	

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HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst <i>Krystal Fowler / RDA</i> Agency or Co. <i>Corradino</i> Date Performed <i>12/21/2005</i> Time Period <i>PM w/o Project Traffic</i>						Intersection <i>Crandon Blvd. and Harbor Dr.</i> Area Type <i>All other areas</i> Jurisdiction Analysis Year <i>2005</i> Project ID <i>Sonesta Key Biscayne Resort</i>						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _l	1	1	1	0	1	1	1	2	0	1	2	0
Lane group	L	LT	R		LT	R	L	TR		L	TR	
Volume, V (vph)	235	24	182	79	11	40	175	860	37	84	939	186
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.82	0.67	0.91	0.82	0.69	0.77	0.93	0.95	0.71	0.75	0.93	0.88
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I ₁	2.0	2.0	2.0		2.0	2.0	2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0	2.0		2.0	2.0	2.0	2.0		2.0	2.0	
Arrival type, AT	3	3	3		3	3	3	3		3	3	
Unit extension, UE	3.0	3.0	3.0		3.0	3.0	3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000	1.000		1.000	1.000	1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0	0.0		0.0	0.0	0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0	11.0		11.0	11.0	11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0	0		0	0	0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			14.2			11.4		
Phasing	EB Only	WB Only	03	04	Excl. Left	NS Perm	07	08				
Timing	G = 17.0	G = 15.0	G =	G =	G = 6.0	G = 44.0	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 3	Y = 5	Y =	Y =				
Duration of Analysis, T = 0.25						Cycle Length, C = 100.0						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	287	36	200		112	52	188	957		112	1221	
Lane group capacity, c	291	312	260		264	234	175	1489		240	1466	
	0.99	0.12	0.77		0.42	0.22	1.07	0.64		0.47	0.83	

	EB			WB		NB		SB			
v/c ratio, X											
Total green ratio, g/C	0.17	0.17	0.17		0.15	0.15	0.53	0.44		0.53	0.44
Uniform delay, d ₁	41.4	35.1	39.6		38.6	37.4	23.2	21.9		14.8	24.8
Progression factor, PF	1.000	1.000	1.000		1.000	1.000	1.000	1.000		1.000	1.000
Delay calibration, k	0.50	0.50	0.50		0.50	0.50	0.50	0.50		0.50	0.50
Incremental delay, d ₂	49.4	0.8	19.4		4.9	2.2	89.2	2.1		6.4	5.7
Initial queue delay, d ₃											
Control delay	90.8	35.9	59.1		43.5	39.6	112.4	24.0		21.2	30.4
Lane group LOS	F	D	E		D	D	F	C		C	C
Approach delay	74.9			42.3		38.5		29.7			
Approach LOS	E			D		D		C			
Intersection delay	41.0			X _c = 1.00		Intersection LOS		D			

HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst	Krystal Fowler / RDA					Intersection	Crandon Blvd. and Key Colony					
Agency or Co.	Corradino					Area Type	All other areas					
Date Performed	12/21/2005					Jurisdiction						
Time Period	AM w/o Project Traffic					Analysis Year	2005					
						Project ID	Sonesta Key Biscayne Resort					
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	0	0	1	0	1	1	2	0	1	2	0
Lane group				L		R	L	TR		L	T	
Volume, V (vph)				92		147	35	1014	53	107	940	
% Heavy vehicles, %HV				0		0	2	2	0	2	2	
Peak-hour factor, PHF				0.55		0.71	0.63	0.80	0.74	0.79	0.86	
Pretimed (P) or actuated (A)				P		P	P	P	P	P	P	P
Start-up lost time, l_1				2.0		2.0	2.0	2.0		2.0	2.0	
Extension of effective green, e				2.0		2.0	2.0	2.0		2.0	2.0	
Arrival type, AT				3		3	3	3		3	3	
Unit extension, UE				3.0		3.0	3.0	3.0		3.0	3.0	
Filtering/metering, I				1.000	1.000	1.000	1.000	1.000		1.000	1.000	
Initial unmet demand, Q_b				0.0		0.0	0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0			0		0	0		0	0		
Lane width				12.0		11.0	11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N		N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N_m												
Buses stopping, N_B				0		0	0	3		0	3	
Min. time for pedestrians, G_p	18.5			18.5			8.7			8.7		
Phasing	WB Only	02	03	04	Excl. Left	NS Perm	07	08				
Timing	G = 15.0	G =	G =	G =	G = 8.0	G = 63.0	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 3	Y = 6	Y =	Y =				
Duration of Analysis, T = 0.25						Cycle Length, C = 100.0						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v				167		207	56	1339		135	1093	
Lane group capacity, c				271		234	367	2132		293	2147	
v/c ratio, X				0.62		0.88	0.15	0.63		0.46	0.51	
Total green ratio, g/C				0.15		0.15	0.74	0.63		0.74	0.63	

	EB	WB	NB	SB				
Uniform delay, d_1		39.8	41.7	5.2	11.3		8.1	10.1
Progression factor, PF		1.000	1.000	1.000	1.000		1.000	1.000
Delay calibration, k		0.50	0.50	0.50	0.50		0.50	0.50
Incremental delay, d_2		10.1	35.2	0.9	1.4		5.1	0.9
Initial queue delay, d_3								
Control delay		49.9	76.8	6.1	12.7		13.3	10.9
Lane group LOS		D	E	A	B		B	B
Approach delay		64.8		12.5			11.2	
Approach LOS		E		B			B	
Intersection delay	18.5	$X_c = 0.73$		Intersection LOS			B	

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HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst <i>Krystal Fowler / RDA</i> Agency or Co. <i>Corradino</i> Date Performed <i>12/21/2005</i> Time Period <i>PM w/o Project Traffic</i>						Intersection <i>Crandon Blvd. and Key Colony</i> Area Type <i>All other areas</i> Jurisdiction Analysis Year <i>2005</i> Project ID <i>Sonesta Key Biscayne Resort</i>						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	0	0	1	0	1	1	2	0	1	2	0
Lane group				L		R	L	TR		L	T	
Volume, V (vph)				65		105	59	610	88	178	1102	
% Heavy vehicles, %HV				0		0	2	2	0	2	2	
Peak-hour factor, PHF				0.81		0.82	0.74	0.85	0.96	0.91	0.94	
Pretimed (P) or actuated (A)				P		P	P	P	P	P	P	P
Start-up lost time, l_1				2.0		2.0	2.0	2.0		2.0	2.0	
Extension of effective green, e				2.0		2.0	2.0	2.0		2.0	2.0	
Arrival type, AT				3		3	3	3		3	3	
Unit extension, UE				3.0		3.0	3.0	3.0		3.0	3.0	
Filtering/metering, I				1.000	1.000	1.000	1.000	1.000		1.000	1.000	
Initial unmet demand, Q_b				0.0		0.0	0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0			0		0	0		0	0		
Lane width				12.0		11.0	11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N		N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N_m												
Buses stopping, N_B				0		0	0	3		0	3	
Min. time for pedestrians, G_p	18.5			18.5			8.7			8.7		
Phasing	WB Only	02	03	04	Excl. Left	NS Perm	07	08				
Timing	G = 15.0	G =	G =	G =	G = 8.0	G = 63.0	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 3	Y = 6	Y =	Y =				
Duration of Analysis, T = 0.25						Cycle Length, C = 100.0						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v				80		128	80	810		196	1172	
Lane group capacity, c				271		234	341	2115		478	2147	
v/c ratio, X				0.30		0.55	0.23	0.38		0.41	0.55	
Total green ratio, g/C				0.15		0.15	0.74	0.63		0.74	0.63	

	EB			WB			NB		SB	
Uniform delay, d_1			37.8		39.4	5.8	9.0		4.8	10.4
Progression factor, PF			1.000		1.000	1.000	1.000		1.000	1.000
Delay calibration, k			0.50		0.50	0.50	0.50		0.50	0.50
Incremental delay, d_2			2.8		8.9	1.6	0.5		2.6	1.0
Initial queue delay, d_3										
Control delay			40.6		48.3	7.4	9.5		7.4	11.4
Lane group LOS			D		D	A	A		A	B
Approach delay	45.3			9.4			10.9			
Approach LOS	D			A			B			
Intersection delay	13.2	$X_c = 0.61$			Intersection LOS		B			

HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst <i>Krystal Fowler / RDA</i>						Intersection <i>Crandon Blvd. and Harbor Dr.</i>						
Agency or Co. <i>Corradino</i>						Area Type <i>All other areas</i>						
Date Performed <i>12/21/2005</i>						Jurisdiction						
Time Period <i>AM w/o Project Traffic</i>						Analysis Year <i>2005</i>						
						Project ID <i>Sonesta Key Biscayne Resort</i>						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _l	1	1	1	0	1	1	1	2	0	1	2	0
Lane group	L	LT	R		LT	R	L	TR		L	TR	
Volume, V (vph)	283	29	60	40	74	80	115	1060	11	44	1015	175
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.78	0.66	0.75	0.67	0.66	0.87	0.87	0.80	0.39	0.79	0.90	0.84
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I ₁	2.0	2.0	2.0		2.0	2.0	2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0	2.0		2.0	2.0	2.0	2.0		2.0	2.0	
Arrival type, AT	3	3	3		3	3	3	3		3	3	
Unit extension, UE	3.0	3.0	3.0		3.0	3.0	3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000	1.000		1.000	1.000	1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0	0.0		0.0	0.0	0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0	11.0		11.0	11.0	11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0	0		0	0	0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			14.2			11.4		
Phasing	EB Only	WB Only	03	04	Excl. Left	NS Perm	07	08				
Timing	G = 17.0	G = 15.0	G =	G =	G = 6.0	G = 44.0	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 3	Y = 5	Y =	Y =				
Duration of Analysis, T = 0.25						Cycle Length, C = 100.0						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	363	44	80		172	92	132	1353		56	1336	
Lane group capacity, c	291	312	260		271	234	175	1496		175	1469	
	1.25	0.14	0.31		0.63	0.39	0.75	0.90		0.32	0.91	

HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst Krystal Fowler / RDA Agency or Co. Corradino Date Performed 12/21/2005 Time Period AM w/o Project Traffic						Intersection Crandon Blvd. and Sonesta Dr Area Type All other areas Jurisdiction Analysis Year 2005 Project ID Sonesta Key Biscayne Resort						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_i	0	1	0	0	1	0	1	2	0	1	2	0
Lane group		LTR			LTR		L	TR		L	TR	
Volume, V (vph)	48	0	5	7	3	24	98	1120	38	4	872	43
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.80	1.00	0.63	0.58	0.38	0.75	0.88	0.79	0.79	0.50	0.94	0.72
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I_1		2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e		2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT		3			3		3	3		3	3	
Unit extension, UE		3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I		1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q_b		0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width		11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N_m												
Buses stopping, N_B		0			0		0	3		0	3	
Min. time for pedestrians, G_p		18.5			18.5			8.7			8.7	
Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08				
Timing	$G = 16.0$	$G =$	$G =$	$G =$	$G = 6.0$	$G = 65.0$	$G =$	$G =$				
	$Y = 5$	$Y =$	$Y =$	$Y =$	$Y = 3$	$Y = 5$	$Y =$	$Y =$				
Duration of Analysis, $T = 0.25$						Cycle Length, $C = 100.0$						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		68			52		111	1466		8	988	
Lane group capacity, c		205			252		385	2205		238	2198	
		0.33			0.21		0.29	0.66		0.03	0.45	

	<i>EB</i>		<i>WB</i>		<i>NB</i>		<i>SB</i>	
v/c ratio, X								
Total green ratio, g/C	0.16		0.16		0.74	0.65	0.74	0.65
Uniform delay, d_1	37.3		36.5		4.9	10.8	6.9	8.7
Progression factor, PF	1.000		1.000		1.000	1.000	1.000	1.000
Delay calibration, k	0.50		0.50		0.50	0.50	0.50	0.50
Incremental delay, d_2	4.3		1.8		1.9	1.6	0.3	0.7
Initial queue delay, d_3								
Control delay	41.6		38.3		6.8	12.4	7.2	9.3
Lane group LOS	D		D		A	B	A	A
Approach delay	41.6		38.3		12.0		9.3	
Approach LOS	D		D		B		A	
Intersection delay	12.3		$X_c = 0.64$		Intersection LOS		B	

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HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst Krystal Fowler / RDA Agency or Co. Corradino Date Performed 12/21/2005 Time Period PM w/o Project Traffic						Intersection Crandon Blvd. and Sonesta Dr Area Type All other areas Jurisdiction Analysis Year 2005 Project ID Sonesta Key Biscayne Resort						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	1	0	0	1	0	1	2	0	1	2	0
Lane group		LTR			LTR		L	TR		L	TR	
Volume, V (vph)	59	1	11	7	5	72	55	728	7	69	1020	85
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.70	0.25	0.55	0.58	0.63	0.78	0.44	0.85	0.44	0.86	0.94	0.71
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, l_1		2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e		2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT		3			3		3	3		3	3	
Unit extension, UE		3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I		1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q_b		0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width		11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N_m												
Buses stopping, N_B		0			0		0	3		0	3	
Min. time for pedestrians, G_p	18.5			18.5			8.7			8.7		
Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08				
Timing	G = 16.0	G =	G =	G =	G = 6.0	G = 65.0	G =	G =				
	Y = 5	Y =	Y =	Y =	Y = 3	Y = 5	Y =	Y =				
Duration of Analysis, T = 0.25						Cycle Length, C = 100.0						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		108			112		125	872		80	1205	
Lane group capacity, c		182			252		310	2210		432	2187	
		0.59			0.44		0.40	0.39		0.19	0.55	

	<i>EB</i>		<i>WB</i>		<i>NB</i>		<i>SB</i>	
v/c ratio, X								
Total green ratio, g/C	0.16		0.16		0.74	0.65	0.74	0.65
Uniform delay, d_1	39.0		38.0		6.2	8.2	4.4	9.5
Progression factor, PF	1.000		1.000		1.000	1.000	1.000	1.000
Delay calibration, k	0.50		0.50		0.50	0.50	0.50	0.50
Incremental delay, d_2	13.4		5.6		3.9	0.5	0.9	1.0
Initial queue delay, d_3								
Control delay	52.4		43.6		10.1	8.8	5.3	10.5
Lane group LOS	D		D		B	A	A	B
Approach delay	52.4		43.6		8.9		10.2	
Approach LOS	D		D		A		B	
Intersection delay	13.0		$X_c = 0.60$		Intersection LOS		B	

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TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	Krystal Fowler / RDA			Intersection	Crandon Blvd and Heather Dr			
Agency/Co.	Corradino			Jurisdiction				
Date Performed	12/21/2005			Analysis Year				
Analysis Time Period	AM w/o Project Traffic							
Project Description								
East/West Street: Heather Dr			North/South Street: Crandon Blvd					
Intersection Orientation: North-South			Study Period (hrs): 0.25					
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		1108	19	8	895			
Peak-Hour Factor, PHF	1.00	0.84	0.84	0.82	0.82	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	0	32	0	35		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Raised curb							
RT Channelized			0			0		
Lanes	0	2	0	1	2	0		
Configuration		T	TR	L	T			
Upstream Signal		1			1			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				18	0	20		
Peak-Hour Factor, PHF	0.56	0.56	0.56	0.56	0.56	0.56		
Hourly Flow Rate, HFR (veh/h)	9	1091	0	0	1319	22		
Percent Heavy Vehicles	0	0	0	2	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	1	0		
Configuration					LTR			
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	LTR					
v (veh/h)		9	67					
C (m) (veh/h)		566	323					
v/c		0.02	0.21					
95% queue length		0.05	0.77					
Control Delay (s/veh)		11.5	19.0					
LOS		B	C					

Approach Delay (s/veh)	--	--	19.0	
Approach LOS	--	--	C	

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TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	RDA			Intersection	Crandon Blvd and Heather Dr			
Agency/Co.	Corradino			Jurisdiction				
Date Performed	12/21/2005			Analysis Year				
Analysis Time Period	PM w/o Project Traffic							
Project Description								
East/West Street: Heather Dr				North/South Street: Crandon Blvd				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		794	26	29	958			
Peak-Hour Factor, PHF	1.00	0.84	0.84	0.93	0.93	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	0	28	0	10		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Raised curb							
RT Channelized			0			0		
Lanes	0	2	0	1	2	0		
Configuration		T	TR	L	T			
Upstream Signal		1			1			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				23	0	9		
Peak-Hour Factor, PHF	0.56	0.56	0.56	0.82	0.82	0.82		
Hourly Flow Rate, HFR (veh/h)	31	1030	0	0	945	30		
Percent Heavy Vehicles	0	0	0	2	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	1	0		
Configuration					LTR			
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L		LTR				
v (veh/h)		31		38				
C (m) (veh/h)		746		312				
v/c		0.04		0.12				
95% queue length		0.13		0.41				
Control Delay (s/veh)		10.0		18.1				
LOS		B		C				

Approach Delay (s/veh)	--	--	18.1	
Approach LOS	--	--	C	

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General Information						Site Information						
Analyst <i>Krystal Fowler / RDA</i> Agency or Co. <i>Corradino</i> Date Performed <i>12/21/2005</i> Time Period <i>AM w/o Project Traffic</i>						Intersection <i>Crandon Blvd. and Galen/McInty</i> Area Type <i>All other areas</i> Jurisdiction Analysis Year <i>2005</i> Project ID <i>Sonesta Key Biscayne Resort</i>						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _i	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	228	18	89	25	34	119	78	748	4	21	518	306
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I ₁	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0			0		0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			8.7			11.4		
Phasing	EB Only	WB Only	03	04	NS Perm	Peds Only	07	08				
Timing	G = 7.0	G = 12.0	G =	G =	G = 34.0	G = 8.0	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 6	Y = 23	Y =	Y =				
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	253	119			198		87	835		23	916	
Lane group capacity, c	120	111			199		89	1158		114	1102	
	2.11	1.07			0.99		0.98	0.72		0.20	0.83	

	EB		WB		NB		SB	
v/c ratio, X								
Total green ratio, g/C	0.07	0.07		0.12	0.34	0.34	0.34	0.34
Uniform delay, d ₁	46.5	46.5		44.0	32.6	28.9	23.4	30.4
Progression factor, PF	1.000	1.000		1.000	1.000	1.000	1.000	1.000
Delay calibration, k	0.50	0.50		0.50	0.50	0.50	0.50	0.50
Incremental delay, d ₂	525.8	106.1		62.5	89.4	3.9	3.9	7.3
Initial queue delay, d ₃								
Control delay	572.3	152.6		106.5	122.0	32.8	27.3	37.7
Lane group LOS	F	F		F	F	C	C	D
Approach delay	438.1		106.5		41.2		37.4	
Approach LOS	F		F		D		D	
Intersection delay	105.8		X _c = 0.00		Intersection LOS		F	

HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst <i>Krystal Fowler / RDA</i> Agency or Co. <i>Corradino</i> Date Performed <i>12/21/2005</i> Time Period <i>AM w/o Project Traffic</i>						Intersection <i>Crandon Blvd. and Galen/McInty</i> Area Type <i>All other areas</i> Jurisdiction Analysis Year <i>2005</i> Project ID <i>Sonesta Key Biscayne Resort REVISED SIGNAL TIMING</i>						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_i	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	228	18	89	25	34	119	78	748	4	21	518	306
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, l_1	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q_b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N_m												
Buses stopping, N_B	0	0			0		0	3		0	3	
Min. time for pedestrians, G_p	18.5			18.5			8.7			11.4		
Phasing	EB Only	WB Only	03		04		NS Perm	Peds Only	07		08	
Timing	G = 12.0	G = 10.0	G =		G =		G = 31.0	G = 8.0	G =		G =	
	Y = 5	Y = 5	Y =		Y =		Y = 6	Y = 23	Y =		Y =	
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	253	119			198		87	835		23	916	
Lane group capacity, c	205	190			166		72	1056		90	1005	

v/c ratio, X	1.23	0.63			1.19		1.21	0.79		0.26	0.91	
Total green ratio, g/C	0.12	0.12			0.10		0.31	0.31		0.31	0.31	
Uniform delay, d_1	44.0	41.9			45.0		34.5	31.5		25.9	33.2	
Progression factor, PF	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Delay calibration, k	0.50	0.50			0.50		0.50	0.50		0.50	0.50	
Incremental delay, d_2	140.2	14.6			131.1		172.5	6.1		6.7	13.7	
Initial queue delay, d_3												
Control delay	184.2	56.5			176.1		207.0	37.6		32.6	46.9	
Lane group LOS	F	E			F		F	D		C	D	
Approach delay	143.3				176.1		53.6				46.5	
Approach LOS	F				F		D				D	
Intersection delay	74.6				$X_c = 0.00$		Intersection LOS				E	

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HCS2000™ DETAILED REPORT

General Information	Site Information
Analyst <i>Krystal Fowler / RDA</i>	Intersection <i>Crandon Blvd. and Galen/McInty</i>
Agency or Co. <i>Corradino</i>	Area Type <i>All other areas</i>
Date Performed <i>12/21/2005</i>	Jurisdiction
Time Period <i>AM w/o Project Traffic</i>	Analysis Year <i>2005</i>
	Project ID <i>Sonesta Key Biscayne Resort REVISED SIGNAL TIMING & Cycle</i>

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _l	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	228	18	89	25	34	119	78	748	4	21	518	306
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I ₁	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0			0		0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			8.7			11.4		
Phasing	EB Only	WB Only	03	04	NS Perm	Peds Only	07	08				
Timing	G = 20.0	G = 16.0	G =	G =	G = 47.0	G = 8.0	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 6	Y = 23	Y =	Y =				
Duration of Analysis, T = 0.25							Cycle Length, C = 130.0					

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	251	118			195		86	826		23	905	
Lane group capacity, c	263	243			204		102	1231		126	1172	

v/c ratio, X	0.95	0.49			0.96		0.84	0.67		0.18	0.77	
Total green ratio, g/C	0.15	0.15			0.12		0.36	0.36		0.36	0.36	
Uniform delay, d_1	54.5	50.3			56.6		38.1	35.0		28.4	36.8	
Progression factor, PF	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Delay calibration, k	0.50	0.50			0.50		0.50	0.50		0.50	0.50	
Incremental delay, d_2	44.9	6.8			52.5		53.8	2.9		3.2	5.0	
Initial queue delay, d_3												
Control delay	99.5	57.1			109.1		91.9	37.9		31.5	41.7	
Lane group LOS	F	E			F		F	D		C	D	
Approach delay	85.9				109.1			43.0			41.5	
Approach LOS	F				F			D			D	
Intersection delay	54.4				$X_c = 0.00$			Intersection LOS		D		

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General Information	Site Information
Analyst <i>RDA</i>	Intersection <i>Crandon Blvd. and Galen/McInty</i>
Agency or Co. <i>Corradino</i>	Area Type <i>All other areas</i>
Date Performed <i>12/21/2005</i>	Jurisdiction
Time Period <i>AM w/o Project Traffic</i>	Analysis Year <i>2005</i>
	Project ID <i>Sonesta Key Biscayne Resort -Without Ped Phase</i>

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _l	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	228	18	89	25	34	119	78	748	4	21	518	306
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I ₁	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0			0		0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			8.7			11.4		

Phasing	EB Only	WB Only	03	04	NS Perm	06	07	08
Timing	G = 23.0	G = 23.0	G =	G =	G = 38.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 6	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 100.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	253	119			198		87	835		23	916	
Lane group capacity, c	394	364			382		120	1294		146	1232	
	0.64	0.33			0.52		0.73	0.65		0.16	0.74	

v/c ratio, X											
Total green ratio, g/C	0.23	0.23			0.23		0.38	0.38		0.38	0.38
Uniform delay, d_1	34.8	32.1			33.7		26.5	25.5		20.4	26.8
Progression factor, PF	1.000	1.000			1.000		1.000	1.000		1.000	1.000
Delay calibration, k	0.50	0.50			0.50		0.50	0.50		0.50	0.50
Incremental delay, d_2	7.8	2.4			5.0		31.5	2.5		2.3	4.1
Initial queue delay, d_3											
Control delay	42.6	34.4			38.6		58.0	28.0		22.7	30.9
Lane group LOS	D	C			D		E	C		C	C
Approach delay	40.0				38.6			30.8			30.7
Approach LOS	D				D			C			C
Intersection delay	32.8				$X_c = 0.65$			Intersection LOS		C	

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HCS2000™ DETAILED REPORT

General Information	Site Information
Analyst <i>Krystal Fowler / RDA</i>	Intersection <i>Crandon Blvd. and Galen/McInty</i>
Agency or Co. <i>Corradino</i>	Area Type <i>All other areas</i>
Date Performed <i>12/21/2005</i>	Jurisdiction
Time Period <i>PM w/o Project Traffic</i>	Analysis Year <i>2005</i>
	Project ID <i>Sonesta Key Biscayne Resort</i>

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _i	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	122	19	53	16	7	68	40	828	19	98	770	123
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I _s	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0			0		0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			8.7			11.4		
Phasing	EB Only	WB Only	03	04	NS Perm	Peds Only	07	08				
Timing	G = 7.0	G = 12.0	G =	G =	G = 34.0	G = 8.0	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 6	Y = 23	Y =	Y =				
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	136	80			102		44	941		109	993	
Lane group capacity, c	120	113			196		72	1155		82	1138	
	1.13	0.71			0.52		0.61	0.81		1.33	0.87	

	EB		WB		NB		SB		
v/c ratio, X									
Total green ratio, g/C	0.07	0.07		0.12		0.34	0.34	0.34	0.34
Uniform delay, d ₁	46.5	45.5		41.3		27.5	30.1	33.0	31.0
Progression factor, PF	1.000	1.000		1.000		1.000	1.000	1.000	1.000
Delay calibration, k	0.50	0.50		0.50		0.50	0.50	0.50	0.50
Incremental delay, d ₂	122.5	31.2		9.5		33.0	6.4	210.5	9.3
Initial queue delay, d ₃									
Control delay	169.0	76.7		50.8		60.5	36.5	243.5	40.3
Lane group LOS	F	E		D		E	D	F	D
Approach delay	134.8		50.8		37.6		60.4		
Approach LOS	F		D		D		E		
Intersection delay	57.3		X _c = 0.00		Intersection LOS		E		

HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst <i>Krystal Fowler / RDA</i> Agency or Co. <i>Corradino</i> Date Performed <i>12/21/2005</i> Time Period <i>PM w/o Project Traffic</i>						Intersection <i>Crandon Blvd. and Galen/McInty</i> Area Type <i>All other areas</i> Jurisdiction Analysis Year <i>2005</i> Project ID <i>Sonesta Key Biscayne Resort - REVISED SIGNAL TIMING</i>						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	122	19	53	16	7	68	40	828	19	98	770	123
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, I_1	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q_b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N_m												
Buses stopping, N_B	0	0			0		0	3		0	3	
Min. time for pedestrians, G_p	18.5			18.5			8.7			11.4		
Phasing	EB Only	WB Only	03	04	NS Perm	Peds Only	07	08				
Timing	G = 7.0	G = 10.0	G =	G =	G = 36.0	G = 8.0	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 6	Y = 23	Y =	Y =				
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	136	80			102		44	941		109	993	
Lane group capacity, c	120	113			164		83	1223		98	1205	

v/c ratio, X	1.13	0.71			0.62		0.53	0.77		1.11	0.82	
Total green ratio, g/C	0.07	0.07			0.10		0.36	0.36		0.36	0.36	
Uniform delay, d_1	46.5	45.5			43.2		25.3	28.3		32.0	29.1	
Progression factor, PF	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Delay calibration, k	0.50	0.50			0.50		0.50	0.50		0.50	0.50	
Incremental delay, d_2	122.5	31.2			16.5		22.1	4.7		124.4	6.5	
Initial queue delay, d_3												
Control delay	169.0	76.7			59.6		47.5	33.0		156.4	35.6	
Lane group LOS	F	E			E		D	C		F	D	
Approach delay	134.8				59.6		33.7				47.5	
Approach LOS	F				E		C				D	
Intersection delay	50.2				$X_c = 0.00$		Intersection LOS				D	

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HCS2000™ DETAILED REPORT												
General Information						Site Information						
Analyst RDA Agency or Co. Corradino Date Performed 12/21/2005 Time Period PM w/o Project Traffic						Intersection Crandon Blvd. and Galen/McInty Area Type All other areas Jurisdiction Analysis Year 2005 Project ID Sonesta Key Biscayne Resort - Without Excl Ped Phase						
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N _i	1	1	0	0	1	0	1	2	0	1	2	0
Lane group	L	TR			LTR		L	TR		L	TR	
Volume, V (vph)	122	19	53	16	7	68	40	828	19	98	770	123
% Heavy vehicles, %HV	2	0	2	0	0	0	2	2	0	2	2	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed (P) or actuated (A)	P	P	P	P	P	P	P	P	P	P	P	P
Start-up lost time, l ₁	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Extension of effective green, e	2.0	2.0			2.0		2.0	2.0		2.0	2.0	
Arrival type, AT	3	3			3		3	3		3	3	
Unit extension, UE	3.0	3.0			3.0		3.0	3.0		3.0	3.0	
Filtering/metering, I	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Initial unmet demand, Q _b	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Ped / Bike / RTOR volumes	0		0	0		0	0		0	0		0
Lane width	11.0	11.0			11.0		11.0	11.0		11.0	11.0	
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking maneuvers, N _m												
Buses stopping, N _B	0	0			0		0	3		0	3	
Min. time for pedestrians, G _p	18.5			18.5			8.7			11.4		
Phasing	EB Only	WB Only	03	04	NS Perm	06	07	08				
Timing	G = 23.0	G = 23.0	G =	G =	G = 38.0	G =	G =	G =				
	Y = 5	Y = 5	Y =	Y =	Y = 6	Y =	Y =	Y =				
Duration of Analysis, T = 0.25							Cycle Length, C = 100.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v	136	80			102		44	941		109	993	
Lane group capacity, c	394	370			377		97	1291		112	1271	

v/c ratio, X	0.35	0.22			0.27		0.45	0.73		0.97	0.78	
Total green ratio, g/C	0.23	0.23			0.23		0.38	0.38		0.38	0.38	
Uniform delay, d_1	32.2	31.2			31.6		23.2	26.6		30.5	27.3	
Progression factor, PF	1.000	1.000			1.000		1.000	1.000		1.000	1.000	
Delay calibration, k	0.50	0.50			0.50		0.50	0.50		0.50	0.50	
Incremental delay, d_2	2.4	1.3			1.8		14.5	3.6		78.1	4.8	
Initial queue delay, d_3												
Control delay	34.6	32.5			33.4		37.8	30.2		108.6	32.2	
Lane group LOS	C	C			C		D	C		F	C	
Approach delay	33.8				33.4		30.6				39.7	
Approach LOS	C				C		C				D	
Intersection delay	35.2				$X_c = 0.61$		Intersection LOS				D	

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Appendix D Arterial Analyses

Phone:
E-Mail:

Fax:

PLANNING ANALYSIS

Analyst: RDA
 Agency/Co.: TCG
 Date Performed: 1/7/2006
 Analysis Time Period: AM Peak Hour
 Urban Street: Crandon Blvd
 Direction of Travel:
 Jurisdiction: Village of Key Biscayne
 Analysis Year: Current w/o project
 Project ID: Sonesta Key Biscayne Resort - Existing Conditions

Traffic Characteristics

Annual average daily traffic, AADT	22000	vpd
Planning analysis hour factor, K	0.080	
Directional distribution factor, D	0.510	
Peak-hour factor, PHF	0.940	
Adjusted saturation flow rate	1800	pcphgpl
Percent turns from exclusive lanes	10	%

Roadway Characteristics

Number of through lanes one direction, N	2	
Free flow speed, FFS	35	mph
Urban class	3	
Section length	0.70	miles
Median	Yes	
Left-turn bays	Yes	

Signal Characteristics

Signalized intersections	5	
Arrival type, AT	3	
Signal type (k = 0.5 for planning)	Actuated	
Cycle length, C	100.0	sec
Effective green ratio, g/C	0.530	

Results

Annual average daily traffic, AADT	22000	vpd
Two-way hourly volume	1759	vph
Hourly directional volume	897	vph
Through-volume 15-min. flow rate	858	v
Running time	95.9	sec
v/c ratio	0.45	
Through capacity	1907	vph
Progression factor, PF	1.000	
Uniform delay	14.5	sec
Filtering/metering factor, I	0.893	
Incremental delay	0.7	sec
Control delay	15.2	sec/v

Total travel speed, Sa	14.7	mph
Total urban street LOS	D	

Phone:
E-Mail:

Fax:

PLANNING ANALYSIS

Analyst: RDA
 Agency/Co.: TCG
 Date Performed: 1/7/2006
 Analysis Time Period: Peak Hour
 Urban Street: Crandon Blvd
 Direction of Travel:
 Jurisdiction: Village of Key Biscayne
 Analysis Year: Current w/o project
 Project ID: Sonesta Key Biscayne Resort - Existing Conditions - 130 cycl

Traffic Characteristics

Annual average daily traffic, AADT	22000	vpd
Planning analysis hour factor, K	0.080	
Directional distribution factor, D	0.510	
Peak-hour factor, PHF	0.940	
Adjusted saturation flow rate	1800	pcphgpl
Percent turns from exclusive lanes	10	%

Roadway Characteristics

Number of through lanes one direction, N	2	
Free flow speed, FFS	35	mph
Urban class	3	
Section length	0.70	miles
Median	Yes	
Left-turn bays	Yes	

Signal Characteristics

Signalized intersections	5	
Arrival type, AT	4	
Signal type (k = 0.5 for planning)	Actuated	
Cycle length, C	130.0	sec
Effective green ratio, g/C	0.530	

Results

Annual average daily traffic, AADT	22000	vpd
Two-way hourly volume	1759	vph
Hourly directional volume	897	vph
Through-volume 15-min. flow rate	858	v
Running time	95.9	sec
v/c ratio	0.45	
Through capacity	1907	vph
Progression factor, PF	0.718	
Uniform delay	18.9	sec
Filtering/metering factor, I	0.893	
Incremental delay	0.7	sec
Control delay	14.2	sec/v

Total travel speed, Sa	15.1	mph
Total urban street LOS	D	

Phone: Fax:
 E-Mail:

PLANNING ANALYSIS

Analyst: RDA
 Agency/Co.: TCG
 Date Performed: 1/7/2006
 Analysis Time Period: Peak Hour
 Urban Street: Crandon Blvd
 Direction of Travel:
 Jurisdiction: Village of Key Biscayne
 Analysis Year: Current w/ project
 Project ID: Sonesta Key Bisc Resort - Existing + Site's - 130 cycle

Traffic Characteristics

Annual average daily traffic, AADT	22800	vpd
Planning analysis hour factor, K	0.080	
Directional distribution factor, D	0.510	
Peak-hour factor, PHF	0.940	
Adjusted saturation flow rate	1800	pcphgpl
Percent turns from exclusive lanes	10	%

Roadway Characteristics

Number of through lanes one direction, N	2	
Free flow speed, FFS	35	mph
Urban class	3	
Section length	0.70	miles
Median	Yes	
Left-turn bays	Yes	

Signal Characteristics

Signalized intersections	5	
Arrival type, AT	4	
Signal type (k = 0.5 for planning)	Actuated	
Cycle length, C	130.0	sec
Effective green ratio, g/C	0.530	

Results

Annual average daily traffic, AADT	22800	vpd
Two-way hourly volume	1823	vph
Hourly directional volume	929	vph
Through-volume 15-min. flow rate	889	v
Running time	95.9	sec
v/c ratio	0.47	
Through capacity	1907	vph
Progression factor, PF	0.718	
Uniform delay	19.1	sec
Filtering/metering factor, I	0.882	
Incremental delay	0.7	sec
Control delay	14.4	sec/v

Total travel speed, Sa	15.0	mph
Total urban street LOS	D	

Appendix E Traffic Impact Study Methodology

SCOPE OF SERVICES / METHODOLOGY
Sonesta Key Biscayne Resort Proposed Project

Task 1

Map / Graphics

- Project Location
- Trip Generation/Distribution/Assignments
- Capacity/Levels of Service (LOS)

Task 2

Existing Conditions

- Examination of roadway conditions and traffic operations.
- Capacity and LOS analyses for 5 intersections

Intersections: Crandon Blvd / Harbor Dr; Crandon Blvd / Key Colony; Crandon Blvd / Sonesta-East Dr; Crandon Blvd / Heather Drive and Crandon Blvd / McIntyre-Galan Dr.

Analyses using HCM 2000 methodology (HCS) for AM & PM Peak hour of adjacent street traffic (Crandon Blvd) Using May 2003 traffic counts, supplied by the Village Consultant, for all intersections except Crandon/McIntyre. For this one, year 2002 traffic data will be utilized. For Crandon / Heather new counts will be collected.

Task 3

Trip Generation

- Using the Institute of Transportation Engineers Trip Generation Manual-7th Edition, identify trip generation from proposed site.
- Trip distribution and assignment to adjacent roads.

Trip Generation credits for existing Sonesta Beach Hotel and Tennis Club – 292 hotel units, tennis courts, spa, retail shops, bar and restaurants.

Trip Generation for proposed development: 191 hotel units, 63 condos, plus ball rooms, spas, bars, restaurants and retail use.

Trip Distribution/Assignments using M-Dade MPO 2030 LRTP traffic zones trip distribution data.

Task 4

Future Conditions

- Capacity and LOS analyses for same 5 intersections, as indicated in Task 2, to include traffic from the proposed site

Analyses using HCM 2000 methodology (HCS) for AM & PM Peak hour of adjacent street traffic (Crandon Blvd)

Task 5

Recommendations / Conclusions

Task 6

Report

Leiter, Perez & Associates, Inc.
Land Development Consultants
Miami, Florida

LIST OF DRAWINGS - SURVEY

1.0	LEGAL DESCRIPTION, LOCATION SKETCH
2.0	PARCEL 1 AND 2 SURVEY
3.0	EAST SONESTA DRIVE SURVEY
4.0	EXISTING TREE AND PLANT TABLE
5.0	HOLIDAY COLONY STREET PHOTOS

VSN Engineering, Inc.
Civil Engineers
Miami, Florida

LIST OF DRAWINGS - CIVIL

C-1	SITE AND PAVING PLAN
C-2	SITE AND PAVING DETAILS
C-3	GRADING AND DRAINAGE PLAN
C-4	STORM DRAINAGE DETAILS
C-5	DETAILS
C-6	SITE UTILITIES PLAN

Raymond Jungles, Inc.
Landscape Architects
Miami, Florida

LIST OF DRAWINGS - LANDSCAPE

L-0.0	ON SITE EXISTING TREE PLAN
L-0.01	OFF SITE EXISTING TREE PLAN
L-1.0	OVERALL LANDSCAPE PLAN
L-2.0	OVERALL PLANTING PLAN
L-2.01	PLANTING AREA PLAN

SONESTA RESORT

Key Biscayne, Florida

SBR-Fortune Associates, LLLP
1300 Brickell Avenue Miami, Florida

GSB, Inc.
Architecture & Planning
Oklahoma City, Oklahoma

LIST OF DRAWINGS - ARCHITECTURAL

A1.0	MAPS AND ZONING INFORMATION
A1.1	SHADOW STUDIES
A2.0	SITE PLAN/GROUND LEVEL PLAN
A2.1	PODIUM LEVEL PLAN
A2.2	TOWER LOCATION PLAN
A3.0	PARKING LEVEL P-1 PLAN
A3.1	PARKING LEVEL P-2 PLAN
A4.0	TYPICAL TOWER 3 (HOTEL) PLANS
A4.1	TYPICAL HOTEL UNIT PLANS
A5.0	TYPICAL TOWER 1 PLANS
A5.1	TYPICAL TOWER 2 PLANS
A5.2	TYPICAL TOWER 4 PLANS
A5.3	TYPICAL VILLA PLANS
A6.0	BUILDING SECTION KEY PLAN
A6.1	BUILDING SECTIONS & ZONING ENVELOPE
A6.2	BUILDING SECTIONS & ZONING ENVELOPE
A6.3	SITE SECTIONS AT WESTERN PROPERTY LINE
A7.0	NORTH & WEST ELEVATIONS (VERSION A)
A7.1	SOUTH & EAST ELEVATIONS (VERSION A)
A7.2	NORTH & WEST ELEVATIONS (VERSION B)
A7.3	SOUTH & EAST ELEVATIONS (VERSION B)
A7.4	SOUTH & EAST ELEVATIONS (VERSION C)
A7.5	NORTH & WEST ELEVATIONS (VERSION D)
A7.6	SOUTH & EAST ELEVATIONS (VERSION D)
A7.7	SOUTH & EAST ELEVATIONS (VERSION E)

 **Sonesta**
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Key Biscayne, Florida

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Issue/Date
REVISION TO SUBMISSION
12 January 2007
REVISION TO SUBMISSION
27 October 2006
REVISION TO SUBMISSION
29 August 2006
ORIGINAL
SITE PLAN SUBMISSION
24 January 2006

NOT FOR CONSTRUCTION
GSB Project Number: 000963
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Drawing Title
COVER SHEET &
INDEX OF DRAWINGS
Sheet Number

G1.0

LEGAL DESCRIPTION:

Parcel 1

All that piece, parcel or lot of land situated, lying and being in the SW 1/4, Section 32 and Fractional Section 33, Township 54 South, Range 42 East, in the City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to the POINT OF BEGINNING of the following described parcel of land, said POINT OF BEGINNING also being the S.E. corner of the Plat of HOLIDAY COLONY as recorded in Plat Book 50 at Page 87, of the Public Records of Miami-Dade County, Florida; thence continue East for a distance of 751.0 feet more or less to the mean high water line of the Atlantic Ocean; thence meander Northwesterly, Northerly and Northeasterly along the mean high water line of the Atlantic Ocean for a distance of 518.3 feet more or less to a point lying 502.00 feet North of the South line of Tract 6 extended East as measured at right angles; thence run West along a line 502.00 feet North of, and parallel to, the South line of said Tract 6, as measured at right angles, for a distance of 637.3 feet more or less to a point; thence run South 0°38'55" West for a distance of 327.79 feet to a point; thence run North 89°24'30" West for a distance of 157.55 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North 89°31'28" West from the aforementioned point of non-tangency, said point also being a point on the Easterly line of Block 5 of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Southerly along the arc of said circular curve having for its elements a central angle of 3°14'04" and a radius of 3081.59 feet for a distance of 172.56 feet to the POINT OF BEGINNING

and

Parcel 2

All that piece parcel or lot of land situated, lying and being in the SW 1/4, Section 32, Township 54 South, Range 42 East, in City of Key Biscayne, County of Miami-Dade, State of Florida, and being more particularly described as follows:

Commence at the S.W. corner of Tract 6, SUBDIVISION OF A PORTION OF MATHESON ESTATE according to the plat thereof as recorded in Plat Book 46 at Page 86 of the Public Records of Miami-Dade County, Florida; thence run along the South line of Tract 6, East for a distance of 1200.00 feet to a point of non-tangency with a circular curve concave to the West, the center of which bears North 89°37'22" West from the aforementioned point of non-tangency, said point also being the SE corner of the Plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida; thence run Northerly along the arc of said circular curve, having for its elements a central angle of 3°14'04" and a radius of 3081.59 feet for a distance of 173.36 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue Northerly and northeasterly along the arc of said circular curve having for its elements a central angle of 0°46'23" and a radius of 3081.59 feet for a distance of 579.42 feet to a point; said point also being a point on the Southerly right of way line of East Drive; thence run along the said right of way line, East for a distance of 140.52 feet to a point of curvature with a curve concave to the Southwest; thence run along the arc of said circular curve, having for its elements a central angle of 80°19'47" and a radius of 25.00 feet for a distance of 35.05 feet to a point of compound curvature with a circular curve concave to the West, said point also being a point on the Westerly right of way line of Ocean Boulevard; thence run Southerly along the said Westerly right of way line on the arc of the circular curve having for its elements a central angle of 4°03'57" and a radius of 5860.25 feet for a distance of 231.29 feet to a point; thence leaving the said right of way line, run West 1.87 feet to a point; thence run South 0°28'53" West for a distance of 327.79 feet to a point; thence run North 89°24'30" West for a distance of 157.55 feet to the POINT OF BEGINNING.

TITLE COMMITMENT REVIEW:

We have reviewed the Title Commitment issued by First American Title Insurance Company, File No. 1062-725487, Agent File No. 22281, dated February 17, 2005. The Legal Description in Schedule "A", Item 4 of said Title Commitment is the same as the Legal Description in the Survey hereon. We have identified the following items from the list of Exceptions in Schedule B - Section 2 of said Commitment affecting the subject property as matters of survey containing legal descriptions which can be delineated, and these are as follows:

- 9. Easement to Florida Power and Light Company recorded in O.R.B. 6188, Page 36 is shown on the Survey. The location shown is based on a rough sketch in said instrument, and is approximate.
- 10. Easement to Key Biscayne Water Company recorded in O.R.B. 6468, Page 579 is shown on the Survey. The location shown is based on a rough sketch in said instrument, and is approximate.
- 11. Right-of-Way Easement to Southern Bell Telephone and Telegraph Company recorded in O.R.B. 10996, Page 1013 is shown on the Survey. A typographical error is noted in the Commitment, in that the correct O.R.B. number is 10999, not 10995.
- 12. Restrictive Covenants and Unity of Title, recorded in O.R.B. 11432, Page 1144, covers approximately the same land as described in the subject survey, and contains restrictions pertaining to Unity of Title, parking space count, and beach access from the Holiday Colony plat abutting the subject property on the West (P.B. 50, Page 87).
- 14. The Covenant recorded in O.R.B. 12664, Page 1022, covers land the legal description for which is partly illegible but appears to cover approximately the subject property. However, the instrument, which concerns the provision of sewer service, contains no specific easements to plot.
- 15. The Unity of Title recorded in O.R.B. 12664, Page 1027, covers land the legal description for which is partly illegible but appears to cover approximately the subject property. However, the instrument contains no specific easements to plot.
- 16. The Agreement for the Construction of Water and Sanitary Sewage Facilities, recorded in O.R.B. 12664, Page 1031, covers approximately the subject property (but to the "High-Tide (High-Water) line of the Atlantic Ocean" on the East). The instrument contains no specific easements to plot.
- 17. Easement to Florida Power and Light Company recorded in O.R.B. 13014, Page 1687 is shown on the Survey.
- 21. The Erosion Control Line, as established by Plat Book 74, Page 26, is shown on the Survey and used as the Easterly limit of the subject property. Said Erosion Control Line was tied to found monuments as shown on the "Geodetic Control" sketch on the drawing.

SETBACK REQUIREMENTS

Based on the Code of Key Biscayne, Florida, codified through Ordinance No. 2004-10, adopted August 31, 2004 (Supplement No. 20), the subject property has the following current setback requirements per Section 30-102 - Most Resort District:

FRONT: 25' + 5' per floor above the first floor but not to exceed 50'

SIDE: 25' minimum (however no portion of building may extend beyond a "building envelope" formed by a prism the base of which is formed by the lot boundaries and whose height is defined by two case angles of 60 degrees each). Side Setbacks shall be measured from the dedicated Easement (7.5' on each side of the property from the Street to the beach, if there is any such Easement).

REAR: 25' + 5' per floor above the first floor but not to exceed 50'

NOTES:

1. This is a Boundary Survey of the land described hereon. The Coastal Construction Control Line per Plat Book 74 Page 25 and the Erosion Control Line per Plat Book 74 Page 26 (both of the Public Records of Miami-Dade County, Florida) were also established. In addition, improvements in the subject property and near the boundary thereof have been located by field survey and plotted hereon. The survey revision dated 05/18/06 reflects the following additional work, offsite from the subject property, as further described in Note 11 below: (1) location of improvements and landscaping, and measurement of elevations along East Drive (Sonesta Drive) from Crandon Boulevard to the Sonesta Hotel for the Landscape Architect; (2) preparation of a photograph sheet (Sheet 5) referenced to the Survey to aid the Landscape Architect; (3) location of improvements, utilities and trees, and measurement of elevations within the right-of-way of Atlantic Road from East Drive (Sonesta Drive) to East Heather Drive and a portion of East Heather Drive to the Sonesta Hotel for the Civil Engineer.

2. Bearings and coordinates shown hereon are based upon the "FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE" (1987 Datum) as referenced in the "COASTAL CONSTRUCTION CONTROL LINE" map, as recorded in Plat Book 74, Page 25 of the Public Records of Miami-Dade County, Florida, dated 02-10-02. Station 87-78-A-20 as shown on Plat Book 74, Page 25, D.E.P. Monuments R-105 and R-109 were recovered. Their values were confirmed by G.P.S. survey methods (Static), using Ashtech Office Suite v 1.5 equipment with the following procedure:

- A) Station 87-78-A-20 was used as the Base Station.
- B) Station 87-17-A-19 and 87-17-A-18 were not found.
- C) D.E.P. Monuments R-105 and R-109 were found and their published values checked very close by G.P.S. observation (refer to the Geodetic Control Sketch on the drawing).
- D) The monuments at the Northeast and Southeast corners of the property were observed, their values are shown on the Survey.
- E) The position of the C.C.C.L. was calculated from the data in Plat Book 74, Page 25.
- F) No vertical data were determined by G.P.S. method.

NORTH AMERICAN DATUM (1927)
FLORIDA MERCATOR EAST ZONE
CONVERGENCE ANGLE 3°21'54.7", at the Project
SCALE FACTOR 1.000294, at the Project
VALUES EXPRESSED IN FEET

STATION	Y	X	Latitude	Longitude
87-78-A-20	490,126,287	778,215,107	25°40'46.73"	80°09'18.93"
R-105	493,932,336	777,596,047	25°41'24.47"	80°09'25.43"
R-109	490,067,476	778,225,340	25°40'46.15"	80°09'18.82"
N.E. Property Corner	495,617,138	777,687,886	25°41'41.15"	80°09'24.31"
S.E. Property Corner	495,116,936	777,668,300	25°41'36.19"	80°09'24.56"

3. The procedures used meet the Geodetic Accuracy Standards and Specifications for Using G.P.S. Related Positioning as set forth by the Federal Geodetic Control Committee in their most current publication for 3rd order class (horizontal control) surveys.

4. The Deed bearings shown hereon are based on the description obtained in Official Records Book 16784 Page 3379 of the Public Records of Miami-Dade County, Florida and the description in the Title Commitment issued by First American Title Insurance Company, File No. 1062-725487 issued February 17, 2005. These bearings were based on an assumed datum and although they do not agree with the True Bearings for the Coastal Construction Control Line per Plat Book 74 Page 25 as shown on this Survey, the angular relationships of the boundary lines as described in the Deed calls are in complete agreement with those established by true bearings, and the boundary lines established by this Survey are in compliance with the deed calls, with the exception of the Easterly boundary line which was called to the Mean High Water Line of the Atlantic Ocean by Deed. This boundary line was established at the Erosion Control Line as recorded in Plat Book 74 Page 26 by this Survey.

5. The Key Biscayne Erosion Control Line was field established using the legal description shown on the Plat thereof as recorded in Plat Book 74 Page 26 of the Public Records of Miami-Dade County, Florida. The monument at the Point of Commencement and the South line of the North 1790 feet of Tract 1, "MATHESON ESTATE" according to the Plat thereof as recorded in Plat Book 34 Page 34 were found and re-established. The Erosion Control Line was established by holding this line in conjunction with the bearing and distance calls in the Plat legal description for the Erosion Control Line. The coordinates listed in said legal description did not agree with the coordinates determined by the Survey and they were disregarded.

6. BENCHMARK Elevations shown hereon are based on U.S. Coast & Geodetic Survey monument V-313, a brass disc in the concrete rim of a catch basin on the west side of Crandon Boulevard just North of East Drive. Elevation = +4.94 (N.A.V.D., 1929), converted to N.A.V.D., 1988 by subtracting 1.56' from the N.G.V.D. value, yielding Elevation = +3.38 (N.A.V.D., 1988). All elevations given hereon are in feet and decimal parts thereof, expressed in N.A.V.D., 1988, unless otherwise specified. To convert to N.G.V.D., 1929, add 1.56 feet to the N.A.V.D. value.

7. The AREA of Parcel 1 is 8,058 Acres (more or less) as bounded on the East by the Erosion Control Line. The AREA of Parcel 2 is 2,277 Acres (more or less). TOTAL AREA for this survey is 10,329 Acres, more or less.

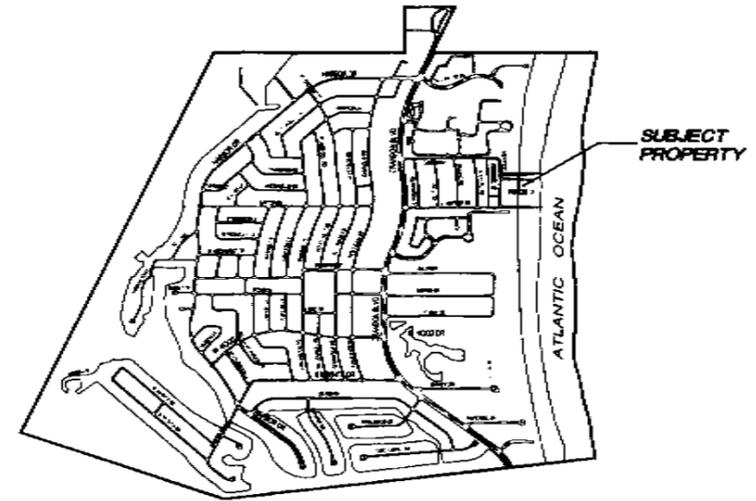
8. FLOOD ZONES: This property is in Community Number 120646, Panel 0281, Sublot B, of the Federal Emergency Management Agency Flood Insurance Rate Map dated March 2, 1994. It lies within three different Flood Zones, i.e. Zone VE (Elevation 11); Zone AE (Elevation 8); and Zone AE (Elevation 9). (These Base Flood Elevations are based on N.G.V.D., 1929 Datum).

9. Visible indicators of utilities have been shown hereon, but no attempt has been made by this office to locate buried utilities. Contractor must verify the size, depth, location and character of all utilities prior to construction and call Sunlight State One Call of Florida at 1-800-332-4770. The drainage structures along Atlantic Road were all filled with water at the date of this survey, and the data shown hereon as to pipe sizes, materials, and invert elevations are approximate.

10. See "Title Commitment Review" on this sheet for easements listed in the title commitment referenced therein, and plotted on the drawing.

11. An additional topographic survey for informational purposes has been performed by this office in public road right-of-way not included in the subject property. This right-of-way includes East Drive from Crandon Boulevard Eastward to the West boundary of the subject property; East Heather Drive from Atlantic Road Eastward to the subject property; and Atlantic Road between East Drive and East Heather Drive. Also, portions of the lots abutting these right-of-way have been surveyed for improvements and landscaping. All these right-of-way mentioned are shown on the plat of HOLIDAY COLONY, as recorded in Plat Book 50, Page 87 of the Public Records of Miami-Dade County, Florida, from which the right-of-way alignments and lot layout information was obtained. The drawing for this offsite area is shown on Sheet 3 of 5 of this survey.

12. TREES have been located and referenced with an identification number shown next to the tree in the drawing. These numbers are used to identify the trees as tabulated on Sheet 4 of 5. This tabulation includes the tree type and approximate trunk diameter, height, and spread, all expressed in feet. Trees numbered 2-161 were surveyed on 2-22-05, 3-05-05 and 3-24-05 and lie in the subject property; trees numbered 162-433 were located in connection with the present survey for the roads lying West of the subject property, with a few additional trees located along the South side of the subject property. Classification of tree species was conducted per "Florida, My Eden" and other landscape books, and not by a botanist.



LOCATION SKETCH
CITY OF KEY BISCAYNE, MIAMI-DADE COUNTY, FLORIDA
SECTION 32 E 1/4, TOWNSHIP 54 SOUTH, RANGE 42 EAST



CERTIFIED TO:

SBR-Fortune Associates, L.L.P., a Florida Limited Liability Limited Partnership
HSBC Realty Credit Corporation (USA), its successors and/or assigns as their interests may appear
Silton Sumberg Baena Price & Axelrod LLP, and
First American Title Insurance Company

OWNER:

SBR-Fortune Associates, L.L.P., a Florida Limited Liability Limited Partnership

SONESTA BEACH HOTEL & TENNIS CLUB
BOUNDARY SURVEY

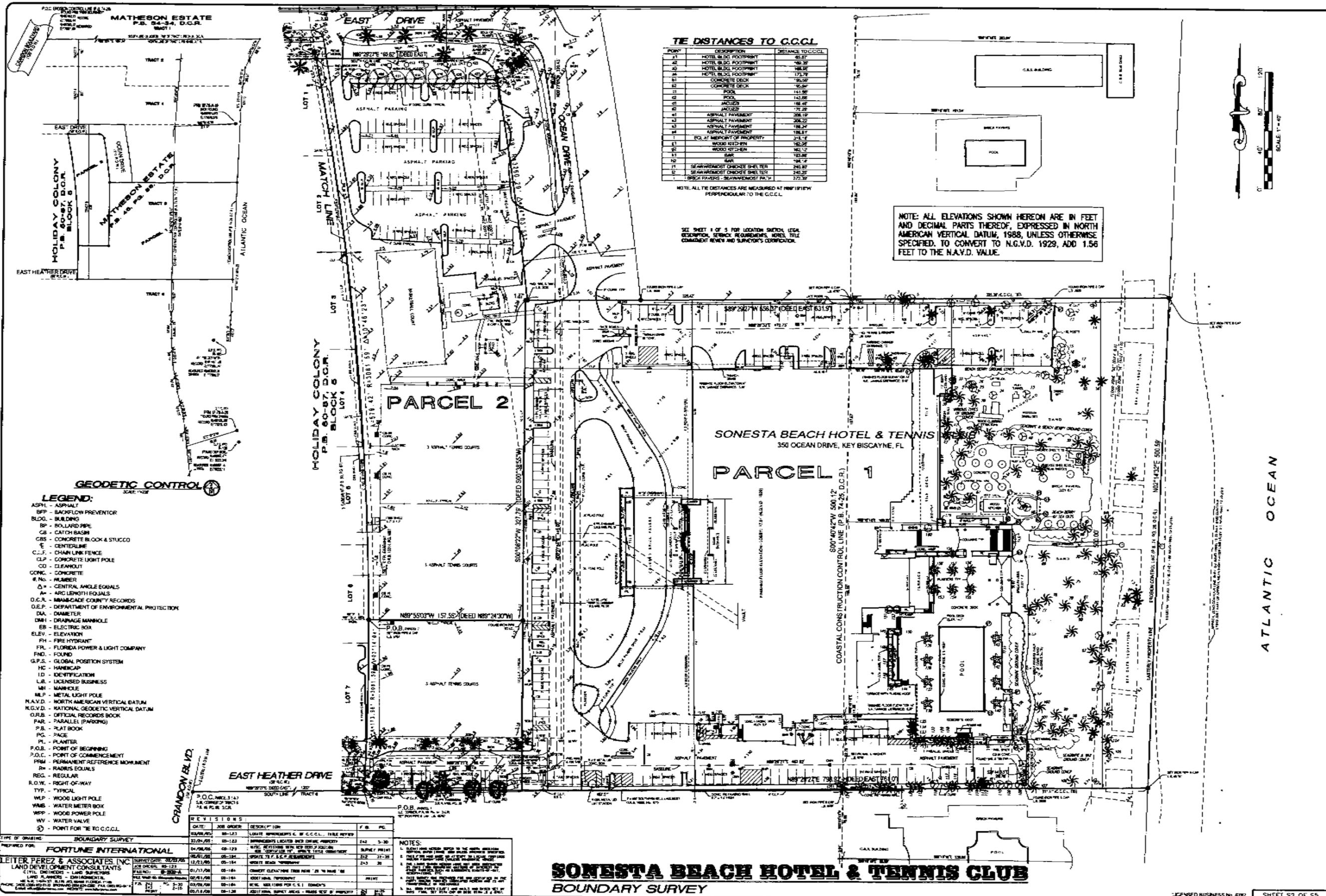
TYPE OF DRAWING	BOUNDARY SURVEY	DATE	JOB ORDER	DESCRIPTION	P. R.	P.C.
PREPARED FOR	FORTUNE INTERNATIONAL	03/08/06	05-122	LEGATE APPOINTMENTS E. OF C.C.C.L. - TITLE REVIEW	262	5-30
DATE	03/24/06	05-123	IMPROVEMENTS LOCATED AND DETAILED PROPERTY	262	5-30	
DATE	04/04/06	05-124	NOTICE BEARING WITH SET CORNER POSITION	262	5-30	
DATE	04/04/06	05-124	UPDATE TO P.E.P. MONUMENTS	262	5-30	
DATE	04/04/06	05-124	UPDATE BEACH IMPROVEMENTS	262	5-30	
DATE	04/04/06	05-124	REVISE NOTES RE ELEVATION CORRECTION TO ROAD DATA	262	5-30	
DATE	05/18/06	05-129	ADDITIONAL SURVEY AREA IN REAR WEST OF PROPERTY	262	5-30	

NOTES:

1. ALL DIMENSIONS SHOWN HEREON ARE TO THE CENTER UNLESS OTHERWISE SPECIFIED. DIMENSIONS SHOWN BETWEEN PARALLEL LINES ARE TO THE CENTER UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS SHOWN BETWEEN NON-PARALLEL LINES ARE TO THE CENTER UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS SHOWN BETWEEN NON-PARALLEL LINES ARE TO THE CENTER UNLESS OTHERWISE SPECIFIED.
4. THIS SURVEY WAS PERFORMED FOR THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

SURVEYOR'S CERTIFICATE:
I, LEITER PEREZ, being duly sworn, do hereby certify that I am a duly qualified and licensed Professional Surveyor in the State of Florida, License No. 12578, and that I have personally supervised and participated in the making of this survey in accordance with the provisions of Chapter 475, Part I, Florida Statutes. I am duly qualified and licensed to perform this survey in accordance with the provisions of Chapter 475, Part I, Florida Statutes.
Leiter, Perez & Associates, Inc.
Professional Surveyor
STATE OF FLORIDA

LICENSED BUSINESS NO. 8797
NOT VALID UNLESS THE ORIGINAL SIGNED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
SHEET 51 OF 55



THE DISTANCES TO C.C.C.L.

NO.	DESCRIPTION	DISTANCE TO C.C.C.L.
1	HOTEL BLDG FOOTPRINT	65.87
2	HOTEL BLDG FOOTPRINT	66.32
3	HOTEL BLDG FOOTPRINT	148.32
4	HOTEL BLDG FOOTPRINT	173.74
5	CONCRETE DECK	70.28
6	CONCRETE DECK	65.84
7	POOL	141.98
8	POOL	143.88
9	JACOZZI	188.48
10	JACOZZI	71.28
11	ASPHALT PAVEMENT	206.10
12	ASPHALT PAVEMENT	206.22
13	ASPHALT PAVEMENT	198.24
14	ASPHALT PAVEMENT	188.17
15	POOL AT NE CORNER OF PROPERTY	214.11
16	WOOD KITCHEN	202.28
17	WOOD KITCHEN	162.12
18	BAR	192.88
19	BAR	188.12
20	SEAWALL/ROCK CHOCOLATE SHELTER	243.87
21	SEAWALL/ROCK CHOCOLATE SHELTER	240.25
22	BRICK PAVEMENT - SEAWALL/ROCK SHELTER	272.39

NOTE: ALL THE DISTANCES ARE MEASURED AT RIGHT ANGLES PERPENDICULAR TO THE C.C.C.L.

NOTE: ALL ELEVATIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF, EXPRESSED IN NORTH AMERICAN VERTICAL DATUM, 1988, UNLESS OTHERWISE SPECIFIED. TO CONVERT TO N.G.V.D. 1929, ADD 1.56 FEET TO THE N.A.V.D. VALUE.

SEE SHEET # OF 5 FOR LOCATION SKETCH, LEGAL DESCRIPTION, SERVICE REQUIREMENTS, NOTES, TITLE COMMITMENT REVIEW AND SURVEYOR'S CERTIFICATION.

- LEGEND:**
- ASPH - ASPHALT
 - BSP - BACKFLOW PREVENTOR
 - BLDG - BUILDING
 - BP - BOLLARD PIPE
 - CB - CATCH BASIN
 - CBS - CONCRETE BLOCK & STUCCO
 - CL - CENTERLINE
 - CL.F - CHAIN LINK FENCE
 - CLP - CONCRETE LIGHT POLE
 - CD - CLEANOUT
 - CONC - CONCRETE
 - # NO. - NUMBER
 - Δ - CENTRAL ANGLE EQUALS
 - ∩ - ARC LENGTH EQUALS
 - O.C.R. - MARIANNA COUNTY RECORDS
 - O.E.P. - DEPARTMENT OF ENVIRONMENTAL PROTECTION
 - DA - DIAMETER
 - DM1 - DRAINAGE MANHOLE
 - EB - ELECTRIC BOX
 - ELEV. - ELEVATION
 - FH - FIRE HYDRANT
 - FL - FLORIDA POWER & LIGHT COMPANY
 - FND - FOUND
 - G.P.S. - GLOBAL POSITION SYSTEM
 - HC - HANICAP
 - ID - IDENTIFICATION
 - L.B. - LICENSED BUSINESS
 - MH - MANHOLE
 - M.L.P. - METAL LIGHT POLE
 - N.A.V.D. - NORTH AMERICAN VERTICAL DATUM
 - N.G.V.D. - NATIONAL GEODETIC VERTICAL DATUM
 - O.R.B. - OFFICIAL RECORDS BOOK
 - PAR. - PARALLEL (PARKING)
 - P.B. - PLAT BOOK
 - PC - FACE
 - PL - PLANTER
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - PRM - PERMANENT REFERENCE MONUMENT
 - RA - RADIUS EQUALS
 - REG - REGULAR
 - R.O.W. - RIGHT-OF-WAY
 - TYE - TYPICAL
 - W.L.P. - WOOD LIGHT POLE
 - W.M.S. - WATER METER BOX
 - W.P.P. - WOOD POWER POLE
 - WV - WATER VALVE
 - ⊙ - POINT FOR THE TO C.C.C.L.

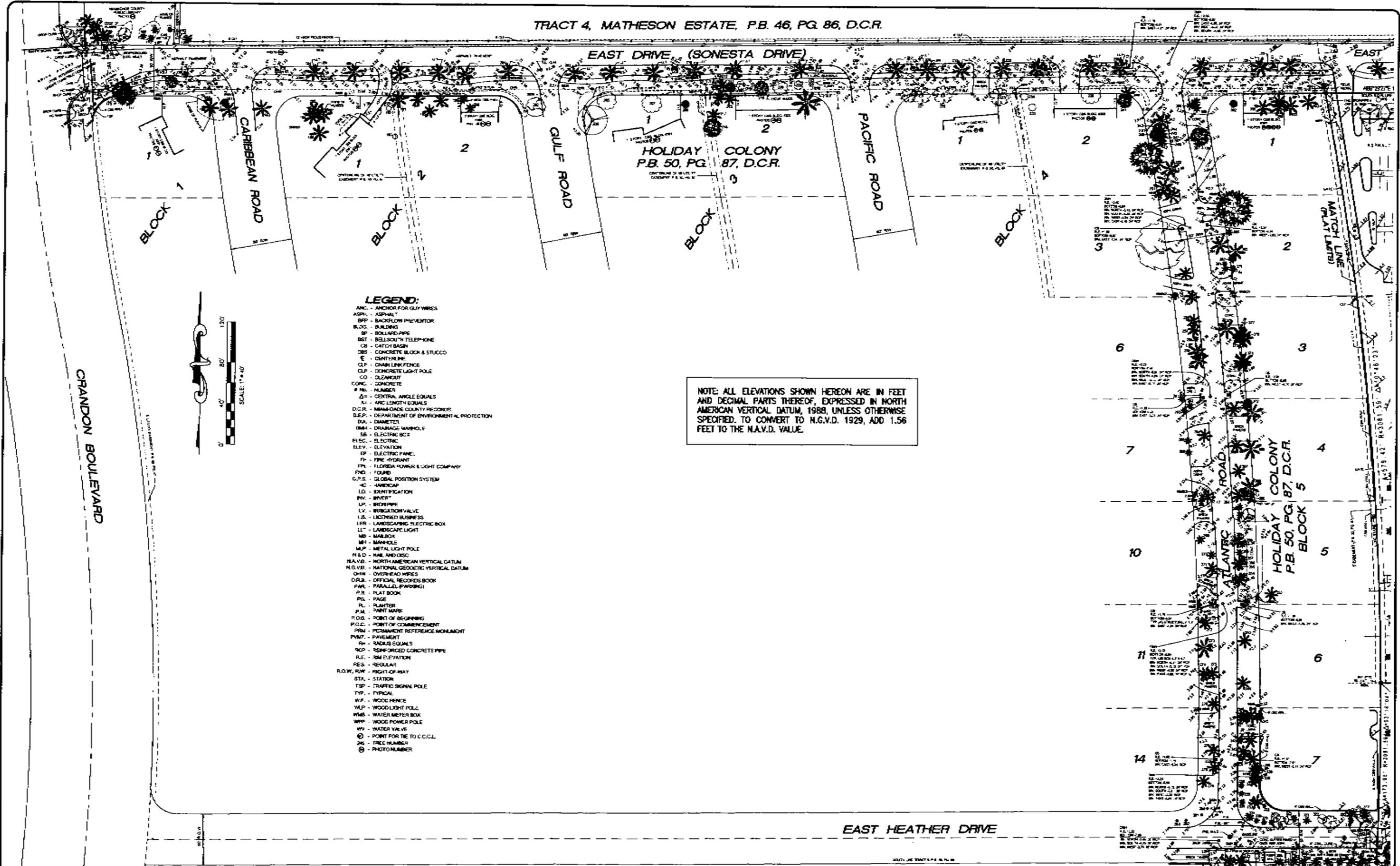
REVISIONS:

DATE	JOB ORDER	DESCRIPTION	P.B.	PL.
04/08/05	05-123	UPDATE REVISIONS TO C.C.C.L. FILE REVISION	242	3-30
05/08/05	05-123	REVISIONS LOCATED WITH DRIVE PROPERTY	242	31-28
06/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28
07/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28
08/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28
09/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28
10/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28
11/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28
12/08/05	05-123	REVISIONS TO C.C.C.L. FILE REVISION	242	31-28

NOTES:

- ALL DISTANCES SHOWN ON THIS PLAN ARE MEASURED AT RIGHT ANGLES TO THE C.C.C.L. UNLESS OTHERWISE NOTED.
- ALL DISTANCES SHOWN ON THIS PLAN ARE MEASURED AT RIGHT ANGLES TO THE C.C.C.L. UNLESS OTHERWISE NOTED.
- ALL DISTANCES SHOWN ON THIS PLAN ARE MEASURED AT RIGHT ANGLES TO THE C.C.C.L. UNLESS OTHERWISE NOTED.
- ALL DISTANCES SHOWN ON THIS PLAN ARE MEASURED AT RIGHT ANGLES TO THE C.C.C.L. UNLESS OTHERWISE NOTED.

SONESTA BEACH HOTEL & TENNIS CLUB
BOUNDARY SURVEY



- LEGEND:**
- ANC - ANCHOR FOR GUY WIRES
 - ASPH - ASPHALT
 - BFP - BACKFLOW PREVENTOR
 - BLOC - BUILDING
 - BP - BOLLARD PIPE
 - BST - BELL SOUTH TELEPHONE
 - CB - CATCH BASIN
 - CSB - CONCRETE BLOCK & STUCCO
 - C - CENTERLINE
 - CLF - CHAIN LINK FENCE
 - CLP - CONCRETE LIGHT POLE
 - CO - CLEANOUT
 - CONC - CONCRETE
 - # NO. - NUMBER
 - Δ - CENTRAL ANGLE EQUALS
 - ∠ - ARC LENGTH EQUALS
 - D.C.R. - DISTRICT OF COLUMBIA RECORDS
 - D.E.P. - DEPARTMENT OF ENVIRONMENTAL PROTECTION
 - DA - DIAMETER
 - DM - DRAINAGE MANHOLE
 - EB - ELECTRIC BOX
 - EL - ELECTRIC
 - ELEV. - ELEVATION
 - EP - ELECTRIC PANE
 - FP - FIRE HYDRANT
 - FN - FLORIDA POWER & LIGHT COMPANY
 - FO - FOUND
 - G.P.S. - GLOBAL POSITION SYSTEM
 - HC - HANICAP
 - LD - IDENTIFICATION
 - INV - INVERT
 - LP - LEAD PIPE
 - Lv - IRRIGATION VALVE
 - LS - LICENSED BUSINESS
 - LER - LANDSCAPING ELECTRIC BOX
 - LL - LANDSCAPE LIGHT
 - MB - MANHOLE
 - MP - METAL LIGHT POLE
 - N & D - RAIL AND DISC
 - N.A.V.D. - NORTH AMERICAN VERTICAL DATUM
 - N.G.V.D. - NATIONAL GEODETIC VERTICAL DATUM
 - OWW - OVERHEAD WIRES
 - O.R.B. - OFFICIAL RECORDS BOOK
 - P.W. - PARALLEL PARKING
 - P.B. - PLAT BOOK
 - PL - PLANTER
 - P.M. - PAINT MARK
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - PRM - PERMANENT REFERENCE MONUMENT
 - P.V. - PAVEMENT
 - R - RADIUS EQUALS
 - RCP - REINFORCED CONCRETE PIPE
 - R.E. - RISE ELEVATION
 - REG - REGULAR
 - R.O.W. / R.W. - RIGHT-OF-WAY
 - STA. - STATION
 - TSP - TRAFFIC SIGNAL POLE
 - TP - TYPICAL
 - WF - WOOD FENCE
 - WLP - WOOD LIGHT POLE
 - WMB - WATER METER BOX
 - WPP - WOOD POWER POLE
 - WV - WATER VALVE
 - ⊙ - POINT FOR TIE TO C.C.C.L.
 - PH - PHOTO NUMBER

NOTE: ALL ELEVATIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF, EXPRESSED IN NORTH AMERICAN VERTICAL DATUM, 1988, UNLESS OTHERWISE SPECIFIED. TO CONVERT TO N.G.V.D. 1929, ADD 1.56 FEET TO THE N.A.V.D. VALUE.

SONESTA BEACH HOTEL & TENNIS CLUB
BOUNDARY SURVEY

TYPE OF DRAWING: BOUNDARY SURVEY		DATE: 08-28		JOB ORDER: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90	
PREPARED FOR: FORTUNE INTERNATIONAL		DATE: 08-28		JOB ORDER: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90	
LEITER PEREZ & ASSOCIATES, INC. LAND DEVELOPMENT CONSULTANTS CIVIL ENGINEERS - LAND SURVEYORS LAND PLANNERS - ENVIRONMENTAL 1000 N.W. 11th St., Suite 401, Miami, Florida 33136 PHONE: (305) 575-1111 FAX: (305) 575-1112 WWW: www.leiterperez.com		DRAWN BY: J.P.P.		CHECKED BY: J.P.P.		DATE: 08-28		JOB ORDER: 08-28		DESCRIPTION: BOUNDARY SURVEY	
NOTES:		REVISIONS:		DATE:		DESCRIPTION:		F.B. NO.:		P.C. NO.:	
1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS FINAL UNLESS OTHERWISE NOTED.		1. DATE: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90			
2. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS FINAL UNLESS OTHERWISE NOTED.		2. DATE: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90			
3. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS FINAL UNLESS OTHERWISE NOTED.		3. DATE: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90			
4. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS FINAL UNLESS OTHERWISE NOTED.		4. DATE: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90			
5. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS FINAL UNLESS OTHERWISE NOTED.		5. DATE: 08-28		DESCRIPTION: BOUNDARY SURVEY		F.B. NO. 89		P.C. NO. 90			

TABLE OF TREES AND LARGE PLANTS

TREE NO.	TREE TYPE	DIAMETER	HEIGHT	SPREAD	TREE NO.	TREE TYPE	DIAMETER	HEIGHT	SPREAD	TREE NO.	TREE TYPE	DIAMETER	HEIGHT	SPREAD	TREE NO.	TREE TYPE	DIAMETER	HEIGHT	SPREAD	TREE NO.	TREE TYPE	DIAMETER	HEIGHT	SPREAD
2	SEA GRAPE	1.5	40-45	40	81	COCONUT PALM	0.5	15	20	182	Coconut Palm	1.2	30	15	253	Black Olive	2.2	30	30	344	Coconut Palm	0.7	20	10
3	COCONUT PALM	1.0	20	15	82	COCONUT PALM	0.5	15	18	183	Royal Palm	0.5	15	12	254	Coconut Palm	0.7	20	15	345	Christmas Palm	0.5	12	12
4	COCONUT PALM	1.0	40	20	83	SABEL PALM	0.8	8	8-10	184	Coconut Palm	1.0	20	12	255	Coconut Palm	0.7	20	15	346	Coconut Palm	0.8	25	20
5	SEA GRAPE	1.0	30	25	84	SABEL PALM	0.8	12-15	10	185	Coconut Palm	1.0	30	12	256	Coconut Palm	0.7	20	15	347	Christmas Palm	0.5	12	12
6	SABEL PALM	0.9	15	15	85	SABEL PALM	0.8	12	10	186	Coconut Palm	1.5	35	15	257	Coconut Palm	0.7	10	15	348	Christmas Palm	0.5	12	12
7	SEA GRAPE	0.8	20-25	20	86	COCONUT PALM	0.9	35	18	187	Coconut Palm	0.8	20	10	258	Coconut Palm	0.7	6	8	349	Coconut Palm	0.7	20	15
8	SEA GRAPE	0.8	20-25	30	87	COCONUT PALM	0.8	15	15	188	Unknown				259	Coconut Palm	3.0	20	20	350	Coconut Palm	0.7	20	15
9	SABEL PALM	0.8	25-30	10	88	COCONUT PALM	0.8	15	15	189	Rhynchospora Palm	1.5	8	8	260	Coconut Palm	0.8	20	20	351	Coconut Palm	0.7	8	8
10	SEA GRAPE	0.9	15-20	35	89	COCONUT PALM	0.8	18	15	190	Rhynchospora Palm	1.5	8	8	261	Coconut Palm	1.7	8	8	352	Coconut Palm	3.7	20	10
11	SEA GRAPE	0.5	15	10	90	COCONUT PALM	0.8	18	15	191	Rhynchospora Palm	1.5	8	8	262	Bamboo Palm	1.5	15	8	353	Coconut Palm	3.7	10	15
12	SEA GRAPE	0.5	15	8	91	SEA GRAPE	0.5	10	15	192	Cabbage Palm	2.1	7	6	263	Bamboo Palm	0.3	10	8	354	Coconut Palm	3.3	8	8
13	SEA GRAPE	5	25	45	92	SEA GRAPE	0.5	10	15	193	Sea Grape	0.8	35	10	264	Coconut Palm	0.7	20	15	355	Coconut Palm	0.3	8	8
14	SABEL PALM	1	15	8	93	COCONUT PALM	0.7	15	15	194	Sea Grape	1.0	30	30	265	Coconut Palm	0.7	8	8	356	Coconut Palm	0.7	20	15
15	SEA GRAPE	1.3	15	15	94	COCONUT PALM	0.8	15	15	195	Sea Grape	1.0	30	30	266	Coconut Palm	0.7	8	8	357	Coconut Palm	0.3	8	8
16	SEA GRAPE	1.6	15	20	95	SABEL PALM	0.8	12	8	196	Sea Grape	1.0	30	30	267	Coconut Palm	0.7	20	15	358	Coconut Palm	0.3	8	8
17	QUEEN PALM	0.5	15	5	96	SABEL PALM	0.8	15	8	197	Sea Grape	1.0	30	30	268	Coconut Palm	0.7	20	15	359	Coconut Palm	0.2	8	8
18	QUEEN PALM	0.7	15	5	97	COCONUT PALM	0.8	15-18	12	198	Sea Grape	1.0	30	30	269	Coconut Palm	0.7	20	15	360	Coconut Palm	0.7	20	15
19	SEA GRAPE	0.5	15	15	98	COCONUT PALM	0.8	12	12	199	Sea Grape	1.0	30	30	270	Coconut Palm	0.7	20	15	361	Coconut Palm	0.7	8	8
20	SEA GRAPE	0.5	12	12	99	COCONUT PALM	0.8	15	15	200	Sea Grape	1.0	30	30	271	Coconut Palm	0.7	20	15	362	Coconut Palm	0.7	8	8
21	COCONUT PALM	0.8	18	20	100	COCONUT PALM	0.8	15	12	201	Sea Grape	1.0	30	30	272	Coconut Palm	0.7	20	15	363	Coconut Palm	0.7	8	8
22	SEA GRAPE	0.8	18	18	101	COCONUT PALM	0.8	15	12	202	Sea Grape	1.0	30	30	273	Coconut Palm	0.7	20	15	364	Coconut Palm	0.7	8	8
23	SEA GRAPE	3.0	25-30	40	102	COCONUT PALM	0.9	15	12	203	Sea Grape	1.0	30	30	274	Coconut Palm	0.7	20	15	365	Coconut Palm	0.7	10	8
24	SEA GRAPE	1.0	25-30	25	103	COCONUT PALM	0.9	18	15	204	Sea Grape	1.0	30	30	275	Coconut Palm	0.7	20	15	366	Coconut Palm	0.7	10	8
25	SEA GRAPE	1.2	30	30	104	COCONUT PALM	0.8	18	15	205	Sea Grape	1.0	30	30	276	Coconut Palm	0.7	20	15	367	Coconut Palm	0.7	10	8
26	SEA GRAPE	1.0	20	20	105	COCONUT PALM	0.8	15	15	206	Sea Grape	1.0	30	30	277	Coconut Palm	0.7	20	15	368	Coconut Palm	0.7	10	8
27	SEA GRAPE	1.2	35	35	106	COCONUT PALM	1.7	10	25	207	Sea Grape	1.0	30	30	278	Coconut Palm	0.7	20	15	369	Coconut Palm	0.7	10	8
28	COCONUT PALM	0.8	25	20	107	COCONUT PALM	1.7	10	25	208	Sea Grape	1.0	30	30	279	Coconut Palm	0.7	20	15	370	Coconut Palm	0.7	10	8
29	COCONUT PALM	0.8	25	20	108	COCONUT PALM	1.7	10	25	209	Sea Grape	1.0	30	30	280	Coconut Palm	0.7	20	15	371	Coconut Palm	0.7	10	8
30	MYRTLE WAX	0.7	15	25	109	SEA GRAPE	0.4	15	15	210	Sea Grape	1.0	30	30	281	Coconut Palm	0.7	20	15	372	Coconut Palm	0.7	10	8
31	MYRTLE WAX	0.7	15	25	110	SEA GRAPE	0.4	15	15	211	Sea Grape	1.0	30	30	282	Coconut Palm	0.7	20	15	373	Coconut Palm	0.7	10	8
32	MYRTLE WAX	0.5	15	8	111	SEA GRAPE	260.7	22-25	30	212	Sea Grape	1.0	30	30	283	Coconut Palm	0.7	20	15	374	Coconut Palm	0.7	10	8
33	MYRTLE WAX	0.5	15	8	112	SEA GRAPE	230.65	22-25	30	213	Sea Grape	1.0	30	30	284	Coconut Palm	0.7	20	15	375	Coconut Palm	0.7	10	8
34	SABEL PALM	0.9	25	10	113	SABEL PALM	1.0	15-20	10	214	Sea Grape	1.0	30	30	285	Coconut Palm	0.7	20	15	376	Coconut Palm	0.7	10	8
35	SABEL PALM	0.9	30	12	114	SABEL PALM	1.0	15-18	10	215	Sea Grape	1.0	30	30	286	Coconut Palm	0.7	20	15	377	Coconut Palm	0.7	10	8
36	SABEL PALM	0.8	25	12	115	SABEL PALM	1.0	15-18	10	216	Sea Grape	1.0	30	30	287	Coconut Palm	0.7	20	15	378	Coconut Palm	0.7	10	8
37	SABEL PALM	0.9	25	12	116	SABEL PALM	1.0	15-18	10	217	Sea Grape	1.0	30	30	288	Coconut Palm	0.7	20	15	379	Coconut Palm	0.7	10	8
38	SABEL PALM	0.8	25	12	117	SABEL PALM	1.0	15-18	10	218	Sea Grape	1.0	30	30	289	Coconut Palm	0.7	20	15	380	Coconut Palm	0.7	10	8
39	SABEL PALM	0.8	30	12	118	SABEL PALM	1.0	15-18	10	219	Sea Grape	1.0	30	30	290	Coconut Palm	0.7	20	15	381	Coconut Palm	0.7	10	8
40	SABEL PALM	0.8	25	12	119	SABEL PALM	1.0	15-18	10	220	Sea Grape	1.0	30	30	291	Coconut Palm	0.7	20	15	382	Coconut Palm	0.7	10	8
41	COCONUT PALM	1.0	25	20	120	SABEL PALM	1.0	15-18	10	221	Sea Grape	1.0	30	30	292	Coconut Palm	0.7	20	15	383	Coconut Palm	0.7	10	8
42	COCONUT PALM	1.2	25	20	121	SABEL PALM	1.0	15-18	10	222	Sea Grape	1.0	30	30	293	Coconut Palm	0.7	20	15	384	Coconut Palm	0.7	10	8
43	COCONUT PALM	1.3	30	20	122	SABEL PALM	1.0	15-18	10	223	Sea Grape	1.0	30	30	294	Coconut Palm	0.7	20	15	385	Coconut Palm	0.7	10	8
44	COCONUT PALM	1.0	35-40	20	123	SABEL PALM	1.0	15-18	10	224	Sea Grape	1.0	30	30	295	Coconut Palm	0.7	20	15	386	Coconut Palm	0.7	10	8
45	COCONUT PALM	0.8	30-35	20	124	SABEL PALM	1.0	15-18	10	225	Sea Grape	1.0	30	30	296	Coconut Palm	0.7	20	15	387	Coconut Palm	0.7	10	8
46	COCONUT PALM	0.8	25-30	20	125	SABEL PALM	1.0	15-18	10	226	Sea Grape	1.0	30	30	297	Coconut Palm	0.7	20	15	388	Coconut Palm	0.7	10	8
47	COCONUT PALM	0.8	22	20	126	SABEL PALM	1.2	15-18	10	227	Sea Grape	1.0	30	30	298	Coconut Palm	0.7	20	15	389	Coconut Palm	0.7	10	8
48	SEA GRAPE	3.0	30	15	127	SABEL PALM	1.2	15-18	10	228	Sea Grape	1.0	30	30	299	Coconut Palm	0.7	20	15	390	Coconut Palm	0.7	10	8
49	COCONUT PALM	0.8	25-30	20	128	SABEL PALM	1.2	15-18	10	229	Sea Grape	1.0	30	30	300	Coconut Palm	0.7	20	15	391	Coconut Palm	0.7	10	8
50	COCONUT PALM	0.8	18	20	129	SABEL PALM	1.2	15-18	10	230	Sea Grape	1.0	30	30	301	Coconut Palm	0.7	20	15	392	Coconut Palm	0.7	10	8
51	COCONUT PALM	0.8	18	20	130	SABEL PALM	1.2	15-18	10	231	Sea Grape	1.0	30	30	302	Coconut Palm	0.7	20	15	393	Coconut Palm	0.7	10	8
52	COCONUT PALM	0.8	18	20	131	SABEL PALM	1.2	15-18	10	232	Sea Grape	1.0	30	30	303	Coconut Palm	0.7	20	15	394	Coconut Palm	0.7	10	8
53	SABEL PALM	1.0	15	12	132	SABEL PALM	1.2	15-18	10	233	Sea Grape	1.0	30	30	304	Coconut Palm	0.7	20	15	395	Coconut Palm	0.7	10	8
54	COCONUT PALM	1.0	18	20	133	SABEL PALM	1.2	15-18	10	234	Sea Grape	1.0	30	30	305	Coconut Palm	0.7	20	15	396	Coconut Palm	0.7	10	8
55	SABEL PALM	0.7	20	10	134	SABEL PALM	1.2	15-18	10	235	Sea Grape	1.0	30	30	306	Coconut Palm	0.7	20	15	397	Coconut Palm	0.7	10	8
56	SABEL PALM	0.8	12	10	135	SABEL PALM	1.2	15-18	10	236	Sea Grape	1.0	30	30	307	Coconut Palm	0.7	20	15	398	Coconut Palm	0.7	10	8
57	COCONUT PALM	1.0	20	20	136	ROYAL PALM	2.0	18-20	20	237	Sea Grape	1.0	30	30	308	Coconut Palm	0.7	20	15	399	Coconut Palm	0.7	10	8
58	COCONUT PALM	1.0	25-30	20	137	ROYAL PALM	2.0	18-20	20	238	Sea Grape	1.0	30	30	309	Coconut Palm	0.7	20	15	400	Coconut Palm	0.7	10	8
59	COCONUT PALM	1.0	25-30	20	138	ROYAL PALM	2.0	18-20	20	239	Sea Grape	1.0	30	30	310	Coconut Palm	0.7	20	15	401	Coconut Palm	0.7	10	8
60	COCONUT PALM	0.9	35	15	139	ROYAL PALM	2.0	18-20	20	240	Sea Grape	1.0	30	30	311	Coconut Palm	0.7	20	15	402	Coconut Palm	0.7	10	8
61	COCONUT PALM	0.8	22	15	140	ROYAL PALM	2.0	18-20	20	241	Sea Grape	1.0	30	30	312	Coconut Palm	0.7	20	15	403	Coconut Palm	0.7	10	8
62	COCONUT PALM	0.8	22	15	141	ROYAL PALM	2.0	18-20	20	242	Sea Grape	1.0	30	30	313	Coconut Palm	0.7	20	15	404	Coconut Palm	0.7	10	8
63	COCONUT PALM	0.8	25	15	142	ROYAL PALM	2.0	18-20	20	243	Sea Grape	1.0	30	30	314	Coconut Palm	0.7	20	15	405	Coconut Palm</			



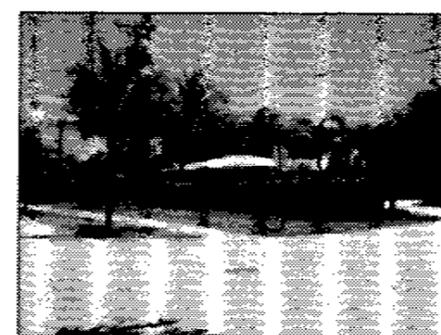
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LOOKING SOUTHWEST



#2 STREET ADDRESS: 301 ATLANTIC ROAD
LOOKING SOUTHEAST



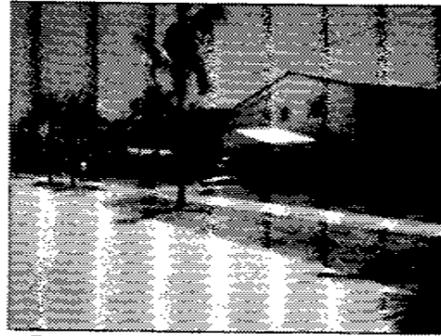
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LOOKING SOUTHWEST



#4 STREET ADDRESS: 301 ATLANTIC ROAD
LOOKING SOUTHEAST



#5 STREET ADDRESS: 300 ATLANTIC ROAD
LOOKING SOUTHWEST



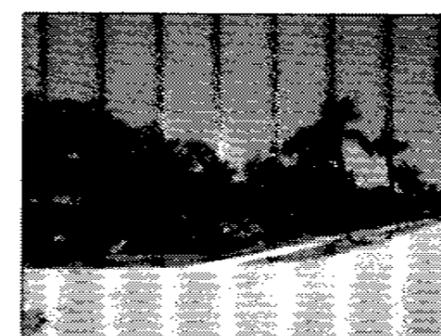
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#7 STREET ADDRESS: 301 PACIFIC ROAD
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#8 STREET ADDRESS: 301 PACIFIC ROAD
LOOKING SOUTHEAST



#9 STREET ADDRESS: 300 PACIFIC ROAD
LOOKING SOUTHWEST



#10 STREET ADDRESS: 300 PACIFIC ROAD
LOOKING SOUTHEAST



#11 STREET ADDRESS: 301 GULF ROAD
LOOKING SOUTHWEST



#12 STREET ADDRESS: 301 GULF ROAD
LOOKING SOUTHEAST



#13 STREET ADDRESS: 300 GULF ROAD
LOOKING SOUTHWEST



#14 STREET ADDRESS: 300 GULF ROAD
LOOKING SOUTHEAST



#15 STREET ADDRESS: 301 CARIBBEAN ROAD
LOOKING SOUTHWEST



#16 STREET ADDRESS: 301 CARIBBEAN ROAD
LOOKING SOUTHEAST



#17 STREET ADDRESS: 300 CARIBBEAN ROAD
LOOKING SOUTHEAST



#18 STREET ADDRESS: 300 CARIBBEAN ROAD
LOOKING SOUTHEAST



#19 STREET ADDRESS: LIBRARY
LOOKING NORTH



#20 NORTH PROPERTY LINE LOOKING EAST

SONESTA BEACH HOTEL & TENNIS CLUB
BOUNDARY SURVEY

TYPE OF DRAWING: BOUNDARY SURVEY		DATE:		JOB ORDER:		DESCRIPTION:		T. & C.	
PREPARED FOR:	FORTUNE INTERNATIONAL	03/20/08	05-123	05-123	05-123	05-123	05-123	05-123	05-123
FOR:	LEITER PEREZ & ASSOCIATES, INC.	03/20/08	05-123	05-123	05-123	05-123	05-123	05-123	05-123
PROJECT:	LAND DEVELOPMENT CONSULTANTS	03/20/08	05-123	05-123	05-123	05-123	05-123	05-123	05-123
DATE:	03/20/08	03/20/08	05-123	05-123	05-123	05-123	05-123	05-123	05-123
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DATE:	03/20/08	03/20/08	05-123	05-123	05-123	05-123	05-123	05-123	05-123

EXISTING TREE LEGEND
ON-PROPERTY

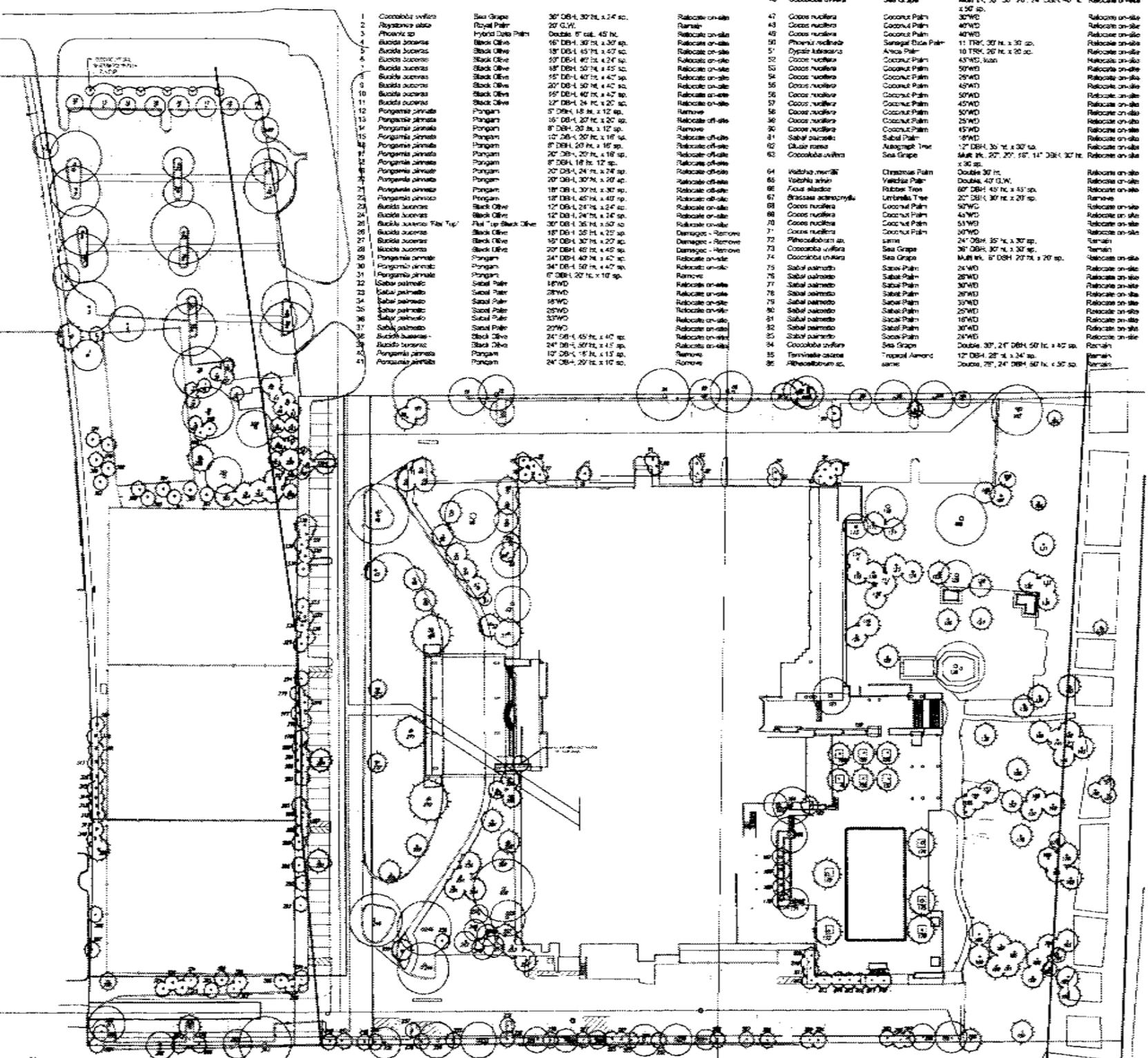
KEY BOTANICAL NAME COMMON NAME DESCRIPTION TASK

1	Coccoloba villosa	Sea Grape	30' DBH, 30' H, 124' C.	Relocate on-site
2	Rapanea aloha	Royal Palm	20' G.W.	Remove
3	Phoenix sp.	Hybrid Date Palm	Double 87' tall, 45' H.	Relocate on-site
4	Baccharis juncea	Black Olive	15' DBH, 30' H, 22' sp.	Relocate on-site
5	Baccharis juncea	Black Olive	15' DBH, 45' H, 43' sp.	Relocate on-site
6	Baccharis juncea	Black Olive	53' DBH, 87' H, 24' sp.	Relocate on-site
7	Baccharis juncea	Black Olive	55' DBH, 50' H, 45' sp.	Relocate on-site
8	Baccharis juncea	Black Olive	20' DBH, 40' H, 42' sp.	Relocate on-site
9	Baccharis juncea	Black Olive	20' DBH, 50' H, 42' sp.	Relocate on-site
10	Baccharis juncea	Black Olive	55' DBH, 40' H, 42' sp.	Relocate on-site
11	Baccharis juncea	Black Olive	57' DBH, 24' H, 20' sp.	Relocate on-site
12	Pongamia pinnata	Pongam	5' DBH, 18' H, 12' sp.	Remove
13	Pongamia pinnata	Pongam	15' DBH, 20' H, 20' sp.	Remove
14	Pongamia pinnata	Pongam	8' DBH, 20' H, 12' sp.	Relocate on-site
15	Pongamia pinnata	Pongam	10' DBH, 20' H, 12' sp.	Relocate on-site
16	Pongamia pinnata	Pongam	8' DBH, 20' H, 12' sp.	Relocate on-site
17	Pongamia pinnata	Pongam	20' DBH, 20' H, 12' sp.	Relocate on-site
18	Pongamia pinnata	Pongam	8' DBH, 18' H, 12' sp.	Relocate on-site
19	Pongamia pinnata	Pongam	20' DBH, 24' H, 24' sp.	Relocate on-site
20	Pongamia pinnata	Pongam	20' DBH, 30' H, 20' sp.	Relocate on-site
21	Pongamia pinnata	Pongam	18' DBH, 30' H, 30' sp.	Relocate on-site
22	Baccharis juncea	Black Olive	15' DBH, 45' H, 43' sp.	Relocate on-site
23	Baccharis juncea	Black Olive	12' DBH, 24' H, 24' sp.	Relocate on-site
24	Baccharis juncea	Black Olive	12' DBH, 24' H, 24' sp.	Relocate on-site
25	Baccharis juncea 'Foli Top'	Phil Top Black Olive	30' DBH, 35' H, 45' sp.	Relocate on-site
26	Baccharis juncea	Black Olive	15' DBH, 30' H, 22' sp.	Remove - Remove
27	Baccharis juncea	Black Olive	15' DBH, 30' H, 22' sp.	Remove - Remove
28	Baccharis juncea	Black Olive	20' DBH, 45' H, 43' sp.	Relocate on-site
29	Pongamia pinnata	Pongam	24' DBH, 40' H, 42' sp.	Relocate on-site
30	Pongamia pinnata	Pongam	34' DBH, 40' H, 42' sp.	Relocate on-site
31	Pongamia pinnata	Pongam	17' DBH, 20' H, 12' sp.	Relocate on-site
32	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
33	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
34	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
35	Sabal palmetto	Sabal Palm	33'WD	Relocate on-site
36	Sabal palmetto	Sabal Palm	33'WD	Relocate on-site
37	Sabal palmetto	Sabal Palm	29'WD	Relocate on-site
38	Baccharis juncea	Black Olive	24' DBH, 45' H, 43' sp.	Relocate on-site
39	Baccharis juncea	Black Olive	24' DBH, 45' H, 43' sp.	Relocate on-site
40	Pongamia pinnata	Pongam	24' DBH, 20' H, 12' sp.	Remove
41	Pongamia pinnata	Pongam	24' DBH, 20' H, 12' sp.	Remove

42	Sabal palmetto	Sabal Palm	35'WD	Relocate on-site
43	Sabal palmetto	Sabal Palm	24'WD	Relocate on-site
44	Sabal palmetto	Sabal Palm	30'WD	Relocate on-site
45	Dysoxylum sp.	Avicaya Palm	17' TRK, 20' H, 18' sp.	Relocate on-site
46	Coccoloba villosa	Sea Grape	Multi tr. 30' 30' 20' 24' DBH, 40' H, 43' sp.	Relocate on-site
47	Cocos nucifera	Coconut Palm	30'WD	Relocate on-site
48	Cocos nucifera	Coconut Palm	40'WD	Relocate on-site
49	Cocos nucifera	Coconut Palm	40'WD	Relocate on-site
50	Cocos nucifera	Coconut Palm	11' TRK, 30' H, 30' sp.	Relocate on-site
51	Dysoxylum sp.	Avicaya Palm	10' TRK, 20' H, 20' sp.	Relocate on-site
52	Cocos nucifera	Coconut Palm	45'WD, 30m	Relocate on-site
53	Cocos nucifera	Coconut Palm	50'WD	Relocate on-site
54	Cocos nucifera	Coconut Palm	25'WD	Relocate on-site
55	Cocos nucifera	Coconut Palm	45'WD	Relocate on-site
56	Cocos nucifera	Coconut Palm	50'WD	Relocate on-site
57	Cocos nucifera	Coconut Palm	45'WD	Relocate on-site
58	Cocos nucifera	Coconut Palm	30'WD	Relocate on-site
59	Cocos nucifera	Coconut Palm	25'WD	Relocate on-site
60	Cocos nucifera	Coconut Palm	15'WD	Relocate on-site
61	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
62	Clusia rosea	Autograph Tree	12' DBH, 30' H, 30' sp.	Relocate on-site
63	Coccoloba villosa	Sea Grape	Multi tr. 20' 20' 16' 14' DBH, 30' H, 30' sp.	Relocate on-site
64	Yucca wrightii	Dracaena Palm	Double 30' H.	Relocate on-site
65	Yucca wrightii	Dracaena Palm	Double 40' G.W.	Relocate on-site
66	Ficus albertii	Robber Tree	60' DBH, 45' H, 43' sp.	Relocate on-site
67	Strobania adpressifolia	Lantana Tree	20' DBH, 30' H, 20' sp.	Relocate on-site
68	Cocos nucifera	Coconut Palm	50'WD	Relocate on-site
69	Cocos nucifera	Coconut Palm	45'WD	Relocate on-site
70	Cocos nucifera	Coconut Palm	51'WD	Relocate on-site
71	Cocos nucifera	Coconut Palm	30'WD	Relocate on-site
72	Phoradendron sp.	same	24' DBH, 35' H, 30' sp.	Remove
73	Coccoloba villosa	Sea Grape	36' DBH, 30' H, 30' sp.	Remove
74	Coccoloba villosa	Sea Grape	Multi tr. 6' DBH, 20' H, 20' sp.	Relocate on-site
75	Sabal palmetto	Sabal Palm	24'WD	Relocate on-site
76	Sabal palmetto	Sabal Palm	28'WD	Relocate on-site
77	Sabal palmetto	Sabal Palm	30'WD	Relocate on-site
78	Sabal palmetto	Sabal Palm	30'WD	Relocate on-site
79	Sabal palmetto	Sabal Palm	35'WD	Relocate on-site
80	Sabal palmetto	Sabal Palm	25'WD	Relocate on-site
81	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
82	Sabal palmetto	Sabal Palm	30'WD	Relocate on-site
83	Sabal palmetto	Sabal Palm	24'WD	Relocate on-site
84	Coccoloba villosa	Sea Grape	Double 30', 24' DBH, 50' H, 43' sp.	Remove
85	Ternstroemia coccinea	Trinidad Almond	12' DBH, 28' H, 24' sp.	Remove
86	Albizia leonensis	same	Double 28', 24' DBH, 50' H, 43' sp.	Remove

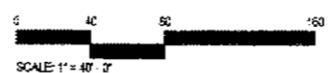
87	Coccoloba villosa	Sea Grape	40.5m x 20' DBH, 30' H, 20' sp.	Remove
88	Cocos nucifera	Coconut Palm	30'WD	Remove
89	Cocos nucifera	Coconut Palm	30'WD	Remove
90	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
91	Sabal palmetto	Sabal Palm	30'WD	Relocate on-site
92	Sabal palmetto	Sabal Palm	25'WD	Relocate on-site
93	Sabal palmetto	Sabal Palm	28'WD	Relocate on-site
94	Sabal palmetto	Sabal Palm	28'WD	Relocate on-site
95	Sabal palmetto	Sabal Palm	40'WD	Relocate on-site
96	Sabal palmetto	Sabal Palm	25'WD	Relocate on-site
97	Coccoloba villosa	Sea Grape	Multi-tr. 20' 18' 18' DBH, 30' H, 30' sp.	Remove
98	Coccoloba villosa	Sea Grape	4' DBH, 20' H, 10' sp.	Remove
99	Coccoloba villosa	Sea Grape	12' DBH, 24' H, 20' sp.	Remove
100	Coccoloba villosa	Sea Grape	Double 18' 12' DBH, 24' H, 24' sp.	Remove
101	Coccoloba villosa	Sea Grape	12' DBH, 18' H, 12' sp.	Remove
102	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
103	Coccoloba villosa	Sea Grape	Multi-tr. 30', 24', 20', 20' DBH, 25' H, 25' sp.	Remove
104	Sabal palmetto	Sabal Palm	18'WD	Relocate on-site
105	Sabal palmetto	Sabal Palm	28'WD	Relocate on-site
106	Sabal palmetto	Sabal Palm	24'WD	Relocate on-site
107	Clusia rosea	Autograph Tree	12' DBH, 30' H, 30' sp.	Relocate on-site
108	Coccoloba villosa	Sea Grape	Multi-tr. 20', 20', 18' DBH, 24' H, 24' sp.	Remove
109	Coccoloba villosa	Sea Grape	47' sp.	Relocate on-site
110	Coccoloba villosa	Sea Grape	38' sp.	Relocate on-site
111	Coccoloba villosa	Sea Grape	32'WD	Relocate on-site
112	Coccoloba villosa	Sea Grape	38'WD	Relocate on-site
113	Coccoloba villosa	Sea Grape	Multi-tr. 4' DBH, 15' H, 15' sp.	Relocate on-site
114	Coccoloba villosa	Sea Grape	30'WD	Relocate on-site
115	Coccoloba villosa	Sea Grape	30'WD	Relocate on-site
116	Coccoloba villosa	Sea Grape	45'WD	Relocate on-site
117	Coccoloba villosa	Sea Grape	60'WD	Relocate on-site
118	Coccoloba villosa	Sea Grape	35'WD	Relocate on-site
119	Coccoloba villosa	Sea Grape	45'WD	Relocate on-site
120	Coccoloba villosa	Sea Grape	45'WD	Relocate on-site
121	Clusia rosea	Autograph Tree	24' H, 30' sp., specimen	Relocate on-site
122	Coccoloba villosa	Sea Grape	30'WD	Relocate on-site
123	Coccoloba villosa	Sea Grape	30'WD	Relocate on-site
124	Coccoloba villosa	Sea Grape	30'WD	Relocate on-site
125	Coccoloba villosa	Sea Grape	34'WD	Relocate on-site
126	Coccoloba villosa	Sea Grape	24'WD	Relocate on-site
127	Coccoloba villosa	Sea Grape	34'WD	Relocate on-site
128	Coccoloba villosa	Sea Grape	30'WD	Relocate on-site
129	Coccoloba villosa	Sea Grape	Multi-tr. 18', 18', 12' DBH, 20' H, 20' sp.	Remove
130	Coccoloba villosa	Sea Grape	Double 20', 18' DBH, 30' H, 40' sp.	Remove

131	Coccoloba villosa	Sea Grape	24'WD	Remove
132	Coccoloba villosa	Sea Grape	24'WD	Remove
133	Coccoloba villosa	Sea Grape	24'WD	Remove
134	Coccoloba villosa	Sea Grape	24'WD	Remove
135	Coccoloba villosa	Sea Grape	24'WD	Remove
136	Sabal palmetto	Sabal Palm	14'WD	Remove
137	Coccoloba villosa	Sea Grape	20'WD	Remove
138	Coccoloba villosa	Sea Grape	20'WD	Remove
139	Coccoloba villosa	Sea Grape	20'WD	Remove
140	Coccoloba villosa	Sea Grape	22'WD	Remove
141	Coccoloba villosa	Sea Grape	16'WD	Remove
142	Coccoloba villosa	Sea Grape	22'WD	Remove
143	Coccoloba villosa	Sea Grape	24'WD	Remove
144	Coccoloba villosa	Sea Grape	25'WD	Remove
145	Sabal palmetto	Sabal Palm	18'WD	Remove
146	Sabal palmetto	Sabal Palm	18'WD	Remove
147	Sabal palmetto	Sabal Palm	18'WD	Remove
148	Coccoloba villosa	Sea Grape	18'WD	Remove
149	Coccoloba villosa	Sea Grape	22'WD	Remove
150	Coccoloba villosa	Sea Grape	22'WD	Remove
151	Coccoloba villosa	Sea Grape	25'WD	Remove
152	Coccoloba villosa	Sea Grape	18'WD	Remove
153	Coccoloba villosa	Sea Grape	14'WD	Remove
154	Coccoloba villosa	Sea Grape	22'WD	Remove
155	Coccoloba villosa	Sea Grape	22'WD	Remove
156	Coccoloba villosa	Sea Grape	22'WD	Remove
157	Coccoloba villosa	Sea Grape	22'WD	Remove
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159	Coccoloba villosa	Sea Grape	22'WD	Remove
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163	Coccoloba villosa	Sea Grape	22'WD	Remove
164	Coccoloba villosa	Sea Grape	22'WD	Remove
165	Coccoloba villosa	Sea Grape	22'WD	Remove
166	Coccoloba villosa	Sea Grape	22'WD	Remove
167-170	Coccoloba villosa	Sea Grape	22'WD	Remove
171	Coccoloba villosa	Sea Grape	22'WD	Remove
172	Coccoloba villosa	Sea Grape	22'WD	Remove
173	Coccoloba villosa	Sea Grape	22'WD	Remove
174	Coccoloba villosa	Sea Grape	22'WD	Remove
175	Coccoloba villosa	Sea Grape	22'WD	Remove
176	Coccoloba villosa	Sea Grape	22'WD	Remove
177	Coccoloba villosa	Sea Grape	22'WD	Remove
178	Coccoloba villosa	Sea Grape	22'WD	Remove
179	Coccoloba villosa	Sea Grape	22'WD	Remove
180	Coccoloba villosa	Sea Grape	22'WD	Remove
181	Coccoloba villosa	Sea Grape	22'WD	Remove
182	Coccoloba villosa	Sea Grape	22'WD	Remove
183	Coccoloba villosa	Sea Grape	22'WD	Remove
184	Coccoloba villosa	Sea Grape	22'WD	Remove
185	Coccoloba villosa	Sea Grape	22'WD	Remove
186	Coccoloba villosa	Sea Grape	22'WD	Remove
187	Coccoloba villosa	Sea Grape	22'WD	Remove
188	Coccoloba villosa	Sea Grape	22'WD	Remove
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200	Coccoloba villosa	Sea Grape	22'WD	Remove
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202	Coccoloba villosa	Sea Grape	22'WD	Remove
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211	Coccoloba villosa	Sea Grape	22'WD	Remove
212	Coccoloba villosa	Sea Grape	22'WD	Remove
213	Coccoloba villosa	Sea Grape	22'WD	Remove
214	Coccoloba villosa	Sea Grape	22'WD	Remove
215	Coccoloba villosa	Sea Grape	22'WD	Remove
216	Coccoloba villosa	Sea Grape	22'WD	Remove
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219	Coccoloba villosa	Sea Grape	22'WD	Remove
220	Coccoloba villosa	Sea Grape	22'WD	Remove
221	Coccoloba villosa	Sea Grape	22'WD	Remove
222	Coccoloba villosa	Sea Grape	22'WD	Remove
223	Coccoloba villosa	Sea Grape	22'WD	Remove
224	Coccoloba villosa	Sea Grape	22'WD	Remove
225	Coccoloba villosa	Sea Grape	22'WD	Remove
226	Coccoloba villosa	Sea Grape	22'WD	Remove
227	Coccoloba villosa	Sea Grape	22'WD	Remove
228	Coccoloba villosa	Sea Grape	22'WD	Remove
229	Coccoloba villosa	Sea Grape	22'WD	Remove
230	Coccoloba villosa	Sea Grape	22'WD	Remove
231	Coccoloba villosa	Sea Grape	22'WD	Remove
232	Coccoloba villosa	Sea Grape	22'WD	Remove
233	Coccoloba villosa	Sea Grape	22'WD	Remove



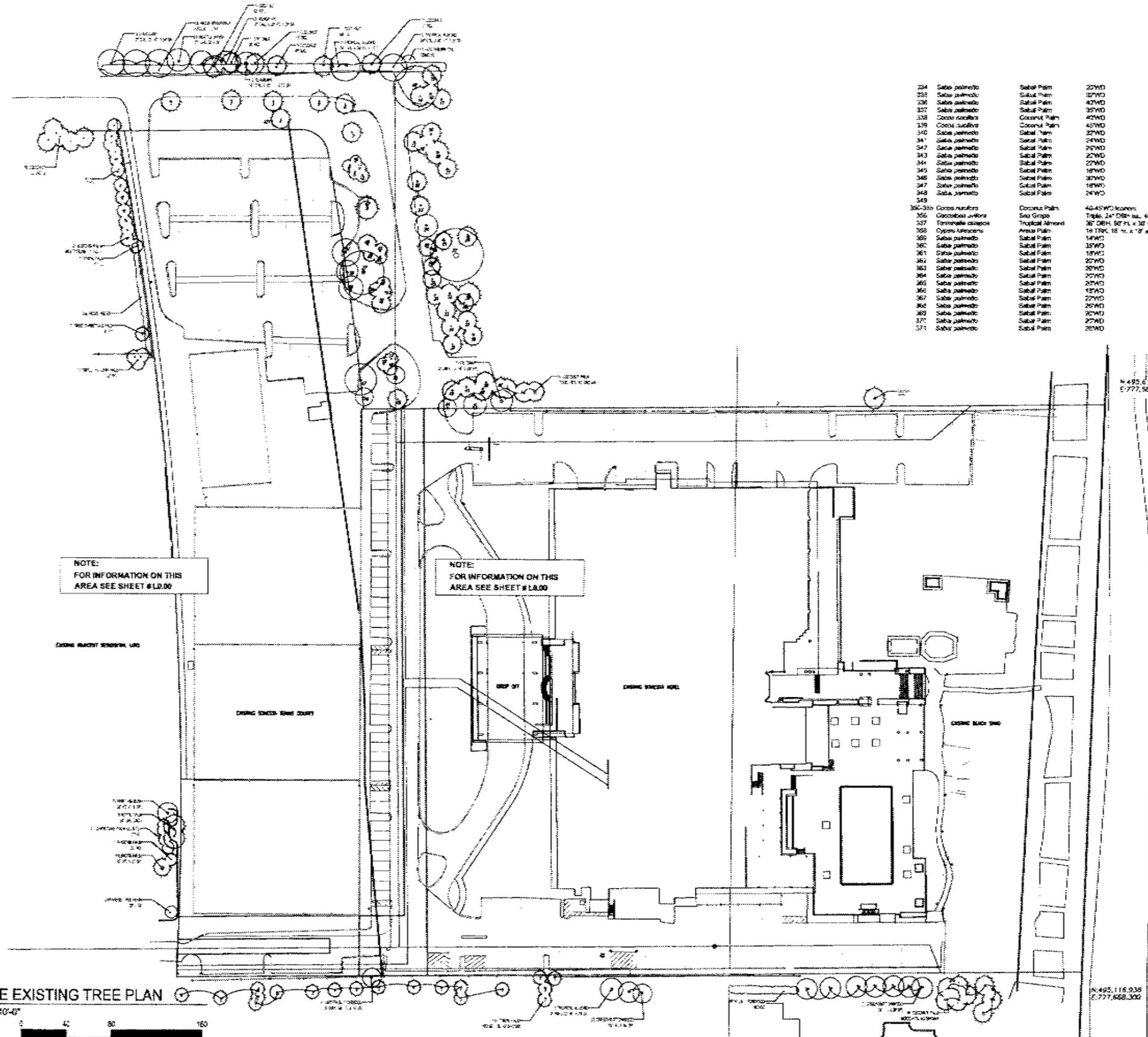
ON-SITE EXISTING TREE PLAN

SCALE: 1" = 40'-0"



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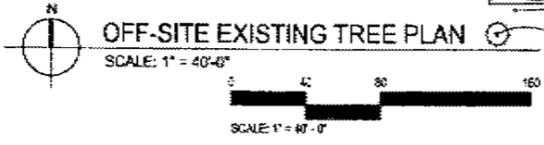




324	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
325	Sabal palmetto	Sabal Palm	30WD	Relocate on-site
326	Sabal palmetto	Sabal Palm	40WD	Relocate on-site
327	Sabal palmetto	Sabal Palm	35WD	Relocate on-site
328	Coconus nucifera	Coconut Palm	40WD	Relocate on-site
329	Coconus nucifera	Coconut Palm	45WD	Relocate on-site
330	Sabal palmetto	Sabal Palm	30WD	Relocate on-site
331	Sabal palmetto	Sabal Palm	25WD	Relocate on-site
332	Sabal palmetto	Sabal Palm	25WD	Relocate on-site
333	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
334	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
335	Sabal palmetto	Sabal Palm	18WD	Relocate on-site
336	Sabal palmetto	Sabal Palm	30WD	Relocate on-site
337	Sabal palmetto	Sabal Palm	18WD	Relocate on-site
338	Sabal palmetto	Sabal Palm	24WD	Relocate on-site
339	Sabal palmetto	Sabal Palm	24WD	Relocate on-site
340-350	Coconus nucifera	Coconut Palm	40-45WD	Relocate on-site
351	Coconus nucifera	Sisal Group	Table, 24" DBH, 40' H, 40' sq.	Relocate on-site
352	Tournefortia bicolor	Tropical Almond	36" DBH, 50' H, 30' sq.	Relocate on-site
353	Cyperus tuckermanni	Area Palm	18 TRK, 18" x 18" sq.	Relocate on-site
354	Sabal palmetto	Sabal Palm	14WD	Relocate on-site
355	Sabal palmetto	Sabal Palm	35WD	Relocate on-site
356	Sabal palmetto	Sabal Palm	18WD	Relocate on-site
357	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
358	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
359	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
360	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
361	Sabal palmetto	Sabal Palm	18WD	Relocate on-site
362	Sabal palmetto	Sabal Palm	22WD	Relocate on-site
363	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
364	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
365	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
366	Sabal palmetto	Sabal Palm	18WD	Relocate on-site
367	Sabal palmetto	Sabal Palm	22WD	Relocate on-site
368	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
369	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
370	Sabal palmetto	Sabal Palm	20WD	Relocate on-site
371	Sabal palmetto	Sabal Palm	20WD	Relocate on-site

NOTE:
FOR INFORMATION ON THIS
AREA SEE SHEET # L8.00

NOTE:
FOR INFORMATION ON THIS
AREA SEE SHEET # L8.00



OFF-SITE EXISTING TREE PLAN
SCALE: 1" = 40'-0"



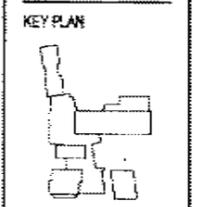
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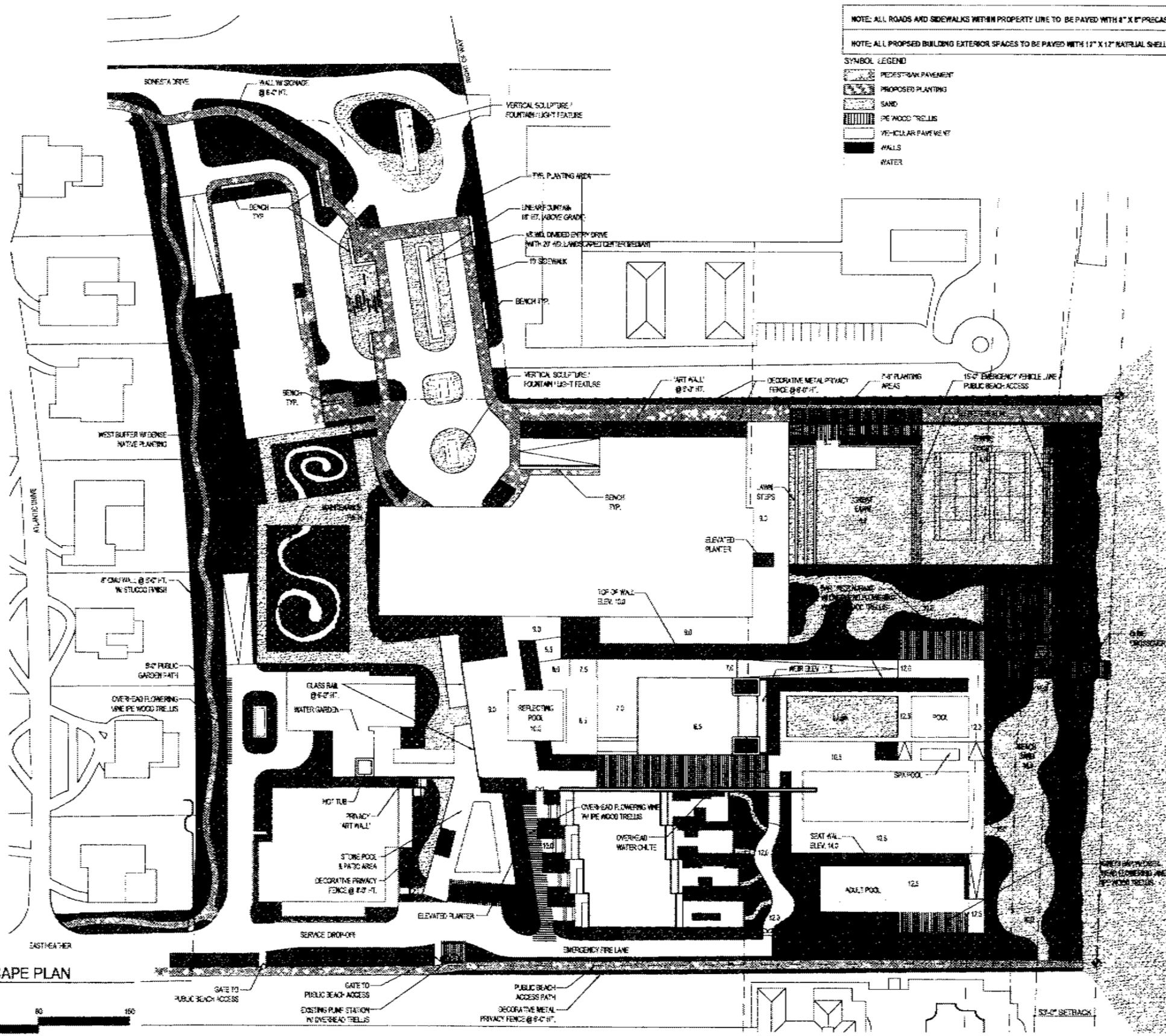
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Issue Date
REVISION TO
SITE PLAN APPLICATION
27 October 2006
ORIGINAL
SITE PLAN APPLICATION
25 August 2006

NOT FOR CONSTRUCTION
GSB Project Number: 960653
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Drawing Title
Off-Site
Existing Tree Plan
Sheet Number
L 0.01



NOTE: ALL ROADS AND SIDEWALKS WITHIN PROPERTY LINE TO BE PAVED WITH 4" X 8" PRECAST CONCRETE PAVES (TYP.)
 NOTE: ALL PROPOSED BUILDING EXTERIOR SPACES TO BE PAVED WITH 12" X 12" NATURAL SHELL STONE (TYP.)

SYMBOL LEGEND

[Symbol]	PEDESTRIAN PAVEMENT
[Symbol]	PROPOSED PLANTING
[Symbol]	SAND
[Symbol]	PE WOOD TRELLIS
[Symbol]	VEHICULAR PAVEMENT
[Symbol]	WALLS
[Symbol]	WATER

Sonesta
 SONESTA RESORT
 Key Biscayne, Florida

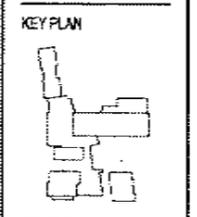
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Issue Date:
 REVISION TO
 SITE PLAN APPLICATION
 27 October 2006
 ORIGINAL
 SITE PLAN APPLICATION
 26 August 2006

NOT FOR CONSTRUCTION
 GSB Project Number: 060953
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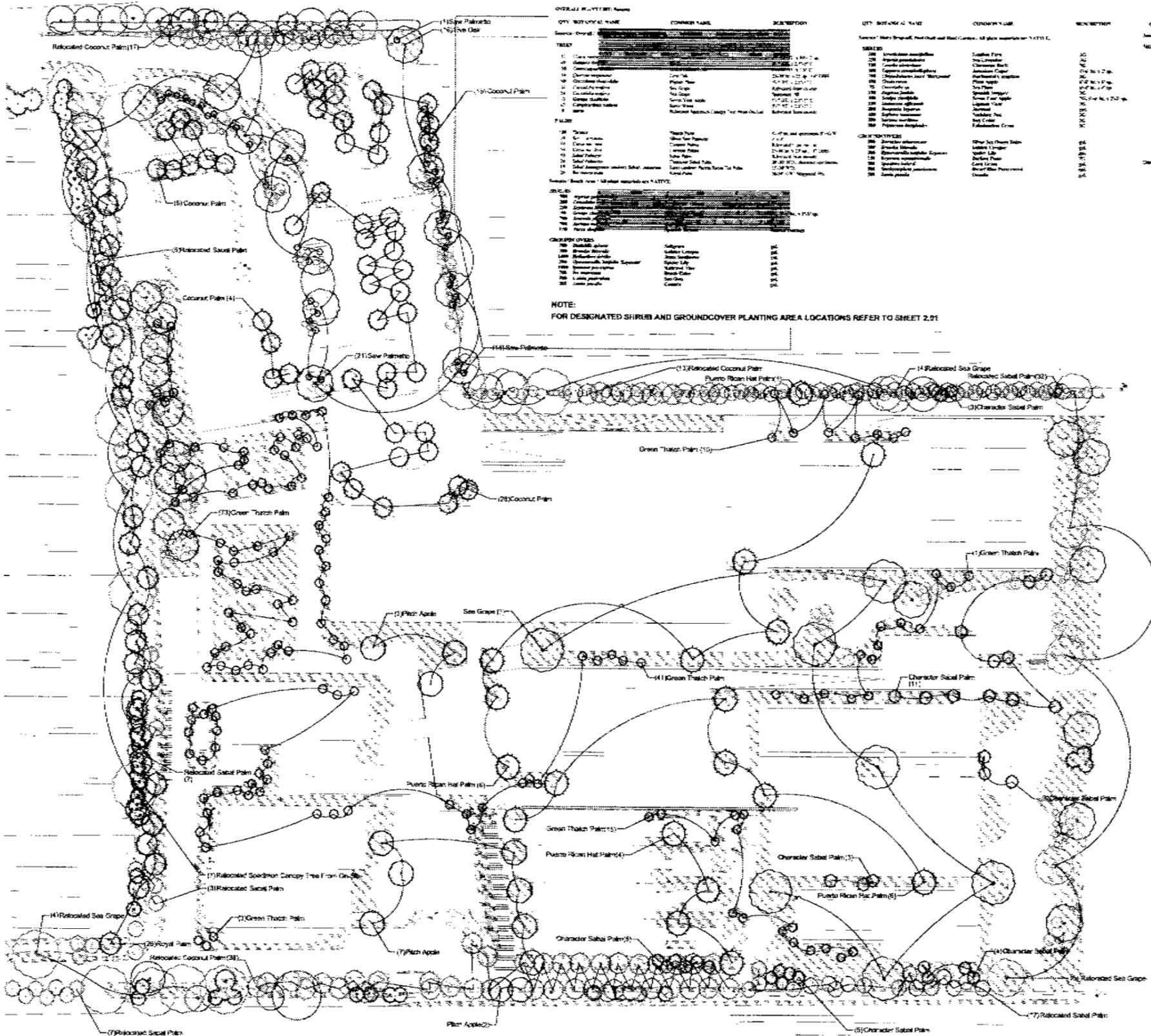
Drawing Title:
 Overall Hardscape
 Plan
 Sheet Number:
L 1.00

OVERALL HARDSCAPE PLAN
 SCALE: 1" = 40'-0"
 SCALE: 1" = 40' - 0"



ATLANTIC OCEAN

33'-0" SETBACK

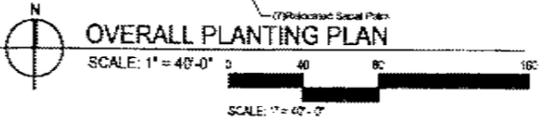
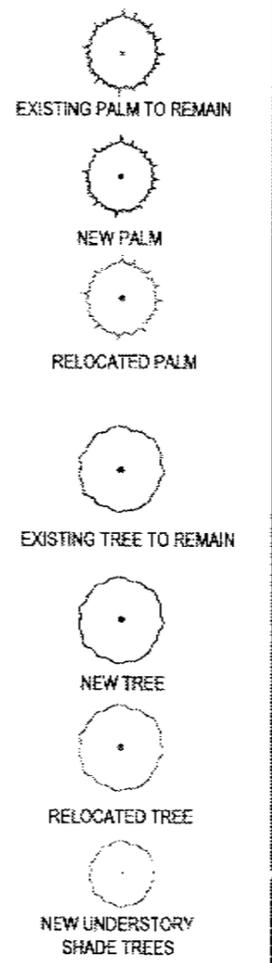


QTY	SYMBOL	COMMON NAME	DESCRIPTION	QTY	SYMBOL	COMMON NAME	DESCRIPTION	QTY	SYMBOL	COMMON NAME	DESCRIPTION
17		Coconut Palm	17' x 12' x 12'	14		Sea Grape	14' x 12' x 12'	14		Sea Grape	14' x 12' x 12'
11		Relocated Coconut Palm	11' x 12' x 12'	14		Green Thatch Palm	14' x 12' x 12'	14		Green Thatch Palm	14' x 12' x 12'
14		Relocated Sea Grape	14' x 12' x 12'	17		Green Thatch Palm	17' x 12' x 12'	17		Green Thatch Palm	17' x 12' x 12'
17		Green Thatch Palm	17' x 12' x 12'	17		Green Thatch Palm	17' x 12' x 12'	17		Green Thatch Palm	17' x 12' x 12'
17		Green Thatch Palm	17' x 12' x 12'	17		Green Thatch Palm	17' x 12' x 12'	17		Green Thatch Palm	17' x 12' x 12'

NOTE:
FOR DESIGNATED SHRUB AND GROUNDCOVER PLANTING AREA LOCATIONS REFER TO SHEET 2.01

GENERAL IRRIGATION NOTE:
Landscape areas will be watered with an electro mechanical irrigation system using drip, bubbler & spray irrigation heads. The system will be operational with electro-mechanical valves connected to a controller, with soil moisture monitored by electro-mechanical sensors. Viability of utilizing captured rainwater runoff for irrigation is currently being evaluated.

PLANT SYMBOLS



Sonesta
SONESTA RESORT
Key Biscayne, Florida

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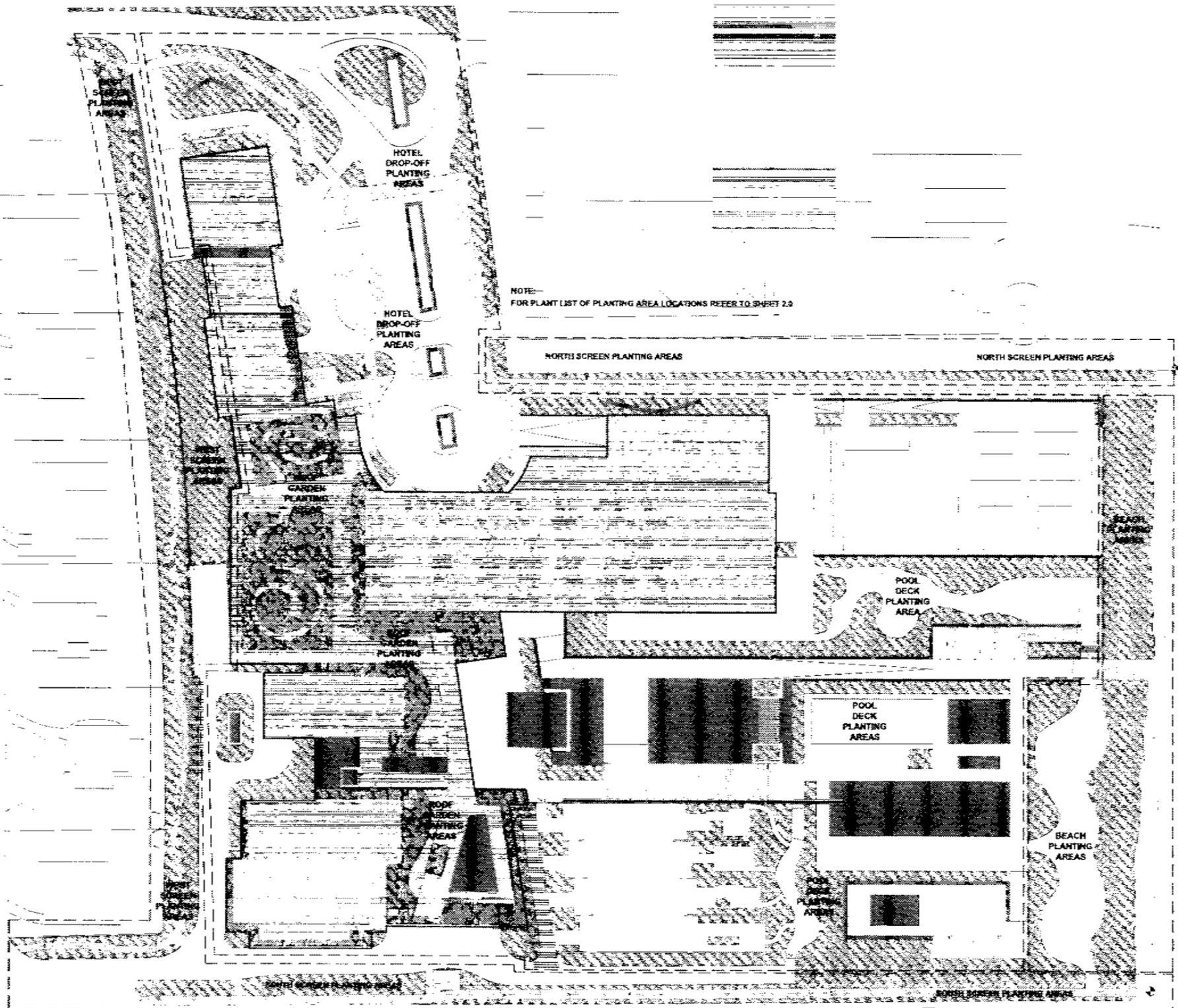
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Issue/Date
REVISION TO
SITE PLAN APPLICATION
27 October 2006
ORIGINAL
SITE PLAN APPLICATION
29 August 2006

NOT FOR CONSTRUCTION
GSB Project Number: 069553
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Drawing Title
Overall Planting
Plan
Sheet Number
L 2.00



NOTE:
FOR PLANT LIST OF PLANTING AREA LOCATIONS REFER TO SHEET 2.9

PLANTING AREAS LOCATION PLAN
SCALE: 1" = 40'-0"
0 40 80 120
SCALE: 1" = 40'-0"

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Key Biscayne, Florida

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KEY PLAN

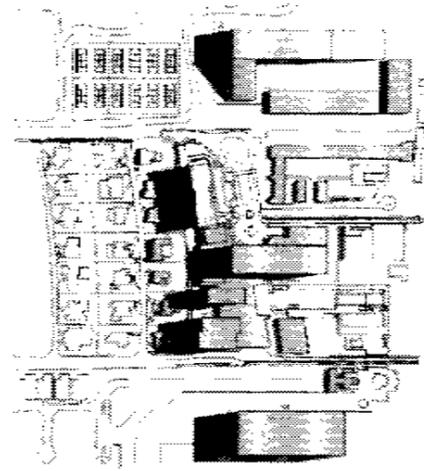


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REVISION TO
SITE PLAN APPLICATION
27 October 2006
ORIGINAL
SITE PLAN APPLICATION
29 August 2006

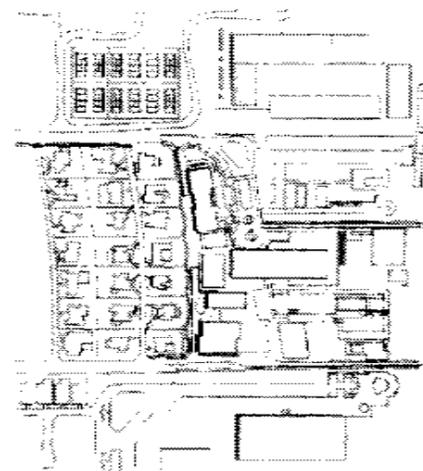
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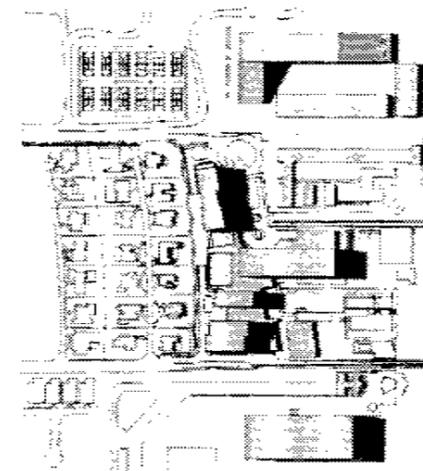
Drawing Title
Overall Planting
Areas
Sheet Number
L 2.01



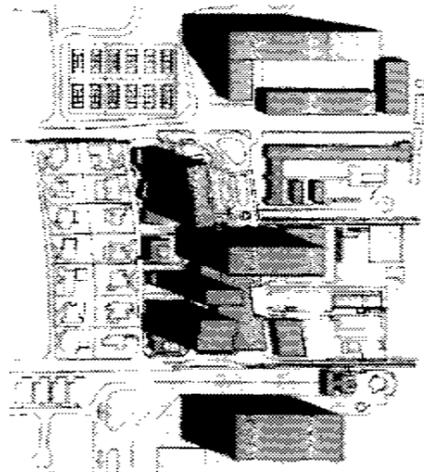
JUNE 21 - 9 AM



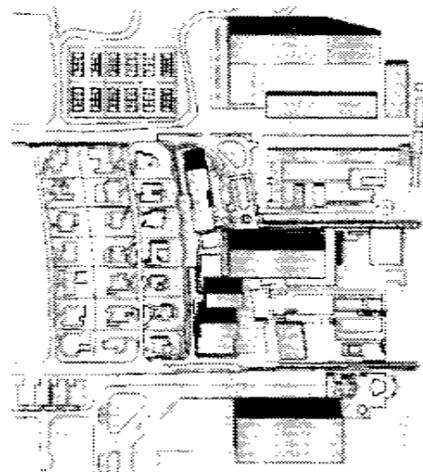
JUNE 21 - 12 PM



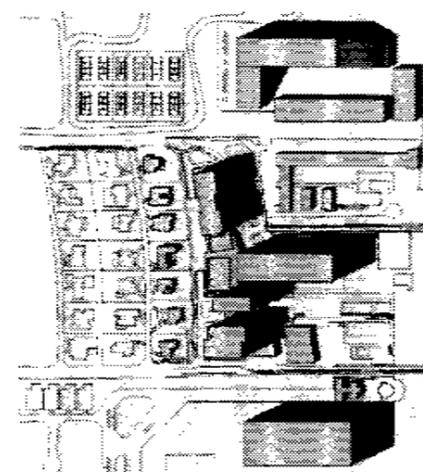
JUNE 21 - 3 PM



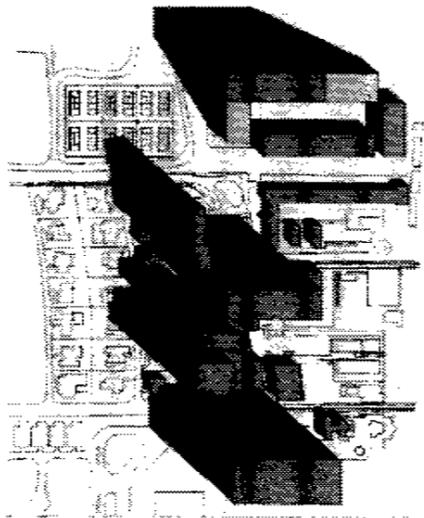
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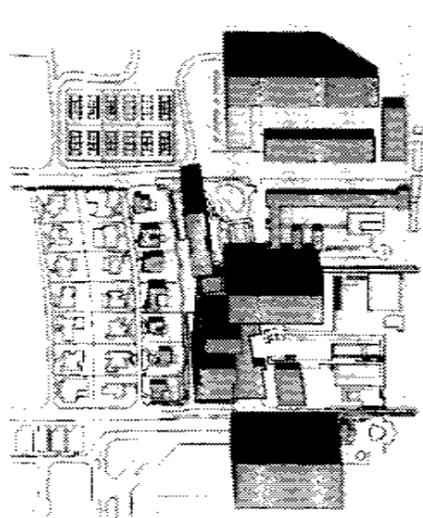
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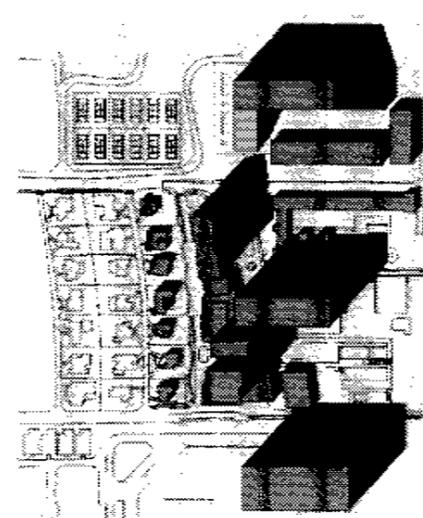
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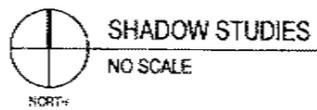
DECEMBER 21 - 9 AM



DECEMBER 21 - 12 PM



DECEMBER 21 - 3 PM



SHADOW STUDIES
NO SCALE

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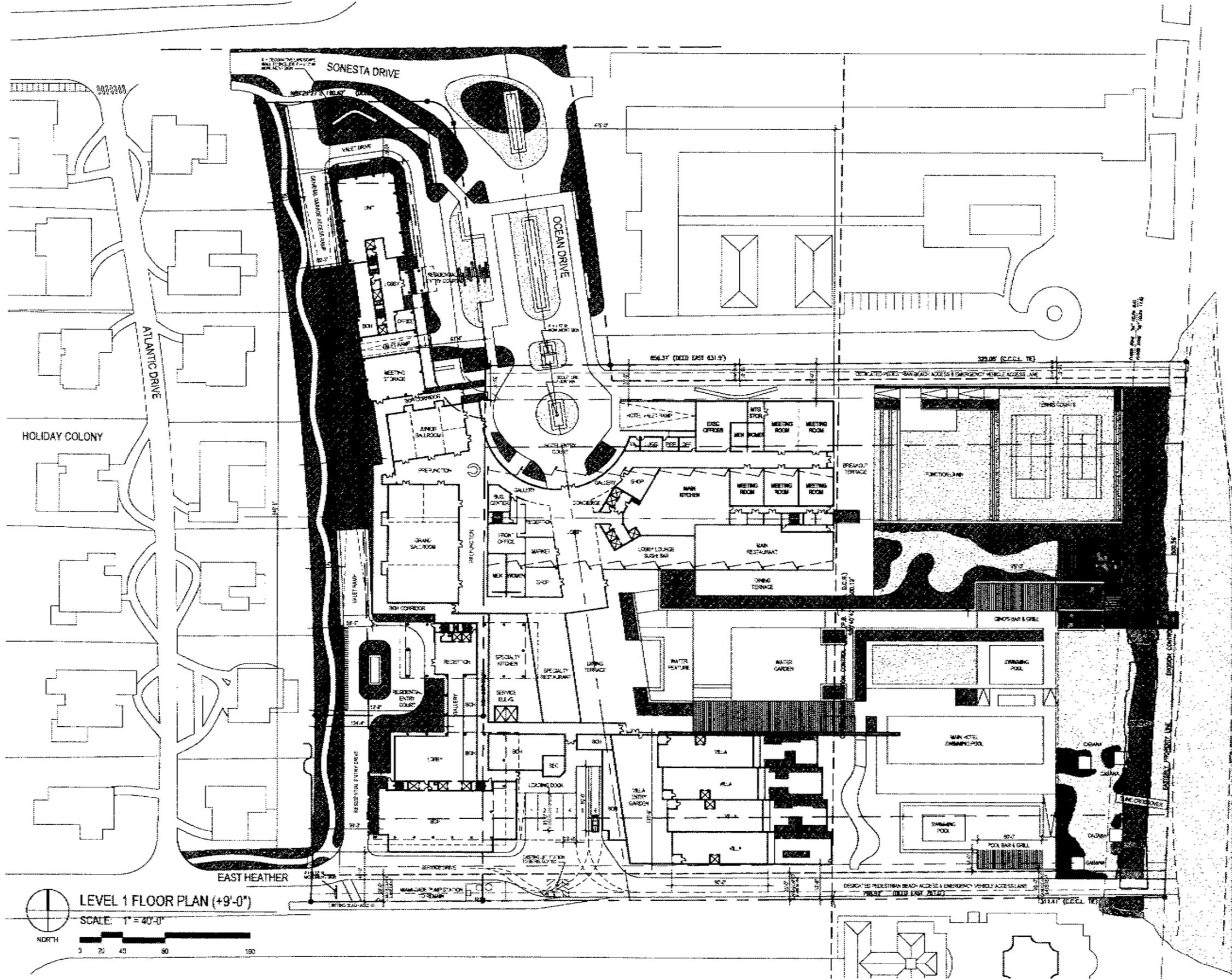
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Drawing Title
SHADOW STUDIES
Sheet Number

A1.1



LEVEL 1 FLOOR PLAN (+9'-0")
 SCALE: 1" = 40'-0"
 NORTH

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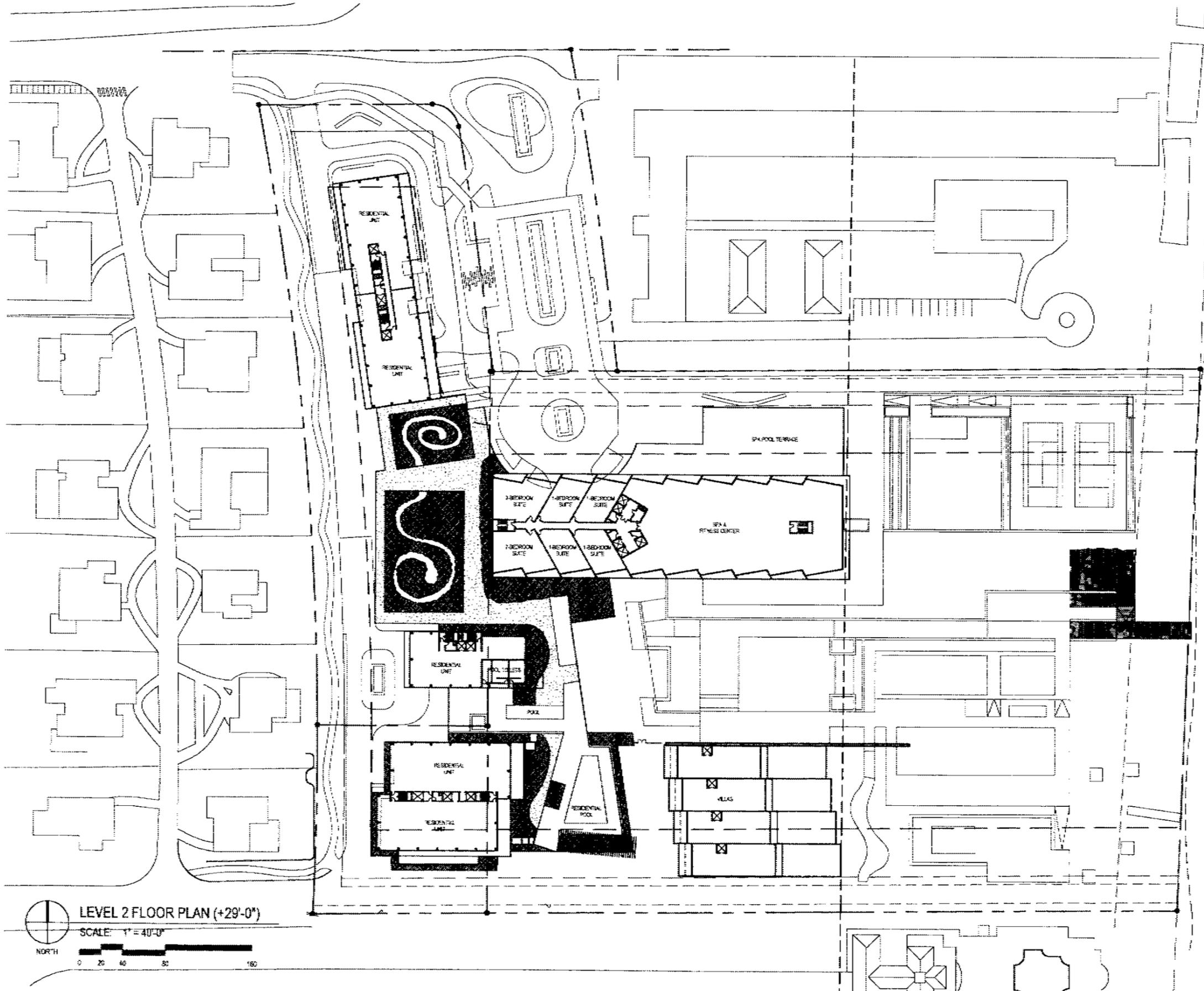
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Drawing Title
 SITE PLAN LEVEL 1
 (GROUND) FLOOR PLAN
 Sheet Number
A2.0



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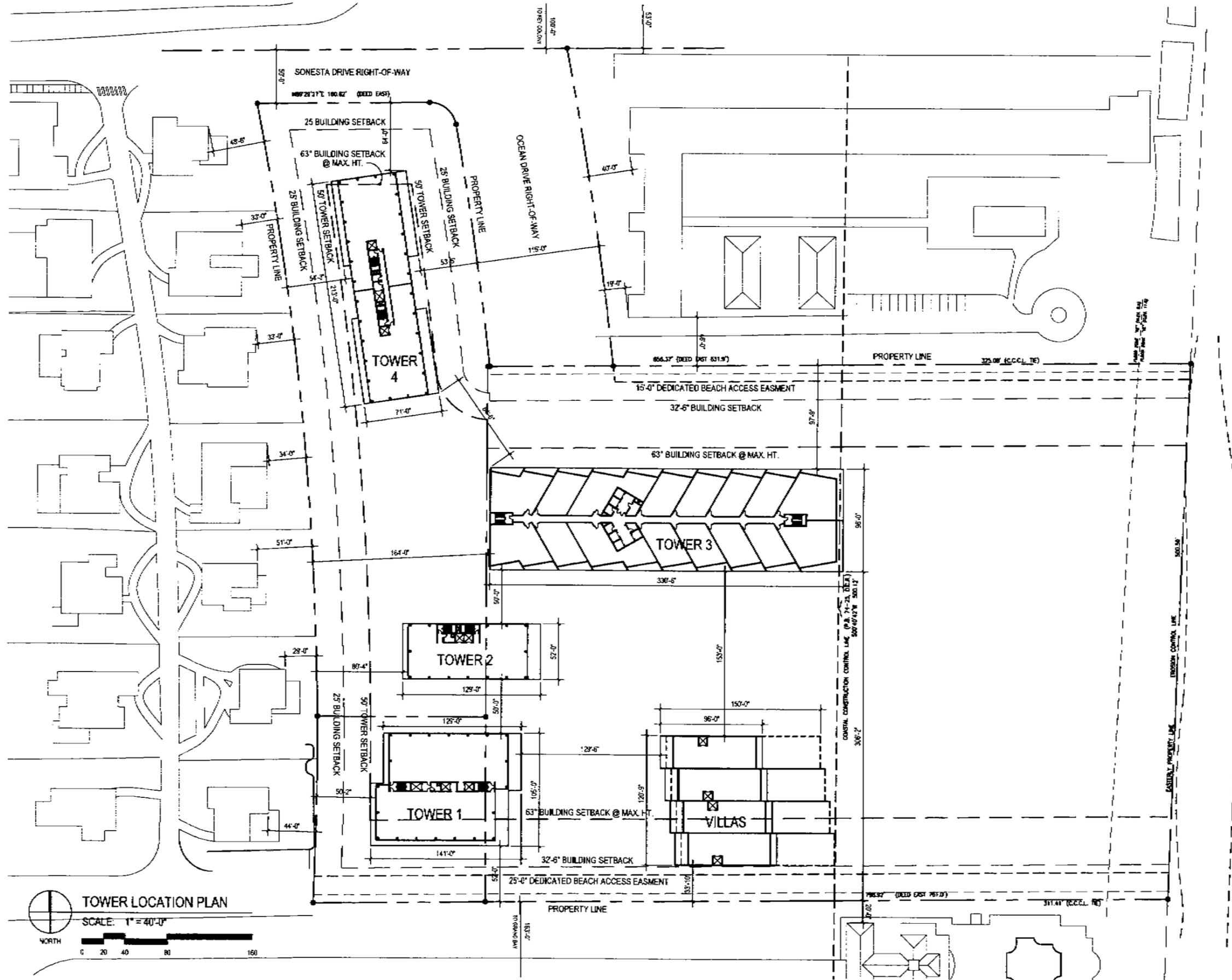
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Drawing Title
LEVEL 2 (PODIUM)
OVERALL FLOOR PLAN
 Sheet Number
A2.1



TOWER LOCATION PLAN
 SCALE: 1" = 40'-0"
 NORTH

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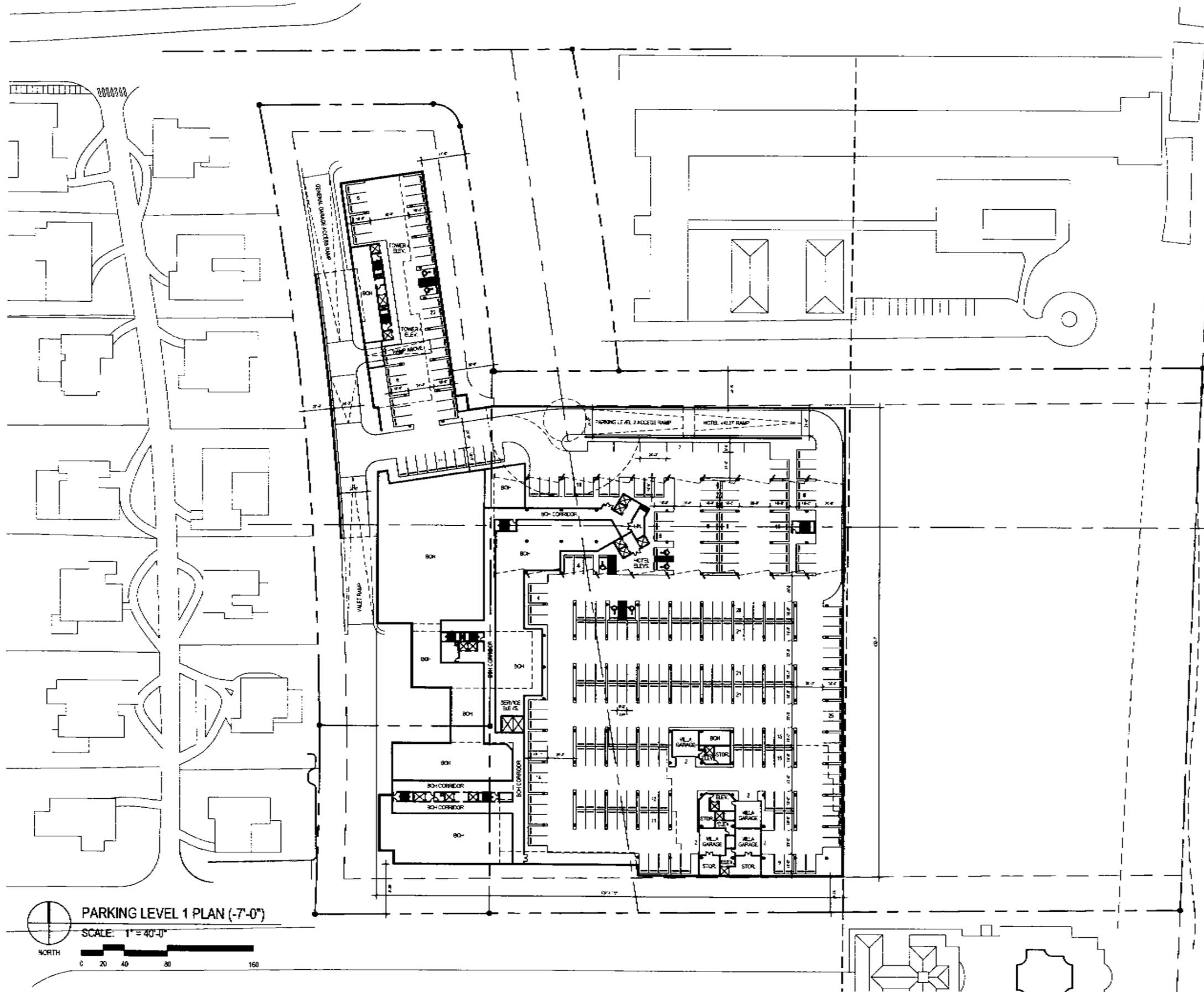
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24 January 2005

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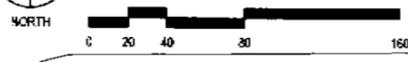
Drawing Title
**OVERALL TOWER
 LOCATION PLAN**
 Sheet Number

A2.2



PARKING LEVEL 1 PLAN (-7'-0")

SCALE: 1" = 40'-0"



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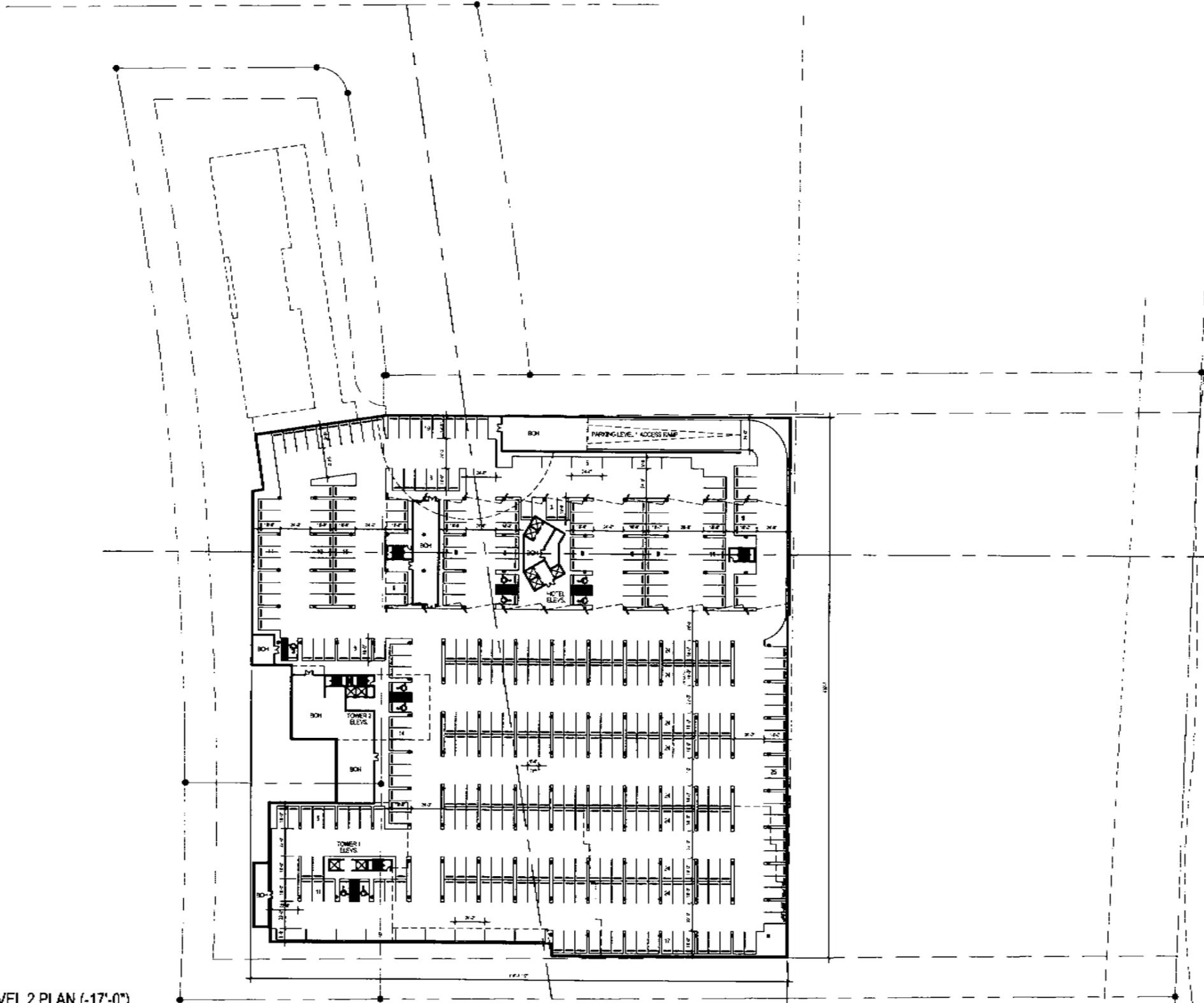
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Drawing Title
PARKING LEVEL 1
OVERALL FLOOR PLAN
Sheet Number

A3.0




PARKING LEVEL 2 PLAN (-17'-0")
 SCALE: 1" = 40'-0"



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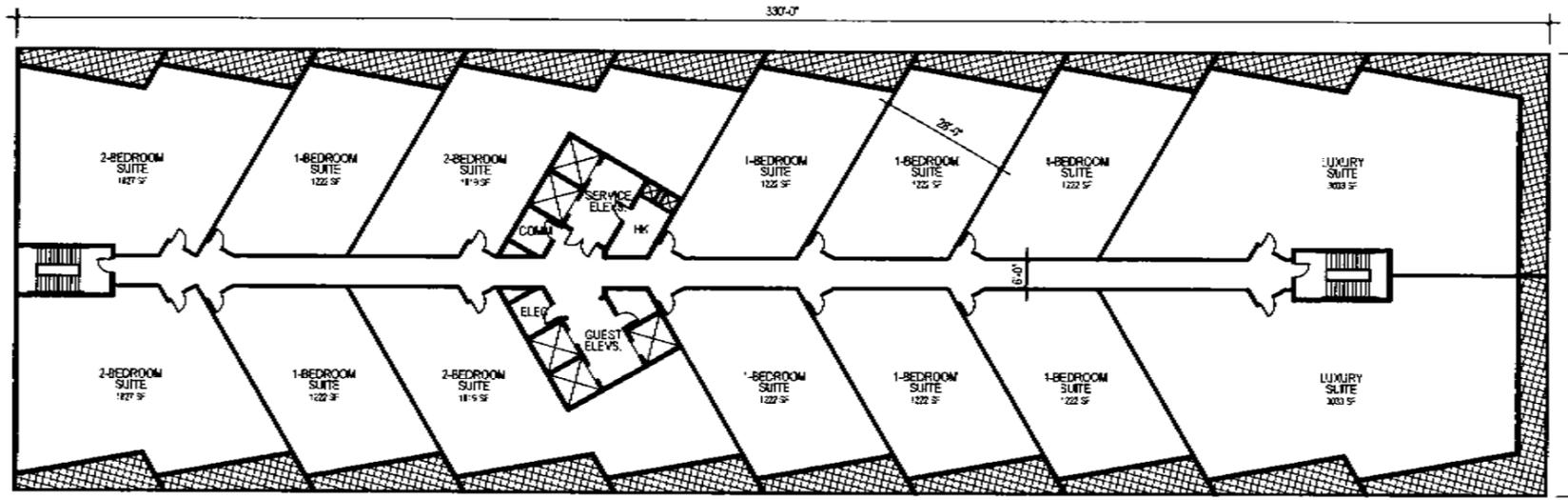
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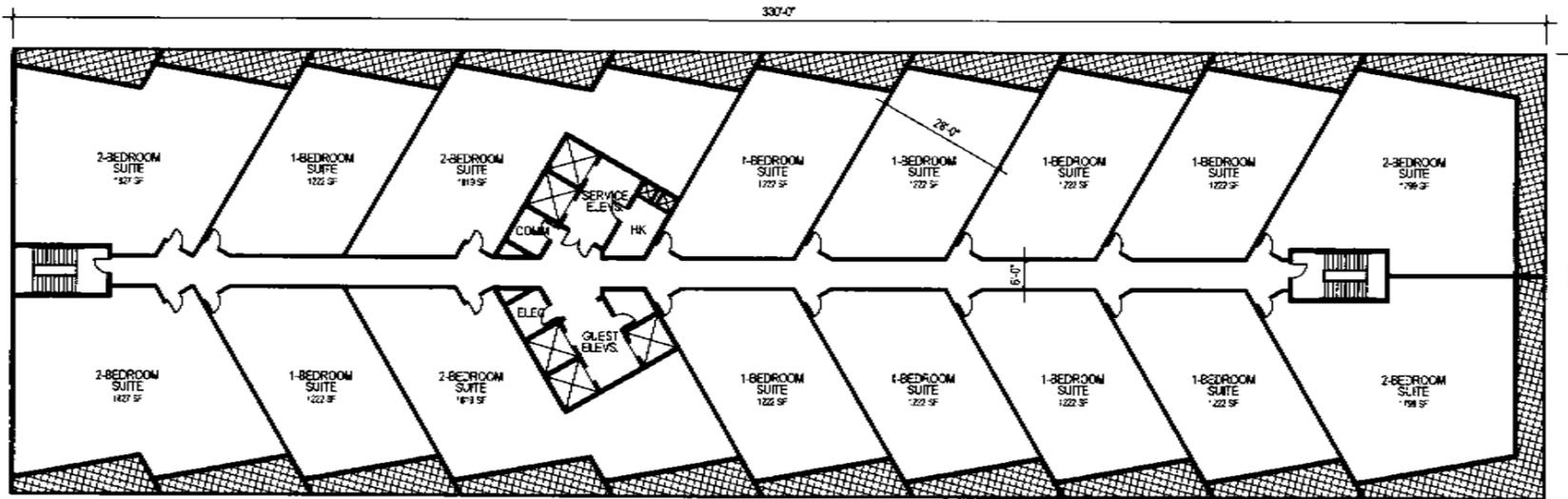
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Drawing Title
**PARKING LEVEL 2
 OVERALL FLOOR PLAN**
 Sheet Number
A3.1

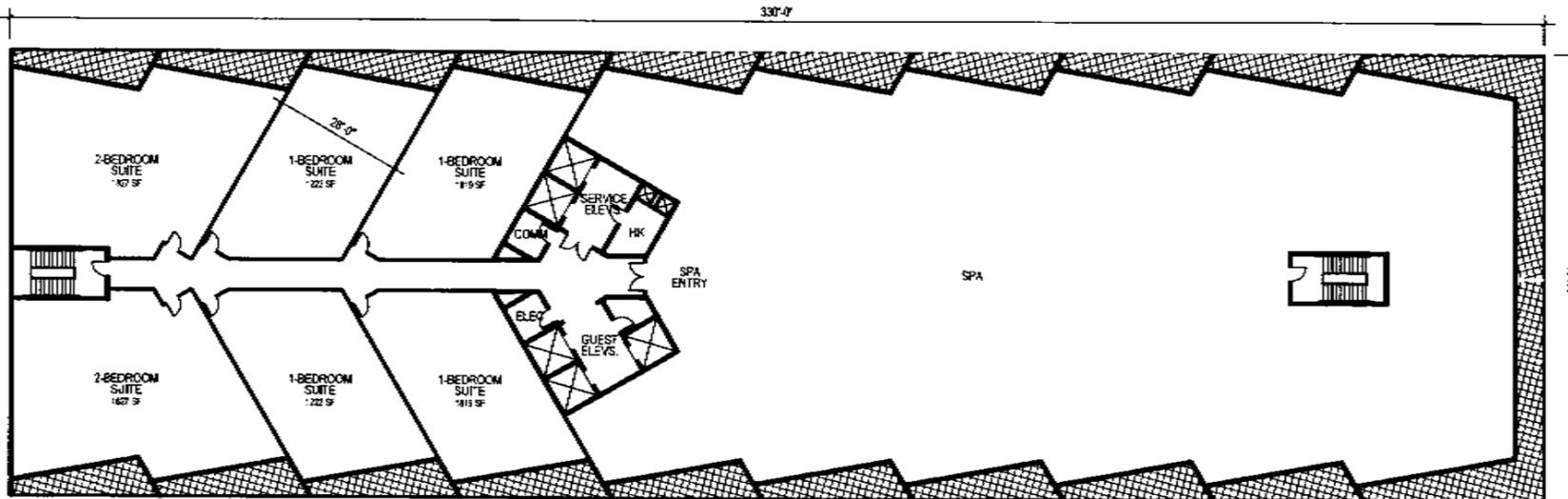
TOWER PLAN: LEVELS 12-14
 SCALE: 1/16" = 1'-0"
 NORTH



TOWER PLAN: LEVELS 3-11
 SCALE: 1/16" = 1'-0"
 NORTH



TOWER PLAN: LEVEL 2 (+29'-0")
 SCALE: 1/16" = 1'-0"
 NORTH



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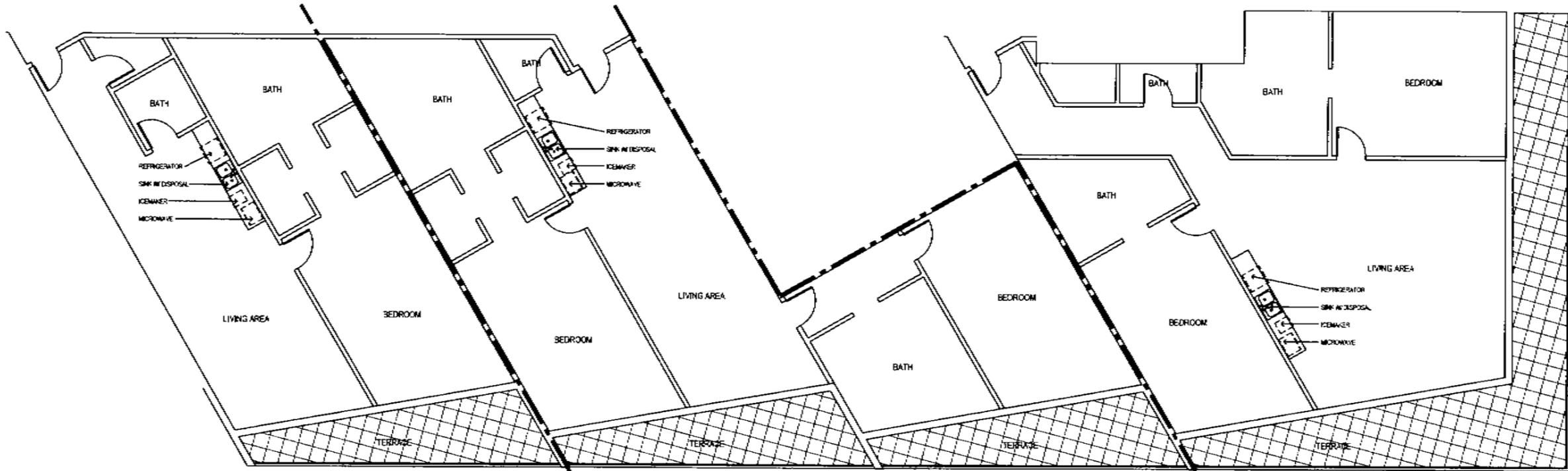
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Drawing Title
 TOWER 3 (HOTEL)
 TYPICAL FLOOR PLANS
 Sheet Number

A4.0



FLOOR PLAN - UNIT A
SCALE: 3/32" = 1'-0"

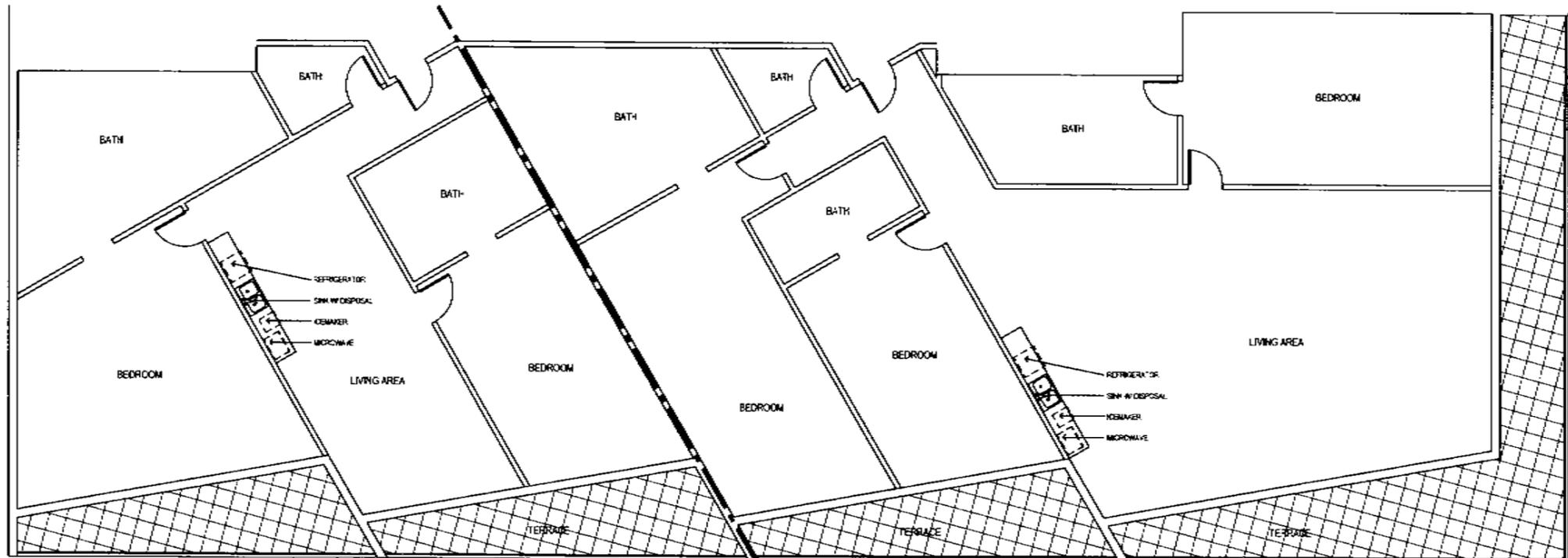
FLOOR PLAN - UNIT B
SCALE: 3/32" = 1'-0"

FLOOR PLAN - UNIT C
SCALE: 3/32" = 1'-0"

NOTE

ALL UNITS TO CONTAIN THE FOLLOWING CONVENIENCE APPLIANCES:

- REFRIGERATOR (5 CU.BIC FT. MAX.)
- ICE MAKER (UNDERCOUNTER)
- SINK DISPOSAL
- MICROWAVE (2.4 CU.BIC FT. MAX.)



FLOOR PLAN - UNIT D
SCALE: 3/32" = 1'-0"

FLOOR PLAN - UNIT E
SCALE: 3/32" = 1'-0"

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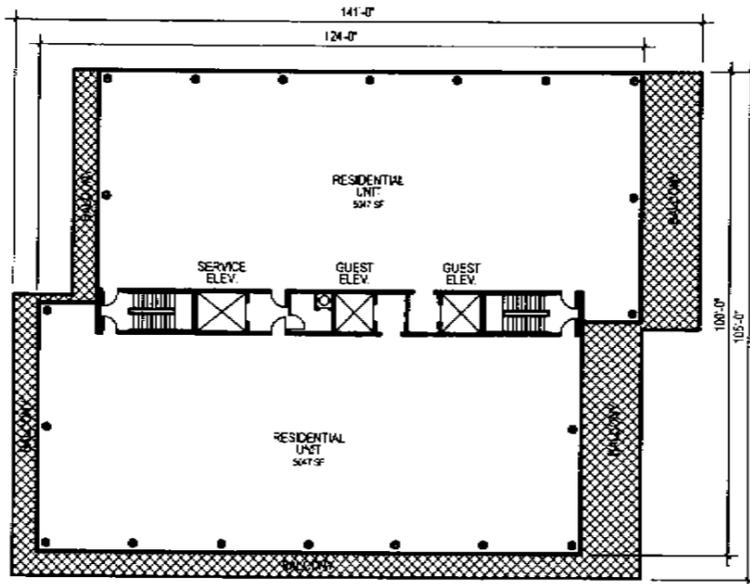
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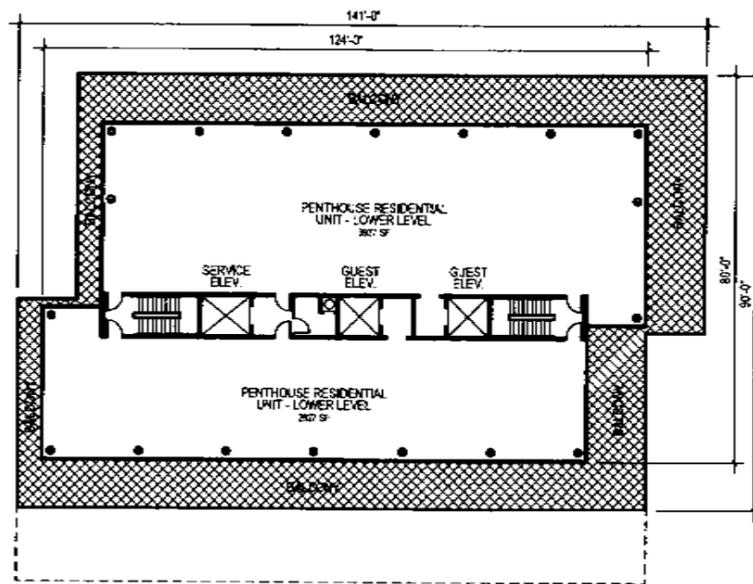
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Drawing Title:
TYPICAL HOTEL
UNIT PLANS
Sheet Number:

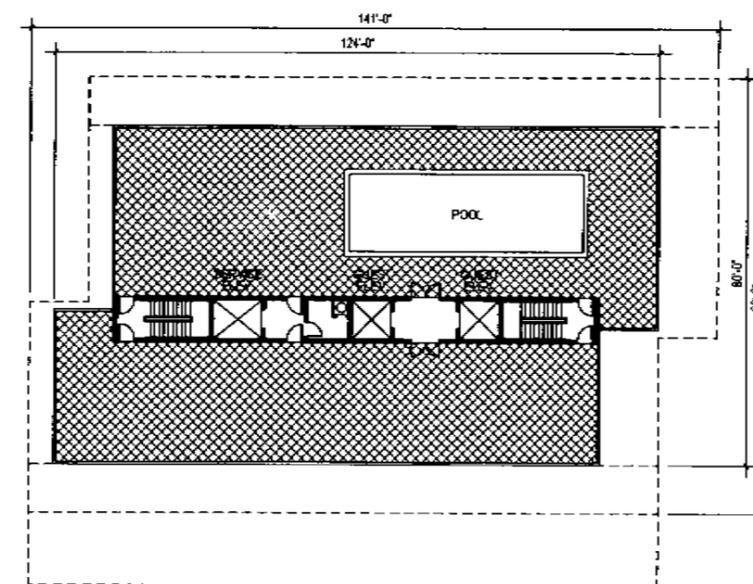
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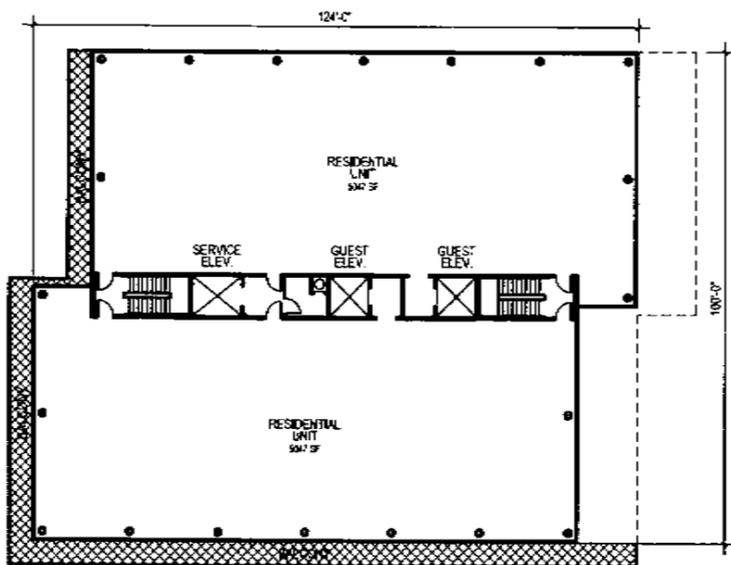
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SCALE: 1/16" = 1'-0"
NORTH



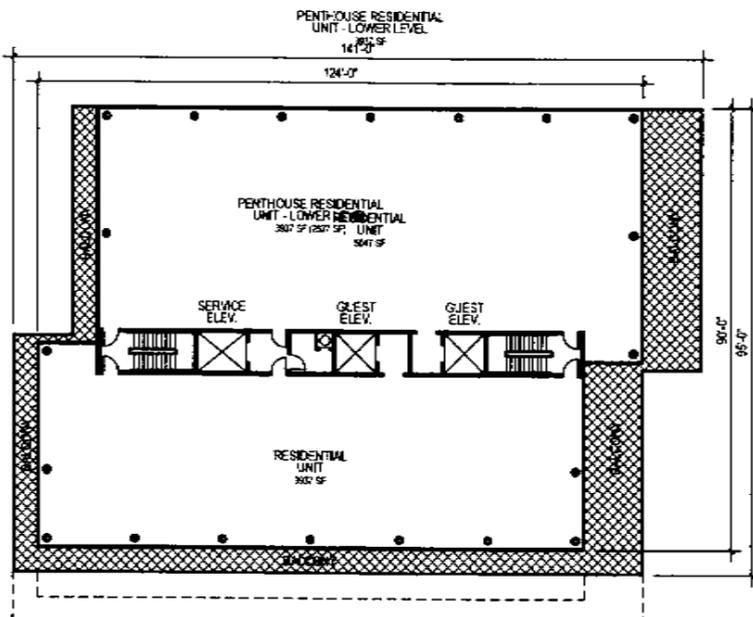
TOWER PLAN: LEVEL 13
SCALE: 1/16" = 1'-0"
NORTH



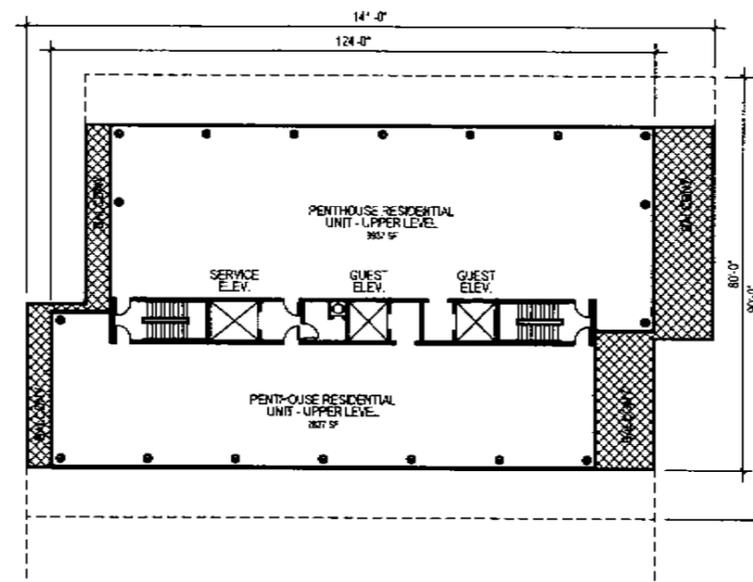
TOWER PLAN: ROOF LEVEL
SCALE: 1/16" = 1'-0"
NORTH



TOWER PLAN: LEVEL 2 (+29'-0")
SCALE: 1/16" = 1'-0"
NORTH



TOWER PLAN: LEVEL 11-12
SCALE: 1/16" = 1'-0"
NORTH



TOWER PLAN: LEVEL 14
SCALE: 1/16" = 1'-0"
NORTH

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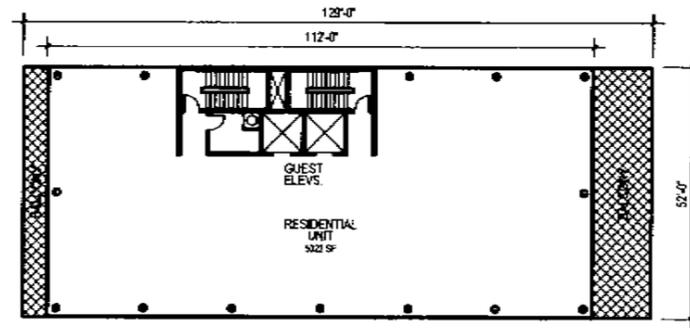
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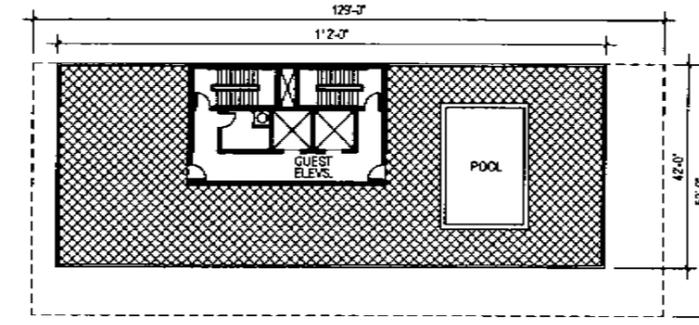
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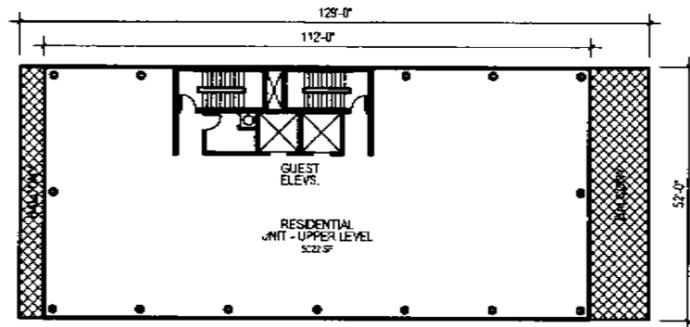
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TOWER 1
TYPICAL FLOOR PLANS
Sheet Number
A5.0



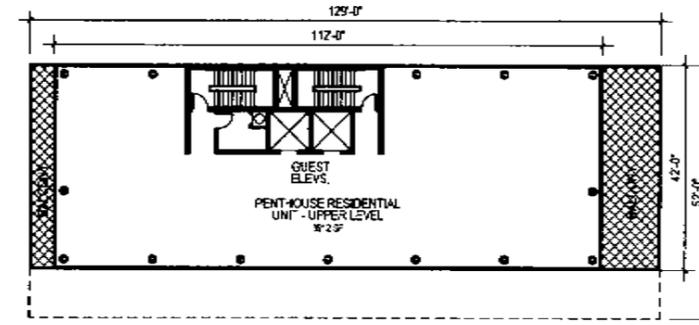
TOWER PLAN: LEVELS 4-12
 SCALE: 1/16" = 1'-0"
 NORTH



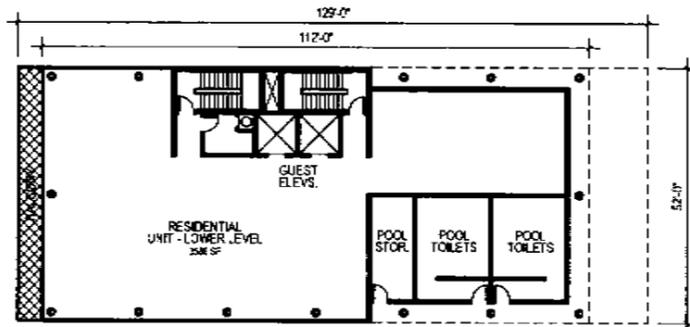
TOWER PLAN: ROOF LEVEL
 SCALE: 1/16" = 1'-0"
 NORTH



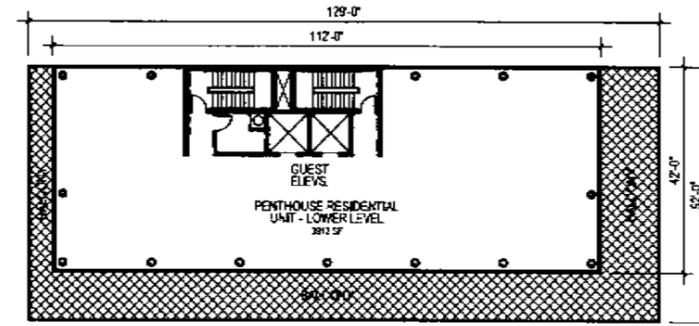
TOWER PLAN: LEVEL 3
 SCALE: 1/16" = 1'-0"
 NORTH



TOWER PLAN: LEVEL 14
 SCALE: 1/16" = 1'-0"
 NORTH



TOWER PLAN: LEVEL 2 (+29'-0")
 SCALE: 1/16" = 1'-0"
 NORTH



TOWER PLAN: LEVEL 13
 SCALE: 1/16" = 1'-0"
 NORTH

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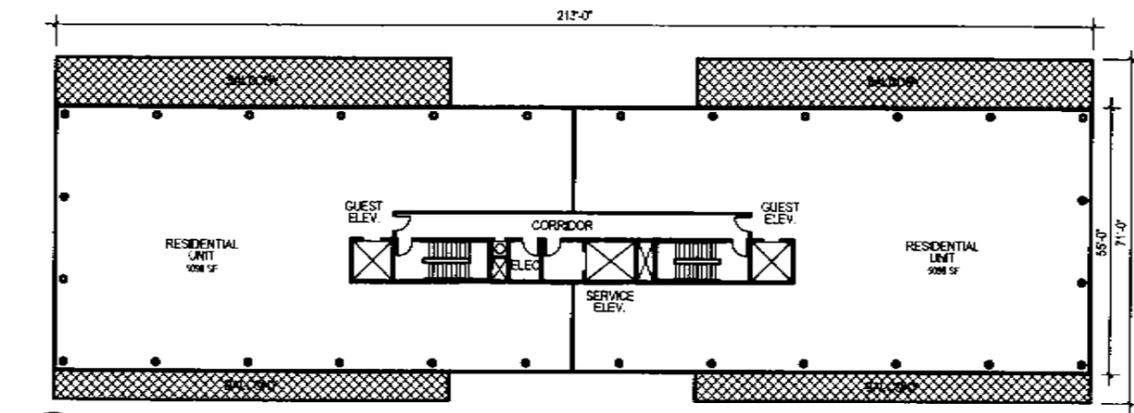
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 24 January 2005

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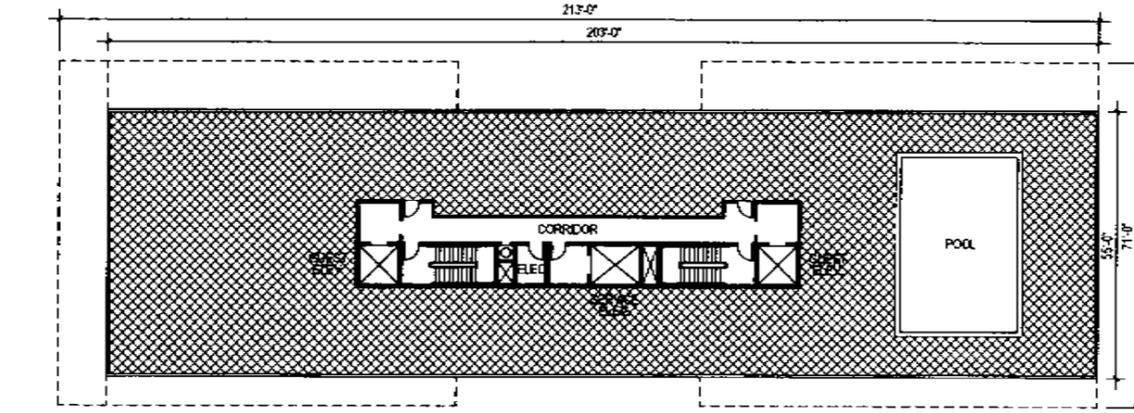
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TOWER 2
 TYPICAL FLOOR PLANS
 Sheet Number

A5.1



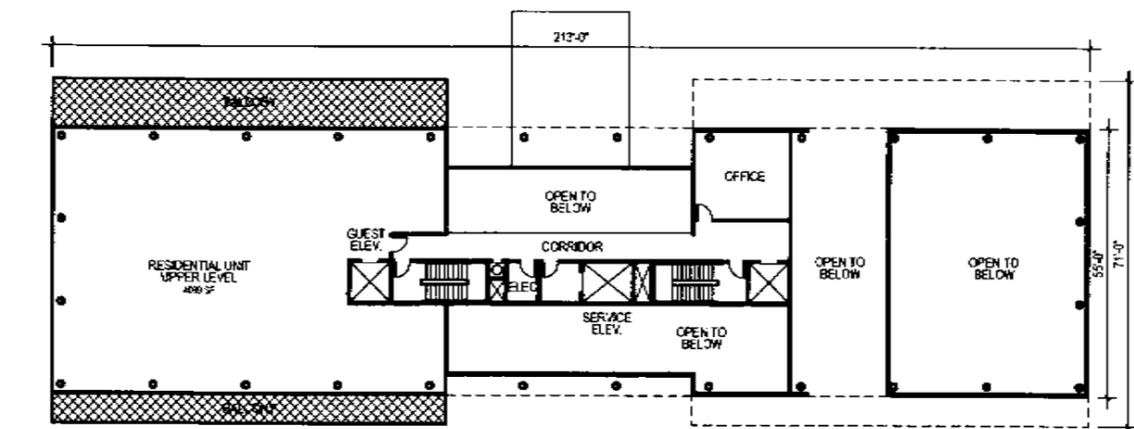
TOWER PLAN: LEVELS 2-11

SCALE: 1/16" = 1'-0"



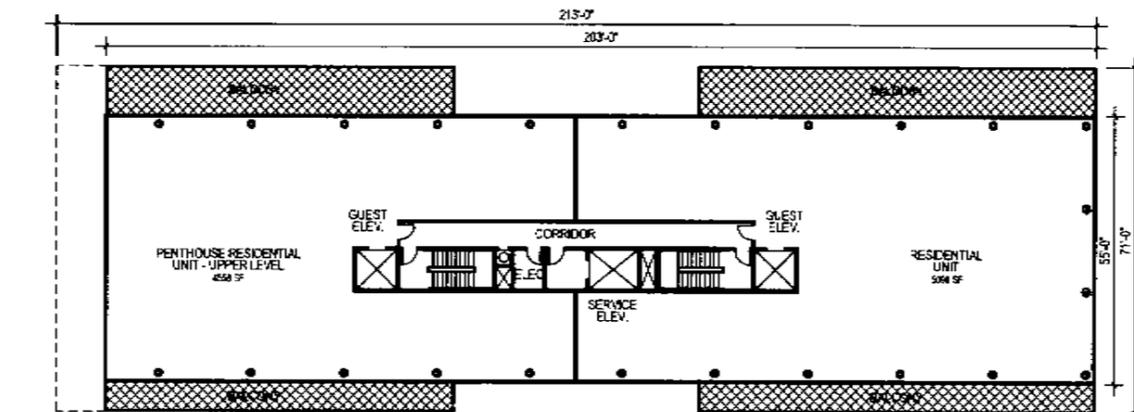
TOWER PLAN: ROOF LEVEL

SCALE: 1/16" = 1'-0"



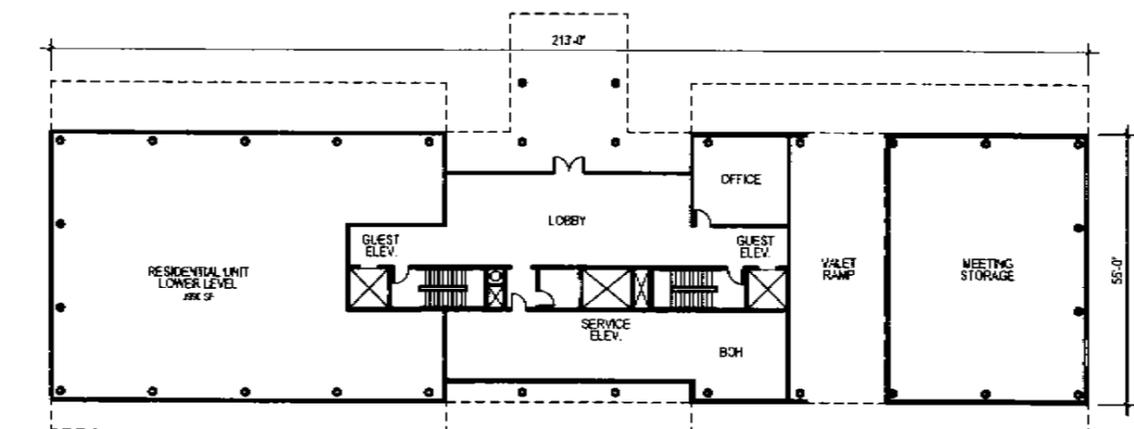
TOWER PLAN: MEZZANINE LEVEL

SCALE: 1/16" = 1'-0"



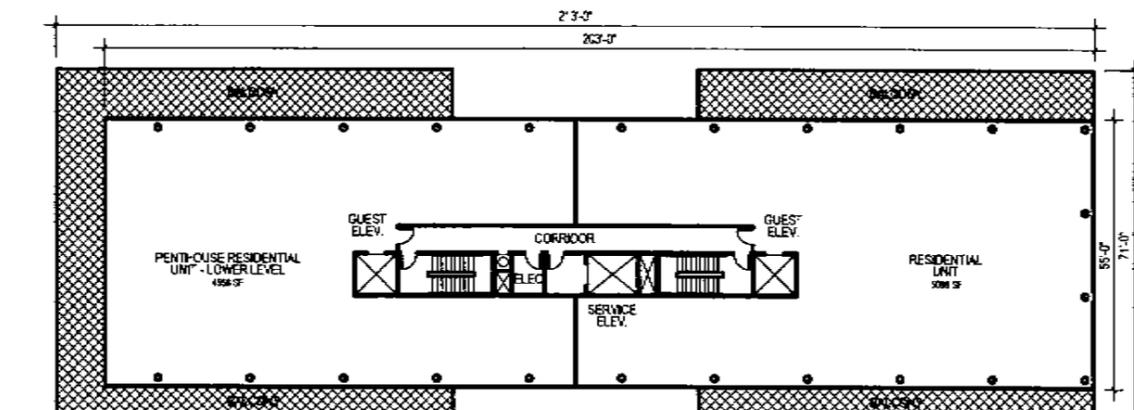
TOWER PLAN: LEVEL 13

SCALE: 1/16" = 1'-0"



TOWER PLAN: LEVEL 1

SCALE: 1/16" = 1'-0"



TOWER PLAN: LEVEL 12

SCALE: 1/16" = 1'-0"



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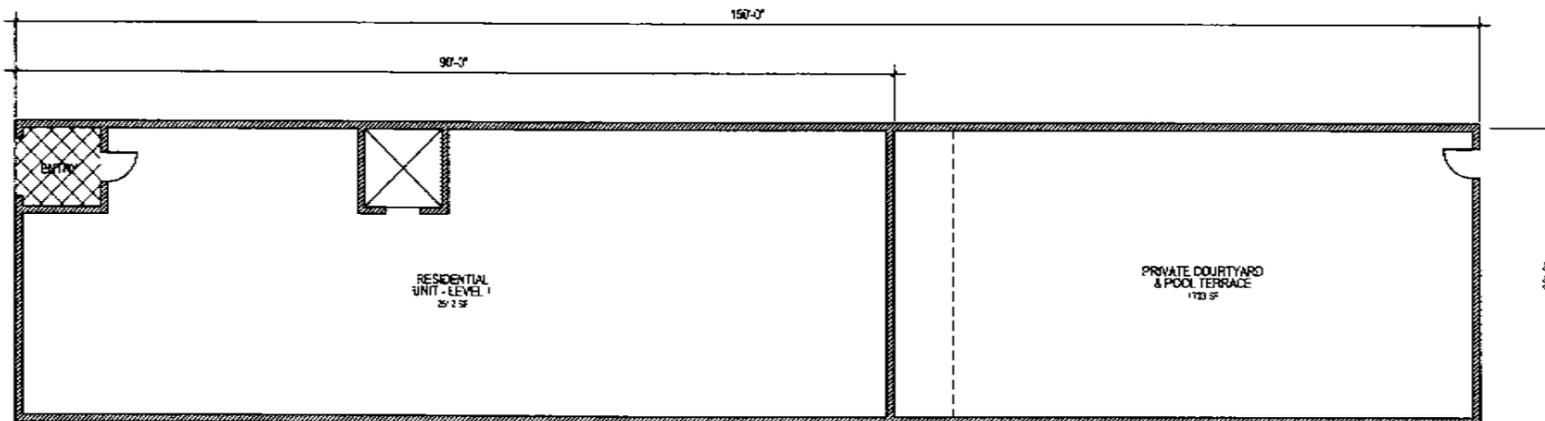
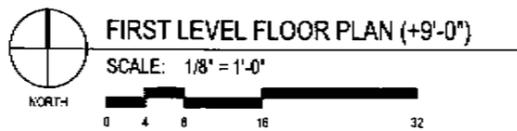
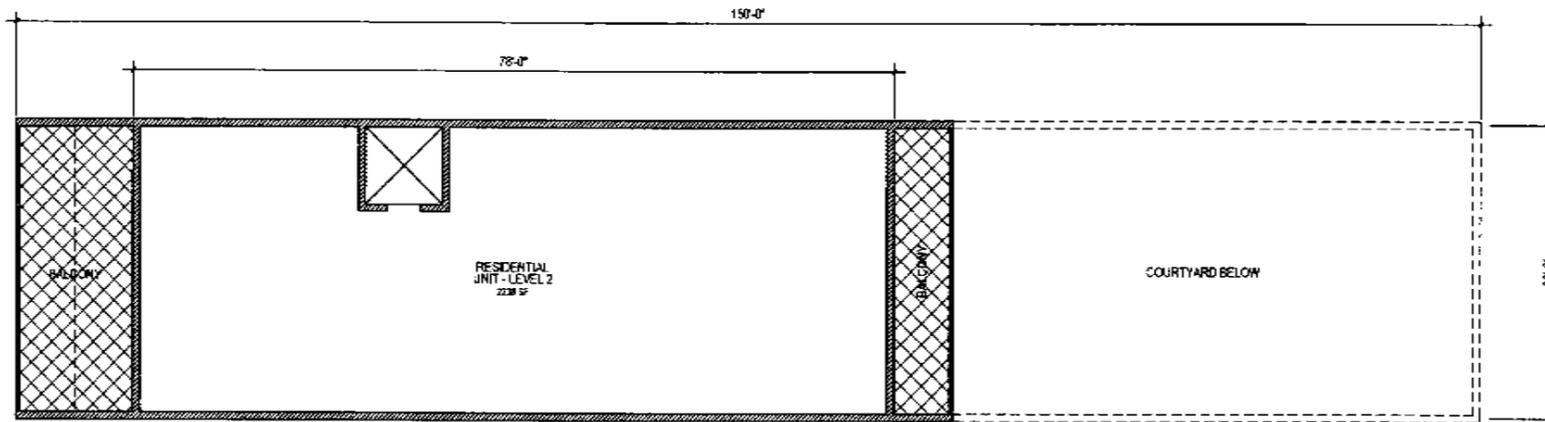
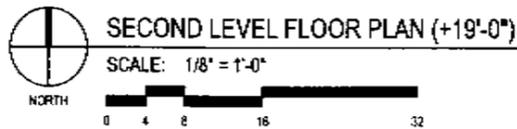
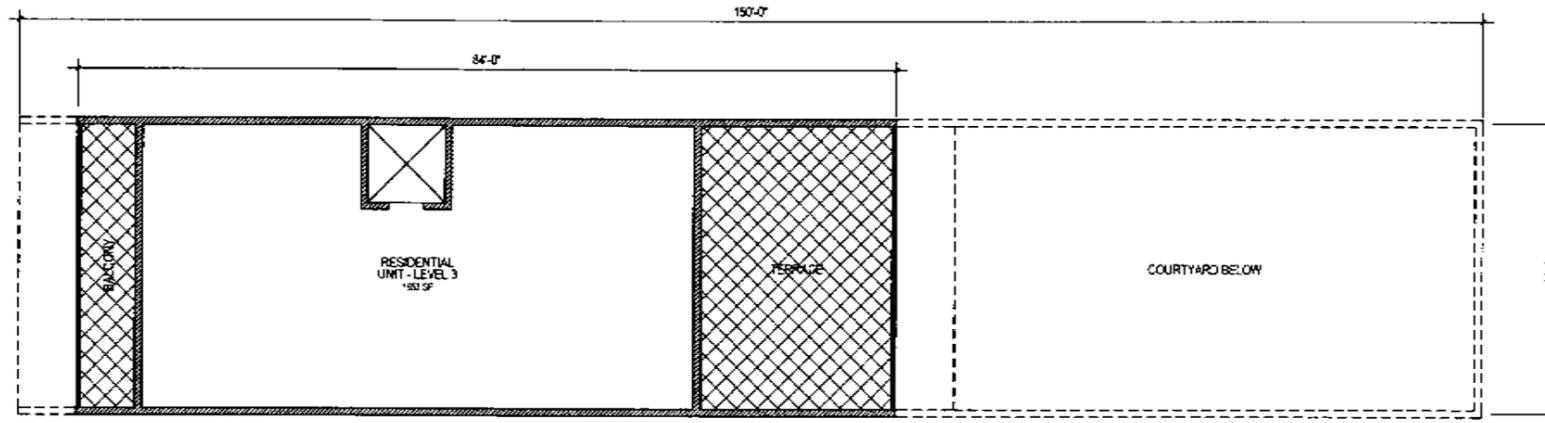
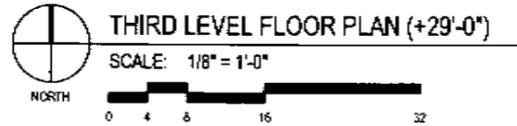
Drawing Title

TOWER 4

TYPICAL FLOOR PLANS

Sheet Number

A5.2



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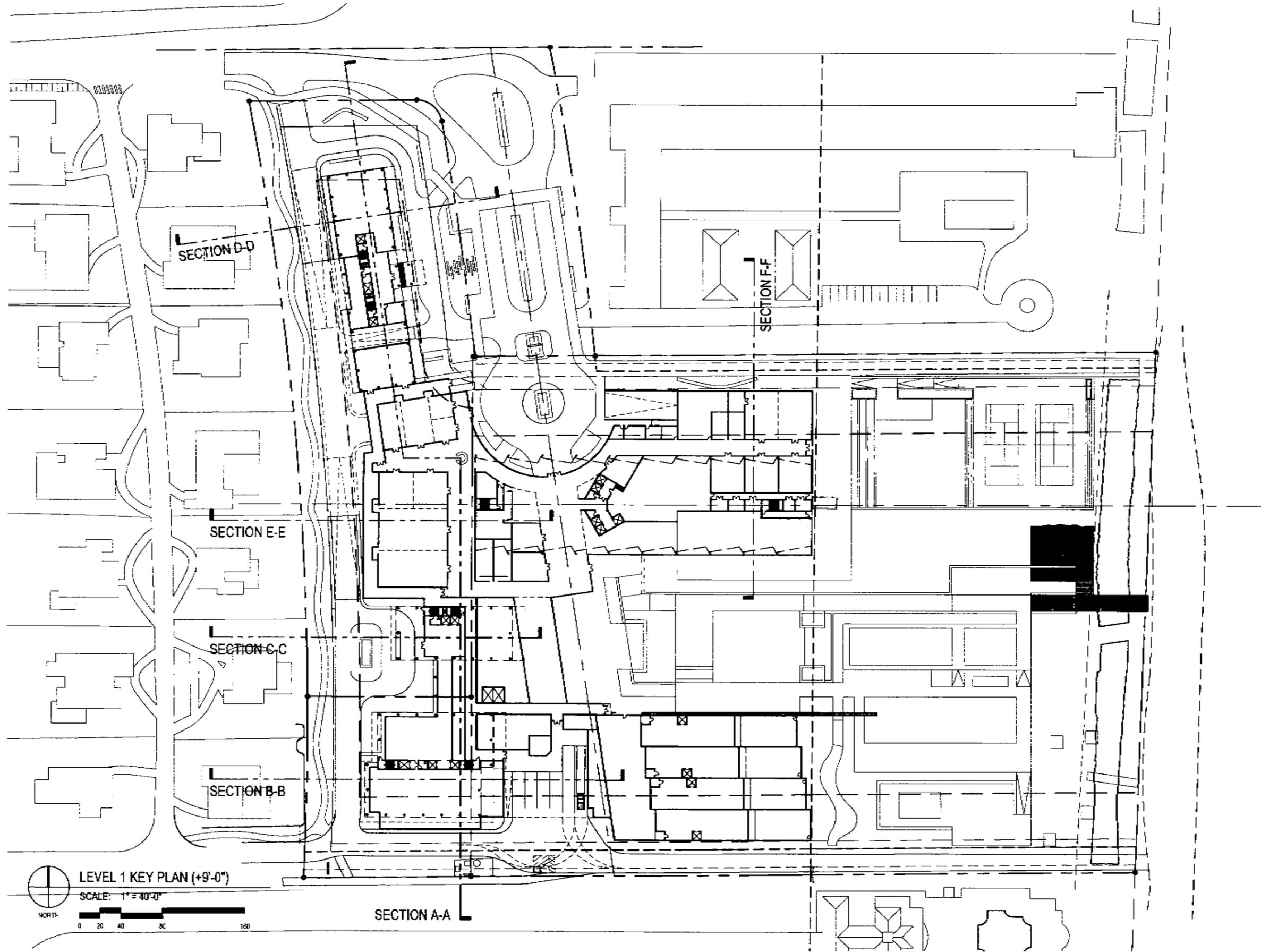
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**VILLA
TYPICAL FLOOR PLANS**
Sheet Number

A5.3



LEVEL 1 KEY PLAN (+9'-0")

SCALE: 1" = 40'-0"



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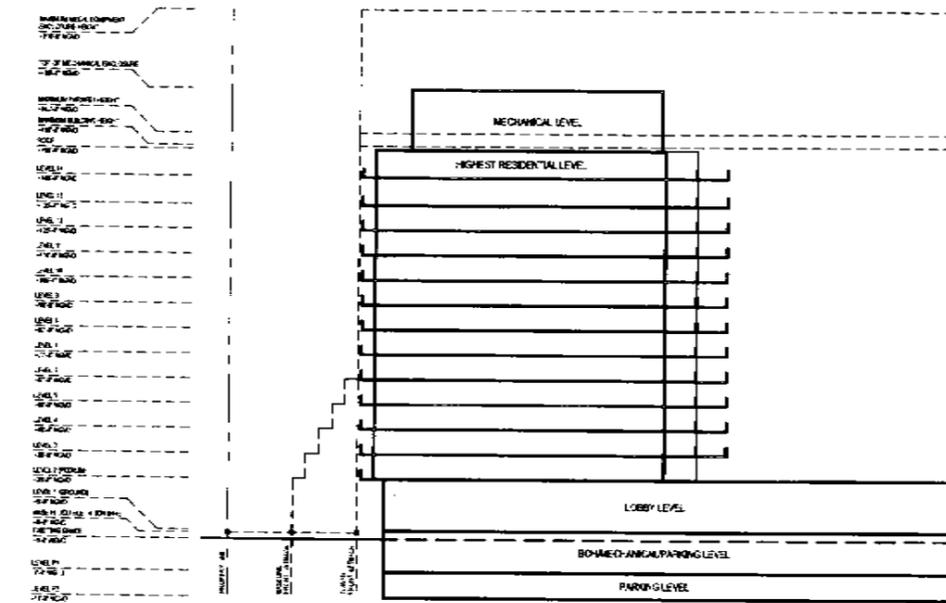
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BUILDING SECTION
KEY FLOOR PLAN
Sheet Number

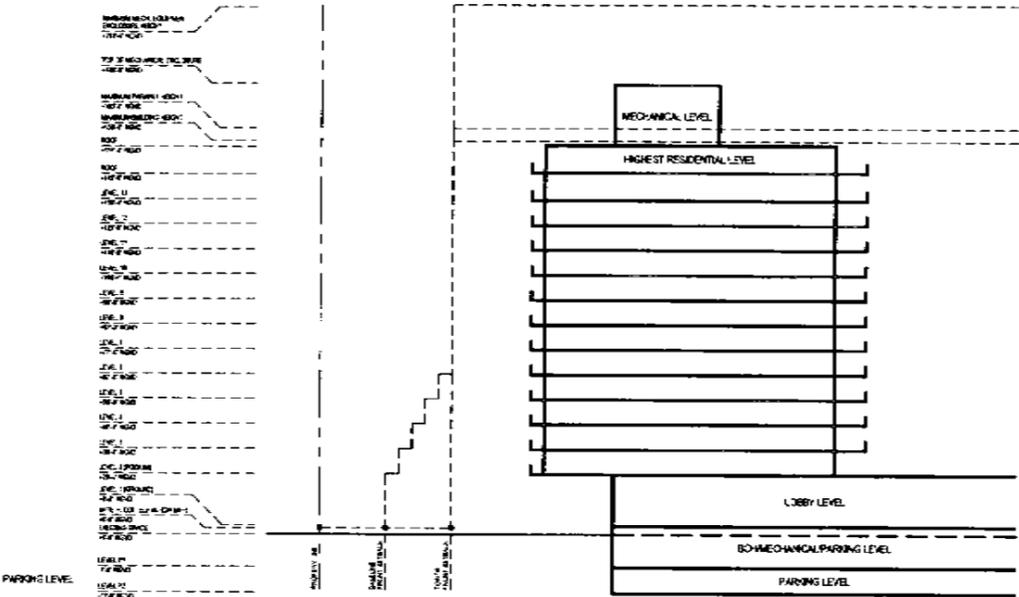
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SECTION B-B

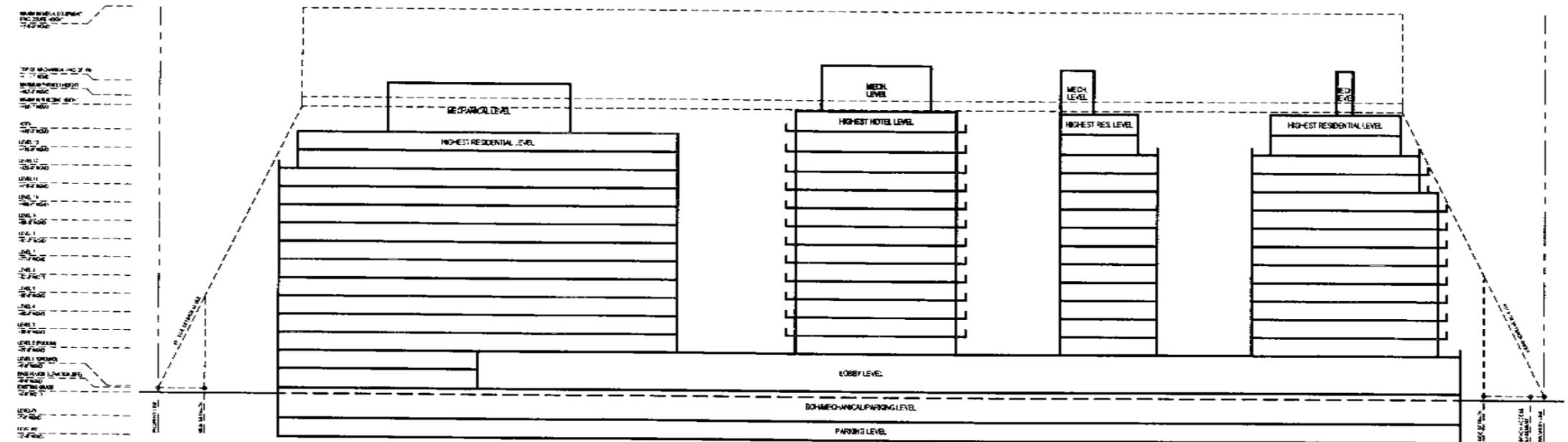
BUILDING SECTIONS

SCALE: 1" = 30'-0"



SECTION C-C

NOTE:
 BASE FLOOD ELEVATION IS + 8'-0" NGVD
 ALL ZONING HEIGHT LIMITATIONS ARE
 MEASURED FROM BASE FLOOD ELEVATION



SECTION A-A



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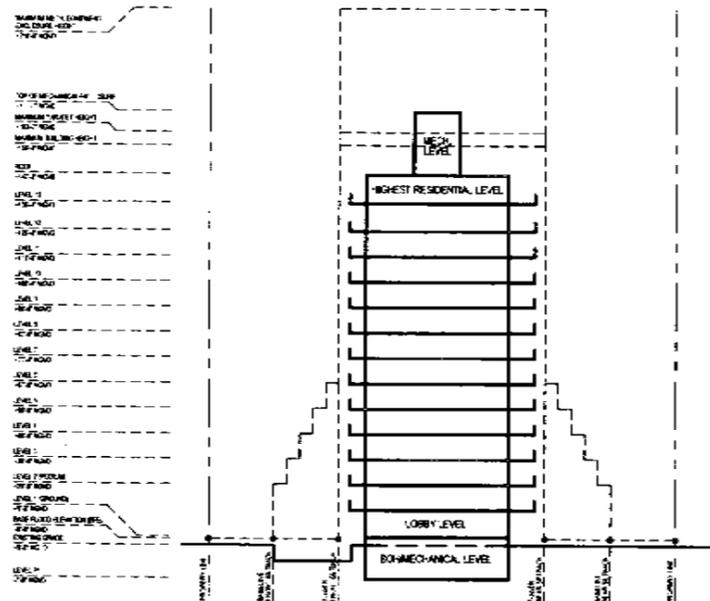
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 ZONING ENVELOPE
 BUILDING SECTIONS
 Sheet Number

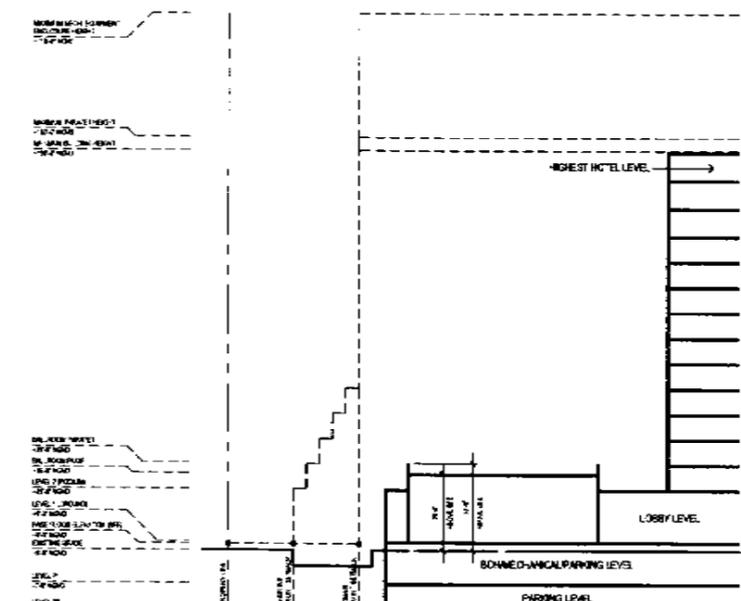
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BUILDING SECTIONS

SCALE: 1" = 30'-0"

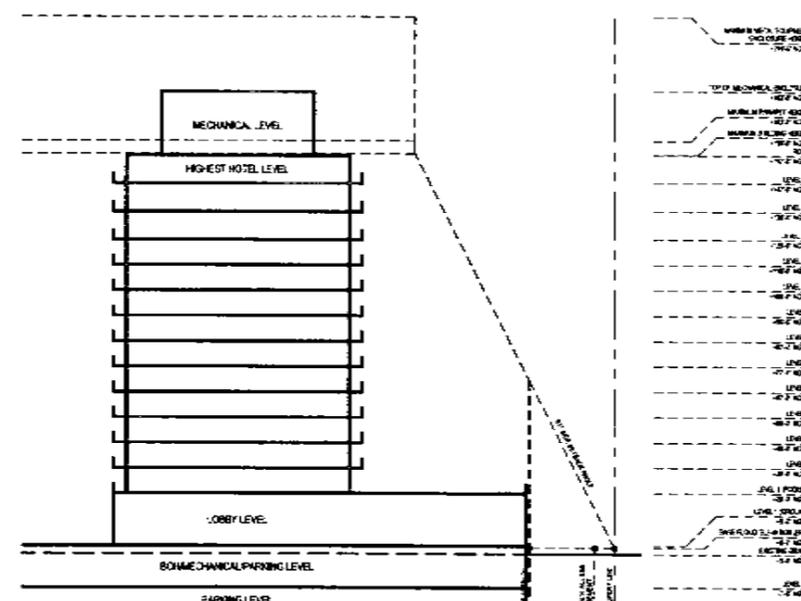


SECTION D-D



SECTION E-E

NOTE:
 BASE FLOOD ELEVATION IS + 8'-0" NGVD
 ALL ZONING HEIGHT LIMITATIONS ARE
 MEASURED FROM BASE FLOOD ELEVATION



SECTION F-F

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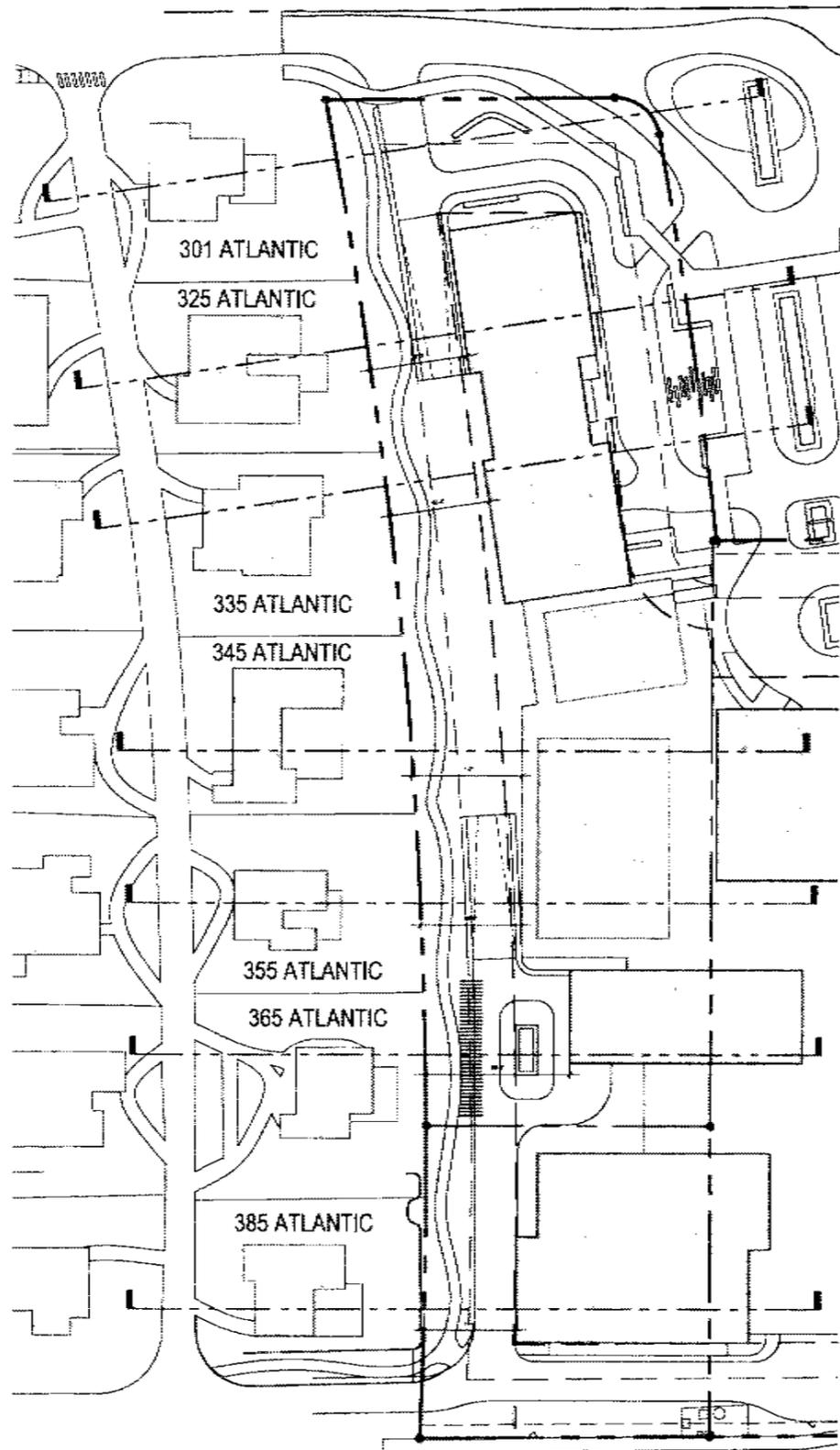
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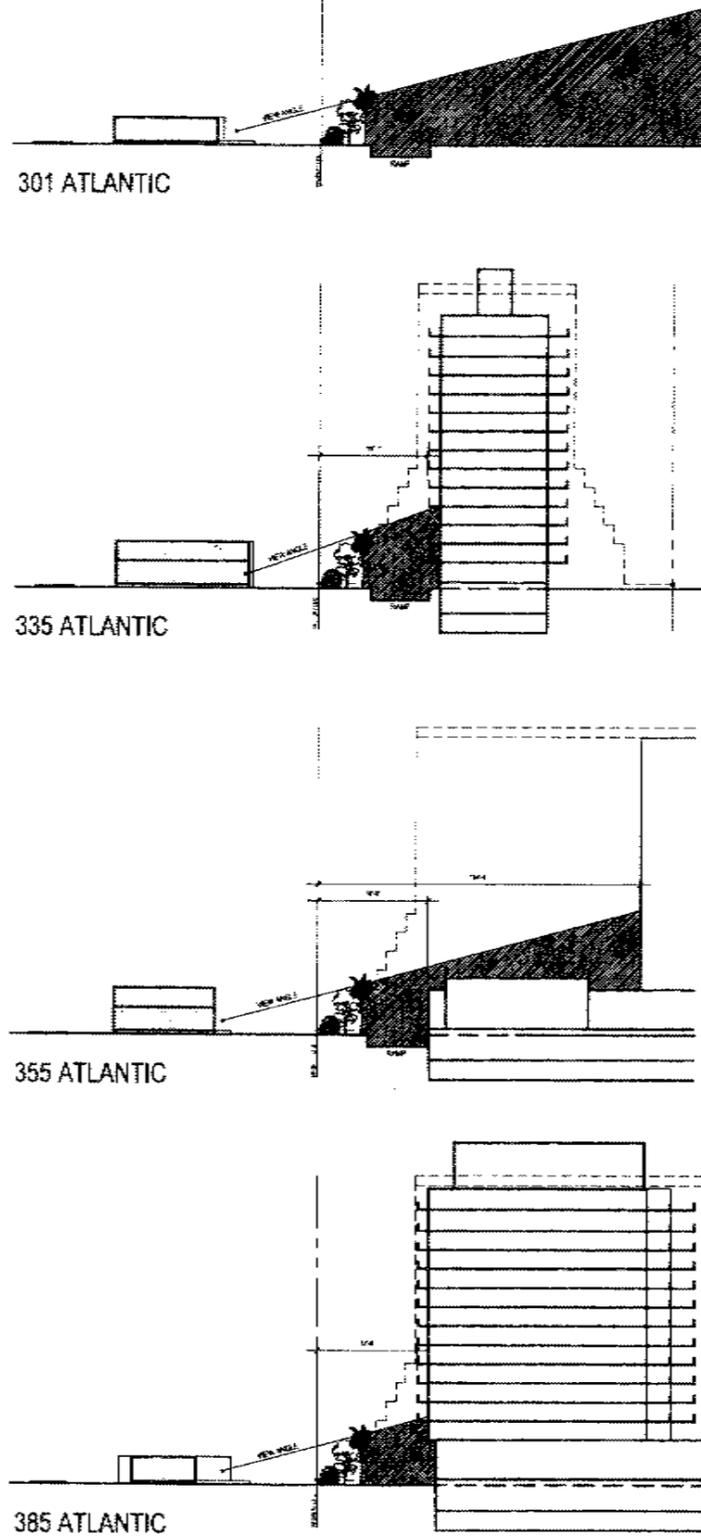
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 Sheet number

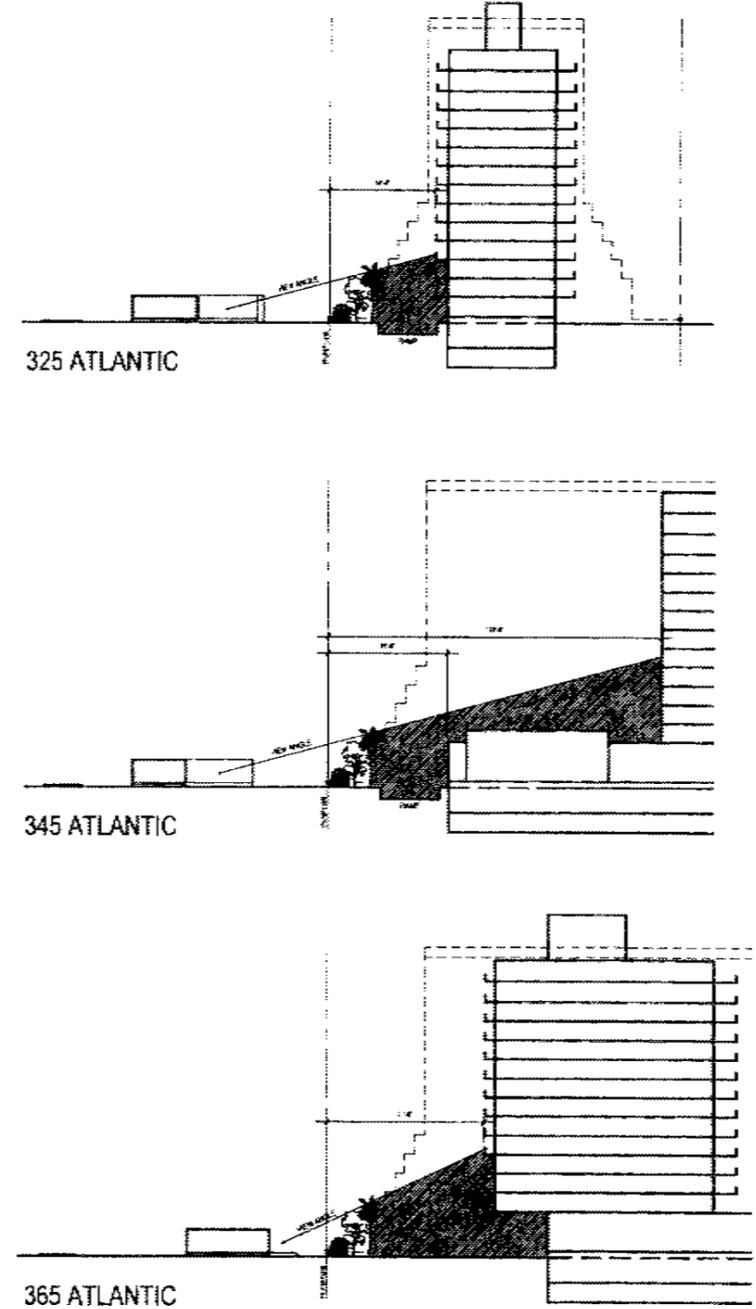
A6.2



LEVEL 1 KEY PLAN (+9'-0")
 SCALE: 1" = 40'-0"
 NORTH



SITE SECTIONS AT WEST PROPERTY LINE
 SCALE: 1" = 40'-0"



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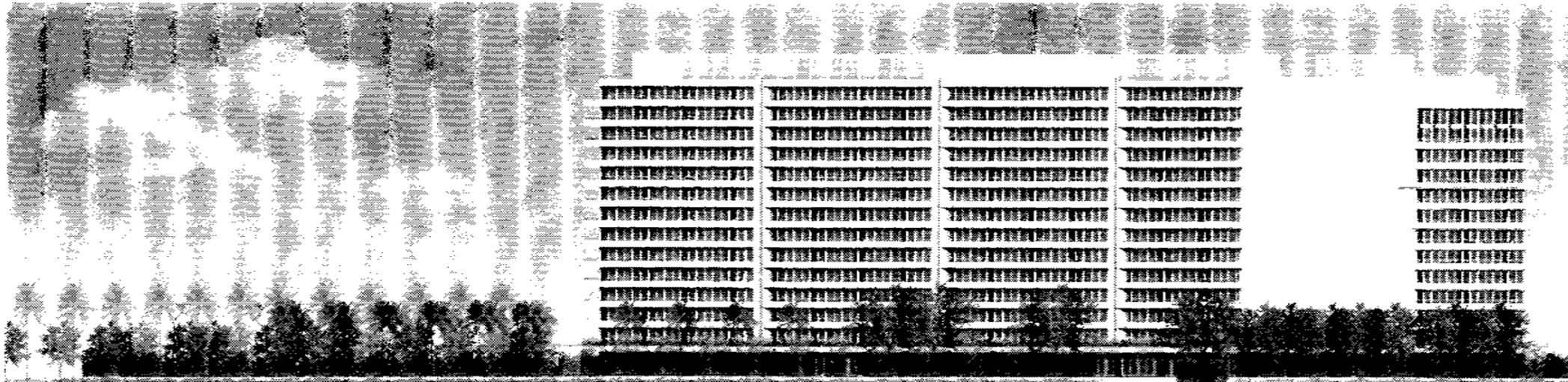
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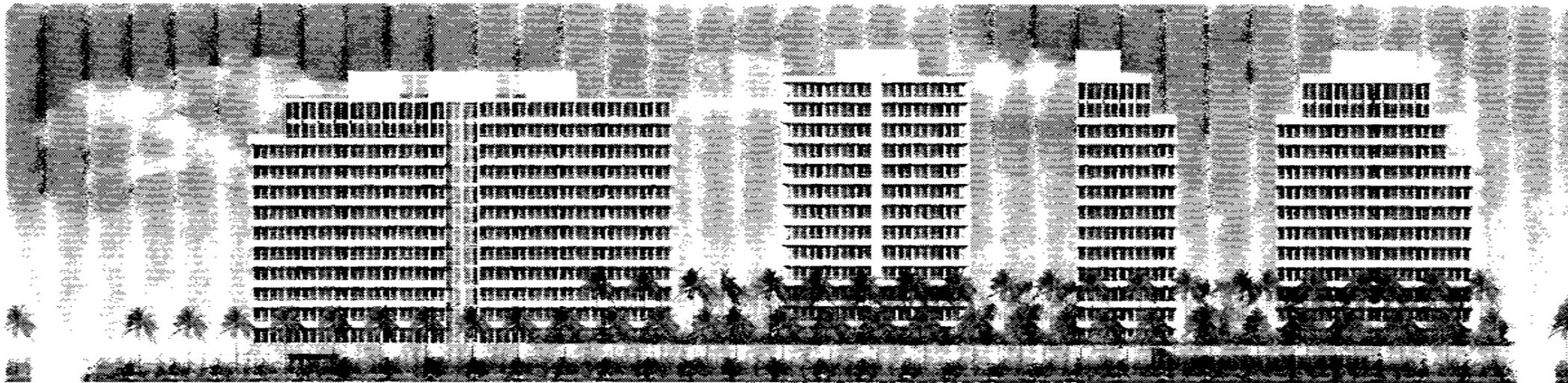
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Drawing Title
 SITE SECTIONS THRU
 ADJACENT LOTS
 Sheet Number
A6.3



OVERALL NORTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL WEST ELEVATION

SCALE: 1" = 30'-0"



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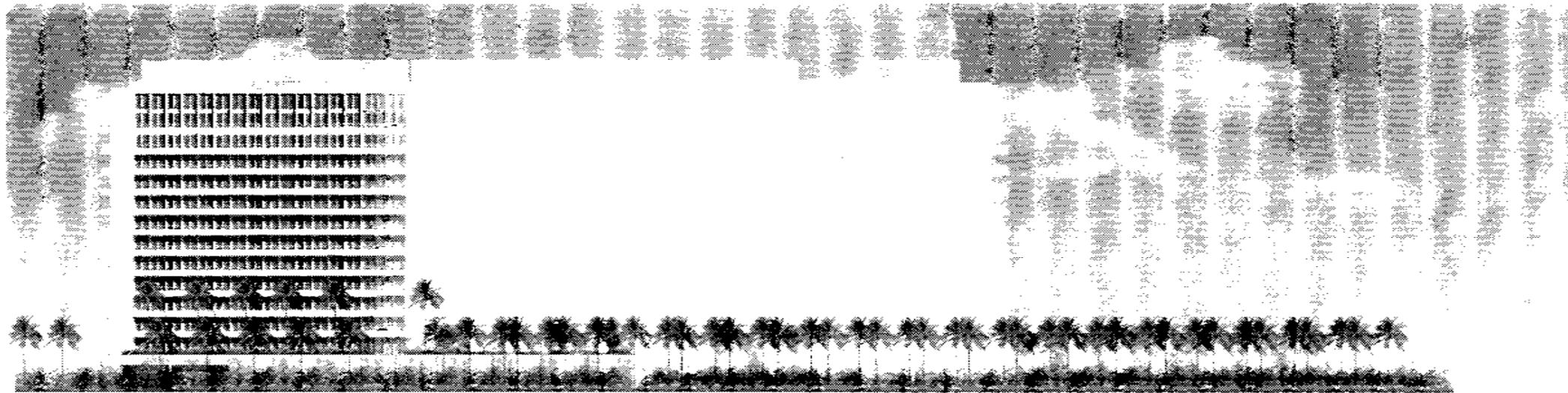
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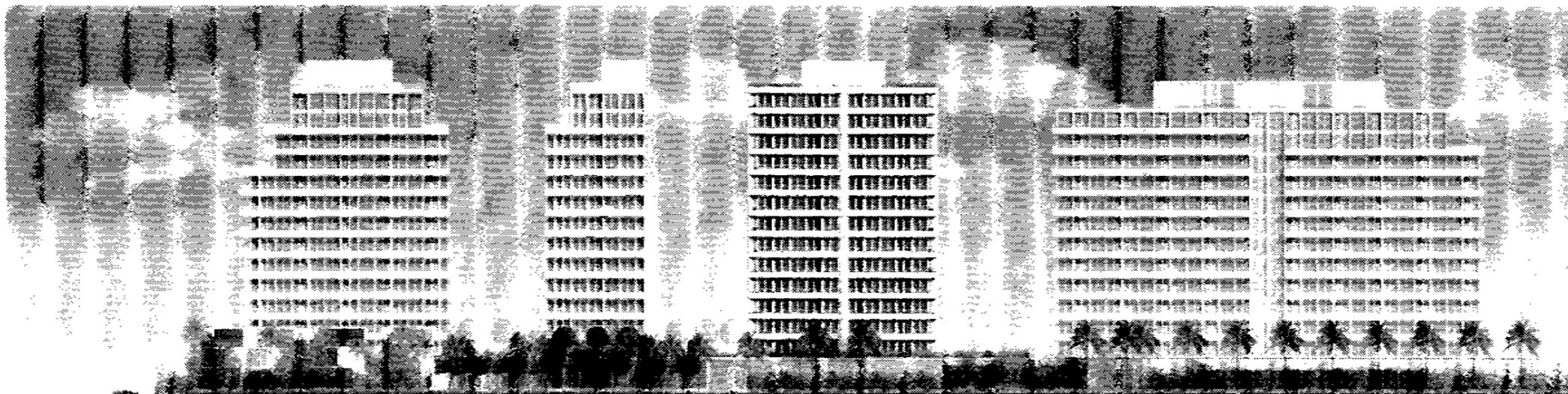
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OVERALL NORTH &
WEST ELEVATIONS
Sheet Number

A7.0



OVERALL SOUTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL EAST ELEVATION

SCALE: 1" = 30'-0"



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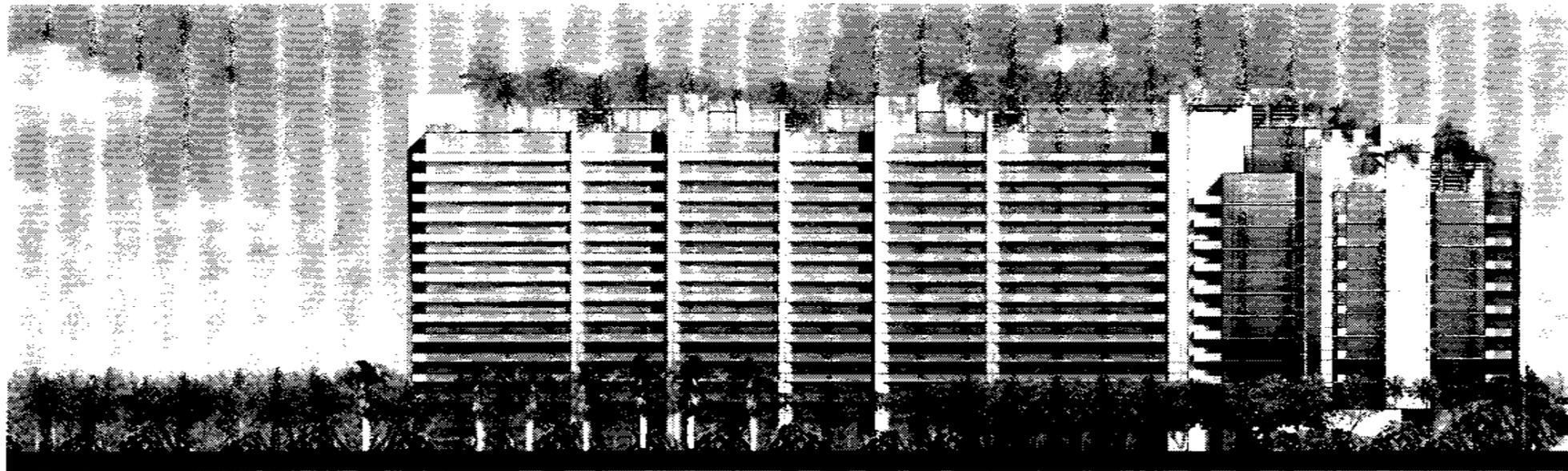
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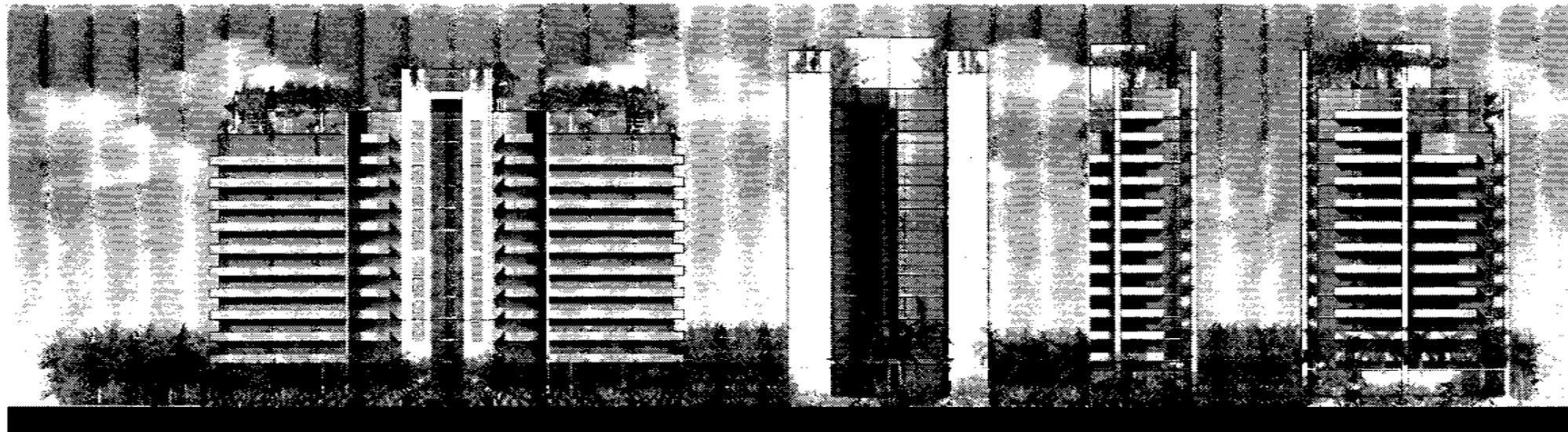
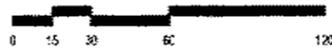
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Sheet Number

A7.1



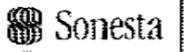
OVERALL NORTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL WEST ELEVATION

SCALE: 1" = 30'-0"



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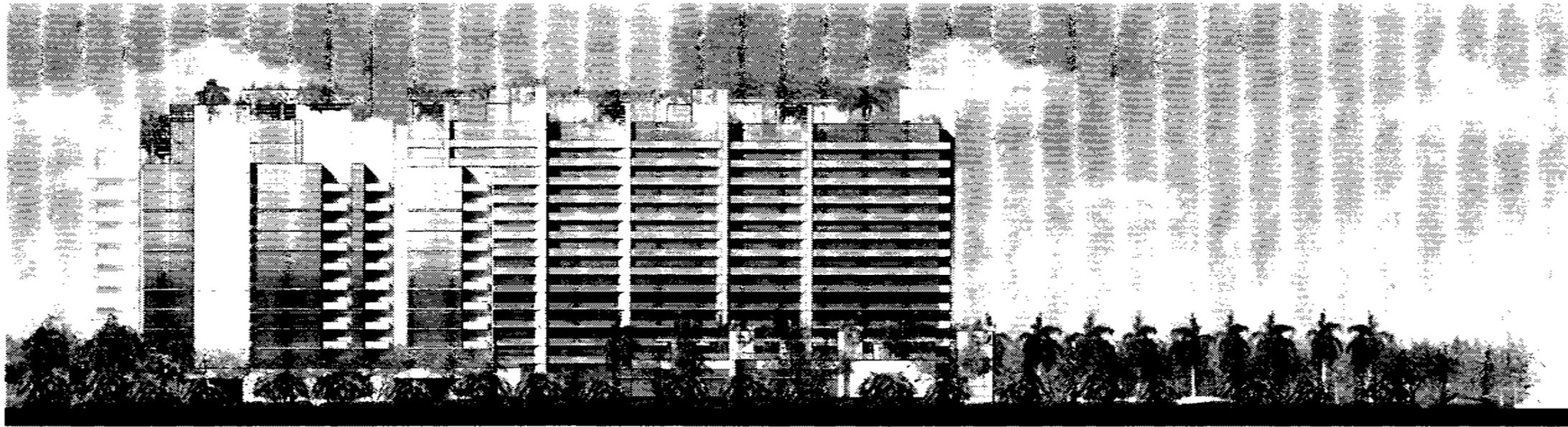
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OVERALL NORTH &
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A7.2



OVERALL SOUTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL EAST ELEVATION

SCALE: 1" = 30'-0"



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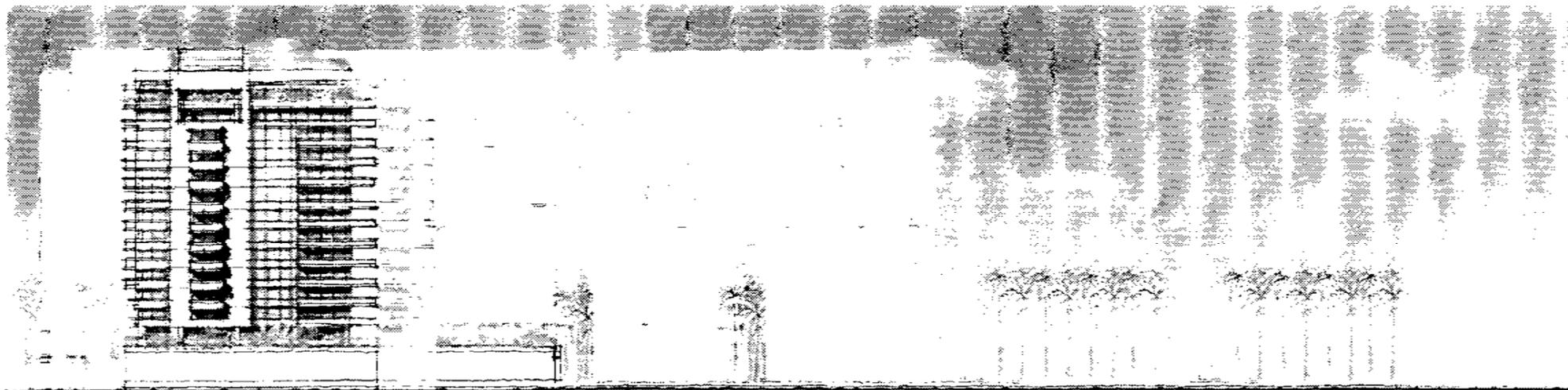
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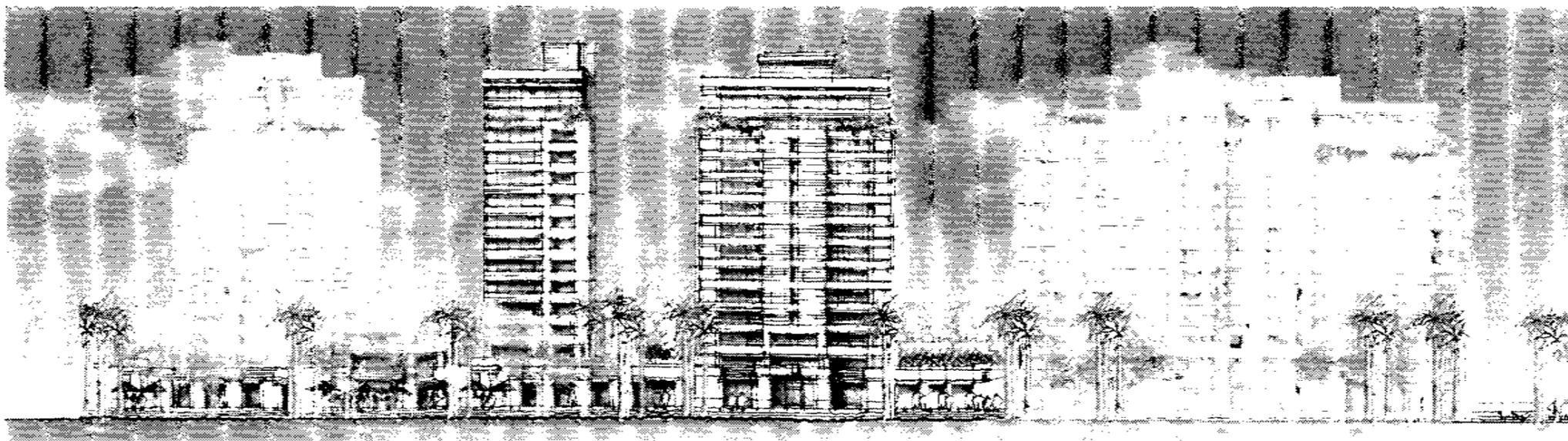
Drawing Title
OVERALL SOUTH &
EAST ELEVATIONS
Sheet Number

A7.3



OVERALL SOUTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL EAST ELEVATION

SCALE: 1" = 30'-0"



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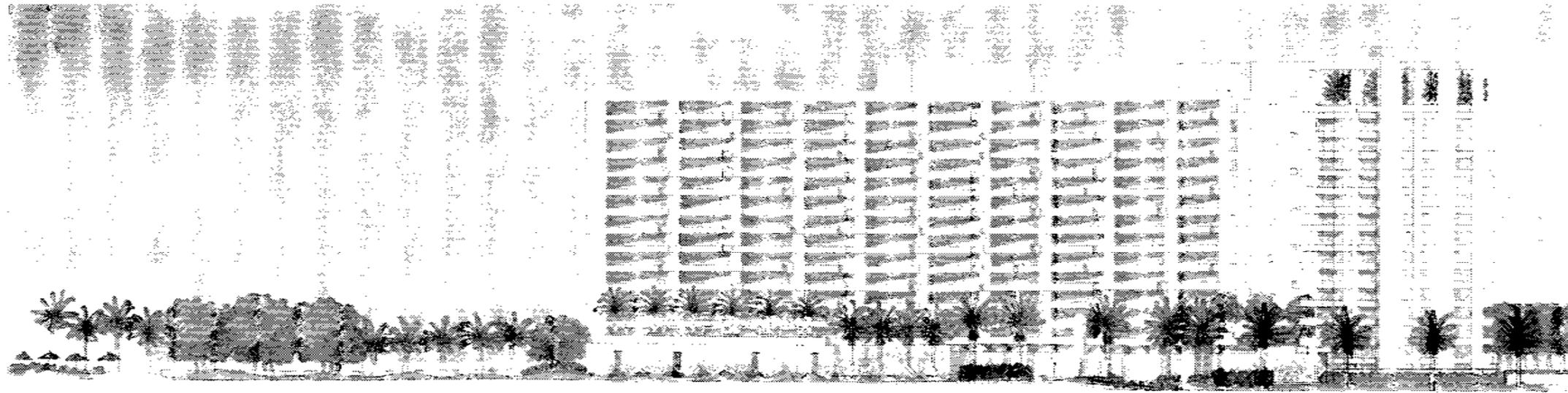
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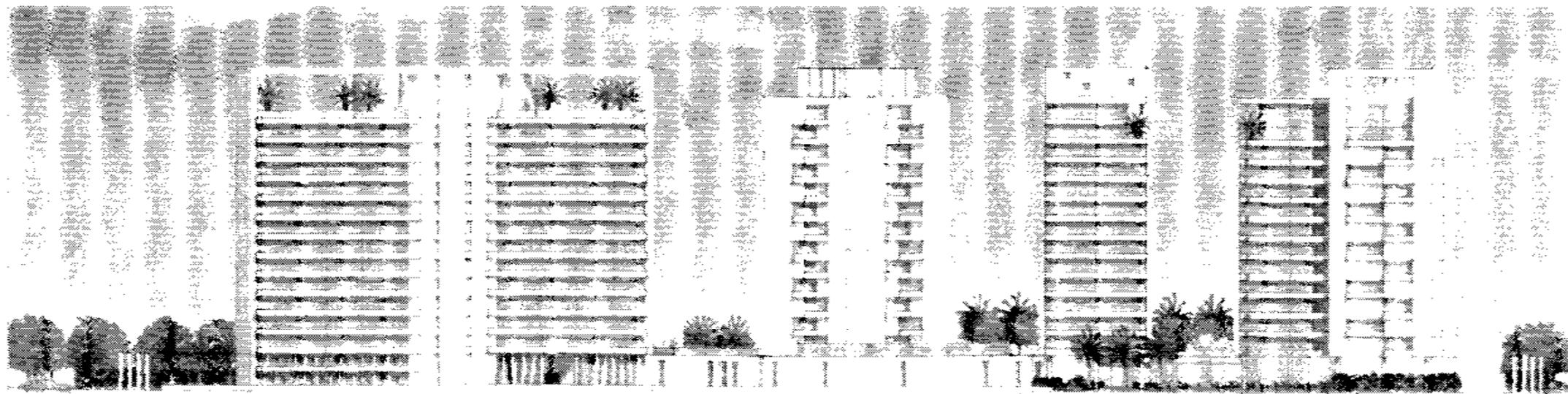
Drawing Title
OVERALL SOUTH &
EAST ELEVATIONS
Sheet Number

A7.4



OVERALL NORTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL WEST ELEVATION

SCALE: 1" = 30'-0"



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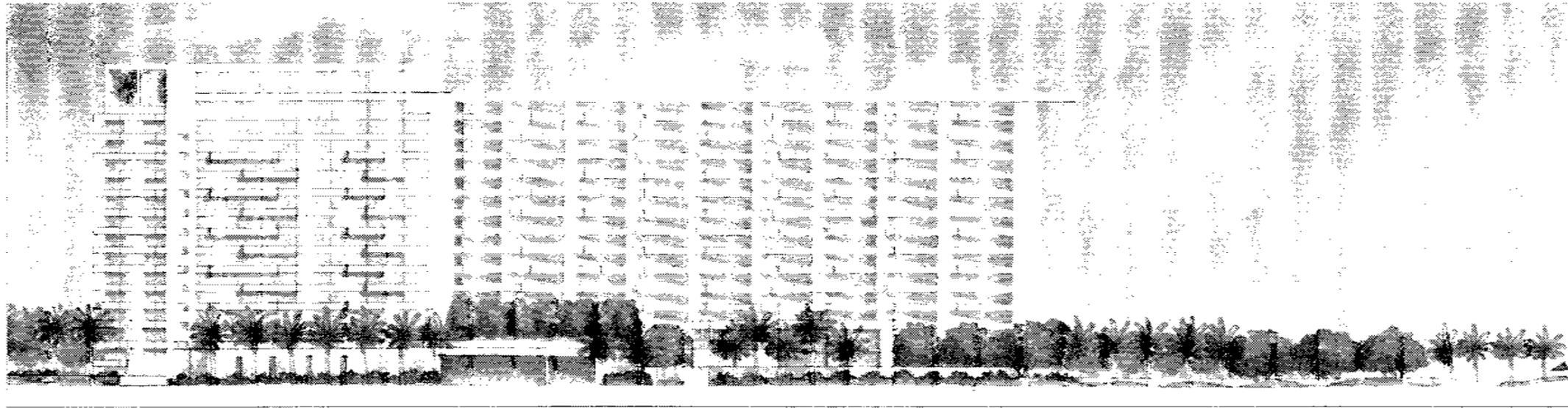
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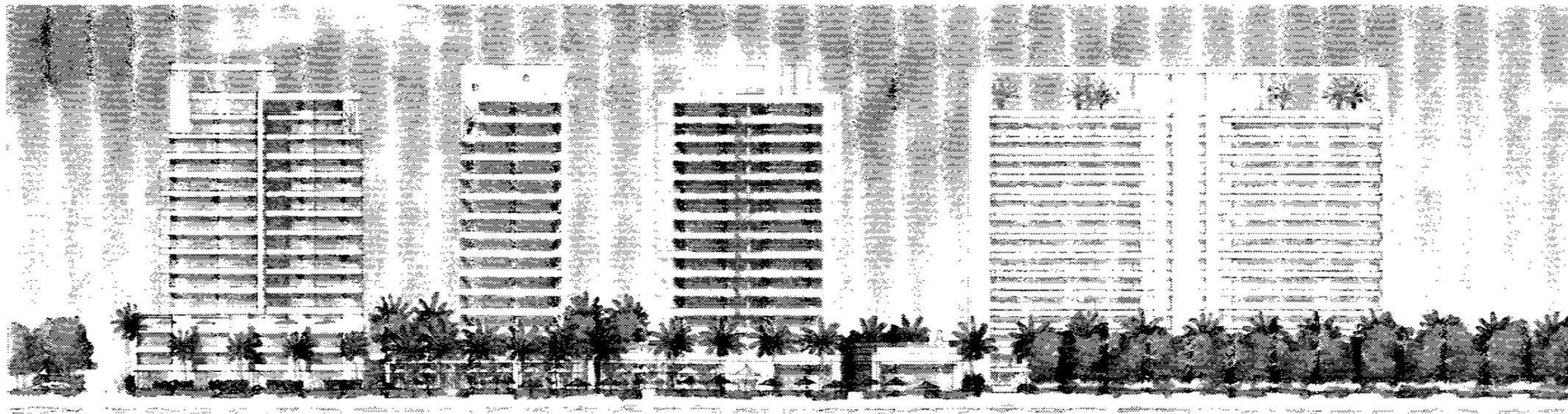
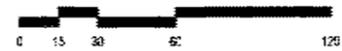
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Sheet Number

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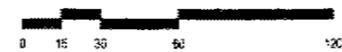
OVERALL SOUTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL EAST ELEVATION

SCALE: 1" = 30'-0"



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Issue/Date
REVISION TO SUBMISSION
12 January 2007
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21 October 2006
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VERSION D
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Drawing Title
OVERALL SOUTH &
EAST ELEVATIONS
Sheet Number

A7.6



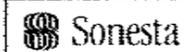
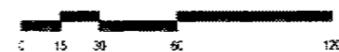
OVERALL SOUTH ELEVATION

SCALE: 1" = 30'-0"



OVERALL EAST ELEVATION

SCALE: 1" = 30'-0"



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Drawing Title

OVERALL SOUTH &
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A7.7