



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

OFFICIAL AGENDA

SPECIAL VILLAGE COMMISSION MEETING

VILLAGE HALL
1666 KENNEDY CAUSEWAY, #101
NORTH BAY VILLAGE, FL 33141

TUESDAY, MARCH 22, 2016
7:30 P.M.

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE VILLAGE COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

1. **CALL TO ORDER**

PLEDGE OF ALLEGIANCE

ROLL CALL

2. **ORDINANCES FOR FIRST/SECOND READING – PUBLIC HEARING**

- A. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING -FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY MAYOR CONNIE LEON-KREPS-FIRST READING)*

- 1.) Commission Action

B. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “BUILDINGS” BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON-SECOND READING)

1.) Commission Action

C. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "OFFENSES AGAINST MORALS"; CREATING SUBSECTIONS 133.04 “MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE” TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY-SECOND READING)

1.) Commission Action

D. AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER ANDREANA JACKSON-SECOND READING)

1.) Commission Action

3. RESOLUTIONS: PUBLIC HEARING REQUESTS:

A. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-16 IN CONNECTION WITH THE DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT, AT 1415 KENNEDY CAUSEWAY; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

1.) Commission Action

B. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-17 FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED USE COMMERCIAL STRUCTURE UNDER THE BAYVIEW OVERLAY STANDARDS, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

1.) Commission Action

C. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF A SITE PLAN GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-18 FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

1.) Commission Action

D. A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY BAYSHORE YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION FOR SITE PLAN APPROVAL, PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES, TO CONSTRUCT A PARKING LOT AT 7904 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

1.) Commission Action

4. NEW BUSINESS

A. UPDATE ON STRATEGIC PLAN TO REVITALIZE AND EXPAND BUSINESSES IN THE VILLAGE. (VILLAGE PLANNER JIM LARUE)

5. ADJOURNMENT

ORDINANCE NO. _____

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 2011 Florida’s legislature enacted House Bill 883 (Florida Chapter 2011-119, Laws of Florida) (hereafter “HB 883”) which preempted the local regulation of specific land use commonly called short-term vacation rentals (transient rentals less than thirty (30) days in duration and commonly located in residential areas); and

WHEREAS, the 2014 Florida Legislature enacted Senate Bill 356 (Florida Chapter 2014-71, Laws of Florida) (hereafter “SB 356”) which rescinded the previous preemption on local regulation of short-term vacation rentals, but provided that a local law, ordinance, or regulation adopted after June 1, 2011 may not prohibit short-term vacation rentals or regulate the duration or frequency of rental of vacation rentals; and

WHEREAS, SB 356 returned some local control back to communities to mitigate the effects of short-term vacation rentals in an attempt to make them safer, more compatible with existing neighborhoods, and accountable for their proper operation; and

WHEREAS, short-term vacation rental occupants, due to the transient nature of their occupancy, are unfamiliar with local evacuation plans, the location of fire extinguishers, residence’s exit routes, pool and home safety features, and other similar safety measures that would readily be provided to guests in traditional lodging establishments; and

(Coding: Words in ~~struck-through~~ type are deletions from existing law; words underlined are additions).

WHEREAS, the presence of short-term vacation rentals within single-family dwelling units in established residential neighborhoods can also create negative compatibility impacts, among which include, but are not limited to, excessive noise, on-street parking, accumulation of trash, and diminished public safety; and

WHEREAS, many local jurisdictions in the State of Florida and across the nation have standards in place to minimize the negative impacts caused by short-term vacation rentals; and

WHEREAS, the majority of complaints the Village has received to date have been from single- and two-family neighborhoods regarding short-term vacation rentals; and

WHEREAS, the Village seeks that short-term vacation rentals are safe, fit in with the character of the neighborhood, provide positive impacts on the community, increase property values, and achieve greater neighborhood compatibility; and

WHEREAS, these standards are deemed necessary by the North Bay Village Commission to preserve property values and to protect the health, safety, and general welfare of permanent residents, lot/parcel owners, investors, and transient occupants and visitors alike; and

WHEREAS, the application of these minimum standards to short-term vacation rental properties ensures that transient occupants are provided the same minimum protections as is required by the current statutes and codes for single- and two-family residences;

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1: Recitals Adopted. Each of the above stated recitals is true and correct and incorporated herein by this reference.

Section 2: Village Code Amended. Chapter 152 – Zoning, of the North Bay Village Code of Ordinances is hereby amended as follows:

- A. Creation of new Section 152.112 entitled “Vacation Rental License Program” to read as follows:

* * *

VACATION RENTAL LICENSE PROGRAM

GENERAL PROVISIONS

§152.112.01 PURPOSE.

The purpose of this subchapter, Section 152.112, is to promote public health, safety, welfare and convenience through regulations and standards for short-term vacation rental properties by providing:

- (A) for a vacation rental license;
- (B) for safety and operational requirements;
- (C) for parking standards;
- (D) for solid waste handling and containment;
- (E) for licensure requiring posting of vacation rental information;
- (F) for administration, penalties and enforcement.

§152.112.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

VILLAGE. North Bay Village, Florida, as geographically described in its Charter.

HABITABLE ROOM. A room or enclosed floor space used or intended to be used for living or sleeping purposes, excluding kitchens, bathrooms, shower rooms, water closet compartments, laundries, pantries, foyers, connecting corridors, closets and storage space.

OCCUPANT. Any person who occupies, either during the day or overnight, a Vacation Rental.

TRANSIENT PUBLIC LODGING ESTABLISHMENT. Any unit, group of units, dwelling, building or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

VACATION RENTAL. Any individually or collectively owned single family house or dwelling unit that is also a transient public lodging establishment, and is located in an area zoned RS-1 and RS-2.

VACATION RENTAL REPRESENTATIVE. A Vacation Rental property owner, or his/her authorized designee, as identified in the application for a Village Vacation Rental license.

VACATION RENTAL LICENSE

§ 152.112.010 LICENSE REQUIRED.

After July 1, 2016, an active Vacation Rental license shall be required to operate a Vacation Rental within the Village. After July 1, 2016, only Vacation Rentals holding an active Vacation Rental license issued by North Bay Village may operate within the Village. A separate Vacation Rental license shall be required for each Vacation Rental, as defined in Section 152.112.02.

§ 152.112.011 APPLICATION FOR VACATION RENTAL LICENSE.

(A) A property owner seeking initial issuance of a Vacation Rental license, or the renewal, or modification of a Vacation Rental license, shall submit to the Village a completed Vacation Rental license application in a form promulgated by the Village, together with an application fee in an amount set by resolution of the Village Commission.

(B) A complete application for the initial issuance, or renewal, or modification, of a Vacation Rental license shall demonstrate compliance with the standards and requirements set forth in this subchapter through the following submittals:

(1) A completed Vacation Rental license application form, which must identify the property owner, address of the Vacation Rental, Vacation Rental Representative, and as well as the phone number of the Vacation Rental Representative.

(2) Payment of applicable fees.

(3) A copy of the Vacation Rental's current and active license as a Transient Public Lodging Establishment with the Florida Department of Business and Professional Regulation.

(4) A copy of the Vacation Rental's current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the Florida Department of Revenue.

(5) Evidence of the Vacation Rental's current and active account with the Miami-Dade County Tax Collector for the purposes of collecting and remitting tourist and convention development taxes and any other taxes required by law to be remitted to the Miami-Dade County Tax Collector.

(6) A copy of the current Local Business Tax Receipt.

(7) Interior building sketch by floor. A building sketch (may be hand drawn) by floor shall be provided, showing a floor layout and demonstrating compliance with the standards and requirements set forth in this subchapter. The sketch provided shall be drawn to scale, and shall show and identify all bedrooms, other rooms, exits, hallways, stairways, smoke and carbon monoxide detectors, swimming pools, fire extinguishers and exit signage/lighting.

(8) A sketch showing the number and the location of all on-site parking spaces for the Vacation Rental.

(9) Acknowledgement that each guest room shall be equipped with an approved listed single-station smoke detector meeting the minimum requirements of the NFPA.

(10) A section indicating whether the Vacation Rental will have 10 or fewer occupants or more than 10 occupants.

(11) A copy of the generic form vacation rental/lease agreement to be used when contracting with transient Occupants and guests.

(C) Incomplete applications will not be accepted, but will be returned with any fees submitted to the property owner with a notation of what items are missing.

(D) Vacation Rental license applications shall be sworn to under penalty of perjury and false statements in an application shall be a basis for the revocation of any license issued pursuant to such application.

§ 152.112.012. MODIFICATION OF VACATION RENTAL LICENSE.

An application for modification of a Vacation Rental license shall be required in the event that any of the following changes to the Vacation Rental are proposed:

- (A) An increase in the gross square footage.
- (B) An increase in the number of bedrooms.
- (C) An increase in the maximum occupancy.
- (D) An increase in the number of parking spaces, or a change in the location of parking spaces.
- (E) An increase in the number of bathrooms.

(F) Any other material modifications that would increase the intensity of use.

§ 152.112.013 DURATION OF VACATION RENTAL LICENSE.

The Vacation Rental license shall expire each September 30, and may be annually renewed thereafter if the property is in compliance with this subchapter. Vacation Rental licenses acquired before September 30, 2016 will be valid until September 30, 2017.

§ 152.112.014 RENEWAL OF VACATION RENTAL LICENSE.

A property owner must apply annually for a renewal of the Vacation Rental license no later than 60 days prior to the expiration date of the previous Vacation Rental license.

§ 152.112.015 LICENSES NON-TRANSFERABLE, NON-ASSIGNABLE.

Vacation Rental licenses are non-transferable and non-assignable. If the ownership of any Vacation Rental is sold or otherwise transferred, any outstanding Vacation Rental license as to that Vacation Rental shall be null and void upon the sale or transfer.

VACATION RENTAL REPRESENTATIVE

§ 152.112.020 DUTIES OF VACATION RENTAL REPRESENTATIVE.

Every Vacation Rental Representative shall:

(A) Be available by landline or mobile telephone answered by the Vacation Rental Representative at the listed phone number 24-hours a day, 7 days a week to handle any problems arising from the Vacation Rental; and

(B) Be willing and able to be physically present at the Vacation Rental within 60 minutes following notification from a Vacation Rental Occupant, law enforcement officer, emergency personnel, or the Village for issues related to the Vacation Rental, and shall actually be physically present at that location in that time frame when requested; and

(C) Conduct an on-site inspection of the Vacation Rental at the end of each rental period to assure continued compliance with the requirements of this subchapter.

STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

§ 152.112.030 GENERAL

The standards and requirements set forth in this section shall apply to the rental, use, and occupancy of Vacation Rentals in the Village.

§ 152.112.031 LOCAL PHONE SERVICE REQUIRED.

Local phone service. At least one landline telephone with the ability to call 911 shall be available in the main level common area in the Vacation Rental.

§ 152.112.032 PARKING STANDARDS.

Occupants and visitors to the Vacation Rental shall comply with all relevant parking codes as found in the Village Code of Ordinances.

§ 152.112.033 SOLID WASTE HANDLING AND CONTAINMENT.

Requirements for garbage storage and collection shall be as follows:

(A) Notice of the location of the trash storage containers and rules for collection shall be posted inside the Vacation Rental.

§ 152.112.034 MAXIMUM OCCUPANCY.

Requirements for space shall be as follows:

(A) Each Vacation Rental shall have a minimum gross floor area of not less than 150 square feet for the first occupant and not less than 100 square feet for each additional occupant.

(B) Every room in a Vacation Rental occupied for sleeping purposes shall:

(1) Have a gross floor area of not less than 70 square feet; and when occupied by more than one occupant, it shall have a gross floor area of not less than 50 square feet for each occupant. The maximum number of occupants for each room used for sleeping purposes shall be four.

(2) Have a minimum width of 8 feet.

(C) Gross area shall be calculated on the basis of total habitable room area, and those exclusions appearing in the definition of "habitable room" shall not be considered in calculation of such floor areas.

(D) Every habitable room in a Vacation Rental shall have a ceiling height of not less than 7 feet for at least half the floor area of the room. Any portion of a habitable room having a ceiling height of 5 feet or less shall not be included in calculating the total floor area of such room.

§ 152.112.035 POSTING OF VACATION RENTAL INFORMATION.

(A) In each Vacation Rental, located outside on the back or next to the main entrance door there shall be posted as a single page the following information:

(1) The name, address and phone number of the Vacation Rental Representative;

(2) The maximum occupancy of the Vacation Rental;

(3) A statement advising the Occupant that any sound which crosses a property line at a volume which is unreasonably loud is unlawful within the Village; as per the Village Noise Ordinance.

(4) A sketch of the location of the off-street parking spaces;

(5) The days and times of trash pickup;

(6) The location of the nearest hospital; and

(7) The local non-emergency police phone number.

(B) A copy of the building evacuation map – Minimum 8-1/2" by 11" shall be provided to the renter upon the start of each vacation rental.

ADMINISTRATION, PENALTIES, AND ENFORCEMENT

§ 152.112.055 ADMINISTRATION OF VACATION RENTAL LICENSE PROGRAM.

The ultimate responsibility for the administration of this subchapter is vested in the Village Manager, or his/her authorized designee, who is responsible for granting, denying, revoking, renewing, suspending and canceling Vacation Rental licenses for proposed and existing Vacation Rentals as set forth in this subchapter.

§ 152.112.056 APPEALS.

Any decision of the Village Manager, or his/her authorized designee, relating to the granting, denial, renewal, modification, or suspension of a Vacation Rental license under this subchapter shall be rendered in writing, and reviewed by the Village Commission if a notice by the applicant is filed with the Village Clerk within 10 days after the action to be reviewed. The Village Clerk shall place the matter on the agenda of an upcoming meeting of the Village Commission, at which the matter will be reviewed. The decision of the Village Commission shall be final. Such final decision may be reviewed as permitted under Florida law.

§ 152.112.057 NOTICE.

Any notice required under this subchapter shall be accomplished by sending a written notification by U.S. Mail, postage paid, to the mailing address of the Vacation Rental Representative set forth on documents filed with the Village under this subchapter, which shall be considered for all purposes as the correct address for service, or by personal service or delivery to the Vacation Rental Representative.

§ 152.112.058 PENALTIES AND ENFORCEMENT.

(A) Any violation of this subchapter may be punished by citation, as specifically described in Chapter 153 – Code Enforcement of the Code of Ordinances of North Bay Village, including but not limited to the requirements of a reasonable warning prior to issuance of a citation; provided, however, such violation shall be subject to a fine in the amount of \$250.00, for the first offense, \$500.00 for the second and subsequent offenses, plus a suspension of the Vacation Rental license as provided hereinafter, for the third offense. Each day a violation exists shall constitute a separate and distinct violation.

(B) *Other enforcement methods and penalties.* Notwithstanding anything otherwise provided herein, violations of this subchapter shall also be subject to all the enforcement methods and penalties that may be imposed for the violation of ordinances of the Village as provided in the Village Code of Ordinances. Nothing contained herein shall prevent the Village from seeking all other available remedies which may include, but not be limited to, injunctive relief, abatement of public nuisance, liens, fines, imprisonment, and other penalties as provided by law.

(C) Suspension of license.

(1) In addition to any fines and any other remedies described herein or provided for by law, the Village Manager shall suspend a Vacation Rental license upon a third violation of this subchapter in any continuous 12 month period. Such suspension of a Vacation Rental license shall be for a period of 1 year, and shall begin following notice, commencing either at the end of the current Vacation Rental lease period, or after 30 calendar days, whichever is less.

(2) For violations of the Florida Building Code, or Florida Fire Prevention Code, a Vacation Rental license shall be subject to temporary suspension starting immediately 3 working days after citation for such violation if it is not corrected, re-inspected, and found in compliance.

(D) Revocation of license.

(1) The Village Manager may refuse to issue or renew a license or may revoke a Vacation Rental license issued under this subchapter if the property owner has willfully withheld or falsified any information required for a Vacation Rental license.

(2) The Village Manager shall revoke a Vacation Rental license issued under this subchapter upon the fifth adjudication of either a noise violation where such noise emanated from the Vacation Rental or receipt of a parking violation where such parking violation occurred on the Vacation Rental property within any continuous 12 month period, or any combination thereof.

(3) The property owner shall not be entitled to any refund of the annual fee paid for a license for any portion of the unexpired term of a license, because of revocation or suspension of the Vacation Rental license.

(E) For all purposes under this subchapter, service of notice on the Vacation Rental Representative shall be deemed service of notice on the property owner and Occupant.

(F) No Occupant shall occupy a Vacation Rental, and no advertisement for the Vacation Rental shall occur during any period of suspension of a Vacation Rental's Vacation Rental license.

VESTING

§ 152.112.070 RENTAL AGREEMENT VESTING.

It is recognized that there are likely existing rental/lease agreements for Vacation Rentals as the time of passage of this ordinance which may not be in compliance with the regulations herein. Rental agreements that were entered into prior to the date of adoption, shall be considered vested. No special vesting process or fee shall be required to obtain this vesting benefit.

* * *

Section 3: Repeal. Each of the above stated recitals is true and correct and incorporated herein by this reference.

Section 4: Severability. The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

Section 5: Inclusion in the Code. It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6: Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by _____, who moved for its approval on first reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

THE VOTES WERE AS FOLLOW:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

APPROVED ON FIRST READING during a regular session of the North Bay Village Commission Meeting this ___ day of _____ 2016.

The foregoing Ordinance was offered by _____, who moved for its enactment. This motion was seconded by _____ and upon being put to a vote, the vote was as follows:

FINAL VOTE ON ADOPTION:

Mayor Connie Leon-Kreps
Vice Mayor Jorge Gonzalez
Commissioner Richard Chervony
Commissioner Andreana Jackson
Commissioner Eddie Lim

PASSED AND ENACTED by the Commission of North Bay Village this ____ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne Hamilton, Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Village Attorney
Robert L. Switkes & Associates, P.A.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

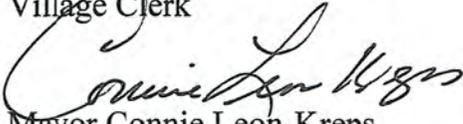
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MEMORANDUM

North Bay Village

DATE: March 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: 
Mayor Connie Leon-Kreps

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

CLK:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson



North Bay Village

Administrative Offices

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REGULAR PLANNING & ZONING BOARD MEETING

NORTH BAY VILLAGE
1666 KENNEDY CAUSEWAY, #300
NORTH BAY VILLAGE, FL 33141

MARCH 1, 2016
7:30 P.M.

1. **CALL TO ORDER.**

The meeting was called to order by the Chair Bud Farrey at 7:41 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

2. **OATH OF OFFICE**

Village Clerk Yvonne P. Hamilton administered the "Oath of Office" to the new Board Member Doris O'Hare.

3. **ROLL CALL**

Present were the following:

Bud Farrey, Chair
Dr. Douglas Hornsby
Doris O'Hare

Dr. Joshua Furman and Marvin Wilmoth were absent.

Village Manager Frank K. Rollason
Village Clerk Yvonne P. Hamilton
Deputy Village Clerk Jenorgen Guillen
Village Planners Ben Smith
Village Attorney Robert L. Switkes
Assistant Village Attorney David Acosta

4. **PUBLIC HEARING ITEMS (ALL INDIVIDUALS DESIRING TO PROVIDE TESTIMONY SHALL BE SWORN IN)**

A. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**

1. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**

Deputy Village Clerk Jenorgen Guillen read the request into the record.

Mr. Juan E. Berry, RA, NCARB Certified, at 2640 S. Bayshore Drive, Suite 30, Miami, Florida, 33133 was present on behalf of the applicant, Bayshore Yacht & Tennis Club

The Village Planner Ben Smith, of LaRue Planning & Management Services, Inc. presented the Staff Report and explained the project to convert the existing tennis court area to a surface parking lot with 58 spaces, which will include a new vehicular access to be provided through existing commercial bays fronting on West Drive. He added that the original submittals required a Variance, but the applicants worked to ensure that the plans complied with the Village Code. Subsequently, the Variance was no longer required. The Village Planner recommended approval of the request with the following conditions:

1) Conversion of at least one standard parking space to a handicap accessible parking space.

2) Light poles shall be no taller than 20 feet, as per North Bay Village Code Section 155.22(3).

- 3) Submittal of an irrigation plan which meets Miami-Dade Chapter 18A requirements.
- 4) Parking spaces shall be made available only to residents of the Bayshore Yacht and Tennis Club and their guests.
- 5) Verification by Village Attorney that there are no remaining outstanding legal considerations regarding the proposed vehicular access way through the existing commercial bays.
- 6) Payment of any applicable impact fees.
- 7) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 8) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 9) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 10) All applicable state and federal permits must be obtained before commencement of construction.

Chair Bud Farrey opened the Public Hearing.

Those individuals who indicated that they would provide testimony were sworn in by the Village Attorney.

Counsel for Al Coletta, Ronald Israel, Esq., of 2121 S.W. 3rd Avenue, 7th Floor, Miami, Florida 33129, addressed the Board and argued that the construction of the parking lot is illegal based on Bayshore Yacht & Tennis Club Declaration of Condominium Documents.

The Village Attorney advised that the issues raised by Mr. Israel are outside of the purview of the Village.

At the advice of the Village Attorney, Condition #5 was removed.

Counsel for Bayshore Yacht & Tennis Club, Michael Hyman, accepted all nine conditions of approval outlined above, on behalf of the applicant.

Maria Garcia, of 7904 West Drive, addressed the Board.

The Chair closed the Public Hearing.

Questions were asked as to the completion time of the project; whether it has been funded; if the plans would be able to accommodate a second floor in the future; and about settling for a project that is less than perfect.

The Village Planner explained that the provision of the 58 parking spaces will not make them whole, as far as the parking requirements are concerned. However, it will lessen a nonconforming issue.

The architect for the project, Mr. Berry, discussed that a two-story parking lot will require several variances, making it difficult to address and to obtain approval, in addition to the high cost involved. He stated a second story can be addressed sometime in the future, but adding 58 spaces is better and something the Condominium Association can afford now. He did not have information on the financing. He stated that the project will take 6-8 months to complete.

Concern was expressed as to whether the lessening of the nonconforming use, rather than correcting the problem will expose the Village to legal liability. The Village Attorney opined that obliterating the problem to some extent should not expose the Village to liability.

Dr. Douglas Hornsby made a motion to recommend that the Village Commission approve the request with the conditions outlined by the Village Planner, with the exception of #5, as the plans meet the zoning requirements and is in compliance with the Comprehensive Plan. Doris O'Hare seconded the motion, which was adopted by a 3-0 roll call vote. The vote was as follows: Bud Farrey, Doris O'Hare, and Dr. Douglas Hornsby all voting Yes. Dr. Joshua Furman and Marvin Wilmoth were absent.

- B. AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE, FLORIDA, CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND AN EFFECTIVE DATE.**

The Deputy Village Clerk read the Ordinance by title.

The Village Planner Robert L. Switkes made a presentation on the Ordinance.

The Chair opened the Public Hearing.

Al Blake, of 7801 Coquina Drive, Mary Kramer, of 7610 Coquina Drive, Alberto Perez, of 7512 West Treasure Drive, Brad Johnson, of 1321 Bay Terrace, Lydia Howard, of 7721 Miami View Drive, and Joe Razim, of 7810 Miami View Drive, all addressed the Board in favor of the Ordinance.

Some of the concerns posed by the public were: How the vesting period will be enforced; how will the Village know when a rental agreement has been signed; whether the penalties can be higher; and concern about the low occupancy.

The Chair closed the Public Hearing.

Dr. Douglas Hornsby made a motion to recommend that the Village Commission approve the Ordinance as presented. Doris O’Hare seconded the motion, which was adopted by a 3-0 roll call vote. The vote was as follows: Bud Farrey, Doris O’Hare, and Dr. Douglas Hornsby all voting Yes. Dr. Joshua Furman and Marvin Wilmoth were absent.

5. ADJOURNMENT

The meeting adjourned at 8:33 p.m.

*Prepared and submitted by: Yvonne P. Hamilton
Village Clerk*

*Adopted by the Planning & Zoning Board on
This ___ day of _____ 2016.*

(Note: The Minutes are summary of the proceeding.)



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

1. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)**
2. **APPLICATIONS BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-16 FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - B. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-17 APPROVING DEVELOPMENT ACCORDING TO BAY VIEW OVERLAY STANDARDS PURSUANT TO SECTION 152. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - C. **A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
3. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
 - A. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**
4. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “BUILDINGS” BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)**
5. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “OFFENSES AGAINST MORALS”; CREATING SUBSECTIONS 133.04 “MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE” TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (SECOND READING)**
6. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (SECOND READING)**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 3, 2016)

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "BUILDINGS" BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. *(INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)*

WHEREAS, the Commission of North Bay Village, Florida, desires to amend the North Bay Village Code of Ordinances, Chapter 151, Section 151.11(B) to clarify the fees for renewal, re-issuance, and extension of permits.

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Village Code Amended. Chapter 32, Sections 32.92 through 32.99 of the North Bay Village Code of Ordinances is created to read as follows¹:

§ 151.11 - Permits; fees.

(B)

A permit shall expire and become null and void if the work authorized by the permit is not commenced within 180 days from the date of issuance of the permit or if the work when commenced is suspended or abandoned at any time for a period of 180 days.

Work shall be considered to have commenced and be in active progress when, in the opinion of the Building Official a full complement of workmen and equipment is present at the site to diligently incorporate materials and equipment into the structure throughout the day on each full working day, weather permitting, until the structure is completed.

Addition shown by underline and deletion shown by ~~strikethrough~~

Such work on only one day or testing, shall not be considered commencement of work. If the work covered by the permit has not commenced, or has been commenced and been suspended or abandoned, the Building Official may extend such permit for a single period of 180 days from the date of expiration of the initial permit, if request for extension is made and received by the city prior to the expiration date of the initial permit. If the work covered by the permit has commenced, is in progress, has not been completed and is being carried on progressively in a substantial manner in accordance with the definition set forth herein, the permit shall be in effect until completion of the job.

If work has commenced and the permit becomes null and void or expires because of a lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work. If a new building permit is not obtained within 180 days from the date the initial permit became null and void, the Building Official shall require that any work which has been commenced or completed be removed from the building site; or he may issue a new permit, on application, providing the working place and requirements to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and regulations which may have become effective between the date of expiration and the date of issuance of the new permit. The fee for renewal, re-issuance and extension of permit shall be:

(1)

Within six months of the expiration date, the fee will be 50 percent of the original base permit fees, plus a \$125.00 processing fee; ~~or~~

(2)

After six months of the expiration date, the fee will be 100 percent of the original base permit fees plus a \$125.00 processing fee.

(3)

Extension of a permit before the expiration date, the fee will be 125.00.

Section 2. **Conflicts.** All ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are repealed.

Section 3. **Codification.** This ordinance shall be codified and included in the code of ordinances.

Section 4. **Severability.** If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

Addition shown by underline and deletion shown by ~~strikethrough~~

Section 5. Effective Date. This Ordinance shall take effect immediately upon enactment.

A motion to approve the foregoing Ordinance on first reading on February 9, 2016 was offered by Commissioner Richard Chervony; seconded by Vice Mayor Jorge Gonzalez.

The Votes were as follows:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

A motion to adopt the foregoing Ordinance was offered by _____; seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

DULY PASSED AND ADOPTED this ___ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance: Amending fees for renewal, re-issuance, and extension of permit.

Addition shown by underline and deletion shown by ~~strikethrough~~



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: February 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "BUILDINGS" BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:ypb

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

[A] 105.4 Conditions of the permit.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a *permit* prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within six months after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of six months after the time the work is commenced.

105.4.1.1 If work has commenced and the *permit* is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new *permit* covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new *permit* is not obtained within 180 days from the date the initial *permit* became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new *permit* may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial *permit* became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new *permit*.

105.4.1.3 Work shall be considered to be in active progress when the *permit* has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

105.4.1.4 The fee for renewal reissuance and extension of a *permit* shall be set forth by the administrative authority.

[A] 105.5 Expiration. Reserved.

[A] 105.6 Denial or revocation. Whenever a *permit* required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the *Florida Building Code*, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the *permit* applicant. If the local building code administra-

tor or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the *permit* applicant.

[A] 105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building *permit*, the authority issuing such *permit* shall print on the face of each *permit* card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

105.9 Asbestos. The enforcing agency shall require each building *permit* for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

105.10 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the *permit* is issued to and another copy for the building *permit* files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon approval of the *building official*, the scope of work delineated in the building *permit* application and plan may be started prior to the final approval and issuance of the *permit*, provided any work completed is entirely at risk of the *permit* applicant and the work does not proceed past the first required inspection.



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

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INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 3, 2016)

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "OFFENSES AGAINST MORALS"; CREATING SUBSECTIONS 133.04 "MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE" TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER RICHARD CHERVONY)

WHEREAS, North Bay Village has the authority under the Municipal Home Rule Powers Act, Fla. Stat. § 166.021 et seq., to enact regulations for the public peace, morals, and welfare of the Village so long as the regulations do not conflict with State Law; and

WHEREAS, North Bay Village, as part of efforts maintain the public peace, morals, and welfare of the Village, has adopted Sections 133.04, which prohibits any act, within the Village, that is, or shall be recognized, by the laws of the State of Florida as a misdemeanor; and

WHEREAS, filing criminal charges for possession of twenty (20) grams or less of marijuana for personal use is expensive and time consuming for law enforcement officers, who would otherwise be spending their time addressing more serious crimes; and

WHEREAS, a person convicted for commission of an act defined as a misdemeanor pursuant to Section 133.04, will be punished by a fine or imprisonment or both, but in no case shall the fine and/or imprisonment imposed be greater than the maximum fine or penalty for the same offense under the Florida Statutes; and

WHEREAS, several states and municipalities have modified their drug laws to create civil violations for possession of de minimis amounts of marijuana, which is only enforceable by a monetary fine and does not subject that person to the negative stigma associated with an arrest or criminal prosecution; and

WHEREAS, this ordinance will provide an alternative and additional mechanism under the Village's Code to enforce these violations for individuals that are more than eighteen (18) years of age and that are based upon the commission of certain enumerated misdemeanors; and

WHEREAS, the North Bay Village Police Department will have the discretion, with adults, to issue a civil citation pursuant to this ordinance, or arrest, or not arrest a person for the commission of a misdemeanor under State law; and

WHEREAS, the Commission of North Bay Village have further determined that a civil citation fine of one hundred dollars (\$100.00) for first time violations and two hundred and fifty dollars (\$250.00) for repeat violations is the appropriate penalty for the possession of less than twenty (20) grams of marijuana or misdemeanor possession of marijuana drug paraphernalia.

NOW, THEREFORE, BE IT ORDAINED by the Commission of North Bay Village, Florida:

Section 1. The foregoing recitals are true and correct.

Section 2. Section 133.04 of the North Bay Village Code of Ordinances is created to read as follows:

§133.04

- a. The following misdemeanor(s) under State law are eligible to receive a civil violation notice. This shall only apply towards individuals more than eighteen (18) years of age and at the discretion of a law enforcement officer, provided that such violations are not charged in conjunction with any charge that is a felony, driving under the influence, incident involving domestic violence, or violent crime, as those terms are defined under State law:

1. Possession of Cannabis in an amount of 20 grams or less, as set forth in section 893.13(6)(b) of the Florida Statutes, as may be amended, and/or

2. Possession of Drug Paraphernalia, as set forth in section 893.146 and 893.147(1)(b) of the Florida Statutes, as may be amended.

3. Penalties and Enforcement.

- a. An individual issued a civil violation notice for a violation of subsection (a)(1) or (2) shall receive a civil fine of \$100.00 for first time violators and \$250.00 for repeat violations within a one-year period.

- b. Enforcement. The North Bay Village Police Department shall enforce this section. This shall not preclude other law enforcement agencies from any action to assure compliance with this section and all applicable laws. If a police officer finds a violation of (a)(1) or (a)(2) the police officer will be authorized to issue a notice of violation. The notice shall inform the violator of the nature of the violation amount of fine for which the violator is liable, instructions and due date for paying the fine, that the violation may be appealed by requesting an administrative hearing before a special magistrate within ten (10) days after service of the notice of violation, and that the failure to appeal the violation within ten (10) days of service shall constitute an admission of the violation and a waiver of the right to a hearing.

- b. Rights of violators' payment of fine; right to appear; failure to pay civil fine or to appeal; appeals from decisions of the special magistrate.
1. A violator who has been served with a notice of violation must elect to either:
 - a. Pay the civil fine in the manner indicated on the notice of violation; or
 - b. Request an administrative hearing before a special magistrate, to appeal the notice of violation, which must be requested within ten (10) days of the service of notice of violation.
 2. The procedures for appeal by administrative hearing of the notice of violation shall be as set forth in section 153.03 of this Code. Applications for hearings must be accompanied by a fifty dollar (\$50.00) administrative fee, which shall be refunded if the named violator prevails in the appeal.
 3. If the named violator, after issuance of the notice of violation, fails to pay the civil fine, or fails to timely request an administrative hearing before a special magistrate, the special magistrate may be informed of such failure by report from the police officer. The failure of the named violator to appeal the decision of the police officer within the prescribed time period shall constitute a waiver of the violator's right to an administrative hearing before the special magistrate and shall be treated as an admission of the violation for which fines and penalties shall be assessed accordingly.
 4. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator, which may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's real or personal property. On or after the sixty-first (61) day following the recording of any such lien that remains unpaid, the Village may foreclose or otherwise execute upon the lien.
 5. Any party aggrieved by a decision of a special magistrate may appeal that decision to a court of competent jurisdiction.

c.

1. The special magistrate shall be prohibited from hearing the merits of the notice of violation or considering the timeliness of a request for an administrative hearing if the violator has failed to request an administrative hearing within ten (10) days of the service of the notice of violation.
2. The special magistrate shall not have the discretion to alter the penalties in subsection (a)(3)(a).

Section 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall be held invalid by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. All other Village ordinances and resolutions or parts thereof in conflict with the provisions of this Ordinance are hereby superseded and repealed.

Section 5. It is the intention of the Commission of North Bay Village, Florida and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of North Bay Village, Florida. The Sections of this Ordinance may be renumbered or re-lettered to accomplish this intention and the word "Ordinance" may be changed to "Section," "Article," or other word as the codifier may deem appropriate.

Section 6. This Ordinance shall be effective upon its adoption by the Commission of North Bay Village.

A motion to approve the foregoing Ordinance on first reading on February 9, 2016 was offered by Commissioner Richard Chervony; seconded by Mayor Connie Leon-Kreps.

THE VOTES WERE AS FOLLOWS:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

A motion to adopt the ordinance was offered by _____, seconded by _____.

FINAL VOTES AT ADOPTION:

Mayor Connie Leon-Kreps _____
Vice Mayor Jorge Gonzalez _____
Commissioner Richard Chervony _____
Commissioner Andreana Jackson _____
Commissioner Eddie Lim _____

DULY PASSED AND ADOPTED this ___ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Ordinance: Marijuana



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM North Bay Village

DATE: February 1, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Dr. Richard Chervony
Commissioner

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "OFFENSES AGAINST MORALS"; CREATING SUBSECTIONS 133.04 "MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE" TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

RC:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

1. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)**
2. **APPLICATIONS BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-16 FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - B. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-17 APPROVING DEVELOPMENT ACCORDING TO BAY VIEW OVERLAY STANDARDS PURSUANT TO SECTION 152. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - C. **A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
3. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
 - A. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**
4. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “BUILDINGS” BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)**
5. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “OFFENSES AGAINST MORALS”; CREATING SUBSECTIONS 133.04 “MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE” TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (SECOND READING)**
6. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (SECOND READING)**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 3, 2016)

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (INTRODUCED BY COMMISSIONER ANDREANA JACKSON)

WHEREAS, Special Events at publicly owned streets, parks, sites, and other public facilities within North Bay Village generate a significant amount of waste within a short time-frame; and

WHEREAS, a substantial portion of our waste can be broken down into their original elements and be used to produce new materials. In this way, we can reduce the harmful waste we discard into the environment; and

WHEREAS, the Village Commission feels that it is in the safety and welfare of the general public to implement recycling at all events sponsored by the Village; and special events being held on all properties of the Village.

NOW, THEREFORE, BE IT ENACTED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1: Village Code Amended. Section 94.22 of the Village Code of Ordinances entitled “Recycling” is created to read as follows:

Section 94.22 Special Events Recycling

- A. *Definitions.* For the purpose of Section 94.22, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:
1. *Recycling Container* or *Recycling Receptacle* means a receptacle or container for collecting and storing recycling materials pending collection and includes, but is not limited to, cans, automatic lift containers, bins, and other receptacles.
- B. Any applicant seeking permission for the temporary use or occupancy of a publicly owned street, park, site, or other such public facility within North Bay Village for a civic, commercial, recreational, social, or other community special event shall, provide recycling receptacles throughout the event venue for the separated collection of recyclable and nonrecyclable materials.

1. The number of recycling receptacles shall equal the number of solid waste receptacles available.
 2. The solid waste and recycling receptacles shall be placed next to one another throughout the event venue in a convenient location. Recycling receptacles/containers shall be placed in convenient locations, meaning either at or next to each current solid waste or disposal area, or as close as possible to these areas and/or high pedestrian traffic areas. Recycling receptacles shall be paired with solid waste containers of equivalent volume capacity at each waste disposal area.
 3. Each recycling receptacle shall be clearly identified as a recycling receptacle and shall display a list of the types of recyclable materials that may be deposited into the recycling receptacle.
 4. The types of recyclable materials suitable for deposit into each recycling receptacle shall include, at a minimum, aluminum and metal cans, and glass and plastic bottles and jar.
 5. Recyclable materials deposited into the recycling receptacles must be delivered to a recycling facility for recycling, not a landfill for disposal.
- C. The Village Manager may exempt certain events from the recycling program requirements of this chapter if it is demonstrated that significant amounts of recyclable materials will not be generated at a particular event.
- D. North Bay Village shall provide its own recyclable containers, and recycling materials shall be placed in these containers for proper disposal at any and all Village sponsored events.

Section 2. Repeal. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 3. Severability. The provisions of this Ordinance are declared to be non-severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall render this Ordinance void in its entirety.

Section 5. Inclusion in the Code. It is the intention of the Village Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of North Bay Village; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Andreana Jackson, who moved for its approval on first reading. This motion was seconded by Commissioner Richard Chervony, and upon being put to a vote, the vote was as follows:

THE VOTES WERE AS FOLLOW:

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>

APPROVED ON FIRST READING during a regular session of the North Bay Village Commission Meeting this 9th day of February 2016.

The foregoing Ordinance was offered by _____, who moved for its enactment. This motion was seconded by _____ and upon being put to a vote, the vote was as follows:

FINAL VOTE ON ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED AND ENACTED by the Commission of North Bay Village this ____ day of _____ 2016.

Connie Leon-Kreps
Mayor

ATTEST:

Yvonne Hamilton, Village Clerk

APPROVED AS TO FORM FOR THE USE OF
NORTH BAY VILLAGE ONLY:

Village Attorney
Robert L. Switkes & Associates, P.A.

North Bay Village Ordinance-Recycling for Special Events in the Village.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM North Bay Village

DATE: February 3, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM:  Commissioner Andreana Jackson

SUBJECT: Introduction of Ordinance

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Ordinance:

AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED "GARBAGE, TRASH, AND WEEDS" TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

AJ:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

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 - C. **A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
3. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
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INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 3, 2016)



Memorandum

To: North Bay Village Commission
From: James G. LaRue, AICP
Date: March 7, 2016
Subject: 1415 Kennedy Causeway (Isle of Dreams)
Renewal of Site Plan and Special Use Exceptions

The Isle of Dreams Project, at 1415 Kennedy Causeway, received site plan approval from the Village Commission on March 11, 2014, for a mixed-use (residential and commercial) development featuring a parking garage. At that time, the Commission also approved two special use exceptions; one for development of a mixed-use (residential and commercial) development in the General Commercial zoning district; and another special use exception approval to develop under the Bayview Overlay District regulations according to Village Land Development Code Section 152.032. That approved project contained 237 residential dwelling units, 9,900 square feet of commercial space, 32 stories, 340 feet high, and 627 parking spaces.

Due to expiration provisions in the Village Code, special use exception approvals are valid for one-year, and site plan approvals are valid for two years. Section 152.105(C)(11) of the North Bay Village Code:

Site plans approved in accordance with these regulations shall expire two years following final approval by the Village Commission. Such Site Plans may be granted no more than two one-year renewals subject to approval by the Village Commission. Site Plans already approved shall expire four years following final adoption of this ordinance. To avoid expiration of the Site Plans the applicant must apply for a full Building Permit within the time frames set forth above.

Section 152.103:

After the Village Commission has approved a special use exception or granted a variance, the special use exception or variance so approved or granted shall lapse after the expiration of one year, measured from the date of final Commission action, if no substantial construction or change of use has taken place in accordance with the plans for which the special use exception or variance was granted.

At this time, no substantial construction has taken place and no building permits have been issued. The Applicant is now requesting renewals of the special use exception approvals and the site plan approval. Staff recommends that all three approvals be renewed by the Commission, effective until March 11, 2017. We have attached the staff reports that were provided to the Commission regarding the original site plan and special exception requests.

Additionally, the Applicant has submitted a memo (see attached) to the Village according to Florida Statute Section 252.363, whereby development order approvals may be extended due to a declaration of a state of emergency. The Applicant's representative expressed to us that the intent of the memo is only to ensure that the site plan would not expire prior to receiving the Commission's approval of this extension application. Accordingly, the statutory extension memo does not affect the extension dates that have been requested according to this application, which is now before the Commission.

It should also be noted that the Applicant has proposed changes to the current site plan. Those changes are still under review by Village staff. It is possible that the changes will be minor and will qualify for review and approval according to the Administrative Site Plan Modification provisions of Section 152.105(C)(10). The revised site plan, which has been submitted for staff review, has the same footprint as the approved site plan and has remained at 237 residential dwelling units, 32 stories, and 340 feet high.

It is important to note that the current request is for extension of the current site plan approval and special exception approvals, which were reviewed by staff and approved by the Village Commission in 2014.





Staff Report #2

Bay View Overlay (BVO) Standards

Prepared for: North Bay Village Commission

Applicant: Isle of Dreams, LLC

Request: BVO review



LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	Isle of Dreams, LLC Scott Greenwald
Applicant Address:	200 S Biscayne Blvd, Suite 850 Miami, FL 33131
Site Address:	1415 Kennedy Causeway
Contact Person:	Graham Penn
Contact Phone Number:	305-377-6229
Contact E-mail Address	gpenn@brzoninglaw.com

	Existing	Proposed
Future Land Use	Commercial	Commercial
Zoning District	CG	CG
Use of Property	Commercial	Mixed Use (Multi-family Residential, Commercial)
Acreage	3.33 acres	3.33 acres

Legal Description of Subject Property

1716FTE & 50FTN of ½ MP ON W/L OF SEC N605FT E244FT S505FT SWLY TO N R/W/L OF NE 79TH ST W224FT TO POB

Folio: 23-3209-000-0201



Request

Bay View Overlay Standards Review pursuant to Section 152.032(A)(3) of the North Bay Village Code of Ordinances.

Required Findings

The subject property is within the Bayview Overlay (BVO) District as created by North Bay Village in 2012. When a CG property is located in the BVO District, all provisions of Section 152.032 shall apply. When the provisions of the BVO are applied to a property in the CG zoning district, the bonus height provisions of Section 152.029(C) shall also apply.

Recommendations

Staff recommends this property is eligible to be reviewed under the provisions of the Bayview Overlay District. The bonus height provisions can also be applied allowing the mixed use development to be built up to the maximum height allowed in the BVO District if the proper setbacks are met.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

February 5, 2014

Hearing: Commission, February 11, 2014





Staff Report #4 Site Plan

Prepared for: North Bay Village Commission

Applicant: Isle of Dreams, LLC

*Request: Site Plan Approval and
Building Height Bonus Review for a
Mixed use Residential and Commercial
Building*



LaRue Planning
& Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida
239-334-3366

Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	Isle of Dreams, LLC Scott Greenwald
Applicant Address:	200 S Biscayne Blvd, Suite 850 Miami, FL 33131
Site Address:	1415 Kennedy Causeway
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	Existing	Proposed
Future Land Use	Commercial	Commercial
Zoning District	CG	CG
Use of Property	Commercial	Mixed Use (Multi-family Residential, Commercial)
Acreage	3.33 acres	3.33 acres

Legal Description of Subject Property

1716FTE & 50FTN of ½ MP ON W/L OF SEC N605FT E244FT S505FT SWLY TO N R/W/L OF NE 79TH ST W224FT TO POB

Folio: 23-3209-000-0201

Request

The applicant is requesting:

1. Site plan approval pursuant to Sections 152.105(C)(9) and 152.030(C)(3) of the North Bay Village Code of Ordinances for development of a 237 unit, 32 story multi-family condominium structure in the RM-70 (high density multiple-family residential) zoning district
2. Building height bonus review pursuant to Section 152.029(C)(8)(A-H) of the North Bay Village Code of Ordinances.



General Description

The Applicant proposes to develop the property with a mixed-use residential and commercial development featuring a parking garage. The 237 unit residential component will be located in a single tower pushed to the north, away from Kennedy Causeway. The portion of the structure to the south of the tower will be devoted to retail use, parking, and a rooftop amenity area. A second commercial area is proposed to be located on the eastern edge of the tower portion of the building, providing an ideal location for a restaurant use.

Consistency with Comprehensive Plan

The mixed use project is consistent with the Comprehensive Plan, as Future Land Use Policies 2.1.1a and 2.1.12 of the North Bay Village Comprehensive Plan depict combined commercial and residential development if certain requirements are met.

Adjacent Land Use Map Classifications and Zoning District

North	Future Land Use	Water
	Zoning District	Water
	Existing Land Use	Biscayne Bay
East	Future Land Use	Commercial
	Zoning District	Commercial General
	Existing Land Use	Restaurant
South	Future Land Use	Commercial
	Zoning District	Commercial General
	Existing Land Use	Commercial Office Building
West	Future Land Use	Commercial
	Zoning District	Commercial General
	Existing Land Use	TV Station



Adequacy of Public Facilities

Water and Sewer utilities will be provided by Miami-Dade County M-DC (DERM). This project will be required to meet Sewer Concurrency requirements as prescribed by the Public Works Director of North Bay Village. The specifics of these requirements will be outlined in the conditions of approval for this site plan.

Staff has reviewed the Traffic Impact Study (TIS) for Isle of Dreams: prepared by Richard Garcia & Associates, Inc., and offers the following comments:

1. The Study uses ITE code LU 230, Condo/Townhouse, the most conservative ITE peak hour trip generation factor (i.e., highest factor) that could be considered applicable to the proposed high rise condominium. We assume RGA did not use code LU 222, which is for high rise condominiums and has a lower generation rate, because the rates are based on a small sample size.
2. The Study uses appropriate ITE peak hour trip generation factors for the restaurant and specialty retail center.
3. The Study uses what would appear to be reasonable internal capture rates for a mixed-use development.
4. The findings of the TIS are summarized as follows:
 - a. The proposed project will generate a net increase of 160 during the AM peak hour and 220 vehicle trips during the PM peak hour and.
 - b. The Level of Service Standard (LOSS) for Kennedy Cswy. is D. The range of traffic for a Level of Service (LOS) of D is from 2,091 to 4,500 peak hour trips.
 - c. The current traffic levels are estimated at 2,843 in the AM peak hour and 2,526 during the PM peak hour. Therefore the roadway is operating at LOS D.
 - d. When the project is completed in 2016, the resultant AM and PM Peak hour traffic on North Bay/Kennedy Cswy. is projected to be 3,003 and 2,849 trips respectively. Based on FDOT Standards this means the roadway will continue to operate at LOS D once the project is completed.

CONCLUSION

After reviewing the materials, it is apparent that a project of the size and mix of uses proposed will not generate traffic levels that would result in violation of the Village's adopted LOSS of D. This would be true even if one eliminated trips due to internal capture.



Comparison of Submitted Site Plan With Land Development Regulations

The submitted site plan is based on approval by the Village Commission of several items, which are necessary in order for the site plan to be considered for review. Those items are:

- 1) A special use approval to utilize the mixed use provisions of the RM-70 Zoning District in the CG District; and
- 2) A special use approval to utilize the provisions of the Bay View Overlay District; and

Prior special use approval request to utilize compact parking spaces was withdrawn by the applicant at the Planning and Zoning Board hearing. There are no compact spaces now shown on the site plan.

The following site plan review has been conducted assuming the possibility that the Village Commission approves all above mentioned items.

It should be noted that several items could not be reviewed at the Planning and Zoning meeting because of discrepancies between, the site plan, the landscape plan, the letter of intent and verbal discussion with the architect regarding the lot area and location and dimensions of the lot lines. This was a major issue that was corrected by the applicant in the revised plans and these items have been reviewed by staff for the February Commission meeting.

Section	Regulation	Required	Provided
North Bay Village LDC			
152.029(C)(1)	Minimum lot area	27,000 sq ft	147,620 sq ft
152.029(C)(1)	Minimum frontage	75 ft	244 ft
152.032(C)	Maximum building height	340 ft	340 ft
152.029(C)(2)	Minimum front setback	40 ft	71 ft
152.032(C)(1)(b)	Minimum front setback	The portion of any building that is more than 240 feet in height must be set back from the front property line by a distance that is not less than the height of said portion of the building. <u>100 ft setback required at top of building</u>	Portion of structure that is 240 ft and above is setback more than 100 ft from front property line



Section	Regulation	Required	Provided										
152.032(C)(1)(c)	Minimum side setback	If any portion of a building on the site exceeds 240 feet in height, no part of any building on the site may be closer to either side property line than a distance equal to 20% of the lot width. 20% of 244 is 48.8 ft	48 ft – 10 in										
152.029(C)(2)	Minimum rear setback	25 ft	42 ft										
152.029(C)(3)	Required lot area per dwelling unit	<table border="1"> <thead> <tr> <th>Unit type</th> <th>Lot area/unit</th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>620</td> </tr> <tr> <td>1- BR</td> <td>620</td> </tr> <tr> <td>2- BR</td> <td>685</td> </tr> <tr> <td>3- BR</td> <td>750</td> </tr> </tbody> </table> <u>78 one-br = 48,360</u> <u>156 two-br = 106,680</u> <u>3 three-br = 2,250</u> <u>157,290 sq ft of lot area required</u>	Unit type	Lot area/unit	Efficiency	620	1- BR	620	2- BR	685	3- BR	750	<p>Only 147,620 lot area provided.</p> <p>Development Agreement guarantees bonus density at fixed rate. See bonus density item below.</p>
Unit type	Lot area/unit												
Efficiency	620												
1- BR	620												
2- BR	685												
3- BR	750												
Comprehensive Plan Future Land Use Policy 2.1.1a	Maximum density	70 dwelling units per acre	70 dwelling units per acre										
152.029(C)(5)	Minimum pervious area	20% of total parcel <u>20% of 147,620 = 29,524 sq ft of required pervious area</u>	31,405 sq ft										
152.029(C)(6)	Minimum dwelling unit floor area	<table border="1"> <thead> <tr> <th>Unit type</th> <th>Floor area</th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>600</td> </tr> <tr> <td>1-BR</td> <td>900</td> </tr> <tr> <td>2-BR</td> <td>1,200</td> </tr> <tr> <td>3-BR</td> <td>1,350</td> </tr> </tbody> </table>	Unit type	Floor area	Efficiency	600	1-BR	900	2-BR	1,200	3-BR	1,350	In compliance
Unit type	Floor area												
Efficiency	600												
1-BR	900												
2-BR	1,200												
3-BR	1,350												



Section	Regulation	Required	Provided
152.029(C)(7)	Baywalk/boardwalk requirement	A public access boardwalk must be provided along shoreline and access to that boardwalk must be provided with a walkway from the ROW. Dedicated easements shall be recorded for the boardwalk and access corridors.	Provided
152.029(C)(8)	Building density bonus	Additional density may be purchased, not to exceed 70 units per acre	Applicant is purchasing additional density according to stipulations of development agreement
152.029(C)(9)2	Paving surfaces	Except for covered garages, all exterior paving surfaces shall be constructed of brick pavers	Provided
152.029(C)(9)3	Required water feature	A water feature shall be provided in the front	Provided
152.029(C)(9)6	Screening of parking garages	Parking garages shall be constructed with architectural features that obscure it from public view	Provided
152.029(C)(9)7	Street tree lighting	Lighting shall be provided in all areas in front where trees are planted	Provided
5.2.2(a)(1)	Minimum standard parking space dimensions	9 ft by 18 ft	Provided
5.2.2(a)(2)	Minimum compact parking space dimensions	8 ft by 16 ft	N/A
5.2.2(a)(3)	Minimum handicapped parking space dimensions	Must comply with all applicable accessibility standards	Provided



Section	Regulation	Required	Provided
152.042(D)	Minimum number of handicapped spaces	2% of total required spaces. <u>2% of 617 = 13 handicapped spaces required</u>	13 handicap spaces
ADA Requirement	Minimum number of handicapped spaces	For facilities with 500 to 1000 parking spaces, 2% must be handicapped spaces	
152.042(E)	Maximum number of compact parking spaces	20% of total required (only with approval by Village Commission)	N/A
152.042(K)	Minimum setback of ROW from parking spaces	20 ft	Provided
152.042(M)	Minimum separation of parking from walkways and streets	Parking spaces shall be separated from walkways, sidewalks, streets, or alleys by an approved wall, fence, curbing, or other protective device	Provided
152.042(P)	Back-out parking prohibition	Parking spaces shall not be designed so that no vehicle shall be required to back into a public ROW to obtain egress	Provided



Section	Regulation	Required	Provided
152.044(A)(2)	Minimum number of parking spaces per dwelling unit	<ul style="list-style-type: none"> • 2 spaces per one-br unit • 2 spaces per two-br unit • 3 spaces per three-br unit • Plus 10% of total required spaces • For parking allocation purposes, two-br units with enclosed dens count as 3-br units <p><u>78 one-br units = 156</u> <u>129 two br-units = 258</u> <u>30 three-br units = 90</u></p> <p><u>504 + 10% = 554.4</u> <u>required spaces</u></p>	627 total parking spaces
152.044(B)(7)	Minimum number of parking spaces for restaurant	<p>1 space per 75 sq ft of customer svc area.</p> <p><u>3,680 sq ft of customer service area requires</u> <u>49.1 spaces</u></p>	
152.044(B)(8)	Minimum number of parking spaces per for retail	<p>1 space per 200 sq ft of gross floor area</p> <p><u>2,540 sq ft of retail requires 12.7 spaces</u></p>	
	Total spaces required	<u>554.4 + 49.1 + 12.7 =</u> <u>617 total required</u>	
152.045(B)	Minimum loading space dimensions	12 ft by 30 ft, and at least 14.5 ft of vertical clearance	
152.045(C)	Loading space joint usage	Loading spaces for two or more uses may be collectively provided if so located as to be usable by all.	Utilized
152.045(E)	Loading and standard parking space restriction	No areas supplied to meet required off-street parking facilities may be utilized to meet the requirements for loading spaces.	In compliance



Section	Regulation	Required		Provided												
152.045(F)(1)	Minimum number of loading spaces for retail and restaurant	<table border="1"> <thead> <tr> <th>Gross floor area</th> <th>Spaces</th> </tr> </thead> <tbody> <tr> <td><10,000</td> <td>0</td> </tr> <tr> <td>10,000-20,000</td> <td>1</td> </tr> <tr> <td>20,000-40,000</td> <td>2</td> </tr> <tr> <td>40,000-60,000</td> <td>3</td> </tr> <tr> <td>>60,000</td> <td>4</td> </tr> </tbody> </table>	Gross floor area	Spaces	<10,000	0	10,000-20,000	1	20,000-40,000	2	40,000-60,000	3	>60,000	4		3 loading spaces
Gross floor area	Spaces															
<10,000	0															
10,000-20,000	1															
20,000-40,000	2															
40,000-60,000	3															
>60,000	4															
<p><u>10,000 sq ft of retail requires 1 loading space.</u></p>																
152.045(F)(2)	Minimum number of loading spaces for multi-family	<table border="1"> <thead> <tr> <th>Gross floor area</th> <th>Spaces</th> </tr> </thead> <tbody> <tr> <td><25,000</td> <td>0</td> </tr> <tr> <td>25,000-50,000</td> <td>1</td> </tr> <tr> <td>50,000-100,000</td> <td>2</td> </tr> <tr> <td>>100,000</td> <td>3</td> </tr> </tbody> </table>	Gross floor area	Spaces	<25,000	0	25,000-50,000	1	50,000-100,000	2	>100,000	3				
Gross floor area	Spaces															
<25,000	0															
25,000-50,000	1															
50,000-100,000	2															
>100,000	3															
<p><u>Over 100,000 sq ft of GFA requires 3 loading spaces</u></p>																
155.17	Minimum width of maneuvering aisle	90 degree parking shall be designed 23 ft wide maneuvering aisles		Provided												
155.18(A)3	Dumpster screening	Dumpster enclosures shall be designed in a manner as to visually screen the dumpster from adjacent view and shall be located in visually obscure areas of the site.		Provided												



Section	Regulation	Required	Provided
155.18(A)4	Dumpster placement	Dumpster enclosures shall be placed in such a manner as to allow front end loader sanitation trucks to pick up garbage in a forward motion. Backing out the sanitation truck is prohibited	Provided
155.18(A)5	Mechanical equipment screening	Roof-mounted mechanical equipment and elevator shafts shall be screened by a parapet wall or grilles, and shall be painted in muted colors or match the building and shall not be visible from the street.	Provided
155.18(A)7	Mechanical equipment screening	Service bays, ground mounted air conditioning units, and other mechanical equipment shall be screened from public and on-site pedestrian view, and buffered.	Provided
Appendix D	Required benches along bay walk	Benches shall be provided at a minimum of 2.5 ft sections of bench per 100 ft of linear shoreline	Provided
Miami-Dade Landscaping Chapter 18A			
18A-4(C)	Vegetative survey	A vegetation survey shall be provided for all sites at the same scale as the landscape plan.	Not yet provided.
18A-4(D)	Irrigation plan	An Irrigation Plan shall be submitted. Where a landscape plan is required, an irrigation plan shall be submitted concurrently.	Not yet provided.



Section	Regulation	Required	Provided
18A-6(A)(5)	Maximum lawn area	50% of lot area. <u>50% of 147,620 = 73,810 sq ft</u>	4,476.3 sf
18A-6(C)(1)	Tree height	Except street trees, all trees shall be a minimum of 10 ft high with a minimum of 2 inch caliper, except that 30% of the tree requirement may be met by native species with a minimum height of 8 ft.	Plan meets this requirement.
18A-6(C)(2)	Street trees	Street trees shall be provided along all roadways at a maximum average spacing of 35 feet on center (25' for palms).	5 live oaks and 7 palm trees provided for street trees
18A-6(C)(3)	Trees under power lines	Where overhead power lines require low growing trees, street trees shall have a minimum height of 8 ft and a maximum average spacing of 25 feet on center.	Power lines are not indicated on the site plan.
18A-6(C)(4)	Palms	Palms which are spaced no more than 25 feet on center and have a 14 foot minimum height or 4 inches minimum caliper diameter may count as a required tree.	Utilized
18A-6(C)(5)	Number of required trees	28 trees per acre required in multi-family residential zoning categories 28 x 3.38 = 95 trees required.	87 – 89 (non-palm) trees provided 90 proposed palms



Section	Regulation	Required	Provided
18A-6(C)(11)	Limitations on required trees	At least 30% shall be native species.	Plan meets this requirement.
		At least 50% shall be low maintenance and drought tolerant.	All trees specified are low maintenance and drought tolerant.
		Of the required trees, no more than 30% shall be palms	Plan meets this requirement.
18A-6(C)(12)	Limitations on required trees	80% of required trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.	This requirement has been met.
18A-6(D)(1)	Shrubs	All shrubs must be a minimum of 18 inches a time of planting.	This requirement has been met.
		10 shrubs are required for each required tree.	This requirement has been met.
		30% shall be native species	This requirement has been met.
		50% shall be low maintenance and drought tolerant	This requirement has been met.
		80% of required shrubs shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.	This requirement has been met.



Section	Regulation	Required	Provided
18A-6(H)	Use buffers	<p>Where dissimilar land uses exist on adjacent properties, that area shall be provided with a buffer consisting of trees spaced to a maximum average of 35-foot on center with shrubs which normally grow to a height of 6 feet, or a 6 foot wall with trees, within a 5 foot wide landscape strip.</p> <p>Shrubs shall be a minimum of 30 inches high and planted at a maximum of 36 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p> <p><u>Adjacent properties do not contain dissimilar land uses</u></p>	N/A
18A-6(I)	Parking lot buffers	<p>All parking lots adjacent to a right of way shall be screened by a continuous planting with a 7 foot landscape strip incorporating said planting</p> <p>Shrubs shall be a minimum of 18 inches high and planted at a maximum of 30 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p>	<p>This requirement has been met.</p> <p>Plan meets this requirement.</p>



Section	Regulation	Required	Provided
18A-6(J)	Parking lot landscaping	10 square feet of landscaped area per parking space shall be provided within a parking lot.	This requirement has been met.
		Trees shall be planted within the parking lot at a minimum density of one tree per 80 square feet of landscaped area, exclusive of parking lot buffers.	This requirement has been met.
		Each tree shall have a minimum of 5 feet of planting area width, exclusive of curb dimension.	This requirement has been met.
Miami-Dade Biscayne Bay Management Plan			
33D-38(1)b	Minimum rear setback	50% of building height above 35 ft (measured from mean high water line), up to 75 ft maximum. <u>152.5 rear setback required</u>	Only 42 ft provided
33D-38(2)a	Minimum visual corridor	20% of lot width on one side, with a 20 ft minimum and a 100 ft maximum. Structures not permitted in view corridor. 20% of 244 = 48.8 ft required	48 ft – 10 in
33D-38(3)	Minimum side setback	Minimum of 25 ft	42 ft
33D-33(4)	Waiver from County	A waiver may be obtained from the Miami-Dade Shoreline Review Committee for exemption from the above requirements	Not yet provided



Recommendations

BUILDING HEIGHT BONUS:

Staff recommends **approval** of the building height and density bonus.

SITE PLAN:

Staff recommends **approval** of the site plan based on our analysis as highlighted in this report. Approval should also be based on the following conditions being met prior to the issuance of a building permit:

- 1) Submittal of a landscape plan, irrigation plan and vegetative survey which meet Miami-Dade Chapter 18A requirements
- 2) Dedication recording of the public boardwalk access easements as per section 152.029(C)(7).
- 3) Site plan approval from Miami-Dade Shoreline Review Committee.
- 4) Meeting School Board Concurrency requirements as determined by School Board Staff.
- 5) Payment of bonus height fees, as required under Section 152.029(C)8A-8F, as defined by the IOD Development Agreement.
- 6) Tie-in to Village's wastewater system at a Village designed, proximate location (proposed connection point).
 - a. If and only if at the time of IOD's construction the Existing Force Main is operational, then IOD shall contribute to the established proportionate share program in place at the time of the connection.
 - b. Alternatively, if at the time of construction by IOD, there is not an Existing Force Main, then IOD shall design and construct a Westbound Force Main to the Village Hall Pump Station ("Force Main Improvements") required to service the IOD development to the standards required by the Village. Upon completion and acceptance of the Force Main Improvements by the Village, those improvements shall be conveyed to the Village at no cost through an unencumbered bill of sale.



- 7) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 8) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 9) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 10) All applicable state and federal permits must be obtained before commencement of construction.

Submitted by:

James G. LaRue
James G. LaRue, AICP
Planning Consultant

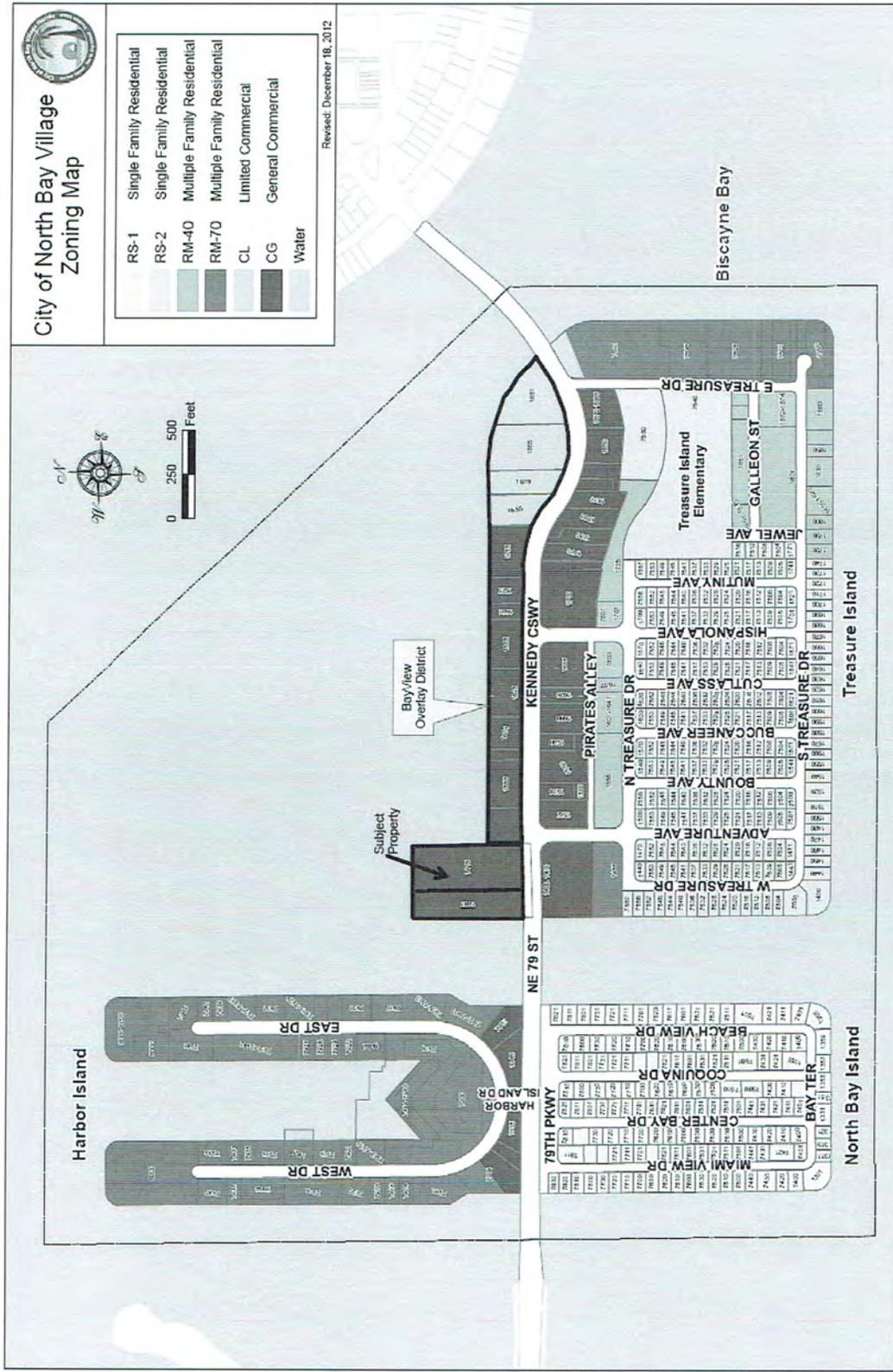
February 5, 2014

Hearing: Commission, February 11, 2014

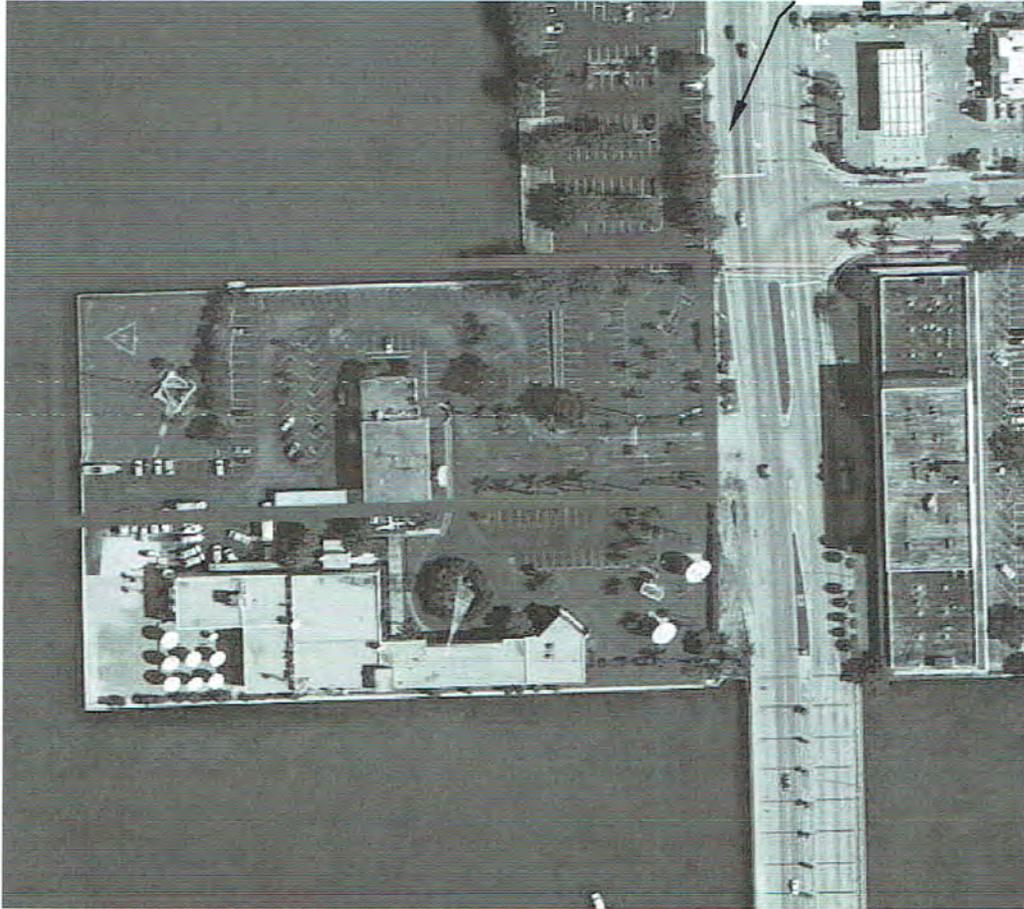
Attachments: Future Land Use Map
Zoning Map
Aerial photograph



ZONING SUBJECT SITE AND ENVIRONS



**AERIAL PHOTOGRAPH
SUBJECT SITE AND ENVIRONS**





Direct: 305-377-6229
E-Mail: gpenn@brzoninglaw.com

VIA HAND DELIVERY

December 29, 2015

Frank Rollason,
Village Manager
North Bay Village
1666 Kennedy Causeway, 3rd Floor
North Bay Village, Florida 33141

RE: Letter of Intent for Renewals of Development Orders for “Isle of Dreams” Development at 1415 Kennedy Causeway.

Dear Mr. Rollason:

Our law firm represents Isle of Dreams, L.L.C. (the “Applicant”), the owner of the parcel at the above-described address. Please consider this letter the Applicant’s letter of intent in support of a public hearing application seeking the renewal of the Village’s development order approvals for a mixed-use residential and commercial building on the site.

The Property. The subject property (“the Property”) comprises approximately 3.33 acres of commercial land on a peninsula that extends to the north from the Kennedy Causeway into Biscayne Bay. The Property is zoned and planned for Commercial Use. The balance of the peninsula is owned by a commercial user - WSVN - who owns approximately thirty-nine (39) percent of the land.

Development Agreement. In late 2013, the Mayor and Village Commission approved a Development Agreement with the Applicant in accordance with the Florida Local Government Development Agreement Act, section 163.3220-163.3243, Fla. Stat. (2015). The Development Agreement was recorded in Official Record Book 28955, at Pages 3712 through 3750 of the Public Records of Miami-Dade County, Florida.

The Development Agreement, among other things, approved a redevelopment plan for the Property with a mixed use commercial and multi-family residential project, consisting of up to 237 multifamily residential units, 50,000 square feet of retail, restaurant, service or office uses, and accessory parking structures. The Development Agreement will remain valid until late 2020 and may be extended for up to four (4) additional years following that date.

Approved Isle of Dreams Development. In early 2014, the Village issued the development orders necessary for the implementation of the Development Agreement. The development orders together approved a well-designed mixed-use residential and commercial development featuring a parking garage. The applicable resolutions issued by the Village are as follows:

1. Resolution No 2014-16: Special Use Exception Review for Mixed Use Development in the General Commercial (CG) Zoning District.
2. Resolution No. 2014-17: Special Use Exception Review under the Bayview Overlay District Standards.
3. Resolution No. 2014-18: Site Plan & Building Height Bonus Review for the Development.

Permitting. Following the approval of the 2014 resolutions, the Applicant has filed the building permit application for the development of the project. However, completion of the permitting process has been delayed due to multiple factors, including, but not limited to, the time involved in securing a new home for the radio antennae complex on the Isle of Dreams site. The Applicant has therefore not yet been able to secure the building permit for the project.

Renewal Request. Under the terms of the Village's regulations, the Special Use Exceptions approved in March 2014 have now expired and the Site Plan approval will expire in March 2016. The Applicant therefore hereby requests the renewal of all three resolutions in order to give the Applicant adequate time to complete the permitting process and begin construction. As noted above, the Development Agreement, which governs the overall

Frank Rollason
Village Manager
December 29, 2015
Page 3 of 3

completion of the project will remain effective until late 2020 and need not be extended.

Conclusion. We look forward to the Village's review and recommendation on the application. If you have questions or concerns, please call me at (305) 377-6229.

Sincerely,



Graham Penn

cc: Yvonne Hamilton
Jim Larue, AICP
Scott Greenwald
Jeffrey Bercow, Esq.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

DEC 29 '15 3:27 PM

Page 1 of 3

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

Instructions: Submit this application, along with 15 sets of sealed plans (1 set 36"x24" and 14 11"x17" sets) and the required information and fee, to the Village Clerk's Office at 1666 Kennedy Causeway, Suite 300. Applications are due by 12:00 noon on the deadline date and must be complete to be accepted and place on the agenda. A sign will be posted on the property, and public hearings will be conducted by the Planning & Zoning Board and the Village Commission.

Site Address 1415 Kennedy Causeway

Owner Name Isle of Dreams, LLC Owner Phone # 305 667 2225

Owner Mailing Address See Contact

Applicant Name Same as Owner Applicant Phone # _____
(if different from Owner)

Applicant Mailing Address See Contact

Contact Person Graham Penn Contact Phone # 305 377 6229

Contact Email Address gpenn@brzoninglaw.com

Legal Description of Property 1716FTE & 50FTN OF 1/2 MP ON W/L OF SEC N605FT E244FT S505FT SWLY TO N R/W/L OF NE 79TH ST W224FT TO POB.

Existing Zoning CG Lot Size 3.33 acres Folio Number 23-3209-000-0201

Project Description Mixed-use Residential and Commercial Development

Section of North Bay Village Code from which the Applicant is Seeking Relief 152.103

Variance Requested Renewal of Development Orders 2014-16, 2014-17, and 2014-18.

Reason for Request See attached letter.

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

Page 2 of 3

Mandatory Submittals (check that each item is included with this application):

- Plans depicting work to be completed (including property survey)
- Application fees

Optional Submittals:

- Response to required findings
- Signed consent letters from neighboring property owners
- Optional plan versions for consideration by Village Commission

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for variances from the North Bay Village Code shall be considered at Public Hearings before the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting a variance from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

Authorized Signature _____

Print Name **Graham Penn, Esq. – Attorney for the Owner and Applicant**

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF Miami

Mayor Connie Leon-Kreps	Vice Mayor Jorge Gonzalez	Commissioner Dr. Richard Chervony	Commissioner Wendy Duvall	Commissioner Eddie Lim
-----------------------------------	-------------------------------------	---	-------------------------------------	----------------------------------

Sworn to and subscribed to before me this 29 day of December, 2015,

by Graham Penn,

who is personally known to me or who has produced _____ as identification.

Notary Public Signature [Signature]

Commission Number/Expiration 4/12/19



Mayor
Connie Leon-Kreps

Vice Mayor
Vince Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim

**APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED
VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL**

3 of 3

Office Use Only:

Date Submitted: _____

Fee Paid: \$ _____

Tentative Meeting Date: _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: March 14, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager 

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-16 IN CONNECTION WITH THE DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT, AT 1415 KENNEDY CAUSEWAY; SETTING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-16 IN CONNECTION WITH THE DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT, AT 1415 KENNEDY CAUSEWAY; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the Village granted a Special Use Exception to Isle of Dreams, LLC, pursuant to Sections 152.030(C)(3) and 152.098 of the North Bay Village Code of Ordinances in connection with the development of a multi-family condominium structure at 1415 Kennedy Causeway, in conjunction with the Site Plan application approved on March 11, 2014, under Resolution No. 2014-16; and

WHEREAS, pursuant to Section 152.103 of the Village Code, a Special Use Exception granted by the Village Commission shall lapse after the expiration of one year, if no substantial construction has taken place in accordance with the plans for which the Special Use Exception was granted; and

WHEREAS, the Site Plans granted for development at 1415 Kennedy Causeway expired on March 11, 2016; and

WHEREAS, the Special Use Exception granted to Isle of Dreams, LLC expired on March 11, 2015; and

WHEREAS, Isle of Dreams, LLC has made a request to the Village to extend the Special Use Exception to March 11, 2017; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Grant.

The Special Use Exception granted to Isle of Dreams, LLC under Resolution No. 2014-16 for the development of a Mixed-Use Commercial Structure in the CG (General Commercial) Zoning District at 1415 Kennedy Causeway, North Bay Village, Florida, is hereby extended, until March 11, 2017.

Section 3. Effective Date.

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED and ADOPTED this 22nd day of March 2016.

MAYOR CONNIE LEON-KREPS

ATTEST:

YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

Robert L. Switkes & Associates, P.A.

North Bay Village Resolution: Special Use Exception One-Year Extension-1415 Kennedy Causeway.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

DEC 29 '15 3:27 PM

Page 1 of 3

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

Instructions: Submit this application, along with 15 sets of sealed plans (1 set 36"x24" and 14 11"x17" sets) and the required information and fee, to the Village Clerk's Office at 1666 Kennedy Causeway, Suite 300. Applications are due by 12:00 noon on the deadline date and must be complete to be accepted and place on the agenda. A sign will be posted on the property, and public hearings will be conducted by the Planning & Zoning Board and the Village Commission.

Site Address 1415 Kennedy Causeway

Owner Name Isle of Dreams, LLC Owner Phone # 305 667 2225

Owner Mailing Address See Contact

Applicant Name Same as Owner Applicant Phone # _____
(if different from Owner)

Applicant Mailing Address See Contact

Contact Person Graham Penn Contact Phone # 305 377 6229

Contact Email Address gpenn@brzoninglaw.com

Legal Description of Property 1716FTE & 50FTN OF 1/2 MP ON W/L OF SEC N605FT E244FT S505FT SWLY TO N R/W/L OF NE 79TH ST W224FT TO POB.

Existing Zoning CG Lot Size 3.33 acres Folio Number 23-3209-000-0201

Project Description Mixed-use Residential and Commercial Development

Section of North Bay Village Code from which the Applicant is Seeking Relief 152.103

Variance Requested Renewal of Development Orders 2014-16, 2014-17, and 2014-18.

Reason for Request See attached letter.

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

Page 2 of 3

Mandatory Submittals (check that each item is included with this application):

- Plans depicting work to be completed (including property survey)
- Application fees

Optional Submittals:

- Response to required findings
- Signed consent letters from neighboring property owners
- Optional plan versions for consideration by Village Commission

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for variances from the North Bay Village Code shall be considered at Public Hearings before the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting a variance from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

Authorized Signature _____

Print Name **Graham Penn, Esq. — Attorney for the Owner and Applicant**

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF Miami Dade

Mayor Connie Leon-Kreps	Vice Mayor Jorge Gonzalez	Commissioner Dr. Richard Chervony	Commissioner Wendy Duvall	Commissioner Eddie Lim
-----------------------------------	-------------------------------------	---	-------------------------------------	----------------------------------

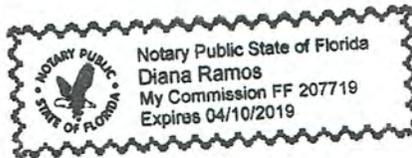
Sworn to and subscribed to before me this 29 day of December, 2015,

by Araham Penn,

who is personally known to me or who has produced _____ as identification.

Notary Public Signature [Signature]

Commission Number/Expiration 4/10/19



Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim

**APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED
VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL**

3 of 3

Office Use Only:

Date Submitted: _____

Fee Paid: \$ _____

Tentative Meeting Date: _____

Cash or Check # _____

Date Paid: _____

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

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MEMORANDUM

North Bay Village

DATE: March 14, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager 

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-17 FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED USE COMMERCIAL STRUCTURE UNDER THE BAYVIEW OVERLAY STANDARDS, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES; SETTING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING AN EXTENSION OF A SPECIAL USE EXCEPTION GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-17 FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED USE COMMERCIAL STRUCTURE UNDER THE BAYVIEW OVERLAY STANDARDS, PURSUANT TO SECTION 152.032(A)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the Village granted a Special Use Exception to Isle of Dreams, LLC, pursuant to Sections 152.032(A)(3) of the North Bay Village Code of Ordinances to construct a 237 unit, 32 Story Mixed-Use Commercial Structure under the Bayview Overlay Standards, at 1415 Kennedy Causeway, in conjunction with the Site Plan application approved on March 11, 2014, under Resolution No. 2014-17; and

WHEREAS, pursuant to Section 152.103 of the Village Code, a Special Use Exception granted by the Village Commission shall lapse after the expiration of one year, if no substantial construction has taken place in accordance with the plans for which the Special Use Exception was granted; and

WHEREAS, the Site Plans granted for development at 1415 Kennedy Causeway expired on March 11, 2016; and

WHEREAS, the Special Use Exception granted to Isle of Dreams, LLC expired on March 11, 2014; and

WHEREAS, Isle of Dreams, LLC has made a request to the Village to extend the Special Use Exception until March 11, 2017; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Grant.

The Special Use Exception granted to Isle of Dreams, LLC under Resolution No. 2014-17 for the development of a Mixed-Use Commercial Structure under the Bayview Overlay Standards, at 1415 Kennedy Causeway, North Bay Village, Florida, is hereby extended, until March 11, 2017.

Section 3. Effective Date.

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED and ADOPTED this 22nd day of March 2016.

MAYOR CONNIE LEON-KREPS

ATTEST:

YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

Robert L. Switkes & Associates, P.A.

North Bay Village Resolution: Special Use Exception One-Bayview Overlay Standards-Year Extension-1415 Kennedy Causeway.



North Bay Village

Administrative Offices

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Page 1 of 3

DEC 29 '15 3:27

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

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Owner Mailing Address See Contact

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(if different from Owner)

Applicant Mailing Address See Contact

Contact Person Graham Penn Contact Phone # 305 377 6229

Contact Email Address gpenn@brzoninglaw.com

Legal Description of Property 1716FTE & 50FTN OF 1/2 MP ON W/L OF SEC N605FT E244FT S505FT SWLY TO N R/W/L OF NE 79TH ST W224FT TO POB.

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Reason for Request See attached letter.

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APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

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- Application fees

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- Response to required findings
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All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

Authorized Signature _____

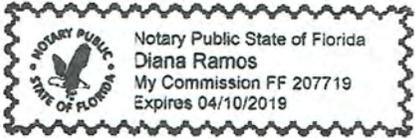
Print Name **Graham Penn, Esq. — Attorney for the Owner and Applicant**

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

STATE OF FLORIDA
COUNTY OF Miami Dade

Mayor Connie Leon-Kreps	Vice Mayor Jorge Gonzalez	Commissioner Dr. Richard Chervony	Commissioner Wendy Duvall	Commissioner Eddie Lim
-----------------------------------	-------------------------------------	---	-------------------------------------	----------------------------------

Sworn to and subscribed to before me this 29 day of December, 2015,
by Graham Penn,
who is personally known to me or who has produced _____ as identification.
Notary Public Signature _____
Commission Number/Expiration 4/10/19



Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim

**APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED
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3 of 3

Office Use Only:

Date Submitted: _____

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MEMORANDUM

North Bay Village

DATE: March 14, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager 

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF A SITE PLAN GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-18 FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA; SETTING AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF A SITE PLAN GRANTED TO ISLE OF DREAMS, LLC UNDER RESOLUTION 2014-18 FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, the Village granted Site Plan Approval to Isle of Dreams, LLC, pursuant to Sections 152.105(C)(9) of the North Bay Village Code of Ordinances, to construct a 237 unit, 32 Story Mixed-Use Commercial Structure at 1415 Kennedy Causeway on March 11, 2014, under Resolution No. 2014-18; and

WHEREAS, pursuant to Section 152.105(C)(11) of the Village Code, Site Plans approved by the Village Commission shall expire two (2) years following final approval by the Village Commission; and

WHEREAS, pursuant to Section 105(C)(11) of the Village Code, such Site Plans may be granted no more than two one-year renewals subject to approval by the Village Commission; and

WHEREAS, the approval of the Site Plans granted to Isle of Dreams, LLC expired on March 11, 2016; and

WHEREAS, Isle of Dreams, LLC has made a request to the Village to extend the Site Plans for one year; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Grant.

The Site Plans approval granted to Isle of Dreams, LLC under Resolution No. 2014-18 for the development of a Mixed-Use Commercial Structure at 1415 Kennedy Causeway, North Bay Village, Florida, is hereby extended for one year, until March 11, 2017.

Section 3. Effective Date.

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED and ADOPTED this 22nd day of March 2016.

MAYOR CONNIE LEON-KREPS

ATTEST:

YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:

Robert L. Switkes & Associates, P.A.

North Bay Village Resolution: One-Year Extension of Site Plan Approval for Development of Mixed-Use Commercial Structure -
1415 Kennedy Causeway.

RESOLUTION NO. 2014-16

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A REQUEST BY ISLE OF DREAMS, LLC, FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTION 152.030(C)(3) AND 152.098 OF THE NORTH BAY VVILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, PROVIDING FOR FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 152.030(C)(3) of the North Bay Village Code of Ordinances (the "Village Code"), Isle of Dreams, LLC has applied to North Bay Village for approval of a special use exception to construct a 237 unit, 32 story multi-family condominium structure in the CG (General Commercial) Zoning District at 1415 Kennedy Causeway; and

WHEREAS, Section 152.098(B) and Section 152.102 of the Village Code set forth the authority of the Village Commission to consider and act upon an application for a special use exception; and

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearing by the Planning and Zoning Board was noticed for January 30, 2014 7:30 P.M. at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida 33141 and the Planning and Zoning Board reviewed the application, conducted a public hearing and recommended approval of the request; and

WHEREAS, in accordance with Section 152.096 of the Village Code, public hearings by the Village Commission were noticed for February 11, 2014 and March 11, 2014 at 7540 East Treasure Drive, North Bay Village, Florida 33141 and all interested parties have had the opportunity to address their comments to the Village Commission; and

WHEREAS, Village Commission has reviewed the application, and considered the recommendations of the Planning and Zoning Board and comments from the public, and determined that the proposed use does not substantially affect adversely the subject property or adjacent properties.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Finding.

In accordance with Section 152.098 of the Village Code, the Village Commission finds that the proposed special use exception for construction of a 237 unit, 32 story multi-family condominium dwelling structure will not substantially affect adversely the uses permitted in these regulations of adjacent property.

Section 3. Grant.

The special use request to permit a special use exception for construction of a 237 unit, 32 story multi-family condominium dwelling structure at 1415 Kennedy Causeway, North Bay Village, Florida, (Isle of Dreams), is hereby granted.

Section 4. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

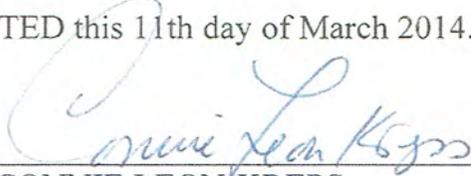
Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by Commissioner Jorge Gonzalez, seconded by Vice Mayor Eddie Lim.

FINAL VOTE AT ADOPTION:

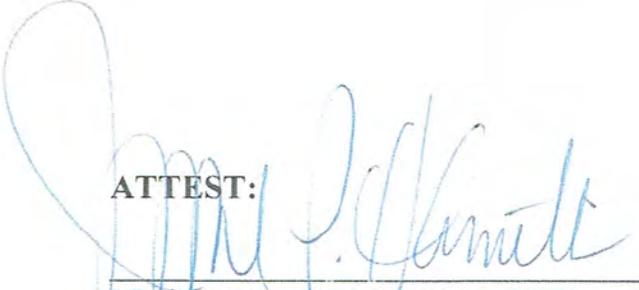
Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Eddie Lim	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Wendy Duvall	<u>Yes</u>
Commissioner Jorge Gonzalez	<u>Yes</u>

PASSED and ADOPTED this 11th day of March 2014.



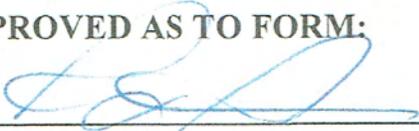
CONNIE LEON-KREPS
MAYOR

ATTEST:



YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:



Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: Isle of Dreams LLC Development-1415 Kennedy Causeway-Special Use
Exception.

RESOLUTION NO. 2014-17

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A REQUEST BY ISLE OF DREAMS, LLC, FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.032(A)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE BAYVIEW OVERLAY DISTRICT, PURSUANT TO SECTION 152.032(A)(3) AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, PROVIDING FOR FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 152.032(A)(3) of the North Bay Village Code of Ordinances (the "Village Code"), Isle of Dreams, LLC has applied to North Bay Village for Bayview Overlay standards review to construct a 237 unit, 32 story multi-family condominium structure in the CG (General Commercial) Zoning District at 1415 Kennedy Causeway; and

WHEREAS, Section 152.098(B) and Section 152.102 of the Village Code set forth the authority of the Village Commission to consider and act upon an application for a special use exception; and

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearing by the Planning and Zoning Board was noticed for January 30, 2014 7:30 P.M. at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida 33141 and the Planning and Zoning Board reviewed the application, conducted a public hearing and recommended approval of the request; and

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearings by the Village Commission was noticed for February 11, 2014 and March 11, 2014 at the 7540 East Treasure Drive, North Bay Village, Florida 33141 and all interested parties have had the opportunity to address their comments to the Village Commission; and

WHEREAS, Village Commission has reviewed the application, and considered the recommendations of the Planning and Zoning Board and comments from the public, and determined that the proposed use does not substantially affect adversely the subject property or adjacent properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Finding.

The Village Commission finds that the subject property is located within the Bayview Overlay (BVO) District as created by North Bay Village in 2012; and is eligible to be reviewed under the provisions of the Bayview Overlay District.

Section 3. Grant.

The Village Commission approves the special use request to permit Bayview Overlay Standards Review pursuant to Section 152.032(A)(3).

Section 4. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 4. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

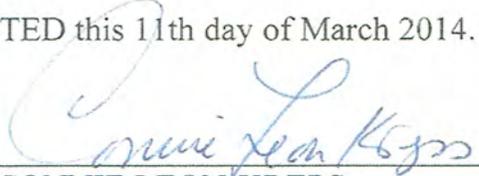
Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by Commissioner Jorge Gonzalez, seconded by Vice Mayor Eddie Lim.

FINAL VOTE AT ADOPTION:

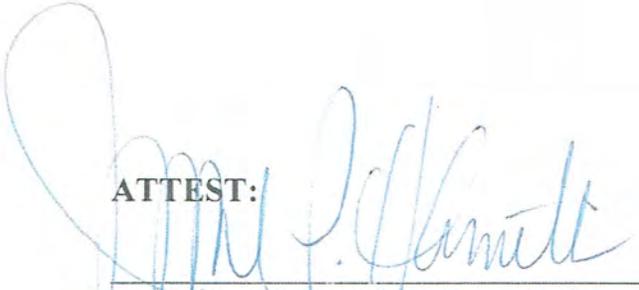
Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Eddie Lim	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Wendy Duvall	<u>Yes</u>
Commissioner Jorge Gonzalez	<u>Yes</u>

PASSED and ADOPTED this 11th day of March 2014.



CONNIE LEON-KREPS
MAYOR

ATTEST:



YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:



Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: Isle of Dreams LLC Development-1415 Kennedy Causeway-Special Use Exception.

RESOLUTION NO. 2014-18 (Revised)

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA APPROVING A REQUEST BY ISLE OF DREAMS, LLC, FOR SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MULTI-FAMILY CONDOMINIUM STRUCTURE AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, PROVIDING FOR FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 152.105(C)(9) of the North Bay Village Code of Ordinances (the “Village Code”), Isle of Dreams, LLC has applied to North Bay Village for approval of a Site Plan to construct a 237-unit, 32 story multi-family condominium structure in the CG (General Commercial) Zoning District, utilizing the bonus height and bonus density provisions pursuant to Section 152.029(C)(8); and

WHEREAS, Section 152.105(C) and Section 152.102 of the Village Code set forth the authority of the Village Commission to consider and act upon an application for Site Plan approval.

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearing by the Planning and Zoning Board was noticed for January 30, 2014 at 7:30 P.M. at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida 33141 and the Planning and Zoning Board reviewed the application, conducted a public hearing and recommended approval of the request; and

WHEREAS, in accordance with Section 152.096 of the Village Code, public hearings by the Village Commission were noticed for February 11, 2014 at 7:30 p.m. and March 11, 2015, at 7:30 P.M. at the Treasure Island Elementary School, 7540 East Treasure Drive, North Bay Village, Florida 33141 and all interested parties have had the opportunity to address their comments to the Village Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Finding.

In accordance with Section 152.105(9) of the Village Code, the Village Commission finds that the proposed Site Plan for construction of a 237-unit, 32 story multi-family condominium dwelling structure:

- A. Protects against and minimizes any undesirable effects upon contiguous and nearby property.
- B. Provides sufficient off-street parking and loading facilities so that it will not be necessary to use the streets in the vicinity for this purpose.
- C. Provides sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.
- D. Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.

Section 3. Grant.

The Site Plan to construct a 237-unit, 32 story multi-family condominium dwelling structure at 1415 Kennedy Causeway, North Bay Village, Florida, as attached and incorporated herein as Exhibit "A" entitled "Isle of Dreams LLC" as submitted for hearing on March 3, 2014 and consisting of sheets A0.00, LP-1, LP-2, LP-3, A0-01, A1.00, A2.00, A2.01, A2.02, A3.00, A3.01, A3.02, A3.03, A3.04, A3.05, A3.06, A3.07, A3.08, A3.09, A4.00, A4.01, A4.02, A4.03, A5.00, is hereby approved.

Section 4. Conditions.

The Site Plan is approved with the condition that the following items are met prior to issuance of a Building Permit:

- 1) Submittal of a landscape plan, irrigation plan and vegetative survey which meet Miami-Dade Chapter 18A requirements
- 2) Dedication recording of the public boardwalk access easements as per section 152.029(C)(7).
- 3) Site plan approval from Miami-Dade Shoreline Review Committee.
- 4) Meeting School Board Concurrency requirements as determined by School Board Staff.
- 5) Payment of bonus height fees, as required under Section 152.029(C)8A-8F, as defined by the IOD Development Agreement.
- 6) Tie-in to Village's wastewater system at a Village designed, proximate location (proposed connection point).
 - a) If and only if at the time of IOD's construction the Existing Force Main is operational, then IOD shall contribute to the established proportionate share program in place at the time of the connection.
 - a) If and only if at the time of IOD's construction the Existing Force Main is operational, then IOD shall contribute to the established proportionate share program in place at the time of the connection.

- b) Alternatively, if at the time of construction by IOD, there is not an Existing Force Main, then IOD shall design and construct a Westbound Force Main to the Village Hall Pump Station (“Force Main Improvements”) required to service the IOD development to the standards required by the Village. Upon completion and acceptance of the Force Main Improvements by the Village, those improvements shall be conveyed to the Village at no cost through an unencumbered bill of sale.
- 7) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 8) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 9) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 10) All applicable state and federal permits must be obtained before commencement of construction.
- 11) Applicant shall agree, in writing, that the public boardwalk shall be open to the public from sun-up until either 10:00 pm or until any businesses adjacent to the boardwalk remains open to the public, whichever is later; and boardwalk lighting shall remain on until boardwalk is closed to the public.

Section 5. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 6. Violation of Conditions.

Failure to adhere to the terms and conditions contained in this Resolution in Section 4, if any, shall be considered a violation of this Resolution and persons found violating the conditions shall be subject to the penalties prescribed by the Village Code, including but not limited to, the revocation of any of the approval(s) granted in this Resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the Village Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the Village at any time upon a determination that the Applicant is in non-compliance with the Village Code.

Section 7. Effective Date.

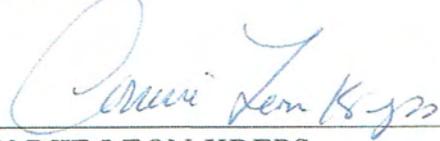
This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by Commissioner Richard Chervony, seconded by Commissioner Jorge Gonzalez.

FINAL VOTE AT ADOPTION:

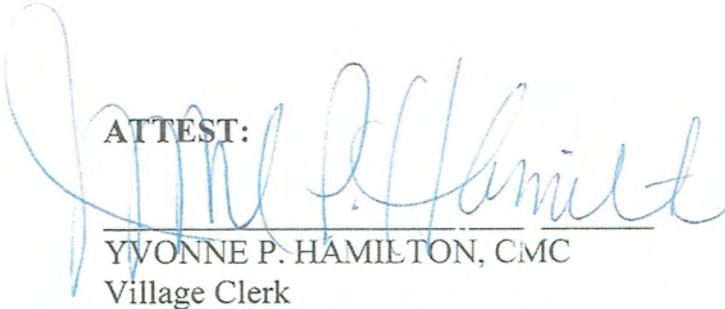
Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Eddie Lim	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Wendy Duvall	<u>Yes</u>
Commissioner Jorge Gonzalez	<u>Yes</u>

PASSED and ADOPTED this 11th day of March 2014.



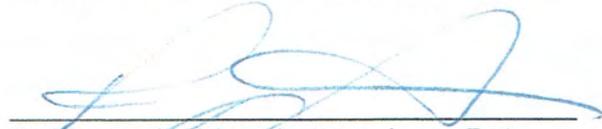
CONNIE LEON-KREPS
MAYOR

ATTEST:



YVONNE P. HAMILTON, CMC
Village Clerk

APPROVED AS TO FORM:



Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: Isle of Dreams-1415 Kennedy Causeway-Site Plan Approval.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

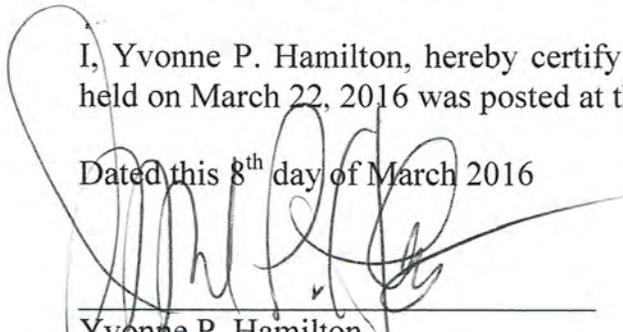
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

RE: APPLICATIONS BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:

- A. A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-16 FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
- B. A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-17 APPROVING DEVELOPMENT ACCORDING TO BAY VIEW OVERLAY STANDARDS PURSUANT TO SECTION 152. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
- C. A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 22, 2016 was posted at the above-referenced property on March 7, 2016.

Dated this 8th day of March 2016



Yvonne P. Hamilton
Village Clerk

(North Bay Village Special Commission Meeting-3/22/2016)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Wendy Duvall

Commissioner
Eddie Lim



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUESTS AT PUBLIC HEARING:

- 1. APPLICATIONS BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-16 FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - B. A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-17 APPROVING DEVELOPMENT ACCORDING TO BAY VIEW OVERLAY STANDARDS PURSUANT TO SECTION 152. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - C. A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 7, 2016)



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

1. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)**
2. **APPLICATIONS BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-16 FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - B. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-17 APPROVING DEVELOPMENT ACCORDING TO BAY VIEW OVERLAY STANDARDS PURSUANT TO SECTION 152. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - C. **A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
3. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
 - A. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**
4. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “BUILDINGS” BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)**
5. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “OFFENSES AGAINST MORALS”; CREATING SUBSECTIONS 133.04 “MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE” TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (SECOND READING)**
6. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (SECOND READING)**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 3, 2016)



Staff Report Site Plan

*Prepared for: North Bay Village
Commission*

Applicant: Bayshore Yacht & Tennis

Site Address: 7904 West Drive

*Request: Site Plan Approval for Construction of a
Parking Lot*



Serving Florida Local Governments Since 1988

General Information

Owner/Applicant:	Bayshore Yacht & Tennis
Applicant Address:	7904 West Drive North Bay Village, FL 33141
Site Address:	7904 West Drive
Contact Person:	Paula Guzman
Contact Phone Number:	305-758-5311
E-mail Address	manager@bayshoreyacht.com

Future Land Use	Commercial and High Density Multi-family Residential
Zoning District	CG and RM-70
Use of Property	Mixed-use Commercial and Residential

Legal Description of Subject Property

9 53 42 E150FT OF W 1500FT OF TREA IS LYING N OF 79 ST CSWY PER DB 3409-93

Request

The applicant is requesting site plan approval pursuant to Section 152.105(C)(9) of the North Bay Village Code for construction of a parking lot.

General Description

The applicant is requesting approval to convert the existing tennis court area to a surface parking lot. The proposal includes a new vehicular access to be provided through existing commercial bays fronting on West Drive. A total of 57 new on-site parking spaces will be created on the property, to be used by the residents of the existing condominiums.



Consistency with Comprehensive Plan

Multifamily mixed-use is consistent with the description of the Commercial Future Land Use category under Policy 2.1.1a of the Future Land Use Element. The creation of additional parking spaces to support the multi-family use is also consistent with the goals, objectives and policies of the Comprehensive Plan

Adjacent Land Use Map Classifications and Zoning District

North	Future Land Use	High Density Multi-family Residential
	Zoning District	RM-70
	Existing Land Use	Multi-family Residential Condominiums
East	Future Land Use	Commercial
	Zoning District	CG
	Existing Land Use	Restaurant
South	Future Land Use	Right-of-Way, then Single Family Residential
	Zoning District	Right-of-Way, then RS-1
	Existing Land Use	Kennedy Causeway, then Single Family Residential
West	Future Land Use	Water
	Zoning District	Water
	Existing Land Use	Biscayne Bay



Comparison of Submitted Site Plan With Land Development Regulations

Section	Regulation	Required	Provided
North Bay Village LDC			
5.2.2(a)(1)	Minimum standard parking space dimensions	9 ft by 18 ft	Provided
5.2.2(a)(3)	Minimum handicap accessible parking space dimensions	Must comply with all applicable accessibility standards	Provided
152.042(D)	Minimum number of handicap accessible parking spaces	2% of total spaces. <u>2% of 57 = 2 handicap accessible parking spaces required</u>	3 handicap accessible parking spaces provided
Florida ADA Req Section 208	Minimum number of handicap accessible parking spaces	3 handicap accessible parking spaces required for facilities with 51 - 75 total parking spaces	
152.042(K)	Minimum setback of ROW from parking spaces	20 ft	In compliance
152.042(M)	Minimum separation of parking from walkways and streets	Parking spaces shall be separated from walkways, sidewalks, streets, or alleys by an approved wall, fence, curbing, or other protective device	Provided
152.042(P)	Back-out parking prohibition	Parking spaces shall be designed so that no vehicle shall be required to back into a public ROW to obtain egress	Provided
155.17	Minimum width of maneuvering aisle	23 ft	Provided
155.17	Minimum width of 2-way access aisle	23 ft	Provided
155.22	Maximum height of light fixtures	20 ft	20 ft



Section	Regulation	Required	Provided
Miami-Dade Landscaping Chapter 18A			
18A-4(D)	Irrigation plan	An Irrigation Plan shall be submitted. Where a landscape plan is required, an irrigation plan shall be submitted concurrently.	Not yet submitted
18A-6(C)(1)	Tree height	Except street trees, all trees shall be a minimum of 10 ft high with a minimum of 2 inch caliper, except that 30% of the tree requirement may be met by native species with a minimum height of 8 ft.	In compliance
18A-6(C)(2)	Street trees	Street trees shall be provided along all roadways at a maximum average spacing of 35 feet on center (25' for palms). <u>With 124 linear feet of frontage, either 4 trees or 5 palms are required.</u>	6 street trees provided
18A-6(C)(3)	Trees under power lines	Where overhead power lines require low growing trees, street trees shall have a minimum height of 8 feet and a maximum average spacing of 25 feet on center.	No power lines present
18A-6(C)(4)	Palms	Palms which are spaced no more than 25 feet on center and have a 14 foot minimum height or 4 inch minimum caliper diameter may count as a required tree.	



Section	Regulation	Required	Provided
18A-6(C)(11)	Limitations on required trees	<p>At least 30% shall be native species.</p> <p>At least 50% shall be low maintenance and drought tolerant.</p> <p>Of the required trees, no more than 30% shall be palms</p>	<p>In compliance</p> <p>In compliance</p> <p>In compliance</p>
18A-6(C)(12)	Limitations on required trees	80% of required trees shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.	In compliance
18A-6(D)	Shrubs	<p>All shrubs must be a minimum of 18 inches at time of planting.</p> <p>10 shrubs are required for each required tree. <u>180 shrubs required</u></p> <p>30% shall be native species</p> <p>50% shall be low maintenance and drought tolerant</p> <p>80% of required shrubs shall be listed in the Miami-Dade Landscape Manual, the Miami-Dade Street Tree Master Plan and/or the University of Florida's Low Maintenance Landscape Plants for South Florida list.</p>	<p>In compliance</p> <p>In compliance</p> <p>In compliance</p> <p>In compliance</p> <p>In compliance</p>



Section	Regulation	Required	Provided
18A-6(I)	Parking lot buffers	<p>All parking lots adjacent to a right of way shall be screened by a continuous planting with a 7 foot landscape strip incorporating said planting</p> <p>Shrubs shall be a minimum of 18 inches high and planted at a maximum of 30 inches on center; or if planted at a minimum height of 36 inches, shall have a maximum average spacing of 48 inches on center.</p>	<p>In compliance</p> <p>In compliance</p>
18A-6(J)	Parking lot landscaping	<p>10 square feet of landscaped area per parking space shall be provided within a parking lot.</p> <p>Trees shall be planted within the parking lot at a minimum density of one tree per 80 square feet of landscaped area, exclusive of parking lot buffers.</p>	<p>3,071 sq ft provided</p> <p>In compliance</p>



Staff Comments

The current parking situation at Bayshore Yacht and Tennis club is non-conforming to the current parking standards. According to the condominium documents, there were originally 163 residential dwelling units and 14 commercial units. At this time, according to documentation provided by the Village Code Enforcement Officer, there are a total of only 25 on-site parking spaces. The currently proposed plans depict the conversion of the existing tennis courts to a surface parking lot with 57 newly created parking spaces, and access to that parking lot to be provided through what is currently two commercial bays. These plans, if approved, would not bring the subject property into total compliance with the current parking standards, but it would lessen the non-conformity.

The Applicant has worked diligently with Staff to provide a site plan which meets the current parking design requirements and landscape design requirements. Many design iterations had been presented and discussed. At the time that this project was advertised for public hearing, the site plan was deficient in one aspect, which was the width of the landscape buffer adjacent to the right of way. However, due to the fact that the subject property is one of the first sights that visitors and residents will see when entering the Village from the Causeway, the applicant agreed to revise the site plan to provide the entirety of the required buffer, in an effort to ensure that this project would contribute to an attractive and aesthetically pleasing entry to North Bay Village. This is why a variance was advertised but is no longer needed for approval of this project.

There is another concern regarding this project. The owner of several of the commercial and residential units, Al Coletta, maintains that the proposed project represents a violation of the Bayshore Yacht & Tennis Club Condominium Documents. Specifically, Mr Coletta and his Attorney dispute the authority of the Condominium Association to submit the application and plans for this project, as well as the right of the association to alter the common areas and commercial bays. A letter from Mr. Coletta's Attorney is attached. Also attached is a letter from the Condominium Association's President, Michael Haeggstroem, which states that the owner of several commercial bays, Sebarcar Inc., has agreed to sell portions of the commercial space to facilitate the ingress and egress necessary for the proposed parking lot.

Staff cannot comment as to the validity of the commitment made by Sebarcar Inc. or the legal issues raised by Mr Coletta. The purpose of this report is to assess the proposed plans in regards to compliance with the Village's Comprehensive Plan and the Village's Land Development Code.

Planning & Zoning Board Recommendation

The North Bay Village Planning and Zoning Board recommended approval of the site plan with the following staff recommended conditions by a vote of 3-0 on March 1, 2015.



Staff Recommendation

Staff recommends **approval** of the site plan based on our analysis in this report. Approval should also be based on the following conditions being met prior to the issuance of a building permit:

- 1) Submittal of an irrigation plan which meets Miami-Dade Chapter 18A requirements.
- 2) Parking spaces shall be made available only to residents of the Bayshore Yacht and Tennis Club and their guests.
- 3) Payment of any applicable impact fees.
- 4) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 5) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 6) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 7) All applicable state and federal permits must be obtained before commencement of construction.



Submitted by:

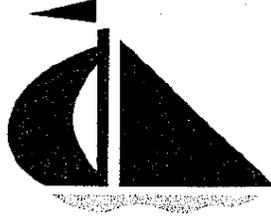
James G. LaRue
James G. LaRue, AICP
Planning Consultant

March 11, 2016

Hearing: North Bay Village Commission, March 22, 2016

Attachments: Letter from Condominium Association President
Letter from Attorney for Al Coletta
Aerial photograph
Zoning Map





Bayshore Yacht & Tennis Club
7904 West Drive, North Bay Village, Florida 33141
(305) 758-5311
manager@bayshoreyacht.com

VIA HAND DELIVERY

North Bay Village
Attn: Ben Smith
1666 Kennedy Causeway, Suite 300
North Bay Village 33141

**RE: Bayshore Yacht and Tennis Club Condominium Association, Inc.
7904 West Drive • North Bay Village • Florida 33141**

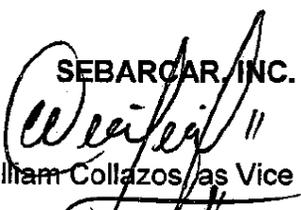
Dear Mr. Smith:

Please be advised that the owners of CU 2 and CU 3, SEBARCAR, INC. intend to sell a portion of their commercial space to the Association facilitate the ingress and egress necessary for the proposed parking area.

Very truly yours,

**BAYSHORE YACHT & TENNIS CLUB CONDOMINIUM
ASSOCIATION, INC.**


Michael Haeggstroem, as President

SEBARCAR, INC.

William Collazos, as Vice President



February 22, 2016

VIA EMAIL ONLY

Frank Rollason
Village Manager
City of North Bay Village
1666 Kennedy Causeway – Suite 300
North Bay Village, Florida 33141

**Re: Bayshore Yacht & Tennis Club Condominium
Application for Public Hearing – Parking Lot Proposal**

Dear Mr. Rollason:

As you are aware, my firm represents Al Coletta, owner of several units at the Bayshore Condominium. As you know, Bayshore has been for sometime refusing to provide the required parking set forth under its Declaration of Condominium and as is required under City Code. Apparently aware of their default, and in what appears to be an attempt to remedy that default in light of litigation by my client and municipal action, Bayshore has presented to the City an application to build a “valet-only” parking-lot on the existing Tennis Courts at Bayshore. They also appear to be intending to modify the lobby to allow for an entrance driveway, to purchase part of two commercial units for that entrance, and then create an exit driveway over my client’s property, CU-14. Simply stated, this proposal is absolutely illegal and impossible to bring to reality.

As you may be aware, under the Declaration of Condominium, Article XXII, Parking at Bayshore was supposed to be provided at an off-site parking lot, specifically, the parking lot at 7913 West Drive. Bayshore does however have the right to acquire and use any other additional property to provide parking or other amenities. What Bayshore does not have the right to do is materially change the lobby, the common elements, no right to remove the tennis courts, nor are they permitted to trespass on my clients property, CU-14, to bring their plan into action.

Specifically, Article V of the Bayshore Declaration of Condominium reads in pertinent part as follows:

Page 1

2121 S.W. 3rd Avenue – 7th Floor – Miami, Florida 33129
Telephone (305) 577-4800 -- Facsimile (305) 577-4808 -- www.ips-law.com



V

**RESTRICTION AGAINST FURTHER SUBDIVIDING
OF UNITS AND SEPARATE CONVEYANCE
OF APPURTENANT COMMON ELEMENTS**

No UNIT may be divided or subdivided into a smaller UNIT or UNITS than as shown on Exhibit 1 hereto, nor shall any UNIT, or portion thereof, be added or incorporated into any other unit.

Simply stated, Bayshore's plan to purchase parts of CU-2 and CU-3 from its owner to create a driveway is not permitted under this article.

Article VII of the Declaration further provides a perpetual easement to all owners in the Common Elements.

VII

The COMMON ELEMENTS shall be, and the same are hereby declared to be subject to a perpetual non-exclusive easement in favor of all of the owners of UNITS in the CONDOMINIUM for their use and the use of their immediate families, guests, and invitees, for all proper and normal purposes, and for the furnishing of services and facilities for which the same was reasonable intended, for the enjoyment of said owners of UNITS.

The owners at Bayshore have an easement—a material property right in their existing lobby and the tennis courts that Bayshore seeks to reduce or eliminate. The plan to eliminate the tennis courts in favor of valet-parking spaces clearly violates the owners' rights and is improper.

Article XVIII of the Declaration limits an owners right to alter or modify the units:

Article XVIII

**LIMITATION UPON THE RIGHT OF OWNERS
TO ALTER AND MODIFY UNITS**

No owner of any unit shall make or permit to be made any structural modifications or alterations in such UNIT.....

Any plan by Bayshore and the owner or owners of CU-2 and CU-3 to alter their units to accommodate a driveway through the Bayshore lobby is improper.

Page 2

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Article XXX prohibits certain amendments to the Declaration (including material alteration or modifications of units or the appurtenances to units) without ALL unit owner and unit owner mortgagee approval. ARTICLE XXX states in pertinent part as follows:

XXX

AMENDMENT OF DECLARATION OF CONDOMINIUM

Except for an amendment which shall.....change the configuration or size of any UNIT in any material fashion, materially alter or modify the appurtenances to such unit.... in which said instances CONSENT OF ALL OF THE OWNERS OF ALL UNITS, THEIR RESPECTIVE MORTGAGEES AND ANY LESSEE SHALL BE REQUIRED.....

Emphasis added

Bayshore's plan to change the configuration of the lobby, CU-2 and CU-3, and to literally do away with the appurtenant, common element Tennis Courts requires 100% owner and mortgagee approval. This will NEVER happen as I can assure you my client will vote against any such project that further devalues Bayshore units. Reducing the size of the lobby and eliminating the tennis courts would do just that.

According to the plan attached to Bayshore's application, it appears that Bayshore intends to traverse across my client's fee simple property, CU-14 as an exit from the proposed valet parking area. My client will not allow trespass across his property, so again Bayshore's plan is improper and impossible.

Finally, from my recent review of the meeting minutes and Agendas from Bayshore Membership meetings, it appears that Bayshore lacks the requisite authority to even be making this ill-advised application. From my review, nowhere do I see even a Board vote to hire architects to create any plan, nor any vote to make an application for public hearing. Again, Bayshore appears to have chosen to ignore its governing documents.

The City is free as you know to take any appropriate action on Bayshore's application as is allowed under the City' guidelines, however, if the City does in fact choose to allow Bayshore to move forward with its proposal, I would request that you notify me and my client, and all interested property owners of any such administrative hearings or action.

Page 3

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Telephone (305) 577-4800 -- Facsimile (305) 577-4808 -- www.ips-law.com



Should you have any questions or require any additional documents or information, please feel free to contact me.

Very truly yours,



RONALD J. ISRIEL

cc: Al Coletta
Yvonne Hamilton, City Clerk
Robert Switkes, Esq, City Attorney
Michael Hyman, Esq., Attorney for Bayshore

Page 4

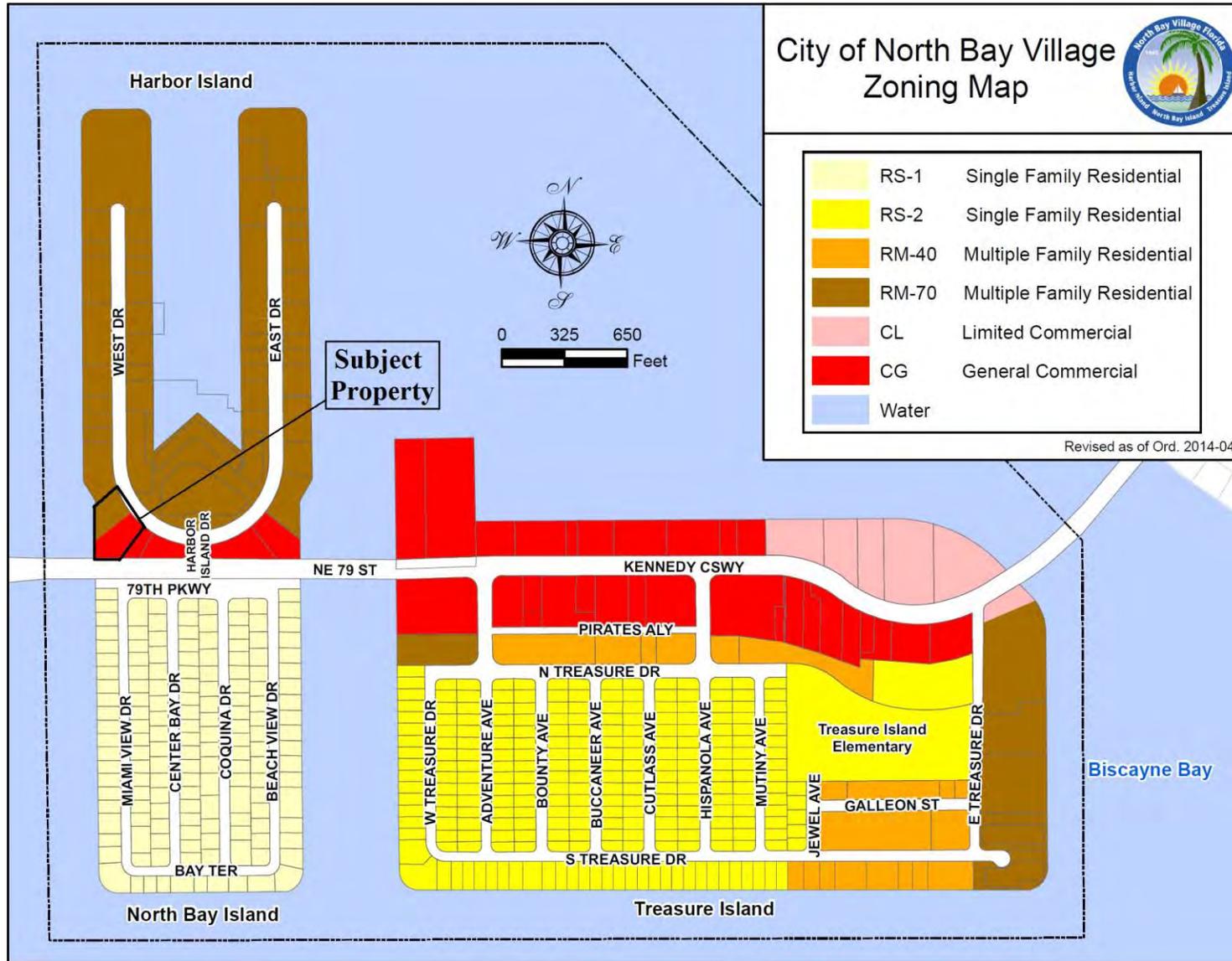
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**AERIAL
SUBJECT SITE AND ENVIRONS**



ZONING SUBJECT SITE AND ENVIRONS





FEB 11 2:51 PM

North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

My P. Hammit
NORTH BAY VILLAGE

1666 KENNEDY CAUSEWAY, STE 300
NORTH BAY VILLAGE, FL 33141

Page 1 of 4

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

Instructions: Submit this application, along with 15 sets of sealed plans (1 set 36"x24" and 14 11"x17" sets) and the required information and fee, to the Village Clerk's Office at 1666 Kennedy Causeway, Suite 300. Applications are due by 12:00 noon on the deadline date and must be complete to be accepted and place on the agenda. A sign will be posted on the property, and public hearings will be conducted by the Planning & Zoning Board and the Village Commission.

Site Address 7904 West Drive N. Bayvillage FL 33141

Owner Name Bayshore Yacht & Tennis Owner Phone # 305-758-5311

Owner Mailing Address 7904 West Drive N. Bayvillage FL 33141

Applicant Name Paula Guzman Applicant Phone # 305-758-5311
(if different from Owner)

Applicant Mailing Address _____

Contact Person Paula Guzman Contact Phone # 305-758-5311

Contact Email Address manager@Bayshoreyacht.com

Legal Description of Property Lot 4 and Lot 6 of Harbor Island Plat Book 44, Page 72

Existing Zoning 0200 Lot Size 6200 Folio Number 23-32090-020-001

Project Description Parking lot

Section of North Bay Village Code from which the Applicant is Seeking Relief _____

Variance Requested To reduce parking lot landscape Buffer to 3.5 feet.

Reason for Request parking lot construction.

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL

Mandatory Submittals (check that each item is included with this application):

- Plans depicting work to be completed (including property survey)
- Application fees

Optional Submittals:

- Response to required findings
- Signed consent letters from neighboring property owners
- Optional plan versions for consideration by Village Commission

Applications are incomplete until all mandatory submittals have been received by the Village Clerk.

All requests for variances from the North Bay Village Code shall be considered at Public Hearings before the Village Commission. Notice of Hearing shall be given by publishing and posting on the property (which is the subject of the request), the time, the place and the nature of the hearing at least 10 days before the hearing. The Village Clerk shall certify that the petition is complete before the hearing is legally advertised. All applications shall be submitted to the Village Clerk on or before the deadline implemented by the Village.

All persons, firms, or corporations requesting a variance from the Village Commission necessitating the publication of notices in the newspaper, and all relative thereto, the payment of such money in advance to the Village Clerk shall be deemed a condition precedent to the consideration of such a variance request.

All new and substantial improvements must comply with the Florida Building Code, Department of Environmental Resource Management (DERM), and FEMA regulations.

I (We) the undersigned, am (are) the (owner, tenant, agent, attorney) (designate one) of the subject property herein described. I (We) acknowledge and agree that during the consideration of the application before the Planning & Zoning Board and staff of North Bay Village, no rights shall vest on behalf of the applicant, which would be enforceable against the Village until after a Public Meeting is held by the Village Commission and the Village Commission has voted favorable on the proposed request.

I (We) further acknowledge that I (We) have read and understand the conditions for appearance before the Planning and Zoning Board and the Village Commission pursuant to the Village Code Section 152.096. Any person submitting false information or misrepresenting in their presentation shall have all privileges granted to them by the Planning & Zoning Board and the Village Commission revoked.

Authorized Signature 

Print Name C. Michael Heggstrom

(In case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's position in the corporation and embossed with the corporate seal.)

Mayor Connie Leon-Kreps	Vice Mayor Jorge Gonzalez	Commissioner Dr. Richard Chervony	Commissioner Andreana Jackson	Commissioner Eddie Lim
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**APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED
VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL**

STATE OF FLORIDA
COUNTY OF Miami Dade

Sworn to and subscribed to before me this 8th day of February, 2016,

by Carl Johan Michael Haeggstrom,

who is personally known to me or who has produced FLDL as identification.

Notary Public Signature Leilani Calzadilla

Commission Number/Expiration _____



Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim

**APPLICATION FOR VARIANCE, INCLUDING EXTENSION OF AN UNEXPIRED
VARIANCE AND/OR SPECIAL EXCEPTION APPROVAL**

Office Use Only:

Date Submitted: 2/8/16

Fee Paid: \$ 3,000.00

Tentative Meeting Date: 3/1/16

Cash or Check #

Date Paid:



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

MEMORANDUM

North Bay Village

DATE: March 14, 2016

TO: Yvonne P. Hamilton, CMC
Village Clerk

FROM: Frank K. Rollason
Village Manager

SUBJECT: Introduction of Resolution

Pursuant to Section 3.08 of the Village Charter, I hereby introduce the following Resolution:

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY BAYSHORE YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION FOR SITE PLAN APPROVAL, PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES, TO CONSTRUCT A PARKING LOT AT 7904 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Accordingly, please place the item on the next available agenda.

FKR:yph

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Eddie Lim

Commissioner
Andreana Jackson

RESOLUTION NO. _____

A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING A REQUEST BY BAYSHORE YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION FOR SITE PLAN APPROVAL, PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES, TO CONSTRUCT A PARKING LOT AT 7904 WEST DRIVE, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA; PROVIDING FINDINGS, PROVIDING FOR GRANTING THE REQUEST; PROVIDING FOR CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR VIOLATION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)

WHEREAS, pursuant to Section 152.109(C)(9) of the North Bay Village Code of Ordinances (the “Village Code”), Bayshore Yacht & Tennis Club Condominium Association has applied to North Bay Village for Site Plan Approval to construct Parking Lot at 7904 West Drive, Harbor Island, North Bay Village, Florida; and

WHEREAS, Section 152.105(C) and Section 152.102 of the Village Code set forth the authority of the Village Commission to consider and act upon an application for Site Plan approval.

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearing by the Planning and Zoning Board was noticed for March 1, 2016 at 7:30 P.M. at Village Hall, 1666 Kennedy Causeway, #101, North Bay Village, Florida 33141 and the Planning and Zoning Board reviewed the application, conducted a public hearing and recommended approval of the request with conditions; and

WHEREAS, in accordance with Section 152.096 of the Village Code, a public hearing by the Village Commission was noticed for March 22, 2016 at 7:30 p.m. at Village Hall, 1666 Kennedy Causeway, #101, North Bay Village, Florida 33141 and all interested parties have had the opportunity to address their comments to the Village Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Finding.

In accordance with Section 152.105(9) of the Village Code, the Village Commission finds that the proposed Site Plan for construction of a parking lot at an existing mixed use commercial and multifamily residential property:

- A. Protects against and minimizes any undesirable effects upon contiguous and nearby property.
- B. Reduces an existing nonconformity related to insufficient on-site parking.
- C. Provides sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.
- D. Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.

Section 3. Grant.

The Site Plan to construct a surface parking lot at 7904 West Drive, North Bay Village, Florida, as attached and incorporated herein as Exhibit "A" entitled "Bayshore Yacht & Tennis Club" as submitted for hearing on March 22, 2016 and consisting of sheets A1, A2 and L1, is hereby approved.

Section 4. Conditions.

The Site Plan is approved with the condition that the following items are met prior to issuance of a Building Permit:

- 1) Submittal of an irrigation plan which meets Miami-Dade Chapter 18A requirements.
- 2) Parking spaces shall be made available only to residents of the Bayshore Yacht and Tennis Club and their guests.
- 3) Payment of any applicable impact fees.
- 4) Cost recovery charges must be paid pursuant to Section 152.110. Specifically, no new development application shall be accepted and no building permit or certificate of occupancy shall be issued for the property until all application fees, cost recovery deposits and outstanding fees and fines related to the property (including fees related to any previous development proposal applications on the property), have been paid in full.
- 5) Building permits and related approvals must be obtained from the Building Official prior to commencement of construction.
- 6) Approval of this site plan does not in any way create a right on the part of the applicant to obtain a permit from a state or federal agency, and does not create liability on the part of the Village for approval if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes action that result in a violation of federal or state law.
- 7) All applicable state and federal permits must be obtained before commencement of construction.

Section 5. Appeal.

In accordance with Section 152.104 of the Village Code, the Applicant, or any aggrieved property owner, may appeal the decision of the Village Commission by filing a Writ of Certiorari to the Circuit Court of Miami-Dade County, Florida, in accordance with the Florida Rules of Appellate Procedure.

Section 6. Violation of Conditions.

Failure to adhere to the terms and conditions contained in this Resolution in Section 4, if any, shall be considered a violation of this Resolution and persons found violating the conditions shall be subject to the penalties prescribed by the Village Code, including but not limited to, the revocation of any of the approval(s) granted in this Resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the Village Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the Village at any time upon a determination that the Applicant is in non-compliance with the Village Code.

Section 7. Effective Date.

This Resolution shall become effective upon its adoption.

The foregoing Resolution was offered by _____, who moved for its adoption. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION:

Mayor Connie Leon-Kreps	_____
Vice Mayor Jorge Gonzalez	_____
Commissioner Richard Chervony	_____
Commissioner Andreana Jackson	_____
Commissioner Eddie Lim	_____

PASSED AND ADOPTED this 22nd day of March 2016.

Mayor Connie Leon-Kreps

Attest:

Yvonne P. Hamilton, CMC
Village Clerk

APPROVED AS TO FORM:

Robert L. Switkes & Associates, P.A.
Village Attorney

North Bay Village Resolution: 7904 West Drive/Site Plan Approval/Parking Lot Construction.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

1. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
 - A. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**

I, Yvonne P. Hamilton, Village Clerk, hereby certify that that the petition filed hereto is correct.

Dated this 22nd day of February 2016.

Yvonne P. Hamilton
Village Clerk

(North Bay Village Planning & Zoning Board Meeting-3/1/2016)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

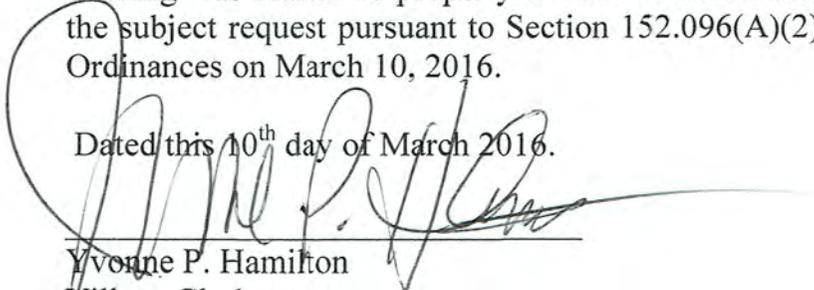
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

RE: AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:

- A. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**

I, Yvonne P. Hamilton, Village Clerk, hereby certify that the attached Notice of Public Hearing was mailed to property owners and residents within 300 feet of the property of the subject request pursuant to Section 152.096(A)(2) of the North Bay Village Code of Ordinances on March 10, 2016.

Dated this 10th day of March 2016.


Yvonne P. Hamilton
Village Clerk

(Commission Meeting -3/22/2016)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

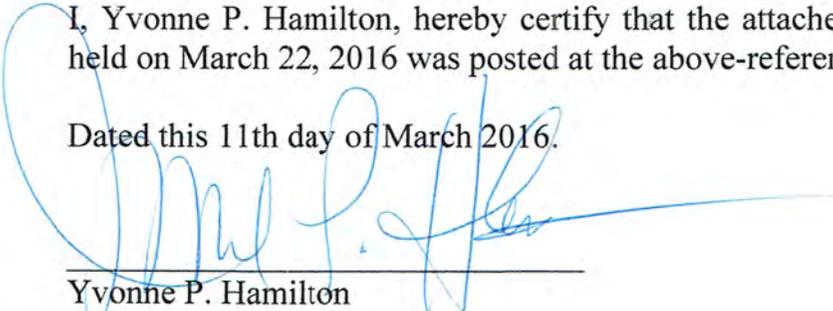
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

RE: AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:

- A. SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**

I, Yvonne P. Hamilton, hereby certify that the attached Notice of Public Hearing to be held on March 22, 2016 was posted at the above-referenced property on March 7, 2016.

Dated this 11th day of March 2016.



Yvonne P. Hamilton
Village Clerk

(North Bay Village Commission Meeting – March 22, 2016)

Mayor
Connie Leon-Kreps

Vice Mayor
Jorge Gonzalez

Commissioner
Dr. Richard Chervony

Commissioner
Andreana Jackson

Commissioner
Eddie Lim



**NORTH BAY VILLAGE
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING REQUEST AT PUBLIC HEARING:

1. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
 - A. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK

P&O Technologies
224 Commercial Blvd, #206
Ft. Lauderdale, FL 33308
(7914 West Drive)

Gator Harbor Investment
1595 N.E. 163rd Street
N. Bay Village, FL 33141
(7910 West Drive)

Bayshore Yacht & Tennis
Club Condo Association
7904 West Drive
N. Bay Village, FL 33141

360 Condominium Association
360 Harbor Island Drive, #1
North Bay Village, FL 33141

Nancy Y. Ansted & Douglas Wolfe
1696 N.E. Miami Gardens Drive
N. Miami Beach, FL 33179-4902
(1335 79th Street Causeway)

Al Coletta
1333 Tyler Street
Hollywood, FL 33019

OWNER/OCCUPANT
7904 WEST DR., APT 110
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 112
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 114
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 115
N. BAY VILLAGE, FL 33141

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OWNER/OCCUPANT
7904 WEST DR., APT 1017
N. BAY VILLAGE, FL 33141

Shell Gas Service
C/O NV FAA LC
1345 Kennedy Causeway
N. Bay Village, FL 33141

OWNER/OCCUPANT
7904 WEST DR., APT 106
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7904 WEST DR., APT 109
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 316
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
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N. BAY VILLAGE, FL 33141

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7910 WEST DR., APT 105
N. BAY VILLAGE, FL 33141

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7910 WEST DR., APT 108
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 111
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 115
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 203
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 206
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 209
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 212
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 100
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 103
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 106
N. BAY VILLAGE, FL
33141

OWNER/OCCUPANT
7910 WEST DR., APT 109
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 112
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 201
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 204
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 207
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 210
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 214
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 101
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 104
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 107
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 110
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 114
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 202
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 205
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 208
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 211
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 215
N. BAY VILLAGE, FL 33141



OWNER/OCCUPANT
7910 WEST DR., APT 216
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 301
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 302
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 303
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 304
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 305
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 306
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 307
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 308
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 309
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 310
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 311
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 312
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 314
N. BAY VILLAGE, FL 33141

OWNER/OCCUPANT
7910 WEST DR., APT 315
N. BAY VILLAGE, FL 33141



Owner/Occupant
7914 Harbor Island Drive, 102
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, 104
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #302
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #304
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #105
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #106
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #204
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive,
#206
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #103
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #201
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #306
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #303
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #301
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #101
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #202
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #305
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #203
North Bay Village, FL 33141

Owner/Occupant
7914 Harbor Island Drive, #205
North Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
#107
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
#110
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
#207
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
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N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
#310
N. Bay Village, FL 33141

Owner/Occupant
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#108
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
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N. Bay Village, FL 33141

Owner/Occupant
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N. Bay Village, FL 33141

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N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
#309
N. Bay Village, FL 33141

Owner/Occupant
7918 Harbor Island Drive
#312
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #5
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #8
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #12
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #14
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #1
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #6
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #2
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #11
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #9
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #10
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #3
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #4
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #13
N. Bay Village, FL 33141

Owner/Occupant
360 Harbor Island Drive, #7
N. Bay Village, FL 33141

360 Condo Corp
360 Harbor Island Drive, #14
N. Bay Village, FL 33141



NORTH BAY VILLAGE NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, WILL HOLD A SPECIAL MEETING ON **TUESDAY, MARCH 22, 2016** AT 7:30 P.M., OR AS SOON AS POSSIBLE THEREAFTER, AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY, #101, NORTH BAY VILLAGE, FLORIDA. DURING THIS MEETING THE COMMISSION WILL CONSIDER THE FOLLOWING AT PUBLIC HEARINGS:

1. **AN ORDINANCE OF NORTH BAY VILLAGE, FLORIDA, AMENDING SUPPLEMENTAL REGULATIONS OF CHAPTER 152 – ZONING, OF THE CODE OF ORDINANCES OF NORTH BAY VILLAGE; CREATING SECTION 152.112 ENTITLED “VACATION RENTAL LICENSE PROGRAM” TO INCLUDE BUT NOT BE LIMITED TO PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR A VACATION RENTAL LICENSE; PROVIDING FOR A VACATION RENTAL REPRESENTATIVE; PROVIDING FOR LOCAL PHONE SERVICE REQUIREMENT; PROVIDING FOR PARKING STANDARDS; PROVIDING FOR SOLID WASTE HANDLING AND CONTAINMENT; PROVIDING FOR THE POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)**
2. **APPLICATIONS BY ISLES OF DREAMS, LLC CONCERNING PROPERTY LOCATED AT 1415 KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FLORIDA, FOR THE FOLLOWING:**
 - A. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-16 FOR A SPECIAL USE EXCEPTION PURSUANT TO SECTIONS 152.030(C)(3) AND 152.098 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A MIXED-USE COMMERCIAL STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - B. **A ONE YEAR RENEWAL OF RESOLUTION NO. 2014-17 APPROVING DEVELOPMENT ACCORDING TO BAY VIEW OVERLAY STANDARDS PURSUANT TO SECTION 152. RENEWAL TO BE EFFECTIVE FOR ONE YEAR FOLLOWING THE APPROVAL OF THE RENEWAL BY THE VILLAGE COMMISSION.**
 - C. **A ONE YEAR EXTENSION OF RESOLUTION NO. 2014-18 APPROVING SITE PLANS PURSUANT TO SECTIONS 152.105(C)(9) AND 152.030(C)(3) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A 237 UNIT, 32 STORY MIXED-USE STRUCTURE IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT.**
3. **AN APPLICATION BY PAULA GUZMAN, ON BEHALF OF BAYSHORE, YACHT & TENNIS CLUB CONDOMINIUM ASSOCIATION, FOR THE FOLLOWING IN CONNECTION WITH THE CONSTRUCTION OF A PARKING LOT AT 7904 WEST DRIVE, TRACT C, BLOCK 4/6, HARBOR ISLAND, NORTH BAY VILLAGE, FLORIDA:**
 - A. **SITE PLAN APPROVAL PURSUANT TO SECTION 152.105(C)(9) OF THE NORTH BAY VILLAGE CODE OF ORDINANCES FOR DEVELOPMENT OF A PARKING LOT AT AN EXISTING MIXED USE CONDOMINIUM STRUCTURE.**
4. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 151 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “BUILDINGS” BY REVISING SECTION 151.11(B) PERTAINING TO FEES FOR RENEWAL, RE-ISSUANCE AND EXTENSION OF PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)**
5. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 133 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “OFFENSES AGAINST MORALS”; CREATING SUBSECTIONS 133.04 “MISDEMEANORS UNDER STATE LAW CONSTITUTE MISDEMEANORS IN THE VILLAGE” TO PROVIDE FOR CIVIL PENALTIES FOR THE POSSESSION OF CANNABIS (MARIJUANA) FOR AMOUNTS UNDER 20 GRAMS AND POSSESSION OF DRUG PARAPHERNALIA; AND PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (SECOND READING)**
6. **AN ORDINANCE OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA AMENDING CHAPTER 94 OF THE NORTH BAY VILLAGE CODE OF ORDINANCES ENTITLED “GARBAGE, TRASH, AND WEEDS” TO INCLUDE RECYCLING REQUIREMENTS FOR SPECIAL EVENTS; PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE. (SECOND READING)**

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE COMMISSION C/O THE VILLAGE CLERK, 1666 KENNEDY CAUSEWAY, #300, KENNEDY CAUSEWAY, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR BUSINESS HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

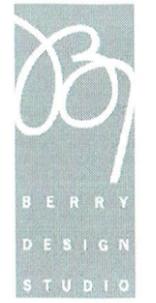
PURSUANT TO SECTION 286.0105, FLORIDA STATUTES IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(March 3, 2016)

FILE COPY



2840 S BAYSHORE DRIVE
BLDG A, SUITE 201
MIAMI, FLORIDA 33133
TEL 305 285 1874
FAX 305 285 1874
1000044 * ASLC 014
LIC # AR 0051484

Juan E. Berry R.A.
FL Lic. 0051484

BAYSHORE YACHT AND TENNIS
CLUB CONDOMINIUM
7904 WEST DRIVE
NORTH BAY VILLAGE
FLORIDA

ARCHITECTURE
PLANNING
INTERIORS

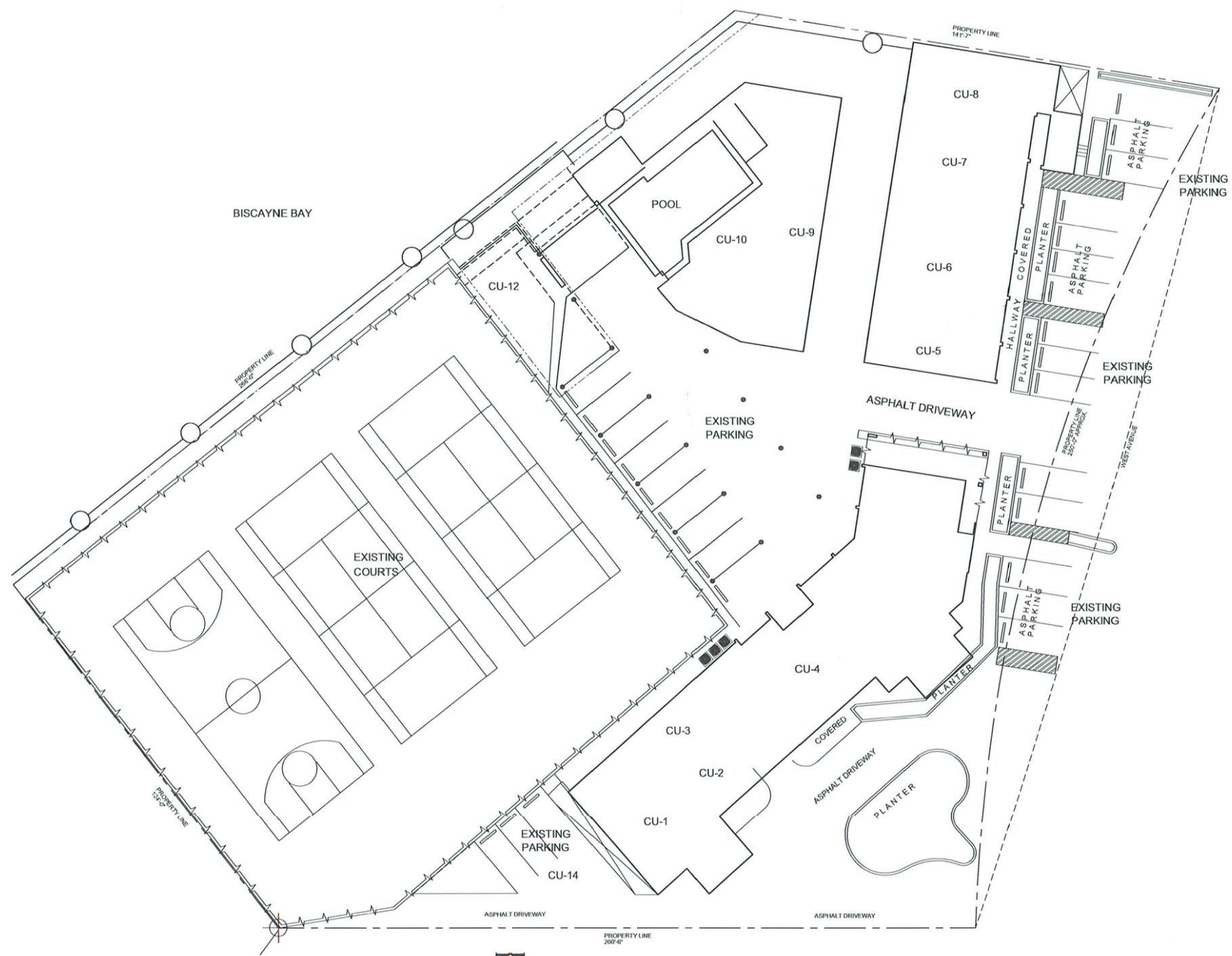
All these design arrangements and plans
incorporated or represented by the drawings
are owned by and the property of the office
and were created and used for the project
and shall be used in connection with the project
only. None of such design arrangements
or plans shall be copied or disclosed to any
person without the express written permission
of Berry Design Studio Inc. or Juan E. Berry R.A.

PROJECT NO.
1509
DATE
5/22/15
REVISIONS
0/0/00

SHEET NO

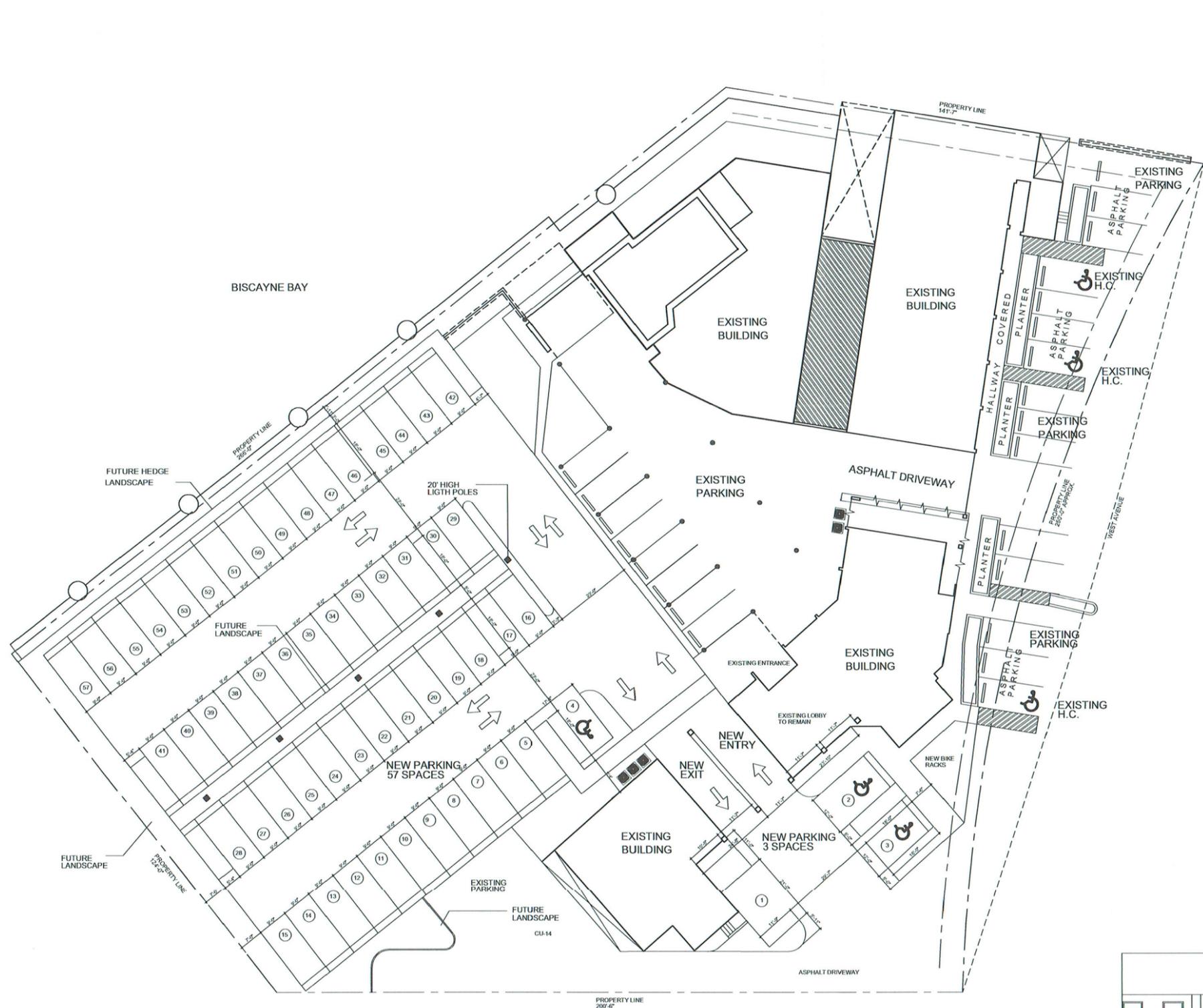
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03-11-16P03:36 RCVD



EXISTING
SITE PLAN 1/16"
NORTH

LEGAL DESCRIPTION
LOT 4 AND LOT 6 OF HARBOR ISLAND ACCORDING
TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK
44 PAGE 72 OF THE PUBLIC RECORDS OF MIAMI DADE
COUNTY, FLORIDA



NEW ONE STORY PARKING FACILITY FOR 57 CARS

GROUND LEVEL 1/16"

LEGAL DESCRIPTION

LOT 4 AND LOT 6 OF HARBOR ISLAND ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 44 PAGE 72 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA



FUTURE PARKING NOTES:

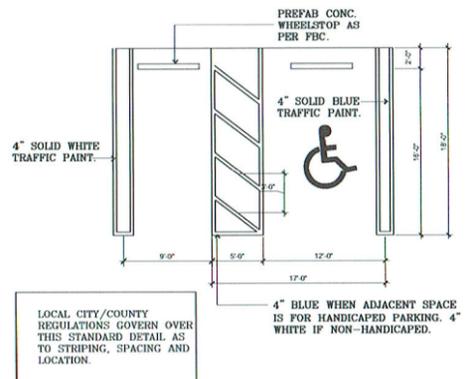
NEW PARKING TO COMPLY WITH THE LANDSCAPE ORDINANCES OF MIAMI DADE COUNTY.

NEW LANDSCAPE AREAS TO BE 100% IRRIGATED WITH A IRRIGATION SYSTEM THAT COMPLIES WITH THE LANDSCAPE ORDINANCES OF MIAMI DADE COUNTY.

NEW PARKING LIGHTING TO COMPLY WITH THE ORDINANCES OF MIAMI DADE COUNTY, THE FLORIDA BUILDING CODE 2015 AND NEC 2008.

NOTE:

PARKING AND SECURITY LIGHTING SYSTEMS SHALL BE FURNISHED AS SPECIFIED ON PERMIT SET OF DRAWINGS. SUBMITTAL DRAWINGS ARE REQUIRED FOR APPROVAL PRIOR TO PLACING ORDERS FOR THIS EQUIPMENT. AN ILLUMINANCE POINT BY POINT LIGHTING CALCULATION IS REQUIRED TO FORM PART OF THE SUBMITTAL PACKAGE. NO DEVIATION FROM SPECIFIED EQUIPMENT WILL BE REVIEWED OR ACCEPTED.



TYP. PARKING STRIPING DETAIL NTS.

GENERAL NOTES:
all work should be in accordance with the requirements of the florida 2015 edition building code, zoning requirements and other applicable municipal requirements

before performing any work or ordering any materials, the contractor shall verify all dimensions and conditions of any existing and new work and shall be responsible for their accuracy. any differences found shall be submitted to architect or engineer for verification before proceeding with the work.

the general contractor shall be held to have examined the site with respect to all existing field conditions and to have fully examined the complete set of architectural drawings as prepared by others, and shall be responsible for the condition and insertion of this drawing set, as is included as part of the original drawing set.

the general contractor shall locate all general reference points and take ordinary precautions to prevent their disruption. each prime subcontractor shall be responsible for layout of his own work and shall be required of and for his work. he shall be responsible for all lines, elevations, measurements, and others as may be required of and for his work. he shall be responsible for verifying all figures and details shown on the drawings which relate to his work, prior to laying out the work. he shall be held responsible for any error resulting from his failure to take such precautions.

divisions of the work for subcontracting purposes shall be as per the general contractor's direction.

It shall be the responsibility of all subcontractors to have examined and reviewed the complete set of working drawings, and for specifications and to provide labor and material for their respective areas of work for a complete and finished installation in compliance with the intent of the drawing and / or specifications, whether it is indicated or not. all work, whether indicated or not, shall be in compliance with all building codes and ordinances which are applicable to the project. subcontractors shall cooperate with each other and with the general contractor to provide materials and labor that are necessary in each other's work at the proper times so that the construction schedule is not affected. these interfacings shall be the responsibility of the subcontractors whose work is affected as such. all work shall be performed by qualified contractors in strict accordance with manufacturer's specifications.

product manufactures indicated in schedule and / or on plans were selected based upon quality, style, size, color, etc. and are not intended to restrict competitive bidding. products "equal to" intended to be used as substitutes are subject to architect's approval in writing prior to product purchase and installation.

this drawing package is based on documents, specifications and related information provided by owner and or owner's agent.

the design information indicated on these plans is intended to be a complete and workable systems in accordance with all products manufactures' specifications, existing and / or proposed, building design, field conditions, etc.

architect shall be notified prior to start-up of construction, should existing conditions vary from drawings by greater than 1".

the general contractor or subcontractors shall be held responsible for the removal and disposal of materials and items commonly referred to as "debris" or determined by the remove all specific items indicated on drawings, also remove any other item or construction architect to be refuse.

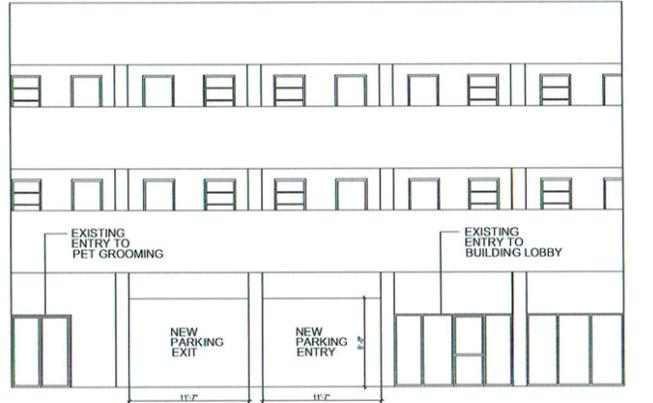
the general contractor shall have made all required provisions for the removal of debris from the site, having charges, dumping fees, etc., in his original bid submission.

the general contractor shall provide and install signage, barricades, fencing, lighting, etc. as required for the prevention of personal injuries to the owners, its employees, representatives, clients, or others within the area of construction.

protection devices to be installed shall comply with the requirements of all local state and national governing codes. the general contractor shall take ordinary precautions to prevent their disruption during the course of work.

general contractor shall take ordinary precautions to secure and protect materials to be relocated or warehoused as determined by the owner.

prior to the start of any work, contractor shall secure all permits, licenses, utility connections confirmations, governmental approvals, etc. all prime permits, impact fees and any other special condition that arise beyond the normal scope of the project shall be paid by owner unless stated in the construction contract.



ELEVATION AT PARKING ENTRY/EXIT 1/8"



2840 S BAYSHORE DRIVE
BLDG. A, SUITE 201
MIAMI, FLORIDA 33133
TEL: 305 285 1874
FAX: 305 285 1874
WWW.BERRYDESIGNSTUDIO.COM
LIC# AR0001484

(Signature)
3.11.16

Juan E. Berry R.A.
Lic. 0001484

BAYSHORE YACHT AND TENNIS CLUB CONDOMINIUM
7904 WEST DRIVE
NORTH BAY VILLAGE
FLORIDA

ARCHITECTURE
PLANNING
INTERIORS

All design, engineering and plans included in this set of drawings are the property of Berry Design Studio and are not to be used for any other project without the written consent of Berry Design Studio. No part of these drawings or plans shall be used by or derived therefrom without the express written permission of Berry Design Studio, Inc. or Juan E. Berry, R.A.

PROJECT NO. 1509
DATE 5/22/15
REVISIONS 0/0/00

SHEET NO

A-2

BISCAYNE BAY

PLANT NOTES:

ALL PLANT MATERIAL TO BE FLORIDA NO. 1 OR BETTER FLORIDA DEPARTMENT OF AGRICULTURE GRADES AND STANDARDS PARTS I AND II, 2ND EDITION, FEBRUARY 1999 RESPECTIVELY.
 ALL PLANTING BEDS TO BE TOPPED WITH 3" MULCH EXCLUDING TOP OF ROOT BALL. SEE PLANT TREE PLANTING DETAIL.
 LANDSCAPE PLAN SHALL BE INSTALLED IN COMPLIANCE WITH ALL LOCAL CODES.
 ALL SOIL SHALL BE ST. AUGUSTINE FLORITAM SOILS (UNLESS OTHERWISE NOTED) AND LAID WITH A TERNATING AND ABUTTING.
 ALL PLANTING BEDS TO BE WEED AND GRASS FREE.
 LANDSCAPE CONTRACTOR SHALL REVIEW ALL DRAWINGS AND PREPARE OWN QUANTITY COUNTS PRIOR TO BID COST AND COMPARE TO ARCHITECT'S PLANT LIST. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ACCURATE COUNT OF PLANT MATERIAL SPECIFIED. IN THE EVENT OF DISCREPANCIES, LANDSCAPE CONTRACTORS SHALL BRING TO THE ATTENTION OF LANDSCAPE ARCHITECT. PLAN SHALL TAKE PRECEDENCE OVER PLAN LIST.
 LANDSCAPE CONTRACTORS SHALL LOCATE AND VERIFY ALL UNDERGROUND UTILITIES PRIOR TO DIGGING.
 NO CHANGES SHALL BE MADE WITHOUT THE PRIOR CONSENT OF THE LANDSCAPE ARCHITECT.
 ALL PLANTED AREAS TO RECEIVE 100% COVERAGE BY AN AUTOMATIC IRRIGATION SYSTEM, WITH A MINIMUM OF 50% OVER AP. RAIN SENSOR TO BE PROVIDED.

TREE LEGEND

QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION
17	QV	Quercus virginiana	Live Oak	15' ht 5' spr, 2" cal, 4" cal.
7	VM	Veitchia montgomeryana	Montgomery Palm	16' oa ht, match heights
6	CD	Coccoloba diversifolia	Pidgeon Plum	15' ht 5' spr, 2" cal, 4" cal.

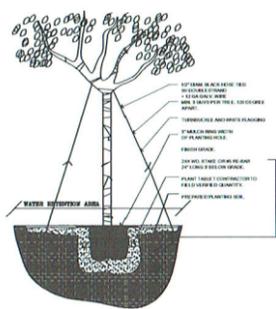
SHRUB LEGEND

QTY	KEY	BOTANICAL NAME	COMMON NAME	DESCRIPTION
548	CHI	Chrysobalanus icaco 'rt'	Red Tipped Coccoloba	3 gal 24" ht
65	SPB	Ficus microcarpa	Green Island Ficus	3 gal
5	CRA	Crinum procerum 'rt'	Red Leaf Crinum	7 gal

LANDSCAPE AREAS

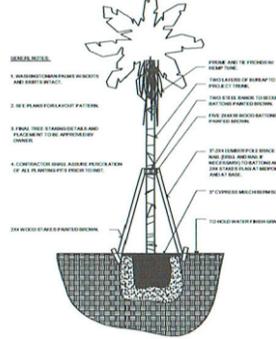
847 SF
465 SF
94 SF
661 SF
383 SF
479 SF
52 SF
90 SF

TOTAL AREA= 3,071 SF.



TREE PLANTING & GUYING DETAIL

SECTION



PALM TREE DETAIL

SECTION

REQUIREMENTS:

ZONING DISTRICT: MULTI-RESIDENTIAL

OPEN SPACE:

A. SQUARE FEET OF OPEN SPACE AS REQUIRED BY CHAPTER 33, AS INDICATED ON SITE PLAN.

NET NEW PARKING AREA = 23,000 +/- SF. X 40% = 9,200 SF.

B. SQUARE FEET OF PARKING LOT OPEN SPACE REQUIRED PER CHAPTER 18A, AS INDICATED ON THE SITE PLAN.

NO. OF PARKING SPACES 60X 10 SF. PER PARKING SPACE =

C. TOTAL SF. OF LANDSCAPED OPEN SPACE REQUIRED BY CHAPTER 33 A+B =

LAWN AREA CALCULATION:

A. 9,800 TOTAL SF. OF LANDSCAPE OPEN SPACE REQUIRED BY CHAPTER 33 AND 18

B. MAXIMUM LAWN AREA (SOD) PERMITTED = 20% X 9,800 SF.

TREES:

A. NO. OF TREE REQUIRED PER NET LOT ACRE = 22

LESS EXISTING NUMBER OF TREES MEETING MINIMUM REQUIREMENTS:
 22 X NET LOT ACRE 22 X .39 = 8.58

B. % PALMS ALLOWED: NO. OF TREES PROVIDED X 30% =

C. % NATIVES REQUIRED: NO. OF TREES PROVIDED X 30% =

D. STREET TREES (MAX. AVERAGE SPACING OF 35' O.C.): 122 LF. ALONG STREET / 35' =

E. STREET TREES LOCATED DIRECTLY BENEATH POWER LINES (MAX. AVG. SPACING OF 25' O.C.)

SHRUBS:

A. NO. TREES REQUIRED (A + D) X 10 = NO. OF SHRUBS REQUIRED.

B. NO. SHRUBS REQUIRED X 30% = NO. OF NATIVE SHRUBS REQUIRED 36.

REQ. PROVIDED

9,200 SF 22,244 SF

600 SF 600 SF

9,800 SF. 21,644 SF

1,840 SF 1,840 SF

9 23

3 6

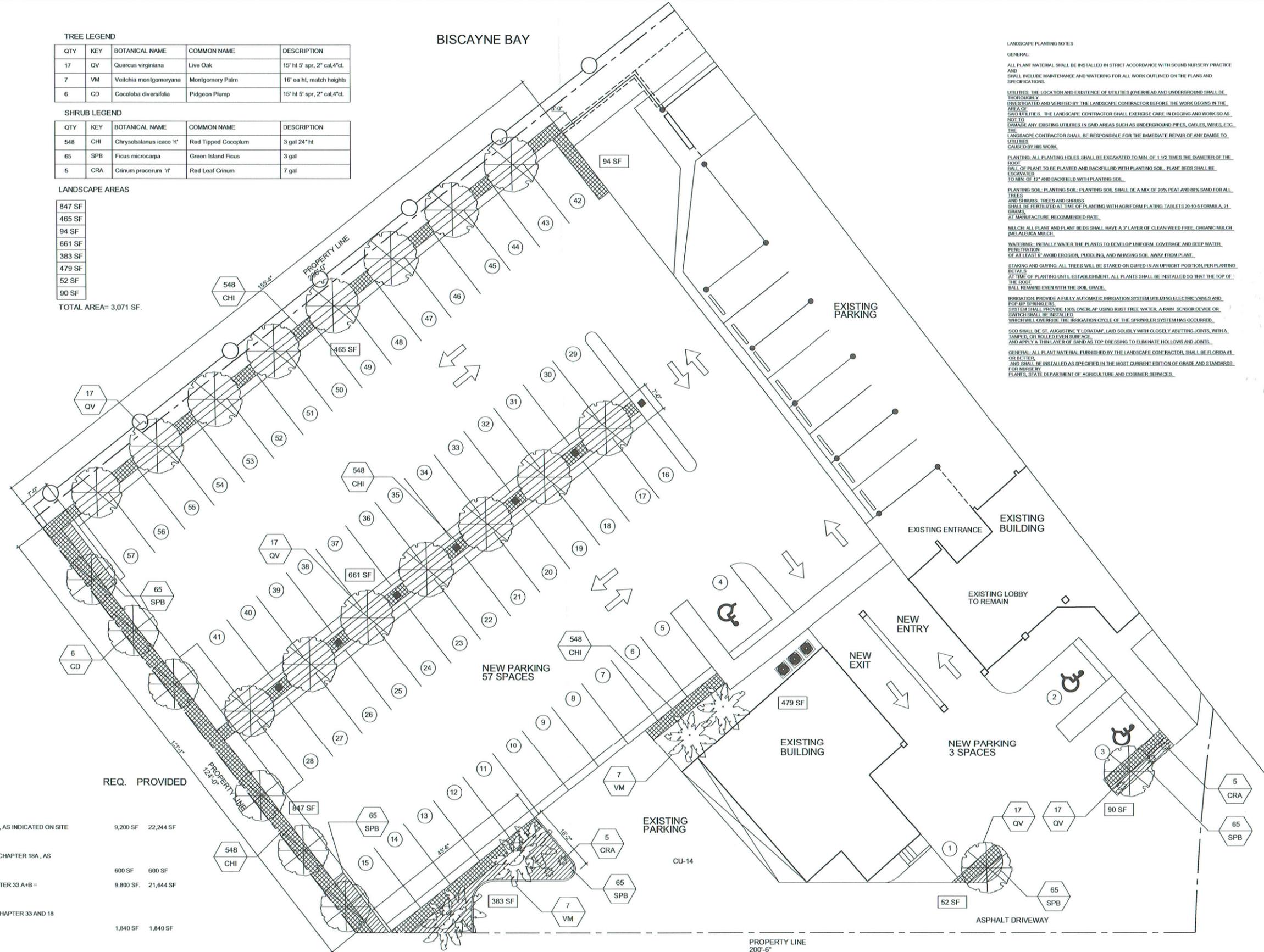
3 23

6 8

NA NA

170 300

36 300



LANDSCAPE PLANTING NOTES

GENERAL:

ALL PLANT MATERIAL SHALL BE INSTALLED IN STRICT ACCORDANCE WITH SOUND NURSERY PRACTICE AND SHALL INCLUDE MAINTENANCE AND WATERING FOR ALL WORK OUTLINED ON THE PLANS AND SPECIFICATIONS.
 UTILITIES: THE LOCATION AND EXISTENCE OF UTILITIES (OVERHEAD AND UNDERGROUND) SHALL BE THOROUGHLY INVESTIGATED AND VERIFIED BY THE LANDSCAPE CONTRACTOR BEFORE THE WORK BEGINS IN THE AREA OF SAID UTILITIES. THE LANDSCAPE CONTRACTOR SHALL EXERCISE CARE IN DIGGING AND WORK SO AS NOT TO DAMAGE ANY EXISTING UTILITIES IN SAID AREAS SUCH AS UNDERGROUND PIPES, CABLES, WIRES, ETC. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMMEDIATE REPAIR OF ANY DAMAGE TO UTILITIES CAUSED BY HIS WORK.
 PLANTING: ALL PLANTING HOLES SHALL BE EXCAVATED TO MIN. OF 1 1/2 TIMES THE DIAMETER OF THE ROOT BALL OF PLANT TO BE PLANTED AND BACKFILLED WITH PLANTING SOIL. PLANT BEDS SHALL BE ESCAVATED TO MIN. OF 12" AND BACKFILLED WITH PLANTING SOIL.
 PLANTING SOIL: PLANTING SOIL SHALL BE A MIX OF 20% PEAT AND 80% SAND FOR ALL TREES AND SHRUBS. TREES AND SHRUBS SHALL BE FERTILIZED AT TIME OF PLANTING WITH AGRIFORM PLANTING TABLETS 20-10-5 FORMULA, 21 GRAMS, AT MANUFACTURE RECOMMENDED RATE.
 MULCH: ALL PLANT AND PLANT BEDS SHALL HAVE A 3" LAYER OF CLEAN WEED FREE, ORGANIC MULCH (DELADECA MULCH).
 WATERING: INITIALLY WATER THE PLANTS TO DEVELOP UNIFORM COVERAGE AND DEEP WATER PENETRATION OF AT LEAST 6" AVOID EROSION, PULVERING, AND WASHING SOIL AWAY FROM PLANT.
 STAKING AND GUYING: ALL TREES WILL BE STAKED OR GUYED IN AN UPRIGHT POSITION, PER PLANTING DETAILS. AT TIME OF PLANTING UNTIL ESTABLISHMENT, ALL PLANTS SHALL BE INSTALLED SO THAT THE TOP OF THE ROOT BALL REMAINS EVEN WITH THE SOIL GRADE.
 IRRIGATION: PROVIDE A FULLY AUTOMATIC IRRIGATION SYSTEM UTILIZING ELECTRIC VALVES AND POP-UP SPRINKLER SYSTEM SHALL PROVIDE 100% OVER AP USING RUST FREE WATER. A RAIN SENSOR DEVICE OR SWITCH SHALL BE INSTALLED WHICH WILL OVERRIDE THE IRRIGATION CYCLE OF THE SPRINKLER SYSTEM HAS OCCURRED.
 SOIL: SHALL BE ST. AUGUSTINE FLORITAM LAID SOLIDLY WITH CLOSELY ABUTTING JOINTS, WITH A TAMPER, OR ROLLED EVEN SURFACE AND APPLY A THIN LAYER OF SAND AS TOP DRESSING TO ELIMINATE HOLLOW AND JOINTS.
 GENERAL: ALL PLANT MATERIAL FURNISHED BY THE LANDSCAPE CONTRACTOR SHALL BE FLORIDA #1 OR BETTER, AND SHALL BE INSTALLED AS SPECIFIED IN THE MOST CURRENT EDITION OF GRADE AND STANDARDS FOR NURSERY PLANTS, STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.



2840 S BAYSHORE DRIVE
 BLOCK A SUITE 301
 MIAMI, FLORIDA 33122
 TEL: 305 285 1877
 FAX: 305 285 1874
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 LIC # AB0001464

John E. Berry R.A.
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BAYSHORE YACHT AND TENNIS CLUB CONDOMINIUM
 7904 WEST DRIVE
 NORTH BAY VILLAGE
 FLORIDA

ARCHITECTURE
 PLANNING
 INTERIORS

All design and construction plans indicated or represented by this drawing were prepared by the architect and were created, checked and designed by use of and in accordance with the professional seal of such licensed architect and shall not be used for any other project without the express written permission of Berry Design Studio Inc. or John E. Berry R.A.

PROJECT NO. 1509
 DATE 5/22/15
 REVISIONS 1/0/00

SHEET NO

L-1

NEW ONE STORY PARKING FACILITY FOR 57 CARS
 LANDSCAPE PLAN 1/32"



LEGAL DESCRIPTION
 LOT 4 AND LOT 6 OF HARBOR ISLAND ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 44 PAGE 72 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

NOTE:
 PARKING AND SECURITY LIGHTING SYSTEMS SHALL BE FURNISHED AS SPECIFIED ON PERMIT SET OF DRAWINGS. SUBMITTAL DRAWINGS ARE REQUIRED FOR APPROVAL PRIOR TO PLACING ORDERS FOR THIS EQUIPMENT. AN ILL. CERTIFIED POINT BY POINT LIGHTING CALCULATION IS REQUIRED TO FORM PART OF THE SUBMITTAL PACKAGE. NO DEVIATION FROM SPECIFIED EQUIPMENT WILL BE REVIEWED OR ACCEPTED.



Memorandum

To: Mayor and Commissioners
From: James G. LaRue, AICP
Date: March 10, 2016
Subject: Strategic Plan Update

We will review the Strategic Plan process and its goal to revitalize existing businesses and attract new ones to North Bay Village. This Strategic Plan, as authorized by a State Community Planning Grant, will allow the Village to focus on this goal over a 5-10 year timeframe. You have been provided grant reports that are the basis for our Strategic Plan initiatives. We will develop the Strategic Plan and present you a draft at the March 22nd meeting. The Strategic Plan shall include the following:

Vision: North Bay Village shall be a sustainable and viable community for residents, visitors and businesses.

Goal: To retain and attract new businesses to the Village.

Narrative: Description of the existing business conditions, planning strategies, and regulatory framework within the Village and their impact on attracting community desired businesses and services.

Analysis: Relating to the Village's challenges, and advantages to retaining and attracting businesses.

Initiatives: Action items leading to the retaining and attracting of businesses.

C: Yvonne Hamilton, Village Clerk
Frank Rollason, Village Manager
Bert Wrains, Finance Director
Robert Switkes, Village Attorney

NORTH BAY VILLAGE

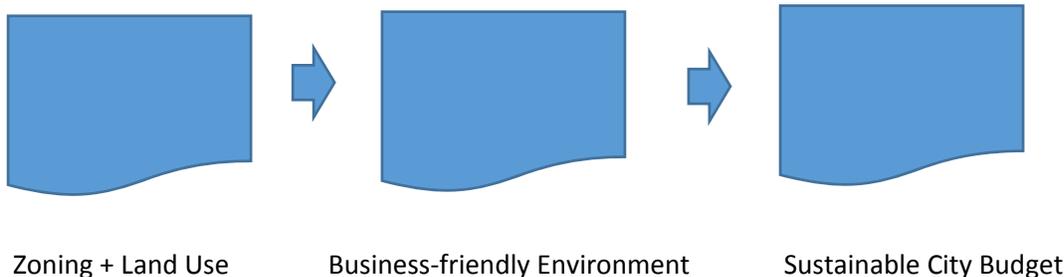
BUSINESS DEVELOPMENT ADVISORY BOARD

The following recommendations were unanimous approved at the meeting of the North Bay Village Business Development Advisory Board on February 16th 2016.

They include the input of four documents from Jim LaRue (Agreement #P0155 Deliverable 1 to 4 herein attached as Exhibits A to D); to be presented to the Village Commission for its knowledge and discussion as a suggestions on the business development matter.

Business Development Advisory Board - Mission and Vision Statement

Advising the Commissioners and the General Public to keep the existing business and bring new business to the City of North Bay Village consistently with a Sustainable Economic Development in collaborative private-public environment promoting the City as a business-friendly municipality



Towards 2026:

A Vision for Economic Development to promote a *Business District of Opportunity*

1. Develop a Strategic Plan to achieve North Bay Village as a business friendly municipality.
2. Amend the Comprehensive Plan with a consistent zoning and future land use to promote new business development.
3. Business Development Plan needs to be considered for the period while the area will be under construction to create an interim action plan for supporting existing and new business.
4. Quantification of the up-coming municipal tax base.
5. Explore financial alternatives to grant the area changes.

Facts

1. **Fact #1:** The ongoing proposed projects to develop in the City will increase significantly the current inventory across the different kind of properties.
2. **Fact #2:** Fact 1 will create an expected growing of the numbers of residents and visitors
3. **Fact #3:** New baywalk promenade along a New Boardwalk on the water upgrading the dynamic of the business in the area from the street and from the bay.
4. **Fact #4:** Kennedy Causeway beatification will be crucial to sustain the proposed changes and new business activities on the Causeway to create a “walkable” environmental.

Short Term Action Plan

Since the redevelopment of the area will take some time and will create some adverse business conditions a Short Term Action Plan is recommended as interim program within the proposed Strategic Plan, the Village has already initiated some of the following actions as per the documents included below.

- **Existing Business Survey / data from NBV – Analysis and recommendations** (see exhibit A Business Inventory – Deliverable 1)
- **Conduct a Resident Survey regarding business and service needs** (see exhibit B Resident Survey – Deliverable 2)
- **Obtain input from Public, Staff and Stakeholders** (see exhibit C Planning & Zoning Meetings – Deliverable 3)
- **Contact the City Officials to Use the NORTH BAY VILLAGE BUSINESS tab on the City website to include information and guidelines there about how to do business in the City.**
- **Review and Analysis of the Title XI Business Regulations of the Code of Ordinances and other Chapters related of Signage Restrictions, Nuisances and Noise, as well as the Design Guideline Ordinance for Commercial properties. Recommendations to the City Commission.**
- **Identify and Analysis of the Infrastructure Conditions** (see exhibit D Infrastructure Conditions – Deliverable 4)
- **Work with the interested parties to create New District Committee or Sub-Committee to promote the upcoming changes and improvements of the area to the residents and the public as a regular basis.**

Exhibit A

Business Inventory

North Bay Village Grant
Deliverable 1

North Bay Village Existing Land Use & Commercial Buildings Map

- | | |
|---|--|
|  Vacant |  Commercial |
|  Single Family Residential |  Recreational |
|  Multi-Family Residential |  Public |
|  Mixed Use |  Educational |

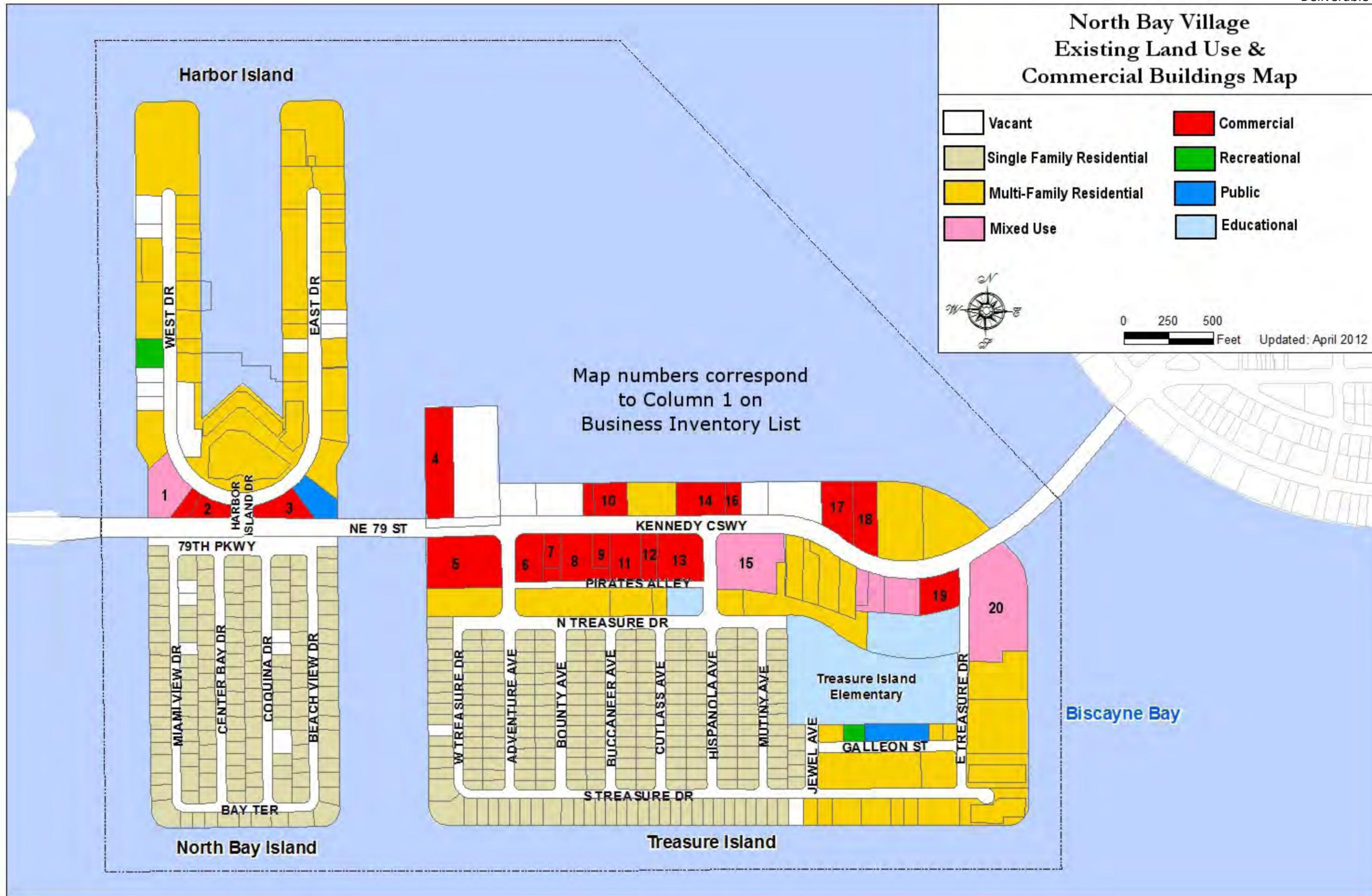


0 250 500

Feet

Updated: April 2012

Map numbers correspond
to Column 1 on
Business Inventory List





City of North Bay Village Land Use Map



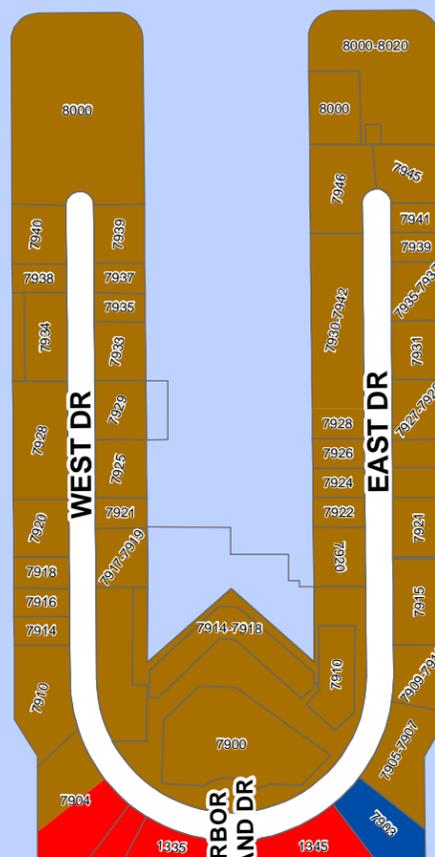
- Single Family Residential (Up to 6 D.U. per Acre)
- Medium Density Multi-Family Residential (7 to 40 D.U. per Acre)
- High Density Multi-Family Residential (41 to 70 D.U. per Acre)
- Commercial Use
- Mixed Use
- Institutional
- Public Buildings and Grounds
- Educational Use
- Educational/Recreational
- Recreational Use
- Water

0 250 500

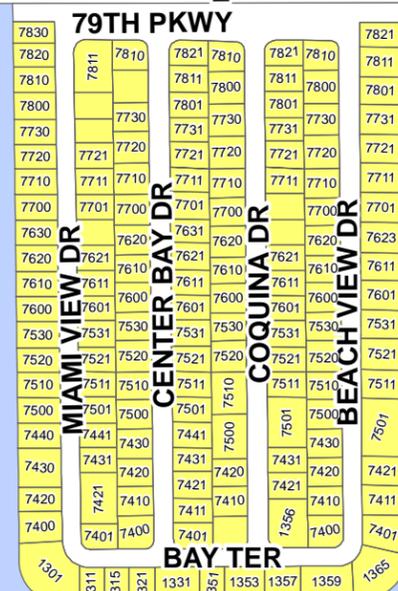
Feet

Updated: April 2012

Harbor Island



79TH PKWY



North Bay Island

KENNEDY CSWY



Treasure Island

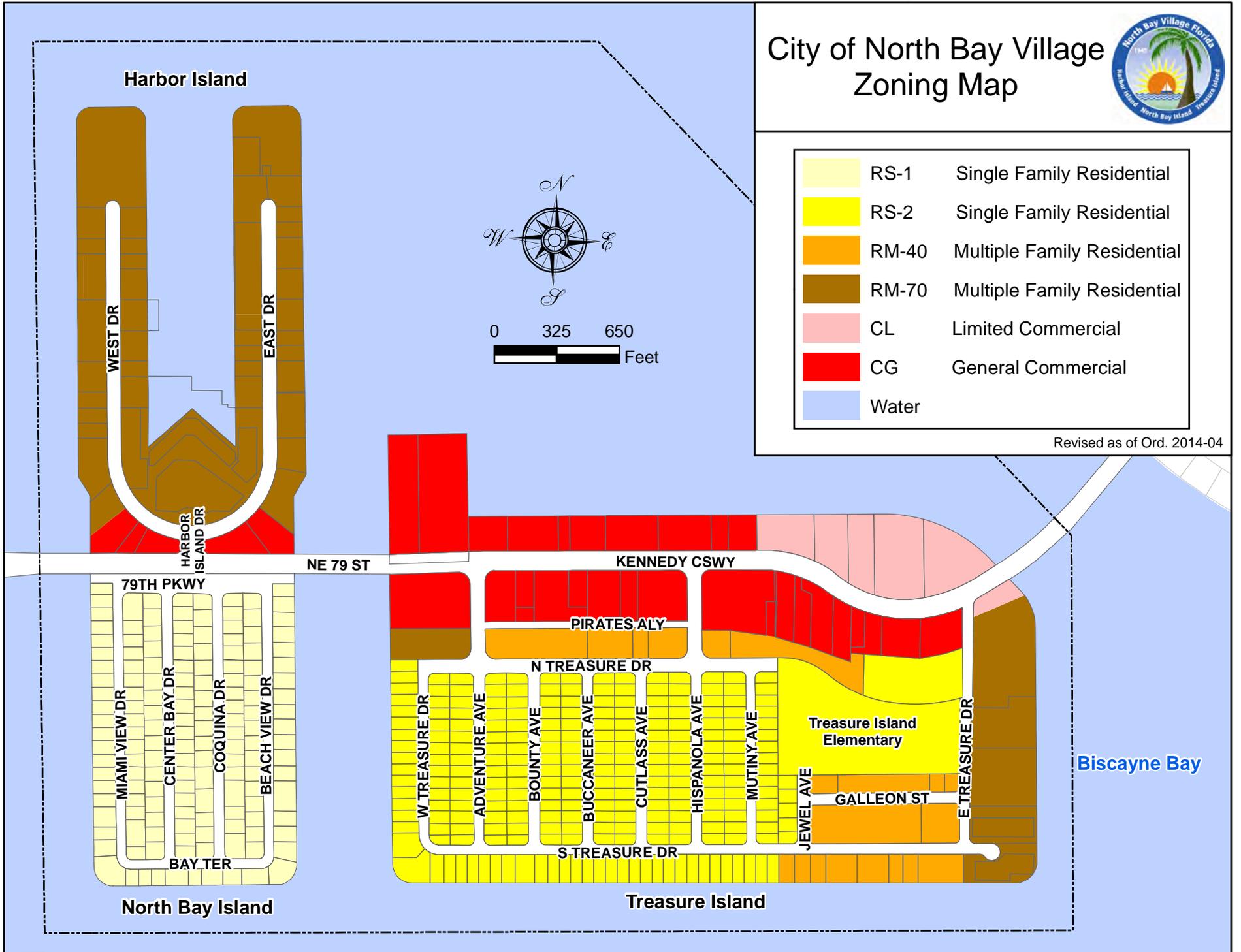
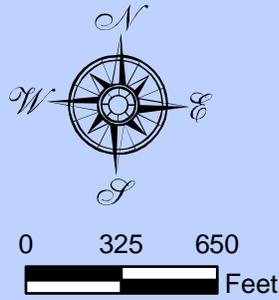
Biscayne Bay

City of North Bay Village Zoning Map



	RS-1	Single Family Residential
	RS-2	Single Family Residential
	RM-40	Multiple Family Residential
	RM-70	Multiple Family Residential
	CL	Limited Commercial
	CG	General Commercial
	Water	

Revised as of Ord. 2014-04



Biscayne Bay

North Bay Village Business Inventory

Map numbers correspond to the Existing Land Use & Commercial Building Map.

Map #	NAME	TYPE	NAICS	Age of Structure
1	Captain Joe Boat Rentals	Boat/Jet Ski Rental	5322	
1	Bayshore Yacht & Tennis Club	Marina	7139	
1	Lore's Hairstyling	Beauty Salon	8121	
1	Magic Grooming	Pet Grooming	8129	
1	Ummah of Miami, Inc.	Learning & Meditation Center	8131	
1	Island Market, Inc.	Beer/ Wine – off premises	4451	
2	Recently Closed Restaurant			
3	Shell Gas Station	Gas Station/Convenience Store	4471	1968
3	Shell Gas Station	Deli	7225	1968
4	Sunbeam Television Corporation: WSVN 7	Broadcasting - Television	5151	1956
5	Japanese Market	Japanese Market	4451	1957
5	Joshua Furman, M.D.	Medical Office	6211	1957
5	Hollywood School of Beauty Careers	Beauty School	6115	1957
5	Grow by the Bay Day Care	Day Care	6244	1957
5	Bravo Health Care Center	Medical Office	6211	1957
5	Principal Realtors, Inc.	Real Estate Office	5312	1957
5	Bay Village Rehab Center	Physical Rehab/Massage Therapy	6213	1957
5	Institute of Structural Integration	Structural Integration Body Works	6115	1957
5	Fraternity & Love Spiritist Center	Religious Study Center	8131	1957
5	Free Port Enterprises, Inc.	Wholesale Dealer	4234	1957
5	American Herbal Products	Vitamin Wholesaler	4242	1957
5	Grove by the Bay, Ltd.	Property Management	5313	1957
5	Rueckert Pharmaceutical	Office for Vitamin Manufacturing	5611	1957



5	Dr. Roberto Sanchez	Mental Health Counselor	6211	1957
5	E&R International Seafood	Seafood Broker	4244	1957
5	DMX Export, LLC	Import/Export of computer parts	4234	1957
5	Welt Electronics.	Import & Export Electronics	4236	1957
5	Mell's Home Health Services, LLC	Home Health Office	6216	1957
5	Centro Cristiano Ebenezer	Religious Assembly – Bible Classes	8131	1957
5	Logan Corporation	Administrative & Sales Office	5611	1957
5	Rico's Sandwich Café, Inc.	Cafeteria 13 Seats	7225	1957
5	YNKY Corpotion	Export – Medical Supplies/Software	4234	1957
6	Speedway	Gas Station/Convenience Store	4471	2002
6	Godfather's Pizza / Speedway	Restaurant – 16 Chairs	7225	2002
7	Siam Bayshore Restaurant	Japanese/ Thai Food	7225	1968
8	Public Storage, Inc.	Storage	4931	2000
8	XOXO Dry Cleaners	Dry Cleaner	8123	2000
9	Gol TV, Inc.	TV Soccer Channel - Cable	5152	1978
10	Recently Closed Restaurant			
11	Presidente	Supermarket	4451	1961
11	SMHD, LLC	Money Transfer	5223	1961
12	Treasure Island Pharmacy	Pharmacy	4461	1965
13	Jason M. Wandner, PA	Attorney	5411	1971
13	Vacation USA Tours	Travel Bureau	5615	1971
13	Oggi Restaurant	Italian Restaurant	7225	1971
13	The Cutting Room	Beauty Salon	8121	1971
13	Affordable Digital Systems	Title Company	5411	1971
13	William Duba	Mental Health Counselor	6211	1971
13	Title Company of Florida, LLC	Title Company	5411	1971
13	Monarch Electronics, Inc.	Technology Sales Office	5611	1971



13	Comfort Technology Systems	Sale of Technology Systems	5611	1971
13	AG Contractors	Contractor	2361	1971
13	Jeffrey S. Hersh, P.A.	Attorney	5411	1971
13	Tec Imaging Systems	Xerox Sales Agency	4234	1971
13	Golden K Media	Media Advertising Agency	5418	1971
13	Tradelink Technologies	Supply Chain Technology	5416	1971
13	Landmark Construction	General Contractor	2361	1971
13	Landmark Development Corp	Real Estate Developer	2372	1971
13	The Ackerman Group, LLC	Agent – Security Investigations	5616	1971
13	Z Media, Inc.	Advertising Media Sales	5418	1971
13	“Bugs” Burger Bug Killer	Pest Control	5617	1971
13	Digital Drew Designs	Web Design	5415	1971
13	Sherlock Technology Staffing	Staffing Employment Agency	5613	1971
13	Causeway Tower, LLC	Property Management	5313	1971
13	Maria A. Lucchesi, PH.D.	Psychological Services	6211	1971
14	Benihana of Tokyo Steak House	Restaurant	7225	1972
15	D’Bella Pizza & Pasta	Pizzeria	7225	
15	Julie’s Realty, LLC	Real Estate Office	5312	
15	U.S. Contract Post Office	Postal & Shipping Services	4889	
15	Water & Sewer Services	Water Services/Customer Service	9261	
16	Atlantic Broadband	Cable Television	5171	1961
17	Shuckers	Lounge	7224	1971
17	Shuckers Dockside Grill	Seafood Restaurant – 100 Seats	7225	1971
18	Best Western on the Bay	Marina	7139	1967
18	Best Western Inn on the Bay	Hotel/Motel	7211	1967
19	Happy Stork Lounge	Lounge	7224	1948
19	Phones and More, Inc.	Metro PCS service	5172	1948
19	Sabor of Latin America	Restaurant – 40 Seats	7225	1948
19	Yepara, Inc.	Restaurant – 15 seats	7225	1948



19	Sunshine Groceries	Groceries	4451	1948
19	Pizza D'Light	Pizzeria/ Restaurant	7225	1948
20	Beauty Expressions	Beauty Salon	8121	
20	Grandview Palace	Marina	7139	
20	Epy Café	Cafeteria	7225	
20	Grandview Fuel, LLC	Merchant Fuel	4471	
20	DBA Bay Mini Market	Convenience Store / Deli	4451	
20	Four Season's Clothing Alterations	Tailor	8114	
20	Edith Designs Boutique	Clothing Design	4481	
20	Pyramid Accounting Services, Inc.	Accounting Services	5412	
20	La Via Services, Corp.	International Shipping	4889	
20	JCP Accounting and Tax Services, LLC	Bookkeeping and Tax Services	5412	
20	Y Jeski, LLC	Administrative office	5611	
20	Tasca Casa Pepe	Restaurant	7225	
20	Miami Beach Office Shipping & Package, LLC	Merchant	4889	
20	Maritza Montano	Mental Health Counselor	6211	
20	Limar Realty, LLC	Real Estate Brokerage	5312	
20	Capitol Realtors, Inc.	Real Estate Transactions	5312	
20	Wags to Wishes Doggie Daycare	Pet Grooming/Kennel	8129	
20	Melissa's Shoes and Fashion	Merchant	4481	
20	Jarka	Gym	7139	



North Bay Village
Vacant Land Inventory

Folio	Address *	Sq Ft	Acres	Zoning
23-3209-008-0600	Miami View Drive	7,700	0.177	RS-1
23-3209-008-0590	Miami View Drive	7,700	0.177	RS-1
23-3209-008-0560	7631 Miami View Drive	7,700	0.177	RS-1
23-3209-008-1210	Coquina Drive	7,700	0.177	RS-1
23-3209-008-1200	Coquina Drive	7,700	0.177	RS-1
23-3209-008-1140	7501 Coquina Drive	15,400	0.354	RS-1
23-3209-009-0360	7520 West Treasure Drive	8,400	0.193	RS-2
23-3209-014-0090	1860 South Treasure Drive	12,000	0.275	RM-40
23-3209-001-0420	7940 West Drive	22,400	0.514	RM-70
23-3209-001-0400	7938 West Drive	11,200	0.257	RM-70
23-3209-001-0160	7914 West Drive	33,600	0.771	RM-70
23-3209-001-0013	West Drive	43,901	1.008	RM-70
23-3209-001-0650	7922 East Drive	11,200	0.257	RM-70
23-3209-001-0250	East Drive	11,200	0.257	RM-70
23-3209-001-0270	East Drive	11,200	0.257	RM-70
23-3209-000-0201	1415 Kennedy Causeway	145,490	3.34	CG
23-3209-000-0020	Kennedy Causeway	36,000	0.826	CG
23-3209-000-0030	1555 Kennedy Causeway	47,700	1.095	CG
23-3209-000-0100	1725 Kennedy Causeway	27,000	0.62	CG
23-3209-000-0110	1755 Kennedy Causeway	60,900	1.398	CL
Total		536,091	12.307	
* Some vacant properties have not yet been assigned an address by the Miami-Dade Property Appraiser				



North Bay Village Assessment of Business Conditions

Within North Bay Village, there are approximately 100 business, concentrated generally in a 6 block area along Kennedy Causeway. According to business license records from 2011, there has been no significant change in the number of business and types of businesses in the past 4 years. Most of the commercial buildings contain multiple businesses and were built in the 1950s, 1960s and 1970s, with one built in the early 2000s. Within the last two years, the Village Commission has approved 5 site plans for new mixed-use developments along Kennedy Causeway. In total, those projects contain nearly 50,000 square feet of proposed commercial space (retail, restaurant and office). Several of those projects are in various stages of the permitting process, and when completed, will provide new opportunities for the North Bay Village residents and business community.

In examining the frequency of businesses, grouped by NAICS classification, it is clear that the Accommodation and Food Service sector is the dominating business type in North Bay Village. After that, there are five sectors that are fairly equally represented. They are Retail Trade; Health Care and Social Assistance; Professional, Scientific, and Technical Services; Administrative and Support and Waste Management and Remediation Services; and Other Services (except Public Administration). The Other Services category includes businesses in the areas of personal beauty, pet grooming, and religious learning. For more detailed breakdowns, please refer to the attached *North Bay Village Business Inventory* and below for the *Frequency of Business Types Table*.

There are several factors and conditions supporting business retention and development in the Village. They are listed as follows:

- The Village has approved new development site plans (residential and commercial mixed-use). Over the last three years, The Village Commission has approved site plans with a combined total of over 1,000 dwelling units and limited commercial mixed-use development. Construction was recently completed on a 285 dwelling unit rental building, which is now occupied.
- The Village recently joined the Miami Shores Chamber of Commerce. The Village had no unified Chamber of Commerce until it enlisted the marketing expertise of Miami Shores. The Village's Mayor sits on the Chamber's Board of Directors and the Village businesses are listed in the Chamber's Directory.
- Several Infrastructure improvements for the Village are in the planning phase. The Florida Department of Transportation (FDOT) is undergoing improvements on the Kennedy Causeway, adding bicycle lanes, reducing driving lane widths and possibly decreasing the speed limit for the corridor. Major water and sewer line replacements are scheduled over the next several years, as the systems are aging and experiencing breaks and leakages. Additionally, FDOT has lengthened several curb cuts along Kennedy Causeway, and has plans to lengthen more; which will provide safer vehicle access to the businesses.



- The population of the Village is not just retirement aged; and in fact, is displayed as a fairly neat bell curve, peaking in the 30-34 age cohort. The Shimberg Center for affordable housing estimates the Village population at just under 8,000 people in 2015, with a median age of 37. This is a contrast to the historically retirement aged North Bay Village population of years past. This relatively young population is a major factor in support of new local businesses.

North Bay Village 2015 Population by Age Cohort		
Age	2015 Population	Percent of Total Population
0-4	363	4.6
5-9	343	4.3
10-14	306	3.8
15-19	316	4.0
20-24	467	5.9
25-29	795	10.0
30-34	919	11.5
35-39	727	9.1
40-44	764	9.6
45-49	617	7.7
50-54	638	8.0
55-59	501	6.3
60-64	378	4.7
65-69	297	3.7
70-74	209	2.6
75+	328	4.1
Total	7,968	100.0
Source: Shimberg Center for Affordable Housing, 2015		

- Somewhat racially and ethnically diverse, 58% of the North Bay Village population identifies as Hispanic. Six percent are black and four percent are Asian. Whites are 85% of the population. This is according to the 2010 US Census.
- Businesses are located on a busy arterial. According to the FDOT traffic counts, the AM and PM peak hour traffic movements on Kennedy Causeway are 2,935 and 2,735, respectively. This active traffic volume can be viewed as both a positive and a negative for businesses along the



Causeway. While many motorists view the corridor as a thoroughfare from the Beach to the mainland, there is also some opportunity to capture potential diners and shoppers.

- The physical access to businesses is good to adequate. The businesses along the Causeway all have direct access to that corridor, although many of the access points could be better designed. With slower speeds, the ingress and egress points could be safer. The proposed beautification of the Causeway would also increase the probability of enticing travelers to patronize the Village businesses. In addition to FDOT's beautification plans, North Bay Village has a beautification fund which has been fortified with bonus height fees collected from developers.
- Land use categories and regulations in the Village are generally conducive to business location. The Commercial Future Land Use (FLU) category allows mixed-use residential as a permitted use. Allowable multi-family density is relatively high at 70 dwelling units per acre (dua). And the floor area ratio (FAR) for the Commercial FLU category is reasonable at 2.75

There are also several factors and conditions that inhibit business retention and development in the Village. They are as follows:

- Older commercial buildings and a lack of commitment for redevelopment are major contributing factors inhibiting business development in North Bay Village.
- Village infrastructure (sewer, water) is in poor condition. Site plan approvals are nearly always conditional on the agreement of the developer to update the infrastructure necessary for their particular project. This can include new lines and the shared cost of new pump stations. These costs can be considerable and may be a major determining factor in a developer's decision to build in North Bay Village.
- The Village is more of a throughway than an attraction, with the majority of Kennedy Causeway users going to or from Miami Beach, rather than driving to the Village as a destination.
- The Village has no architectural theme and no gateway entry areas that promote it as a distinctive community or destination.
- The Causeway, as it now exists, is not a "walkable" environment. In most places, street lanes are contiguous to the narrow sidewalks. Crossing the Causeway is difficult and dangerous. There are a limited number of crosswalks and the medians are narrow, with less than adequate refuge for pedestrians. And unfortunately, the effort to increase vehicular safety by lengthening curb cuts has an inverse relationship to pedestrian safety. Longer curb cuts allow vehicles to make faster turns into parking lots and increase the distance that pedestrians and bicyclists must traverse before reaching the relative safety of the next raise curb.
- Nonconforming signs exist, and in some instances lack a consistent pattern of design and color scheme.



- Most of the older commercial properties contain legal non-conformities, including number of parking spaces and parking design. These issues have a direct effect on the ability of businesses to serve potential customers.
- Due to the small number of existing businesses, the closing or relocation of just a few businesses creates very noticeable vacancies, causing a more negative impact than would occur otherwise.



Frequency of Business Types Table
by NAICS Code

NAICS Code	Industry Title	Frequency
72	Accommodation and Food Services	16
44-45	Retail Trade	11
62	Health Care and Social Assistance	11
81	Other Services (except Public Administration)	11
54	Professional, Scientific, and Technical Services	10
56	Administrative and Support and Waste Management and Remediation Services	10
53	Real Estate Rental and Leasing	8
42	Wholesale Trade	7
71	Arts, Entertainment, and Recreation	6
48-49	Transportation and Warehousing	5
51	Information	4
23	Construction	3
61	Educational Services	3
52	Finance and Insurance	1
92	Public Administration	1
11	Agriculture, Forestry, Fishing and Hunting	0
21	Mining	0
22	Utilities	0
31-33	Manufacturing	0
55	Management of Companies and Enterprises	0



North Bay Village Grant

Deliverable 2

Conduct Resident Survey

A resident survey (see Attachment 1) regarding business and service needs in the community was available on the Village's website from December 14, 2015 – January 11, 2016. A notice (see Attachment 2) on or about December 4, 2015, was included with the water bills to direct residents to the website to complete the survey. The notice was also posted on the Village's website in the News & Announcements section. Hard copies of the survey were also made available at the Community Outreach and Planning & Zoning (P&Z) Board meetings on January 5, 2016.

The survey received a total of 46 responses, which represents approximately 0.8 percent of the North Bay Village population above 19 years of age. Even though that level of response may not be considered statistically significant, there were some patterns in the responses that can be used as a basis for determining resident business preferences and desires. See Attachment 3 for a complete breakdown of the responses.

In order to allow respondents to express preferences for several business types, the survey was designed such that the same question was essentially asked three times: What types of businesses do you feel are needed in North Bay Village? Thus, the responses to Question 1 were the business types that were most desired by the respondents.

The most popular answers to Question 1 were: casual dining restaurants (23.91%), grocery (21.74%), and gym/fitness center (15.22%). And when asked in Question 2 how often they visited the type of business identified in Question 1, over 90% of respondents claimed to visit those business daily, 2-4 times per week, or once per week. Thus, from those that responded to the survey, it seems that there is clear demand for casual dining, grocery, and a gym/fitness center. It should also be noted that these same sentiments were echoed in both the write-in responses to Survey Question 21 and the verbal comments made at the community outreach and P&Z Board meetings.

Additional market support for casual dining, grocery, and a gym is also found in the responses to Questions 3, 4, 5 and 6. In response to the question of how much money they spent each time they visited the business identified in Question 1, over 80% of respondents indicated they spent \$25 to \$199, with over 25% responding that they spent \$100 to \$199 each time. Over 40% of respondents indicated that they currently travel 4 miles or more (one-way) to visit the type of business identified in Question 1; and over 40% indicated that they currently travel more than 2 miles but less than 4 (one-way) to visit the type of business identified in Question 1. Nearly all of the respondents indicated that they would be willing to live within a short distance down the street from the business type indicated in Question 1.



Questions 7 and 13 sought additional responses for business types desired by the respondent to be located in the Village. Here there were no clearly outstanding types of businesses preferred, as responses were not as concentrated as they were for Question 1. However, the follow up questions indicate that respondents were likely to spend money at the businesses selected, and that they prefer those businesses be located in close proximity to their residence.

Question 20 allowed respondents to pick multiple business types that they would feel comfortable walking to. Here again, there were strong preferences for a gym/fitness center (69.23%), casual dining (66.67%), and grocery (64.1%). Additional responses indicate a willingness and possibly a desire to locate walkable retail businesses in the Village.

The final question, number 21, allowed respondents to write-in additional business types that respondents felt were needed in the Village. Grocery was, again, overwhelmingly mentioned in these responses. It should be noted that both the Question 21 write-in responses and the verbal responses received at the meetings both acknowledge the existence of the current grocery store in North Bay Village, but indicated that it was not adequate to meet the needs of the respondents. Another common mention was a coffee shop and a bank.

North Bay Village is located on spoil islands in Biscayne Bay, along the Kennedy Causeway route between the mainland and Miami Beach. It would seem that the Village would be a prime location for businesses that cater to commuters (i.e. coffee shops, grocery stores, and casual dining). Added to this observation, the responses to Question 19 shows that residents are not satisfied with the adequacy of retail services currently being provided in the Village. Only 17% strongly agree that they are adequate. While 70% disagree or strongly disagree that they are sufficient to serve the present population.

There could be several reasons that these businesses are absent from North Bay Village, but it seems the most likely is that there is not adequate commercial space along the Causeway for these types of businesses. This may be a current barrier, but the good news is that within the last 3 years, over 50,000 square feet of ground floor retail has been approved along Kennedy Causeway in conjunction with residential mixed-use site plan approvals. Several of these projects are currently in the building permit process.

The Village's Commercial Future Land Use category allows a broad range of retail, office and personal service uses, thereby reducing zoning incompatibility from a non-conforming use perspective. Also, the majority of the Village businesses are located on the Kennedy Causeway, not incompatible with the location of the Village's single family neighborhoods. However, access compatibility for North Bay Village residents remains a challenge when trying to achieve a walkable environment for shopping. New mixed-use development will reduce the resident's reliance on the automobile but sidewalk and bicycle path improvements will also have to be made to coincide with the new developments.



Thank you for your assistance in completing the following survey. North Bay Village received a grant from the Florida Department of Economic Opportunity, which is to be used for comprehensive planning and business development. The purpose of this survey is to gather data regarding business and service needs in North Bay Village. The collected data will be analyzed to develop a strategic plan for retaining and attracting the types of businesses and services desired by the residents. The survey is divided into four sections. The first three sections are very similar but the intent is to gather useful information regarding your habits and personal preferences for several business types of your choosing. Your responses are anonymous and the entire survey should take no more than 5 minutes of your time.

PLEASE CIRCLE YOUR RESPONSES BELOW

1) Which, if any, of the following types of businesses do you most strongly feel are needed in North Bay Village? Choose one:

- Apparel and shoes
- Bars, lounges, pubs, craft breweries
- Books and music
- Convenience store
- Department store merchandise
- Fast food restaurants
- Casual dining restaurants
- Fine dining restaurants
- Furniture and home furnishings
- Grocery
- Hardware and garden supply
- Jewelry
- Pharmacy/drugstore
- Specialty food and beverage
- Sporting goods, hobbies
- Gym or fitness center
- None of the above (please skip to question 19)

2) For the business you identified in Question 1, how often do you usually shop or visit?

- Daily
- 2-4 times per week
- Once per week
- 2 times per month
- Once per month
- Never
- Don't know

3) For the business you identified in Question 1, how much do you usually spend each time you shop or visit these types of businesses?

- Less than \$25
- \$25 to \$49
- \$50 to \$99
- \$100 to \$199
- \$200 to \$299
- \$300 to \$399
- \$400 to \$499
- \$500 or more
- Don't know



4) How far do you usually travel (one way) when you shop or visit the type of business you identified in Question 1?

One mile or less

More than 1 but less than 2 miles

More than 2 but less than 4 miles

4 miles or more

Don't know

5) How far are you willing to travel (one way) when you shop or visit the type of business you identified in Question 1?

One mile or less

More than 1 but less than 2 miles

More than 2 but less than 4 miles

4 miles or more

Don't know

6) How close are you willing to live near the type of business you identified in Question 1?
Choose all answers that apply.

Next door

Across the street

Behind the business

Short distance down the street

Would rather not live anywhere near it

7) In addition to your response to question 1, which, if any, of the following types of businesses do you also feel are needed in North Bay Village? Choose one:

Apparel and shoes

Bars, lounges, pubs, craft breweries

Books and music

Convenience store

Department store merchandise

Fast food restaurants

Casual dining restaurants

Fine dining restaurants

Furniture and home furnishings

Grocery

Hardware and garden supply

Jewelry

Pharmacy/drugstore

Specialty food and beverage

Sporting goods, hobbies

Gym or fitness center

None of the above (please skip to question 19)

8) For the business you identified in Question 7, how often do you usually shop or visit?

Daily

2-4 times per week

Once per week

2 times per month

Once per month

Never

Don't know



9) For the business you identified in Question 7, how much do you usually spend each time you shop or visit these types of businesses?

Less than \$25

\$25 to \$49

\$50 to \$99

\$100 to \$199

\$200 to \$299

\$300 to \$399

\$400 to \$499

\$500 or more

Don't know

10) How far do you usually travel (one way) when you shop or visit the type of business you identified in Question 7?

One mile or less

More than 1 but less than 2 miles

More than 2 but less than 4 miles

4 miles or more

Don't know

11) How far are you willing to travel (one way) when you shop or visit the type of business you identified in Question 7?

One mile or less

More than 1 but less than 2 miles

More than 2 but less than 4 miles

4 miles or more

Don't know

12) How close are you willing to live near the type of business you identified in Question 7? Choose all answers that apply.

Next door

Across the street

Behind the business

Short distance down the street

Would rather not live anywhere near it

13) Finally, is there one other type of business that you also feel is needed in North Bay Village? Choose one:

Apparel and shoes

Bars, lounges, pubs, craft breweries

Books and music

Convenience store

Department store merchandise

Fast food restaurants

Casual dining restaurants

Fine dining restaurants

Furniture and home furnishings

Grocery

Hardware and garden supply

Jewelry

Pharmacy/drugstore

Specialty food and beverage

Sporting goods, hobbies

Gym or fitness center

None of the above (please skip to question 19)



14) For the business you identified in Question 13, how often do you usually shop or visit?

- Daily
- 2-4 times per week
- Once per week
- 2 times per month
- Once per month
- Never
- Don't know

15) For the business you identified in Question 13, how much do you usually spend each time you shop or visit these types of businesses?

- Less than \$25
- \$25 to \$49
- \$50 to \$99
- \$100 to \$199
- \$200 to \$299
- \$300 to \$399
- \$400 to \$499
- \$500 or more
- Don't know

16) How far do you usually travel (one way) when you shop or visit the type of business you identified in Question 13?

- One mile or less
- More than 1 but less than 2 miles
- More than 2 but less than 4 miles
- 4 miles or more
- Don't know

17) How far are you willing to travel (one way) when you shop or visit the type of business you identified in Question 13?

- One mile or less
- More than 1 but less than 2 miles
- More than 2 but less than 4 miles
- 4 miles or more
- Don't know

18) How close are you willing to live near the type of business you identified in Question 13? Choose all answers that apply.

- Next door
- Across the street
- Behind the business
- Short distance down the street
- Would rather not live anywhere near it

19) Do you agree that retail services are adequate within the Village to serve the present population?

- Strongly agree
- Agree
- No opinion
- Disagree
- Strongly disagree



20) Which of these business types would you feel comfortable walking to? Choose as many as you like:

- Apparel and shoes
- Bars, lounges, pubs, craft breweries
- Books and music
- Convenience store
- Department store merchandise
- Fast food restaurants
- Casual dining restaurants
- Fine dining restaurants
- Furniture and home furnishings
- Grocery
- Hardware and garden supply
- Jewelry
- Pharmacy/drugstore
- Specialty food and beverage
- Sporting goods, hobbies
- Gym or fitness center
- Other (please specify)

21) Is there any other business type that you feel is needed in North Bay Village? Please write your response in below.





North Bay Village received a grant from the Florida Department of Economic Opportunity, which is to be used for comprehensive planning and business development.

The Village will be conducting an online survey from December 14, 2015 – January 11, 2016. Please visit the Village's website at www.nbvillage.com and click on the *Business Survey* link under News & Announcements.

The purpose of this survey is to gather data regarding business and service needs in North Bay Village. The collected data will be analyzed to develop a strategic plan for retaining and attracting the types of businesses and services desired by the residents. The intent is to gather useful information regarding your habits and personal preferences for several business types of your choosing.

Your assistance in gathering information regarding business and service needs within the Village is greatly appreciated. All responses are anonymous.



North Bay Village recibió una concesión del Departamento de oportunidad económica de la Florida, que debe ser utilizada para la planificación integral y desarrollo empresarial.

North Bay Village llevará a cabo una encuesta en línea del 14 de Diciembre de 2015 – 11 de Enero del 2016. Por favor visite la pagina web de la ciudad www.nbvillage.com y haga click en el enlace de la encuesta de negocios bajo anuncios y noticias.

El propósito de este estudio es recoger datos con respecto a los negocios y las necesidades del servicio en North Bay Village. Los datos recogidos serán analizados para desarrollar un plan estratégico para retener y atraer a los tipos de negocios y servicios deseados por los residentes. La intención es reunir información útil acerca de sus hábitos y preferencias personales para varios tipos de negocios de su elección.

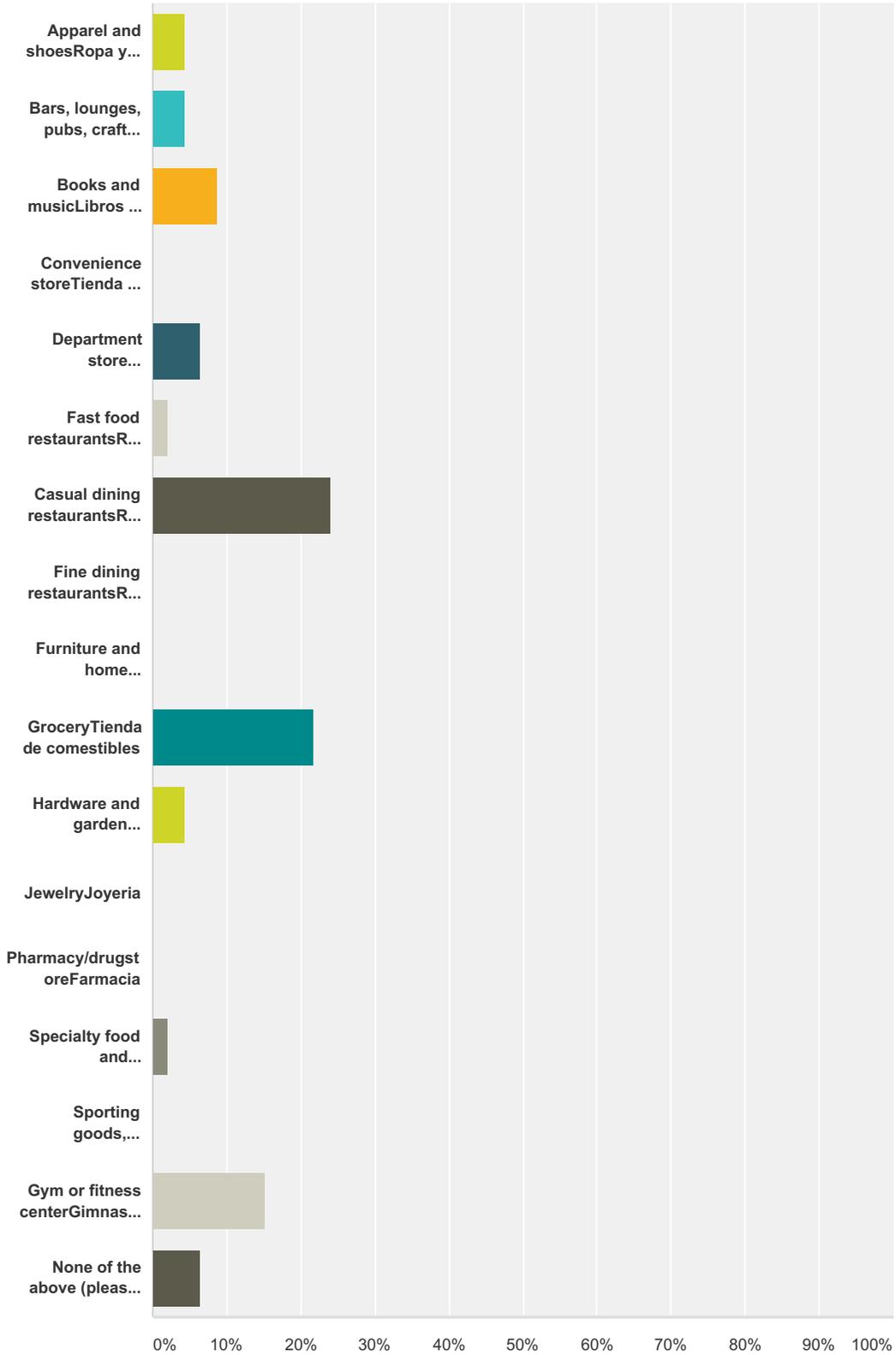
Es muy apreciada su ayuda en la recopilación de información sobre las necesidades comerciales y de servicios dentro de la ciudad. Todas las respuestas son anónimas.

North Bay Village Business Survey

Q1 Which, if any, of the following types of businesses do you most strongly feel are needed in North Bay Village? Choose one: Cual de los siguientes negocios cree que es el que mas se necesita en en North Bay Village? Escoga uno:

Answered: 46 Skipped: 0

North Bay Village Business Survey



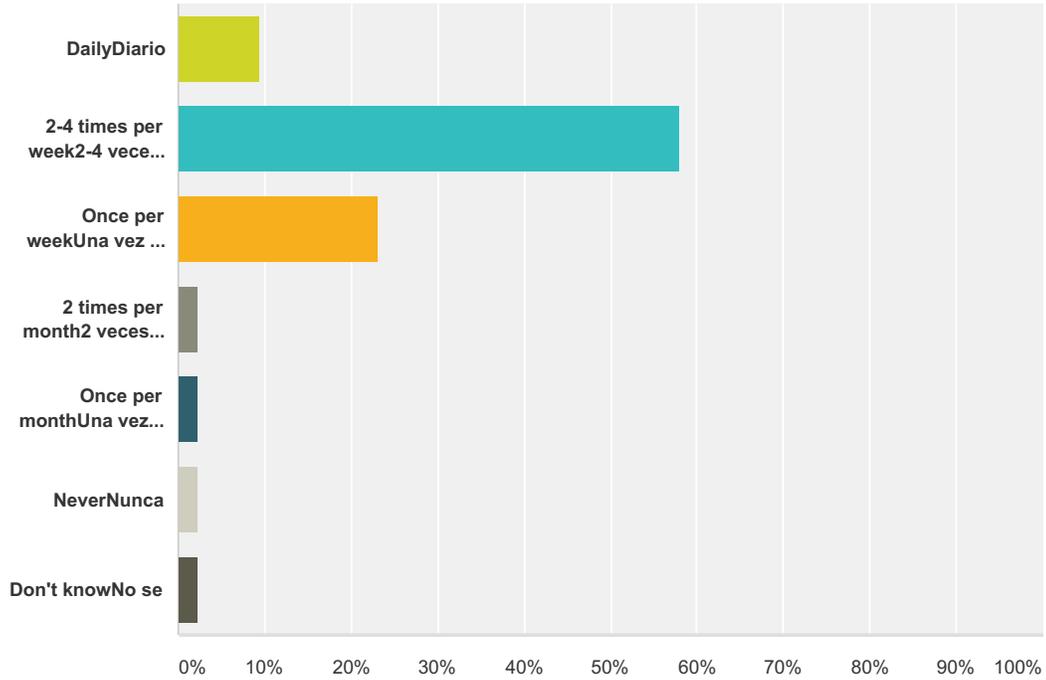
Answer Choices	Responses
Apparel and shoes/Ropa y zapatos	4.35% 2
Bars, lounges, pubs, craft breweries/Bares, salones, pubs, cervecerías artesanales	4.35% 2

North Bay Village Business Survey

Books and musicLibros y música	8.70%	4
Convenience storeTienda de barrio	0.00%	0
Department store merchandiseTiendas de departamento y mercancías	6.52%	3
Fast food restaurantsRestaurantes de comida rápida	2.17%	1
Casual dining restaurantsRestaurantes de cena casual	23.91%	11
Fine dining restaurantsRestaurantes de cena formal	0.00%	0
Furniture and home furnishingsMuebles y hogar	0.00%	0
GroceryTienda de comestibles	21.74%	10
Hardware and garden supplyFerretería y artículos de jardinería	4.35%	2
JewelryJoyería	0.00%	0
Pharmacy/drugstoreFarmacia	0.00%	0
Specialty food and beverageBebidas y alimentos de la especialidad	2.17%	1
Sporting goods, hobbiesMercancías deportivo, afición	0.00%	0
Gym or fitness centerGimnasio o centro de ejercicio	15.22%	7
None of the above (please skip to question 19)Ninguna de las anteriores (por favor, pasar a pregunta 19)	6.52%	3
Total		46

Q2 For the business you identified in Question 1, how often do you usually shop or visit? Para el negocio que identificó en la pregunta 1, con qué frecuencia generalmente lo visita?

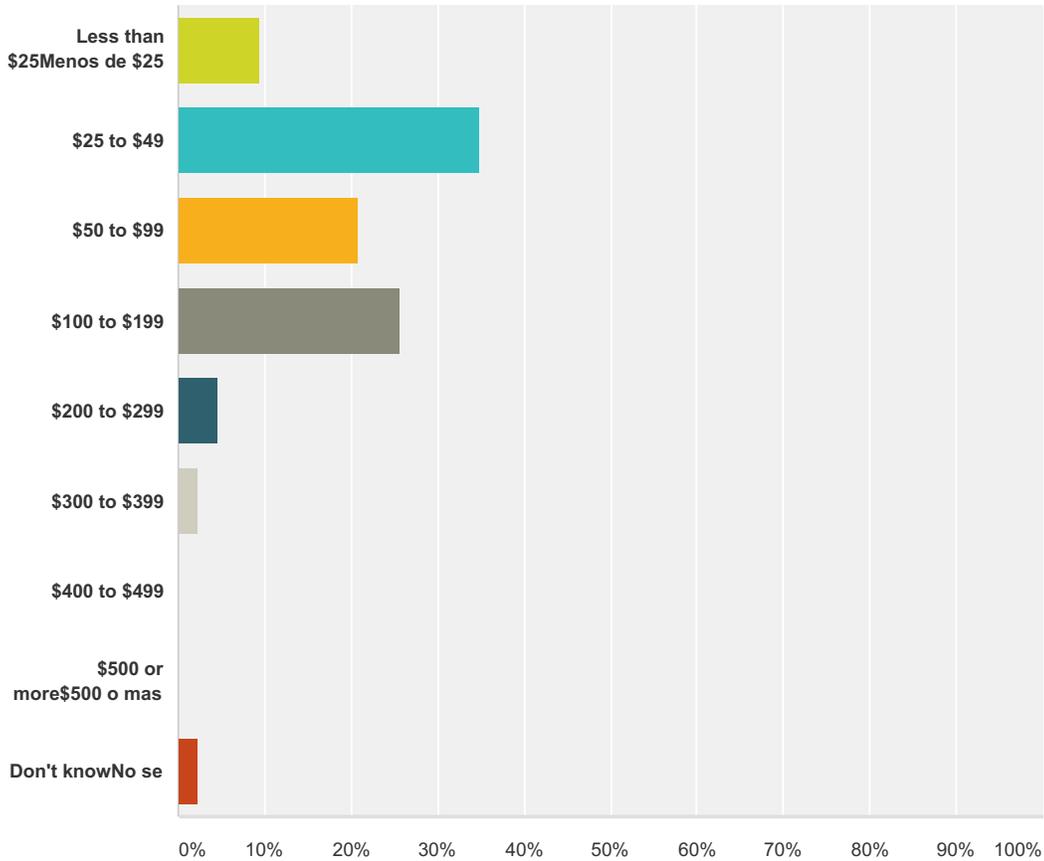
Answered: 43 Skipped: 3



Answer Choices	Responses
Daily	9.30% 4
2-4 times per week	58.14% 25
Once per week	23.26% 10
2 times per month	2.33% 1
Once per month	2.33% 1
Never	2.33% 1
Don't know	2.33% 1
Total	43

Q3 For the business you identified in Question 1, how much do you usually spend each time you shop or visit these types of businesses? Para el negocio que identificó en la pregunta 1, cuánto usted normalmente gasta cada vez que compra o visita este tipo de establecimiento?

Answered: 43 Skipped: 3



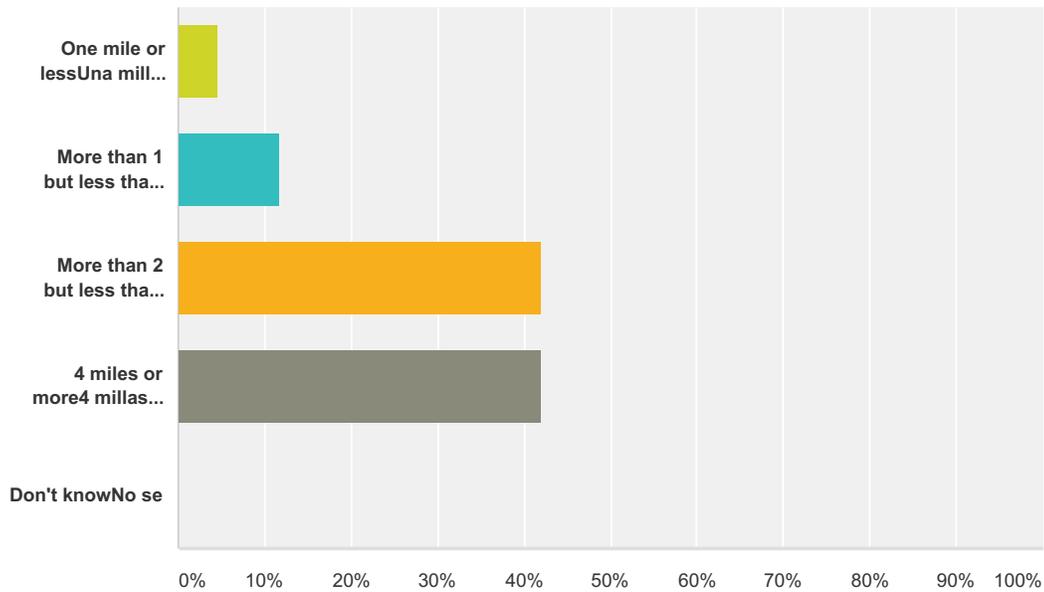
Answer Choices	Responses
Less than \$25Menos de \$25	9.30% 4
\$25 to \$49	34.88% 15
\$50 to \$99	20.93% 9
\$100 to \$199	25.58% 11
\$200 to \$299	4.65% 2
\$300 to \$399	2.33% 1
\$400 to \$499	0.00% 0
\$500 or more\$500 o mas	0.00% 0

North Bay Village Business Survey

Don't knowNo se	2.33%	1
Total		43

Q4 How far do you usually travel (one way) when you shop or visit the type of business you identified in Question 1? Hasta qué punto usted generalmente viaja (sólo ida) cuando usted visita el tipo de negocio identificado en la pregunta 1?

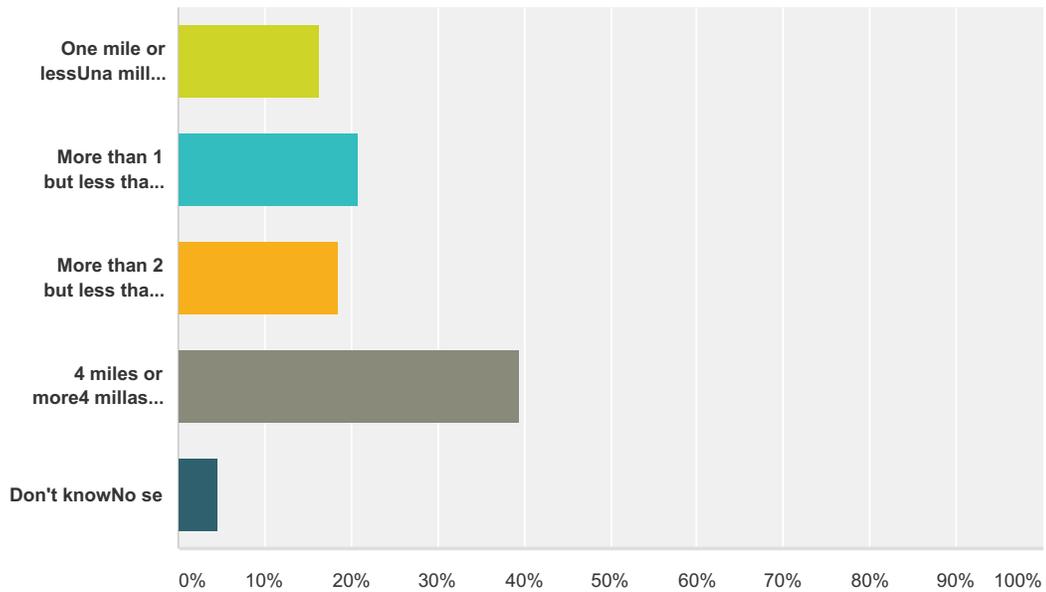
Answered: 43 Skipped: 3



Answer Choices	Responses
One mile or lessUna milla o menos	4.65% 2
More than 1 but less than 2 milesMás de 1 pero menos de 2 millas	11.63% 5
More than 2 but less than 4 milesMás de 2 pero menos de 4 millas	41.86% 18
4 miles or more4 millas o más	41.86% 18
Don't knowNo se	0.00% 0
Total	43

**Q5 How far are you willing to travel (one way) when you shop or visit the type of business you identified in Question 1?
Hasta dónde estás dispuesto a viajar (una forma) cuando compra o visita el tipo de negocio que identificó en la pregunta 1?**

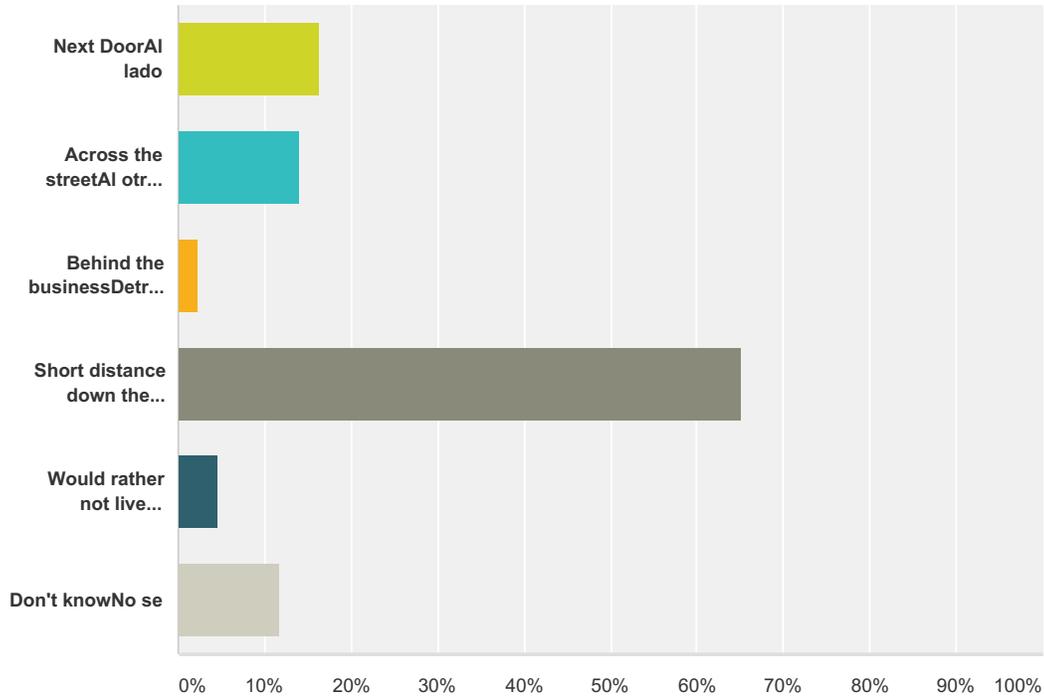
Answered: 43 Skipped: 3



Answer Choices	Responses
One mile or lessUna milla o menos	16.28% 7
More than 1 but less than 2 milesMás de 1 pero menos de 2 millas	20.93% 9
More than 2 but less than 4 milesMás de 2 pero menos de 4 millas	18.60% 8
4 miles or more4 millas o más	39.53% 17
Don't knowNo se	4.65% 2
Total	43

Q6 How close are you willing to live near the type of business you identified in Question 1? Choose all answers that apply. ¿Qué tan cerca está usted dispuesto a vivir cerca del tipo de negocio identificado en la pregunta 1? Elegir todas las respuestas que se aplican.

Answered: 43 Skipped: 3

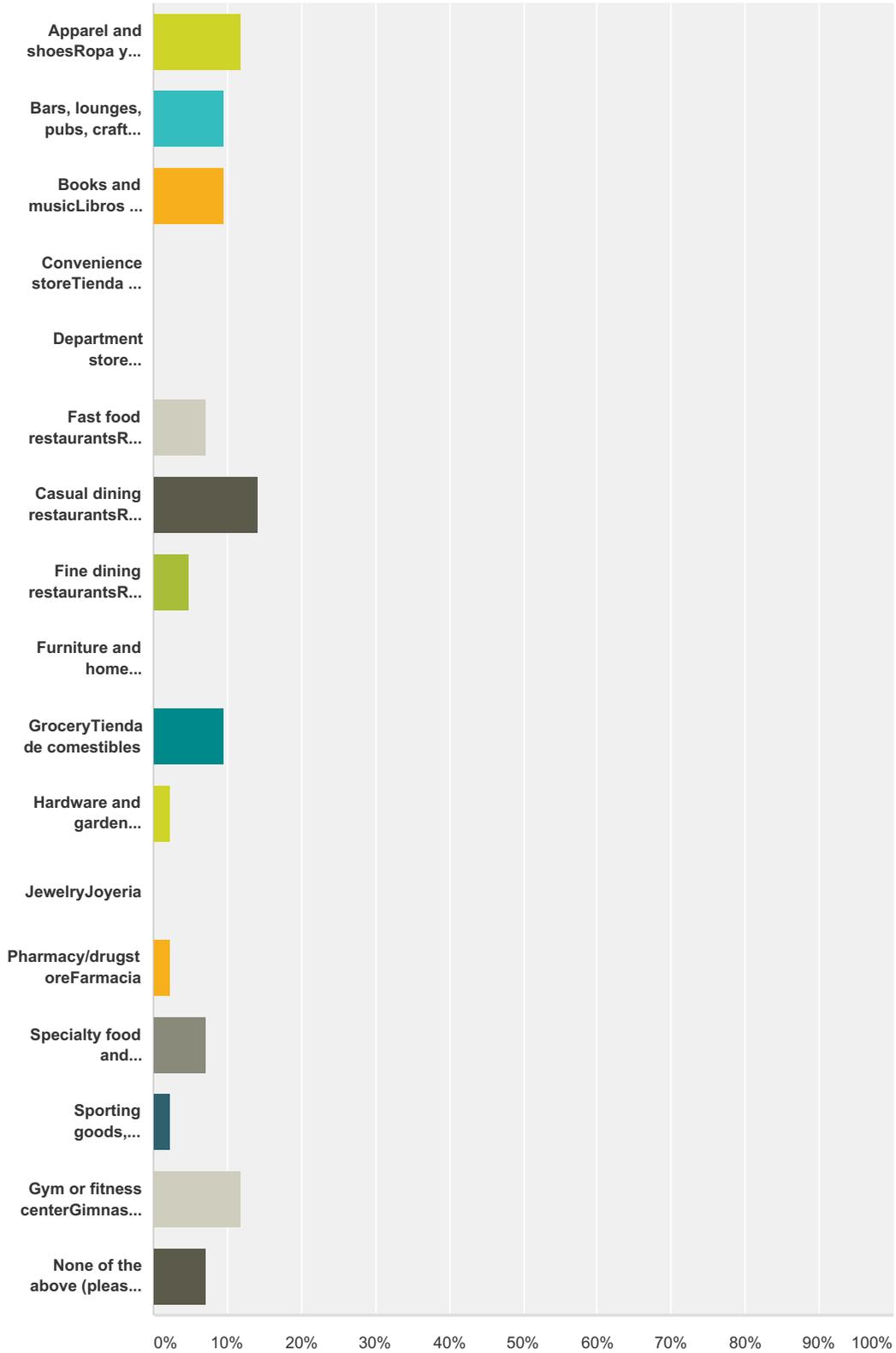


Answer Choices	Responses
Next DoorAl lado	16.28% 7
Across the streetAl otro lado de la calle	13.95% 6
Behind the businessDetrás del negocio	2.33% 1
Short distance down the streetPoca distancia de la calle	65.12% 28
Would rather not live anywhere near itPreferir no vivir cerca de los negocios	4.65% 2
Don't knowNo se	11.63% 5
Total Respondents: 43	

Q7 In addition to your response to question 1, which, if any, of the following types of businesses do you also feel are needed in North Bay Village? Choose one: ¿Además de su respuesta a la pregunta 1, Cual de los siguientes negocios cree que se necesita en North Bay Village? Elegir uno:

Answered: 42 Skipped: 4

North Bay Village Business Survey



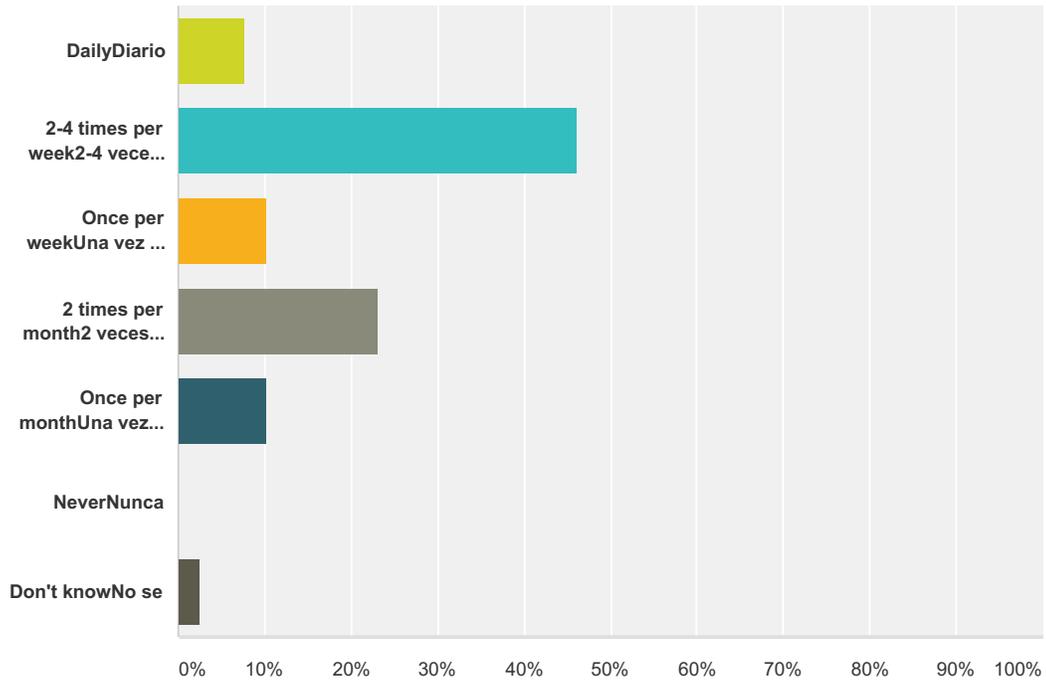
Answer Choices	Responses
Apparel and shoesRopa y zapatos	11.90% 5
Bars, lounges, pubs, craft breweriesBares, salones, pubs, cervecerías artesanales	9.52% 4

North Bay Village Business Survey

Books and musicLibros y música	9.52%	4
Convenience storeTienda de barrio	0.00%	0
Department store merchandiseTiendas de departamento y mercancías	0.00%	0
Fast food restaurantsRestaurantes de comida rápida	7.14%	3
Casual dining restaurantsRestaurantes de cena casual	14.29%	6
Fine dining restaurantsRestaurantes de cena formal	4.76%	2
Furniture and home furnishingsMuebles y hogar	0.00%	0
GroceryTienda de comestibles	9.52%	4
Hardware and garden supplyFerretería y artículos de jardinería	2.38%	1
JewelryJoyería	0.00%	0
Pharmacy/drugstoreFarmacia	2.38%	1
Specialty food and beverageBebidas y alimentos de la especialidad	7.14%	3
Sporting goods, hobbiesMercancías deportivo, afición	2.38%	1
Gym or fitness centerGimnasio o centro de ejercicio	11.90%	5
None of the above (please skip to question 19)Ninguna de las anteriores (por favor, pasar a pregunta 19)	7.14%	3
Total		42

Q8 For the business you identified in Question 7, how often do you usually shop or visit? Para el negocio que identificó en la pregunta 7, con qué frecuencia generalmente lo visita?

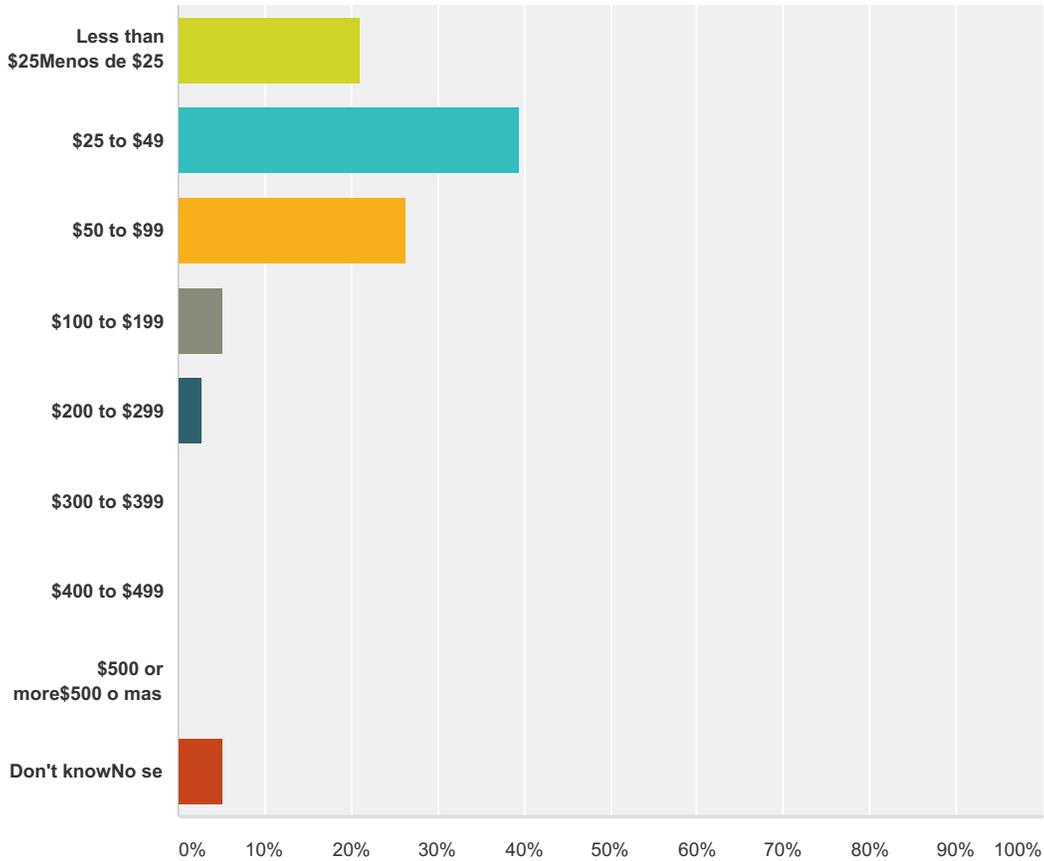
Answered: 39 Skipped: 7



Answer Choices	Responses
Daily	7.69% 3
2-4 times per week	46.15% 18
Once per week	10.26% 4
2 times per month	23.08% 9
Once per month	10.26% 4
Never	0.00% 0
Don't know	2.56% 1
Total	39

Q9 For the business you identified in Question 7, how much do you usually spend each time you shop or visit these types of businesses? Para el negocio que identificó en la pregunta 7, cuánto usted normalmente gasta cada vez que compra o visita este tipo de establecimiento?

Answered: 38 Skipped: 8



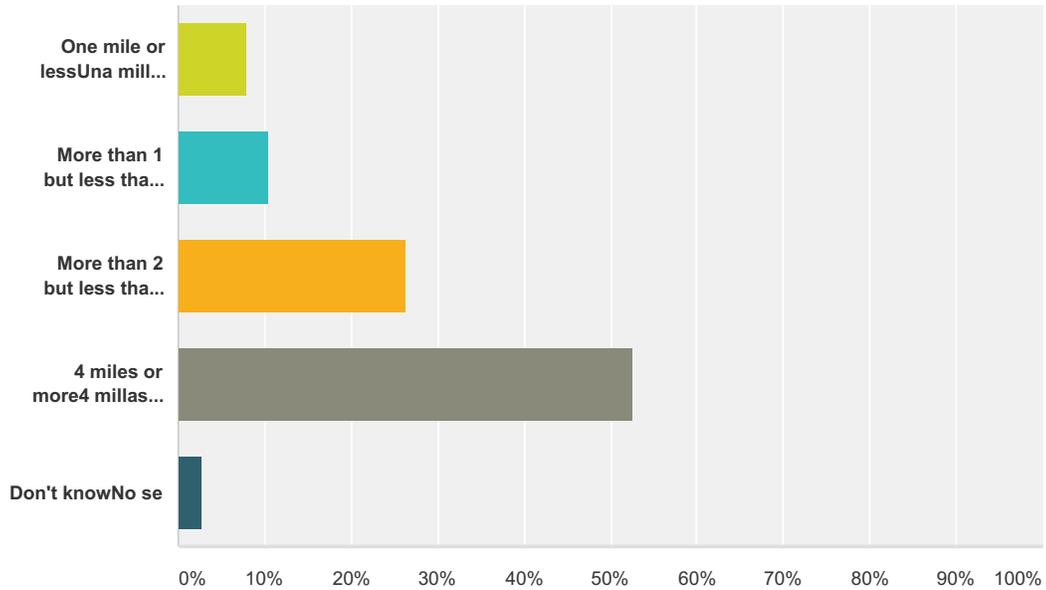
Answer Choices	Responses	Count
Less than \$25Menos de \$25	21.05%	8
\$25 to \$49	39.47%	15
\$50 to \$99	26.32%	10
\$100 to \$199	5.26%	2
\$200 to \$299	2.63%	1
\$300 to \$399	0.00%	0
\$400 to \$499	0.00%	0
\$500 or more\$500 o mas	0.00%	0

North Bay Village Business Survey

Don't knowNo se	5.26%	2
Total		38

Q10 How far do you usually travel (one way) when you shop or visit the type of business you identified in Question 7? Hasta qué punto usted generalmente viaja (sólo ida) cuando usted visita el tipo de negocio identificado en la pregunta 7?

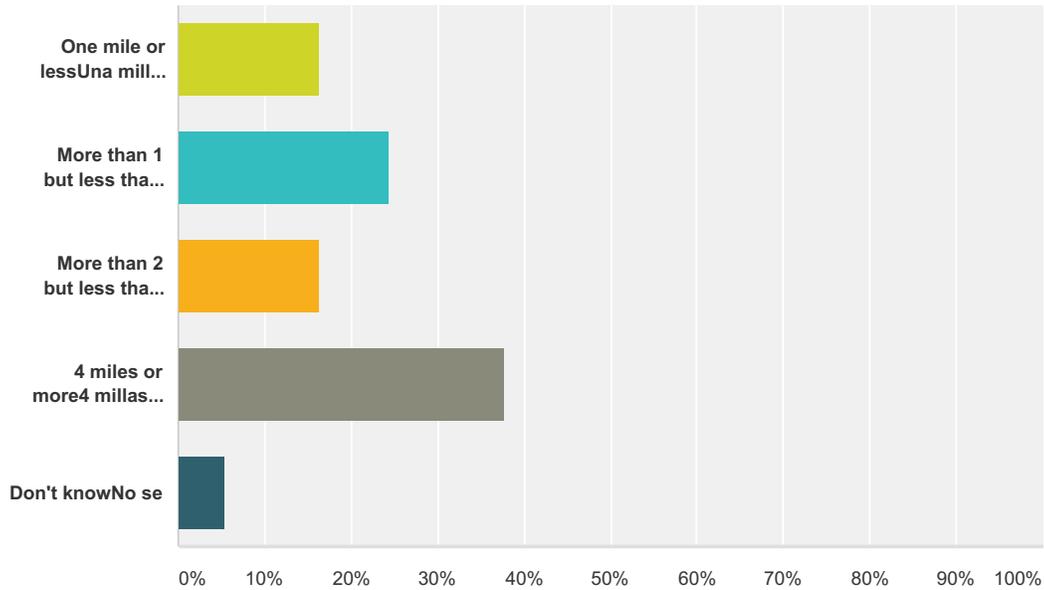
Answered: 38 Skipped: 8



Answer Choices	Responses
One mile or lessUna milla o menos	7.89% 3
More than 1 but less than 2 milesMás de 1 pero menos de 2 millas	10.53% 4
More than 2 but less than 4 milesMás de 2 pero menos de 4 millas	26.32% 10
4 miles or more4 millas o más	52.63% 20
Don't knowNo se	2.63% 1
Total	38

**Q11 How far are you willing to travel (one way) when you shop or visit the type of business you identified in Question 7?
Hasta dónde estás dispuesto a viajar (una forma) cuando compra o visita el tipo de negocio que identificó en la pregunta 7?**

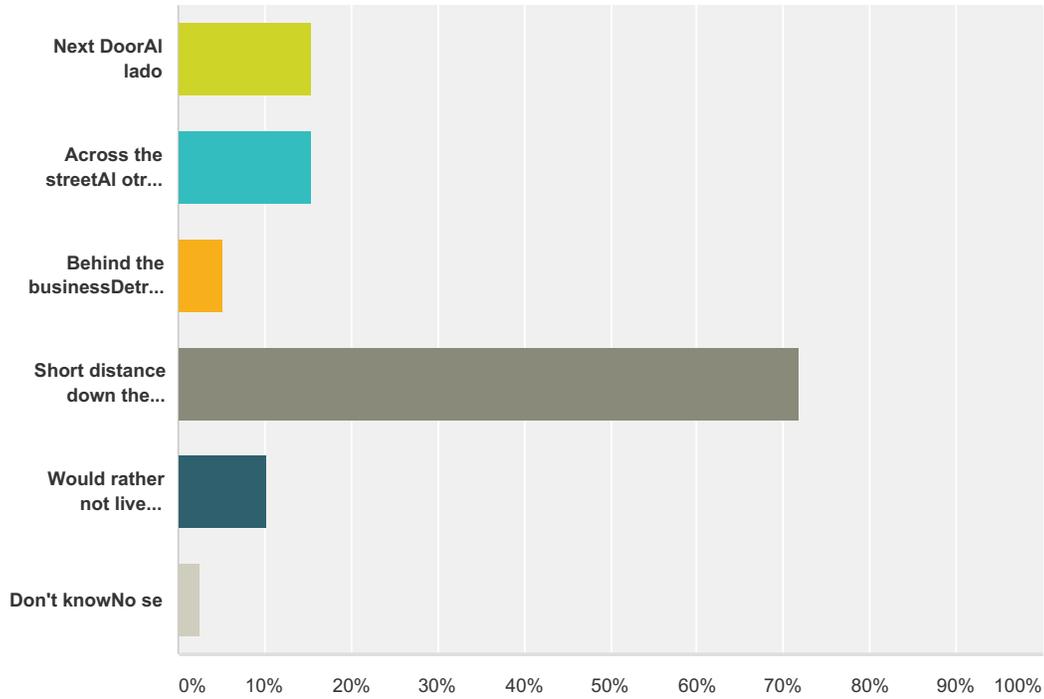
Answered: 37 Skipped: 9



Answer Choices	Responses
One mile or lessUna milla o menos	16.22% 6
More than 1 but less than 2 milesMás de 1 pero menos de 2 millas	24.32% 9
More than 2 but less than 4 milesMás de 2 pero menos de 4 millas	16.22% 6
4 miles or more4 millas o más	37.84% 14
Don't knowNo se	5.41% 2
Total	37

Q12 How close are you willing to live near the type of business you identified in Question 7? Choose all answers that apply. ¿Qué tan cerca está usted dispuesto a vivir cerca del tipo de negocio identificado en la pregunta 7? Elegir todas las respuestas que se aplican.

Answered: 39 Skipped: 7

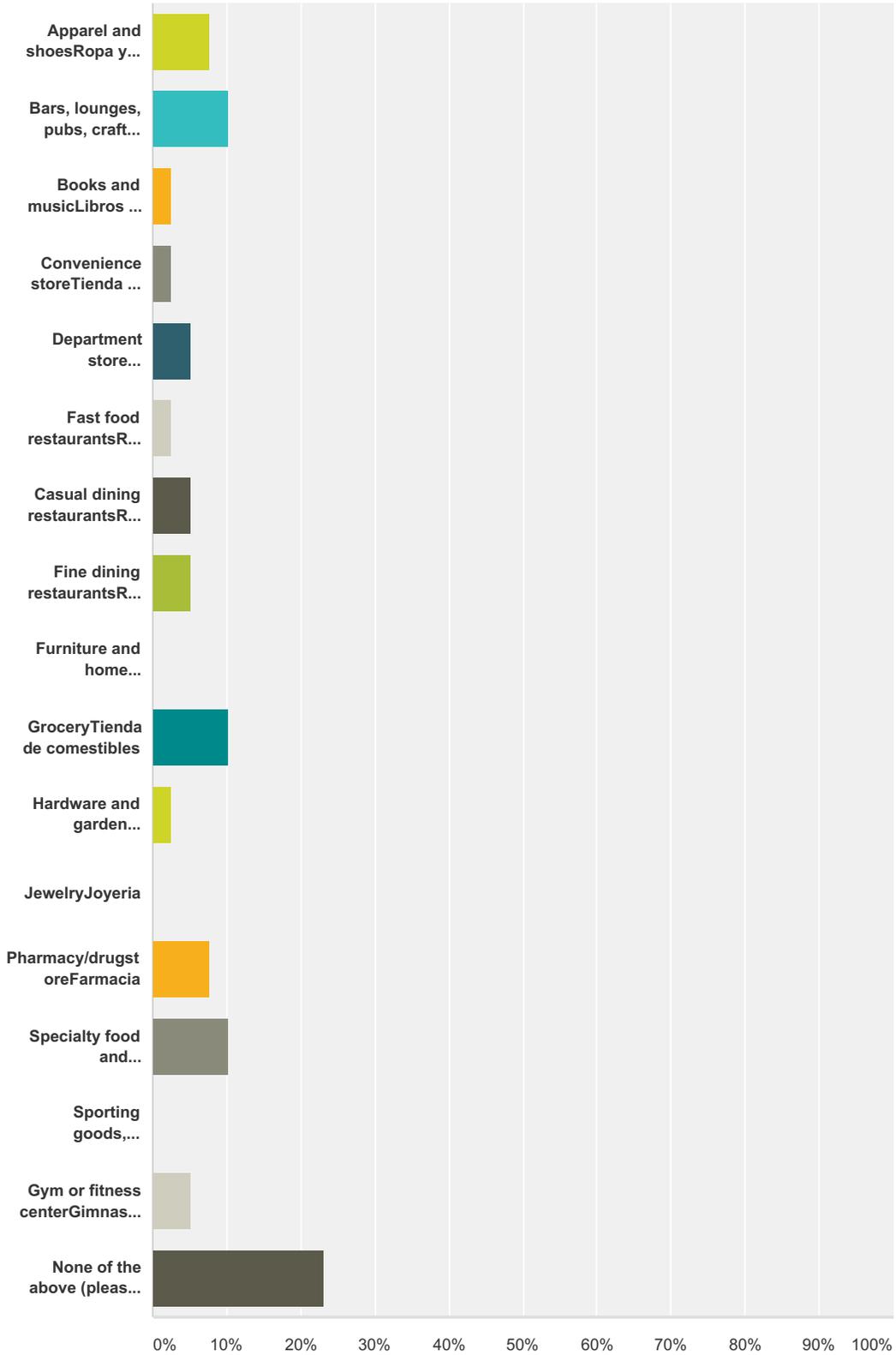


Answer Choices	Responses
Next DoorAl lado	15.38% 6
Across the streetAl otro lado de la calle	15.38% 6
Behind the businessDetrás del negocio	5.13% 2
Short distance down the streetPoca distancia de la calle	71.79% 28
Would rather not live anywhere near itPreferir no vivir cerca de los negocios	10.26% 4
Don't knowNo se	2.56% 1
Total Respondents: 39	

Q13 Finally, is there one other type of business that you also feel is needed in North Bay Village? Choose one: ¿Por último, identifique otro tipo de negocio que también sea necesario en North Bay Village? Elija uno:

Answered: 39 Skipped: 7

North Bay Village Business Survey



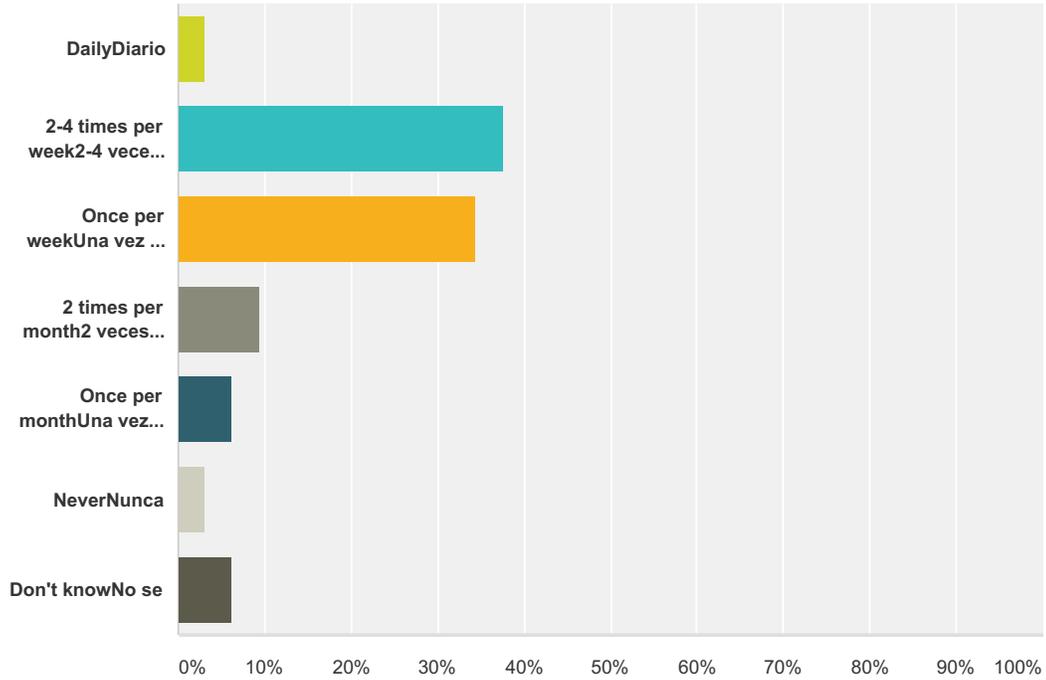
Answer Choices	Responses
Apparel and shoesRopa y zapatos	7.69% 3
Bars, lounges, pubs, craft breweriesBares, salones, pubs, cervecerías artesanales	10.26% 4

North Bay Village Business Survey

Books and musicLibros y música	2.56%	1
Convenience storeTienda de barrio	2.56%	1
Department store merchandiseTiendas de departamento y mercancías	5.13%	2
Fast food restaurantsRestaurantes de comida rápida	2.56%	1
Casual dining restaurantsRestaurantes de cena casual	5.13%	2
Fine dining restaurantsRestaurantes de cena formal	5.13%	2
Furniture and home furnishingsMuebles y hogar	0.00%	0
GroceryTienda de comestibles	10.26%	4
Hardware and garden supplyFerretería y artículos de jardinería	2.56%	1
JewelryJoyería	0.00%	0
Pharmacy/drugstoreFarmacia	7.69%	3
Specialty food and beverageBebidas y alimentos de la especialidad	10.26%	4
Sporting goods, hobbiesMercancías deportivo, afición	0.00%	0
Gym or fitness centerGimnasio o centro de ejercicio	5.13%	2
None of the above (please skip to question 19)Ninguna de las anteriores (por favor, pasar a pregunta 19)	23.08%	9
Total		39

Q14 For the business you identified in Question 13, how often do you usually shop or visit? Para el negocio que identificó en la pregunta 13, con qué frecuencia generalmente lo visita?

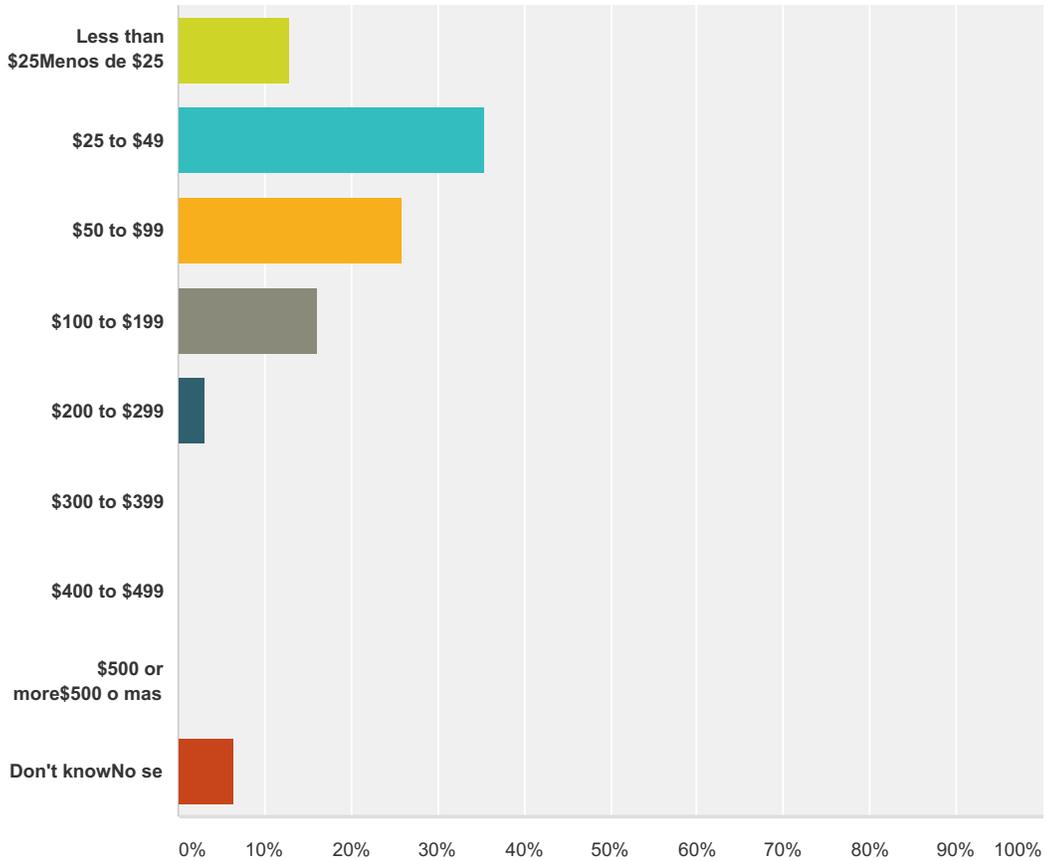
Answered: 32 Skipped: 14



Answer Choices	Responses
Daily	3.13% 1
2-4 times per week	37.50% 12
Once per week	34.38% 11
2 times per month	9.38% 3
Once per month	6.25% 2
Never	3.13% 1
Don't know	6.25% 2
Total	32

Q15 For the business you identified in Question 13, how much do you usually spend each time you shop or visit these types of businesses? Para el negocio que identificó en la pregunta 13, cuánto usted normalmente gasta cada vez que compra o visita este tipo de establecimiento?

Answered: 31 Skipped: 15



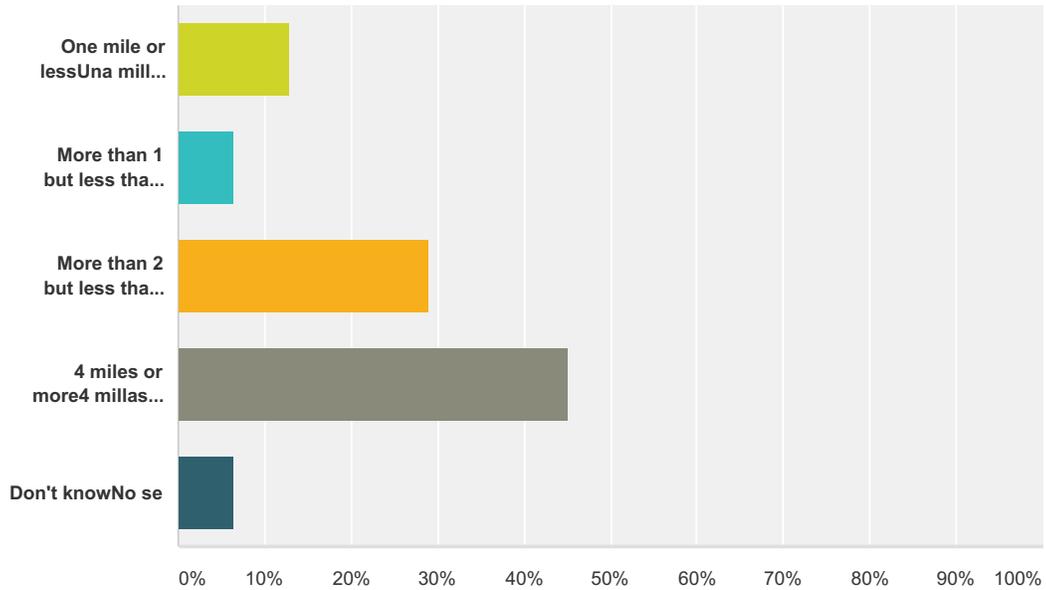
Answer Choices	Responses
Less than \$25Menos de \$25	12.90% 4
\$25 to \$49	35.48% 11
\$50 to \$99	25.81% 8
\$100 to \$199	16.13% 5
\$200 to \$299	3.23% 1
\$300 to \$399	0.00% 0
\$400 to \$499	0.00% 0
\$500 or more\$500 o mas	0.00% 0

North Bay Village Business Survey

Don't knowNo se	6.45%	2
Total		31

Q16 How far do you usually travel (one way) when you shop or visit the type of business you identified in Question 13? Hasta qué punto usted generalmente viaja (sólo ida) cuando usted visita el tipo de negocio identificado en la pregunta 13?

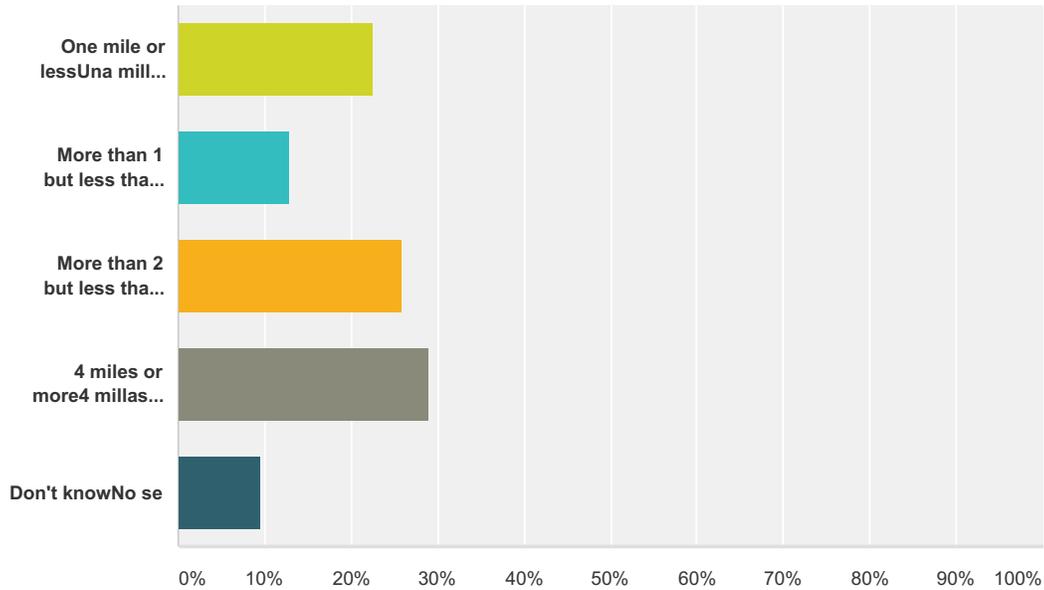
Answered: 31 Skipped: 15



Answer Choices	Responses
One mile or lessUna milla o menos	12.90% 4
More than 1 but less than 2 milesMás de 1 pero menos de 2 millas	6.45% 2
More than 2 but less than 4 milesMás de 2 pero menos de 4 millas	29.03% 9
4 miles or more4 millas o más	45.16% 14
Don't knowNo se	6.45% 2
Total	31

**Q17 How far are you willing to travel (one way) when you shop or visit the type of business you identified in Question 13?
Hasta dónde estás dispuesto a viajar (una forma) cuando compra o visita el tipo de negocio que identificó en la pregunta 13?**

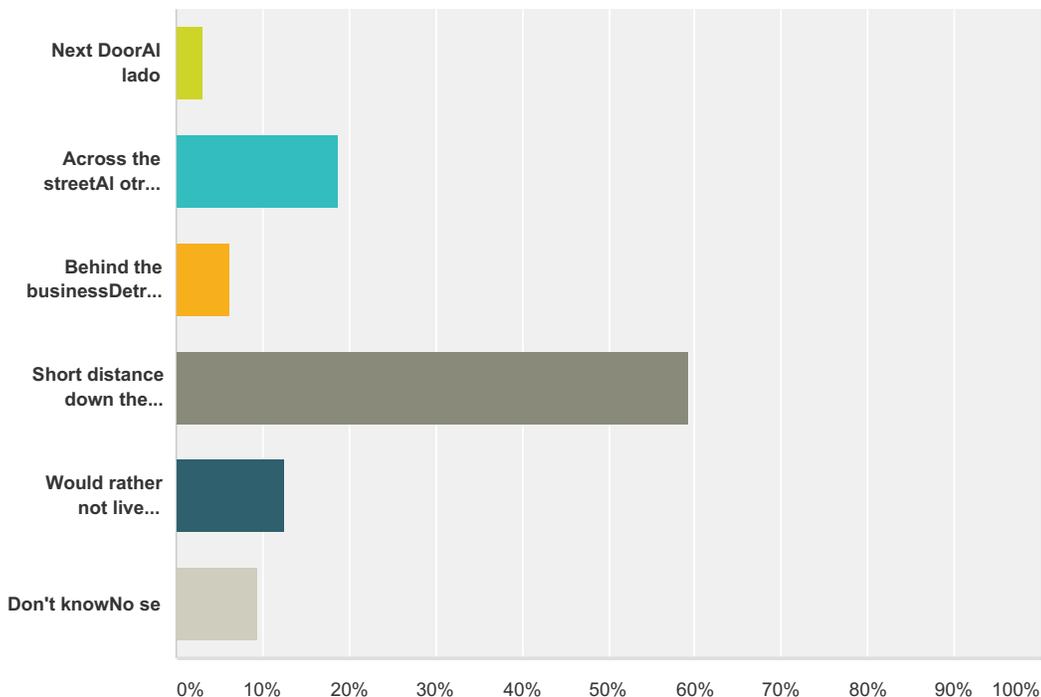
Answered: 31 Skipped: 15



Answer Choices	Responses
One mile or lessUna milla o menos	22.58% 7
More than 1 but less than 2 milesMás de 1 pero menos de 2 millas	12.90% 4
More than 2 but less than 4 milesMás de 2 pero menos de 4 millas	25.81% 8
4 miles or more4 millas o más	29.03% 9
Don't knowNo se	9.68% 3
Total	31

Q18 How close are you willing to live near the type of business you identified in Question 13? Choose all answers that apply. ¿Qué tan cerca está usted dispuesto a vivir cerca del tipo de negocio identificado en la pregunta 13? Elegir todas las respuestas que se aplican.

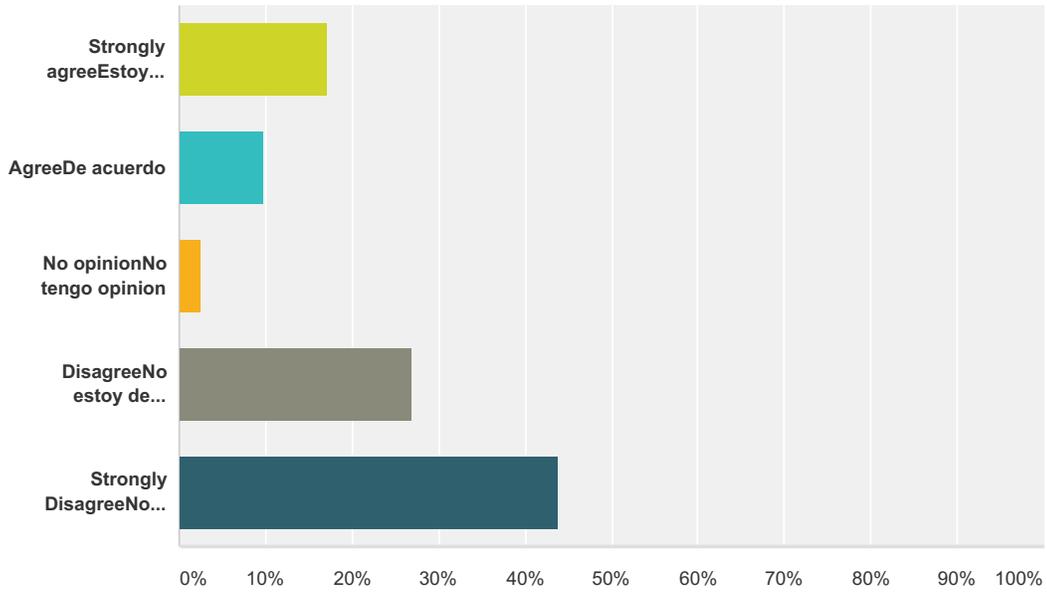
Answered: 32 Skipped: 14



Answer Choices	Responses
Next DoorAl lado	3.13% 1
Across the streetAl otro lado de la calle	18.75% 6
Behind the businessDetrás del negocio	6.25% 2
Short distance down the streetPoca distancia de la calle	59.38% 19
Would rather not live anywhere near itPreferir no vivir cerca de los negocios	12.50% 4
Don't knowNo se	9.38% 3
Total Respondents: 32	

Q19 Do you agree that retail services are adequate within the Village to serve the present population? Está de acuerdo en que los servicios al por menor sean adecuadas dentro del pueblo para servir a la población actual?

Answered: 41 Skipped: 5

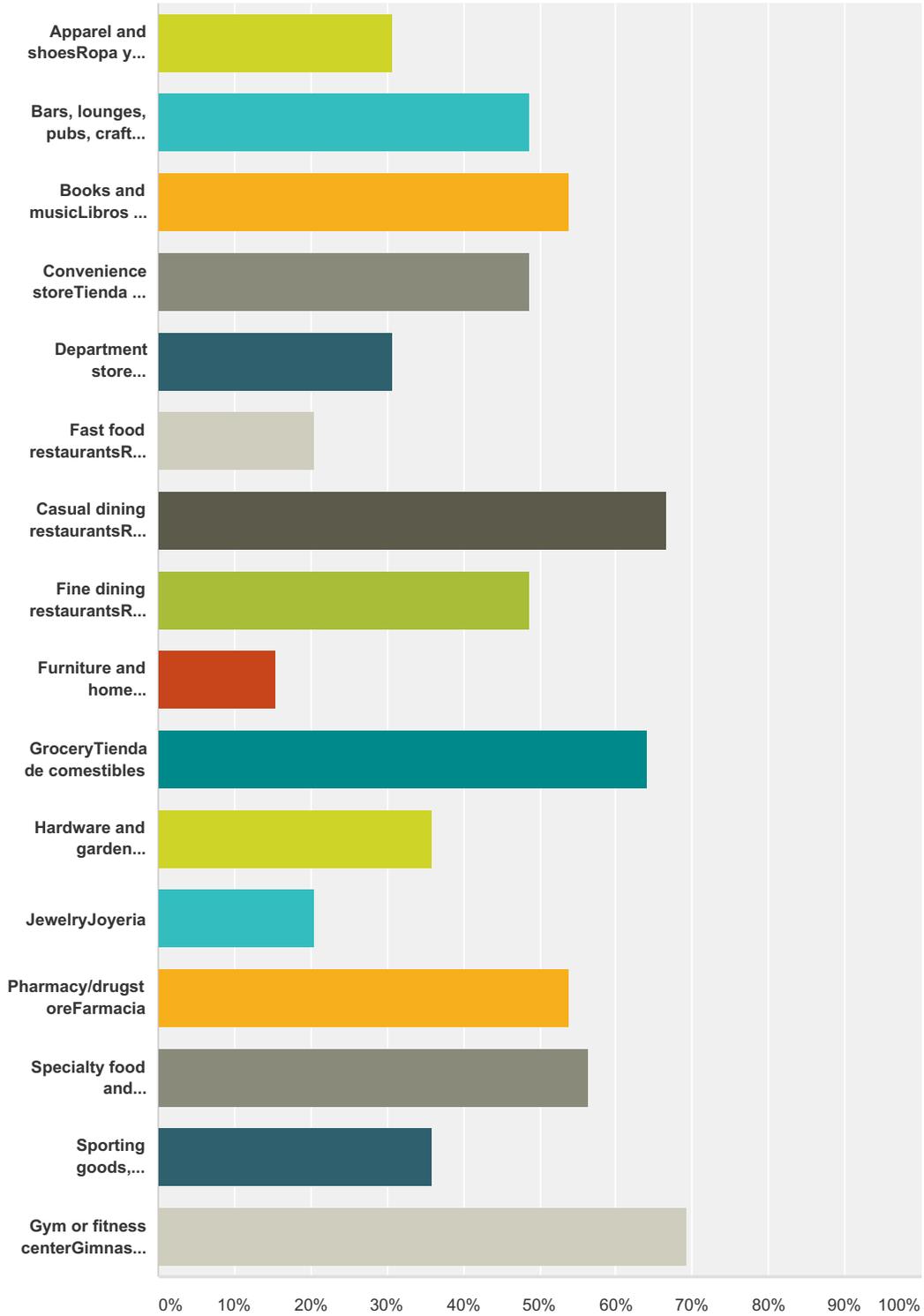


Answer Choices	Responses
Strongly agreeEstoy fuertemente de acuerdo	17.07% 7
AgreeDe acuerdo	9.76% 4
No opinionNo tengo opinion	2.44% 1
DisagreeNo estoy de acuerdo	26.83% 11
Strongly DisagreeNo estoy fuertemente de acuerdo	43.90% 18
Total	41

**Q20 Which of these business types would you feel comfortable walking to? Choose as many as you like:A cual de estos tipos de negocio se sentiría cómodo ir caminando?
Elegir tantas como quieras:**

Answered: 39 Skipped: 7

North Bay Village Business Survey



Answer Choices	Responses
Apparel and shoes/Ropa y zapatos	30.77% 12
Bars, lounges, pubs, craft breweries/Bares, salones, pubs, cervecerías artesanales	48.72% 19
Books and music/Libros y música	53.85% 21
Convenience store/Tienda de barrio	48.72% 19

North Bay Village Business Survey

Department store merchandiseTiendas de departamento y mercancias	30.77%	12
Fast food restaurantsRestaurantes de comida rapida	20.51%	8
Casual dining restaurantsRestaurantes de cena casual	66.67%	26
Fine dining restaurantsRestaurantes de cena formal	48.72%	19
Furniture and home furnishingsMuebles y hogar	15.38%	6
GroceryTienda de comestibles	64.10%	25
Hardware and garden supplyFerretería y artículos de jardinería	35.90%	14
JewelryJoyeria	20.51%	8
Pharmacy/drugstoreFarmacia	53.85%	21
Specialty food and beverageBebidas y alimentos de la especialidad	56.41%	22
Sporting goods, hobbiesMercancias deportivo, aficion	35.90%	14
Gym or fitness centerGimnasio o centro de ejercicio	69.23%	27
Total Respondents: 39		

North Bay Village Business Survey

Q21 Is there any other business type that you feel is needed in North Bay Village? Please write your response in below. Existe algun tipo de negocio que usted piense sea necesario en North Bay Village? Por favor escriba su respuesta.

Answered: 28 Skipped: 18

#	Responses	Date
1	Miscellaneous Store with School and office Supplies	1/11/2016 4:44 PM
2	STARBUCKS,DUNKIN DONUTS,EINSTEIN BAGELS	1/11/2016 4:42 PM
3	Auto repair	1/11/2016 4:15 PM
4	bank	1/6/2016 7:09 PM
5	nail salon, coffee shop	1/6/2016 6:53 PM
6	community center	1/6/2016 4:28 PM
7	It would be nice to get a Starbucks.	1/5/2016 1:29 PM
8	Indoor kids play, cafe/ coffeeshops with wifi, doctor's offices, healthfood stores, anchor tenants such as cheesecake factory, Macy's, starbucks etc.	1/5/2016 11:48 AM
9	Fresh Market	1/5/2016 12:59 AM
10	coffee shop/breakfast restaurant such as Starbucks	1/4/2016 11:55 PM
11	A yoga studio, a health food store, clothing store.We also need better wider sidewalks on the causeway. And that the police enforce the speed limit with more light up signage informing of speed limit and lots of speeding tickets. Also, Bravo health clinic is a fake business, they only accept cash, they have no patient files and the doctor who works there says she does "research for Merk Frost" and showed an old microscope in a dirty room. We have too many shabby businesses, driving through NBV it looks like a town where no one cares. If I didn't live here I would NEVER stop, there's nothing here. Also the fact that all the retail spots in the D'Bella pizza building are empty is an embarrassment. Visit Bay Harbor Islands' causeway and get some ideas of how to legislate and encourage a vibrant local retail and restaurant district! Also, considering the amount of dogs it's a shame that the commission is dragging its heels on making a dog park. If Mayor Kreps wants to get reelected she should get cracking on making actual positive changes for residents. PS. excited about the new bikes lanes on the causeway, please force to police to enforce speed limits so we can bike safely.	1/4/2016 11:39 PM
12	Gym	1/4/2016 11:22 PM
13	water taxis, farmers markets, trader Joes, fresh fish market	1/4/2016 9:43 PM
14	Farmers' Market, Whole Foods and/or Trader Joe's	1/4/2016 9:42 PM
15	Medical office	1/4/2016 9:23 PM
16	banks, camera & photo printing, health food,spa	1/4/2016 8:35 PM
17	bank, medical offices	1/4/2016 5:20 PM
18	Starbucks, Publix or Whole Foods	1/4/2016 5:05 PM
19	Quality Grocery Store	1/3/2016 4:30 PM
20	Fast Food Drive Through such as Burger King, Chinese Food Restaurant like the old Pan Toy. A cleaner and more hospitable grocery store, maybe upscale foods would be nice although it is all about demographics and at the end of the day, a business needs to make money. The return of Chase Bank would have been nice.	1/3/2016 2:02 PM
21	ice cream shop / bagel shop or breakfast food	1/3/2016 9:18 AM
22	BANK, we need banking back in town	1/2/2016 1:22 PM

North Bay Village Business Survey

23	clean up causway with stores under. ice cream store	1/2/2016 11:21 AM
24	a better grocery store	1/2/2016 10:46 AM
25	We need Specialty businesses such as a Whole Foods Grocery Store, a Starbucks, and a large/upscale fitness center such as an Equinox to elevate the quality of daily life for the residents and set us apart from the more typical fast food/convenience store areas that exists throughout the county.	12/28/2015 3:13 PM
26	a park, for scheduled entertainment, rollerskating parties, and hired social event	12/21/2015 7:47 AM
27	A supermarket that offers variety of foods not just Latin foods, a market where employees speak English and provide service to all residents not just a select few.	12/16/2015 10:30 AM
28	starbucks	12/14/2015 10:19 AM

North Bay Village Grant

Deliverable 3

Obtain Input from the Public, Staff, and Stakeholders

Two meetings were held to gather business and service preferences. The first was a neighborhood community outreach meeting. The second was a regularly scheduled Planning & Zoning meeting. Neither meeting was well attended but useful input was received from the residents, staff, and board members that did attend. Both meetings were publicly advertised in the Miami Herald. Additionally, notices were hand delivered to the North Bay Village condominium associations by the Village police department. See attached for a copy of the newspaper advertisement and the distributed notice. Also attached are the minutes taken by the Village Clerk for both meetings.

Both meetings produced active discussions regarding the preferences and desires for various businesses in the Village as well as what actions could be taken to promote and attract those businesses. Meetings were moderated with a short introduction regarding the purpose of the meeting followed by opportunities for all in attendance to speak. Discussion was encouraged. Highlights from that discussion include the suggestion of a co-work space, to hopefully attract entrepreneurs and the tech-industry workforce. Combined with the suggestion of an urgent care medical facility, the thought was that young professionals could be attracted to the Village, thereby increasing the market for services already desired by many of the current residents. A full list of business types and services mentioned at the meetings can be seen below:

<u>Businesses Type</u>	<u>NAICS Code</u>
Local emergency/urgent care	621493
Library	519120
Casual restaurants	722513
Banks	522110
Beer garden	722410
Healthy, affordable eating options	722513 & 722511
Health and fitness center	713940
Co-work space	531120
Starbucks	722515
Hair salon	812112
'High-end' grocery store	445110
Automobile mechanic	811111
Veterinarian	541940



We were not able to solicit any written comments from any neighborhood groups and a power point presentation was not conducted at either meeting. Following the analysis of the resident surveys, indicating business (type) preferences, a power point summary will be presented to the appropriate advisory board.





NORTH BAY VILLAGE NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT NEIGHBORHOOD GROUPS AND HOMEOWNER ASSOCIATIONS ARE ENCOURAGED TO ATTEND A PUBLIC INPUT MEETING TO IDENTIFY THE BUSINESS AND SERVICE NEEDS OF THE COMMUNITY AND POSSIBLE SOLUTIONS; PRIOR TO THE REGULAR MEETING OF THE PLANNING & ZONING BOARD ON JANUARY 5, 2016 AT 6:00 P.M. OR AS SOON AS POSSIBLE THEREAFTER.

NOTICE IS HEREBY GIVEN THAT A PUBLIC INPUT MEETING WILL BE HELD TO IDENTIFY TYPES OF BUSINESSES AND SERVICES PREFERRED BY THE VILLAGE RESIDENTS AND ACCOMPANYING STRATEGIC PLANNING INFRASTRUCTURE NEEDS/CONCERNS; DURING THE REGULAR MEETING OF THE PLANNING & ZONING BOARD ON JANUARY 5, 2016 AT 7:30 P.M. OR AS SOON AS POSSIBLE THEREAFTER.

BOTH MEETINGS WILL BE HELD AT VILLAGE HALL, 1666 KENNEDY CAUSEWAY #101, NORTH BAY VILLAGE, FLORIDA.

INTERESTED PERSONS ARE INVITED TO APPEAR AT THIS MEETING OR BE REPRESENTED BY AN AGENT, OR TO EXPRESS THEIR VIEWS IN WRITING ADDRESSED TO THE PLANNING & ZONING BOARD C/O THE BUILDING & ZONING CLERK, 1666 KENNEDY CAUSEWAY, #300, NORTH BAY VILLAGE, FL 33141.

THE DOCUMENTS PERTAINING TO THIS PUBLIC HEARING MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK DURING REGULAR WORKING HOURS AT 1666 KENNEDY CAUSEWAY, #300. INQUIRIES MAY BE DIRECTED TO THAT DEPARTMENT AT (305) 756-7171.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION BY THE VILLAGE COMMISSION WITH RESPECT TO THIS OR ANY MATTER CONSIDERED AT ITS MEETING OR ITS HEARING, SUCH PERSON MUST ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

TO REQUEST THIS MATERIAL IN ACCESSIBLE FORMAT, SIGN LANGUAGE INTERPRETERS, INFORMATION ON ACCESS FOR PERSON WITH DISABILITIES, AND/OR ANY ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY VILLAGE-SPONSORED PROCEEDING, PLEASE CONTACT (305) 756-7171 FIVE DAYS IN ADVANCE TO INITIATE YOUR REQUEST. TTY USERS MAY ALSO CALL 711 (FLORIDA RELAY SERVICE).

YVONNE P. HAMILTON, CMC
VILLAGE CLERK
(December 16, 2015)

CHILDREN'S EVENT

Little Lighthouse Foundation holds annual toy drive

BY GATA BALZANO
cbalzano@miamiherald.com

In 2010, Robert Sena, Charlie Venturi and Aaron Resnick looked for a way to give back to the community by doing volunteer work.

The three friends started the Little Lighthouse Foundation, a nonprofit organization that helps connect people with volunteer opportunities for children with educational, financial and medical hardships.

On Saturday, the Little Lighthouse Foundation held its fourth annual toy drive, in which volunteers collected toys for children and teenagers and invited them to pick out their favorite items and take a picture with Santa Claus. More than 100 volunteers participated in the drive.

"The first year we did this toy drive, we had a party at my house and we asked everyone to bring a toy and it was probably 300 to 400 toys," said Sena, 40. "Each year this has gotten progressively bigger. Last year we had about 600 toys. This year it exploded and we're at over 2,000."

The toys were collected at 20 drop locations around Miami. A party the night before drew 400 guests, who either brought toys or made donations.

At 10 a.m. Saturday, Little Lighthouse volunteers arrived at Jungle Island, where they filled a room with toys and a photo



MARSHA HALPER mhalper@miamiherald.com

Alana Johnson, 8, carries the new Lego building set and cuddly stuffed animal she selected during the Little Lighthouse Foundation's fourth annual Holiday Toy Drive on Saturday at Jungle Island.

booth for Santa Claus and two elves to take pictures with every child after they picked their two favorite toys.

At noon, the children began to arrive. About 300 children and teens from Chapman Partnership for the Homeless, Children's Home Society, Lotus House and Special Olympics got the chance to pick

out toys. Later, leftover toys are donated to Miami Children's Initiative.

"This is a good way to engage new volunteers," Sena added. "This is the time of year when people want to give and do something, and I think if we can get people exposed to this once, it's an opportunity to get them exposed year-round."



NORTH BAY VILLAGE

NOTICE OF COMMUNITY OUTREACH MEETINGS

NEIGHBORHOOD GROUPS AND HOMEOWNER ASSOCIATIONS ARE ENCOURAGED TO ATTEND A PUBLIC INPUT MEETING TO IDENTIFY THE BUSINESS AND SERVICE NEEDS OF THE COMMUNITY AND POSSIBLE SOLUTIONS ON JANUARY 5, 2016 AT 6:00 P.M.

A PUBLIC INPUT MEETING WILL BE HELD TO IDENTIFY TYPES OF BUSINESSES AND SERVICES PREFERRED BY THE VILLAGE RESIDENTS AND ACCOMPANYING STRATEGIC PLANNING INFRASTRUCTURE NEEDS/CONCERNS; DURING THE REGULAR MEETING OF THE PLANNING & ZONING BOARD ON JANUARY 5, 2016 AT 7:30 P.M.

BOTH MEETINGS WILL BE HELD AT VILLAGE HALL
1666 KENNEDY CAUSEWAY #101, NORTH BAY VILLAGE, FLORIDA.

RESIDENTS ARE REMINDED:

The Village is conducting an online survey from December 14, 2015 – January 11, 2016. Please visit the Village's website at www.nbvillage.com and click on the *Business Survey* link under News & Announcements.

The purpose of this survey is to gather data regarding business and service needs. The intent is to use this information to facilitate business retention and development in North Bay Village.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

OFFICIAL MINUTES

NORTH BAY VILLAGE COMMUNITY OUTREACH MEETING

**VILLAGE HALL
1666 KENNEDY CAUSEWAY, #101
NORTH BAY VILLAGE, FL 33141**

JANUARY 5, 2016 – 6:00 P.M.

1. INTRODUCTION

The Village Planner Jim LaRue commenced the meeting at 6:26 p.m. after members of the public attended. He discussed the purpose of the meeting to receive public input on business development, regarding the service needs of the community, with an object to revitalize and expand by bringing new business to the Village.

2. DISCUSSION

IDENTIFY THE BUSINESS AND SERVICE NEEDS OF THE COMMUNITY AND PREFERENCES OF THE VILLAGE RESIDENTS

Mr. LaRue explained a requirement of the Economic Development Grant to identify things that the Village needs in terms of improved infrastructure. He discussed the survey that was provided to the public to obtain their preferences for the different types of services they would like to see to attract business, as opposed to passerby. He spoke of the need to also receive feedback from neighborhood groups on what types of business or things they would like to see to retain business in the Village.

Residents Dr. Douglas Hornsby, Marvin Wilmoth, Kokoa Woodget, and Business Owner Jairo Reyes participated in the discussion. They gave their preference for addition of the following types of businesses to the community:

- Professional/Medial (Family Care/Pediatricians)
- Library

- Local Casual Restaurants
- Local Boating Business
- Beer Gardens
- Healthy Eating Options
- Natural Health & Fitness
- Bank
- Next Generation Technology

In response to a question from Ms. Woodget regarding the use of the grant, Mr. LaRue explained that in addition to the survey requesting information pertaining to the business needs of the community, the Village Commission will develop a Strategic Plan with an objective for marketing suggestions to expand businesses.

Mr. LaRue reminded the public of the January 11th deadline for submittal of the completed surveys. He indicated that a summary of the results of the survey will be discussed at the February 2016 Planning & Zoning Board Meeting. The plan is to outline the infrastructure needs of the Village to attract business. The process will continue to April and May.

It was pointed out that the Village is currently working on water and sewer improvements, which should be completed by 2016.

3. **ADJOURNMENT**

The meeting adjourned at 6:50 P.M.

Prepared by: Yvonne P. Hamilton, CMC
Village Clerk

(Two or more members of the Commission may be in attendance.)

Vice Mayor Jorge Gonzalez was in attendance.



North Bay Village

Administrative Offices

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

OFFICIAL MINUTES

NORTH BAY VILLAGE PLANNING & ZONING BOARD MEETING

**VILLAGE HALL
1666 KENNEDY CAUSEWAY, #101
NORTH BAY VILLAGE, FL 33141**

JANUARY 5, 2016 – 7:30 P.M.

1. CALL TO ORDER

The Chair Bud Farrey called the meeting to order at 7:45 p.m.

Other Board Members in Attendance:

Marvin Wilmoth, Vice Chair

Dr. Douglas Hornsby

Dr. Joshua Furman was absent.

Staff Members Present:

Jim LaRue/Ben Smith, Village Planners

Frank K. Rollason, Village Manager

Yvonne P. Hamilton, Village Clerk

2. PLEDGE OF ALLEGIANCE, ROLL CALL

Marvin Wilmoth led the Pledge of Allegiance.

3. PUBLIC HEARING

A. IDENTIFYING THE TYPES OF BUSINESSES AND SERVICES PREFERRED BY VILLAGE RESIDENTS

The Village Planner announced that the completed Business Development Survey is to be completed by January 11, 2016 as part of the grant opportunity. He reported that good information was received as a result of the neighborhood input, by allowing people to vocalize their preferences above and beyond completing the survey.

Mr. LaRue informed the Board that a review of the list of businesses in the Village did not show a significant change. The main concern is to find out the types of business service needs of the community; those types of businesses that are beneficial to the Village.

B. STRATEGIC PLANNING INFRASTRUCTURE NEEDS/CONCERNS

The Board Members listed their preferences for new businesses as follows:

Bud Farrey
-Starbucks
-Hair Salon
-Grocery Store (Publix/Winn Dixie)

Dr. Douglas Hornsby
-Mechanic Shop
-Urgent Care Facility
-Infrastructure Improvements

A discussion took place regarding infrastructure improvements in the Village, such as Water & Sewer and Widening of Sidewalks.

The Board also discussed the lack of an architectural theme for the Village, which is important to providing an identify, particularly on the east side. Also discussed was the need for improvements to the medians, which serve as gateway to the community, as well as the creation of walkable areas.

Mr. LaRue discussed the next step in the process to provide the summary of the survey results to the Board and submit information to the Department of Economic Development for approval of infrastructure needs and provide staff initiative for approval.

It was also discussed that a Middle School will be beneficial to the community.

Discussion took place about allowing the potential for more than one floor of business in the mixed-use developments and developing the north side of the causeway with something like a Riverwalk area to drive the identity of the Village.

4. **ADJOURNMENT**

The meeting adjourned at 8:10 P.M.

Prepared by: Yvonne P. Hamilton, CMC
Village Clerk

(Two or more members of the Commission may be in attendance.)

Mayor Connie Leon-Kreps was in attendance.

North Bay Village Grant
Deliverable 4
Identify and Analyze Infrastructure Conditions

This report was written based on observations, Village documents, and information collected from conversations with Village staff. It is to be understood that the Village's infrastructure system is fully developed and public services are available to all potential development and redevelopment sites.

Sewer

The Village's wastewater collection system consists of approximately 30,000 feet of sanitary sewers, 170 manholes, three local pump stations, one master pump station, and approximately 14,000 feet of force mains. The Village discharges waste water to the MDWASD via a new 16-inch force main installed in 2010. Recently, the Village cleaned and video recorded their sanitary sewer system, performed smoke tests, and performed night flow isolation testing to estimate levels of inflow and infiltration. The existing wastewater collection system is divided into 7 sanitary sewer basins. See Attachment 4 for the Sewer Basin Map and Attachment 5 for the existing Sewer System Map.

The Village has plans to repair and replace segments of the sanitary sewer piping through sanitary sewer lining, point repairs, lateral replacement, and grouting based on evaluation of the video collected during the inspection. The Village also plans to repair and re-line the sanitary sewer manholes identified as deficient. Completion of this sanitary sewer rehabilitation plan will address inflow and infiltration issues to improve system performance and greatly reduce the public health risks, environmental impacts, and groundwater contamination associated with a deficient sanitary sewer system. See Attachment 6 for the Sanitary Sewer Rehabilitation Map and Attachment 7 for the complete Sanitary Sewer Facilities Plan Report completed by Kimley Horn. A list of deficient pipe locations and internal images of those pipes starts on page 40 of that report. Additionally, see Attachment 8 for the Smoke Testing Report completed by Enviro Waste.

Drainage

The Village's stormwater treatment system currently includes 51 outfalls that discharge directly into Biscayne Bay, and due to the influence of tidal effects on low lying areas connected to the storm pipe networks, the system is plagued with deteriorating pipes from saltwater intrusion and sediment. At this time, none of the outfalls have attachments to reduce salt water intrusion. Additionally, stormwater currently floods private property and public right of ways due to lack of storage in the stormwater conveyance system.

The Village has completed Phase I of a retrofit process, which included restoring the stormwater system to its original state and replacing pipes and equipment that had reached the "end of life". Funding from the SFWMD Cooperative Funding Program will allow the Village to enter into Phase II of the retrofit



project, which includes installation of flexible valves at each of the 51 outfalls. The one-way flexible valves will help to prevent the inflow of seawater into the conveyance system, allowing stormwater runoff on the island to enter the storm sewer system where it will be stored in the lines prior to flowing back into Biscayne Bay. See Attachment 9 for the full Catch Basin Improvement Project Summary.

Water

The Village purchases drinking water from the Miami-Dade Water and Sewer Department (MDWASD) and the Village's water system provides distribution to all residents and businesses. The Village's water system consists of approximately eight miles of 2" through 30" system piping and includes air release valves, isolation valves, water services, water meters, and fire hydrants; but does not include any treatment systems, pumping systems, or storage tanks. There are no industrial users or other large water demands in the Village.

The Village performed a water leak field investigation to evaluate possible losses of water from the distribution system and determined estimated amounts of water lost. Based on water losses identified as part of the water leak analysis, the Village has plans to replace all existing water meters with automatic meter reading (AMR) water meter devices to improve efficiency and accuracy when collecting meter readings. Water service connection piping associated with the meters will also be replaced. See Attachment 1 for the North Bay Village Water System Map which depicts the locations of the water meters to be replaced (all existing water meters). And for a more thorough description of the water meter replacement plan, see Attachment 2 for the complete Water Meter Replacement Facilities Plan Report completed by Kimley Horn.

The water leak analysis also confirmed that many sections of water main piping and other system components are severely deteriorated. The observed water loss indicates a severe loss of integrity in the Village's water system and a serious impact to the Village's water related revenue. These deficiencies also create potential public health risks related to system contamination and water service impacts. The proposed solution includes repair and replacement of defective components of the water distribution system, including sections of pipe, isolation valves, air release valves, and fire hydrants.

This proposed rehabilitation project will address water leak issues to improve system performance, reduce public health risks, and reduce loss of Village revenue. This proposed rehabilitation project does not address potential capacity issues associated with future growth and development. The recommended installation approach will be traditional "open cut" with the intent to formulate a construction approach that will minimize both community disruption and water system outages. Specific rehabilitation locations have yet to be clearly defined, but will be identified as part of the design process. Please see Attachment 3 for the complete Water Main Rehabilitation Facilities Plan Report completed by Kimley Horn.



Transportation

FDOT is currently conducting a resurfacing, restoration and rehabilitation (RRR) project along Kennedy Causeway through the entirety of the Village limits (extending also into Miami and Miami Beach). In addition to the standard repaving and restriping, the project includes upgrades to traffic signal systems, pedestrian crossing systems, sidewalks and curb ramps, lighting, and speed-feedback signage. See Attachment 10 for the full FDOT Project Summary.

In addition to the FDOT project, the Village is requesting funding from the state of Florida for ADA improvements to the Village roadways and sidewalks, as well as roadway safety improvements. See Attachment 11 for the full list of Legislative Infrastructure Requests.

The Village requires developers to conduct traffic capacity analysis during the site plan approval process. Staff reviews those reports submitted and verifies that the methods are sound and that results indicate sufficient capacity for the proposed development. Sufficient capacity has been demonstrated for all proposed development.

Electric

Much of the Village is still powered by above-ground electric lines. However, during development and redevelopment, the Village has required developers to run electric lines underground. As more infill development and redevelopment occurs, most of the electric lines should be placed underground, reducing storm vulnerability and improving aesthetics.

Capital Improvement Plan

The Village has maintained an updated list of level-of-service related infrastructure projects in the Capital Improvements Element of its Comprehensive Plan, including the funding committed for those projects. Please see Attachment 12 for the full Capital Improvement Schedule, which represents the steps that the Village has taken to address system deficiencies.

Telecommunications

Telecommunication infrastructure is present and functioning throughout the Village. No issues have been reported which would inhibit business development.



Summary of Infrastructure Capacity Issue

North Bay Village is a reseller of water, via a wholesale water agreement with the MDWASD. Based on the current capacity of the lines that pass through the Village, there is enough capacity to meet all current and future demands. Miami Dade Water and Sewer sends their flow to the Village, who in turn, provides flow to the developers.

Adequate capacity is available for existing development as well as several future mixed use developments that are either replacements for old buildings or new buildings on vacant property. The infrastructure improvements planned for the Village relate to the internal delivery system, not to capacity. The level of service demand of 155 gallons per capita per day will still be maintained. The MDWASD supply and treatment capacity are 724.44 MGD and 517.19 MGD respectively.

The Village's sewer system deficiencies are not related to capacity but for needed improvement to the collection system. The Village owns its system and discharges into the MDWASD System where it is processed. The County has adequate capacity and all potential developers in the Village submit a water and sewer capacity letter signed by the Village and the County.

Fire Flow

The flows are certified by Miami Dade Fire Department. Level of service standards mandate that water will be delivered to users at a pressure no less than 20 pounds per square inch (psi). Unless otherwise approved by the Miami-Dade Fire Department, minimum fire flows are maintained for specified land uses as follows:

Water Distribution Level of Service Standard for Minimum Fire Flows Land Use	Fire Flow Delivered at 20 PSI (gallons per minute)
Business and Industry	3,000
Hospitals, Schools	2,000
Multi-family Residential; Semiprofessional Offices	1,500
Single Family and Duplex; Residential on minimum lots of 7,500 square feet	750
Single Family Residential; Estate Density	500
Source: CDMP Adopted Components, Water, Sewer, and Solid Waste Element, 2006	



Conclusion

In addition to the improvements that have been outlined above, the Village has required that developers, as a condition of site plan approval, are responsible for the proportionate costs related to any infrastructure improvements necessary to maintain the level of service standards adopted by the Village and the County.

