



**MEMORANDUM**  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141  
Tel: (305) 756-7171  
Fax: (305) 756-7722  
Website: [www.northbayvillage-fl.gov](http://www.northbayvillage-fl.gov)

**Date:** December 19, 2025  
**To:** Frank Rollason, Village Manager  
**From:** Silvia E. Vargas, FAICP  
**CC:** Craig Pinder, AICP, Village Planner  
**Subject:** Administrative Site Plan Modification – 1700 Kennedy Cswy

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## 1. General Information

<b>Owner/Applicant:</b>	The Lexi Development Company, Inc / Ian Bruce Eichner
<b>Site Address:</b>	1700 John F. Kennedy Causeway (CU-2)
<b>Site Acreage</b>	The Lexi Condo (Parcel 1): 2.68 ac (117,101 sf); CU-2 (Parcel 2): 0.19 ac (8,154 sf)
<b>Folio Number</b>	23-3209-051-0001
<b>Application No.</b>	ASPM2025-02

## 2. Legal Description of Subject Property

Per the Survey (Exhibit D in Attachment 1, Site Plan Modification Application Package), the property consists of two parcels:

Parcel 1 (The Lexi Condo):

A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:

Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range: 42 East, as shown on map of highway right-of-way of proposed N.E. 79 Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 87°53'38" East, along the center line of above right-of-way 1560.00 feet; thence South 02°24'54" East 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 87°53'38" East, along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 87°53'38" East along the South line of said right-of-way 270.55 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 02°25'41" East parallel with the East right-of-way line of Hispanola Avenue for 340.28 feet; thence North 84°38'17" West 193.40 feet; thence South 87°53'38" West 8.39 feet; thence North 02°25'41" West 2.00 feet; thence South 87°53'38" West 139.65 feet to the Easterly right-of-way line of Hispanola Avenue; thence North 02°25'41" West along the Easterly right-of-way line of Hispanola Avenue a distance of 263.18 feet to a point of a curvature; thence run Northeastly along a curve to the right having a radius of 50.00 feet, a central angle of 90°19'19" and an arc distance of 78.82 feet to the Point of Beginning.

**Parcel 2 (CU-2):**

Refer to the Survey included in Attachment 1 for additional detail. The modifications addressed

That portion of Section 9, Township 53 South, Range 42 East, Miami-Dade County, Florida, being more particularly described as follows:

Commencing at the ½ mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on the map of Highway Right-of-Way of the proposed N.E. 79th Street Causeway, which same is recorded in Plat Book 25, at Page 70 of the Public Records of Miami-Dade County, Florida, run North 88° 41' 24" East along the centerline of the above Right-of-Way 1560.00 feet; thence South 1° 37' 08" East 50.00 feet to a point of intersection with the South line of said Right-of-Way; thence North 88° 41' 24" East 1943.16 feet along the South line of said Right-of-Way to the point of curvature on a curve to the right; thence to the right along said curve having a radius of 557.82 feet and a central angle of 1° 56' 04" for an arc distance of 18.83 feet to the point of beginning of the land herein described; thence from the above established point of beginning to continue to the right along said curve for a radius of 557.82 feet and a central angle of 5° 09' 21" for an arc distance of 50.20 feet; thence South 1° 37' 08" East 160.73 feet; thence South 88° 41' 24" West 50.00 feet; thence North 1° 37' 08" West 164.68 feet to the Point of Beginning.

in this Administrative Approval pertain to Parcel 2 (CU-2).

### 3. Property Future Land Use Map and Zoning Designations

Future Land Use	Commercial
Zoning District	T6-24
Existing Land Use	Mixed Use

### 4. Adjacent Land Use Map Classifications and Zoning District

<b>North</b>	Future Land Use	Commercial
	Zoning District	T6-30
	Existing Land Use	Commercial / Vacant / Surface Parking
<b>East</b>	Future Land Use	Commercial
	Zoning District	T6-24
	Existing Land Use	Multiple-Family Residential
<b>South</b>	Future Land Use	High Density Multi-Family Residential
	Zoning District	RM-40
	Existing Land Use	Multiple-Family Residential
<b>West</b>	Future Land Use	Commercial
	Zoning District	T6-24
	Existing Land Use	Office

## 5. Background

On March 11, 2003, the North Bay Village Commission approved the development known as The Lexi, which included 164 multifamily units and about 18,000 square feet of ground-floor retail on Parcel 1, along with “future development” on Parcel 2 (also referred to as “CU-2” or the “Lexi outparcel”). The related development agreement was approved on June 10, 2003 (Resolution 2003-45) and later amended on September 9, 2003 (Resolution 2003-59) to address landscaping and signage.

The mixed-use building on Parcel 1—including the residential units, commercial space, and required parking—was completed in 2007. At that time, permit plans were also prepared for Parcel 2, proposing a one-story, 4,370-square-foot retail building with seven parking spaces. Parcel 2, however, was never developed.

In 2020, the zoning of the property, together with other properties facing the south side of Kennedy Causeway in Treasure Island, was changed by the Village from General Commercial to T6-24, a form-based transect zone district. The change in zoning resulted in the existing parking provision exceeding new requirements.

In 2024, the Applicant requested approval to modify the Lexi Site Plan as it relates to the previously approved development on Parcel 2. The request was submitted under Section 5.10, *Administrative approval of site plan modification*, of the Village’s Unified Land Development Code (ULDC), and, found to be substantially in compliance with the requirements of Chapter 15, was approved with conditions by the Village Manager via ASPM2024-02 on November 2, 2024. The approved 2024 modifications to the 2007 proposal included:

1. Use: From retail to office, specifically to serve as a sales office for Continuum Club and Residences, which is an approved development for the property located across the street at 1755 John F. Kennedy Causeway.
2. Square footage: Changed from 4,370 square feet to 4,250 square feet.
3. Building height: Increased from one to two stories, to comply with the minimum height requirement of Sec. 15.7.B.
4. Parking: From five (5) surface spaces to seven (7) surface spaces on Parcel 2. These are additional to existing surface parking spaces and covered spaces in the first level of the parking garage located on Parcel 1 that serve the existing ground floor commercial space.
5. Other improvements: driveway and pedestrian circulation connecting to 79<sup>th</sup> Street Causeway, landscaping, and drainage improvements.

## 6. Description of Applicant’s Request

The new application seeks to modify the 2024 ASPM approval as follows:

1. Proposed square footage: Increased from approximately 4,250 square feet to 6,828 square feet.
2. Proposed parking: From seven (7) to five (5) surface parking spaces on Parcel 2. These are additional to sixteen (16) parking spaces of the existing surplus of spaces provided on Parcel 1, which will be available to serve Parcel 2.
3. Other proposed improvements: driveway and pedestrian circulation connecting to 79<sup>th</sup> Street Causeway, landscaping, and drainage improvements.

The proposed development will share internal circulation, parking, drainage, and other service infrastructure with the existing development on the primary parcel (Parcel 1).

The use of the proposed building is office, serving on a temporary location for the sales office of Continuum Club and Residences, an approved new mixed-use development under construction on the property located almost directly across the street at 1755 John F. Kennedy Causeway.

## 7. Basis for Requested Modification

Pursuant to Section 5.10, “Administrative Approval of Site Plan Modification”, of the ULDC, an amendment to a site plan that has been approved by the Planning and Zoning Board and the Village Commission pursuant to Sections 4.2 and 5.8 may be approved by the Village Manager upon recommendation of the Village Planning and Zoning Official without further review or approval by any such body, if it falls under one or more of the following categories as follows:

1. Any modification to the overall combination of unit types within the Building(s) shown on the approved site plan or any increase in the total number of units, provided that the additional total number of units does not exceed five percent (5%) of the total number of Dwelling Units of the approved site plan and the resulting total number of units does not exceed the allowable density under the North Bay Village’s Unified Land Development Code.

**Staff determination:** The number or mix of previously approved dwelling units is not being modified. The requested modification is limited to Parcel 2, which was not approved for development of dwelling units in 2003 or 2024, nor does the current modification seek to add units.

2. Any modification to increase the size of any units shown on the approved site plan provided that the modification is consistent and is not in violation of the North Bay Village’s Unified Land Development Code. Further, the total Floor Area for the site plan modification shall not exceed ten percent of the approved site plan after deducting any increase in total floor area directly attributed to bringing unit sizes into compliance with the current minimum unit size set forth in the North Bay Village’s Unified Land Development Code. Any increase in the number or in the size of units will be subject to review in order to determine if Concurrency requirements are met.

**Staff determination:** The size of previously approved dwelling units is not being modified, and the total floor area of the original site plan is being modified by less than five percent (5%). The requested modification is limited to Parcel 2, which was not approved for development of dwelling units in 2003 or 2024, nor does the current modification seek to add units.

3. Any modification to increase or decrease the floor-to-ceiling dimensions of any individual floor within the approved site plan, provided that the modification complies with the North Bay Village’s Unified Land Development Code and does not result in a modification of the number of floors for the approved site plan.

**Staff determination:** The floor-to-ceiling heights of the previously approved project are not changing. The proposed commercial building is two stories in order to bring the approved project more into compliance with the current ULDC and does not represent a change triggering review by the Planning and Zoning Board or Village Commission, as the original site plan was approved with a maximum building height of 205 feet of habitable space (19-20 stories).

4. Any modification to increase or decrease the number of parking spaces or loading spaces

within the approved site plan made in order to conform the Off-Street Parking or loading of the approved site plan to any modification of a nature described in subparagraphs A.1 or A.2, preceding, provided that the modification shall be substantially consistent with the approved site plan and not in violation of the North Bay Village's Land Development Code or any applicable state or federal law.

**Staff determination:** The decrease in the number of parking spaces is substantially consistent with the approved site plan and the ULDC. The change, while not related to modifications described in subparagraphs A.1 or A.2, is introduced in order to more effectively serve the proposed development, which will share both access and parking with the existing Parcel 1 development. Parking requirements are met.

5. Any modification to the footprint of any Building shown on the approved site plan provided that the modification does not change the generalized location of the building(s) shown on the approved site plan nor conflict with buffering requirements and is not in violation of the North Bay Village's Code of Ordinances.

**Staff determination:** The original (2003) building proposed for Parcel 2 was 4,370 square feet. The modification approved in 2024 was meant to be approximately 4,250 square feet within the required (minimum) 2-story volume. The new (2025) modification increases the proposed floor area to 6,828 square feet, but the generalized location of the building, as shown on the approved site plan, remains the same, and does not conflict with buffering requirements or any aspect of the Village's Code of Ordinances.

6. Warrants and Waivers, as set forth in Chapter 15, Section 15.1.H. (Not applicable)

## 8. Consistency with NBV100 Comprehensive Plan and NBV100 Master Plan

The proposed modification is consistent with the NBV100 Master Plan and aligns with the Future Land Use Map.

### **NBV100 Master Plan – Pillars and Goals**

The goal of NBV100 is to equip North Bay Village with the tools necessary to become a more complete, sustainable, and economically successful community that can adapt to the challenges of a changing climate. The NBV100 vision is framed through three pillars and several related goals. The following assessment addresses each goal that relates to the modified Project.

#### Livability

*The Livability principle focuses on the desire by the three-island community to have a stronger sense of place to more accurately reflect the existing civic pride, create a more people-centered public realm, and leverage the value of NBV's privileged but underutilized bay frontage. Key goals in making NBV a more livable home to its residents involve greater walkability; more public access to the waterfront; additional gathering spaces and services; and projecting a renewed and art-infused village image to the world.*

- (1) Prioritize people over cars.
- (2) Embrace the waterfront.
- (3) Improve the quality of life.
- (4) Synergize public space to refresh NBV identity.

**Staff Evaluation:** The proposed Site Plan Modification is expected to have a positive impact on the visual appearance of John F. Kennedy Causeway by filling in a long-standing gap in the otherwise currently underutilized commercial corridor. The building, by its scale and purpose, will be developed more quickly than the larger scale developments that have been approved by the Commission previously, helping to stimulate a feeling of momentum.

#### Resiliency

*In order to ensure its Resilience, NBV must address how to secure the perimeter of the islands to keep the bay water out while efficiently managing the water that does come ashore. Adjusting sea walls, raising grades, good infrastructure planning and maintenance, as well as responsible stewardship of the bayfront edge's natural ecosystem, will be primary objectives.*

- (1) *Created in water.*
- (2) *Protected from water.*
- (3) *Thriving with water.*

**Staff Evaluation:** The proposed Site Plan Modification provides open space in compliance of the zoning requirements, and further maintains a significant amount of green space as part of the stormwater management system of the Lexi.

#### Prosperity

*The desire for Prosperity speaks to the shared goal to see the Village Center attract more retail, businesses and services that have found homes elsewhere in the region and bypassed NBV during prior boom years. The key to changing this pattern is linked to reinventing Kennedy Causeway as a welcoming pedestrian-oriented and business-friendly mixed-use main street and getting away from the existing car-oriented highway with disconnected shopping centers and isolated towers.*

- (1) *Capitalize on existing resources.*
- (2) *Increase private property value.*
- (3) *Optimize and manage parking.*
- (4) *Incentivize flexibility and predictability; and*

**Staff Evaluation:** By developing the existing vacant lot, the proposed Site Plan Modification will capitalize on an existing underutilized land resource and increase the Villager's property tax base. The building's proposed use will indirectly benefit the Village by supporting the sale of units so that an approved project can be successfully developed. Once the sales office use is terminated, the building will be suitable to other uses permitted in the zoning district, and will be able to comply with the applicable zoning requirements.

## 9. Site Plan Approval Criteria

Section 5.8.(B)(10)(c) requires the Planning and Zoning Board and Village Commission of North Bay Village to review a site plan approval request against the following criteria:

- (1) *Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

**Applicant's Remark:** The modified Commercial Building will not result in undesirable effects on contiguous and nearby property. The modified Commercial Building is anticipated to

positively impact an underutilized commercial corridor by filling in a gap between improvements that currently exists. The modified Commercial Building will consist of an attractive building and landscaping on what is presently a surface asphalt lot.

**Staff Evaluation:** This development should not create any undesirable effects upon contiguous and nearby property and will provide landscaping along the John F Kennedy Causeway frontage.

*(2) 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.*

**Applicant's Remark:** The Property as a whole, provides sufficient off-street parking and loading facilities to support the modified Commercial Building.

**Staff Evaluation:** In addition to the new parking spaces, the proposed sales office building will be served by surplus surface parking spaces located within the existing Lexi surface parking lot to meet the total parking needs of the proposed square footage. Submittal of documentation of the commitment to cross-access and shared-use in perpetuity is included as a condition of approval.

*(3) Provides sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.*

**Applicant's Remark:** The modified Commercial Building is a beautiful building that will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be enhanced by the provision of attractive landscaping along the Property's frontage, thereby enhancing the appearance of the neighborhood and substantially improving the pedestrian realm from its present condition.

**Staff Evaluation:** Setbacks are in compliance with the zoning district requirements and sufficient to protect and enhance the appearance and character of the neighborhood.

*(4) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.*

**Applicant's Remark:** The modified Commercial Building will have direct access to Kennedy Causeway and will not generate any additional needs than contemplated in the Site Plan Approval.

**Staff Evaluation:** The commercial building was previously contemplated as part of the Lexi project approval. The footprint is going from 4,250 square feet to 6,828 square feet in a 2-story configuration. The proposed change in square footage will generate a negligible difference in the number of trips, and the proposed use (sales office) is less intense than the original (2003) proposed retail use. There is an existing (though currently in disrepair and not in use) driveway that provides access to the property from the Causeway. The Applicant is coordinating with FDOT on required improvements to alignment and the median on the 79<sup>th</sup> Street Causeway to ensure safe ingress and egress.

The proposed development is within the Hispaniola Sanitary Sewer Basin. In addition to access, the development will be sharing infrastructure and waste disposal service with the primary parcel (Parcel 1). Staff recommend requiring documentation of the commitment to cross-access and shared-use in perpetuity.

## 10. Compliance with Unified Land Development Code

Based on the requirements provided in Section 15.7.B – Summary Table and Illustrations – T6-24 and T6-24MU (Municipal Use), the following Tables provide a breakdown of each standard and compare the required and provided by the proposed development.

<b>BUILDING DISPOSITION – Sec. 15.7.B – T6-24</b>		
<b>Regulation</b>	<b>Standard / Requirement</b>	<b>Provided</b>
<b>LOT OCCUPATION</b>		
Lot area	10,000 sq. ft. min	8,154 sq. ft.
Lot width	100 ft. min	50 ft.
Lot Coverage	90% max 8,154 sq. ft. x 90% = 7,338.6 sq. ft.	4,293.66 sq. ft.
Floor Lot Ratio	13.0	0.53
Frontage at Front Setback	70% min 50 ft. x 70% = 35 ft.	48 ft
Open Space Requirement	10% Lot Area min 8,154 sq. ft. x 10 % = 815.4 sq. ft	1,305 sq. ft. (16%)
<b>BUILDING SETBACKS</b>		
Primary Front – Kennedy Cswy.	20 ft.	47
Secondary Front – Side A	10 ft. min	200+ ft.
Side B	0 ft. min	0 ft
Rear	5 ft. min	5 ft.
<b>HEIGHT</b>		
Min. Building Height	2 stories	2 stories
Max. Building Height	10 stories or 100 ft., whichever is less	
<b>DENSITY</b>		
N/A	N/A	N/A

<b>PARKING AND LOADING</b>		
<b>Regulation</b>	<b>Standard / Requirement</b>	<b>Provided</b>
<b>PARKING REQUIREMENTS – T6</b>		
Office Use	Min 3 parking spaces for every 1,000 sq. ft. = 21 spaces	5 on Parcel 2 + 16 on Parcel 1 = 21 spaces
<b>LOADING BERTH STANDARDS TABLE – Sec. 15.6.D</b>		
		N/A
<b>BICYCLE PARKING / STORAGE – Sec. 8.24</b>		
	1 space required	2 provided

Per Section 8.20 of the ULDC, a mixed-use or commercial project shall achieve twenty-six (26) Green Building Program points. The application indicates that the following features or techniques have been selected from the list of Green Building Development Options and Points provided in Section 8.21 to meet (and exceed) the requirement:

- Enhanced hurricane resistance – 4 points
- EnergyStar appliances/equipment – 4 points
- White roof – 4 points
- Low-flow plumbing fixtures and irrigation controllers – 8 points
- 100% native plantings – 4 points
- Interior and exterior lighting controls – 4 points

The Applicant shall be required to provide a specifications, certifications, and appropriately annotated plans as a condition of building permit approval.

## 11. Recommendation

Upon review of the Application for compliance with Section 5.10 (Administrative Approval of Site Plan Modification), Section 5.19 (Consistency with the North Bay Village Comprehensive Plan), Section 5.20 (Level of Service Compliance Requirements), Sections 8.20 and 8.21 (Green Building Program Requirements and Green Building Development Options and Points), Section 8.24 (Bicycle Parking/Storage), Section 9.3 (Off-Street Parking Requirements), Section 9.8 (Landscaping and Open Space in Commercial Districts), and all other applicable provisions of Chapter 15 (Form-Based Code), Staff finds the following:

1. The Project is consistent with the policies and objectives of the NBV100 Comprehensive Plan and supports the pillars and strategies of the NBV100 Master Plan.
2. The scope of the Project satisfies the criteria for an Administrative Site Plan Modification pursuant to Section 5.10.
3. The Project substantially complies with the applicable standards and requirements of the Unified Land Development Code (ULDC), subject to conditions.

Accordingly, Staff recommends approval of the Administrative Site Plan Modification, subject to the following conditions.

**Approval of this Administrative Site Plan Modification does not constitute approval of construction drawings, working drawings, or specifications required for building permits.** All stated conditions shall be met in full.

## 12. Conditions

### In General:

1. Plans submitted for building permit shall substantially comply with the following documents. Determination of substantial compliance shall be made by the Village:
  - A. Boundary and Topographic Survey prepared by Fortin, Leavy, Skiles, Inc, dated 10/2/2007 (as built) and updated 8/11/2008, 7/30/2024 and 5/19/25.

- B. Architectural plans prepared by Design House Associates, dated 08/01/2025 (1<sup>st</sup> submittal), updated 09/19/2025 (2<sup>nd</sup> submittal) and revised 09/19/25 (Landscape) and 09/26/25 (White Roof).
  - C. Civil engineering plans prepared by Holland Engineering, Inc., dated 08/01/2025 and revised 09/19/2025 and 10/27/2025.
  - D. Drainage calculations prepared, digitally signed, and sealed by Susan C. Holland, P.E., dated 07/18/2025.
  - E. Drainage well calculations prepared by Holland Engineering, Inc. digitally signed, and sealed by Susan C. Holland, P.E., dated 07/18/2025.
  - F. Trip Generation Statement prepared by Langan Engineering, digitally signed, and sealed by Maximo G. Polanco, P.E., dated 07/16/2025 and updated 11/24/2025
2. The Site Plan Modification Approval shall be valid for two (2) years from the effective date of the administrative approval, during which the Applicant must obtain a Building Permit. The Village Manager may grant no more than two (2) one-year extensions upon finding that the Applicant has made good-faith efforts to obtain a Building Permit. The initial two-year term and any approved extensions shall collectively constitute the "Project Validity Period." Requests for an extension shall be submitted to the Village at least thirty (30) days prior to the expiration of the then-current Project Validity Period.
  3. Failure by the Applicant to obtain a Building Permit within the Project Validity Period shall result in the automatic revocation of the Project Approval.
  4. All fees and cost recovery charges shall be paid pursuant to Section 5.12. No new development application shall be accepted, and no Building Permit or Certificate of Occupancy shall be issued, until all application fees, cost recovery deposits and payments, and any outstanding fees or fines related to the property, including those associated with prior development applications, have been paid in full

### **Pre-building permit:**

The following conditions shall be satisfied prior to issuance of the first Building Permit:

1. A photometric plan prepared by a Registered Architect or Engineer shall be submitted.
2. Within primary and secondary frontages, walls, hedges, fences, and gates shall not exceed 3.5 feet in height. Elsewhere on the site, such elements shall not exceed 8 feet in height.
3. Heavily landscaped screening shall be provided along any blank wall exceeding 25 feet in length and around any visually intrusive site features including dumpsters, FPL transformers, propane tanks, A/C units, generators, above-ground utilities, and irrigation pumps.
4. Annotated plans, specifications, and details shall be submitted demonstrating compliance with the North Bay Village Green Building Program, achieving no fewer than 26 points for this building type (Sec. 8.20).
5. Landscape plans shall depict all existing and proposed utility easements, water and sewer mains, services, and appurtenances in grayscale. Water meters and backflow prevention devices shall be located within landscape areas. No permanent structures, including landscaping, shall be placed above water or sanitary systems.
6. All applicable approvals from DERM, WASD, and Miami-Dade Fire Rescue shall be submitted, along with a Tree Removal Permit if required. A fire flow test shall be performed verifying adequate fire flow.
7. A drainage report prepared by the Engineer of Record shall be submitted, including stage-storage and pipe-sizing calculations, the proposed stormwater and groundwater control methodology, water elevation data, and drainage calculations for the 10-, 25-, and 100-year storm events.

8. Verification shall be provided that the proposed development has been reviewed and found compliant with FDOT access management requirements.
9. All sidewalks and walkways shall comply with minimum ADA design criteria. Curb ramps shall be provided at driveway entrances consistent with FDOT Index 304.
10. Wheel stops shall be shown in all parking bays to prevent vehicle encroachment into non-parking areas.
11. Plans shall include a note confirming that sidewalk and grass-strip restoration shall be performed in accordance with North Bay Village Public Works requirements.

**Additional conditions:**

1. The development on Parcel 2 shall have perpetual access to and share parking, vehicular access drives, loading areas, solid waste facilities, utility infrastructure, and other shared services located on Parcel 1 (The Lexi Condominium). As a condition of permit approval, the Applicant shall submit (a) relevant excerpts from the recorded Declaration of Condominium for Parcel 1 evidencing such shared-use rights, and (b) a letter from the condominium association's board of directors acknowledging and committing to the continuing right of Parcel 2 to utilize the shared facilities, both in forms acceptable to the Village Attorney. If the foregoing documentation is not submitted or is deemed insufficient by the Village Attorney, then, prior to issuance of any Certificate of Occupancy for Parcel 2, the Applicant shall record a cross-access and shared-use agreement in the public records of Miami-Dade County, in a form acceptable to the Village Attorney. No Certificate of Occupancy shall be issued for Parcel 2 until the Village verifies compliance with this condition and confirms that the shared access and services are fully operational.
2. Signage shall require separate permits, and all signage shall comply with the North Bay Village sign regulations in effect at the time of permitting.
3. Construction fencing shall be permitted separately and shall comply with the North Bay Village ULDC.
4. All amounts owed to the Village under the Project Approval or any applicable Land Development Regulation shall be paid in full prior to the issuance of a Certificate of Occupancy.

## 13. Attachments

Attachment 1 – Administrative Approval ASPM2024-02 \*

Attachment 2 – Administrative Site Plan Modification Request ASPM2025-02 Package \*

\*NOTE: Application Forms are not included but are available on file at the Village Clerk's office for review purposes.



## **Attachment 1**



**NORTH BAY VILLAGE**  
EST. 1945

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**Date:** October 31, 2024  
**To:** Frank Rollason, Interim Village Manager  
**From:** Silvia E. Vargas, FAICP, Village Planner  
**Subject:** Administrative Site Plan Modification – 1700 Kennedy Cswy

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<b>Applicant Address:</b>	6278 N Federal Hwy #406 Ft. Lauderdale, FL 33308
<b>Site Address:</b>	1700 John F. Kennedy Causeway (CU-2)
<b>Site Acreage</b>	Lexi: 2.68 ac (117,101 sf); CU-2: 0.19 ac (8,154 sf)
<b>Folio Number</b>	23-3209-051-0001
<b>Contact Person/Owner Representative:</b>	1700 JFK SC, LLC – Christopher Penelas

### 2. Legal Description of Subject Property

Per the Survey (Exhibit D in Attachment 1, Site Plan Modification Application Package), the property consists of two parcels:

**Parcel 1 (The Lexi Condo):**

A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:

Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79 Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 87°53'38" East, along the center line of above right-of-way 1560.00 feet; thence South 02°24'54" East 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 87°53'38" East, along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 87°53'38" East along the South line of said right-of-way 270.55 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 02°25'41" East parallel with the East right-of-way line of Hispanola Avenue for 340.28 feet; thence North 84°38'17" West 193.40 feet; thence South 87°53'38" West 8.39 feet; thence North 02°25'41" West 2.00 feet; thence South 87°53'38" West 139.65 feet to the Easterly right-of-way line of Hispanola Avenue; thence North 02°25'41" West along the Easterly right-of-way line of Hispanola Avenue a distance of 263.18 feet to a point of a curvature; thence run Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°19'19" and an arc distance of 78.82 feet to the Point of Beginning.

**Parcel 2 (CU-2):**

That portion of Section 9, Township 53 South, Range 42 East, Miami-Dade County, Florida, being more particularly described as follows:

Commencing at the ½ mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on the map of Highway Right-of-Way of the proposed N.E. 79th Street Causeway, which same is recorded in Plat Book 25, at Page 70 of the Public Records of Miami-Dade County, Florida, run North 88° 41' 24" East along the centerline of the above Right-of-Way 1560.00 feet; thence South 1° 37' 08" East 50.00 feet to a point of intersection with the South line of said Right-of-Way; thence North 88° 41' 24" East 1943.16 feet along the South line of said Right-of-Way to the point of curvature on a curve to the right; thence to the right along said curve having a radius of 557.82 feet and a central angle of 1° 56' 04" for an arc distance of 18.83 feet to the point of beginning of the land herein described; thence from the above established point of beginning to continue to the right along said curve for a radius of 557.82 feet and a central angle of 5° 09' 21" for an arc distance of 50.20 feet; thence South 1° 37' 08" East 160.73 feet; thence South 88° 41' 24" West 50.00 feet; thence North 1° 37' 08" West 164.68 feet to the Point of Beginning.

Refer to the Survey included in Attachment 1 for additional detail.

**3. Property Future Land Use Map and Zoning Designations**

Future Land Use	Commercial
Zoning District	T6-24
Existing Land Use	Mixed Use

**4. Adjacent Land Use Map Classifications and Zoning District**

<b>North</b>	Future Land Use	Commercial
	Zoning District	T6-30
	Existing Land Use	Commercial / Vacant / Surface Parking
<b>East</b>	Future Land Use	Commercial
	Zoning District	T6-24
	Existing Land Use	Multiple-Family Residential
<b>South</b>	Future Land Use	High Density Multi-Family Residential
	Zoning District	RM-40
	Existing Land Use	Multiple-Family Residential
<b>West</b>	Future Land Use	Commercial
	Zoning District	T6-24
	Existing Land Use	Office

## 5. Background

On March 11, 2003, the North Bay Village Commission granted final approval of applications for a development known as The Lexi, consisting of 164 multifamily residential units and approximately 18,000 square feet of ground-floor retail on Parcel 1 and “future development” of Parcel 2 (referred to as “CU-2” or the “Lexi outparcel.” A development agreement in connection with the project was approved by the Commission on June 10, 2003 (Resolution No. 2003-45) and subsequently amended with respect to landscaping improvements and signage on September 9, 2003 (Resolution No. 2003-59).

The mixed-use structure proposed for Parcel 1, comprising the western portion of the property and including the approved residential and commercial uses and required parking spaces, were completed in 2007. Concurrently, permit plans were prepared for the development of Parcel 2 as a stand-alone, one-story, 4,370 square-foot retail building with 7 parking spaces. However, this part of the project was ultimately not developed.

In 2020, the zoning of the property, together with other properties facing the south side of Kennedy Causeway in Treasure Island, was changed from General Commercial to T6-24, a form-based transect zone district.

Through the current request, the applicant seeks to modify the approved Lexi Site Plan with respect to the previous development proposed for Parcel 2 pursuant to the provisions of Section 5.10 of the Village’s Unified Land Development Code (ULDC), and in compliance with the current provisions of Chapter 15 of the ULDC.

## 6. Description of Applicant’s Request

According to the Letter of Intent, the Applicant seeks to modify the approved Site Plan related a commercial building to be located on the eastern portion of the property, by increasing the original program from one story to two stories in compliance with the minimum requirement of Sec. 15.7.B. while improving existing surface parking in order to provide seven parking spaces on Parcel 2. This will be in addition to existing surface parking spaces and covered spaces in the first level of the parking garage located on Parcel 1 that serve the existing ground floor commercial space.

The proposed use of the 5,000 square-foot building is office. The building will, on a temporary basis, serve as the sales office for Continuum Club and Residences, which is an approved development for the property located across the street at 1755 John F. Kennedy Causeway.

## 7. Basis for Requested Modification

Pursuant to Section 5.10, “Administrative Approval of Site Plan Modification”, of the ULDC, an amendment to a site plan that has been approved by the Planning and Zoning Board and the Village Commission pursuant to Sections 4.2 and 5.8 may be approved by the Village Manager upon recommendation of the Village Planning and Zoning Official without further review or approval by any such body, if it falls under one or more of the following categories as follows:

1. Any modification to the overall combination of unit types within the Building(s) shown on the approved site plan or any increase in the total number of units, provided that the additional total number of units does not exceed five percent (5%) of the total number of Dwelling Units of the approved site plan and the resulting total number of units does not exceed the allowable density under the North Bay Village’s Unified Land Development Code.

Te text here

**Staff determination:** The number or mix of previously approved dwelling units is not being modified.

2. Any modification to increase the size of any units shown on the approved site plan provided that the modification is consistent and is not in violation of the North Bay Village's Unified Land Development Code. Further, the total Floor Area for the site plan modification shall not exceed ten percent of the approved site plan after deducting any increase in total floor area directly attributed to bringing unit sizes into compliance with the current minimum unit size set forth in the North Bay Village's Unified Land Development Code. Any increase in the number or in the size of units will be subject to review in order to determine if Concurrency requirements are met.

**Staff determination:** The size of previously approved dwelling units is not being modified, and the total floor area of the original site plan is being modified by less than five percent (5%).

3. Any modification to increase or decrease the floor-to-ceiling dimensions of any individual floor within the approved site plan, provided that the modification complies with the North Bay Village's Unified Land Development Code and does not result in a modification of the number of floors for the approved site plan.

**Staff determination:** The floor-to-ceiling heights of the previously approved project are not changing. The proposed commercial building is two stories, but this is in order to comply with the minimum number of stories in the T6-24 zoning district and does not represent a change triggering review by the Planning and Zoning Board or Village Commission, as the original site plan was approved with a maximum building height of 205 feet of habitable space (19-20 stories).

4. Any modification to increase or decrease the number of parking spaces or loading spaces within the approved site plan made in order to conform the Off-Street Parking or loading of the approved site plan to any modification of a nature described in subparagraphs A.1 or A.2, preceding, provided that the modification shall be substantially consistent with the approved site plan and not in violation of the North Bay Village's Land Development Code or any applicable state or federal law.

**Staff determination:** The minimal increase in the number of spaces is substantially consistent with the approved site plan, and not in violation of the ULDC. The change, while not related to modifications described in subparagraphs A.1 or A.2, is introduced in order to more effectively serve the proposed development, which will share both access and parking with the existing Parcel 1 development.

5. Any modification to the footprint of any Building shown on the approved site plan provided that the modification does not change the generalized location of the building(s) shown on the approved site plan nor conflict with buffering requirements and is not in violation of the North Bay Village's Code of Ordinances.

**Staff determination:** The original building proposed for Parcel 2 was 4,370 square feet and the new one is 5,000 square feet within the required (minimum) 2-story volume, but the modification does not change the generalized location of the building as shown on the approved site plan, nor does it conflict with buffering requirements or any aspect of the Village's Code of Ordinances.

6. Warrants and Waivers, as set forth in Chapter 15, Section 15.1.H. (Not applicable)

## 8. Consistency with NBV100 Comprehensive Plan and NBV100 Master Plan

The proposed modification is consistent with the NBV100 Master Plan and aligns with the Future Land Use Map.

### **NBV100 Master Plan – Pillars and Goals**

The goal of NBV100 is to equip North Bay Village with the tools necessary to become a more complete, sustainable, and economically successful community that can adapt to the challenges of a changing climate. The NBV100 vision is framed through three pillars and several related goals. The following assessment addresses each goal that relates to the modified Project.

#### Livability

*The Livability principle focuses on the desire by the three-island community to have a stronger sense of place to more accurately reflect the existing civic pride, create a more people-centered public realm, and leverage the value of NBV's privileged but underutilized bay frontage. Key goals in making NBV a more livable home to its residents involve greater walkability; more public access to the waterfront; additional gathering spaces and services; and projecting a renewed and art-infused village image to the world.*

- (1) Prioritize people over cars.
- (2) Embrace the waterfront.
- (3) Improve the quality of life.
- (4) Synergize public space to refresh NBV identity.

**Staff Evaluation:** The proposed Site Plan Modification is expected to have a positive impact on the visual appearance of John F. Kennedy Causeway by filling in a long-standing gap in the otherwise currently underutilized commercial corridor. The building, by its scale and purpose, will be developed more quickly than the larger scale developments that have been approved by the Commission previously, helping to stimulate a feeling of momentum.

#### Resiliency

*In order to ensure its Resilience, NBV must address how to secure the perimeter of the islands to keep the bay water out while efficiently managing the water that does come ashore. Adjusting sea walls, raising grades, good infrastructure planning and maintenance, as well as responsible stewardship of the bayfront edge's natural ecosystem, will be primary objectives.*

- (1) Created in water.
- (2) Protected from water.
- (3) Thriving with water.

**Staff Evaluation:** The proposed Site Plan Modification maintains a significant amount of green space as part of the stormwater management system of the Lexi.

#### Prosperity

*The desire for Prosperity speaks to the shared goal to see the Village Center attract more retail, businesses and services that have found homes elsewhere in the region and bypassed NBV during prior boom years. The key to changing this pattern is linked to reinventing Kennedy Causeway as a welcoming pedestrian-oriented and business-friendly mixed-use main street and getting away from the existing car-oriented highway with disconnected shopping centers and isolated towers.*



- (1) *Capitalize on existing resources.*
- (2) *Increase private property value.*
- (3) *Optimize and manage parking.*
- (4) *Incentivize flexibility and predictability; and*

**Staff Evaluation:** By developing the existing vacant lot, the proposed Site Plan Modification will capitalize on an existing underutilized land resource and increase the Villager's property tax base. The building's proposed use will indirectly benefit the Village by supporting the sale of units so that an approved project can be successfully developed.

## 9. Site Plan Approval Criteria

Section 5.8.(B)(10)(c) requires the Planning and Zoning Board and Village Commission of North Bay Village to review a site plan approval request against the following criteria:

- (1) *Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

**Applicant's Remark:** The modified Commercial Building will not result in undesirable effects on contiguous and nearby property. The modified Commercial Building is anticipated to positively impact an underutilized commercial corridor by filling in a gap between improvements that currently exists. The modified Commercial Building will consist of an attractive building and landscaping on what is presently a surface asphalt lot.

**Staff Evaluation:** This development should not create any undesirable effects upon contiguous and nearby property and will provide a landscape buffer fronting John F Kennedy Causeway.

- (2) *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.*

**Applicant's Remark:** The Property as a whole, provides sufficient off-street parking and loading facilities to support the modified Commercial Building.

**Staff Evaluation:** In addition to the new parking spaces, the proposed commercial building will be served by surplus surface parking spaces located within the existing Lexi surface parking lot.

- (3) *Provides sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.*

**Applicant's Remark:** The modified Commercial Building is a beautiful building that will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be enhanced by the provision of attractive landscaping along the Property's frontage, thereby enhancing the appearance of the neighborhood and substantially improving the pedestrian realm from its present condition.



**Staff Evaluation:** Setbacks are in compliance with the zoning district requirements and sufficient to protect and enhance the appearance and character of the neighborhood.

*(4) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.*

**Applicant’s Remark:** The modified Commercial Building will have direct access to Kennedy Causeway and will not generate any additional needs than contemplated in the Site Plan Approval.

**Staff Evaluation:** The commercial building was previously contemplated as part of the Lexi project approval. The footprint is going from 4,370 to 5,000 square feet on a smaller (2-story) footprint. Given this small change in square footage, no additional trips are not anticipated. There is an existing (though currently mostly unused) driveway that provides access to the property from the Causeway.

The proposed development is within the Hispaniola Sanitary Sewer Basin.

**10. Compliance with Unified Land Development Code**

Based on the requirements provided in Section 15.7.B – Summary Table and Illustrations – T6-24 and T6-24MU (Municipal Use), the following Tables provide a breakdown of each standard and compare the required and provided by the proposed development.

BUILDING DISPOSITION – Sec. 15.7.B – T6-24		
Regulation	Standard / Requirement	Provided
<b>LOT OCCUPATION</b>		
Lot area	10,000 sq. ft. min	8,154 sq. ft.
Lot width	100 ft. min	50 ft.
Lot Coverage	90% max 8,154 sq. ft. x 90% = 7,338.6 sq. ft.	Building: 3,971 sq. ft.
Floor Lot Ratio	13.0	3,971 sq. ft. / 8,154 sq. ft. = 0.61
Frontage at Front Setback	70% min 50 ft. x 70% = 35 ft.	46 ft – 7 in.
Open Space Requirement	10% Lot Area min 8,154 sq. ft. x 10 % = 815.4 sq. ft	Calculation missing. Shall be required as a condition of building permit approval for open space option selected.
<b>BUILDING SETBACKS</b>		
Primary Front – Kennedy Cswy.	20 ft.	45 ft. – 3 in.
Secondary Front – Side A	10 ft. min	-
Side B	0 ft. min	3 ft. – 2 in.
Rear	5 ft. min	5 ft.

HEIGHT		
Min. Building Height	2 stories	2 stories
Max. Building Height	10 stories or 100 ft., whichever is less	
DENSITY		
N/A	N/A	N/A

PARKING AND LOADING		
Regulation	Standard / Requirement	Provided
PARKING REQUIREMENTS – T6		
Office Use	Min 3 parking spaces for every 1,000 sq. ft. 3,971 sq. ft. x 3 ps = 12 ps	7 parking spaces + surplus parking on western portion of property
LOADING BERTH STANDARDS TABLE – Sec. 15.6.D		
		N/A
BICYCLE PARKING / STORAGE – Sec. 8.24		
	1 space required	Not shown. Shall be required as a condition of building permit approval.

Per Sec. 8.20 of the ULDC, a mixed-use or commercial project shall achieve twenty-six (26) Green Building Program points. The application does not include a description of the green building techniques or features that will be incorporated in order to meet this requirement. **Providing a detailed description of these techniques and features demonstrating compliance shall be required as a condition of building permit approval.**

## 11. Recommendation

Staff finds that the project is consistent with the policies of the NBV100 Comprehensive Plan and the pillars and strategies of the NBV100 Master Plan. In addition, the project generally meets the criteria for Site Plan Approval and staff recommends approval with conditions regarding the four items highlighted above, all of which shall be provided by the applicant prior to the approval of the first building permit. **Approval of this Administrative Site Plan Modification shall not indicate or imply approval of working drawings (plans) and specifications required for building permits.** All conditions shall be met as stated.

## 12. Conditions

### General conditions

1. The Site Plan Modification Approval shall be valid for two (2) years, commencing on the effective date of the administrative site plan modification approval, within which time the Applicant must obtain a Building Permit. No more than two (2) one-year extensions may be granted by the Village Manager based upon a finding that Applicant has made good faith efforts to seek a Building Permit (together, the initial two-year term and any subsequent extension that has been granted by the Village Manager shall be the "Project Validity Period"). A request for extension must be filed with the Village at least thirty (30) days prior to the end of the then-current Project Validity Period.

2. Applicant's failure to obtain a Building Permit within the Project Validity Period shall result in the automatic revocation of the Project Approval and the automatic termination of this approval and the Development Agreement pursuant to Section 4.d of the Development Agreement.
3. Cost recovery charges must be paid pursuant to Section 5.12. 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 payments, 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.
4. The Administrative Site Plan Modification application package contains the following documents:
  - A. Letter of Intent. Prepared by Chistopher Penelas – Akerman, LLP, dated 8/30/2024.
  - B. Exhibit A. Site Plan Approval – Resolution No. 2003-45.
  - C. Exhibit B. Site Plan Application.
  - D. Exhibit C. Letter of Authorization from property owner.
  - E. Exhibit D. Boundary and Topographic Survey prepared by Fortin, Leavy, Skiles, Inc, dated 11/14/2005 and updated 7/30/24.
  - F. Exhibit E. Architectural plans prepared by Urban Robot Associates, dated 6/17/2024:
    - 1) Sheet 1: Cover Sheet
    - 2) Sheet A-1: Site Plan, Zoning Data Table, and Location Map
    - 3) Sheet A-2: Ground Floor
    - 4) Sheet A-4: Second Floor
    - 5) Sheets A-5: Sections
    - 6) Sheet A-6: 3D View (Option 1)
    - 7) Sheet A-7: 3D View (Option 2)

#### **Prior to issuance of a building permit**

1. Plans shall demonstrate, graphically and in tabular form, that at least ten percent (10%) of the aggregate lot area is open space as defined in the ULDC.
2. Plans shall demonstrate that at least one (1) bicycle parking space is provided on site.
3. Synthetic turf may only be used subject to the limitations of Sec. 9.22 of the ULDC, as amended.
4. A photometric plan by a Registered Architect or Engineer shall be submitted.
5. Walls, hedges, fences and gates shall not exceed a height of 3.5 feet within the primary and secondary frontages of the site. Elsewhere, walls, hedges fences and gates shall not exceed a height of 8 feet.
6. Any blank walls over 25' in length and other areas of the site or building noted by the Planning and Zoning Official at time of building permit shall be heavily screened with landscaping. Additionally, landscape screening shall be utilized around the proposed dumpsters, FPL transformers, propane tanks, A/C units, generators, above ground utilities, and irrigation pump.
7. The Applicant shall seek to attain no less than 26 points from the North Bay Village Green Building Program per Sec. 8.20 and shall provide documentation to that effect.
8. The Applicant shall provide up to date documentation of compliance with the applicable Level of Service (LOS) requirements at the time of application for any building permit.
9. All existing and proposed utility easements, water and sewer mains, services and appurtenances shall be shown in grayscale on the Landscaping Plan. Water meters and backflow devices shall be located within landscaped areas and no permanent structures, including landscaping, shall be located above the water or sanitary system.
10. Prior to issuance of a Building Permit, the Applicant shall obtain, and submit to the Village, all pertinent plan approvals from Miami-Dade County Environmental Resources Management (DERM), Miami- Dade Water and Sewer Department (WASD), and Miami-Dade County Fire

Rescue, as well as a Tree Removal Permit if applicable. A fire flow test shall be conducted to verify the availability of required fire flow.

11. Specifications of the permeability coefficient of any proposed pervious paving materials shall be submitted for approval by the Village Public Works Department prior to Master Building Permit approval.
12. Prior to a Building Permit approval, the Applicant shall provide data of the drainage system (stage storage and pipe sizing calculations) in a report form prepared by the Engineer of Record indicating the method of control of stormwater and groundwater, including the method of drainage, existing water elevations, recurring high-water elevations, proposed design water elevations, drainage structures, canals, ditches and other pertinent information associated with the system, as well as drainage calculations for 10-, 25- and 100-year storms.
13. The Applicant shall submit verification that the proposed development has been reviewed and found in compliance for access management consideration by FDOT and any other agencies having jurisdiction.
14. All sidewalks providing circulation to the public shall meet the minimum design criteria of the ADA. Ramp curbs shall be provided on the sidewalk at the driveway entrance (FDOT index 304).
15. Pavement markings on all levels of the parking garage shall be revised to meet MUTCD criteria, with diagonal crosshatch markings slanting away from traffic to discourage travel on certain paved areas.
16. Wheel stops shall be provided for parking bays to prevent vehicular encroachment into non-parking areas.
17. The Applicant shall include sidewalk/grass strip restoration according to North Bay Village core requirements.
18. Proposed driveway grades shall not exceed three (3) percent. The maximum slope immediately beyond the right-of-way line shall not change in excess of five (5) percent for either angle of approach or breakover angle.
19. All signage shall comply with the restrictions of Section 15.6.E.

#### Prior to issuance of a Certificate of Occupancy

1. Applicant shall pay all amounts of any kind then due to the Village, either under the Project Approval or as imposed pursuant to any Land Development Regulation.

## 13. Attachments

Attachment 1 – Site Plan Modification Application Package





Christopher A. Penelas

Akerman LLP  
Three Brickell City Centre  
98 Southeast Seventh Street  
Suite 1100  
Miami, FL 33131  
Tel: 305.982.5678

August 30, 2024

Frank Rollason  
Interim Village Manager  
North Bay Village  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141

**Re: 1700 Kennedy Causeway – Site Plan Modification**

Dear Mr. Rollason:

On behalf of 1700 JFK SC, LLC (the "Applicant"), contract purchaser of the property located at 1700 Kennedy Causeway (the "Property") in North Bay Village (the "Village"), please accept this letter of intent and application for the modification of the Property's Site Plan Approval (the "Site Plan Approval")<sup>1</sup> pursuant to section 5.10 of the Village's Unified Land Development Code ("ULDC").

The Site Plan Approval contemplates the provision of a 164-unit, 205-foot mixed-use building with attached parking structure, and approximately 18,000 square feet of ground floor commercial uses (the "Project"). The mixed-use residential structure on the western portion of the Property, identified as Parcel 1 in the attach Survey, has already been built. Based on information provided from the Village and the current owner, the Site Plan Approval contemplated the provision of a one-story 5,000 square foot commercial building on Parcel 2 with five parking spaces ("Commercial Building"). This application seeks to modify the Site Plan Approval as it relates to the Commercial Building in order to conform the proposed improvements to Section 15 of the ULDC.

Applicant's proposed modifications to the Commercial Building would increase the program from one story to two stories and increase the number of parking spaces from five parking spaces to seven. The modified Commercial Building will be approximately 4,000 square feet and 30'-8" feet tall. The proposed program has a parking requirement of 12 parking spaces. To satisfy its parking requirement, the modified Commercial Building will be providing seven

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<sup>1</sup> The Site Plan Approval was approved on June 10, 2003, and memorialized within resolutions 2003-45 (modified via resolution 2003-59), a copy of which is attached as **Exhibit "A"**.

parking spaces within Parcel 2 as well as relying on the surplus parking provided on Parcel 1.<sup>2</sup> On the whole, these modifications comply with Section 15 of the Village's ULDC, and the Administrative Modification Site Plan Criteria provided in section 5.10 of the ULDC.

### Site Plan Approval

The modified Commercial Building is in compliance with the requirements for site plan approval as described within Section 5.7(C)(5)(a) through(c) of the ULDC as follows:

*(1) Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

The modified Commercial Building will not result in undesirable effects on contiguous and nearby property. The modified Commercial Building is anticipated to positively impact an underutilized commercial corridor by filling in a gap between improvements that currently exists. The modified Commercial Building will consist of an attractive building and landscaping on what is presently a surface asphalt lot.

*(2) 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.*

The Property as a whole, provides sufficient off-street parking and loading facilities to support the modified Commercial Building.

*(3) Provides a sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.*

The modified Commercial Building is a beautiful building that will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be enhanced by the provision of attractive landscaping along the Property's frontage, thereby enhancing the appearance of the neighborhood and substantially improving the pedestrian realm from its present condition.

*(4) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.*

The modified Commercial Building will have direct access to Kennedy Causeway and will not generate any additional needs than contemplated in the Site Plan Approval.

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<sup>2</sup> Parcel 1's current as built parking requirement is approximately 240 parking spaces. However, the Project as developed contains 466 parking spaces according to the Survey.

Conclusion

We respectfully request your favorable review of the modified Commercial Building. Please do not hesitate to contact me should you have any questions related to this matter. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "C. Penelas". The signature is written in a cursive, slightly slanted style.

Christopher A. Penelas

cc: Silvia E. Vargas FAICP, LEED AP, Village Planner  
Neisen O. Kasdin, Akerman LLP

### Index of Documents

Exhibit "A"	Site Plan Approval - Resolution 2003-45
Exhibit "B"	Site Plan Application
Exhibit "C"	Letter of Authorization from Property Owner
Exhibit "D"	Survey
Exhibit "E"	Site Plan

**RESOLUTION NO. 2003-45**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, RELATING TO DEVELOPMENT AGREEMENT; APPROVING AN AGREEMENT WITH THE SHOPPES OF NORTH BAY VILLAGE, LLC, PERTAINING TO A DEVELOPMENT LOCATED AT 1700 KENNEDY CAUSEWAY, KNOWN AS LEXI, WHICH WILL INCLUDE 164 RESIDENTIAL UNITS, A MINIMUM OF 18,000 SQUARE FEET OF GROUND FLOOR RETAIL SPACE AND A HEIGHT OF NOT MORE THAN 205 FEET OF HABITABLE SPACE; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the city commission granted final approval of applications for development approval of the development known as Lexi at a public hearing held on March 11, 2003; and,

WHEREAS, as a condition of development approval the developer is required to enter into a developer's agreement with the city; and,

WHEREAS, the Mayor and Commission desire to enter into the developer's agreement.

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

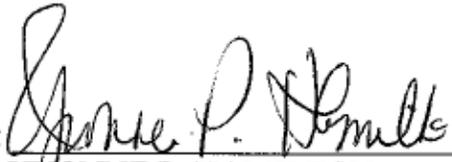
Section 1: The developer's agreement, which is attached to this resolution as Exhibit 1, is approved. The city manager is authorized to execute and deliver, and is directed to administer, the agreement.

Section 2: This resolution shall take effect immediately upon approval.

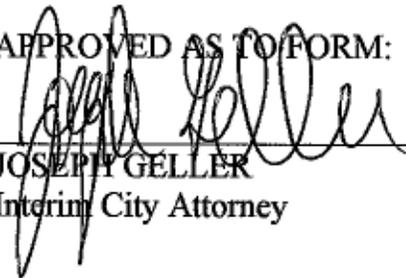
PASSED and ADOPTED this 10th day of June, 2003.



MAYOR ALAN DORNE

Attest:   
YVONNE P. HAMILTON  
City Clerk

APPROVED AS TO FORM:

  
JOSEPH GELLER  
Interim City Attorney

FINAL VOTE AT ADOPTION:

Mayor Alan Dorne

Yes

Vice-Mayor George A. Kane

Yes

Commissioner Frank DiMaggio

Yes

Commissioner Robert A. Dugger

Yes

Commissioner David M. Fleischer

Yes

\\02srvplaw\prolaw\Documents\0117\EGG\17746.doc - Reso - Lexi developer's agreement

~~ATTACHMENT 1~~  
DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into as of the 15<sup>th</sup> day of February, 2005 by and between the City of North Bay Village, Florida a municipal corporation, ("City") and The Shoppes of North Bay Village, LLC ("Owner").

RECITALS:

WHEREAS, the Owner owns the property located at 1700 Kennedy Causeway, consisting of approximately 2.5 gross acres of land (the "Property"), the legal description of which is attached hereto as Exhibit A and is seeking development approvals from the City for a project known as the Lexi; and,

WHEREAS, the Owner has proposed in the application to develop the Property with the planned uses (the "Project") described in Exhibit B attached hereto; and,

WHEREAS, the Owner has filed applications for development approvals relating to the Property, including an application requesting a special use exception and site plan approval to permit a multi-family residential building; and,

WHEREAS, pursuant to the applicable City of North Bay Village Code provisions, the Planning and Zoning Board has reviewed and recommended approval of the Project; and,

WHEREAS, the Owner has agreed to construct certain improvements in the vicinity of the Property that will serve as a benefit to the City of North Bay Village and its residents; and,

WHEREAS, this Agreement is intended to and shall constitute a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act Sections 163.3220-163.3243, Florida Statutes (the "Act"); and,

WHEREAS, the City of North Bay Village City Commission has considered this Agreement at public hearings held on May 13, 2003 and June 10, 2003, and has determined that the Project and this Agreement are consistent with the City's land development regulations and will be consistent with the City's comprehensive plan once certain amendments to the plan are adopted by the City; and

WHEREAS, the City has determined that it is in the public interest to address the issues covered by this Agreement in a comprehensive manner in compliance with all applicable laws, ordinances, plans, rules and regulations of the City, while allowing the Owner to proceed with the development of the Project in accordance with existing laws and policies, subject to the terms hereof, and the City has agreed to enter into this Agreement with the Owner.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by reference.
2. The Project. A description of the Project, including population densities and building intensities is attached to this Agreement as Exhibit B.
3. Applications for Development Approvals. Promptly following the effective date of this agreement, the Owner will initiate and diligently pursue all applications for development permits (as defined by Section 380.031(4), Florida Statutes), which were not previously obtained. A list of all local development permits required to be approved for the development of the Property is attached hereto as Exhibit C. The City shall process all development permit applications in a timely fashion and the City shall cooperate with the Owner (at no cost of the City) in processing all necessary development permit applications with Federal, County, and State agencies as needed.
4. Hispanola Pump Station Improvement. (a) In accordance with the provisions of this Paragraph 3, Owner agrees to construct the necessary improvement ("Improvement") to the Hispanola Pump Station in accordance with design plans for such improvement to be prepared by the Owner and approved by the City. At a minimum, the Improvement will enable the Hispanola Pump Station to operate below the Nominal Average Pump Operating Time (NAPOT) ten hour maximum daily limit standard.

(b) Owner agrees to prepare plans for the Improvement to the Hispanola Pump Station and apply for approval of same from the City within six months after the issuance of the building permit for the Project as described in Exhibit B. The City agrees to cooperate in its review of the plans and to provide an expeditious review of such plans. Upon its approval of the plans, the Owner shall prepare and submit all necessary applications to County, State and other agencies for approval of such plans, and shall expeditiously process such applications to obtain the necessary approvals.

(c) After Owner has prepared the plans and obtained approval for the Improvement, Owner shall obtain bids for the Improvement, and be responsible for construction and construction administration for the Improvement. Within one year after the issuance of the building permit for the Project as described in Exhibit B, construction of the Improvement shall be complete, certified and accepted by the City and/or the Miami-Dade County Water & Sewer Authority.

(d) All excess capacity created by the Improvement to the Hispanola Pump Station shall be reimbursable to the Owner from future major developments connecting to the Hispanola Pump Station on a prorated basis for a period of five years from the completion of the Improvement. The prorated basis shall be calculated based upon the total construction and engineering design costs of the Improvement divided by the total number of minutes of excess capacity created by the Improvement. For purposes of example only for this Agreement, the projected NAPOT run time for the Hispanola Pump Station, including the Project, is 10.50 hours. The total cost of the Improvement to the Hispanola Pump Station will be \$75,000.00. The projected NAPOT run time for the Hispanola Pump Station after the Improvement is constructed is 8.0 hours. Therefore, the excess capacity created by the Improvement is 150 minutes. Accordingly, the prorated cost per minute would be \$75,000.00 divided by 150 minutes which is equivalent to \$500.00 per minute.

(e) Future major developments, as defined by Section 2.7.1 of the City's Land Development Regulations (LDRs), shall reimburse Owner for the cost of the Improvement on a prorated basis prior to the issuance of the first building permit for the major development. Upon payment by the future major development, Owner shall notify the City Clerk and the City Building Official in writing of the payment utilizing the notice procedure set forth in this Agreement. The City shall withhold issuance of any building permit for any future major development utilizing the Hispanola Pump Station subsequent to the date of this Agreement until such time as written notice is received from Owner indicating that the future major development has reimbursed the Owner on a prorated basis for the cost of the Improvement.

5. Landscaping Improvement.

(a) In accordance with the provisions of this paragraph 4, the Owner agrees to plant additional landscaping ("Landscaping Improvement") in the median of Hispanola Avenue between the Kennedy Causeway and North Treasure Drive and in the median on North Treasure Drive between Adventure Avenue and Mutiny Avenue. The Owner shall be responsible for purchasing and installing the additional landscaping.

(b) Owner agrees to prepare the landscaping plans for the Landscaping Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village within six months after the adoption of a resolution by the City approving of the Project. after the date on which the Department of Community Affairs (DCA) publishes a Notice of Intent to find Comprehensive Plan Amendment Packet No. 03-1 ("Amendment No. 03-1") in compliance with Chapter 163, Florida Statutes. The parties hereto recognize and agree that the DCA may issue a Notice of Intent ("Notice") finding Amendment No. 03-1 to be not in compliance with Chapter 163, Florida Statutes. If DCA does issue such a Notice, the Notice will be forwarded to the Division of Administrative Hearings of the Department of Management Services (DOAH). On behalf of DOAH, an Administrative Law Judge (ALJ) will conduct an administrative hearing with regard to whether Amendment No. 03-1 is consistent with Chapter 163. At the conclusion of the hearing, the ALJ will submit a recommended Order to the Administration Commission. The parties agree that Owner shall have six months from the date of adoption of the Order by the Administration Commission to prepare plans for the Landscaping Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village. The City agrees to cooperate in its review of the plans and to provide an expeditious review of such plans. Upon its approval of the plans, the Owner shall prepare and submit all necessary applications to County, State and other agencies for approval of such plans, and shall expeditiously process such applications to obtain the necessary approvals.

(c) After the Owner has prepared the plans and obtained approval for the Landscaping Improvement from the City, the Owner shall obtain bids for the Landscaping Improvement, and be responsible for the installation of the landscaping. The installation of the Landscaping Improvement shall begin within thirty days after the issuance of the building permit for the Project as described in Exhibit B and shall be complete, certified and accepted by the City prior to the issuance of the certificate of occupancy for the Project by the City.

(d) Pursuant to Resolution No. 2003-33, as corrected, in order to utilize bonus provision 7(H) of Section 152.029 of the North Bay Village Code of Ordinances, the Owner must construct and maintain landscape improvements in accordance with the revised landscape site plan, dated last revised March 4, 2003, which was accepted by the City Commission at the March 11 public hearing prior to the issuance of a temporary certificate of occupancy for the Project.

6. Signage Improvement.

(a) In accordance with the provisions of this paragraph 5, the Owner agrees to install new Treasure Island signage ("Signage Improvement") at the intersection of Kennedy Causeway and Hispanola Avenue. The Owner shall be responsible for the purchase and installation of the signage subject to approval by the City.

(b) The Owner agrees to prepare plans for the Signage Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village within six months after the adoption of a resolution by the City approving of the Project. after the date on which the Department of Community Affairs (DCA) publishes a Notice of Intent to find Comprehensive Plan Amendment Packet No. 03-1 ("Amendment No. 03-1") in compliance with Chapter 163, Florida Statutes. The parties hereto recognize and agree that the DCA may issue a Notice of Intent ("Notice") finding Amendment No. 03-1 to be not in compliance with Chapter 163, Florida Statutes. If DCA does issue such a Notice, the Notice will be forwarded to the Division of Administrative Hearings of the Department of Management Services (DOAH). On behalf of DOAH, an Administrative Law Judge (ALJ) will conduct an administrative hearing with regard to whether Amendment No. 03-1 is consistent with Chapter 163. At the conclusion of the hearing, the ALJ will submit a recommended Order to the Administration Commission. The parties agree that Owner shall have six months from the date of adoption of the Order by the Administration Commission to prepare plans for the Signage Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village. The City agrees to cooperate in its review of the plans and to provide an expeditious review of such plans. Upon its approval of the plans, Owner shall prepare and submit all necessary applications to County, State and other agencies for approval of such plans, and shall expeditiously process such applications to obtain the necessary approvals.

(c) After Owner has prepared the plans and obtained approval for the Signage Improvement, the Owner shall obtain bids for the Signage Improvement, and be responsible for the construction and construction administration of the Signage Improvement. The installation of the Signage Improvement shall begin within thirty days after the issuance of the building permit for the Project as described in Exhibit B and shall be complete, certified and accepted by the City prior to the issuance of the certificate of occupancy for the Project by the City.

7. Adequate Public Facilities. Pursuant to Section 4.4 of the Consolidated Land Development Regulation of the City (LDRs), Owner has submitted a report stating that all of the public services and facilities, with the exception of the Hispanola Pump Station, necessary to serve the Project meet or exceed the established LOS standards. The Owner and City agree that the Improvement to the Hispanola Pump Station will cause this public facility to fall below the NAPOT ten hour maximum daily limit standard. The City agrees that during the term of this Agreement it shall provide and reserve concurrency-related public facility capacity for the Project.

8. Laws Governing this Agreement. The City's laws and policies governing the development of the Project and the Property at the time of the execution of this Agreement (including, but not limited to the City's concurrency management program as set forth in Sections 4.1-4.4.6 of the LDRs) shall govern the development of the Project and the Property for the duration of this Agreement. The City may apply subsequently adopted laws and policies to the Project only as otherwise permitted or required by the Act. Notwithstanding the foregoing, if construction of the Project has not commenced within five years of the date of execution of this Agreement, the City may apply subsequently adopted laws and policies to the Project at the end of the five year period. The issuance of a foundation permit by the City for the Project shall signify the commencement of construction.

9. Consistency with the Comprehensive Plan. The City has adopted and implemented the Comprehensive Plan. The City hereby finds and declares that the provisions of this Agreement dealing with the Property are consistent pending approval of amendments to the Comprehensive Plan and its adopted land development regulations.

10. Public Facilities and Concurrency. Owner and City anticipate that the Project will be served by those roadway transportation facilities currently in existence as provided by State, County and City roadways. It is also anticipated that the Project will be served by the public transportation facilities currently in existence, including those provided by Miami-Dade County, and other governmental entities as may presently operate public transportation services within the area. Sanitary sewer, solid waste, drainage and portable water services for the Project are expected to be those services currently in existence and owned and operated by the City of North Bay Village. The Project will also be serviced by any and all public facilities, as such are defined in Section 163.3221(12), Florida Statutes (2002), and as such are described in the Comprehensive Plan, specifically including, but not limited to, those facilities described in the Comprehensive Plan's Transportation, Infrastructure, and Capital Improvements Elements. A full listing of all such public facilities is set forth on Exhibit D attached hereto.

11. Recording of the Development Agreement. Within fourteen (14) days after the City executes this Agreement, the City shall record this Agreement with the Clerk of the Circuit Court of Miami-Dade County. The Owner shall submit a copy of the recorded Agreement to the State of Florida, Department of Community Affairs (DCA) within fourteen (14) days after this Agreement is recorded. This Agreement shall become effective only after (a) it has been recorded in the public records of Miami-Dade County, and (b) thirty (30) days have elapsed after DCA's receipt of a copy of the recorded Agreement. The Owner agrees that it shall be responsible for all recording fees and other related fees and costs related to the recording and delivery of this Agreement as described in this section. The provisions hereof shall remain in full force and effect during the term hereof, and, subject to the conditions of this Agreement, shall be binding upon the undersigned, and all successors in interest to the parties to this Agreement. Whenever an extension of any deadline is permitted or provided for under the terms of this Agreement, at the request of the either party, the other party shall join in a short-form recordable memorandum confirming such extension to be recorded in the public records of Miami-Dade County.

12. Term of Agreement. (a) This Agreement shall terminate on the date which is ten (10) years from the effective date hereof. (b) In addition to the foregoing, the term of this Agreement may be extended by mutual agreement of the City and Owner, subject to public hearing in accordance with Section 163.3225, Florida Statutes. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement.

13. Default and Remedies. (a) In the event that Owner defaults under any of its obligations set forth in paragraphs 4 - 6 above, City is authorized to withhold issuance of any development orders and development permits until Owner has complied with the terms of this Agreement. (b) In the event of default by either party under this Agreement, the other party shall be entitled to all remedies at law or in equity.

14. Other Approvals. The parties hereto recognize and agree that certain provisions of this Agreement require the City and/or its boards, departments or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in an accordance with established requirements of state statutes and county ordinances, in the exercise of the City's jurisdiction under the police power.

15. No Permit. This Agreement is not and shall not be construed as a development permit, or authorization to commence development, nor shall it relieve Owner of the obligations to obtain necessary development permits that are required under applicable law and under and pursuant to the terms of this Agreement.

16. Good Faith; Further Assurances; No Cost. The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of, and to satisfy their obligations under, this Agreement in order to secure to themselves the mutual benefits created under this Agreement; and, in that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement; provided, that the foregoing shall in no way be deemed to inhibit, restrict or require the exercise of the City police power or actions of the City when acting in a quasi-judicial capacity. Wherever in this Agreement a provision requires cooperation, good faith or similar effort to be undertaken at no cost to a party, the concept of no cost shall not be deemed to include any cost of review (whether legal or otherwise), attendance at meetings, hearings or proceedings and comment and/or execution of documents, all such costs to be borne by the party receiving a request to so cooperate, act in good faith or so forth.

17. Omissions. The parties hereto recognize and agree that the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve the Owner of the necessity of complying with the law governing said permitting requirements, conditions, term or restriction notwithstanding any such omission.

18. Notices. Any notices required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by recognized overnight courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope, and addressed as follows:

If to the City at:	City Manager City of North Bay Village 7903 East Drive (Kennedy Causeway) North Bay Village, Florida 33141
With a copy to:	City Attorney City of North Bay Village 7903 East Drive (Kennedy Causeway) North Bay Village, Florida 33141
If to Owner at:	THE SHOPPES OF NORTH BAY VILLAGE, LLC 1320 S. Dixie Highway, Suite 781 Miami, Florida 33146
With a copy to:	Jeffrey Bercow, Esq. Bercow & Radell, P.A. 200 S. Biscayne Boulevard Suite 850 Miami, Florida 33131

Notices personally delivered or sent by overnight courier shall be deemed given on the date of delivery and notices mailed in accordance with the foregoing shall be deemed given three (3) days after deposit in the U.S. Mail. The terms of this Paragraph 18 shall survive the termination of this Agreement.

19. Construction. (a) This Agreement shall be construed and governed in accordance with the laws of the State of Florida. All of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and, accordingly, this Agreement shall not be more strictly construed against any one of the parties hereto. (b) In construing this Agreement, the use of any gender shall include every other and all genders, and captions and section and paragraph headings shall be disregarded. (c) All of the exhibits attached to this Agreement are incorporated in, and made a part of, this Agreement.

20. Severability. In the event any term or provision of this Agreement be determined by appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.

21. Litigation. In the event of any litigation between the parties under this Agreement, the prevailing party shall be entitled to an award of reasonable attorney's fees and costs; provided, however, any award of attorney's fees against the City shall not exceed \$35,000.00. The City does not waive sovereign immunity for any claim of prejudgment interest and prejudgment interest shall not be awarded against the City.

22. Time of Essence. Time shall be of the essence for each and every provision hereof.

23. Entire Agreement. This Agreement, together with the documents referenced herein, constitute the entire agreement and understanding among the parties with respect to the subject matter hereof, and there are no other agreements, representations or warranties other than as set forth herein. This Agreement may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought and subject to the requirements for the amendment of development agreements in the Act.

24. Force Majeure. Any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, inability to obtain labor or materials or reasonable substitutes therefore, riot, civil commotion, fire or other casualty, and other causes beyond the reasonable control of the party obligated to perform, excluding the financial inability of such party to perform and excluding delays resulting from appeals or rehearings commenced by the Owner (any such causes or events to be referred to herein as a "Force Majeure"), shall excuse the performance by such party for a period equal to any such period of prevention, delay or stoppage.

Signed, sealed, executed and acknowledged this 15th day of February, ~~2003~~ 2005. *gh m*

WITNESSES:

THE SHOPPES OF NORTH BAY VILLAGE, LLC

*[Signature]*  
Print Name: Jerome Greenwald

By: *[Signature]*

*[Signature]*  
Print Name: Luzy Pelacios

Print Name: Scott Greenwald  
Title: Manager

Attest:  
*[Signature]*  
By: Yvonne Hamilton, Clerk

CITY OF NORTH BAY VILLAGE, FLORIDA

By: *[Signature]*  
Robert Pushkin,  
Interim City Manager

Approved as to form  
*[Signature]*  
By: Robert L. Switkes, City Attorney

(Developers Agreement:  
Lexi Development  
1700 Kennedy Causeway)

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

[INSERT LEGAL DESCRIPTION FOR LEXI PROPERTY]

## EXHIBIT B

### DESCRIPTION OF PROJECT

The Project includes the following described development, permitted on the Property as described in Exhibit A attached to the Agreement. The Property is 2.5 acres gross. The proposed development of this Property is for 164 residential units with a minimum of 18,000 square feet of ground floor retail space. This Project will be permitted and built under the RM-70 High Density Multiple-Family Residential District and CG General Commercial District Zoning Regulations. The proposed maximum height of the structure is 205 feet to the ceiling of the highest habitable space. This height does not include elevator lift housing, air conditioning units, or other mechanical or functional features that may exceed the zoning district height requirements in accordance with Section 152.057 of the Code of the City of North Bay Village. The Project will be built in substantial accordance with site plan and elevations prepared by Kobi Karp entitled the "Lexi" and dated last revised March 4, 2003 and approved by the City Commission on March 11, 2003.

**EXHIBIT C**

**LIST OF REQUIRED DEVELOPMENT PERMITS**

Department of Environmental Resource Management Permits

South Florida Water Management District Permit (Storm Water Management)

Full Building Permits, covering

- Foundation
- Electrical
- Plumbing
- Mechanical and Cooling Towers
- Elevator
- Fire/Life Safety Systems
- Roofing
- Glazing (Windows and Doors)
- Stair and Balcony Railings
- Signs

Certificates of Use and Occupancy

Such other permits as may be required by Federal, State and local law.

## EXHIBIT D

### PUBLIC FACILITIES

The Project will be serviced by those roadway transportation facilities currently in existence as provided by State, County and local roadways. The Project will also be serviced by public transportation facilities currently in existence, as provided by Miami-Dade County, the Florida Department of Transportation, and such other governmental entities as may presently operate public transportation services within the area of the Project. Sanitary sewer, solid waste, drainage, and potable water services for the Project shall be those services currently in existence and owned or operated by the City of North Bay Village. The Project shall be serviced by those existing educational facilities owned or operated by the Miami-Dade Public Schools District, and shall be serviced by those existing parks and recreational facilities located in the City of North Bay Village owned or operated by the United States Government, by the State of Florida, by Miami-Dade County, and by the City.

The Project will also be serviced by any and all public facilities, as such are defined in Section 163.3221(12) of the Act, that are described in the City's Comprehensive Plan specifically including but not limited to those facilities described in the Comprehensive Plan's Transportation, Infrastructure, and Capital Improvements Elements. A copy of the Comprehensive Plan is available for public inspection in the offices of the City Clerk.



DATE SUBMITTED: 28 JUNE 2005

APPLICATION FOR ADMINISTRATIVE REVIEW  
SITE PLAN MODIFICATION  
(SECTION 152.1059(C)(10) OF THE CITY OF NORTH BAY VILLAGE CODE OF  
ORDINANCES/2.7.7 - LAND DEVELOPMENT REGULATIONS)

APPLICANT'S NAME THE LEXI DEVELOPMENT CO., INC.

ADDRESS: 1320 S. DIXIE HWY SUITE 781 CORAL GABLES, FL 33146

TELEPHONE NO. 305 667 2225

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED

NAME OF PROJECT: THE LEXI

NAME OF ARCHITECT: KOBI KARP TELEPHONE NO. 305 945 3636

**PROVIDE THE FOLLOWING INFORMATION REGARDING PREVIOUSLY  
APPROVED SITE PLAN:**

DATE OF SITE PLAN APPROVAL: 11 MARCH 2003

TOTAL NUMBER OF DWELLING UNITS: 164

TYPE OF DWELLING UNITS: ONE (1) BEDROOM: 54 TWO (2)  
BEDROOMS: 110 THREE (3) BEDROOMS OR LARGER: N/A

SIZE OF DWELLING UNITS: ONE (1) BEDROOM: 1,469 TWO (2)  
BEDROOMS: 7 THREE (3) BEDROOMS OR LARGER: 0

AUNITS = 1,778 BUNITS = 1,732

Application for Administrative Site Plan Review

Site Plan Modifications

Page 1 of 3

NUMBER OF FLOORS: 19

NUMBER OF PARKING SPACES: 463

**PROVIDE THE FOLLOWING INFORMATION REGARDING THE MODIFIED PLANS:**

TOTAL NUMBER OF DWELLING UNITS: SAME

TYPE OF DWELLING UNITS: ONE (1) BEDROOM: SAME TWO (2) BEDROOMS: SAME THREE (3) BEDROOMS OR LARGER: SAME

SIZE OF DWELLING UNITS: ONE (1) BEDROOM: SAME TWO (2) BEDROOMS: SAME THREE (3) BEDROOMS OR LARGER: SAME

NUMBER OF FLOORS: SAME

NUMBER OF PARKING SPACES: SAME

MODIFICATIONS TO FOOTPRINT OF BUILDING: \_\_\_\_\_

DESCRIBE OTHER CHANGES IN DETAIL:

ADDITION OF SINGLE STORY COMMERCIAL SPACE  
AT LOCATION OF FORMER CONVENIENCE STORE.  
CONVENIENCE STORE PARCEL TO BE INTEGRATED WITH  
THE LEWIS SITE THROUGH "UNITY OF TITLE"

I hereby certify that the information on this application is correct.

Authorized Signature: [Signature] Scott Greenwald  
(Property Owner/Counsel/Agent) President

(A letter signed by the property owner authorizing an individual to act as his agent must accompany an application signed by an agent.)

Sworn to and subscribed before me this 28 day of June, 2005  
by Vivian De Felice who is personally known to me or who has  
produced G654-781-65-9960 as identification.



Vivian De Felice  
My Commission DD355241  
Expires September 16, 2008

Notary Public

My Commission Expires: 9-16-08

Fees: \$0

(For providing courtesy notification to property owners and residents within 300 feet of the subject request pursuant to Section 152.96(A)(2) of the City of North Bay Village Code of Ordinances.)

Date Paid: 0

APPROVED BY:

DR. JAMES VARDALIS  
CITY MANAGER

PAUL GIOIA  
CITY PLANNER

DATE: \_\_\_\_\_

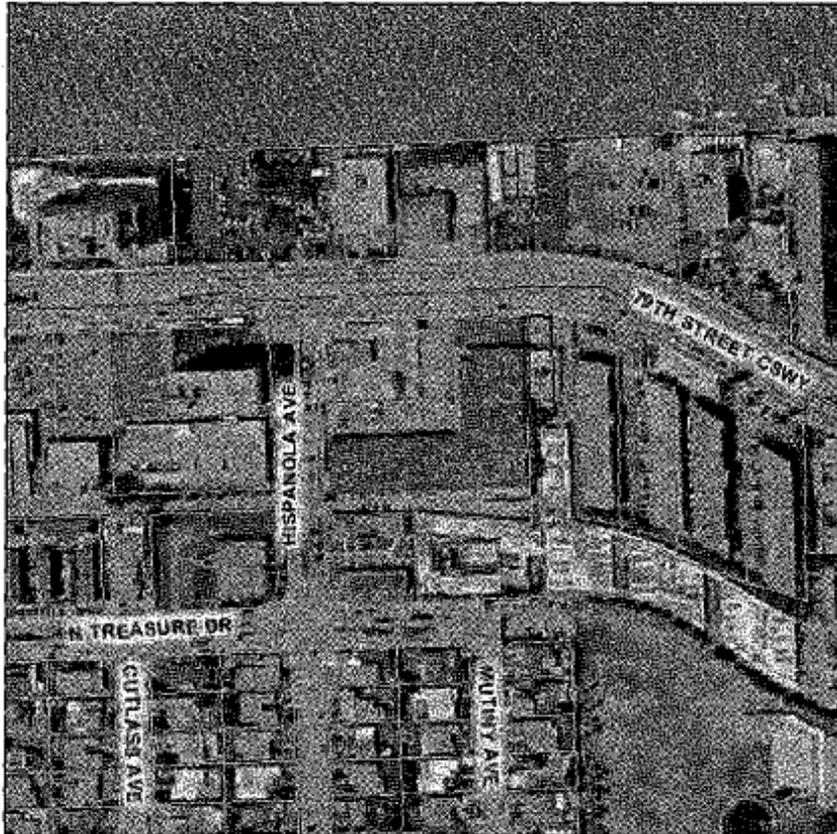
DATE: \_\_\_\_\_

**My Home**  
Miami-Dade County, Florida



**miamidade.gov**

Property Information Map



Aerial Photography - AirPhoto USA 2004

0 — 135 ft

This map was created on 6/28/2005 2:43:35 PM for reference purposes only.

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**Summary Details:**

Folio No.:	23-3209-000-0190
Property:	1748 79 ST CSWY
Mailing Address:	SHOPPES OF NO BAY VILLAGE LLC II
	1320 SO DIXIE HWY STE 781 CORAL GABLES FL 33146-2953

**Property Information:**

Primary Zone:	6000 COMMERCIAL: DANCE HALLS
CLUC:	0011 RETAIL
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	2,331
Lot Size:	8,150 SQ FT
Year Built:	1956
Legal Description:	9 53 42 BEG 376.33FTE OF X OF S/L OF 79 ST CSWY & C/L OF HISPANOLA AVE CONT E50.20FT SLY160.73FT W50FT NLY164.68FT TO POB LOT SIZE 50.000 X 163

**Sale Information:**

Sale O/R:	20726-4305
Sale Date:	3/2002
Sale Amount:	\$190,000

**Assessment Information:**

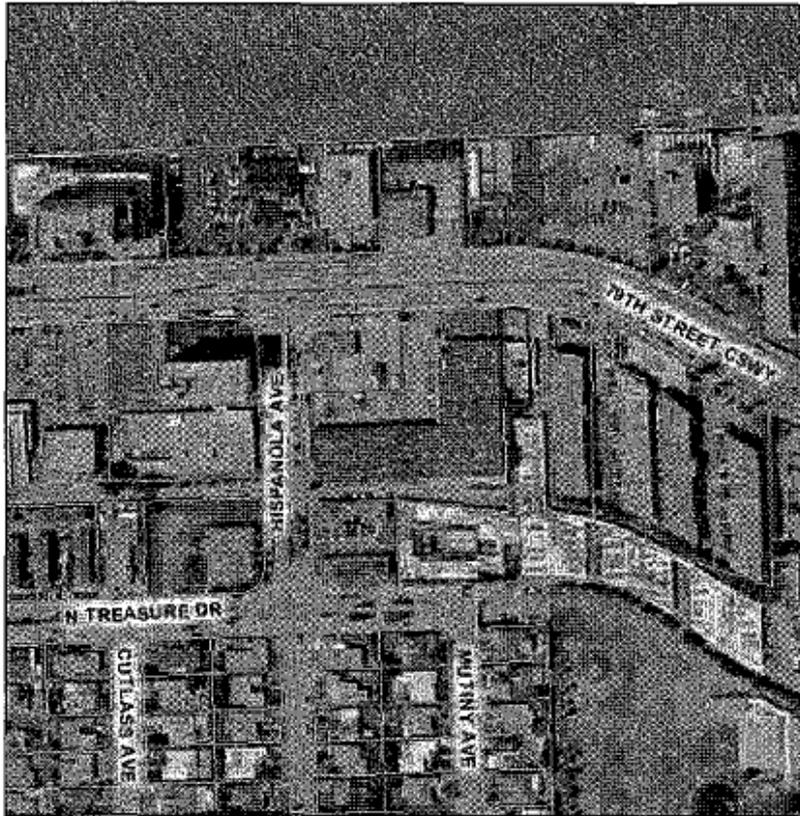
Year:	2004	2003
Land Value:	\$138,550	\$73,350
Building Value:	\$79,498	\$76,745
Market Value:	\$218,048	\$150,095
Assessed Value:	\$218,048	\$150,095
Total Exemptions:	\$0	\$0
Taxable Value:	\$218,048	\$150,095

**My Home**  
Miami-Dade County, Florida



**miamidade.gov**

Property Information Map



Aerial Photography - AirPhoto USA 2004

0 — 135 ft

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Close

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Total Exemptions:	\$0	\$0
Taxable Value:	\$218,048	\$150,095



# CITY OF NORTH BAY

**COPY**

7903 East Drive (Kennedy Causeway)  
North Bay Village, Florida 33141 • (305) 756-7171 • FAX (305) 756-7722

July 7, 2005

Via Certified Mail: 7003 2260 0000 0191 7529

The Lexi Development Co., Inc.  
Mr. Scott Greenwald  
1320 South Dixie Highway Suite 781  
Miami, Fl 33146

RE: The Lexi

Dear Mr. Greenwald:

After careful review of your request for a site plan modification and upon consultation with the Chief Building Official, the moving of a previously platted property line does meet the test of an administrative site plan approval. However, the approval of this modification is contingent upon the City receiving and your properly recording unity of title with the County Clerks office of Miami-Dade County.

Sincerely,

  
Robert Pushkin  
Interim City Manager

- cc. Mr. Robert Switkes  
City Attorney
- Mr. Kobi Karp  
17100 Collins Avenue  
Sunny Isles Beach, Fl 33160

**MEMO**

**DATE:** June 29, 2005

**TO:** Robert Pushkin, Acting City Manager

**FROM:** Paul A. Gioia, Chief Building Official

**SUBJECT: Lexi Condominium Administrative Site Plan Approval**

After reviewing the site plan for a slight modification to a property line, on the easterly portion of this project, wherein the slight modification would entail the moving of a previously platted property line (Which disappears with the unity of title now in place) does meet the test of an administrative approval. I therefore approval the modification.



# North Bay Village

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.northbayvillage-fl.gov

# Exhibit B

NORTH BAY VILLAGE  
EST. 1945

## APPLICATION FORM FOR SITE PLAN APPROVAL

This application form is to be used to petition for Site Plan Approval pursuant to Sections 5.5 through 5.8, as well as Special Area Plan approval pursuant to Subsection 15.2.G. of the North Bay Village Unified Land Development Code.

Submit one (1) electronic file of your application, with all the required information to the Village Planning and Zoning Official via [svargas@cgsolutions.com](mailto:svargas@cgsolutions.com) and deliver five (5) physical copies of materials to the Village offices located at 1666 Kennedy Causeway, Suite 300.

This application, including all supplemental forms and data, must be completed in accordance with the attached instructions and submitted with the required fees pursuant to the most up-to-date Fee Schedule. Site Plan Approvals require public hearings conducted by the Planning & Zoning Board and the Village Commission. Applications must be complete, and all required fees be paid in order to be accepted and placed on an agenda.

All fees shall be paid prior to the Planning and Zoning Official's review of the application. Accepted payment methods for the required fees are check or credit card when paying in person at the Village offices. You may also call (305) 756-7171 to make your credit card payment by phone.

This form is a fillable PDF. TYPE OR PRINT LEGIBLY ALL INFORMATION ON THE APPLICATION.

1. Property Owner Name: The Lexi Development Company, Inc.
2. Contact Phone: 305-458-3335 Email Address: Scott@greenwaldgroup.com
3. Mailing Address: 6278 North Federal Highway, #406  
Ft. Lauderdale, FL 33308
4. Applicant Name: Christopher Penelas, Esq. on behalf of 1700 JFK SC, LLC  
(If different from Owner)
5. Contact Phone: 305-982-5678 Email Address: Christopher.penelas@akerman.com
6. Mailing Address: 98 Southeast Seventh Street Suite 1100 Miami, FL 33131
7. Address or location of Property Covered by the Application: \_\_\_\_\_  
1700 Kennedy Causeway, North Bay Village, FL 33141
8. Legal Description of Property Covered by the Application (add pages if needed):  
See attached Legal Description.



9. Folio Number(s): 23-3209-051-0001
10. Total Site Area (square feet): See LOI
11. Current Land Use of Property: Vacant
12. Future Land Use and Zoning Designations: Commercial/T6-24
13. Are the Future Land Use or Zoning being amended? Yes:  No: . If Yes, what are the proposed designations? \_\_\_\_\_
14. Project Type  Single-Family Residential  Multifamily/Planned Residential Development  Non-Residential/Mixed-Use  Development Agreement Required?
15. Project Description (additional pages may be attached): See Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



### CONSENT TO PUBLIC HEARINGS

All requests for site plan approval from the North Bay Village Code shall be considered at Public Hearings before the Planning & Zoning Board and the Village Commission. The Village Planning and Zoning Official shall certify that the application is complete before the hearing is legally advertised. All applications shall be submitted to the Village Planning and Zoning Official on or before the deadline implemented by the Village. All persons, firms, or corporations requesting site plan approval 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 shall be deemed a condition precedent to the consideration of such a request.

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

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 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 4.4. 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 C. Penelas

Print Name Christopher A. Penelas on behalf of 1700 JFK SC, LLC

(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.)

C. Penelas  
Signature

STATE OF FLORIDA  
COUNTY OF Miami-Dade

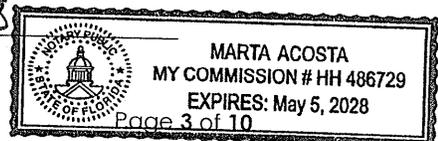
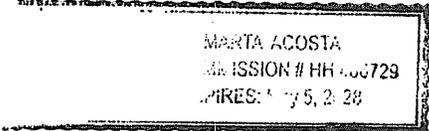
Sworn to and subscribed to before me this 30 day of August, 2024

by \_\_\_\_\_, who is

personally known to me or who has produced \_\_\_\_\_ as identification.

Notary Public Signature Marta Acosta

Commission Number/Expiration May 5, 2028





### COST RECOVERY AFFIDAVIT

I hereby acknowledge and consent commit to the payment of all applicable cost recovery fees involved as part of my application process. Cost recovery includes, but is not limited to, staff time, attorney fees, planning consultant fees and any other professional service costs incurred by North Bay Village in the review and processing of a development application, regardless of the outcome of the review and/or public hearing process. I further understand and acknowledge that failure to remit payment for incurred costs pursuant to Subsections 5.12.B. and C. (attached) of the North Bay Village Unified Land Development Code (ULDC) constitutes a violation of the Code and the Village may levy penalties to secure compliance, as outlined in Subsection 5.12.C of the ULDC.

Please type or print the following:

Date: 08/30/2024

Relationship to the project: (e.g., property owner, architect, developer, attorney)

Attorney

Full Name: Christopher A. Paredes on behalf of 1700 JFK Sq, LLC

Current Address: 98 SE 7th Street

City: Miami State: FL Zip: 33131

Telephone: 305-982-5078 Email: Christopher.Paredes@1700jfk.com

I am fully authorized to commit to the expenditures contemplated by this Cost Recovery Affidavit.

C. Paredes  
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS 30 DAY OF August, 2024

[Signature]  
Notary Public, State of Florida at Large

My Commission expires May 5, 2028





## Subsections 5.12.B. and C. Regarding Cost Recovery

### B. Cost Recovery Established

1. The applicant shall reimburse the Village for the actual cost of consultant or employed professional review services pursuant to the cost recovery procedures and requirements of subsection C below.
2. Payment in full by the applicant to the Village for the Village's actual expenditures for review of the application shall be a written condition of any development order. These cost recovery deposits fees shall be in addition to any and all other fees required by law, rule, or regulation of the Village Code of Ordinances.

### C. Cost Recovery procedure.

1. At the time of submission of any application for development approval, the applicant shall pay the minimum cost recovery deposit fee outlined in the development approval fee and cost recovery deposit schedule set forth in this section, which funds shall be deposited into a cost recovery escrow account established for this purpose. Withdrawals shall be made to reimburse the Village for the cost of consultant services.
2. The Village shall provide the applicant with a copy of the consultant's invoice for any services charged against the applicant's cost recovery escrow account.
3. When the balance in the Village's cost recovery escrow account is reduced to one-half of its initial amount, the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such amount is not replenished within 30 calendar days after the applicant is notified, in writing, of the requirement of such additional deposit, the Village shall suspend its review of the application and the application shall be deemed withdrawn.
4. If an application is suspended due to nonpayment of the additional escrow deposit specified in subsection 3., a resubmission fee shall be paid, and the cost recovery deposit shall be replenished to a minimum of one-half of the original deposit amount before the application will be reviewed.
5. Prior to the scheduling or noticing of any board or commission hearing, the Village Manager's review of the application shall be complete, and the cost recovery escrow account balance shall be replenished to equal at least one-half of the initial deposit amount.



## CHECK LIST FOR THE APPLICANT

### Mandatory Submittals:

- Complete Site Plan Approval Application, including all required forms and affidavits, signed by property owner or owner's representative.
- Letter of Authorization from property owner, if different from Applicant.
- Proof of ownership (e.g., fee simple title or option to acquire fee simple title within a specific period of time).
- Letter of intent signed by owner or owner's representative, which may include a narrative describing the project, whether the impact of the proposed development is favorable, adverse, or neutral on the economy, public services, environment, and housing supply of the Village, and the relationship of the proposed project to surrounding, existing, and proposed future land uses, and to existing zoning, and the Village's Comprehensive Plan. This narrative may be provided as a document separate from the letter. If variances/waivers or warrants/use exceptions are being requested, the extent of these from the requirements shall be noted in the narrative. NOTE: Applications for project variances/waivers, warrants/use exceptions may be submitted prior to or concurrently with a Site Plan Approval application. Each variance/waiver or warrant/use exception request must be submitted in its own application form with the corresponding fees. Refer to the applicable sections of the ULDC for requirements and criteria. Forms may be downloaded from the Village website or requested by emailing the Planning and Zoning Official.
- Property survey at a scale of not less than one inch (1") equals 40 feet (40'), prepared by a registered land surveyor, not more than one (1) year old and including the legal description of the property, elevation, all easements, rights-of-way, and at least two (2) benchmarks.
- Drawings index page.
- All drawings shall be drawn at a readable scale (per the requirements listed below) and shall include the following: scale; name; address and telephone number of the owner of the property for which the drawing is required; name, address and telephone number of the professional preparing the drawing; professional stamp seal (dry/wet or digital); location of the property including the legal description, section, township, range and street address, if known.
- Site plan(s) which depict:
  - Title of proposed project
  - Name of site planner, engineer, architect, landscape architect, developer, and owner
  - North point
  - Existing and proposed easements
  - Existing and proposed utilities
  - Property lines
  - Location of streets, alleys, and ROW
  - Location and footprint of all structures
  - Mechanical equipment
  - Proposed site circulation, driveways, sidewalks
  - Parking, including handicapped, motorcycle, electric vehicle, and bicycle parking
  - Loading spaces, valet areas, pick-up/drop-off points
  - Signage
  - Fences and Exterior lighting
  - Other features (e.g., Green Building Program practices and techniques)



Floor plans prepared at a scale no less than 1/16 inch to the foot and including.

- Layout of each level
- Layouts for each dwelling unit type and/or nonresidential spaces
- Parking and loading space dimensions
- Parking garage adaptability features
- Width of drive aisles

Elevations at no less than 1/16 inch to the foot scale legibly showing the finished appearance of each main facade of the building and furnishing vertical height dimensions including compliance with Sec. 10.5 of the ULDC.

Tabular project summary indicating the following figures, calculations, and features:

- |  |   |
|--|---|
| <input type="checkbox"/> Total acreage   | <input type="checkbox"/> Floor area of each dwelling unit type  |
| <input type="checkbox"/> Number of dwelling units per acre   | <input type="checkbox"/> Floor area of each land use  |
| <input type="checkbox"/> Number of bedrooms per dwelling unit  | <input type="checkbox"/> Gross floor area   |
| <input type="checkbox"/> Number of each dwelling unit type   | <input type="checkbox"/> Building height  |
| <input type="checkbox"/> Lot Coverage/Pervious surface area  | <input type="checkbox"/> Floor area ratio or floor lot ratio as required/applicable by the zoning of the property   |
| <input type="checkbox"/> Open/green space  | <input type="checkbox"/> Compliance with the Village's Green Building Program (features selected from the point system should also be shown on the plans, when appropriate) |
| <input type="checkbox"/> Structure setbacks  |   |
| <input type="checkbox"/> Number and sizes of all off-street parking (including handicapped), loading, pick-up/drop off, and bicycle parking spaces |   |

Landscape plan.

Location of all existing and proposed structures, landscape improvements (i.e., berms, fences, fountains, furnishings, lights, etc.) parking and circulation areas, and other site improvements

Notes and specifications, for the installation, fertilization, and maintenance of all plant materials and irrigation

Tree survey depicting all existing trees, including those to be removed and to be protected and methodology for protection

Demonstration of sustainable principles, techniques, and practices (e.g., Green Building Program features)

Plant list with scientific and common names, sizes (i.e.: caliper), quantity, special requirements and location of all plant materials existing and proposed and proposed turf grass type

Planting and installation details, as needed, to ensure conformance with all required standards, including tree protection and erosion control.

A landscape maintenance plan and schedule will be submitted as a part of the landscape plans



- Preliminary Civil Engineering Plans that meet Stage 1 requirements (see supplementary checklist).
  - Stage 1 requirements addressed via letter and on plan sheets and details; the letter shall state the sheet name and number for reference.
  - Civil Site Plan and Details
  - Signing, Paving, and Grading Plan
  - Stormwater calculations
  - Details (including cross sections at the property lines and driveways and should include the slope to tie into existing grade, and exfiltration trench cross section, as applicable)
  - Water and Sewer Plan and Details
  - Drainage calculations
- Level of Service (LOS) Assessment (see Sec 5.19-5.22 of the ULDC for requirements).
  - Potable water
  - Sanitary Sewer
  - Traffic
  - Stormwater
  - Solid Waste
- Traffic Impact Statement.
- Approved Plat.
- Opinion of Title, if applicable.
- School Concurrency Availability Determination letter from Miami-Dade Public Schools.
- Information pertaining to previous building and land development experience of the Applicant.
- Evidence of Applicant's ability to acquire sufficient development funds.
  - Letter of commitment from a recognized financial institution; or
  - Certified personal or corporate financial statement
- A minimum of three (3) digital visualizations, virtual reality model, or an actual architectural model of the project building to scale. Color renderings shall provide visualization of the massing, shape, design, texture, and scale of proposed buildings and landscaping. All visualizations, digital or physical, shall demonstrate the proposed structure(s) in context with existing structures on adjacent/surrounding properties (i.e., surrounding physical conditions and environments including existing structures on either side). MAYBE SUBMITTED UP TO 10 DAYS PRIOR TO A SCHEDULED PLANNING AND ZONING BOARD HEARING.
  - If the proposed building is more than 150 feet in height, a professionally prepared Shadow Study shall be provided. This study shall study the solstice and equinox at 9:00 A.M., 12:00 Noon, and 3:00 P.M. occurring on the following dates: June 21<sup>st</sup> and 22<sup>nd</sup> (summer solstice), September 21<sup>st</sup> and March 21<sup>st</sup> (winter solstice), and shall utilize the correct sun angle altitude and azimuth, with sun direction clearly illustrated, and shall show all properties impacted by project shadows.
  - If an architectural model is provided, said model shall be retrieved by the developer within 30 days following the final public hearing before the Village Commission.



- Application fees and cost recovery deposit and all other fees due to the Village, per the most up-to-date adopted Fee Schedule.

**Mandatory Submittals for Major Development Applications**

- Development impact study showing favorable, adverse, or neutral impact on the economy, public services, infrastructure, environment, and housing supply.
- Transportation Impact Study (TIS) for projects consisting of more than 20 residential units or more than 7,000 sq. ft. of commercial space. A waiver may be pursued per Sec. 5.6.A.1.d.
- Environmental impact studies, soil assessments, and other types of studies prepared by a registered professional.
- Any other impact analysis required by the Village Commission, Planning and Zoning Board, Village Manager or designee, and the Planning and Zoning Official.
- Description of the relationship of the proposed project to surrounding, existing, and proposed future land uses, existing zoning, and Comprehensive Plan.
- Listing of any special permits, variance, or exemptions or any other Village ordinance that may be required.

**Optional Submittal:**

- Physical architectural scale model – A physical architectural model of the site and building(s), built to an appropriate scale, and photographs of the model may be submitted instead of a 3D computer visualization or virtual reality model. Physical architectural models shall be made available at least ten (10) days prior to the Planning and Zoning Board public hearing date. If an architectural model is provided, said model shall be retrieved by the developer within thirty (30) days following the final public hearing before the Village Commission. The photographs depicting the model shall become part of the public records. The model shall demonstrate the proposed structure as well as existing structures on either side.

**Applications are deemed incomplete until all mandatory submittals have been received by the Village Planning and Zoning Official.**



---

**Office Use Only:**

Date Submitted: \_\_\_\_\_

Total Paid: \$ \_\_\_\_\_

Date Paid: \_\_\_\_\_

Filing Fee: \$ \_\_\_\_\_

Cash or Check # \_\_\_\_\_

Cost Recovery Dep: \$ \_\_\_\_\_

# Exhibit C

August 28, 2024

Frank Rollason  
Interim Village Manager  
North Bay Village  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141

Re: 1700 Kennedy Causeway – Letter of Authorization for Modification of Site Plan  
Approval

Dear Mr. Rollason:

I, Scott Greenwald, am the President and Authorized Representative of Lexi Development Company, Inc. This letter shall serve as my authorization for 1700 JFK SC, LLC and its agents to submit and process an application to modify the Site Plan approval received on June 10, 2003 for the property located at 1700 Kennedy Causeway North Bay Village, Florida.

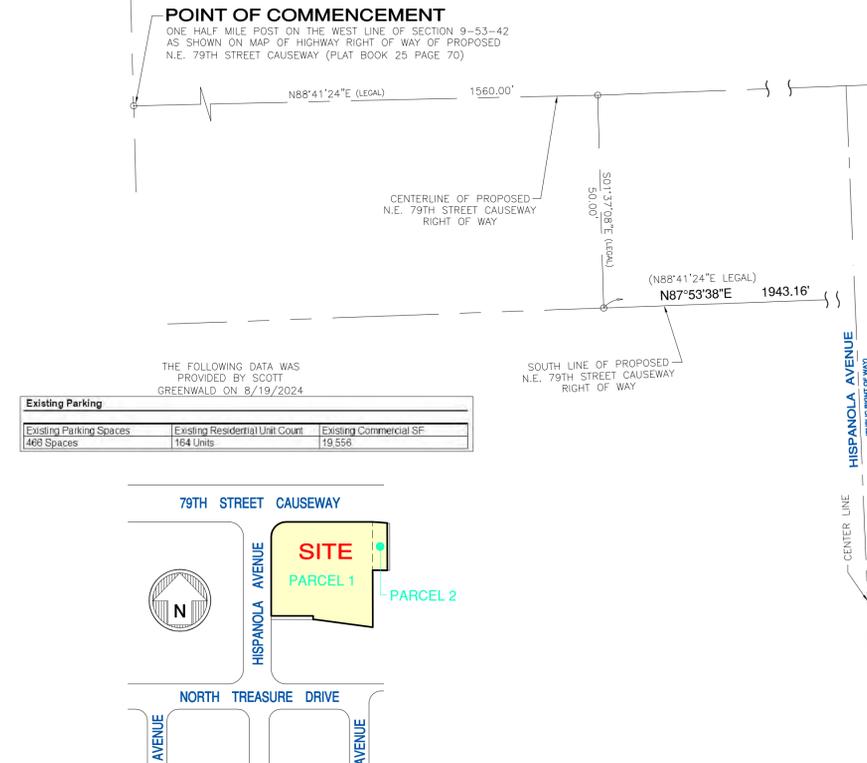
Should you have any question please feel free to contact me at 305-458-3335.

Sincerely,

Scott Greenwald

DocuSigned by:  
  
778770E637FE4AD...

President and Authorized Representative of the Lexi Development Company, Inc.  
6278 North Federal Highway, #406  
Ft. Lauderdale, FL 33308

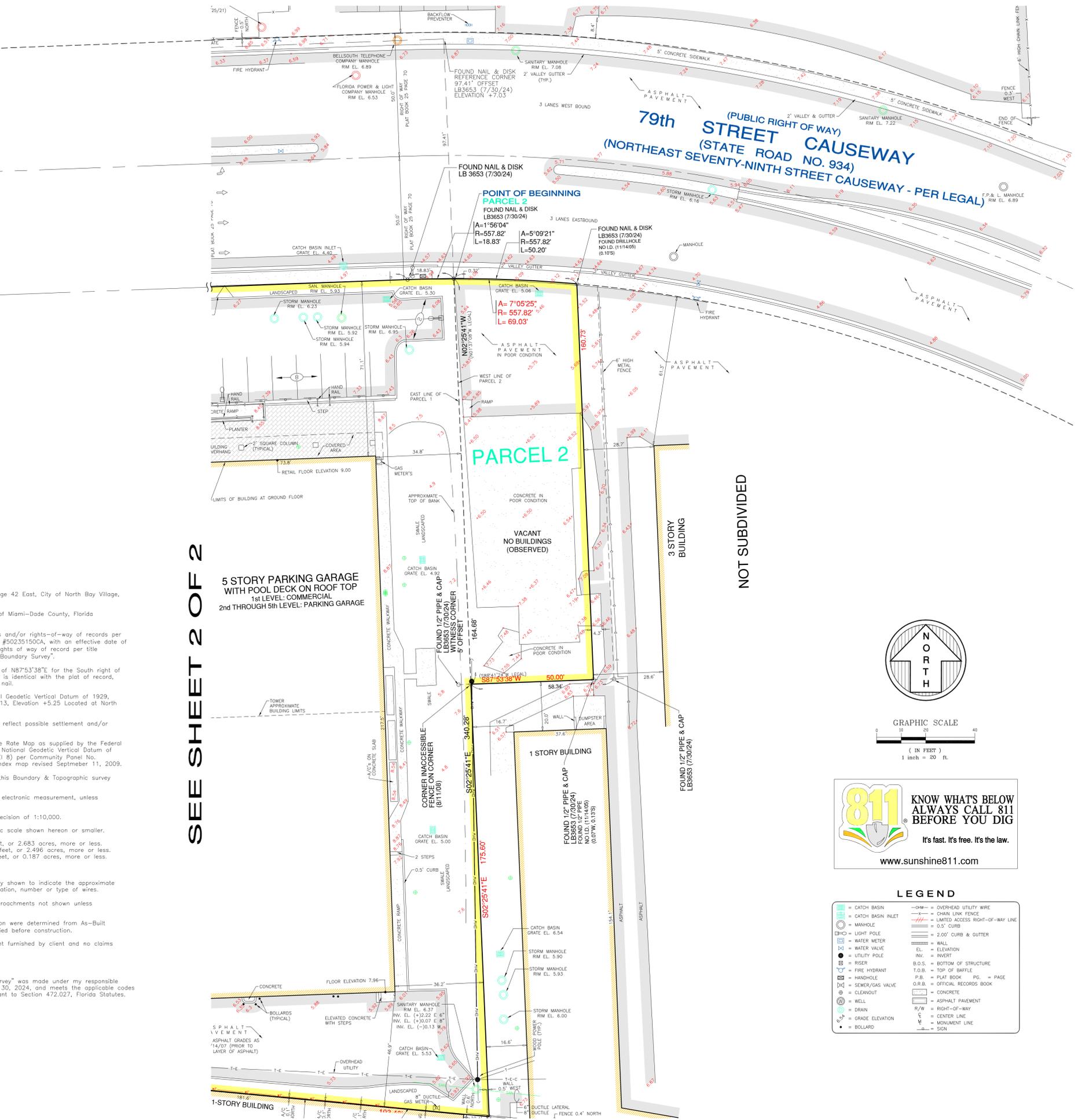


**LEGAL DESCRIPTION:**

**PARCEL 1:**  
A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:  
Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79th Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 87°53'38" East, along the center line of above right-of-way 1560.00 feet; thence South 02°24'54" East, 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 87°53'38" East, along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 87°53'38" East along the South line of said right-of-way 270.55 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 02°25'41" East parallel with the East right-of-way line of Hispanola Avenue for 340.28 feet; thence North 84°38'17" West 193.40 feet; thence South 87°53'38" West 8.39 feet; thence North 02°25'41" West 2.00 feet; thence South 87°53'38" West 139.65 feet to the Easterly right-of-way line of Hispanola Avenue; thence North 02°25'41" West along the Easterly right-of-way line of Hispanola Avenue a distance of 263.18 feet to a point of a curvature, thence run Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°19'19" and an arc distance of 78.82 feet to the Point of Beginning.

**HISTORICAL LEGAL DESCRIPTION:**  
A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:  
Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79th Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 88°41'24" East, along the center line of above right-of-way 1560.00 feet; thence South 01°37'08" East 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 88°41'24" East, along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 88°41'24" East along the South line of said right-of-way 270.40 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 01°37'08" East 340.28 feet; thence North 83°49'44" West 193.40 feet; thence South 88°41'24" West 8.39 feet; thence North 01°37'08" West 2.00 feet; thence South 88°41'24" West 139.59 feet to the Easterly right-of-way line of Hispanola Avenue; thence North 01°37'08" West along the Easterly right-of-way line of Hispanola Avenue a distance of 265.15 feet to a point of a curve; thence run Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°18'32" and an arc distance of 78.80 feet to the Point of Beginning.

**PARCEL 2: FUTURE DEVELOPMENT PARCEL**  
That portion of Section 9, Township 53 South, Range 42 East, Miami-Dade County, Florida, being more particularly described as follows:  
Commencing at the 1/2 mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on the map of Highway Right-of-Way of the proposed N.E. 79th Street Causeway, which same is recorded in Plat Book 25, at Page 70 of the Public Records of Miami-Dade County, Florida, run North 88° 41' 24" East along the centerline of the above Right-of-Way 1560.00 feet; thence South 01° 37' 08" East 50.00 feet to a point of intersection with the South line of said Right-of-Way; thence North 88° 41' 24" East 1943.16 feet along the South line of said Right-of-Way to the point of curvature on a curve to the right; thence to the right along said curve having a radius of 557.82 feet and a central angle of 1° 56' 04" for an arc distance of 18.83 feet to the point of beginning of the land herein described; thence from the above established point of beginning to continue to the right along said curve for a radius of 557.82 feet and a central angle of 5° 09' 21" for an arc distance of 50.20 feet; thence South 1° 37' 08" East 160.73 feet; thence South 88° 41' 24" West 50.00 feet; thence North 1° 37' 08" West 164.68 feet to the Point of Beginning.



SEE SHEET 2 OF 2

**SURVEYOR'S NOTES:**

- This site lies in Section 9, Township 53 South, Range 42 East, City of North Bay Village, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
- Lands shown hereon were abstracted for easements and/or rights-of-way of records per Commonwealth Land Title Insurance Company Order #502351500A, with an effective date of July 11, 2005. All restrictions, easements and/or rights of way of record per title commitment that are plottable are shown on this "Boundary Survey".
- Bearings hereon are referred to an assumed value of N87°53'38"E for the South right of way line of the 79th Street Causeway, said bearing is identical with the plat of record, and evidenced by found nail & disk and found PK nail.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Bench Mark No. P-313, Elevation +5.25 Located at North Treasure Drive and Hispanola Avenue.
- Elevations shown hereon have not been updated to reflect possible settlement and/or changes after the date of the original survey.
- Lands shown hereon were based on Flood Insurance Rate Map as supplied by the Federal Emergency Management Agency and are relative to National Geodetic Vertical Datum of 1929, and are located in Federal Flood Zone AE (E) 8 per Community Panel No. 120654 0307 J, dated September 11, 2009, and index map revised September 11, 2009.
- Improvements shown beyond the (scope/limits) of this Boundary & Topographic survey may not be current or located.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- All horizontal control measurements are within a precision of 1:10,000.
- This map is intended to be displayed at the graphic scale shown hereon or smaller.
- Lands shown hereon containing 116,886 square feet, or 2.683 acres, more or less. Parcel 1 shown hereon containing 108,731 square feet, or 2.496 acres, more or less. Parcel 2 shown hereon containing 58,155 square feet, or 0.187 acres, more or less.
- Roof overhang not located unless otherwise shown.
- The locations of overhead utility lines are graphically shown to indicate the approximate connection points and do not reflect the actual location, number or type of wires.
- Underground improvements and/or underground encroachments not shown unless otherwise indicated.
- The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
- Legal description shown hereon per title commitment furnished by client and no claims as to ownership are made or implied.

**SURVEYOR'S CERTIFICATION:**  
I hereby certify that this "Boundary & Topographic Survey" was made under my responsible charge on November 14, 2005 and last updated July 30, 2024, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. The fieldwork was completed on July 30, 2024.

**\*Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below\***

**FORTIN, LEAVY, SKILES, INC., LB3653**

By: Daniel C. Fortin Jr, For The Firm  
Professional Surveyor and Mapper, LS6435  
State of Florida.

**811** KNOW WHAT'S BELOW ALWAYS CALL 811 BEFORE YOU DIG  
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www.sunshine811.com

**LEGEND**

	—O—O—	OVERHEAD UTILITY WIRE
	—X—X—	CHAIN LINK FENCE
	—+—+—	LIMITED ACCESS RIGHT-OF-WAY LINE
	—C—C—	0.5' CURB
	—G—G—	2.00' CURB & GUTTER
	—W—W—	WALL
	—R—R—	RISER
	—E—E—	ELEVATION
	—I—I—	INSERT
	—B.O.S.—	BOTTOM OF STRUCTURE
	—T.O.B.—	TOP OF BAFFLE
	—P.B.—	PLAT BOOK PG. = PAGE
	—C.O.R.B.—	CORNER OF RECORDS BOOK
	—R/W—	RIGHT-OF-WAY
	—C—	CENTER LINE
	—M—	MONITOR LINE
	—S—	SIGN

This Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an instrument of Service not to be Reproduced in Whole or in Part without the EXPRESS WRITTEN Permission of Same.

No.	Revision Description	O.N.
4	UPDATE SURVEY (7/30/24)	D.C.F.
3	FINAL AS-BUILT SURVEY (8/11/08)	D.M.F.
2	FINAL AS-BUILT SURVEY (10/2/07)	G.E.M.
1	AMEND PER COMMENTS	D.M.F.

**FORTIN, LEAVY, SKILES, INC.**  
CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653  
180 N.E. 168th Street, North Miami Beach, Florida 33162  
Phone: 305-653-4493 / Email: flg@flsurvey.com

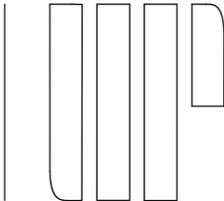
**BOUNDARY & TOPOGRAPHIC SURVEY**  
THE LEXI - SHOPPES OF NORTH BAY VILLAGE  
CITY OF NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA

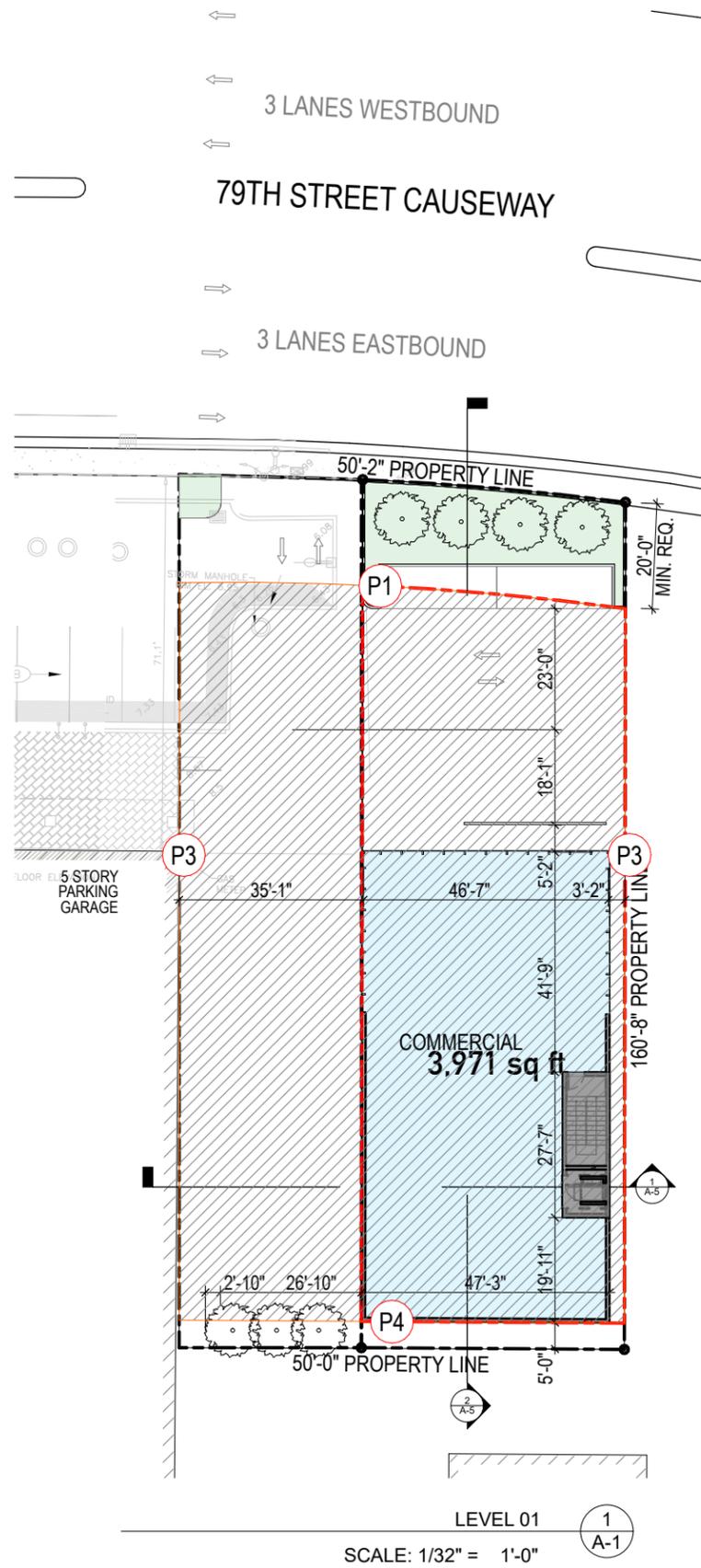
Original Date: 11/14/05  
Scale: 1" = 20'  
Drawn By: GEM  
CAD No.: 041610  
Plotted: 8/11/24 5:49p  
Ref. Dwg.: 2004-234-1 & 2005-188-2  
Field Book: 56742-44 JWL/SD  
Job No.: 052206  
Dwg. No.: 2005-221  
Sheet: 1 of 2



# Exhibit E

NORTH BAY VILLAGE OUTPARCEL  
7901 HISPANIOLA AVENUE,  
NORTH BAY VILLAGE, FL 33141





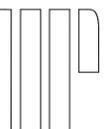
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SCALE: 1/32" = 1'-0"

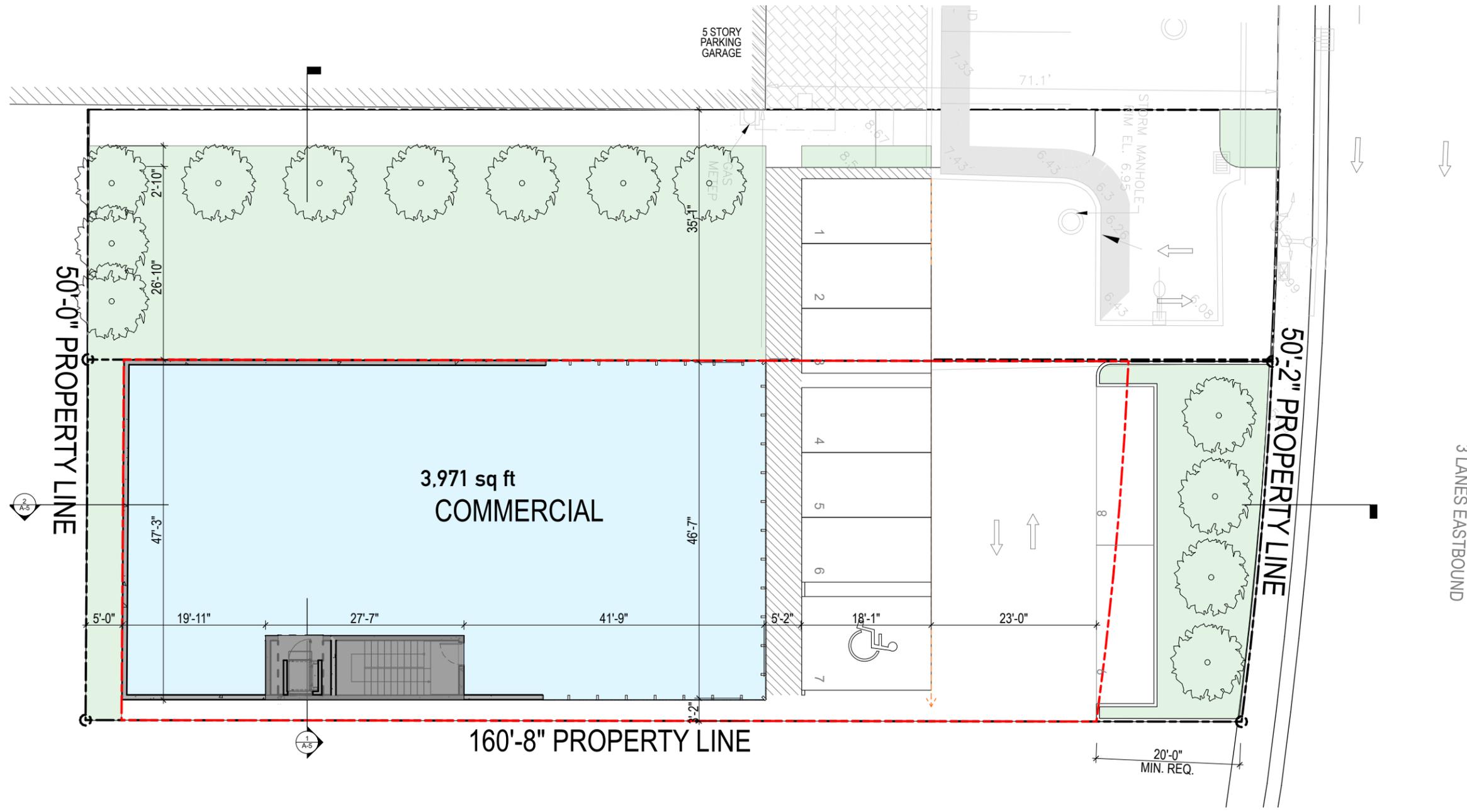
LEGEND	
	PROPERTY LINE
	REQUIRED SETBACK BY CODE
	BUILDABLE AREA
	POTENTIAL PARKING AREA

SETBACKS		
	CODE	PROPOSED
P1	PRINCIPAL FRONT - KENNEDY CSWY	20'-0" MIN. / 20'-0"
P2	SECONDARY FRONT/ SIDE A	10'-0" MIN. / N/A
P3	SIDE B	0'-0" MIN. / 0'-0"
P4	REAR	5'-0" MIN. / 5'-0"

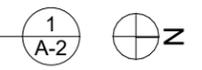
SITE DATA		
NORTH BAY VILLAGE - T6-24		
BUILDING DATA	REQUIRED / ALLOWED	PROPOSED
LOT AREA	10,000 SF MIN.	8,154 SF
LOT WIDTH	100 FT. MIN.	50 FT
LOT COVERAGE	90% MAX. 8,154 SF x .90 = 7,338.6 SF	
FLOOR LOT RATIO	13.0	
FRONTAGE AT FRONT SETBACK	70% MIN. (50 FT x .70 = 35 FT)	
OPEN SPACE REQUIREMENT	10% LOT AREA MIN. 8,154 SF x .10 = 815.4 SF	
BUILDING HEIGHT	2 STORIES MIN. 24 STORIES OR 240 FEET MAX.	2 STORIES
PARKING	OFFICE MIN. OF 3 PARKING SPACES PER 1,000 SQ FT 4,000 SQ FT / 1000 SQ FT = 12 PARKING SPACES COMMERCIAL MIN. OF 3 PARKING SPACES PER 1,000 SQ FT	7 PARKING SPACES

LOCATION MAP





LEVEL 01 - OPT 01  
 SCALE: 1/16" = 1'-0"



A-2

NORTH BAY VILLAGE OUTPARCEL

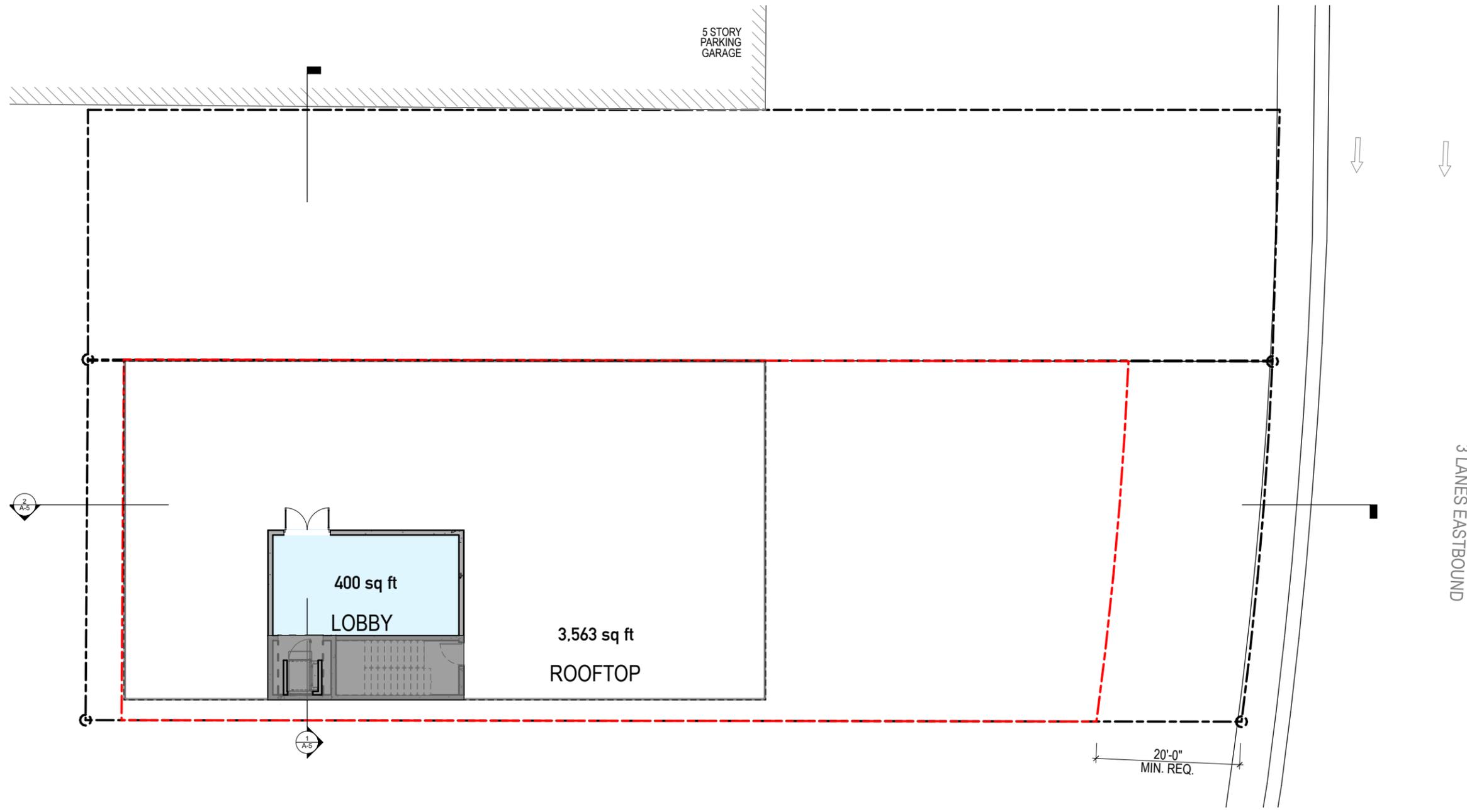
ZONING STUDY

OPT 01 - GROUND FLOOR

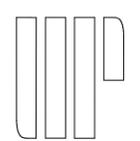
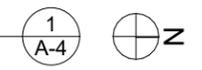
6/17/24

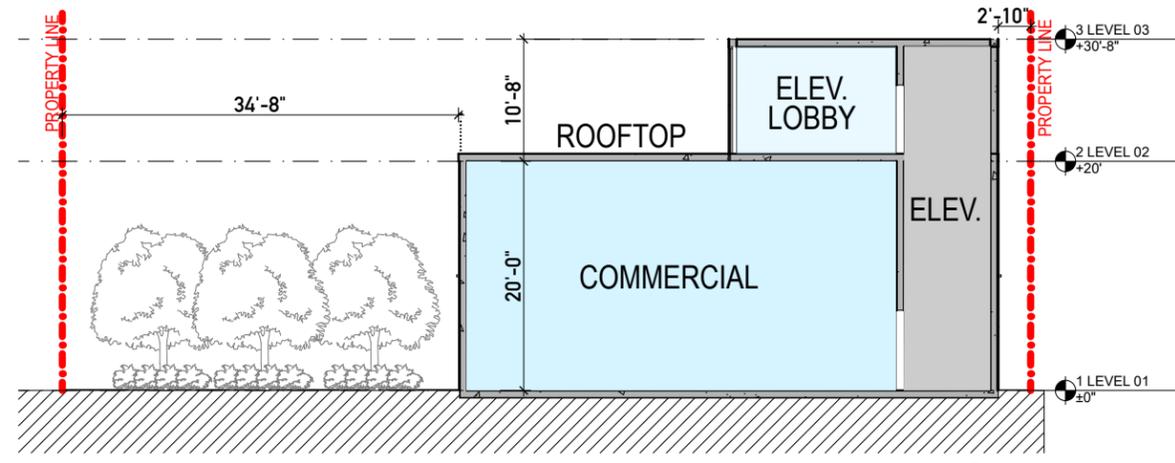
URBAN ROBOT © 2024



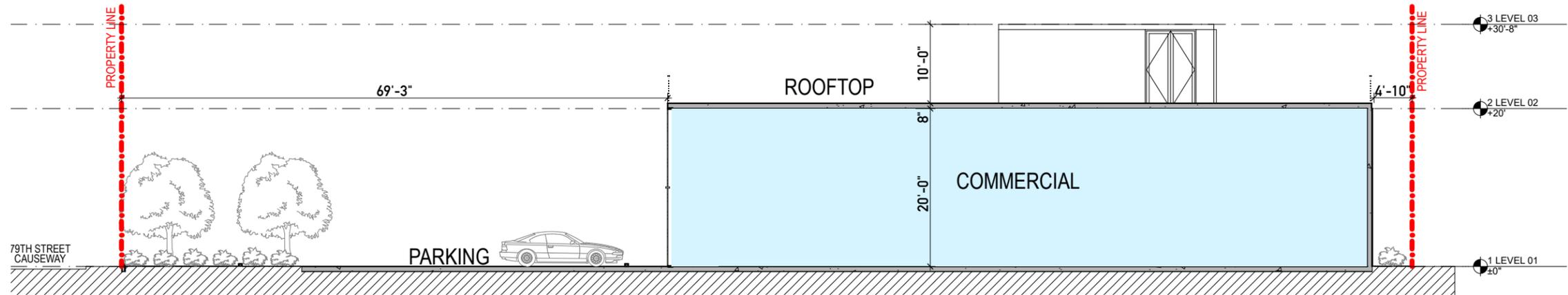


LEVEL 02  
 SCALE: 1/16" = 1'-0"





CROSS SECTION  
SCALE: 1/16" = 1'-0" 1



LONG SECTION  
SCALE: 1/16" = 1'-0" 2







## **Attachment 2**



Christopher A. Penelas

Akerman LLP  
Three Brickell City Centre  
98 Southeast Seventh Street  
Suite 1100  
Miami, FL 33131  
Tel: 305.982.5678

November 14, 2025

Frank Rollason  
Village Manager  
North Bay Village  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141

**Re: 1700 Kennedy Causeway – Site Plan Modification (Resubmittal #1)**

Dear Mr. Rollason:

On behalf of 1700 JFK SC, LLC (the "Applicant"), contract purchaser of the property located at 1700 Kennedy Causeway (the "Property") in North Bay Village (the "Village"), please accept this resubmittal of our application for the modification of the Property's Approvals (as defined below), pursuant to section 5.10 of the Village's Unified Land Development Code ("ULDC"). This resubmittal addresses the comments issued by the Village on Friday, August 22, 2025. As requested, we have updated the Site Plan and Civil Plans to incorporate the Village's feedback. Additionally, we have included a detailed narrative response as **Exhibit "J"** to specifically address each comment point by point.

The Property initially received site plan approval on June 10, 2003 via resolution 2003-45 (modified via resolution 2003-59), a copy of which is attached as **Exhibit "A"** (the "Site Plan Approval"). The Site Plan Approval contemplates the provision of a 164-unit, 205-foot mixed-use building with attached parking structure, and approximately 18,000 square feet of ground floor commercial uses (the "Project"). The mixed-use residential structure on the western portion of the Property, identified as Parcel 1 in the attached Survey, has already been built.

Based on information provided from the Village and the current owner, the Site Plan Approval contemplated the provision of a one-story 5,000 square foot commercial building on Parcel 2 with five parking spaces (the "Commercial Building"). On October 31, 2024, the Village approved an administrative modification to the Site Plan Approval via administrative order ASPM2024-02, a copy of which is attached as **Exhibit "B"** (together with the Site Plan Approval,

the "Approvals"). The Applicant now seeks to modify the Approvals to allow development of the Commercial Building as shown in the updated Site Plan attached as **Exhibit "F"**.

Applicant's proposed modifications to the Approvals would increase the Commercial Building's square footage from approximately 4,250 square feet to approximately 6,828 square feet. The modified Commercial Building will be approximately 6,828 square feet and 35' feet tall. The proposed program has a parking requirement of 21 parking spaces. To satisfy its parking requirement, the modified Commercial Building will be providing four new parking spaces as well as relying on the surplus parking provided on Parcel 1. On the whole, these modifications comply with Section 15 of the Village's ULDC, and the Administrative Modification Site Plan Criteria provided in section 5.10 of the ULDC.

### **Site Plan Approval**

The modified Commercial Building is in compliance with the requirements for site plan approval as described within Section 5.7(C)(5)(a) through(d) of the ULDC as follows:

*(a) Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

The modified Commercial Building will not result in undesirable effects on contiguous and nearby property. The modified Commercial Building is anticipated to positively impact an underutilized commercial corridor by filling in a gap between improvements that currently exists. The modified Commercial Building will consist of an attractive building and landscaping on what is presently a surface asphalt lot.

*(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.*

The Property as a whole, provides sufficient off-street parking and loading facilities to support the modified Commercial Building.

*(c) Provides a sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.*

The modified Commercial Building is a beautiful building that will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be enhanced by the provision of attractive landscaping along the Property's frontage, thereby

enhancing the appearance of the neighborhood and substantially improving the pedestrian realm from its present condition.

*(d) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.*

The modified Commercial Building will have direct access to Kennedy Causeway and will not generate any additional needs than contemplated in the Site Plan Approval.

**Conclusion**

We respectfully request your favorable review of the modified Commercial Building. The updated plans and narrative response address all comments provided by the Village on August 22, 2025. Please do not hesitate to contact me should you have any questions related to this matter. Thank you for your consideration.

Sincerely,

*Christopher A. Penelas*

Christopher A. Penelas

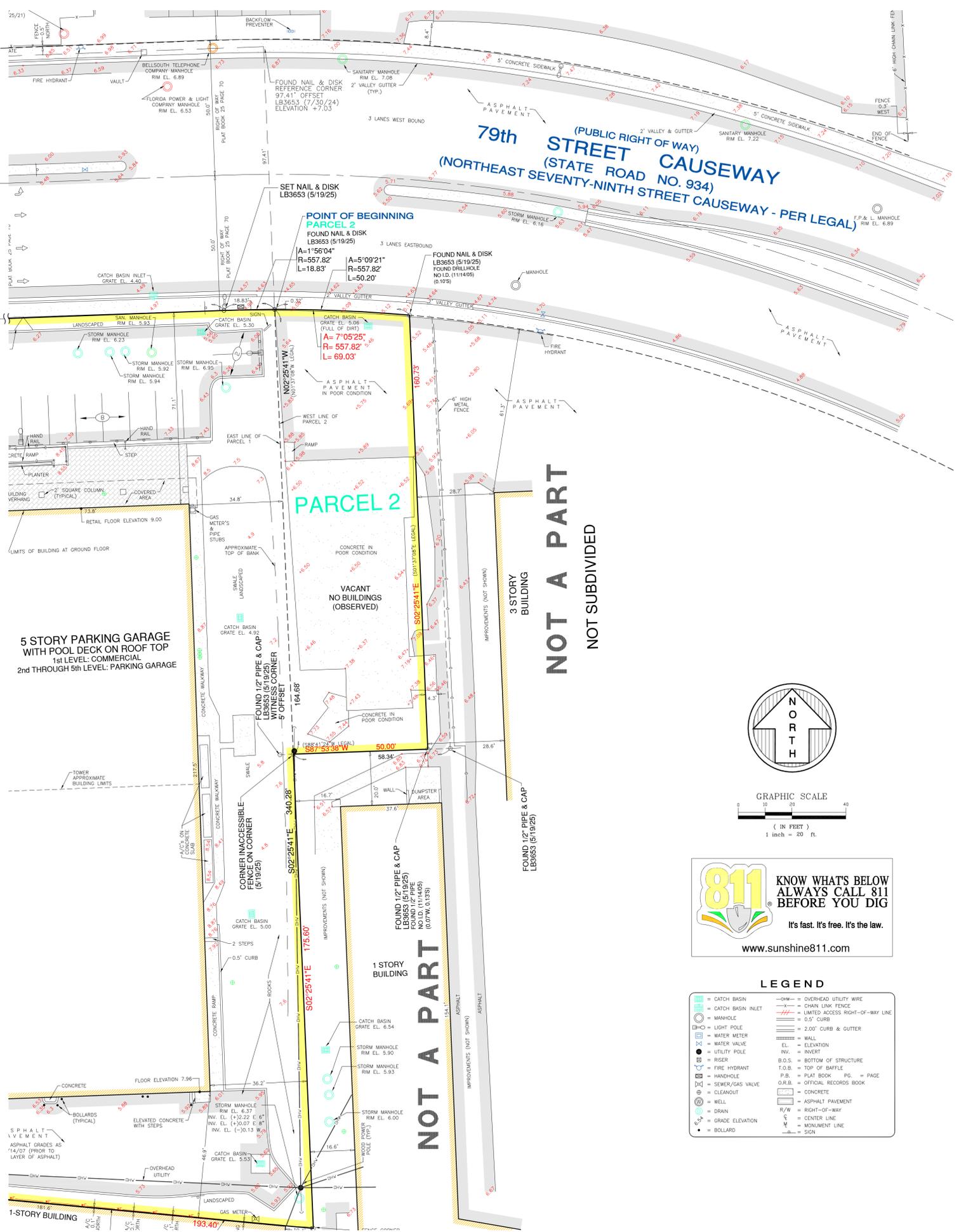
cc: Craig Pinder, Village Planner  
Silvia E. Vargas FAICP, LEED AP  
Manuela Stötter, Continuum Companies  
Neisen O. Kasdin, Akerman LLP

DWF	250297	UPDATE SURVEY (5/19/25)
DWF	240477	UPDATE SURVEY (7/30/24)
DWF	080985	FINAL AS-BUILT SURVEY (8/11/08) SID
DWF	070970	FINAL AS-BUILT SURVEY (10/2/07) SID
DWF	052294	AMEND PER COMMENTS
DWF		O.N.

**FORTIN, LEAVY, SKILES, INC.**  
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653  
 180 N.E. 168th Street, North Miami Beach, Florida 33162  
 Phone: 305-653-4493 / Email: fls@fbsurvey.com

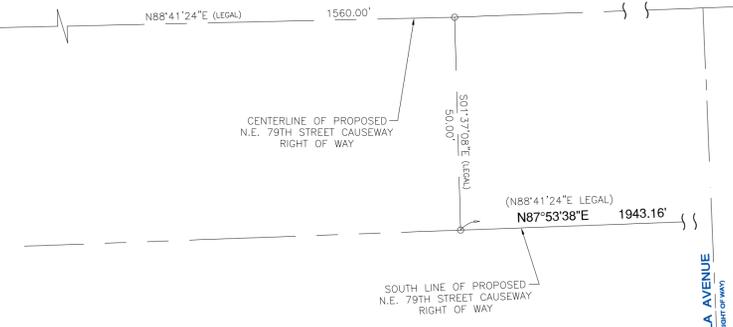
**BOUNDARY & TOPOGRAPHIC SURVEY**  
 THE LEXI - SHOPPES OF NORTH BAY VILLAGE  
 CITY OF NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA

Original Date	11/14/05
Scale	1" = 20'
Drawn By	GEM
CAD No.	041610
Plotted	6/26/25 10:39a
Ref. Dwg.	2004-234-1 & 2005-188-2
Field Book	56742-44 JWL/SD
Job No.	052206
Dwg. No.	2005-221
Sheet	1 of 2



SEE SHEET 2 OF 2

**POINT OF COMMENCEMENT**  
 ONE HALF MILE POST ON THE WEST LINE OF SECTION 9-53-42 AS SHOWN ON MAP OF HIGHWAY RIGHT OF WAY OF PROPOSED N.E. 79TH STREET CAUSEWAY (PLAT BOOK 25 PAGE 70)



**LOCATION SKETCH**  
 NOT TO SCALE

**LEGAL DESCRIPTION:**  
 THE LEXI, a condominium, as recorded in Official Records Book 25977, Page 1, in the Public Records of Miami-Dade County, Florida, also being described as follows:

**PARCEL 1:**  
 A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:  
 Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79 Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 87°53'38" East, along the center line of above right-of-way 1560.00 feet; thence South 02°24'54" East 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 87°53'38" East, along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 87°53'38" East along the South line of said right-of-way 270.55 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 02°25'41" East parallel with the East right-of-way line of Hispaniola Avenue for 340.28 feet; thence North 84°38'17" West 193.40 feet; thence South 87°53'38" West 8.39 feet; thence North 02°25'41" West 2.00 feet; thence South 87°53'38" West 139.65 feet to the Easterly right-of-way line of Hispaniola Avenue; thence North 02°25'41" West along the Easterly right-of-way line of Hispaniola Avenue a distance of 263.18 feet to a point of a curvature; thence run Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°19'19" and an arc distance of 78.82 feet to the Point of Beginning.

**HISTORICAL LEGAL DESCRIPTION:**  
 A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:  
 Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79 Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 88°41'24" East, along the center line of above right-of-way 1560.0 feet; thence South 01°37'08" East 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 88°41'24" East along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 88°41'24" East along the South line of said right-of-way 270.40 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 01°37'08" East 340.28 feet; thence North 83°49'44" West 193.40 feet; thence South 88°41'24" West 8.39 feet; thence North 01°37'08" West 2.0 feet; thence South 88°41'24" West 139.50 feet to the Easterly right-of-way line of Hispaniola Drive; thence North 01°37'08" West along the Easterly right-of-way line of Hispaniola Drive a distance of 265.15 feet to a point of a curve; thence run Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°18'32" and an arc distance of 78.80 feet to the Point of Beginning.

**PARCEL 2: FUTURE DEVELOPMENT PARCEL**  
 That portion of Section 9, Township 53 South, Range 42 East, Miami-Dade County, Florida, being more particularly described as follows:  
 Commencing at the 1/2 mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on the map of Highway Right-of-Way of the proposed N.E. 79th Street Causeway, which same is recorded in Plat Book 25, Page 70 of the Public Records of Miami-Dade County, Florida, run North 88° 41' 24" East along the centerline of the above Right-of-Way 1560.00 feet; thence South 1° 37' 08" East 50.00 feet to a point of intersection with the South line of said Right-of-Way; thence North 88° 41' 24" East 1943.16 feet along the South line of said Right-of-Way to the point of curvature on a curve to the right; thence to the right along said curve having a radius of 557.82 feet and a central angle of 1° 56' 04" for an arc distance of 18.83 feet to the point of beginning of the land herein described; thence from the above established point of beginning to continue to the right along said curve for a radius of 557.82 feet and a central angle of 5° 09' 21" for an arc distance of 50.20 feet; thence South 1° 37' 08" East 160.73 feet, thence South 88° 41' 24" West 50.00 feet; thence North 1° 37' 08" West 164.68 feet to the Point of Beginning.

- SURVEYOR'S NOTES:**
- This site lies in Section 9, Township 53 South, Range 42 East, City of North Bay Village, Miami-Dade County, Florida.
  - All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
  - Lands shown hereon were abstracted for easements and/or rights-of-way of records per Commonwealth Land Title Insurance Company Order #502351500CA, with an effective date of July 11, 2005. All restrictions, easements and/or rights of way of record per title commitment that are plottable are shown on this "Boundary Survey".
  - Bearings hereon are referred to an assumed value of N87°53'38"E for the South right of way line of the 79th Street Causeway; said bearing is identical with the plat of record, and evidenced by found nail & disk and found PK nail.
  - Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Bench Mark No. P-313, Elevation +5.25 Located at North Treasure Drive and Hispaniola Avenue.
  - Elevations shown hereon have not been updated to reflect possible settlement and/or changes after the date of the original survey.
  - Lands shown hereon were based on Flood Insurance Rate Map as supplied by the Federal Emergency Management Agency and are relative to National Geodetic Vertical Datum of 1929, and are located in Federal Flood Zone AE (E) 8 per Community Panel No. 120654 0307 J, dated September 11, 2009, and index map revised September 11, 2009.
  - Improvements shown beyond the (scope/limits) of this Boundary & Topographic survey may not be current or located.
  - Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
  - All horizontal control measurements are within a precision of 1:10,000.
  - This map is intended to be displayed at the graphic scale shown hereon or smaller.
  - Lands shown hereon containing 116,886 square feet, or 2.683 acres, more or less. Parcel 1 shown hereon containing 108,731 square feet, or 2.496 acres, more or less. Parcel 2 shown hereon containing 8,155 square feet, or 0.187 acres, more or less.
  - Roof overhang not located unless otherwise shown.
  - The locations of overhead utility lines are graphically shown to indicate the approximate connection points and do not reflect the actual location, number or type of wires.
  - Underground improvements and/or underground encroachments not shown unless otherwise indicated.
  - The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
  - Legal description shown hereon per The Lexi, a condominium and no claims as to ownership are made or implied.
- SURVEYOR'S CERTIFICATION:**  
 I hereby certify that this "Boundary & Topographic Survey" was made under my responsible charge on November 14, 2005 and last updated May 19, 2025, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. The fieldwork was completed on May 19, 2025.  
 \*Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below\*
- FORTIN, LEAVY, SKILES, INC., LB3653**
- By: Daniel C. Fortin Jr., For The Firm  
 Professional Surveyor and Mapper, LS6435  
 State of Florida.

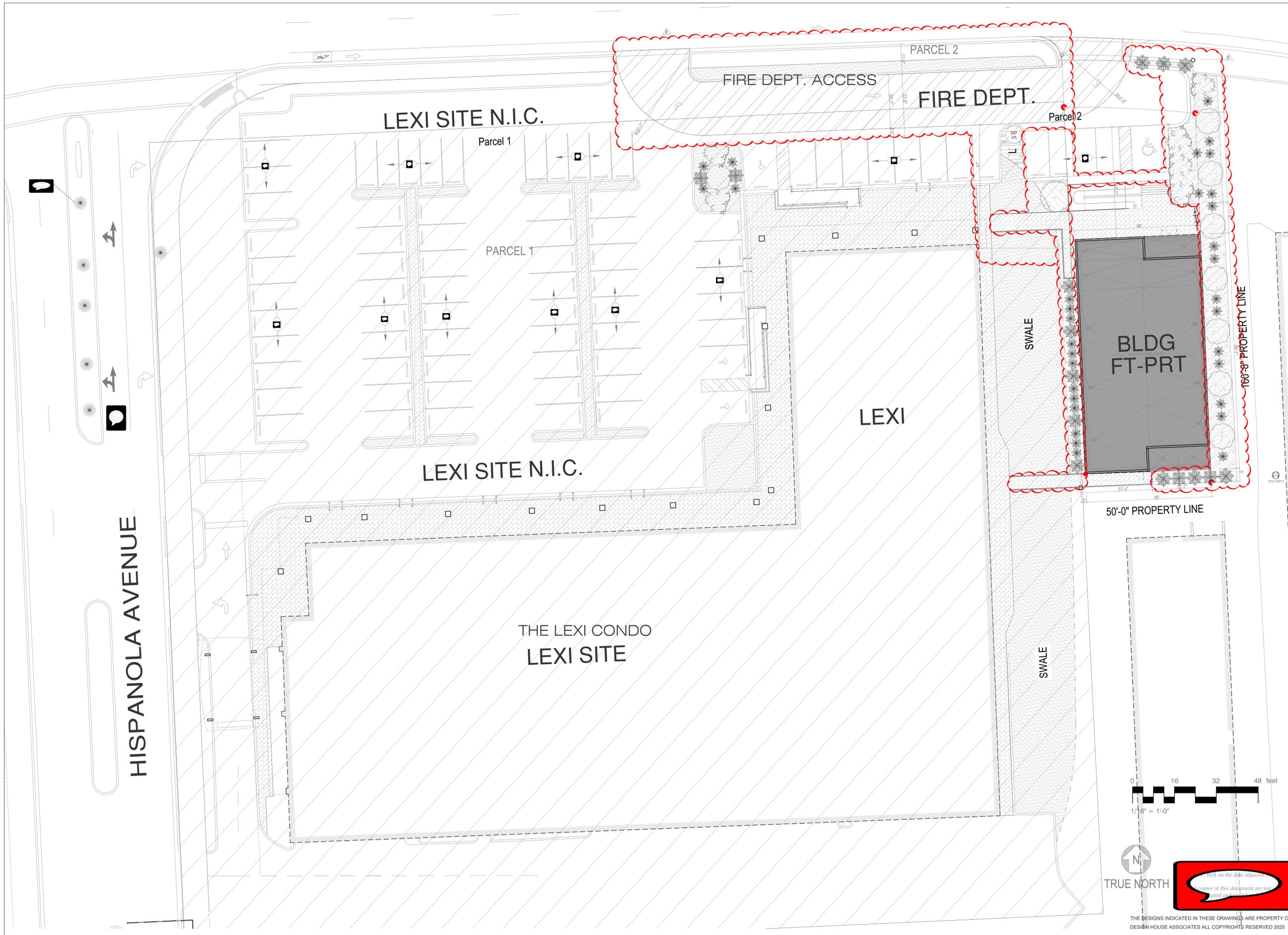
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**LEGEND**

	—O—O—	OVERHEAD UTILITY WIRE
	—X—X—	CHAIN LINK FENCE
	—+—+—	LIMITED ACCESS RIGHT-OF-WAY LINE
	—=—=—	0.5' CURB
	—=—=—	2.00' CURB & GUTTER
	—=—=—	WALL
	—=—=—	ELEVATION
	—=—=—	INV. = INVERT
	—=—=—	B.O.S. = BOTTOM OF STRUCTURE
	—=—=—	T.O.B. = TOP OF BAFFLE
	—=—=—	P.B. = PLAT BOOK PG. = PAGE
	—=—=—	C.R.B. = OFFICIAL RECORDS BOOK
	—=—=—	CONCRETE
	—=—=—	ASPHALT PAVEMENT
	—=—=—	R/W = RIGHT-OF-WAY
	—=—=—	C = CENTER LINE
	—=—=—	M = MONUMENT LINE
	—=—=—	S = SIGN







CLIENT:  
**CONTINUUM CO. SALES CENTER**  
 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Maryke Morne  
 mmolins@yhce.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD  
 POWER DESIGN  
 Jacob Waters  
 727.497.8205  
 727.286.1699  
 jwaters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

REGISTERED INTERIOR DESIGNER  
 N/A

OTHER:  
 N/A

OTHER:  
 N/A

SEAL / SIGNATURE / DATE

KEY PLAN IF APPLICABLE

**ARCHITECTURAL DRAWINGS  
 ONLY AS REFERENCE TO  
 SITE PLAN PERMIT  
 SUBMITTAL**

Office Registration # AA26003060

Issue # ①	08/01/2025 / Site Plan
Issue # ②	09/19/2025 / Site Plan
1	08/10/25 DERM CORE
1	08/13/25 PROJECT TITLE
2	09/19/25 SITE PLAN MODIFICATIONS
3	10/07/25 SITE PLAN MODIFICATIONS - FIRE LANE WIDTH & DISTANCE TO EMERGENCY EXIT DOOR

DHA Project No.: 4107

Drawn by: RM

Approved by: MB

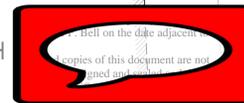
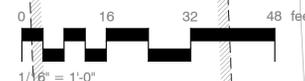
SHEET INDEX

**SITE PLAN**

SCALE:

SHEET NO.

**A-001**



THE DESIGNS INDICATED IN THESE DRAWINGS ARE PROPERTY OF DESIGN HOUSE ASSOCIATES ALL COPYRIGHTS RESERVED 2025

\* Figures provided by Land Use Attorney

SITE DATA ( PARCEL 1 + PARCEL 2 )		
NORTH BAY VILLAGE - T6-24		
BUILDING DATA	REQUIRED/ALLOWED	PROPOSED
LOT AREA <small>*PER CURRENT SURVEY DATA</small>	10,000 SF Min.	8,155 SF <small>*PER CURRENT SURVEY DATA</small> *TOTAL: 8155 SF
LOT WIDTH <small>*PER CURRENT SURVEY DATA</small>	100 FT Min.	50 FT *TOTAL: 270.55 FT
LOT COVERAGE	90% Max.	53% = 4293.66 SF
FLOOR LOT RATIO	13 Max.	
FRONTAGE AT SET BACK	70% Min. (50 FT X .70 = 35 FT)	
OPEN SPACE REQUIREMENT	10% LOT AREA Min. (8,155 SF X .10 = 815.5 SF )	
BUILDING HEIGHT	2 STORIES Min. 240 STORIES Max.	
PARKING	<b>OFFICE</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 12.88 PRK SPCS  <b>COMMERCIAL</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 21 PRK SPCS	+ 4 SPACES *Total: 428 spaces (28 space surplus remaining from Parcel 1 project; total site maintains a 16 space surplus )

SITE DATA ( PARCEL 2 )		
NORTH BAY VILLAGE - T6-24		
BUILDING DATA	REQUIRED/ALLOWED	PROPOSED
LOT AREA <small>*PER CURRENT SURVEY DATA</small>	10,000 SF Min.	8,155 SF
LOT WIDTH <small>*PER CURRENT SURVEY DATA</small>	100 FT Min.	50 FT
LOT COVERAGE	90 % (8155 x .9 = 7339.5)	7339.5 SF Max 4293.66 SF provided (53%)
FRONTAGE AT FRONT	70 % Min.	46 FT
SETBACK	48 FT X .70 = 33.6 FT	
OPEN SPACE REQUIREMENT	10% LOT AREA Min. (8,155 SF X .10 = 815.5 SF )	815.5 SF (10%) 1304.8 SF (16%)
BUILDING HEIGHT	2 STORIES Min. 240 STORIES Max.	2 STORIES = 35 FT (From top of Ground Floor slab to top of Roof Slab COMBINED)
PARKING	<b>OFFICE</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 12 PRK SPCS  <b>COMMERCIAL</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 21 PRK SPCS	4 PARKING SPACES 1 HANDICAP SPACE 16 PARKING SPACES PROVIDED BY SURPLUS AT ADJACENT PARCEL TOTAL: 21 PARKING SPACES
TOTAL FLOOR AREA	GROUND AND 2ND FLOOR COMBINED	6,828 SF (SEE SHEET A001-01)

Green Design Option	Description	Points
Enhanced hurricane resistant structure	Meet a wind load 20 mph greater than Florida Building Code requirements.	4
Energy Star rating for all appliances/equipment	All appliances/equipment associated with the building are Energy Star rated.	4
White roof (also known as cool roof)	The entire roof surface must be covered in white/reflective covering and provide an initial and 3-year aged Solar Reflectance Index (SRI) as follows: Low-sloped roofs with a slope less than or equal to 2:12: initial SRI of 82 and 3-year aged SRI of 64.  Steep-sloped roofs with a slope greater than 2:12: initial SRI of 39 and 3-year aged SRI of 32.	4
Low Flow Plumbing Fixtures	EPA- Labeled WaterSense Showerheads (2 gpm), bathroom and kitchen faucet and aerators (1.5gpm max) + WaterSense- labeled toilets (1.28 gpf max), urinals (05 gpf max) + WaterSense- labeled landscape irrigation controllers.	8
100% native plants in landscaping	Meet all landscaping requirements with 100% Miami-Dade County native vegetation.	4
Lighting Controls	Interior Lighting controls with dimmers or sensors excluding bathrooms and hallways	2
Lighting Controls	Exterior lighting controls with automatic shut-off when daylight is present	2
<b>Total</b>		<b>28</b>

LOCATION MAP



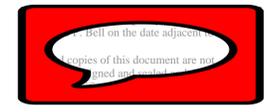
BUILDING OCCUPANCY:

Occupancy Classification: Business (Group B)  
 Total Floor Area: +/- 6,828 square feet (both floors combined)  
 Occupant Load Factor: 150 gross square feet per person (per FBC Table 1004.5)  
 Calculated Occupant Load:  
 6,828 sf ÷ 150 = 45.52 = 46 persons total  
 This calculation is based on the Florida Building Code (7th Edition) and Miami-Dade County Fire Code requirements for Business Occupancy.



NOTE:

FOR REFERENCE ONLY, BLDG. WILL BE INTRODUCED UNDER A SEPARATE PERMIT. THIS IS A NEW 2 STORY BUILDING. FOR FUTURE USE AS THE SALES CENTER OF THE ADJACENT "LEXY" CONDO. IT WILL HAVE SHOWROOM, MEETING AND OFFICES SPACES, AS WELL AS A PANTRY AND OTHER OTHER BOH SPACES. PROJECT DOES NOT REQUIRE REMOVALS.



ZONING DATA

N.T.S.

THE DESIGNS INDICATED IN THESE DRAWINGS ARE PROPERTY OF DESIGN HOUSE ASSOCIATES ALL COPYRIGHTS RESERVED 2025

**DH**  
DESIGN HOUSE ASSOCIATES

CLIENT: **CONTINUUM CO. SALES CENTER**  
1700 79th Street Causeway  
North Bay Village, FL 33141  
CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Marya Hachem  
 mhachem@yhc.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD  
 POWER DESIGN  
 Jacob Waters  
 727.497.8205  
 727.286.1699  
 jwaters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
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 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

REGISTERED INTERIOR DESIGNER  
 N/A

OTHER:  
 N/A

OTHER:  
 N/A

SEAL / SIGNATURE / DATE

KEY PLAN IF APPLICABLE

ARCHITECTURAL DRAWINGS ONLY AS REFERENCE TO SITE PLAN PERMIT SUBMITTAL

Office Registration #	AA26003060
Issue # (1)	08/01/2025 / Site Plan
Issue # (2)	09/19/2025 / Site Plan
1	06/10/25 DEFIRM CORE
1	06/10/25 WASA
1	06/13/25 PROJECT TITLE
2	08/19/25 REVISIONS TO SITE PLAN
2	08/19/25 REVISION TO GREEN DESIGN CHART
3	09/26/25 REVISION TO ALL CHARTS (PER UPDATED SURVEY)

DHA Project No: 4107  
 Drawn by: RM  
 Approved by: MB

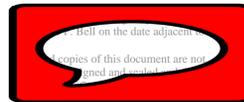
SHEET INDEX

SITE & CALCULATIONS

SCALE:

SHEET NO.

**A-1-01**



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 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

ARCHITECT OF RECORD:  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD:  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Maryk Monea  
 mmonea@yhce.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD:  
 POWER DESIGN  
 Jacob Waters  
 727.497.8205  
 727.286.1699  
 jwaters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD:  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

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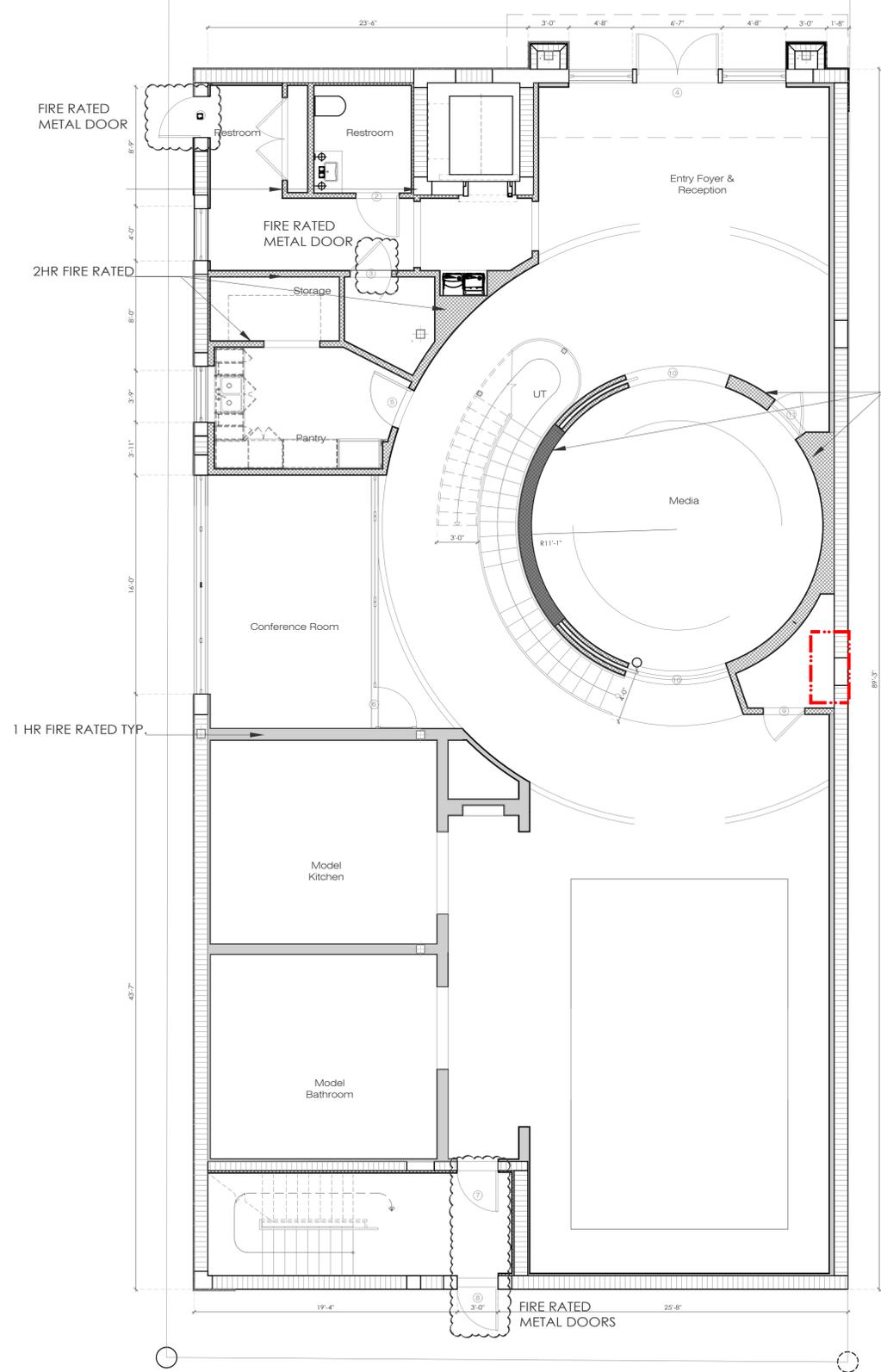
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 Issue # ① 08/01/2025 / Site Plan  
 Issue # ② 09/19/2025 / Site Plan

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SHEET INDEX  
**GROUND  
 & 2ND  
 LEVELS**

SHEET NO.  
**A-1-03**



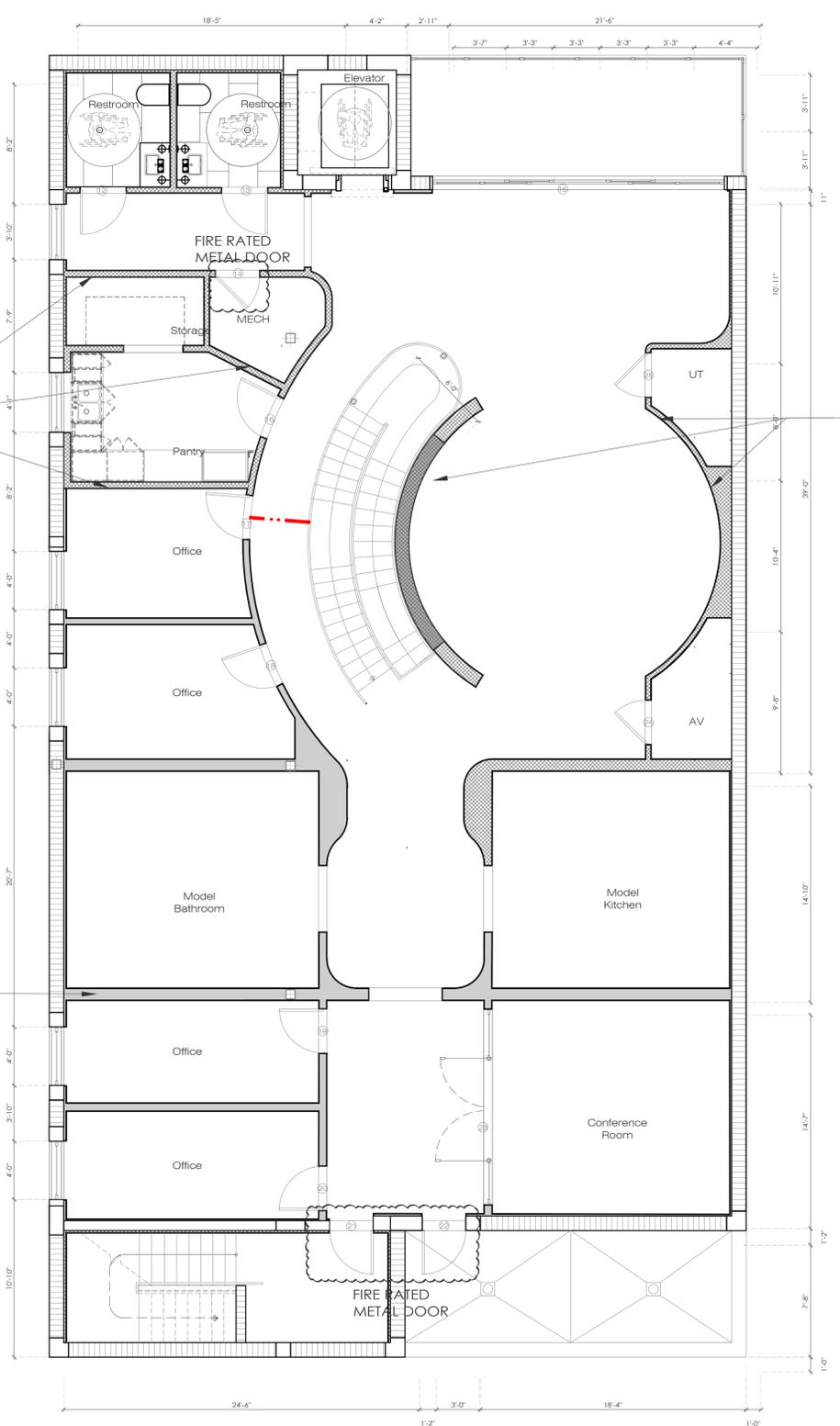
2HR FIRE RATED

1HR FIRE RATED TYP.



GROUND FLOOR

3/16" = 1'-0"



2HR FIRE RATED

1HR FIRE RATED TYP.

2ND FLOOR

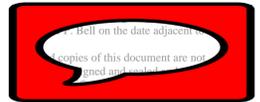
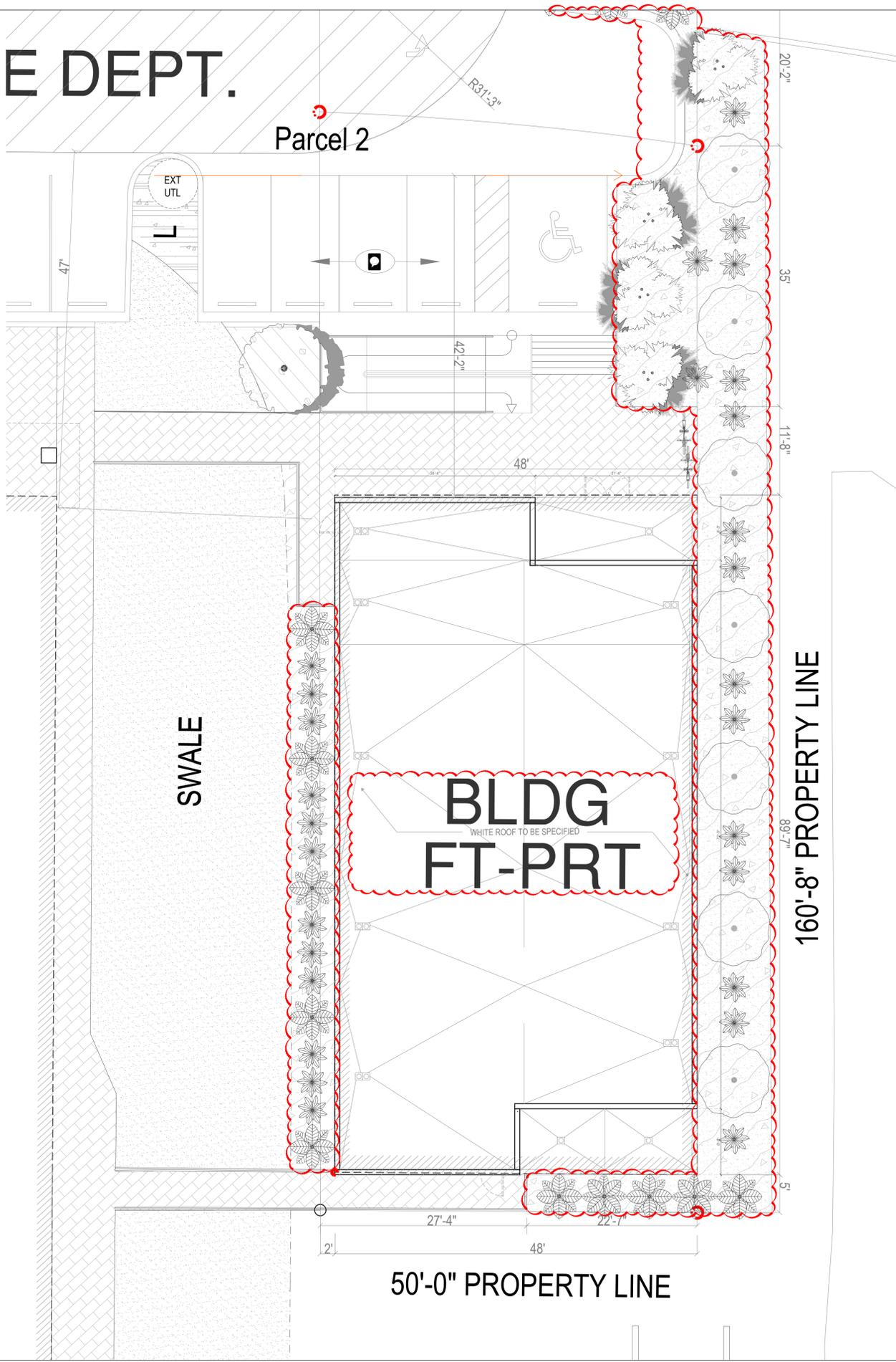
3/16" = 1'-0"



3/16" = 1'-0"  
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E DEPT.

Parcel 2



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2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
YOUSSEF HACHEM CONSULTING  
ENGINEERING  
Maryk Monie  
mmolins@yhce.us  
305.969.9423  
99 NW 27 Avenue

MEP ENGINEER OF RECORD  
POWER DESIGN  
Jacob Walters  
727.497.8205  
727.286.1699  
jwalters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

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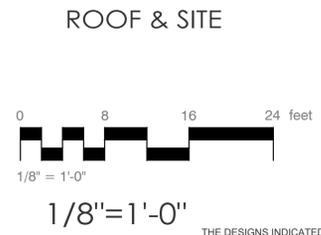
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Issue # (1)	08/01/2025 / Site Plan
Issue # (2)	09/19/2025 / Site Plan
1	08/13/25 PROJECT TITLE
2	09/19/25 LANDSCAPE
3	09/26/25 WHITE ROOF

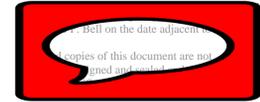
DHA Project No.: 4107  
Drawn by: RM  
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SHEET INDEX  
**ROOF  
LEVEL  
SITE PLAN**  
SCALE:

SHEET NO.  
**A-1-04**



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**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Maryk Monne  
 mmoline@yhce.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD  
 POWER DESIGN  
 Jacob Walters  
 727.497.8205  
 727.286.1699  
 jwalters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

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OTHER:  
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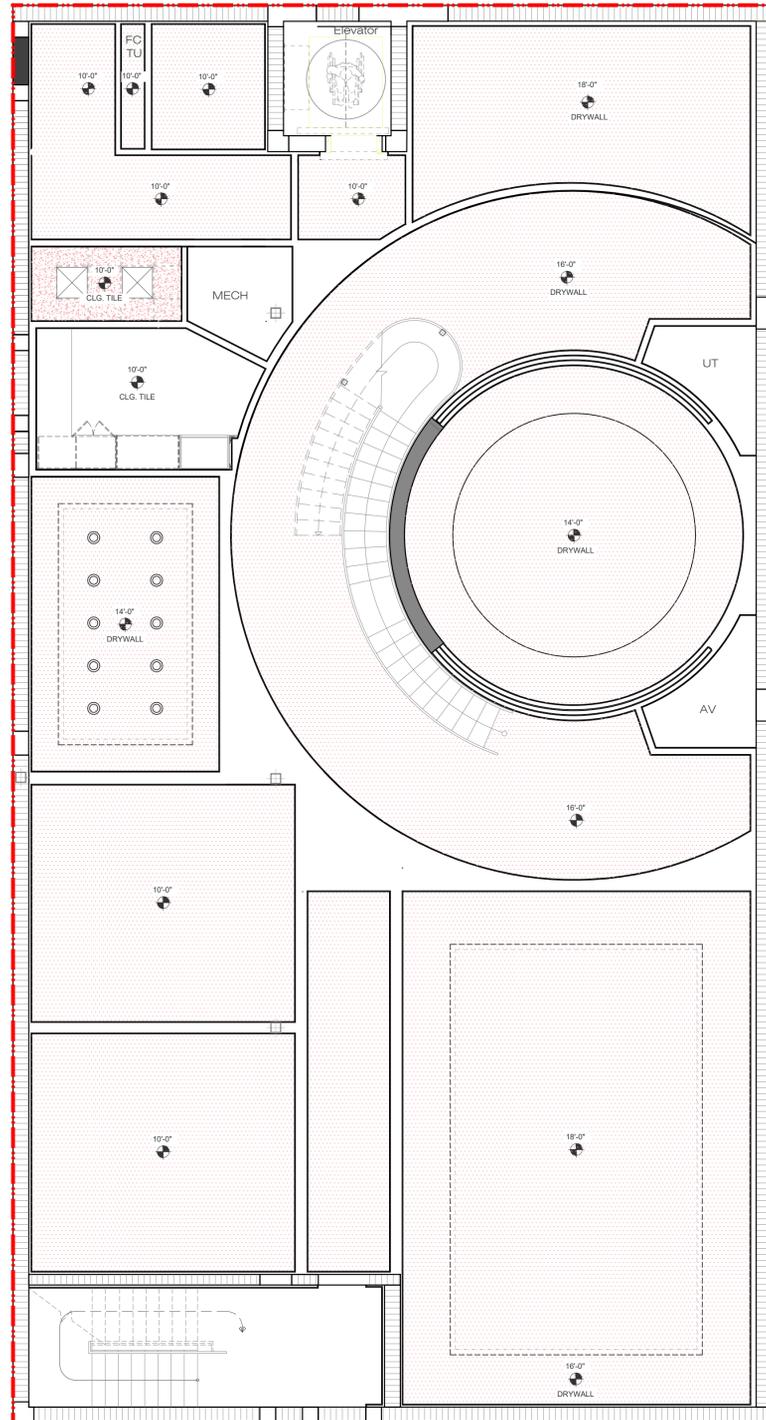
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 Issue # ② 09/19/2025 / Site Plan

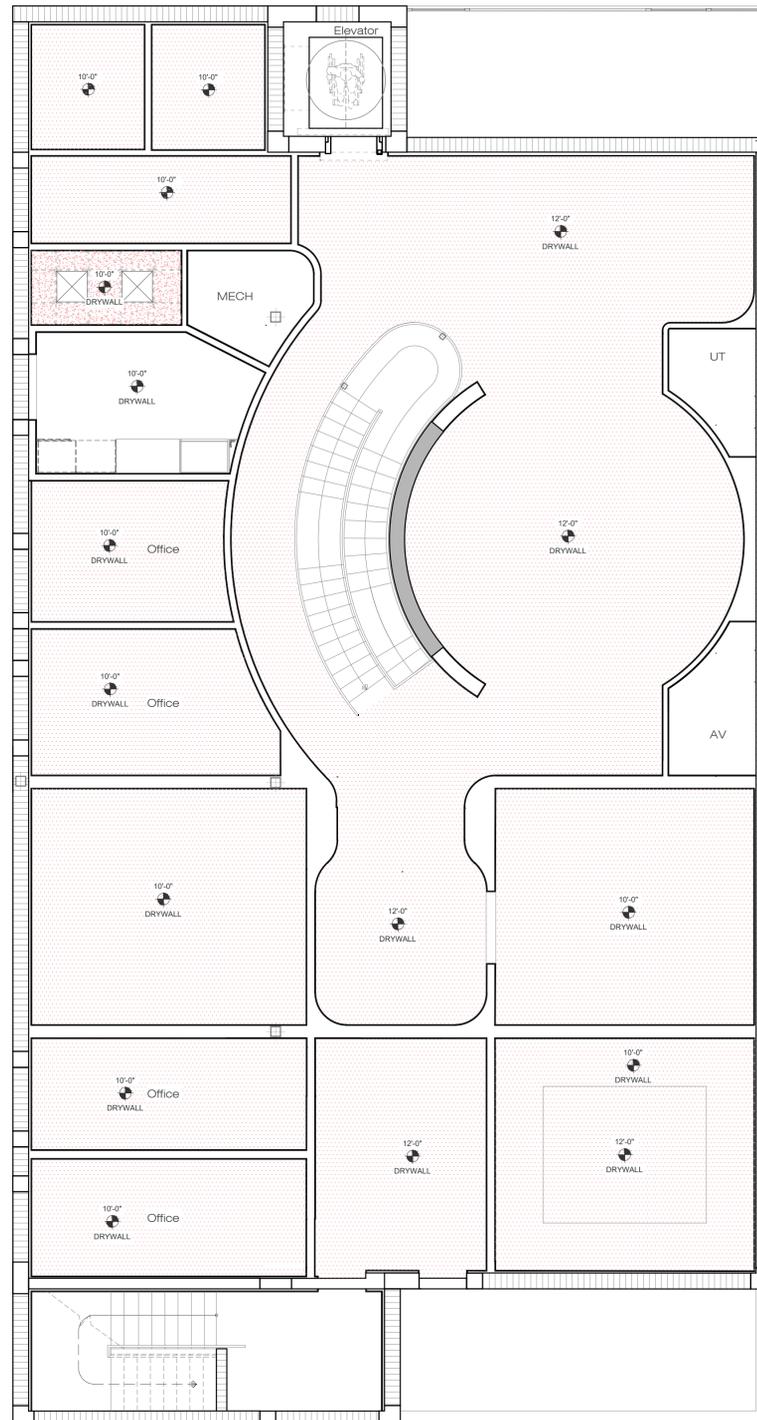
DHA Project No.: 4107  
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SHEET INDEX  
**GROUND &  
 2ND FLOOR  
 RCP**  
 SCALE:

SHEET NO.  
**A-1-04.1**



GROUND FLOOR



2ND FLOOR  
 3/16"=1'-0"



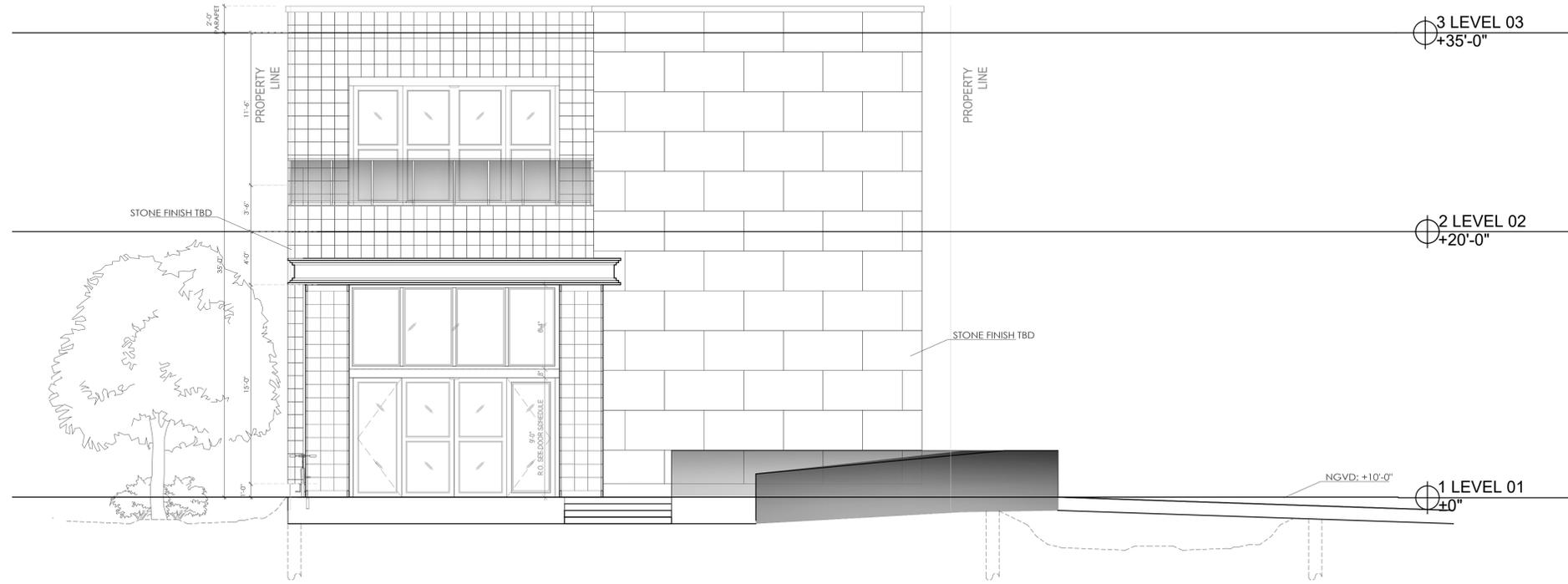
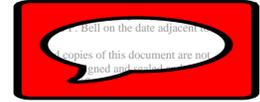
CEILING MATERIAL LEGEND	
	PAINTED GYPSUM BOARD SOFFIT
	T & G WOOD SOFFIT UNDERSIDE
	24" x 24" ACOUSTIC TILE

	LED RECESSED DOWNLIGHTS
	J BOX
	EXTERIOR CEILING LIGHT
	LED LINEAR LIGHT
	VENTILATION FAN
	WALL MOUNTED FIXTURE SCIENCE
	SQUARE STYLE RECESSED LIGHT CAN
	RECESSED LIGHT
	CEILING MOUNTED CHANDELER
	FAN
	SMOKE DETECTOR
	IN-WALL SPEAKERS

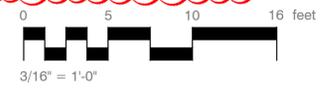
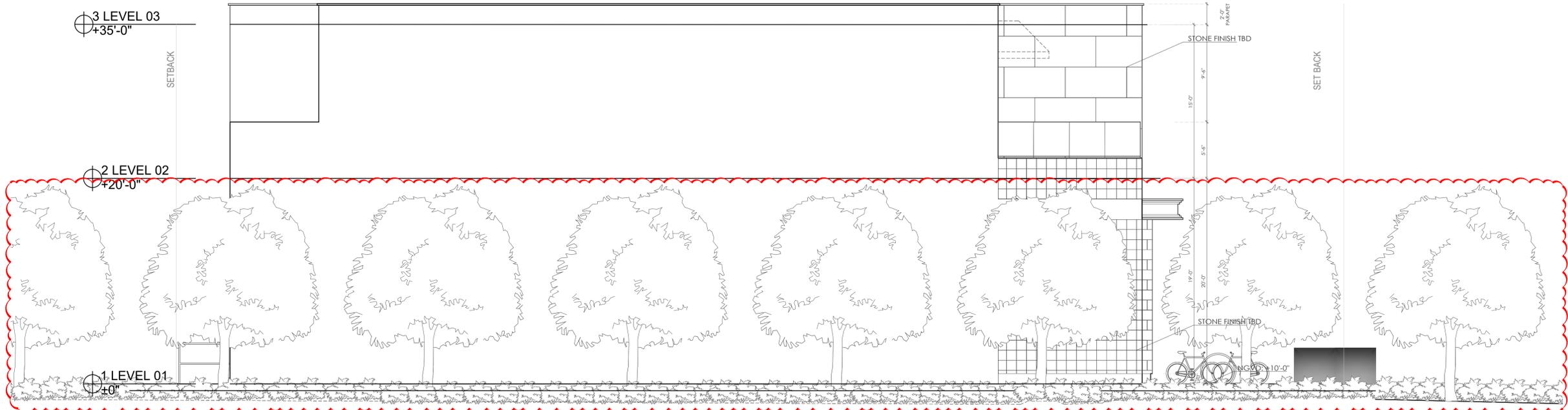
\*ALL NOTED SYMBOLS ARE NEW LOCATIONS. EXISTING TO REMAIN IS NOTED ON THE FLOOR PLAN.



TRUE NORTH



SOUTH ELEVATION  
3/16" = 1'-0"



EAST ELEVATION  
3/16" = 1'-0"

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SALES CENTER**  
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CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
YOUSSEF HACHEM CONSULTING  
ENGINEERING  
Mariya Motina  
mmotina@yhce.us  
305.969.9423  
99 NW 27 Avenue

MEP ENGINEER OF RECORD  
POWER DESIGN  
Jacob Walters  
727.497.8205  
727.286.1699  
jwalters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

REGISTERED INTERIOR DESIGNER  
N/A

OTHER:  
N/A

OTHER:  
N/A

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Issue # (2) 09/19/2025 / Site Plan

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SHEET INDEX

ELEVATIONS

SCALE:

SHEET NO.

**A-1-05**



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ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJEUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
YOUSSEF HACHEM CONSULTING  
ENGINEERING  
Mariya Molina  
mmolina@yhce.us  
305.989.9423  
99 NW 27 Avenue

MEP ENGINEER OF RECORD  
POWER DESIGN  
Jacob Walters  
727.497.6205  
727.285.1659  
jwalters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJEUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

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Issue # ② 08/19/2025 / Site Plan

DHA Project No.: 4107  
Drawn by: RM  
Approved by: MB

SHEET INDEX

**ELEVATIONS**

SCALE:

SHEET NO.

**A-1-06**

3 LEVEL 03  
+35'-0"

2 LEVEL 02  
+20'-0"

1 LEVEL 01  
±0"

PROPERTY LINE

PROPERTY LINE

**NORTH ELEVATION**

3/16" = 1'-0"

SET BACK

STONE FINISH TBD

3 LEVEL 03  
+35'-0"

2 LEVEL 02  
+20'-0"

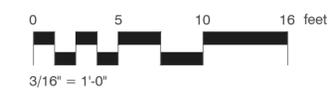
1 LEVEL 01  
±0"

SETBACK

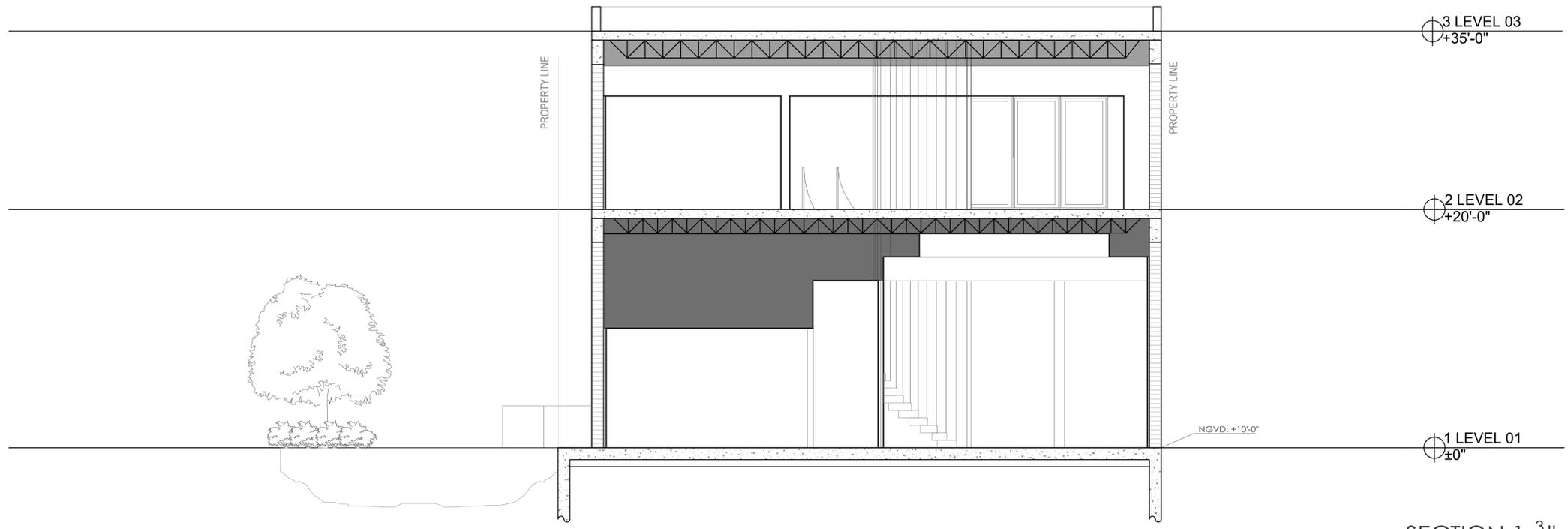
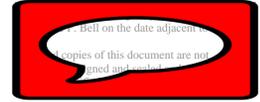
STONE FINISH TBD

**WEST ELEVATION**

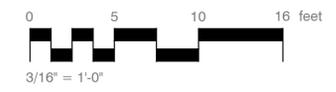
3/16" = 1'-0"



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SECTION 1  $\frac{3}{16}'' = 1'-0''$



SECTION 2  $\frac{3}{16}'' = 1'-0''$

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ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
YOUSSEF HACHEM CONSULTING  
ENGINEERING  
Mariya Motina  
mmotina@yhce.us  
305.969.9423  
99 NW 27 Avenue

MEP ENGINEER OF RECORD  
POWER DESIGN  
Jacob Walters  
727.497.8205  
727.286.1699  
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LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

REGISTERED INTERIOR DESIGNER  
N/A

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OTHER:  
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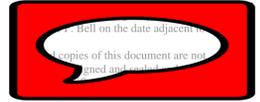
SHEET INDEX

SECTION

SCALE:

SHEET NO.

**A-1-08**



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ARCHITECT OF RECORD:  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD:  
YOUSSEF HACHEM CONSULTING  
ENGINEERING  
Maryk Motina  
mmotina@yhce.us  
305.969.9423  
99 NW 27 Avenue

MEP ENGINEER OF RECORD:  
POWER DESIGN  
Jacob Walters  
727.497.8205  
727.286.1699  
jwalters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD:  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
MARC@DESIGNHOUSEASSOCIATES.COM

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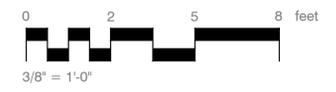
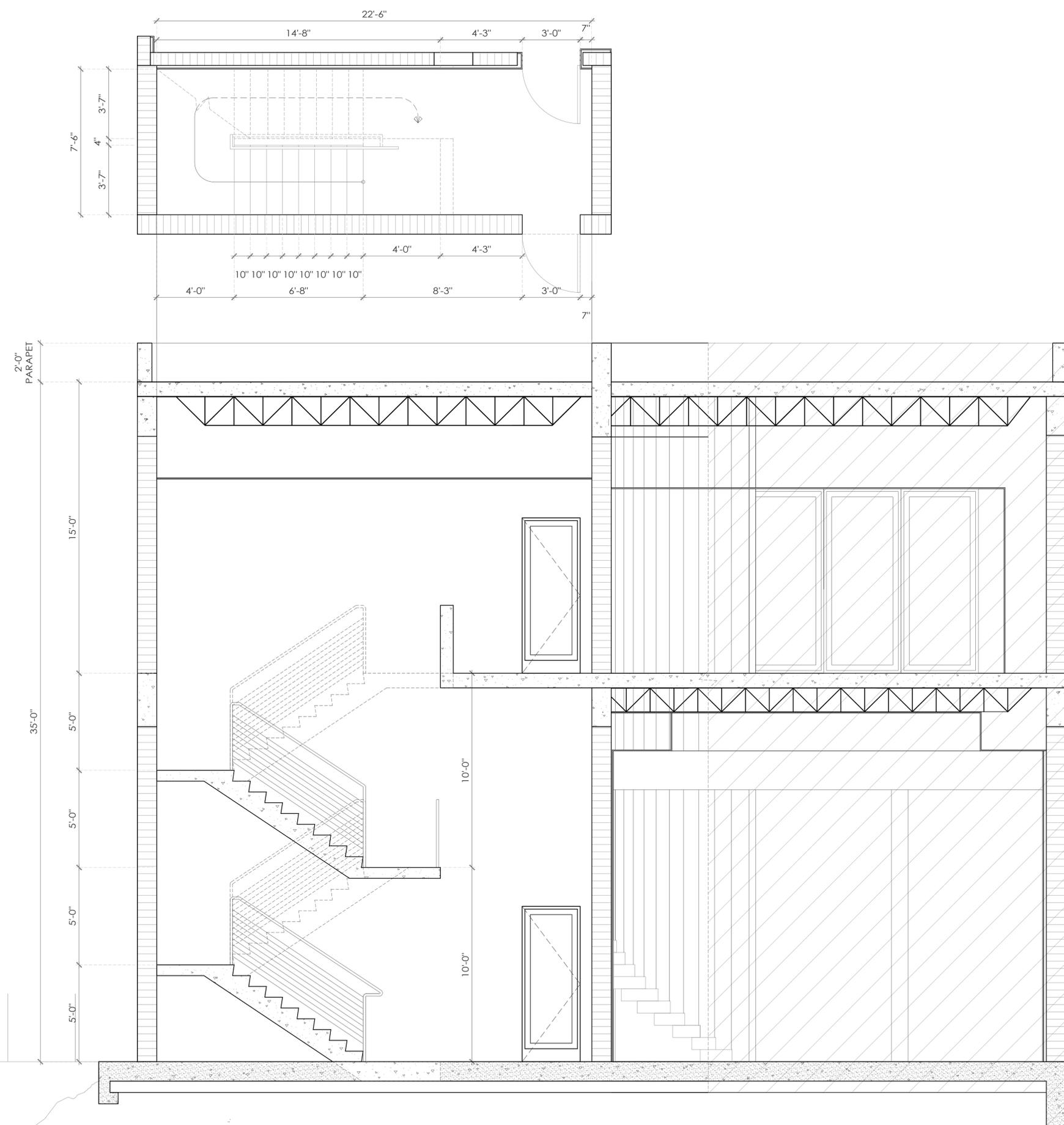
SHEET INDEX

**STAIR  
SECTION**

SCALE:

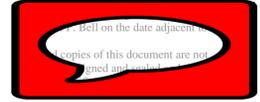
SHEET NO.

**A-1-09**



**STAIR SECTION**  
3/8"=1'-0"

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**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Mariya Hachem  
 mhachem@yhce.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD  
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 Jacob Walters  
 727.497.8205  
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LANDSCAPE ARCHITECT OF RECORD  
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 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
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 N/A

OTHER:  
 N/A

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 Issue # ② 09/19/2025 / Site Plan

DHA Project No.: 4107  
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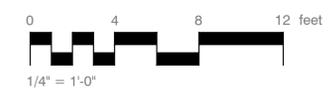
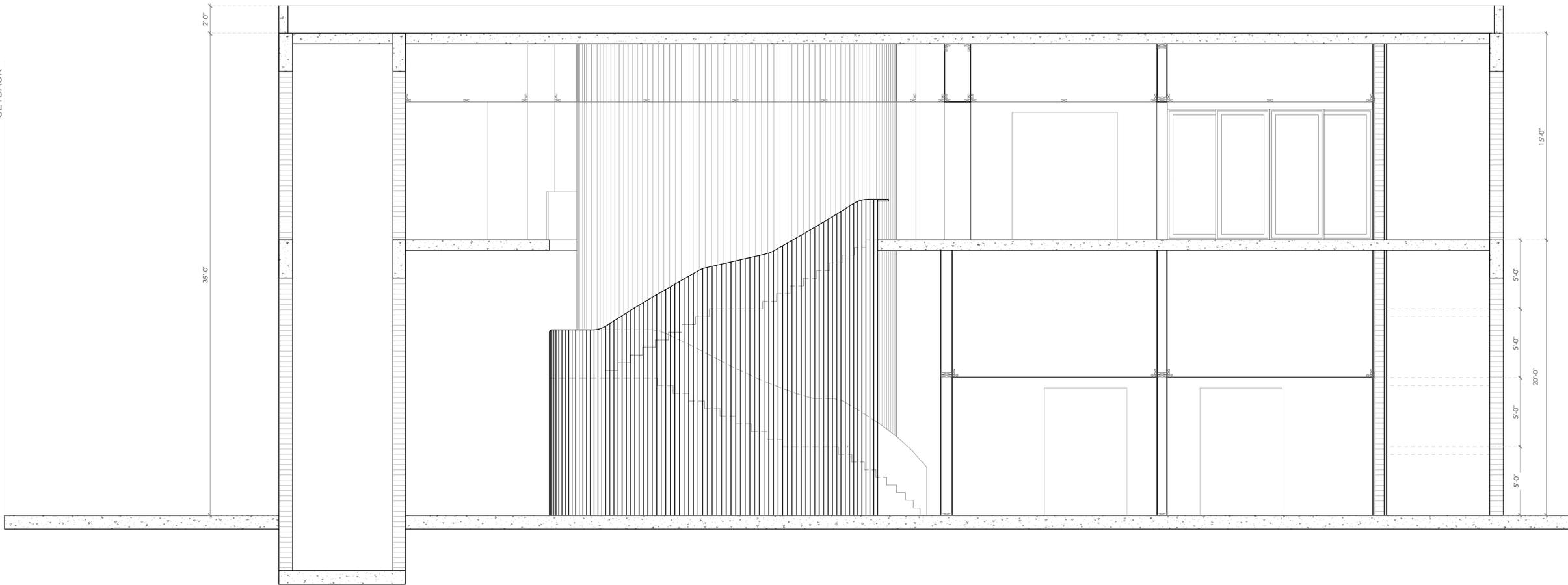
SHEET INDEX  
**SECTION**

SCALE:

SHEET NO.  
**A-1-10**

SETBACK

SETBACK



**SECTION 4**  
 1/4"=1-0'

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16 July 2025;  
**Revised: 24 November 2025**

Silvia Vargas, FAICP, LEED AP  
GCA Principal Planner  
On behalf of North Bay Village Planning and Zoning  
1666 79<sup>th</sup> Street Causeway #101  
North Bay Village, FL 33141

**Re: Traffic Generation Statement  
1700 JFK Causeway (CU-02)  
North Bay Village, Florida  
Langan Project No.: 300360101**

Dear Ms. Vargas:

Langan Engineering & Environmental Services, LLC has prepared this traffic-generation statement for the proposed modifications to the approved 1700 JFK Causeway (CU-02) development located at the 1700 79<sup>th</sup> Street Causeway in North Bay Village, Florida. **Figure 1** shows an aerial photograph of the site location. The original development program, approved by North Bay Village, included a Parcel 1 and Parcel 2, of which Parcel 1 has been fully constructed and is currently operational. Parcel 2 was originally approved for 5,000 square feet (SF) of commercial use in 2003 and again modified in 2024 for 4,250 SF of commercial uses. The applicant is now seeking to amend the approval with a new site plan for Parcel 2 which has been reconfigured to accommodate 6,828 SF of office uses. Our analysis indicates that the updated development program is expected to generate seven (7) morning peak-hour trips more than the approved development program and is expected to reduce the anticipated daily trips. As such, the proposed changes are not anticipated to have a significant impact on the surrounding roadway network when compared to what was previously approved. This letter report includes daily and peak-hour trip-generation calculations for the development.



Figure 1: Site Aerial Photograph

**Project Description**

The original development program for Parcel 2, approved by North Bay Village in 2003, included 5,000 SF of commercial uses. Subsequently, Parcel 2 underwent an Administrative Site Plan Modification in 2024 to modify the commercial building to approximately 4,250 SF and increase the program from one story to two stories. The applicant is now seeking to amend the approval with a new site plan which has been reconfigured to accommodate 6,828 SF of office uses. The 0.18-acre site is located within one larger land parcel (Folio No.: 23-3209-051-0001) which is currently occupied by the existing mixed-use residential development. The proposed development will have access through the internal connection to the existing mixed-use residential development to the west. Additionally, the existing driveway connection to the JFK Causeway will be converted to a right-turn only driveway. **Attachment A** contains the site plans showing the approved and proposed development programs and driveway connections to public roadways, as well as the documentation from North Bay Village outlining the previously approved development program.

**Trip Generation Analysis**

We performed a trip generation comparison between the proposed and approved developments and determined that the proposed development is expected to generate seven (7) morning peak-hour trips more than the approved development program and is expected to reduce the anticipated daily hour trips. We prepared trip-generation estimates for the approved and proposes uses on site, summarized in **Table 1**, using equations from the 11<sup>th</sup> Edition of the ITE *Trip Generation Manual*. We applied a 34% pass-by rate to the retail uses trip generation estimates during the afternoon peak hour, based on rates of the 11<sup>th</sup> Edition of the ITE *Trip Generation Manual* and the ITE Trip Generation Handbook 3<sup>rd</sup> Edition. To provide a conservative analysis, we did not apply a multimodal reduction factor. **Attachment B** contains excerpts from the ITE manual.

**Table 1 - Trip Generation Estimates**

Use	Size	Daily	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
			In	Out	Total	In	Out	Total
<b>Existing Uses</b>								
Shopping Center (<40k)	4,250 SF	409	6	4	10	9	9	18
<b>Proposed Uses</b>								
General Office	6,828 SF	112	15	2	17	3	15	18
<b>Net New Trips</b>		<b>-297</b>	<b>9</b>	<b>-2</b>	<b>7</b>	<b>-6</b>	<b>6</b>	<b>0</b>

## Conclusion

We determined that the proposed changes to the 1700 JFK Causeway (CU-02) office development is expected to generate no more than seven (7) peak hour trips compared to the previously approved use for the site. Therefore, the proposed changes are not expected to significantly impact the surrounding roadway network and are considered de-minimis. Please contact me at (954) 320-2155 with any questions or comments.

Sincerely,

**Langan Engineering and Environmental Services, LLC**



This item has been digitally signed and sealed by Maximo Polanco, PE on the date adjacent to the seal.

Signature must be verified on any electronic copies.

Maximo G. Polanco, P.E.  
P.E. License No. 91355  
Senior Project Manager

A handwritten signature in blue ink, appearing to read "E. Schwarz".

Eric Schwarz, P.E., LEED AP  
Principal/Vice President

MGP:mgp

### Attachments:

Attachment A – Site Plan

Attachment B – Trip Generation Data and ITE Excerpts

Florida Certificate of Authorization No. 6601

\\langan.com\data\MIA\data\1300360101\Project Data\Discipline\Traffic\Reports\Trip Gen Comparison Approved & Proposed\1700 JFK\2025-11-24 1700 JFK Trip Gen Comparison Approved & Proposed.docx

**ATTACHMENT A**  
**SITE PLAN**

## **APPROVED PROGRAM**



**NORTH BAY VILLAGE**  
EST. 1945

**MEMORANDUM**  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141  
Tel: (305) 756-7171  
Fax: (305) 756-7722  
Website: [www.northbayvillage-fl.gov](http://www.northbayvillage-fl.gov)

**Date:** October 31, 2024  
**To:** Frank Rollason, Interim Village Manager  
**From:** Silvia E. Vargas, FAICP, Village Planner  
**Subject:** Administrative Site Plan Modification – 1700 Kennedy Cswy

### 1. General Information

<b>Owner/Applicant:</b>	The Lexi Development Company, Inc
<b>Applicant Address:</b>	6278 N Federal Hwy #406 Ft. Lauderdale, FL 33308
<b>Site Address:</b>	1700 John F. Kennedy Causeway (CU-2)
<b>Site Acreage</b>	Lexi: 2.68 ac (117,101 sf); CU-2: 0.19 ac (8,154 sf)
<b>Folio Number</b>	23-3209-051-0001
<b>Contact Person/Owner Representative:</b>	1700 JFK SC, LLC – Christopher Penelas
<b>Phone Number:</b>	305.982.5678
<b>E-mail Address</b>	<a href="mailto:christopher.penelas@akerman.com">christopher.penelas@akerman.com</a>

### 2. Legal Description of Subject Property

Per the Survey (Exhibit D in Attachment 1, Site Plan Modification Application Package), the property consists of two parcels:

**Parcel 1 (The Lexi Condo):**

A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:

Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79 Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 87°53'38" East, along the center line of above right-of-way 1560.00 feet; thence South 02°24'54" East 50.00 feet to a point of intersection with the South line of said right-of-way; thence North 87°53'38" East, along the South line of said right-of-way 1672.76 feet to a Point of Beginning; thence from the above established Point of Beginning, continue North 87°53'38" East along the South line of said right-of-way 270.55 feet to the point of a curvature of a curve having a radius of 557.82 feet and a central angle of 01°56'04" for an arc distance of 18.83 feet; thence South 02°25'41" East parallel with the East right-of-way line of Hispanola Avenue for 340.28 feet; thence North 84°38'17" West 193.40 feet; thence South 87°53'38" West 8.39 feet; thence North 02°25'41" West 2.00 feet; thence South 87°53'38" West 139.65 feet to the Easterly right-of-way line of Hispanola Avenue; thence North 02°25'41" West along the Easterly right-of-way line of Hispanola Avenue a distance of 263.18 feet to a point of a curvature; thence run Northeasterly along a curve to the right having a radius of 50.00 feet, a central angle of 90°19'19" and an arc distance of 78.82 feet to the Point of Beginning.

**Parcel 2 (CU-2):**

That portion of Section 9, Township 53 South, Range 42 East, Miami-Dade County, Florida, being more particularly described as follows:

Commencing at the ½ mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on the map of Highway Right-of-Way of the proposed N.E. 79th Street Causeway, which same is recorded in Plat Book 25, at Page 70 of the Public Records of Miami-Dade County, Florida, run North 88° 41' 24" East along the centerline of the above Right-of-Way 1560.00 feet; thence South 1° 37' 08" East 50.00 feet to a point of intersection with the South line of said Right-of-Way; thence North 88° 41' 24" East 1943.16 feet along the South line of said Right-of-Way to the point of curvature on a curve to the right; thence to the right along said curve having a radius of 557.82 feet and a central angle of 1° 56' 04" for an arc distance of 18.83 feet to the point of beginning of the land herein described; thence from the above established point of beginning to continue to the right along said curve for a radius of 557.82 feet and a central angle of 5° 09' 21" for an arc distance of 50.20 feet; thence South 1° 37' 08" East 160.73 feet; thence South 88° 41' 24" West 50.00 feet; thence North 1° 37' 08" West 164.68 feet to the Point of Beginning.

Refer to the Survey included in Attachment 1 for additional detail.

**3. Property Future Land Use Map and Zoning Designations**

Future Land Use	Commercial
Zoning District	T6-24
Existing Land Use	Mixed Use

**4. Adjacent Land Use Map Classifications and Zoning District**

<b>North</b>	Future Land Use	Commercial
	Zoning District	T6-30
	Existing Land Use	Commercial / Vacant / Surface Parking
<b>East</b>	Future Land Use	Commercial
	Zoning District	T6-24
	Existing Land Use	Multiple-Family Residential
<b>South</b>	Future Land Use	High Density Multi-Family Residential
	Zoning District	RM-40
	Existing Land Use	Multiple-Family Residential
<b>West</b>	Future Land Use	Commercial
	Zoning District	T6-24
	Existing Land Use	Office

## 5. Background

On March 11, 2003, the North Bay Village Commission granted final approval of applications for a development known as The Lexi, consisting of 164 multifamily residential units and approximately 18,000 square feet of ground-floor retail on Parcel 1 and “future development” of Parcel 2 (referred to as “CU-2” or the “Lexi outparcel.” A development agreement in connection with the project was approved by the Commission on June 10, 2003 (Resolution No. 2003-45) and subsequently amended with respect to landscaping improvements and signage on September 9, 2003 (Resolution No. 2003-59).

The mixed-use structure proposed for Parcel 1, comprising the western portion of the property and including the approved residential and commercial uses and required parking spaces, were completed in 2007. Concurrently, permit plans were prepared for the development of Parcel 2 as a stand-alone, one-story, 4,370 square-foot retail building with 7 parking spaces. However, this part of the project was ultimately not developed.

In 2020, the zoning of the property, together with other properties facing the south side of Kennedy Causeway in Treasure Island, was changed from General Commercial to T6-24, a form-based transect zone district.

Through the current request, the applicant seeks to modify the approved Lexi Site Plan with respect to the previous development proposed for Parcel 2 pursuant to the provisions of Section 5.10 of the Village’s Unified Land Development Code (ULDC), and in compliance with the current provisions of Chapter 15 of the ULDC.

## 6. Description of Applicant’s Request

According to the Letter of Intent, the Applicant seeks to modify the approved Site Plan related a commercial building to be located on the eastern portion of the property, by increasing the original program from one story to two stories in compliance with the minimum requirement of Sec. 15.7.B. while improving existing surface parking in order to provide seven parking spaces on Parcel 2. This will be in addition to existing surface parking spaces and covered spaces in the first level of the parking garage located on Parcel 1 that serve the existing ground floor commercial space.

The proposed use of the 5,000 square-foot building is office. The building will, on a temporary basis, serve as the sales office for Continuum Club and Residences, which is an approved development for the property located across the street at 1755 John F. Kennedy Causeway.

## 7. Basis for Requested Modification

Pursuant to Section 5.10, “Administrative Approval of Site Plan Modification”, of the ULDC, an amendment to a site plan that has been approved by the Planning and Zoning Board and the Village Commission pursuant to Sections 4.2 and 5.8 may be approved by the Village Manager upon recommendation of the Village Planning and Zoning Official without further review or approval by any such body, if it falls under one or more of the following categories as follows:

1. Any modification to the overall combination of unit types within the Building(s) shown on the approved site plan or any increase in the total number of units, provided that the additional total number of units does not exceed five percent (5%) of the total number of Dwelling Units of the approved site plan and the resulting total number of units does not exceed the allowable density under the North Bay Village’s Unified Land Development Code.

**Staff determination:** The number or mix of previously approved dwelling units is not being modified.

2. Any modification to increase the size of any units shown on the approved site plan provided that the modification is consistent and is not in violation of the North Bay Village's Unified Land Development Code. Further, the total Floor Area for the site plan modification shall not exceed ten percent of the approved site plan after deducting any increase in total floor area directly attributed to bringing unit sizes into compliance with the current minimum unit size set forth in the North Bay Village's Unified Land Development Code. Any increase in the number or in the size of units will be subject to review in order to determine if Concurrency requirements are met.

**Staff determination:** The size of previously approved dwelling units is not being modified, and the total floor area of the original site plan is being modified by less than five percent (5%).

3. Any modification to increase or decrease the floor-to-ceiling dimensions of any individual floor within the approved site plan, provided that the modification complies with the North Bay Village's Unified Land Development Code and does not result in a modification of the number of floors for the approved site plan.

**Staff determination:** The floor-to-ceiling heights of the previously approved project are not changing. The proposed commercial building is two stories, but this is in order to comply with the minimum number of stories in the T6-24 zoning district and does not represent a change triggering review by the Planning and Zoning Board or Village Commission, as the original site plan was approved with a maximum building height of 205 feet of habitable space (19-20 stories).

4. Any modification to increase or decrease the number of parking spaces or loading spaces within the approved site plan made in order to conform the Off-Street Parking or loading of the approved site plan to any modification of a nature described in subparagraphs A.1 or A.2, preceding, provided that the modification shall be substantially consistent with the approved site plan and not in violation of the North Bay Village's Land Development Code or any applicable state or federal law.

**Staff determination:** The minimal increase in the number of spaces is substantially consistent with the approved site plan, and not in violation of the ULDC. The change, while not related to modifications described in subparagraphs A.1 or A.2, is introduced in order to more effectively serve the proposed development, which will share both access and parking with the existing Parcel 1 development.

5. Any modification to the footprint of any Building shown on the approved site plan provided that the modification does not change the generalized location of the building(s) shown on the approved site plan nor conflict with buffering requirements and is not in violation of the North Bay Village's Code of Ordinances.

**Staff determination:** The original building proposed for Parcel 2 was 4,370 square feet and the new one is 5,000 square feet within the required (minimum) 2-story volume, but the modification does not change the generalized location of the building as shown on the approved site plan, nor does it conflict with buffering requirements or any aspect of the Village's Code of Ordinances.

6. Warrants and Waivers, as set forth in Chapter 15, Section 15.1.H. (Not applicable)

## 8. Consistency with NBV100 Comprehensive Plan and NBV100 Master Plan

The proposed modification is consistent with the NBV100 Master Plan and aligns with the Future Land Use Map.

### **NBV100 Master Plan – Pillars and Goals**

The goal of NBV100 is to equip North Bay Village with the tools necessary to become a more complete, sustainable, and economically successful community that can adapt to the challenges of a changing climate. The NBV100 vision is framed through three pillars and several related goals. The following assessment addresses each goal that relates to the modified Project.

#### Livability

*The Livability principle focuses on the desire by the three-island community to have a stronger sense of place to more accurately reflect the existing civic pride, create a more people-centered public realm, and leverage the value of NBV's privileged but underutilized bay frontage. Key goals in making NBV a more livable home to its residents involve greater walkability; more public access to the waterfront; additional gathering spaces and services; and projecting a renewed and art-infused village image to the world.*

- (1) Prioritize people over cars.
- (2) Embrace the waterfront.
- (3) Improve the quality of life.
- (4) Synergize public space to refresh NBV identity.

**Staff Evaluation:** The proposed Site Plan Modification is expected to have a positive impact on the visual appearance of John F. Kennedy Causeway by filling in a long-standing gap in the otherwise currently underutilized commercial corridor. The building, by its scale and purpose, will be developed more quickly than the larger scale developments that have been approved by the Commission previously, helping to stimulate a feeling of momentum.

#### Resiliency

*In order to ensure its Resilience, NBV must address how to secure the perimeter of the islands to keep the bay water out while efficiently managing the water that does come ashore. Adjusting sea walls, raising grades, good infrastructure planning and maintenance, as well as responsible stewardship of the bayfront edge's natural ecosystem, will be primary objectives.*

- (1) Created in water.
- (2) Protected from water.
- (3) Thriving with water.

**Staff Evaluation:** The proposed Site Plan Modification maintains a significant amount of green space as part of the stormwater management system of the Lexi.

#### Prosperity

*The desire for Prosperity speaks to the shared goal to see the Village Center attract more retail, businesses and services that have found homes elsewhere in the region and bypassed NBV during prior boom years. The key to changing this pattern is linked to reinventing Kennedy Causeway as a welcoming pedestrian-oriented and business-friendly mixed-use main street and getting away from the existing car-oriented highway with disconnected shopping centers and isolated towers.*



- (1) *Capitalize on existing resources.*
- (2) *Increase private property value.*
- (3) *Optimize and manage parking.*
- (4) *Incentivize flexibility and predictability; and*

**Staff Evaluation:** By developing the existing vacant lot, the proposed Site Plan Modification will capitalize on an existing underutilized land resource and increase the Villager's property tax base. The building's proposed use will indirectly benefit the Village by supporting the sale of units so that an approved project can be successfully developed.

## 9. Site Plan Approval Criteria

Section 5.8.(B)(10)(c) requires the Planning and Zoning Board and Village Commission of North Bay Village to review a site plan approval request against the following criteria:

- (1) *Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

**Applicant's Remark:** The modified Commercial Building will not result in undesirable effects on contiguous and nearby property. The modified Commercial Building is anticipated to positively impact an underutilized commercial corridor by filling in a gap between improvements that currently exists. The modified Commercial Building will consist of an attractive building and landscaping on what is presently a surface asphalt lot.

**Staff Evaluation:** This development should not create any undesirable effects upon contiguous and nearby property and will provide a landscape buffer fronting John F Kennedy Causeway.

- (2) *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.*

**Applicant's Remark:** The Property as a whole, provides sufficient off-street parking and loading facilities to support the modified Commercial Building.

**Staff Evaluation:** In addition to the new parking spaces, the proposed commercial building will be served by surplus surface parking spaces located within the existing Lexi surface parking lot.

- (3) *Provides sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.*

**Applicant's Remark:** The modified Commercial Building is a beautiful building that will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be enhanced by the provision of attractive landscaping along the Property's frontage, thereby enhancing the appearance of the neighborhood and substantially improving the pedestrian realm from its present condition.



**Staff Evaluation:** Setbacks are in compliance with the zoning district requirements and sufficient to protect and enhance the appearance and character of the neighborhood.

*(4) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.*

**Applicant’s Remark:** The modified Commercial Building will have direct access to Kennedy Causeway and will not generate any additional needs than contemplated in the Site Plan Approval.

**Staff Evaluation:** The commercial building was previously contemplated as part of the Lexi project approval. The footprint is going from 4,370 to 5,000 square feet on a smaller (2-story) footprint. Given this small change in square footage, no additional trips are not anticipated. There is an existing (though currently mostly unused) driveway that provides access to the property from the Causeway.

The proposed development is within the Hispaniola Sanitary Sewer Basin.

**10. Compliance with Unified Land Development Code**

Based on the requirements provided in Section 15.7.B – Summary Table and Illustrations – T6-24 and T6-24MU (Municipal Use), the following Tables provide a breakdown of each standard and compare the required and provided by the proposed development.

BUILDING DISPOSITION – Sec. 15.7.B – T6-24		
Regulation	Standard / Requirement	Provided
<b>LOT OCCUPATION</b>		
Lot area	10,000 sq. ft. min	8,154 sq. ft.
Lot width	100 ft. min	50 ft.
Lot Coverage	90% max 8,154 sq. ft. x 90% = 7,338.6 sq. ft.	Building: 3,971 sq. ft.
Floor Lot Ratio	13.0	3,971 sq. ft. / 8,154 sq. ft. = 0.61
Frontage at Front Setback	70% min 50 ft. x 70% = 35 ft.	46 ft – 7 in.
Open Space Requirement	10% Lot Area min 8,154 sq. ft. x 10 % = 815.4 sq. ft	Calculation missing. Shall be required as a condition of building permit approval for open space option selected.
<b>BUILDING SETBACKS</b>		
Primary Front – Kennedy Cswy.	20 ft.	45 ft. – 3 in.
Secondary Front – Side A	10 ft. min	-
Side B	0 ft. min	3 ft. – 2 in.
Rear	5 ft. min	5 ft.

HEIGHT		
Min. Building Height	2 stories	2 stories
Max. Building Height	10 stories or 100 ft., whichever is less	
DENSITY		
N/A	N/A	N/A

PARKING AND LOADING		
Regulation	Standard / Requirement	Provided
PARKING REQUIREMENTS – T6		
Office Use	Min 3 parking spaces for every 1,000 sq. ft. 3,971 sq. ft. x 3 ps = 12 ps	7 parking spaces + surplus parking on western portion of property
LOADING BERTH STANDARDS TABLE – Sec. 15.6.D		
		N/A
BICYCLE PARKING / STORAGE – Sec. 8.24		
	1 space required	Not shown. Shall be required as a condition of building permit approval.

Per Sec. 8.20 of the ULDC, a mixed-use or commercial project shall achieve twenty-six (26) Green Building Program points. The application does not include a description of the green building techniques or features that will be incorporated in order to meet this requirement. **Providing a detailed description of these techniques and features demonstrating compliance shall be required as a condition of building permit approval.**

## 11. Recommendation

Staff finds that the project is consistent with the policies of the NBV100 Comprehensive Plan and the pillars and strategies of the NBV100 Master Plan. In addition, the project generally meets the criteria for Site Plan Approval and staff recommends approval with conditions regarding the four items highlighted above, all of which shall be provided by the applicant prior to the approval of the first building permit. **Approval of this Administrative Site Plan Modification shall not indicate or imply approval of working drawings (plans) and specifications required for building permits.** All conditions shall be met as stated.

## 12. Conditions

### General conditions

1. The Site Plan Modification Approval shall be valid for two (2) years, commencing on the effective date of the administrative site plan modification approval, within which time the Applicant must obtain a Building Permit. No more than two (2) one-year extensions may be granted by the Village Manager based upon a finding that Applicant has made good faith efforts to seek a Building Permit (together, the initial two-year term and any subsequent extension that has been granted by the Village Manager shall be the "Project Validity Period"). A request for extension must be filed with the Village at least thirty (30) days prior to the end of the then-current Project Validity Period.

2. Applicant's failure to obtain a Building Permit within the Project Validity Period shall result in the automatic revocation of the Project Approval and the automatic termination of this approval and the Development Agreement pursuant to Section 4.d of the Development Agreement.
3. Cost recovery charges must be paid pursuant to Section 5.12. 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 payments, 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.
4. The Administrative Site Plan Modification application package contains the following documents:
  - A. Letter of Intent. Prepared by Chistopher Penelas – Akerman, LLP, dated 8/30/2024.
  - B. Exhibit A. Site Plan Approval – Resolution No. 2003-45.
  - C. Exhibit B. Site Plan Application.
  - D. Exhibit C. Letter of Authorization from property owner.
  - E. Exhibit D. Boundary and Topographic Survey prepared by Fortin, Leavy, Skiles, Inc, dated 11/14/2005 and updated 7/30/24.
  - F. Exhibit E. Architectural plans prepared by Urban Robot Associates, dated 6/17/2024:
    - 1) Sheet 1: Cover Sheet
    - 2) Sheet A-1: Site Plan, Zoning Data Table, and Location Map
    - 3) Sheet A-2: Ground Floor
    - 4) Sheet A-4: Second Floor
    - 5) Sheets A-5: Sections
    - 6) Sheet A-6: 3D View (Option 1)
    - 7) Sheet A-7: 3D View (Option 2)

#### **Prior to issuance of a building permit**

1. Plans shall demonstrate, graphically and in tabular form, that at least ten percent (10%) of the aggregate lot area is open space as defined in the ULDC.
2. Plans shall demonstrate that at least one (1) bicycle parking space is provided on site.
3. Synthetic turf may only be used subject to the limitations of Sec. 9.22 of the ULDC, as amended.
4. A photometric plan by a Registered Architect or Engineer shall be submitted.
5. Walls, hedges, fences and gates shall not exceed a height of 3.5 feet within the primary and secondary frontages of the site. Elsewhere, walls, hedges fences and gates shall not exceed a height of 8 feet.
6. Any blank walls over 25' in length and other areas of the site or building noted by the Planning and Zoning Official at time of building permit shall be heavily screened with landscaping. Additionally, landscape screening shall be utilized around the proposed dumpsters, FPL transformers, propane tanks, A/C units, generators, above ground utilities, and irrigation pump.
7. The Applicant shall seek to attain no less than 26 points from the North Bay Village Green Building Program per Sec. 8.20 and shall provide documentation to that effect.
8. The Applicant shall provide up to date documentation of compliance with the applicable Level of Service (LOS) requirements at the time of application for any building permit.
9. All existing and proposed utility easements, water and sewer mains, services and appurtenances shall be shown in grayscale on the Landscaping Plan. Water meters and backflow devices shall be located within landscaped areas and no permanent structures, including landscaping, shall be located above the water or sanitary system.
10. Prior to issuance of a Building Permit, the Applicant shall obtain, and submit to the Village, all pertinent plan approvals from Miami-Dade County Environmental Resources Management (DERM), Miami- Dade Water and Sewer Department (WASD), and Miami-Dade County Fire

Rescue, as well as a Tree Removal Permit if applicable. A fire flow test shall be conducted to verify the availability of required fire flow.

11. Specifications of the permeability coefficient of any proposed pervious paving materials shall be submitted for approval by the Village Public Works Department prior to Master Building Permit approval.
12. Prior to a Building Permit approval, the Applicant shall provide data of the drainage system (stage storage and pipe sizing calculations) in a report form prepared by the Engineer of Record indicating the method of control of stormwater and groundwater, including the method of drainage, existing water elevations, recurring high-water elevations, proposed design water elevations, drainage structures, canals, ditches and other pertinent information associated with the system, as well as drainage calculations for 10-, 25- and 100-year storms.
13. The Applicant shall submit verification that the proposed development has been reviewed and found in compliance for access management consideration by FDOT and any other agencies having jurisdiction.
14. All sidewalks providing circulation to the public shall meet the minimum design criteria of the ADA. Ramp curbs shall be provided on the sidewalk at the driveway entrance (FDOT index 304).
15. Pavement markings on all levels of the parking garage shall be revised to meet MUTCD criteria, with diagonal crosshatch markings slanting away from traffic to discourage travel on certain paved areas.
16. Wheel stops shall be provided for parking bays to prevent vehicular encroachment into non-parking areas.
17. The Applicant shall include sidewalk/grass strip restoration according to North Bay Village core requirements.
18. Proposed driveway grades shall not exceed three (3) percent. The maximum slope immediately beyond the right-of-way line shall not change in excess of five (5) percent for either angle of approach or breakover angle.
19. All signage shall comply with the restrictions of Section 15.6.E.

#### Prior to issuance of a Certificate of Occupancy

1. Applicant shall pay all amounts of any kind then due to the Village, either under the Project Approval or as imposed pursuant to any Land Development Regulation.

## 13. Attachments

Attachment 1 – Site Plan Modification Application Package





Christopher A. Penelas

Akerman LLP  
Three Brickell City Centre  
98 Southeast Seventh Street  
Suite 1100  
Miami, FL 33131  
Tel: 305.982.5678

August 30, 2024

Frank Rollason  
Interim Village Manager  
North Bay Village  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141

**Re: 1700 Kennedy Causeway – Site Plan Modification**

Dear Mr. Rollason:

On behalf of 1700 JFK SC, LLC (the "Applicant"), contract purchaser of the property located at 1700 Kennedy Causeway (the "Property") in North Bay Village (the "Village"), please accept this letter of intent and application for the modification of the Property's Site Plan Approval (the "Site Plan Approval")<sup>1</sup> pursuant to section 5.10 of the Village's Unified Land Development Code ("ULDC").

The Site Plan Approval contemplates the provision of a 164-unit, 205-foot mixed-use building with attached parking structure, and approximately 18,000 square feet of ground floor commercial uses (the "Project"). The mixed-use residential structure on the western portion of the Property, identified as Parcel 1 in the attach Survey, has already been built. Based on information provided from the Village and the current owner, the Site Plan Approval contemplated the provision of a one-story 5,000 square foot commercial building on Parcel 2 with five parking spaces ("Commercial Building"). This application seeks to modify the Site Plan Approval as it relates to the Commercial Building in order to conform the proposed improvements to Section 15 of the ULDC.

Applicant's proposed modifications to the Commercial Building would increase the program from one story to two stories and increase the number of parking spaces from five parking spaces to seven. The modified Commercial Building will be approximately 4,000 square feet and 30'-8" feet tall. The proposed program has a parking requirement of 12 parking spaces. To satisfy its parking requirement, the modified Commercial Building will be providing seven

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<sup>1</sup> The Site Plan Approval was approved on June 10, 2003, and memorialized within resolutions 2003-45 (modified via resolution 2003-59), a copy of which is attached as **Exhibit "A"**.

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parking spaces within Parcel 2 as well as relying on the surplus parking provided on Parcel 1.<sup>2</sup> On the whole, these modifications comply with Section 15 of the Village's ULDC, and the Administrative Modification Site Plan Criteria provided in section 5.10 of the ULDC.

**Site Plan Approval**

The modified Commercial Building is in compliance with the requirements for site plan approval as described within Section 5.7(C)(5)(a) through(c) of the ULDC as follows:

*(1) Protects against and minimizes any undesirable effects upon contiguous and nearby property.*

The modified Commercial Building will not result in undesirable effects on contiguous and nearby property. The modified Commercial Building is anticipated to positively impact an underutilized commercial corridor by filling in a gap between improvements that currently exists. The modified Commercial Building will consist of an attractive building and landscaping on what is presently a surface asphalt lot.

*(2) 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.*

The Property as a whole, provides sufficient off-street parking and loading facilities to support the modified Commercial Building.

*(3) Provides a sufficient setbacks, open space, and landscaping in order to protect and enhance the appearance and character of the neighborhood.*

The modified Commercial Building is a beautiful building that will enhance the character of the commercial corridor along Kennedy Causeway. The streetscape will be enhanced by the provision of attractive landscaping along the Property's frontage, thereby enhancing the appearance of the neighborhood and substantially improving the pedestrian realm from its present condition.

*(4) Can be accommodated by existing community roads, services, and utilities, or the necessary additions are provided by the developer.*

The modified Commercial Building will have direct access to Kennedy Causeway and will not generate any additional needs than contemplated in the Site Plan Approval.

---

<sup>2</sup> Parcel 1's current as built parking requirement is approximately 240 parking spaces. However, the Project as developed contains 466 parking spaces according to the Survey.

Conclusion

We respectfully request your favorable review of the modified Commercial Building. Please do not hesitate to contact me should you have any questions related to this matter. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "C. Penelas". The signature is written in a cursive, slightly slanted style.

Christopher A. Penelas

cc: Silvia E. Vargas FAICP, LEED AP, Village Planner  
Neisen O. Kasdin, Akerman LLP

### Index of Documents

Exhibit "A"	Site Plan Approval - Resolution 2003-45
Exhibit "B"	Site Plan Application
Exhibit "C"	Letter of Authorization from Property Owner
Exhibit "D"	Survey
Exhibit "E"	Site Plan

**RESOLUTION NO. 2003-45**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, RELATING TO DEVELOPMENT AGREEMENT; APPROVING AN AGREEMENT WITH THE SHOPPES OF NORTH BAY VILLAGE, LLC, PERTAINING TO A DEVELOPMENT LOCATED AT 1700 KENNEDY CAUSEWAY, KNOWN AS LEXI, WHICH WILL INCLUDE 164 RESIDENTIAL UNITS, A MINIMUM OF 18,000 SQUARE FEET OF GROUND FLOOR RETAIL SPACE AND A HEIGHT OF NOT MORE THAN 205 FEET OF HABITABLE SPACE; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the city commission granted final approval of applications for development approval of the development known as Lexi at a public hearing held on March 11, 2003; and,

WHEREAS, as a condition of development approval the developer is required to enter into a developer's agreement with the city; and,

WHEREAS, the Mayor and Commission desire to enter into the developer's agreement.

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

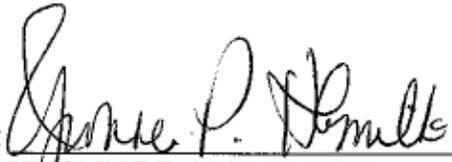
Section 1: The developer's agreement, which is attached to this resolution as Exhibit 1, is approved. The city manager is authorized to execute and deliver, and is directed to administer, the agreement.

Section 2: This resolution shall take effect immediately upon approval.

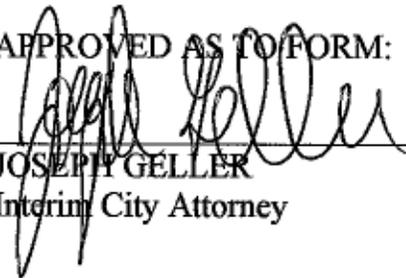
PASSED and ADOPTED this 10th day of June, 2003.



MAYOR ALAN DORNE

Attest:   
YVONNE P. HAMILTON  
City Clerk

APPROVED AS TO FORM:

  
JOSEPH GELLER  
Interim City Attorney

FINAL VOTE AT ADOPTION:

Mayor Alan Dorne

Yes

Vice-Mayor George A. Kane

Yes

Commissioner Frank DiMaggio

Yes

Commissioner Robert A. Dugger

Yes

Commissioner David M. Fleischer

Yes

\\02srvplaw\prolaw\Documents\0117\EGG\17746.doc - Reso - Lexi developer's agreement

~~ATTACHMENT 1~~  
DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into as of the 15<sup>th</sup> day of February, 2005 by and between the City of North Bay Village, Florida a municipal corporation, ("City") and The Shoppes of North Bay Village, LLC ("Owner").

RECITALS:

WHEREAS, the Owner owns the property located at 1700 Kennedy Causeway, consisting of approximately 2.5 gross acres of land (the "Property"), the legal description of which is attached hereto as Exhibit A and is seeking development approvals from the City for a project known as the Lexi; and,

WHEREAS, the Owner has proposed in the application to develop the Property with the planned uses (the "Project") described in Exhibit B attached hereto; and,

WHEREAS, the Owner has filed applications for development approvals relating to the Property, including an application requesting a special use exception and site plan approval to permit a multi-family residential building; and,

WHEREAS, pursuant to the applicable City of North Bay Village Code provisions, the Planning and Zoning Board has reviewed and recommended approval of the Project; and,

WHEREAS, the Owner has agreed to construct certain improvements in the vicinity of the Property that will serve as a benefit to the City of North Bay Village and its residents; and,

WHEREAS, this Agreement is intended to and shall constitute a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act Sections 163.3220-163.3243, Florida Statutes (the "Act"); and,

WHEREAS, the City of North Bay Village City Commission has considered this Agreement at public hearings held on May 13, 2003 and June 10, 2003, and has determined that the Project and this Agreement are consistent with the City's land development regulations and will be consistent with the City's comprehensive plan once certain amendments to the plan are adopted by the City; and

WHEREAS, the City has determined that it is in the public interest to address the issues covered by this Agreement in a comprehensive manner in compliance with all applicable laws, ordinances, plans, rules and regulations of the City, while allowing the Owner to proceed with the development of the Project in accordance with existing laws and policies, subject to the terms hereof, and the City has agreed to enter into this Agreement with the Owner.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Recitations. The foregoing recitations are true and correct and are incorporated herein by reference.
2. The Project. A description of the Project, including population densities and building intensities is attached to this Agreement as Exhibit B.
3. Applications for Development Approvals. Promptly following the effective date of this agreement, the Owner will initiate and diligently pursue all applications for development permits (as defined by Section 380.031(4), Florida Statutes), which were not previously obtained. A list of all local development permits required to be approved for the development of the Property is attached hereto as Exhibit C. The City shall process all development permit applications in a timely fashion and the City shall cooperate with the Owner (at no cost of the City) in processing all necessary development permit applications with Federal, County, and State agencies as needed.
4. Hispanola Pump Station Improvement. (a) In accordance with the provisions of this Paragraph 3, Owner agrees to construct the necessary improvement ("Improvement") to the Hispanola Pump Station in accordance with design plans for such improvement to be prepared by the Owner and approved by the City. At a minimum, the Improvement will enable the Hispanola Pump Station to operate below the Nominal Average Pump Operating Time (NAPOT) ten hour maximum daily limit standard.

(b) Owner agrees to prepare plans for the Improvement to the Hispanola Pump Station and apply for approval of same from the City within six months after the issuance of the building permit for the Project as described in Exhibit B. The City agrees to cooperate in its review of the plans and to provide an expeditious review of such plans. Upon its approval of the plans, the Owner shall prepare and submit all necessary applications to County, State and other agencies for approval of such plans, and shall expeditiously process such applications to obtain the necessary approvals.

(c) After Owner has prepared the plans and obtained approval for the Improvement, Owner shall obtain bids for the Improvement, and be responsible for construction and construction administration for the Improvement. Within one year after the issuance of the building permit for the Project as described in Exhibit B, construction of the Improvement shall be complete, certified and accepted by the City and/or the Miami-Dade County Water & Sewer Authority.

(d) All excess capacity created by the Improvement to the Hispanola Pump Station shall be reimbursable to the Owner from future major developments connecting to the Hispanola Pump Station on a prorated basis for a period of five years from the completion of the Improvement. The prorated basis shall be calculated based upon the total construction and engineering design costs of the Improvement divided by the total number of minutes of excess capacity created by the Improvement. For purposes of example only for this Agreement, the projected NAPOT run time for the Hispanola Pump Station, including the Project, is 10.50 hours. The total cost of the Improvement to the Hispanola Pump Station will be \$75,000.00. The projected NAPOT run time for the Hispanola Pump Station after the Improvement is constructed is 8.0 hours. Therefore, the excess capacity created by the Improvement is 150 minutes. Accordingly, the prorated cost per minute would be \$75,000.00 divided by 150 minutes which is equivalent to \$500.00 per minute.

(e) Future major developments, as defined by Section 2.7.1 of the City's Land Development Regulations (LDRs), shall reimburse Owner for the cost of the Improvement on a prorated basis prior to the issuance of the first building permit for the major development. Upon payment by the future major development, Owner shall notify the City Clerk and the City Building Official in writing of the payment utilizing the notice procedure set forth in this Agreement. The City shall withhold issuance of any building permit for any future major development utilizing the Hispanola Pump Station subsequent to the date of this Agreement until such time as written notice is received from Owner indicating that the future major development has reimbursed the Owner on a prorated basis for the cost of the Improvement.

5. Landscaping Improvement.

(a) In accordance with the provisions of this paragraph 4, the Owner agrees to plant additional landscaping ("Landscaping Improvement") in the median of Hispanola Avenue between the Kennedy Causeway and North Treasure Drive and in the median on North Treasure Drive between Adventure Avenue and Mutiny Avenue. The Owner shall be responsible for purchasing and installing the additional landscaping.

(b) Owner agrees to prepare the landscaping plans for the Landscaping Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village within six months after the adoption of a resolution by the City approving of the Project. after the date on which the Department of Community Affairs (DCA) publishes a Notice of Intent to find Comprehensive Plan Amendment Packet No. 03-1 ("Amendment No. 03-1") in compliance with Chapter 163, Florida Statutes. The parties hereto recognize and agree that the DCA may issue a Notice of Intent ("Notice") finding Amendment No. 03-1 to be not in compliance with Chapter 163, Florida Statutes. If DCA does issue such a Notice, the Notice will be forwarded to the Division of Administrative Hearings of the Department of Management Services (DOAH). On behalf of DOAH, an Administrative Law Judge (ALJ) will conduct an administrative hearing with regard to whether Amendment No. 03-1 is consistent with Chapter 163. At the conclusion of the hearing, the ALJ will submit a recommended Order to the Administration Commission. The parties agree that Owner shall have six months from the date of adoption of the Order by the Administration Commission to prepare plans for the Landscaping Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village. The City agrees to cooperate in its review of the plans and to provide an expeditious review of such plans. Upon its approval of the plans, the Owner shall prepare and submit all necessary applications to County, State and other agencies for approval of such plans, and shall expeditiously process such applications to obtain the necessary approvals.

(c) After the Owner has prepared the plans and obtained approval for the Landscaping Improvement from the City, the Owner shall obtain bids for the Landscaping Improvement, and be responsible for the installation of the landscaping. The installation of the Landscaping Improvement shall begin within thirty days after the issuance of the building permit for the Project as described in Exhibit B and shall be complete, certified and accepted by the City prior to the issuance of the certificate of occupancy for the Project by the City.

(d) Pursuant to Resolution No. 2003-33, as corrected, in order to utilize bonus provision 7(H) of Section 152.029 of the North Bay Village Code of Ordinances, the Owner must construct and maintain landscape improvements in accordance with the revised landscape site plan, dated last revised March 4, 2003, which was accepted by the City Commission at the March 11 public hearing prior to the issuance of a temporary certificate of occupancy for the Project.

6. Signage Improvement.

(a) In accordance with the provisions of this paragraph 5, the Owner agrees to install new Treasure Island signage ("Signage Improvement") at the intersection of Kennedy Causeway and Hispanola Avenue. The Owner shall be responsible for the purchase and installation of the signage subject to approval by the City.

(b) The Owner agrees to prepare plans for the Signage Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village within six months after the adoption of a resolution by the City approving of the Project. after the date on which the Department of Community Affairs (DCA) publishes a Notice of Intent to find Comprehensive Plan Amendment Packet No. 03-1 ("Amendment No. 03-1") in compliance with Chapter 163, Florida Statutes. The parties hereto recognize and agree that the DCA may issue a Notice of Intent ("Notice") finding Amendment No. 03-1 to be not in compliance with Chapter 163, Florida Statutes. If DCA does issue such a Notice, the Notice will be forwarded to the Division of Administrative Hearings of the Department of Management Services (DOAH). On behalf of DOAH, an Administrative Law Judge (ALJ) will conduct an administrative hearing with regard to whether Amendment No. 03-1 is consistent with Chapter 163. At the conclusion of the hearing, the ALJ will submit a recommended Order to the Administration Commission. The parties agree that Owner shall have six months from the date of adoption of the Order by the Administration Commission to prepare plans for the Signage Improvement and apply for approval of same from the Beautification Board and the Public Works Department of the City of North Bay Village. The City agrees to cooperate in its review of the plans and to provide an expeditious review of such plans. Upon its approval of the plans, Owner shall prepare and submit all necessary applications to County, State and other agencies for approval of such plans, and shall expeditiously process such applications to obtain the necessary approvals.

(c) After Owner has prepared the plans and obtained approval for the Signage Improvement, the Owner shall obtain bids for the Signage Improvement, and be responsible for the construction and construction administration of the Signage Improvement. The installation of the Signage Improvement shall begin within thirty days after the issuance of the building permit for the Project as described in Exhibit B and shall be complete, certified and accepted by the City prior to the issuance of the certificate of occupancy for the Project by the City.

7. Adequate Public Facilities. Pursuant to Section 4.4 of the Consolidated Land Development Regulation of the City (LDRs), Owner has submitted a report stating that all of the public services and facilities, with the exception of the Hispanola Pump Station, necessary to serve the Project meet or exceed the established LOS standards. The Owner and City agree that the Improvement to the Hispanola Pump Station will cause this public facility to fall below the NAPOT ten hour maximum daily limit standard. The City agrees that during the term of this Agreement it shall provide and reserve concurrency-related public facility capacity for the Project.

8. Laws Governing this Agreement. The City's laws and policies governing the development of the Project and the Property at the time of the execution of this Agreement (including, but not limited to the City's concurrency management program as set forth in Sections 4.1-4.4.6 of the LDRs) shall govern the development of the Project and the Property for the duration of this Agreement. The City may apply subsequently adopted laws and policies to the Project only as otherwise permitted or required by the Act. Notwithstanding the foregoing, if construction of the Project has not commenced within five years of the date of execution of this Agreement, the City may apply subsequently adopted laws and policies to the Project at the end of the five year period. The issuance of a foundation permit by the City for the Project shall signify the commencement of construction.

9. Consistency with the Comprehensive Plan. The City has adopted and implemented the Comprehensive Plan. The City hereby finds and declares that the provisions of this Agreement dealing with the Property are consistent pending approval of amendments to the Comprehensive Plan and its adopted land development regulations.

10. Public Facilities and Concurrency. Owner and City anticipate that the Project will be served by those roadway transportation facilities currently in existence as provided by State, County and City roadways. It is also anticipated that the Project will be served by the public transportation facilities currently in existence, including those provided by Miami-Dade County, and other governmental entities as may presently operate public transportation services within the area. Sanitary sewer, solid waste, drainage and portable water services for the Project are expected to be those services currently in existence and owned and operated by the City of North Bay Village. The Project will also be serviced by any and all public facilities, as such are defined in Section 163.3221(12), Florida Statutes (2002), and as such are described in the Comprehensive Plan, specifically including, but not limited to, those facilities described in the Comprehensive Plan's Transportation, Infrastructure, and Capital Improvements Elements. A full listing of all such public facilities is set forth on Exhibit D attached hereto.

11. Recording of the Development Agreement. Within fourteen (14) days after the City executes this Agreement, the City shall record this Agreement with the Clerk of the Circuit Court of Miami-Dade County. The Owner shall submit a copy of the recorded Agreement to the State of Florida, Department of Community Affairs (DCA) within fourteen (14) days after this Agreement is recorded. This Agreement shall become effective only after (a) it has been recorded in the public records of Miami-Dade County, and (b) thirty (30) days have elapsed after DCA's receipt of a copy of the recorded Agreement. The Owner agrees that it shall be responsible for all recording fees and other related fees and costs related to the recording and delivery of this Agreement as described in this section. The provisions hereof shall remain in full force and effect during the term hereof, and, subject to the conditions of this Agreement, shall be binding upon the undersigned, and all successors in interest to the parties to this Agreement. Whenever an extension of any deadline is permitted or provided for under the terms of this Agreement, at the request of the either party, the other party shall join in a short-form recordable memorandum confirming such extension to be recorded in the public records of Miami-Dade County.

12. Term of Agreement. (a) This Agreement shall terminate on the date which is ten (10) years from the effective date hereof. (b) In addition to the foregoing, the term of this Agreement may be extended by mutual agreement of the City and Owner, subject to public hearing in accordance with Section 163.3225, Florida Statutes. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement.

13. Default and Remedies. (a) In the event that Owner defaults under any of its obligations set forth in paragraphs 4 - 6 above, City is authorized to withhold issuance of any development orders and development permits until Owner has complied with the terms of this Agreement. (b) In the event of default by either party under this Agreement, the other party shall be entitled to all remedies at law or in equity.

14. Other Approvals. The parties hereto recognize and agree that certain provisions of this Agreement require the City and/or its boards, departments or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in an accordance with established requirements of state statutes and county ordinances, in the exercise of the City's jurisdiction under the police power.

15. No Permit. This Agreement is not and shall not be construed as a development permit, or authorization to commence development, nor shall it relieve Owner of the obligations to obtain necessary development permits that are required under applicable law and under and pursuant to the terms of this Agreement.

16. Good Faith; Further Assurances; No Cost. The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of, and to satisfy their obligations under, this Agreement in order to secure to themselves the mutual benefits created under this Agreement; and, in that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement; provided, that the foregoing shall in no way be deemed to inhibit, restrict or require the exercise of the City police power or actions of the City when acting in a quasi-judicial capacity. Wherever in this Agreement a provision requires cooperation, good faith or similar effort to be undertaken at no cost to a party, the concept of no cost shall not be deemed to include any cost of review (whether legal or otherwise), attendance at meetings, hearings or proceedings and comment and/or execution of documents, all such costs to be borne by the party receiving a request to so cooperate, act in good faith or so forth.

17. Omissions. The parties hereto recognize and agree that the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve the Owner of the necessity of complying with the law governing said permitting requirements, conditions, term or restriction notwithstanding any such omission.

18. Notices. Any notices required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by recognized overnight courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope, and addressed as follows:

If to the City at:	City Manager City of North Bay Village 7903 East Drive (Kennedy Causeway) North Bay Village, Florida 33141
With a copy to:	City Attorney City of North Bay Village 7903 East Drive (Kennedy Causeway) North Bay Village, Florida 33141
If to Owner at:	THE SHOPPES OF NORTH BAY VILLAGE, LLC 1320 S. Dixie Highway, Suite 781 Miami, Florida 33146
With a copy to:	Jeffrey Bercow, Esq. Bercow & Radell, P.A. 200 S. Biscayne Boulevard Suite 850 Miami, Florida 33131

Notices personally delivered or sent by overnight courier shall be deemed given on the date of delivery and notices mailed in accordance with the foregoing shall be deemed given three (3) days after deposit in the U.S. Mail. The terms of this Paragraph 18 shall survive the termination of this Agreement.

19. Construction. (a) This Agreement shall be construed and governed in accordance with the laws of the State of Florida. All of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and, accordingly, this Agreement shall not be more strictly construed against any one of the parties hereto. (b) In construing this Agreement, the use of any gender shall include every other and all genders, and captions and section and paragraph headings shall be disregarded. (c) All of the exhibits attached to this Agreement are incorporated in, and made a part of, this Agreement.

20. Severability. In the event any term or provision of this Agreement be determined by appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.

21. Litigation. In the event of any litigation between the parties under this Agreement, the prevailing party shall be entitled to an award of reasonable attorney's fees and costs; provided, however, any award of attorney's fees against the City shall not exceed \$35,000.00. The City does not waive sovereign immunity for any claim of prejudgment interest and prejudgment interest shall not be awarded against the City.

22. Time of Essence. Time shall be of the essence for each and every provision hereof.

23. Entire Agreement. This Agreement, together with the documents referenced herein, constitute the entire agreement and understanding among the parties with respect to the subject matter hereof, and there are no other agreements, representations or warranties other than as set forth herein. This Agreement may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought and subject to the requirements for the amendment of development agreements in the Act.

24. Force Majeure. Any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, inability to obtain labor or materials or reasonable substitutes therefore, riot, civil commotion, fire or other casualty, and other causes beyond the reasonable control of the party obligated to perform, excluding the financial inability of such party to perform and excluding delays resulting from appeals or rehearings commenced by the Owner (any such causes or events to be referred to herein as a "Force Majeure"), shall excuse the performance by such party for a period equal to any such period of prevention, delay or stoppage.

Signed, sealed, executed and acknowledged this 15th day of February, ~~2003~~ 2005. *gh m*

WITNESSES:

THE SHOPPES OF NORTH BAY VILLAGE, LLC

*[Signature]*  
Print Name: Jerome Greenwald

By: *[Signature]*

*[Signature]*  
Print Name: Luzy Pelacios

Print Name: Scott Greenwald  
Title: Manager

Attest:  
*[Signature]*  
By: Yvonne Hamilton, Clerk

CITY OF NORTH BAY VILLAGE, FLORIDA

By: *[Signature]*  
Robert Pushkin,  
Interim City Manager

Approved as to form  
By: *[Signature]*  
Robert L. Switkes, City Attorney

(Developers Agreement:  
Lexi Development  
1700 Kennedy Causeway)

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

[INSERT LEGAL DESCRIPTION FOR LEXI PROPERTY]

## EXHIBIT B

### DESCRIPTION OF PROJECT

The Project includes the following described development, permitted on the Property as described in Exhibit A attached to the Agreement. The Property is 2.5 acres gross. The proposed development of this Property is for 164 residential units with a minimum of 18,000 square feet of ground floor retail space. This Project will be permitted and built under the RM-70 High Density Multiple-Family Residential District and CG General Commercial District Zoning Regulations. The proposed maximum height of the structure is 205 feet to the ceiling of the highest habitable space. This height does not include elevator lift housing, air conditioning units, or other mechanical or functional features that may exceed the zoning district height requirements in accordance with Section 152.057 of the Code of the City of North Bay Village. The Project will be built in substantial accordance with site plan and elevations prepared by Kobi Karp entitled the "Lexi" and dated last revised March 4, 2003 and approved by the City Commission on March 11, 2003.

**EXHIBIT C**

**LIST OF REQUIRED DEVELOPMENT PERMITS**

Department of Environmental Resource Management Permits

South Florida Water Management District Permit (Storm Water Management)

Full Building Permits, covering

- Foundation
- Electrical
- Plumbing
- Mechanical and Cooling Towers
- Elevator
- Fire/Life Safety Systems
- Roofing
- Glazing (Windows and Doors)
- Stair and Balcony Railings
- Signs

Certificates of Use and Occupancy

Such other permits as may be required by Federal, State and local law.

## EXHIBIT D

### PUBLIC FACILITIES

The Project will be serviced by those roadway transportation facilities currently in existence as provided by State, County and local roadways. The Project will also be serviced by public transportation facilities currently in existence, as provided by Miami-Dade County, the Florida Department of Transportation, and such other governmental entities as may presently operate public transportation services within the area of the Project. Sanitary sewer, solid waste, drainage, and potable water services for the Project shall be those services currently in existence and owned or operated by the City of North Bay Village. The Project shall be serviced by those existing educational facilities owned or operated by the Miami-Dade Public Schools District, and shall be serviced by those existing parks and recreational facilities located in the City of North Bay Village owned or operated by the United States Government, by the State of Florida, by Miami-Dade County, and by the City.

The Project will also be serviced by any and all public facilities, as such are defined in Section 163.3221(12) of the Act, that are described in the City's Comprehensive Plan specifically including but not limited to those facilities described in the Comprehensive Plan's Transportation, Infrastructure, and Capital Improvements Elements. A copy of the Comprehensive Plan is available for public inspection in the offices of the City Clerk.



DATE SUBMITTED: 28 JUNE 2005

APPLICATION FOR ADMINISTRATIVE REVIEW  
SITE PLAN MODIFICATION  
(SECTION 152.1059(C)(10) OF THE CITY OF NORTH BAY VILLAGE CODE OF  
ORDINANCES/2.7.7 - LAND DEVELOPMENT REGULATIONS)

APPLICANT'S NAME THE LEXI DEVELOPMENT CO., INC.

ADDRESS: 1320 S. DIXIE HWY SUITE 781 CORAL GABLES, FL 33146

TELEPHONE NO. 305 667 2225

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED

NAME OF PROJECT: THE LEXI

NAME OF ARCHITECT: KOBI KARP TELEPHONE NO. 305 945 3636

**PROVIDE THE FOLLOWING INFORMATION REGARDING PREVIOUSLY  
APPROVED SITE PLAN:**

DATE OF SITE PLAN APPROVAL: 11 MARCH 2003

TOTAL NUMBER OF DWELLING UNITS: 164

TYPE OF DWELLING UNITS: ONE (1) BEDROOM: 54 TWO (2)  
BEDROOMS: 110 THREE (3) BEDROOMS OR LARGER: N/A

SIZE OF DWELLING UNITS: ONE (1) BEDROOM: 1,469 TWO (2)  
BEDROOMS: 7 THREE (3) BEDROOMS OR LARGER:           

AUNITS = 1,778 BUNITS = 1,732

Application for Administrative Site Plan Review

Site Plan Modifications

Page 1 of 3

NUMBER OF FLOORS: 19

NUMBER OF PARKING SPACES: 463

**PROVIDE THE FOLLOWING INFORMATION REGARDING THE MODIFIED PLANS:**

TOTAL NUMBER OF DWELLING UNITS: SAME

TYPE OF DWELLING UNITS: ONE (1) BEDROOM: SAME TWO (2) BEDROOMS: SAME THREE (3) BEDROOMS OR LARGER: SAME

SIZE OF DWELLING UNITS: ONE (1) BEDROOM: SAME TWO (2) BEDROOMS: SAME THREE (3) BEDROOMS OR LARGER: SAME

NUMBER OF FLOORS: SAME

NUMBER OF PARKING SPACES: SAME

MODIFICATIONS TO FOOTPRINT OF BUILDING: \_\_\_\_\_

DESCRIBE OTHER CHANGES IN DETAIL:

ADDITION OF SINGLE STORY COMMERCIAL SPACE  
AT LOCATION OF FORMER CONVENIENCE STORE.  
CONVENIENCE STORE PARCEL TO BE INTEGRATED WITH  
THE LEWIS SITE THROUGH "UNITY OF TITLE"

I hereby certify that the information on this application is correct.

Authorized Signature: [Signature] Scott Greenwald  
(Property Owner/Counsel/Agent) President

(A letter signed by the property owner authorizing an individual to act as his agent must accompany an application signed by an agent.)

Sworn to and subscribed before me this 28 day of June, 2005  
by Vivian De Felice who is personally known to me or who has  
produced 6654-781-65-9960 as identification.



Vivian De Felice  
My Commission DD355241  
Expires September 16, 2008

Notary Public

My Commission Expires: 9-16-08

Fees: \$0

(For providing courtesy notification to property owners and residents within 300 feet of the subject request pursuant to Section 152.96(A)(2) of the City of North Bay Village Code of Ordinances.)

Date Paid: 0

APPROVED BY:

DR. JAMES VARDALIS  
CITY MANAGER

PAUL GIOIA  
CITY PLANNER

DATE: \_\_\_\_\_

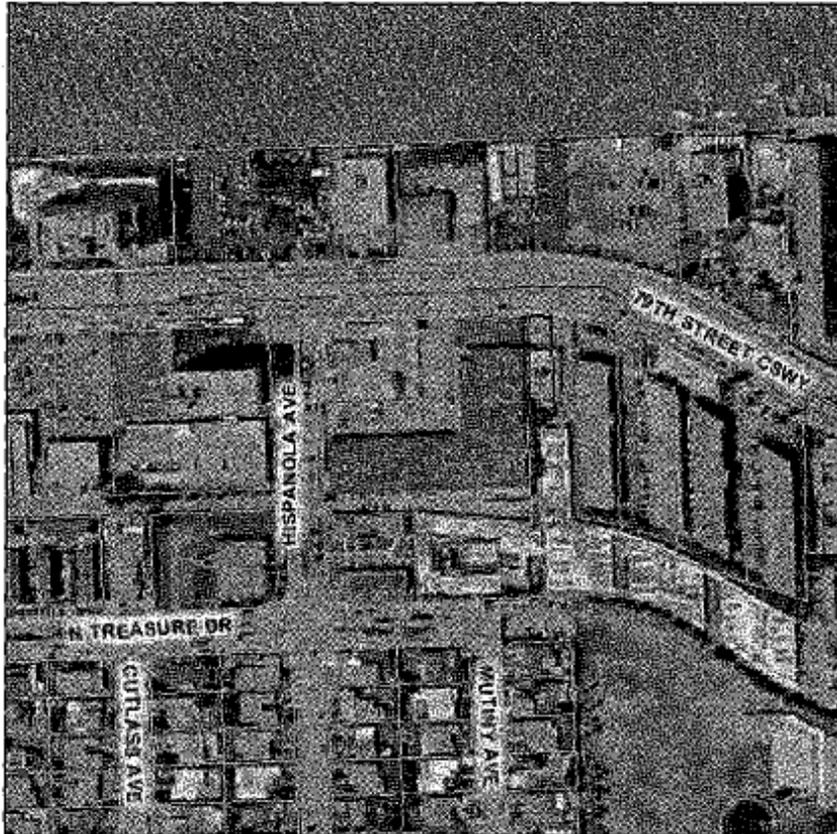
DATE: \_\_\_\_\_

**My Home**  
Miami-Dade County, Florida



**miamidade.gov**

Property Information Map



Aerial Photography - AirPhoto USA 2004

0 — 135 ft

This map was created on 6/28/2005 2:43:35 PM for reference purposes only.

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**Summary Details:**

Folio No.:	23-3209-000-0190
Property:	1748 79 ST CSWY
Mailing Address:	SHOPPES OF NO BAY VILLAGE LLC II
	1320 SO DIXIE HWY STE 781 CORAL GABLES FL 33146-2953

**Property Information:**

Primary Zone:	6000 COMMERCIAL: DANCE HALLS
CLUC:	0011 RETAIL
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	2,331
Lot Size:	8,150 SQ FT
Year Built:	1956
Legal Description:	9 53 42 BEG 376.33FTE OF X OF S/L OF 79 ST CSWY & C/L OF HISPANOLA AVE CONT E50.20FT SLY160.73FT W50FT NLY164.68FT TO POB LOT SIZE 50.000 X 163

**Sale Information:**

Sale O/R:	20726-4305
Sale Date:	3/2002
Sale Amount:	\$190,000

**Assessment Information:**

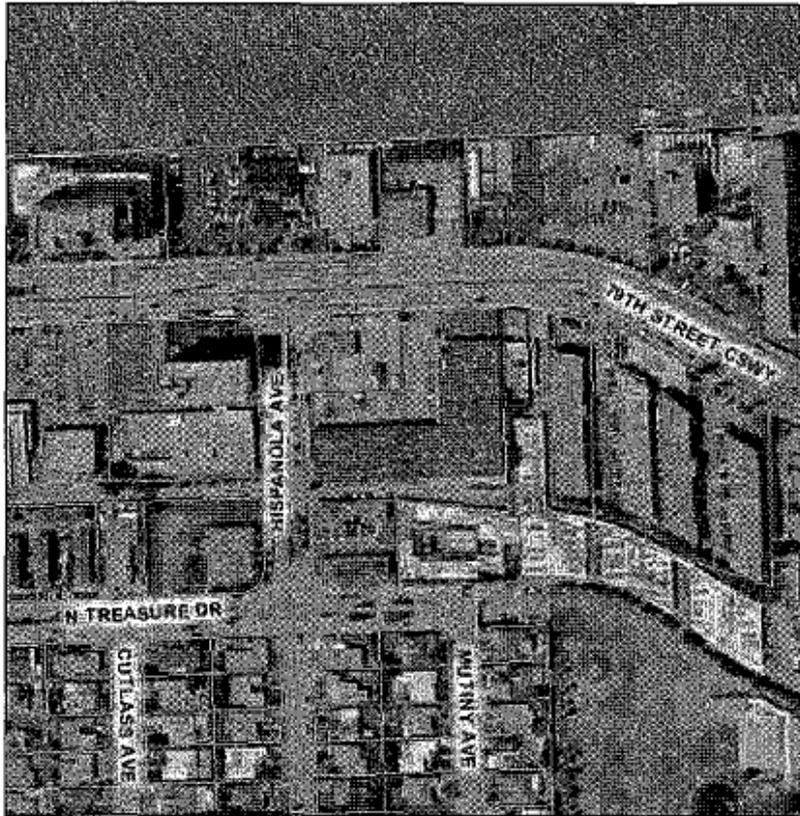
Year:	2004	2003
Land Value:	\$138,550	\$73,350
Building Value:	\$79,498	\$76,745
Market Value:	\$218,048	\$150,095
Assessed Value:	\$218,048	\$150,095
Total Exemptions:	\$0	\$0
Taxable Value:	\$218,048	\$150,095

**My Home**  
Miami-Dade County, Florida



**miamidade.gov**

Property Information Map



Aerial Photography - AirPhoto USA 2004

0 — 135 ft

This map was created on 6/28/2005 2:43:35 PM for reference purposes only.

Web Site © 2002 Miami-Dade County. All rights reserved.



Close

**Summary Details:**

Folio No.:	23-3209-000-0190
Property:	1748 79 ST CSWY
Mailing Address:	SHOPPES OF NO BAY VILLAGE LLC II
	1320 SO DIXIE HWY STE 781 CORAL GABLES FL 33146-2953

**Property Information:**

Primary Zone:	6000 COMMERCIAL: DANCE HALLS
CLUC:	0011 RETAIL
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	2,331
Lot Size:	8,150 SQ FT
Year Built:	1956
Legal Description:	9 53 42 BEG 376.33FTE OF X OF S/L OF 79 ST CSWY & C/L OF HISPANOLA AVE CONT E50.20FT SLY160.73FT W50FT NLY164.68FT TO POB LOT SIZE 50.000 X 163

**Sale Information:**

Sale O/R:	20726-4305
Sale Date:	3/2002
Sale Amount:	\$190,000

**Assessment Information:**

Year:	2004	2003
Land Value:	\$138,550	\$73,350
Building Value:	\$79,498	\$76,745
Market Value:	\$218,048	\$150,095
Assessed Value:	\$218,048	\$150,095
Total Exemptions:	\$0	\$0
Taxable Value:	\$218,048	\$150,095



## CITY OF NORTH BAY

**COPY**

7903 East Drive (Kennedy Causeway)  
North Bay Village, Florida 33141 • (305) 756-7171 • FAX (305) 756-7722

July 7, 2005

Via Certified Mail: 7003 2260 0000 0191 7529

The Lexi Development Co., Inc.  
Mr. Scott Greenwald  
1320 South Dixie Highway Suite 781  
Miami, FL 33146

RE: The Lexi

Dear Mr. Greenwald:

After careful review of your request for a site plan modification and upon consultation with the Chief Building Official, the moving of a previously platted property line does meet the test of an administrative site plan approval. However, the approval of this modification is contingent upon the City receiving and your properly recording unity of title with the County Clerks office of Miami-Dade County.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Pushkin', is written over a horizontal line.

Robert Pushkin  
Interim City Manager

cc. Mr. Robert Switkes  
City Attorney

Mr. Kobi Karp  
17100 Collins Avenue  
Sunny Isles Beach, FL 33160

Mayor  
Joseph S. Geller

Vice Mayor  
George A. Kane

Commissioner  
Oscar Alfonso

Commissioner  
Tzvi Bogomilsky

Commissioner  
Dr. Paul Vogel

**MEMO**

**DATE:** June 29, 2005

**TO:** Robert Pushkin, Acting City Manager

**FROM:** Paul A. Gioia, Chief Building Official

**SUBJECT: Lexi Condominium Administrative Site Plan Approval**

After reviewing the site plan for a slight modification to a property line, on the easterly portion of this project, wherein the slight modification would entail the moving of a previously platted property line (Which disappears with the unity of title now in place) does meet the test of an administrative approval. I therefore approval the modification.



# North Bay Village

1666 Kennedy Causeway, Suite 300 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.northbayvillage-fl.gov

# Exhibit B

NORTH BAY VILLAGE  
EST. 1945

## APPLICATION FORM FOR SITE PLAN APPROVAL

This application form is to be used to petition for Site Plan Approval pursuant to Sections 5.5 through 5.8, as well as Special Area Plan approval pursuant to Subsection 15.2.G. of the North Bay Village Unified Land Development Code.

Submit one (1) electronic file of your application, with all the required information to the Village Planning and Zoning Official via [svargas@cgsolutions.com](mailto:svargas@cgsolutions.com) and deliver five (5) physical copies of materials to the Village offices located at 1666 Kennedy Causeway, Suite 300.

This application, including all supplemental forms and data, must be completed in accordance with the attached instructions and submitted with the required fees pursuant to the most up-to-date Fee Schedule. Site Plan Approvals require public hearings conducted by the Planning & Zoning Board and the Village Commission. Applications must be complete, and all required fees be paid in order to be accepted and placed on an agenda.

All fees shall be paid prior to the Planning and Zoning Official's review of the application. Accepted payment methods for the required fees are check or credit card when paying in person at the Village offices. You may also call (305) 756-7171 to make your credit card payment by phone.

This form is a fillable PDF. TYPE OR PRINT LEGIBLY ALL INFORMATION ON THE APPLICATION.

1. Property Owner Name: The Lexi Development Company, Inc.
2. Contact Phone: 305-458-3335 Email Address: Scott@greenwaldgroup.com
3. Mailing Address: 6278 North Federal Highway, #406  
Ft. Lauderdale, FL 33308
4. Applicant Name: Christopher Penelas, Esq. on behalf of 1700 JFK SC, LLC  
(If different from Owner)
5. Contact Phone: 305-982-5678 Email Address: Christopher.penelas@akerman.com
6. Mailing Address: 98 Southeast Seventh Street Suite 1100 Miami, FL 33131
7. Address or location of Property Covered by the Application: \_\_\_\_\_  
1700 Kennedy Causeway, North Bay Village, FL 33141
8. Legal Description of Property Covered by the Application (add pages if needed):  
See attached Legal Description.



9. Folio Number(s): 23-3209-051-0001
10. Total Site Area (square feet): See LOI
11. Current Land Use of Property: Vacant
12. Future Land Use and Zoning Designations: Commercial/T6-24
13. Are the Future Land Use or Zoning being amended? Yes:  No: . If Yes, what are the proposed designations? \_\_\_\_\_
14. Project Type  Single-Family Residential  Multifamily/Planned Residential Development  Non-Residential/Mixed-Use  Development Agreement Required?
15. Project Description (additional pages may be attached): See Letter of Intent.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



### CONSENT TO PUBLIC HEARINGS

All requests for site plan approval from the North Bay Village Code shall be considered at Public Hearings before the Planning & Zoning Board and the Village Commission. The Village Planning and Zoning Official shall certify that the application is complete before the hearing is legally advertised. All applications shall be submitted to the Village Planning and Zoning Official on or before the deadline implemented by the Village. All persons, firms, or corporations requesting site plan approval 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 shall be deemed a condition precedent to the consideration of such a request.

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

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 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 4.4. 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 C. Penelas

Print Name Christopher A. Penelas on behalf of 1700 JFK SC, LLC

(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.)

C. Penelas  
Signature

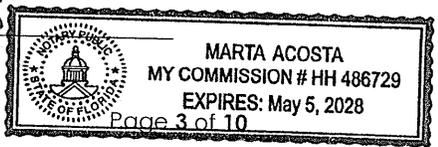
STATE OF FLORIDA  
COUNTY OF Miami-Dade

Sworn to and subscribed to before me this 30 day of August, 2024

by \_\_\_\_\_, who is  
personally known to me or who has produced \_\_\_\_\_ as identification.

Notary Public Signature Marta Acosta

Commission Number/Expiration May 5, 2028





### COST RECOVERY AFFIDAVIT

I hereby acknowledge and consent commit to the payment of all applicable cost recovery fees involved as part of my application process. Cost recovery includes, but is not limited to, staff time, attorney fees, planning consultant fees and any other professional service costs incurred by North Bay Village in the review and processing of a development application, regardless of the outcome of the review and/or public hearing process. I further understand and acknowledge that failure to remit payment for incurred costs pursuant to Subsections 5.12.B. and C. (attached) of the North Bay Village Unified Land Development Code (ULDC) constitutes a violation of the Code and the Village may levy penalties to secure compliance, as outlined in Subsection 5.12.C of the ULDC.

Please type or print the following:

Date: 08/30/2024

Relationship to the project: (e.g., property owner, architect, developer, attorney)

Attorney

Full Name: Christopher A. Paredes on behalf of 1700 JFK Sq, LLC

Current Address: 98 SE 7th Street

City: Miami State: FL Zip: 33131

Telephone: 305-982-5078 Email: Christopher.Paredes@akosmon.com

I am fully authorized to commit to the expenditures contemplated by this Cost Recovery Affidavit.

C. Paredes  
Signature

SWORN AND SUBSCRIBED BEFORE ME THIS 30 DAY OF August, 2024

[Signature]  
Notary Public, State of Florida at Large

My Commission expires May 5, 2028





## Subsections 5.12.B. and C. Regarding Cost Recovery

### B. Cost Recovery Established

1. The applicant shall reimburse the Village for the actual cost of consultant or employed professional review services pursuant to the cost recovery procedures and requirements of subsection C below.
2. Payment in full by the applicant to the Village for the Village's actual expenditures for review of the application shall be a written condition of any development order. These cost recovery deposits fees shall be in addition to any and all other fees required by law, rule, or regulation of the Village Code of Ordinances.

### C. Cost Recovery procedure.

1. At the time of submission of any application for development approval, the applicant shall pay the minimum cost recovery deposit fee outlined in the development approval fee and cost recovery deposit schedule set forth in this section, which funds shall be deposited into a cost recovery escrow account established for this purpose. Withdrawals shall be made to reimburse the Village for the cost of consultant services.
2. The Village shall provide the applicant with a copy of the consultant's invoice for any services charged against the applicant's cost recovery escrow account.
3. When the balance in the Village's cost recovery escrow account is reduced to one-half of its initial amount, the applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such amount is not replenished within 30 calendar days after the applicant is notified, in writing, of the requirement of such additional deposit, the Village shall suspend its review of the application and the application shall be deemed withdrawn.
4. If an application is suspended due to nonpayment of the additional escrow deposit specified in subsection 3., a resubmission fee shall be paid, and the cost recovery deposit shall be replenished to a minimum of one-half of the original deposit amount before the application will be reviewed.
5. Prior to the scheduling or noticing of any board or commission hearing, the Village Manager's review of the application shall be complete, and the cost recovery escrow account balance shall be replenished to equal at least one-half of the initial deposit amount.



## CHECK LIST FOR THE APPLICANT

### Mandatory Submittals:

- Complete Site Plan Approval Application, including all required forms and affidavits, signed by property owner or owner's representative.
- Letter of Authorization from property owner, if different from Applicant.
- Proof of ownership (e.g., fee simple title or option to acquire fee simple title within a specific period of time).
- Letter of intent signed by owner or owner's representative, which may include a narrative describing the project, whether the impact of the proposed development is favorable, adverse, or neutral on the economy, public services, environment, and housing supply of the Village, and the relationship of the proposed project to surrounding, existing, and proposed future land uses, and to existing zoning, and the Village's Comprehensive Plan. This narrative may be provided as a document separate from the letter. If variances/waivers or warrants/use exceptions are being requested, the extent of these from the requirements shall be noted in the narrative. NOTE: Applications for project variances/waivers, warrants/use exceptions may be submitted prior to or concurrently with a Site Plan Approval application. Each variance/waiver or warrant/use exception request must be submitted in its own application form with the corresponding fees. Refer to the applicable sections of the ULDC for requirements and criteria. Forms may be downloaded from the Village website or requested by emailing the Planning and Zoning Official.
- Property survey at a scale of not less than one inch (1") equals 40 feet (40'), prepared by a registered land surveyor, not more than one (1) year old and including the legal description of the property, elevation, all easements, rights-of-way, and at least two (2) benchmarks.
- Drawings index page.
- All drawings shall be drawn at a readable scale (per the requirements listed below) and shall include the following: scale; name; address and telephone number of the owner of the property for which the drawing is required; name, address and telephone number of the professional preparing the drawing; professional stamp seal (dry/wet or digital); location of the property including the legal description, section, township, range and street address, if known.
- Site plan(s) which depict:
  - Title of proposed project
  - Name of site planner, engineer, architect, landscape architect, developer, and owner
  - North point
  - Existing and proposed easements
  - Existing and proposed utilities
  - Property lines
  - Location of streets, alleys, and ROW
  - Location and footprint of all structures
  - Mechanical equipment
  - Proposed site circulation, driveways, sidewalks
  - Parking, including handicapped, motorcycle, electric vehicle, and bicycle parking
  - Loading spaces, valet areas, pick-up/drop-off points
  - Signage
  - Fences and Exterior lighting
  - Other features (e.g., Green Building Program practices and techniques)



Floor plans prepared at a scale no less than 1/16 inch to the foot and including.

- Layout of each level
- Layouts for each dwelling unit type and/or nonresidential spaces
- Parking and loading space dimensions
- Parking garage adaptability features
- Width of drive aisles

Elevations at no less than 1/16 inch to the foot scale legibly showing the finished appearance of each main facade of the building and furnishing vertical height dimensions including compliance with Sec. 10.5 of the ULDC.

Tabular project summary indicating the following figures, calculations, and features:

- |  |   |
|--|---|
| <input type="checkbox"/> Total acreage   | <input type="checkbox"/> Floor area of each dwelling unit type  |
| <input type="checkbox"/> Number of dwelling units per acre   | <input type="checkbox"/> Floor area of each land use  |
| <input type="checkbox"/> Number of bedrooms per dwelling unit  | <input type="checkbox"/> Gross floor area   |
| <input type="checkbox"/> Number of each dwelling unit type   | <input type="checkbox"/> Building height  |
| <input type="checkbox"/> Lot Coverage/Pervious surface area  | <input type="checkbox"/> Floor area ratio or floor lot ratio as required/applicable by the zoning of the property   |
| <input type="checkbox"/> Open/green space  | <input type="checkbox"/> Compliance with the Village's Green Building Program (features selected from the point system should also be shown on the plans, when appropriate) |
| <input type="checkbox"/> Structure setbacks  |   |
| <input type="checkbox"/> Number and sizes of all off-street parking (including handicapped), loading, pick-up/drop off, and bicycle parking spaces |   |

Landscape plan.

Location of all existing and proposed structures, landscape improvements (i.e., berms, fences, fountains, furnishings, lights, etc.) parking and circulation areas, and other site improvements

Notes and specifications, for the installation, fertilization, and maintenance of all plant materials and irrigation

Tree survey depicting all existing trees, including those to be removed and to be protected and methodology for protection

Demonstration of sustainable principles, techniques, and practices (e.g., Green Building Program features)

Plant list with scientific and common names, sizes (i.e.: caliper), quantity, special requirements and location of all plant materials existing and proposed and proposed turf grass type

Planting and installation details, as needed, to ensure conformance with all required standards, including tree protection and erosion control.

A landscape maintenance plan and schedule will be submitted as a part of the landscape plans



- Preliminary Civil Engineering Plans that meet Stage 1 requirements (see supplementary checklist).
  - Stage 1 requirements addressed via letter and on plan sheets and details; the letter shall state the sheet name and number for reference.
  - Civil Site Plan and Details
  - Signing, Paving, and Grading Plan
  - Stormwater calculations
  - Details (including cross sections at the property lines and driveways and should include the slope to tie into existing grade, and exfiltration trench cross section, as applicable)
  - Water and Sewer Plan and Details
  - Drainage calculations
- Level of Service (LOS) Assessment (see Sec 5.19-5.22 of the ULDC for requirements).
  - Potable water
  - Sanitary Sewer
  - Traffic
  - Stormwater
  - Solid Waste
- Traffic Impact Statement.
- Approved Plat.
- Opinion of Title, if applicable.
- School Concurrency Availability Determination letter from Miami-Dade Public Schools.
- Information pertaining to previous building and land development experience of the Applicant.
- Evidence of Applicant's ability to acquire sufficient development funds.
  - Letter of commitment from a recognized financial institution; or
  - Certified personal or corporate financial statement
- A minimum of three (3) digital visualizations, virtual reality model, or an actual architectural model of the project building to scale. Color renderings shall provide visualization of the massing, shape, design, texture, and scale of proposed buildings and landscaping. All visualizations, digital or physical, shall demonstrate the proposed structure(s) in context with existing structures on adjacent/surrounding properties (i.e., surrounding physical conditions and environments including existing structures on either side). MAYBE SUBMITTED UP TO 10 DAYS PRIOR TO A SCHEDULED PLANNING AND ZONING BOARD HEARING.
  - If the proposed building is more than 150 feet in height, a professionally prepared Shadow Study shall be provided. This study shall study the solstice and equinox at 9:00 A.M., 12:00 Noon, and 3:00 P.M. occurring on the following dates: June 21<sup>st</sup> and 22<sup>nd</sup> (summer solstice), September 21<sup>st</sup> and March 21<sup>st</sup> (winter solstice), and shall utilize the correct sun angle altitude and azimuth, with sun direction clearly illustrated, and shall show all properties impacted by project shadows.
  - If an architectural model is provided, said model shall be retrieved by the developer within 30 days following the final public hearing before the Village Commission.



- Application fees and cost recovery deposit and all other fees due to the Village, per the most up-to-date adopted Fee Schedule.

**Mandatory Submittals for Major Development Applications**

- Development impact study showing favorable, adverse, or neutral impact on the economy, public services, infrastructure, environment, and housing supply.
- Transportation Impact Study (TIS) for projects consisting of more than 20 residential units or more than 7,000 sq. ft. of commercial space. A waiver may be pursued per Sec. 5.6.A.1.d.
- Environmental impact studies, soil assessments, and other types of studies prepared by a registered professional.
- Any other impact analysis required by the Village Commission, Planning and Zoning Board, Village Manager or designee, and the Planning and Zoning Official.
- Description of the relationship of the proposed project to surrounding, existing, and proposed future land uses, existing zoning, and Comprehensive Plan.
- Listing of any special permits, variance, or exemptions or any other Village ordinance that may be required.

**Optional Submittal:**

- Physical architectural scale model – A physical architectural model of the site and building(s), built to an appropriate scale, and photographs of the model may be submitted instead of a 3D computer visualization or virtual reality model. Physical architectural models shall be made available at least ten (10) days prior to the Planning and Zoning Board public hearing date. If an architectural model is provided, said model shall be retrieved by the developer within thirty (30) days following the final public hearing before the Village Commission. The photographs depicting the model shall become part of the public records. The model shall demonstrate the proposed structure as well as existing structures on either side.

**Applications are deemed incomplete until all mandatory submittals have been received by the Village Planning and Zoning Official.**



---

**Office Use Only:**

Date Submitted: \_\_\_\_\_

Total Paid: \$ \_\_\_\_\_

Date Paid: \_\_\_\_\_

Filing Fee: \$ \_\_\_\_\_

Cash or Check # \_\_\_\_\_

Cost Recovery Dep: \$ \_\_\_\_\_

# Exhibit C

August 28, 2024

Frank Rollason  
Interim Village Manager  
North Bay Village  
1666 Kennedy Causeway, Suite 300  
North Bay Village, FL 33141

Re: 1700 Kennedy Causeway – Letter of Authorization for Modification of Site Plan  
Approval

Dear Mr. Rollason:

I, Scott Greenwald, am the President and Authorized Representative of Lexi Development Company, Inc. This letter shall serve as my authorization for 1700 JFK SC, LLC and its agents to submit and process an application to modify the Site Plan approval received on June 10, 2003 for the property located at 1700 Kennedy Causeway North Bay Village, Florida.

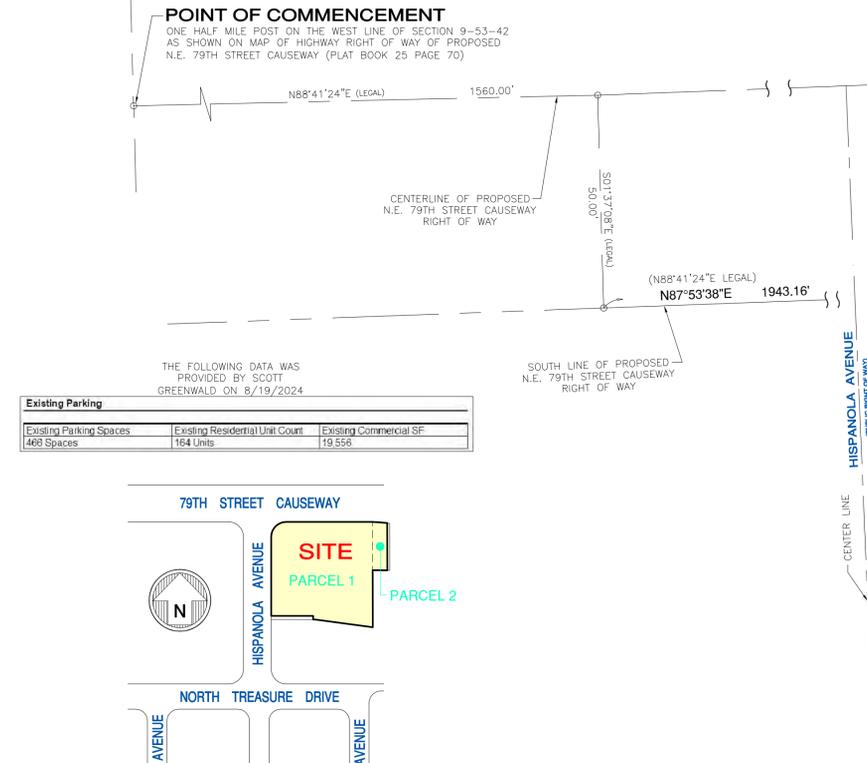
Should you have any question please feel free to contact me at 305-458-3335.

Sincerely,

Scott Greenwald

DocuSigned by:  
  
778770E637FE4AD...

President and Authorized Representative of the Lexi Development Company, Inc.  
6278 North Federal Highway, #406  
Ft. Lauderdale, FL 33308



**LEGAL DESCRIPTION:**

**PARCEL 1:**  
A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:  
Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79th Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 87°53'38\"/>

**HISTORICAL LEGAL DESCRIPTION:**  
A portion of Section 9, Township 53 South, Range 42 East, more particularly described as follows:  
Commencing at the one half mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on map of highway right-of-way of proposed N.E. 79th Street Causeway, which is the same as recorded in Plat Book 25, Page 70, of the Public Records of Miami-Dade County, Florida; thence run North 88°41'24\"/>

**PARCEL 2: FUTURE DEVELOPMENT PARCEL**  
That portion of Section 9, Township 53 South, Range 42 East, Miami-Dade County, Florida, being more particularly described as follows:  
Commencing at the 1/2 mile post on the West line of Section 9, Township 53 South, Range 42 East, as shown on the map of Highway Right-of-Way of the proposed N.E. 79th Street Causeway, which same is recorded in Plat Book 25, at Page 70 of the Public Records of Miami-Dade County, Florida, run North 88°41'24\"/>

**SURVEYOR'S NOTES:**

- This site lies in Section 9, Township 53 South, Range 42 East, City of North Bay Village, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
- Lands shown hereon were abstracted for easements and/or rights-of-way of records per Commonwealth Land Title Insurance Company Order #502351500A, with an effective date of July 11, 2005. All restrictions, easements and/or rights of way of record per title commitment that are plottable are shown on this "Boundary Survey".
- Bearings hereon are referred to an assumed value of N87°53'38"E for the South right of way line of the 79th Street Causeway, said bearing is identical with the plat of record, and evidenced by found nail & disk and found PK nail.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Bench Mark No. P-313, Elevation +5.25 Located at North Treasure Drive and Hispaniola Avenue.
- Elevations shown hereon have not been updated to reflect possible settlement and/or changes after the date of the original survey.
- Lands shown hereon were based on Flood Insurance Rate Map as supplied by the Federal Emergency Management Agency and are relative to National Geodetic Vertical Datum of 1929, and are located in Federal Flood Zone AE (E) 8 per Community Panel No. 120654 0307 J, dated September 11, 2009, and index map revised September 11, 2009.
- Improvements shown beyond the (scope/limits) of this Boundary & Topographic survey may not be current or located.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- All horizontal control measurements are within a precision of 1:10,000.
- This map is intended to be displayed at the graphic scale shown hereon or smaller.
- Lands shown hereon containing 116,886 square feet, or 2.683 acres, more or less. Parcel 1 shown hereon containing 108,731 square feet, or 2.496 acres, more or less. Parcel 2 shown hereon containing 58,155 square feet, or 0.187 acres, more or less.
- Roof overhang not located unless otherwise shown.
- The locations of overhead utility lines are graphically shown to indicate the approximate connection points and do not reflect the actual location, number or type of wires.
- Underground improvements and/or underground encroachments not shown unless otherwise indicated.
- The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
- Legal description shown hereon per title commitment furnished by client and no claims as to ownership are made or implied.

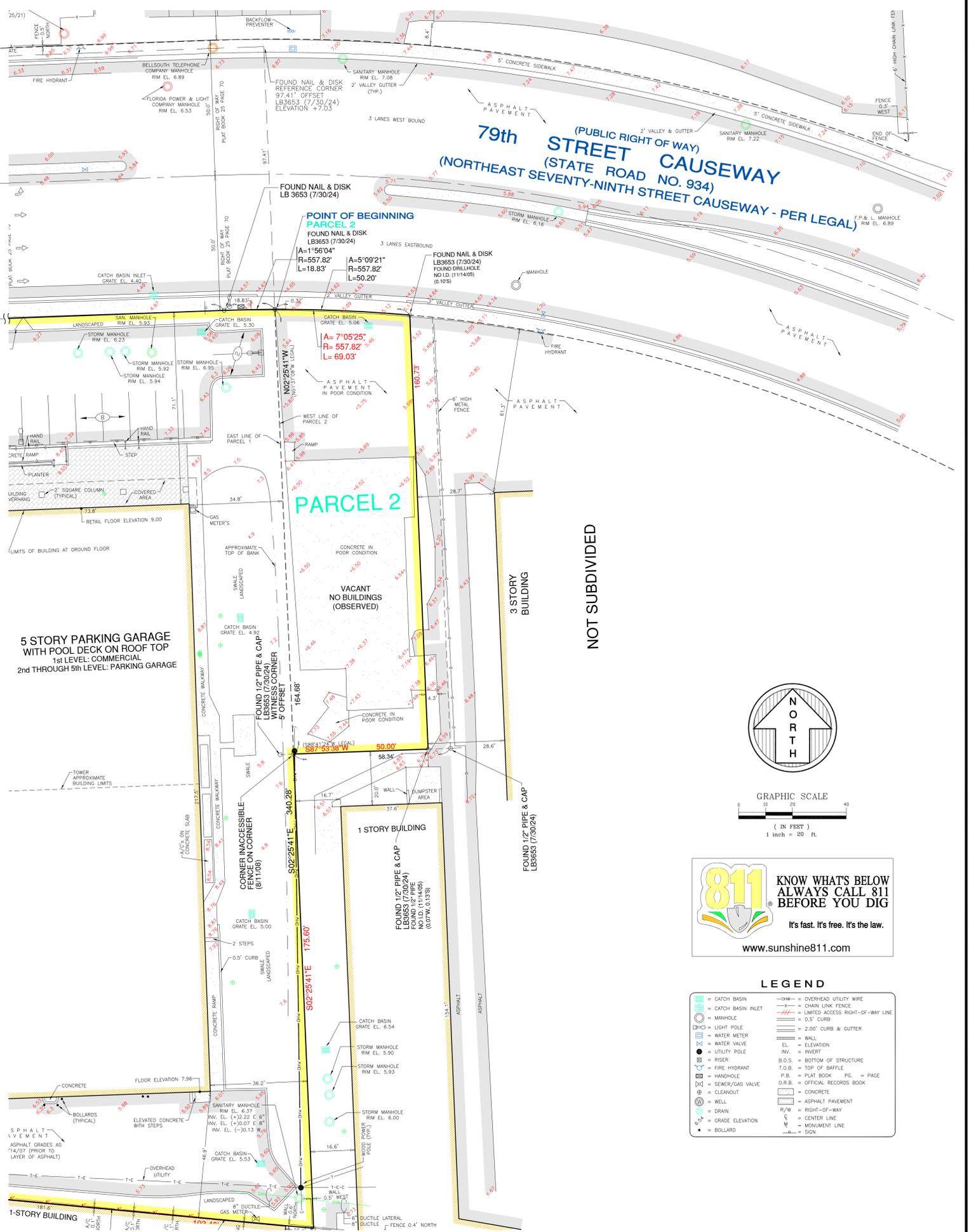
**SURVEYOR'S CERTIFICATION:**  
I hereby certify that this "Boundary & Topographic Survey" was made under my responsible charge on November 14, 2005 and last updated July 30, 2024, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. The fieldwork was completed on July 30, 2024.

**\*Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below\***

**FORTIN, LEAVY, SKILES, INC., LB3653**

By: Daniel C. Fortin Jr, For The Firm  
Professional Surveyor and Mapper, LS6435  
State of Florida.

SEE SHEET 2 OF 2



**811** KNOW WHAT'S BELOW ALWAYS CALL 811 BEFORE YOU DIG  
It's fast. It's free. It's the law.  
www.sunshine811.com

**LEGEND**

	CATCH BASIN		OVERHEAD UTILITY WIRE
	CATCH BASIN INLET		CHAIN LINK FENCE
	MANHOLE		LIMITED ACCESS RIGHT-OF-WAY LINE
	LIGHT POLE		0.5' CURB
	WATER METER		2.00' CURB & GUTTER
	WATER VALVE		WALL
	UTILITY POLE		ELEVATION
	FIRE HYDRANT		INSERT
	HANDHOLE		B.O.S. = BOTTOM OF STRUCTURE
	SEWER/GAS VALVE		T.O.B. = TOP OF BAFILE
	CLEARCUT		P.B. = PLAT BOOK PG. = PAGE
	ASPHALT PAVEMENT		O.R.B. = OFFICIAL RECORDS BOOK
	WELL		R/W = RIGHT-OF-WAY
	DRAIN		C = CENTER LINE
	GRADE ELEVATION		M = MONUMENT LINE
	BOLLARD		SIGN

This Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an instrument of Service not to be Reproduced in Whole or in Part without the EXPRESS WRITTEN Permission of Same.

DF3	UPDATE SURVEY (7/30/24)	2/40477
DMF	FINAL AS-BUILT SURVEY (8/11/08)	080985
GEM	FINAL AS-BUILT SURVEY (10/2/07)	070970
DMF	AMEND PER COMMENTS	052294
O.N.		

**FORTIN, LEAVY, SKILES, INC.**  
CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653  
180 N.E. 168th Street, North Miami Beach, Florida 33162  
Phone: 305-653-4493 / Email: fls@flsurvey.com

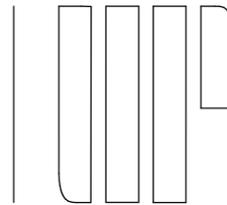
**BOUNDARY & TOPOGRAPHIC SURVEY**  
THE LEXI - SHOPPES OF NORTH BAY VILLAGE  
CITY OF NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA

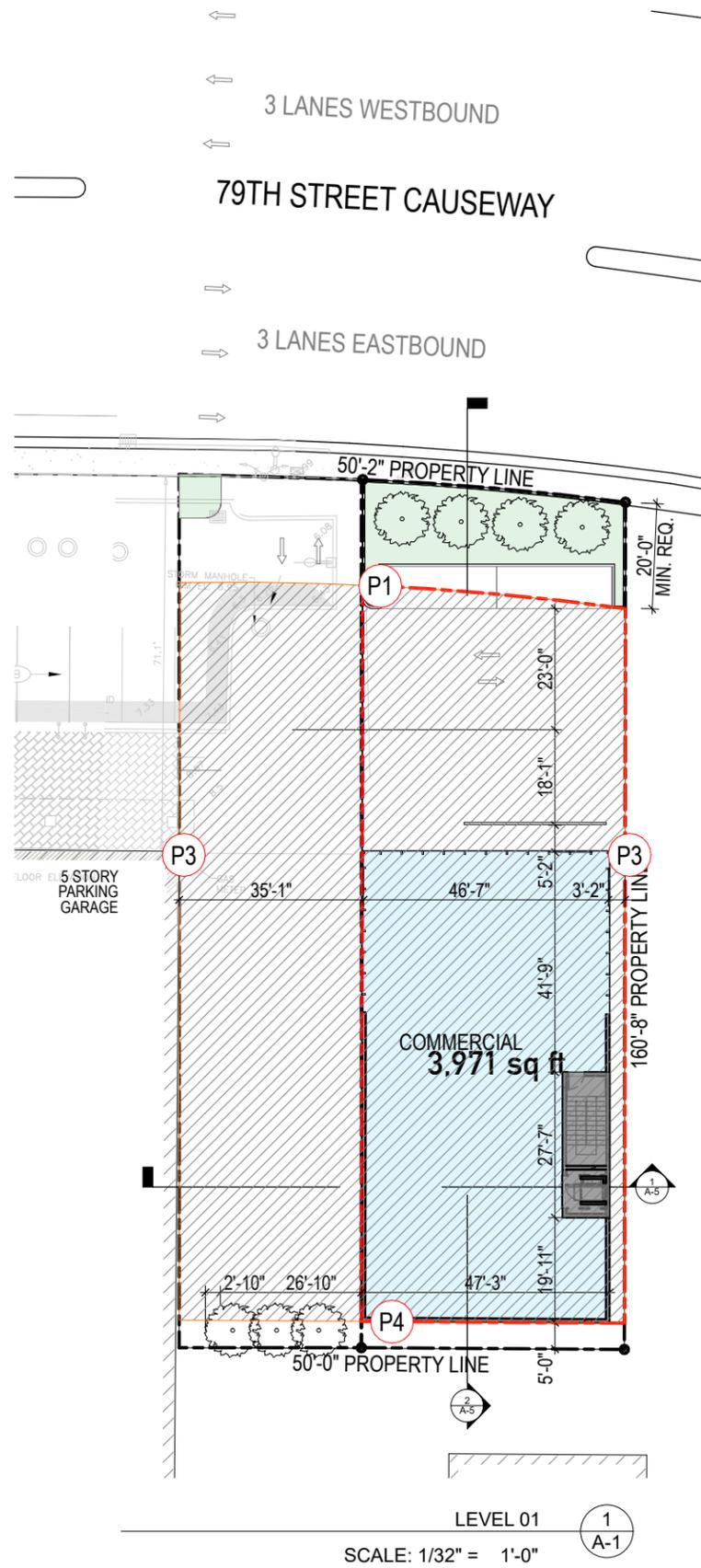
Original Date: 11/14/05  
Scale: 1" = 20'  
Drawn By: GEM  
CAD No.: 041610  
Plotted: 8/1/24 5:49p  
Ref. Dwg.: 2004-234-1 & 2005-188-2  
Field Book: 56742-44 JWL/SD  
Job No.: 052206  
Dwg. No.: 2005-221  
Sheet: 1 of 2



# Exhibit E

NORTH BAY VILLAGE OUTPARCEL  
7901 HISPANIOLA AVENUE,  
NORTH BAY VILLAGE, FL 33141





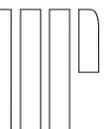
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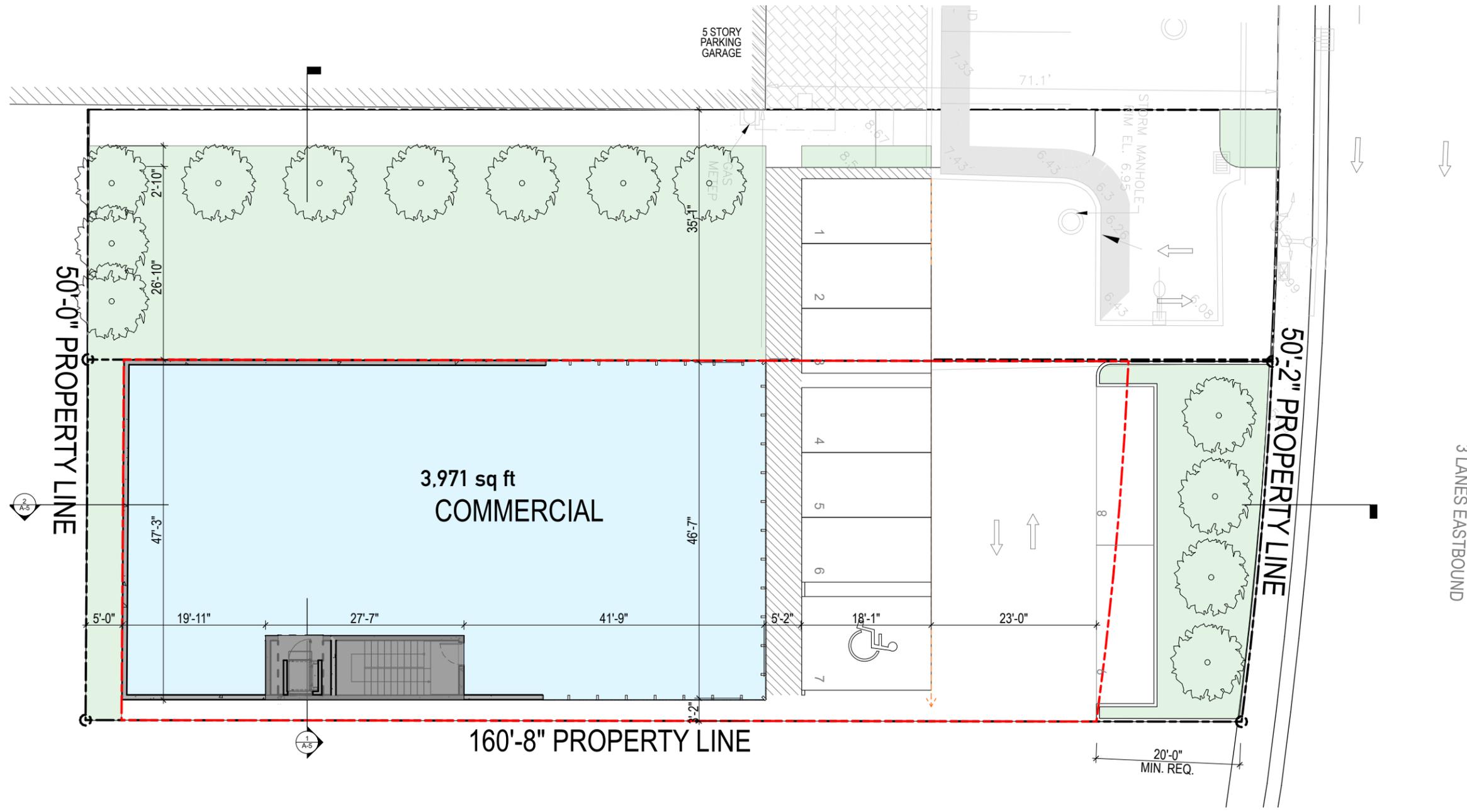
LEGEND	
	PROPERTY LINE
	REQUIRED SETBACK BY CODE
	BUILDABLE AREA
	POTENTIAL PARKING AREA

SETBACKS		
	CODE	PROPOSED
P1	PRINCIPAL FRONT - KENNEDY CSWY	20'-0" MIN. / 20'-0"
P2	SECONDARY FRONT/ SIDE A	10'-0" MIN. / N/A
P3	SIDE B	0'-0" MIN. / 0'-0"
P4	REAR	5'-0" MIN. / 5'-0"

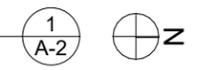
SITE DATA		
NORTH BAY VILLAGE - T6-24		
BUILDING DATA	REQUIRED / ALLOWED	PROPOSED
LOT AREA	10,000 SF MIN.	8,154 SF
LOT WIDTH	100 FT. MIN.	50 FT
LOT COVERAGE	90% MAX. 8,154 SF x .90 = 7,338.6 SF	
FLOOR LOT RATIO	13.0	
FRONTAGE AT FRONT SETBACK	70% MIN. (50 FT x .70 = 35 FT)	
OPEN SPACE REQUIREMENT	10% LOT AREA MIN. 8,154 SF x .10 = 815.4 SF	
BUILDING HEIGHT	2 STORIES MIN. 24 STORIES OR 240 FEET MAX.	2 STORIES
PARKING	OFFICE MIN. OF 3 PARKING SPACES PER 1,000 SQ FT 4,000 SQ FT / 1000 SQ FT = 12 PARKING SPACES COMMERCIAL MIN. OF 3 PARKING SPACES PER 1,000 SQ FT	7 PARKING SPACES

LOCATION MAP





LEVEL 01 - OPT 01  
 SCALE: 1/16" = 1'-0"



A-2

NORTH BAY VILLAGE OUTPARCEL

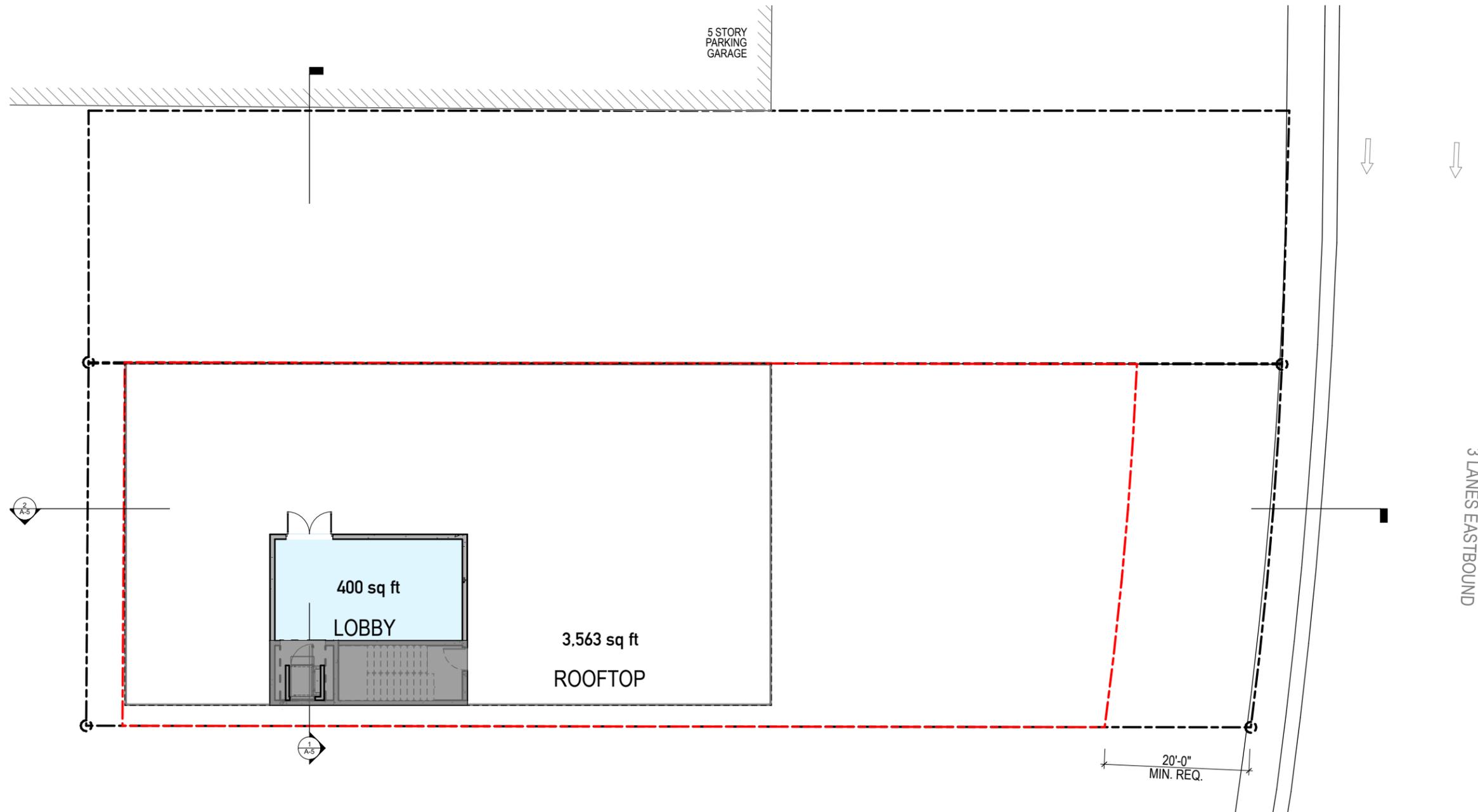
ZONING STUDY

OPT 01 - GROUND FLOOR

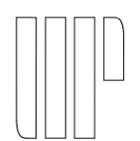
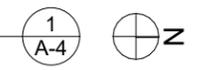
6/17/24

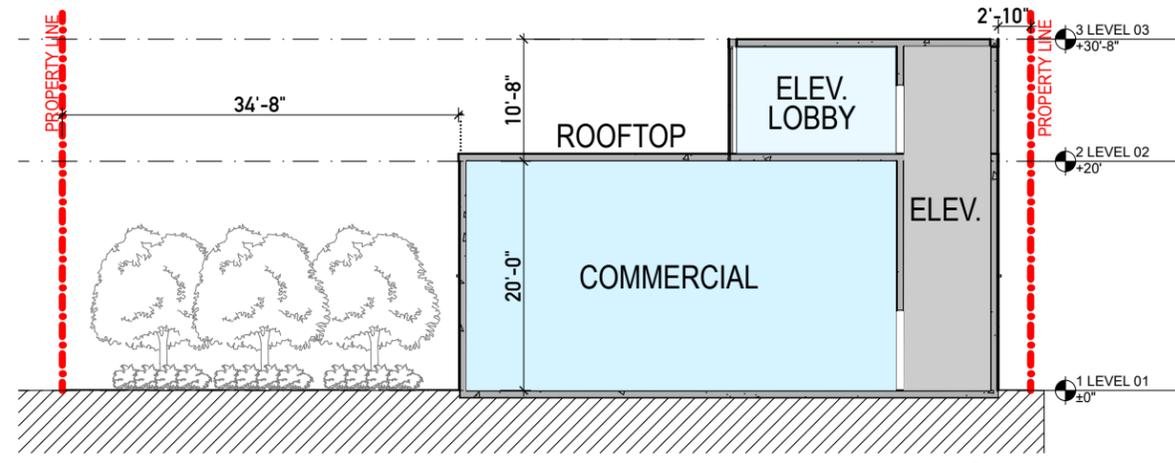
URBAN ROBOT © 2024



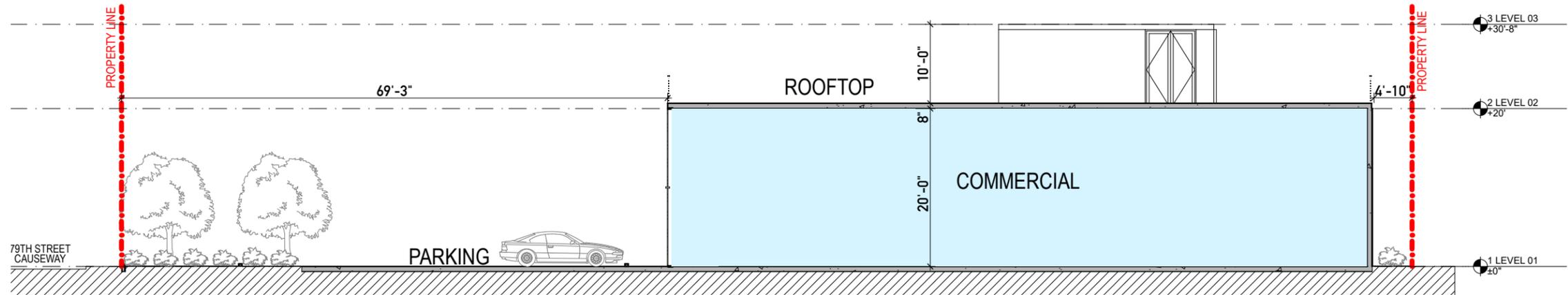


LEVEL 02  
 SCALE: 1/16" = 1'-0"





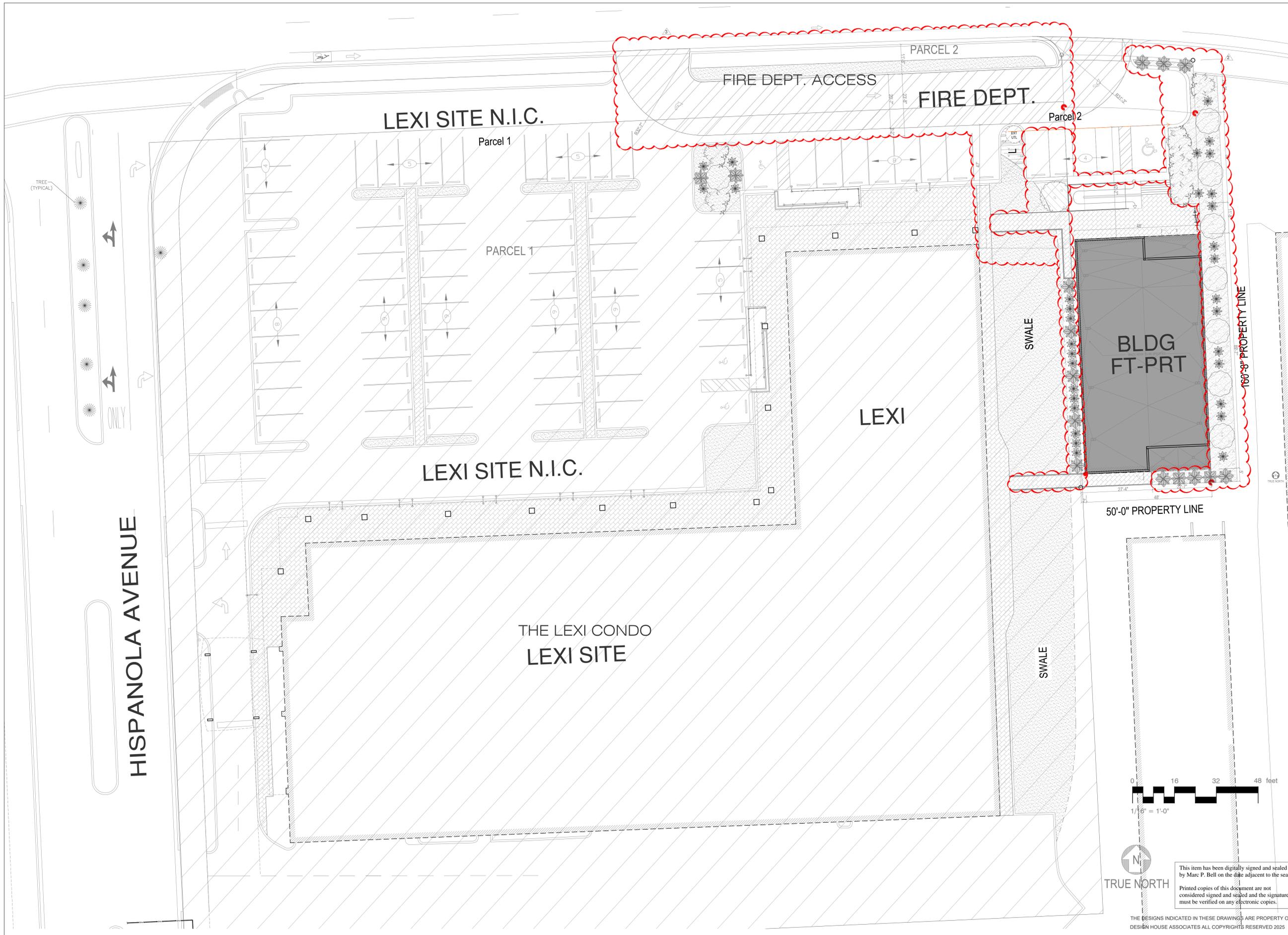
CROSS SECTION  
SCALE: 1/16" = 1'-0" ①



LONG SECTION  
SCALE: 1/16" = 1'-0" ②



## **PROPOSED PROGRAM**



CLIENT:  
**CONTINUUM CO. SALES CENTER**  
 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Marika Hachem  
 mhachem@yhc.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD  
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 Jacob Waters  
 727.497.8205  
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 jwaters@powerdesigninc.us

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 MARC@DESIGNHOUSEASSOCIATES.COM

REGISTERED INTERIOR DESIGNER  
 N/A

OTHER:  
 N/A

OTHER:  
 N/A

SEAL / SIGNATURE / DATE

KEY PLAN IF APPLICABLE

**ARCHITECTURAL DRAWINGS  
 ONLY AS REFERENCE TO  
 SITE PLAN PERMIT  
 SUBMITTAL**

Office Registration # AA26003060	
Issue # ①	08/01/2025 / Site Plan
Issue # ②	09/19/2025 / Site Plan
1	08/10/25 DERM CORE
1	08/13/25 PROJECT TITLE
2	09/19/25 SITE PLAN MODIFICATIONS
3	10/07/25 SITE PLAN MODIFICATIONS - FIRE LANE WIDTH & DISTANCE TO EMERGENCY EXIT DOOR

DHA Project No.: 4107  
 Drawn by: RM  
 Approved by: MB

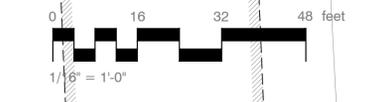
SHEET INDEX

**SITE PLAN**

SCALE:

SHEET NO.

**A-001**



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\* Figures provided by Land Use Attorney

SITE DATA ( PARCEL 1 + PARCEL 2 )		
NORTH BAY VILLAGE - T6-24		
BUILDING DATA	REQUIRED/ALLOWED	PROPOSED
LOT AREA <small>*PER CURRENT SURVEY DATA</small>	10,000 SF Min.	8,155 SF <small>*PER CURRENT SURVEY DATA</small> *TOTAL: 8155 SF
LOT WIDTH <small>*PER CURRENT SURVEY DATA</small>	100 FT Min.	50 FT *TOTAL: 270.55 FT
LOT COVERAGE	90% Max.	53% = 4293.66 SF
FLOOR LOT RATIO	13 Max.	
FRONTAGE AT SET BACK	70% Min. (50 FT X .70 = 35 FT)	
OPEN SPACE REQUIREMENT	10% LOT AREA Min. (8,155 SF X .10 = 815.5 SF )	
BUILDING HEIGHT	2 STORIES Min. 240 STORIES Max.	
PARKING	<b>OFFICE</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 12.88 PRK SPCS  <b>COMMERCIAL</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 21 PRK SPCS	+ 4 SPACES *Total: 428 spaces (28 space surplus remaining from Parcel 1 project; total site maintains a 16 space surplus )

SITE DATA ( PARCEL 2 )		
NORTH BAY VILLAGE - T6-24		
BUILDING DATA	REQUIRED/ALLOWED	PROPOSED
LOT AREA <small>*PER CURRENT SURVEY DATA</small>	10,000 SF Min.	8,155 SF
LOT WIDTH <small>*PER CURRENT SURVEY DATA</small>	100 FT Min.	50 FT
LOT COVERAGE	90 % (8155 x .9 = 7339.5)	7339.5 SF Max 4293.66 SF provided (53%)
FRONTAGE AT FRONT SETBACK	70 % Min. 48 FT X .70 = 33.6 FT	46 FT
OPEN SPACE REQUIREMENT	10% LOT AREA Min. (8,155 SF X .10 = 815.5 SF )	815.5 SF (10%) 1304.8 SF (16%)
BUILDING HEIGHT	2 STORIES Min. 240 STORIES Max.	2 STORIES = 35 FT (From top of Ground Floor slab to top of Roof Slab COMBINED)
PARKING	<b>OFFICE</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 12 PRK SPCS  <b>COMMERCIAL</b> Min. OF 3 PRK SPCS PER 1,000 SF 6,828 SF / 1000 SF = 21 PRK SPCS	4 PARKING SPACES 1 HANDICAP SPACE 16 PARKING SPACES PROVIDED BY SURPLUS AT ADJACENT PARCEL TOTAL: 21 PARKING SPACES
TOTAL FLOOR AREA	GROUND AND 2ND FLOOR COMBINED	6,828 SF (SEE SHEET A001-01)

Green Design Option	Description	Points
Enhanced hurricane resistant structure	Meet a wind load 20 mph greater than Florida Building Code requirements.	4
Energy Star rating for all appliances/equipment	All appliances/equipment associated with the building are Energy Star rated.	4
White roof (also known as cool roof)	The entire roof surface must be covered in white/reflective covering and provide an initial and 3-year aged Solar Reflectance Index (SRI) as follows: Low-sloped roofs with a slope less than or equal to 2:12: initial SRI of 82 and 3-year aged SRI of 64.  Steep-sloped roofs with a slope greater than 2:12: initial SRI of 39 and 3-year aged SRI of 32.	4
Low Flow Plumbing Fixtures	EPA- Labeled WaterSense Showerheads (2 gpm), bathroom and kitchen faucet and aerators (1.5gpm max) + WaterSense- labeled toilets (1.28 gpf max), urinals (05 gpf max) + WaterSense- labeled landscape irrigation controllers.	8
100% native plants in landscaping	Meet all landscaping requirements with 100% Miami-Dade County native vegetation.	4
Lighting Controls	Interior Lighting controls with dimmers or sensors excluding bathrooms and hallways	2
Lighting Controls	Exterior lighting controls with automatic shut-off when daylight is present	2
<b>Total</b>		<b>28</b>

LOCATION MAP



BUILDING OCCUPANCY:

Occupancy Classification: Business (Group B)  
 Total Floor Area: +/- 6,828 square feet (both floors combined)  
 Occupant Load Factor: 150 gross square feet per person (per FBC Table 1004.5)  
 Calculated Occupant Load:  
 6,828 sf ÷ 150 = 45.52 = 46 persons total  
 This calculation is based on the Florida Building Code (7th Edition) and Miami-Dade County Fire Code requirements for Business Occupancy.



NOTE:

FOR REFERENCE ONLY, BLDG. WILL BE INTRODUCED UNDER A SEPARATE PERMIT. THIS IS A NEW 2 STORY BUILDING. FOR FUTURE USE AS THE SALES CENTER OF THE ADJACENT "LEXY" CONDO. IT WILL HAVE SHOWROOM, MEETING AND OFFICES SPACES, AS WELL AS A PANTRY AND OTHER OTHER BOH SPACES. PROJECT DOES NOT REQUIRE REMOVALS.

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ZONING DATA  
 N.T.S.

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CLIENT: **CONTINUUM CO. SALES CENTER**  
 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

ARCHITECT OF RECORD:  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD:  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Marya Hacheem  
 mhachem@yhc.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD:  
 POWER DESIGN  
 Jacob Waters  
 727.497.8205  
 727.286.1699  
 jwaters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD:  
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REGISTERED INTERIOR DESIGNER  
 N/A

OTHER:  
 N/A

OTHER:  
 N/A

SEAL / SIGNATURE / DATE

KEY PLAN IF APPLICABLE

ARCHITECTURAL DRAWINGS  
 ONLY AS REFERENCE TO  
 SITE PLAN PERMIT  
 SUBMITTAL

Office Registration #	AA26003060
Issue # (1)	08/01/2025 / Site Plan
Issue # (2)	09/19/2025 / Site Plan
1	06/10/25 DEFIRM CORE
1	06/10/25 WASA
1	06/13/25 PROJECT TITLE
2	08/19/25 REVISIONS TO SITE PLAN
2	08/19/25 REVISION TO GREEN DESIGN CHART
3	09/26/25 REVISION TO ALL CHARTS (PER UPDATED SURVEY)

DHA Project No.: 4107  
 Drawn by: RM  
 Approved by: MB

SHEET INDEX

SITE &  
 CALCULATIONS

SCALE:

SHEET NO.

A-1-01

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**DH**  
 DESIGN HOUSE ASSOCIATES  
 CLIENT: **CONTINUUM CO. SALES CENTER**  
 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
**YOUSSEF HACHEM CONSULTING ENGINEERING**  
 Maryk Monira  
 mmolina@yhce.us  
 305.969.9423  
 99 NW 27 Avenue

MEP ENGINEER OF RECORD  
**POWER DESIGN**  
 Jacob Waters  
 727.497.8205  
 727.286.1699  
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 2655 LEJUNE RD PH2-A5  
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 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
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REGISTERED INTERIOR DESIGNER

OTHER:  
 N/A

OTHER:  
 N/A

SEAL / SIGNATURE / DATE

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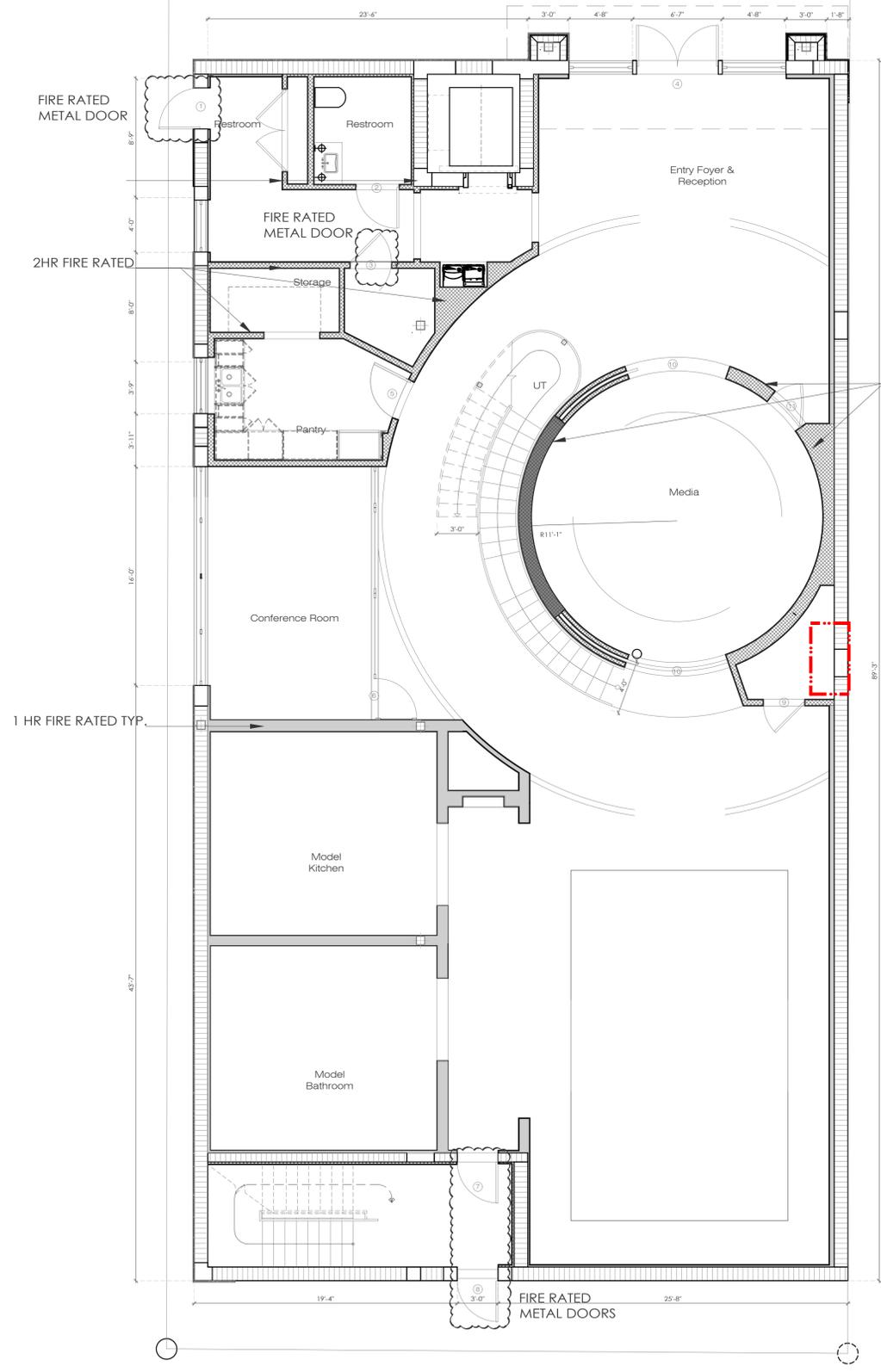
**ARCHITECTURAL DRAWINGS ONLY AS REFERENCE TO SITE PLAN PERMIT SUBMITTAL**

Office Registration # AA26003060  
 Issue # ① 08/01/2025 / Site Plan  
 Issue # ② 09/19/2025 / Site Plan

DHA Project No.: 4107  
 Drawn by: RM  
 Approved by: MB

SHEET INDEX  
**GROUND & 2ND LEVELS**

SHEET NO.  
**A-1-03**



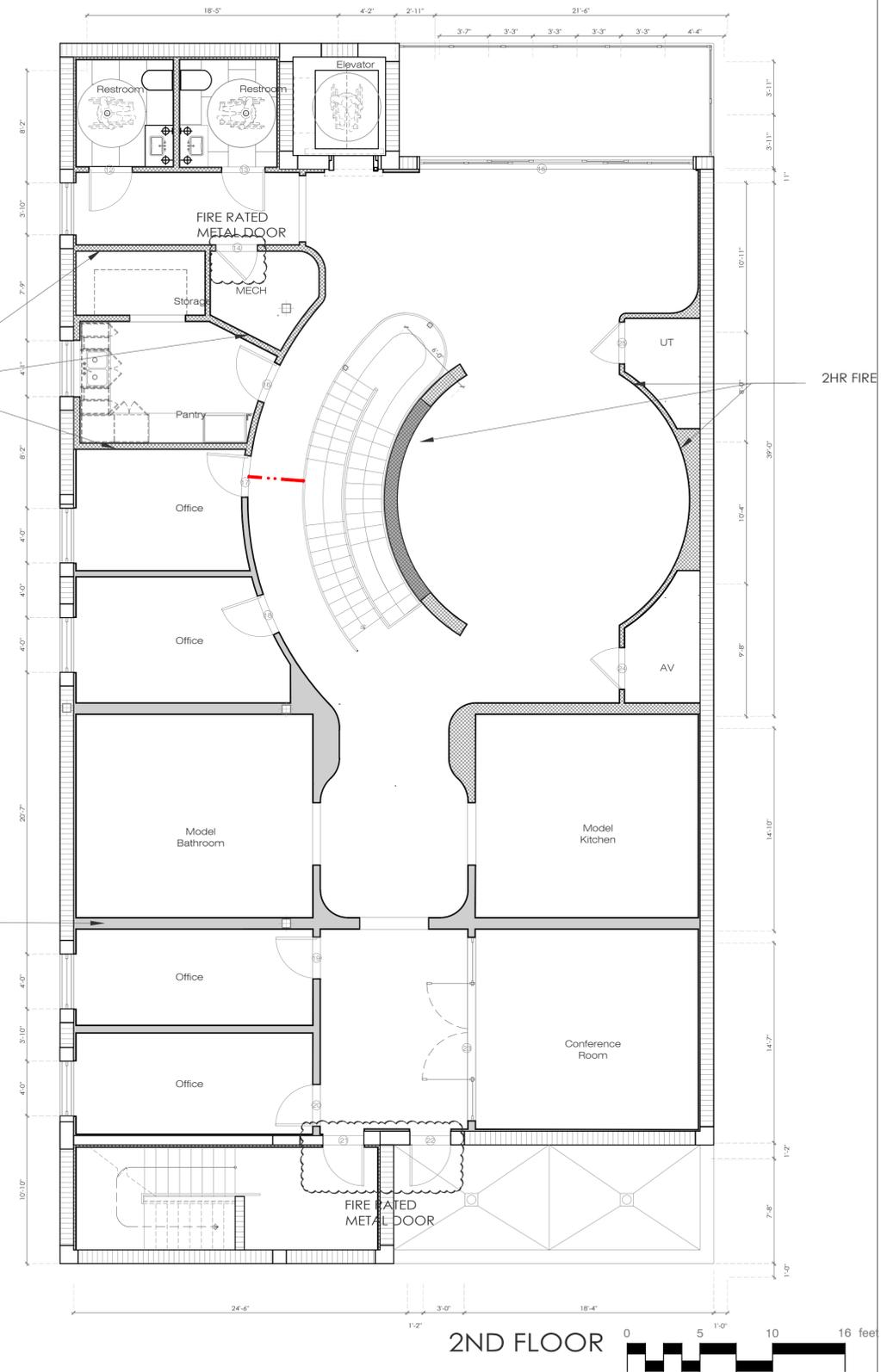
2HR FIRE RATED

1HR FIRE RATED TYP.



GROUND FLOOR

3/16" = 1'-0"

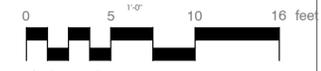


2HR FIRE RATED

1HR FIRE RATED TYP.

2ND FLOOR

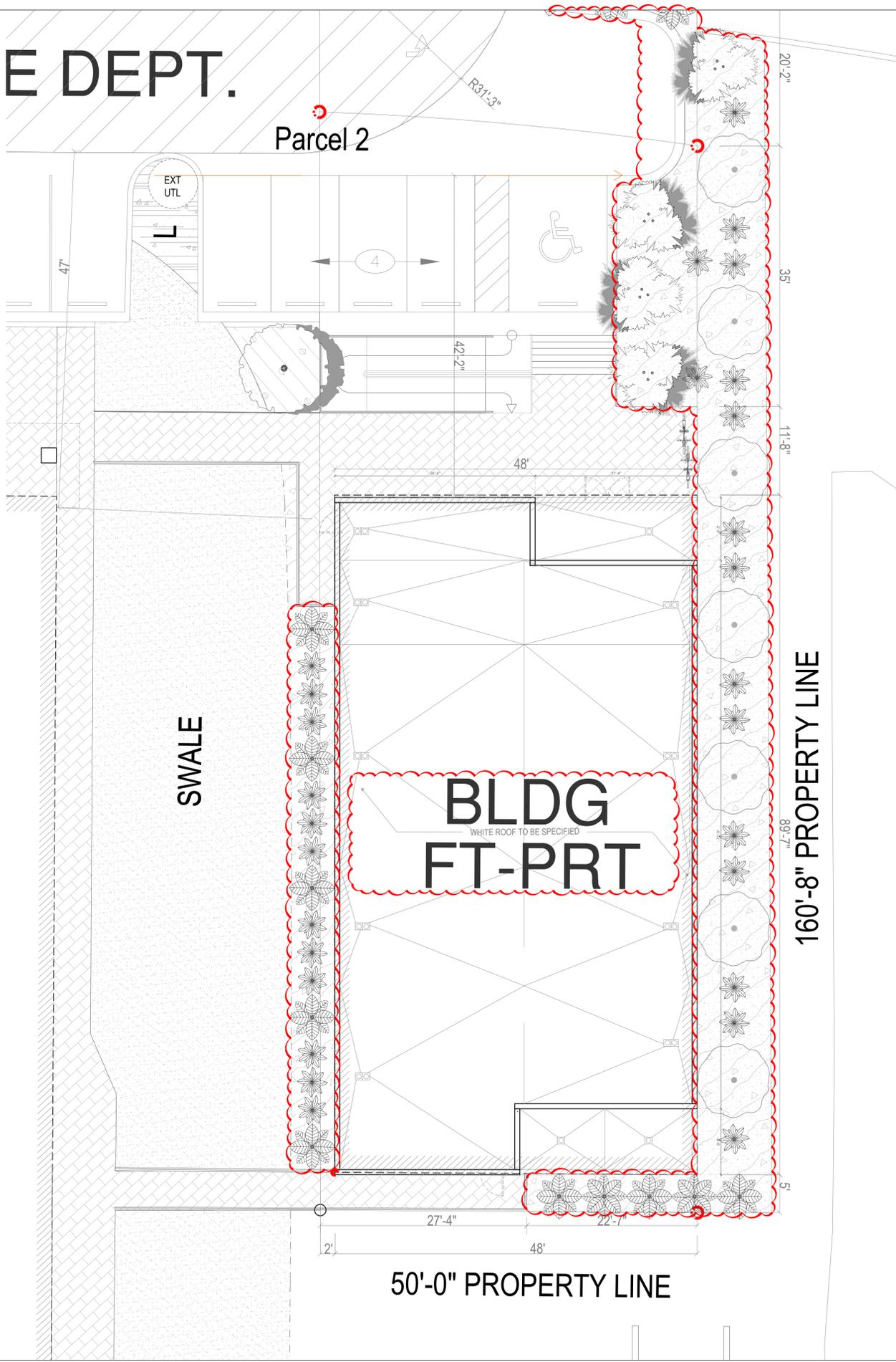
3/16" = 1'-0"



3/16" = 1'-0"  
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E DEPT.

Parcel 2



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**DH**  
DESIGN HOUSE ASSOCIATES

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 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

STRUCTURAL ENGINEER OF RECORD  
 YOUSSEF HACHEM CONSULTING  
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 Maryk Monie  
 mmolins@yhce.us  
 305.969.9423  
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 Jacob Walters  
 727.497.8205  
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 2655 LEJUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

REGISTERED INTERIOR DESIGNER  
 N/A

OTHER:  
 N/A

OTHER:  
 N/A

SEAL / SIGNATURE / DATE

KEY PLAN IF APPLICABLE

**ARCHITECTURAL DRAWINGS ONLY AS REFERENCE TO SITE PLAN PERMIT SUBMITTAL**

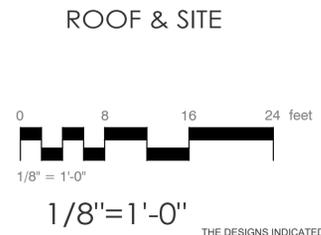
Office Registration # AA26003060

Issue # (1)	08/01/2025 / Site Plan
Issue # (2)	09/19/2025 / Site Plan
1	08/13/25 PROJECT TITLE
2	09/19/25 LANDSCAPE
3	09/26/25 WHITE ROOF

DHA Project No.: 4107  
 Drawn by: RM  
 Approved by: MB

SHEET INDEX  
**ROOF LEVEL SITE PLAN**  
 SCALE:

SHEET NO.  
**A-1-04**



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# PROPERTY APPRAISER OF MIAMI-DADE COUNTY

## Summary Report

Generated On: 07/15/2025

PROPERTY INFORMATION	
<b>Folio</b>	23-3209-051-0001 (Reference)
<b>Property Address</b>	0 , FL
<b>Owner</b>	REFERENCE ONLY
<b>Mailing Address</b>	
<b>Primary Zone</b>	6000 COMMERCIAL - GENERAL
<b>Primary Land Use</b>	0000 REFERENCE FOLIO
<b>Beds / Baths /Half</b>	0 / 0 / 0
<b>Floors</b>	0
<b>Living Units</b>	0
<b>Actual Area</b>	0 Sq.Ft
<b>Living Area</b>	0 Sq.Ft
<b>Adjusted Area</b>	0 Sq.Ft
<b>Lot Size</b>	0 Sq.Ft
<b>Year Built</b>	0



ASSESSMENT INFORMATION			
Year	2025	2024	2023
<b>Land Value</b>	\$0	\$0	\$0
<b>Building Value</b>	\$0	\$0	\$0
<b>Extra Feature Value</b>	\$0	\$0	\$0
<b>Market Value</b>	\$0	\$0	\$0
<b>Assessed Value</b>	\$0	\$0	\$0

TAXABLE VALUE INFORMATION			
Year	2025	2024	2023
<b>COUNTY</b>			
<b>Exemption Value</b>	\$0	\$0	\$0
<b>Taxable Value</b>	\$0	\$0	\$0
<b>SCHOOL BOARD</b>			
<b>Exemption Value</b>	\$0	\$0	\$0
<b>Taxable Value</b>	\$0	\$0	\$0
<b>CITY</b>			
<b>Exemption Value</b>	\$0	\$0	\$0
<b>Taxable Value</b>	\$0	\$0	\$0
<b>REGIONAL</b>			
<b>Exemption Value</b>	\$0	\$0	\$0
<b>Taxable Value</b>	\$0	\$0	\$0

BENEFITS INFORMATION				
Benefit	Type	2025	2024	2023
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

SHORT LEGAL DESCRIPTION
THE LEXI CONDO
A PORT OF NE1/4 OS NW1/4 OF
SE1/4 OF SEC 9 53 42
AS DESC IN DECL OR 25977-0001
LOT SIZE 117101 SQ FT

SALES INFORMATION			
Previous Sale	Price	OR Book-Page	Qualification Description

The Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidad.gov/info/disclaimer.asp>

**ATTACHMENT B**  
**TRIP GENERATION AND ITE EXCERPTS**

TRIP GENERATION ANALYSIS  
1700 JFK

DAILY

Land Use	ITE Code	Size	Trip Generation Rate	In	Out	Total Site Trips			Pass-by Trips				Primary Trips		
						In	Out	Total	In	Out	Total	%	In	Out	Total
<u>Existing Uses</u> Shopping Center (<40k)	822	3,971 SF	$T = 42.20 (X) + 229.68$	50%	50%	199	198	397	0	0	0	0.0%	199	198	397
<u>Proposed Uses</u> General Office	710	4,007 SF	$\ln(T) = 0.87 \ln(X) + 3.05$	50%	50%	36	35	71	0	0	0	0.0%	36	35	71
<b>Net-New</b>						<b>-163</b>	<b>-163</b>	<b>-326</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>-163</b>	<b>-163</b>	<b>-326</b>

MORNING PEAK HOUR

Land Use	ITE Code	Size	Trip Generation Rate	In	Out	Total Site Trips			Pass-by Trips				Primary Trips		
						In	Out	Total	In	Out	Total	%	In	Out	Total
<u>Existing Uses</u> Shopping Center (<40k)	822	3,971 SF	$T = 2.36 (X)$	60%	40%	5	4	9	0	0	0	0.0%	5	4	9
<u>Proposed Uses</u> General Office	710	4,007 SF	$\ln(T) = 0.86 \ln(X) + 1.16$	88%	12%	10	1	11	0	0	0	0.0%	10	1	11
<b>Net-New</b>						<b>5</b>	<b>-3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>5</b>	<b>-3</b>	<b>2</b>

AFTERNOON PEAK HOUR

Land Use	ITE Code	Size	Trip Generation Rate	In	Out	Total Site Trips			Pass-by Trips				Primary Trips		
						In	Out	Total	In	Out	Total	%	In	Out	Total
<u>Existing Uses</u> Shopping Center (<40k)	822	3,971 SF	$T = 6.59 (X)$	50%	50%	13	13	26	5	4	9	34.0%	8	9	17
<u>Proposed Uses</u> General Office	710	4,007 SF	$\ln(T) = 0.83 \ln(X) + 1.29$	17%	83%	2	9	11	0	0	0	0.0%	2	9	11
<b>Net-New</b>						<b>-11</b>	<b>-4</b>	<b>-15</b>	<b>-5</b>	<b>-4</b>	<b>-9</b>		<b>-6</b>	<b>0</b>	<b>-6</b>

# General Office Building (710)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**  
On a: Weekday

**Setting/Location: General Urban/Suburban**

Number of Studies: 59

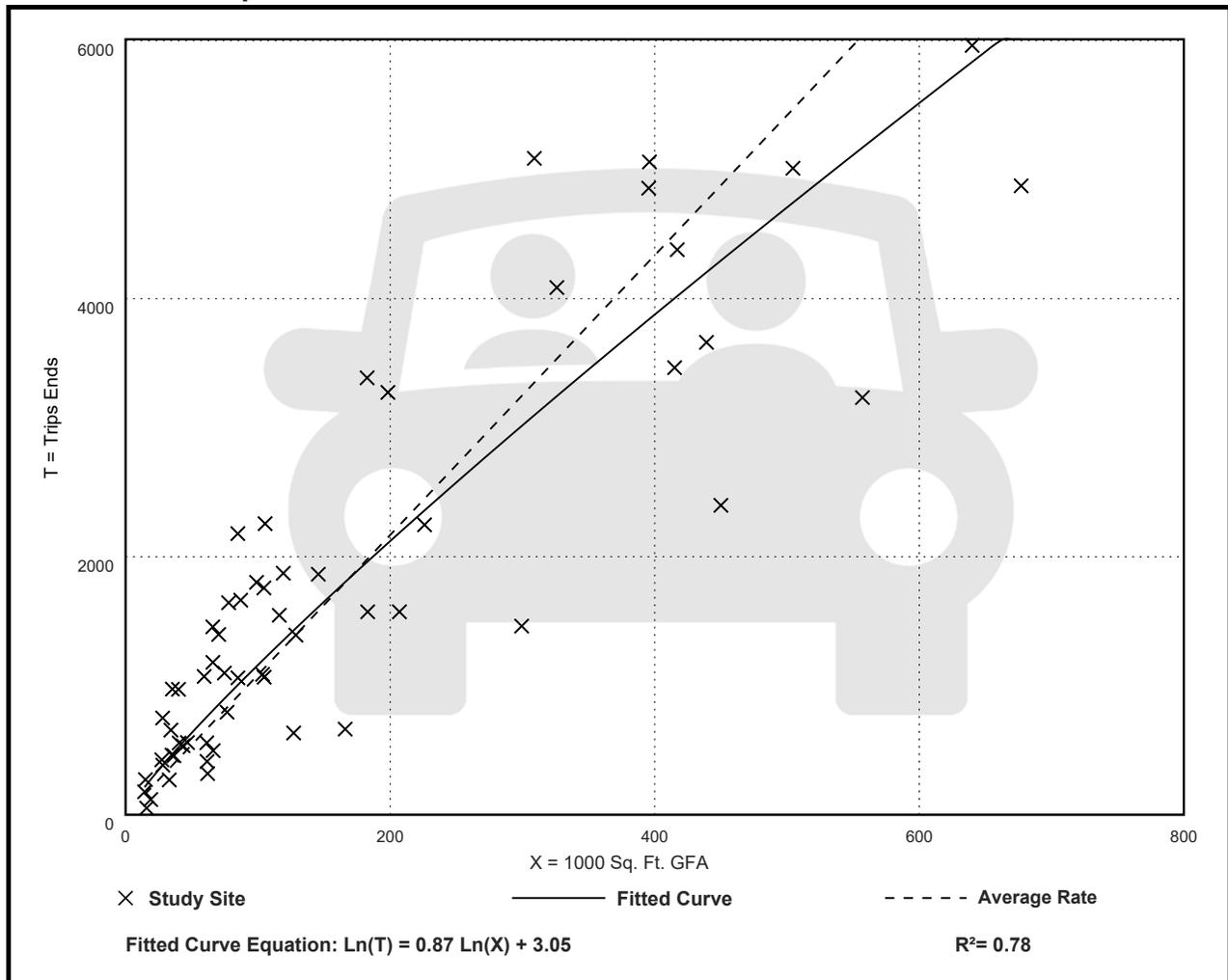
Avg. 1000 Sq. Ft. GFA: 163

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
10.84	3.27 - 27.56	4.76

## Data Plot and Equation



# General Office Building (710)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**

**On a: Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 221

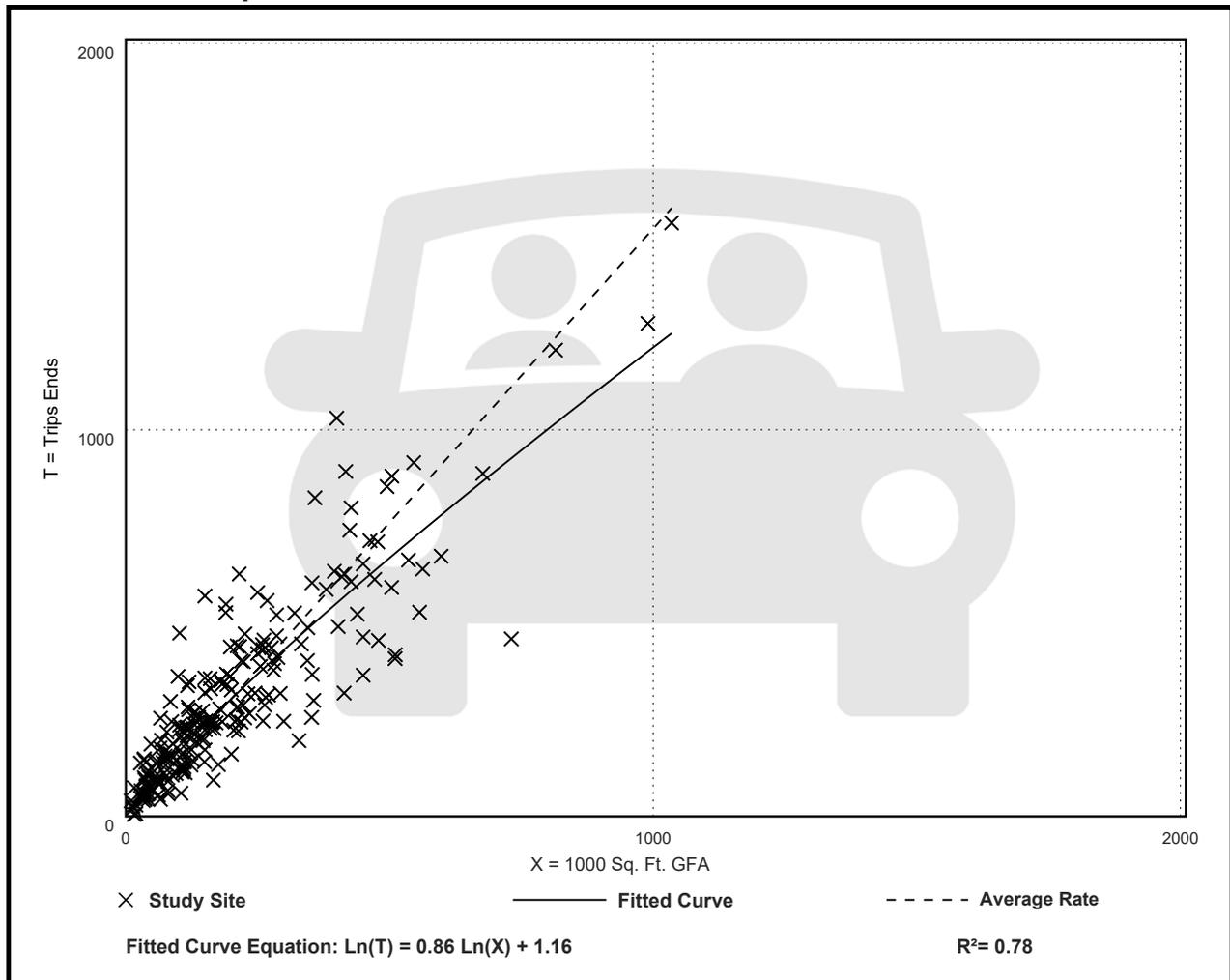
Avg. 1000 Sq. Ft. GFA: 201

Directional Distribution: 88% entering, 12% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.52	0.32 - 4.93	0.58

## Data Plot and Equation



# General Office Building (710)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 232

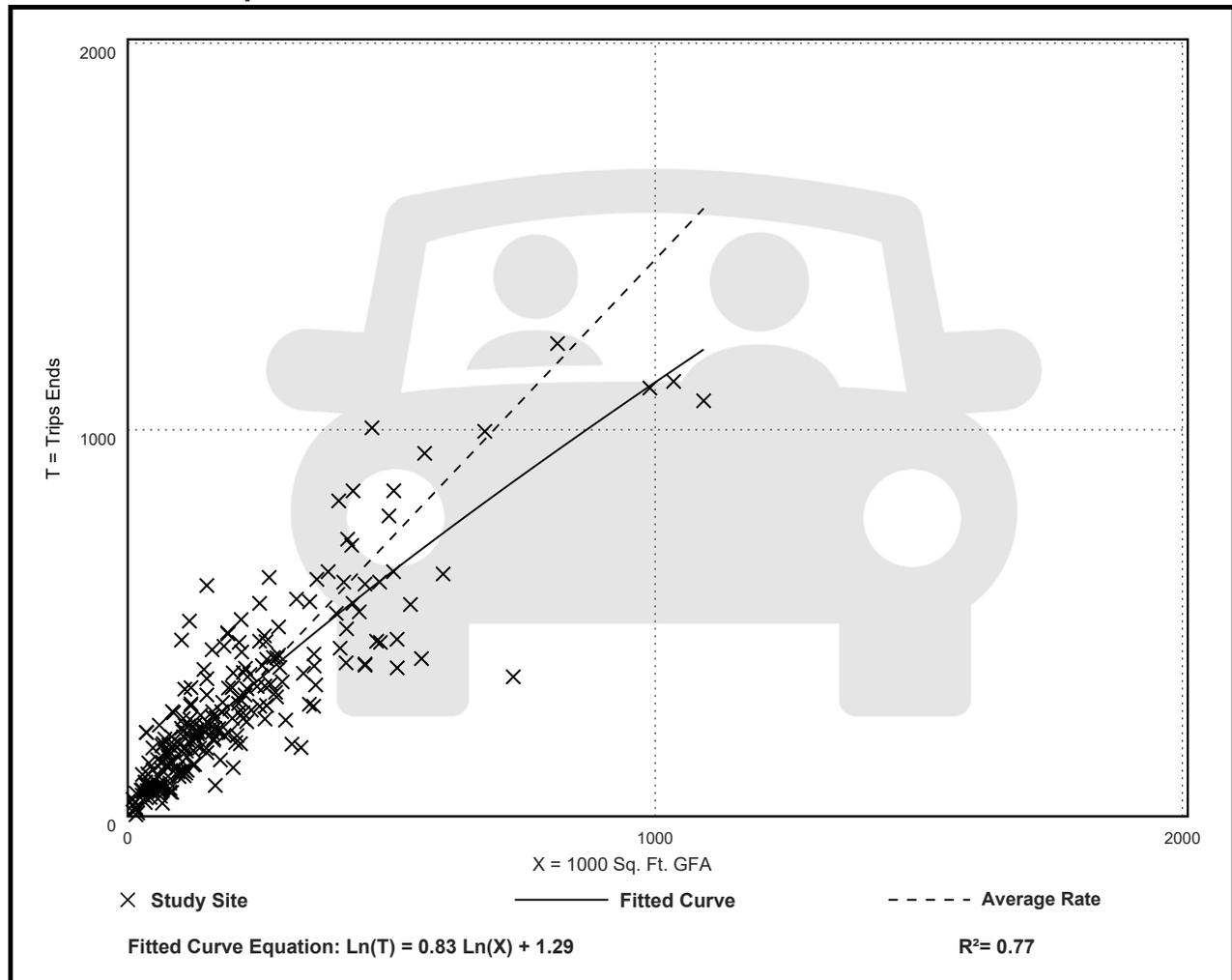
Avg. 1000 Sq. Ft. GFA: 199

Directional Distribution: 17% entering, 83% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.44	0.26 - 6.20	0.60

## Data Plot and Equation



# Strip Retail Plaza (<40k) (822)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**  
On a: Weekday

**Setting/Location: General Urban/Suburban**

Number of Studies: 4

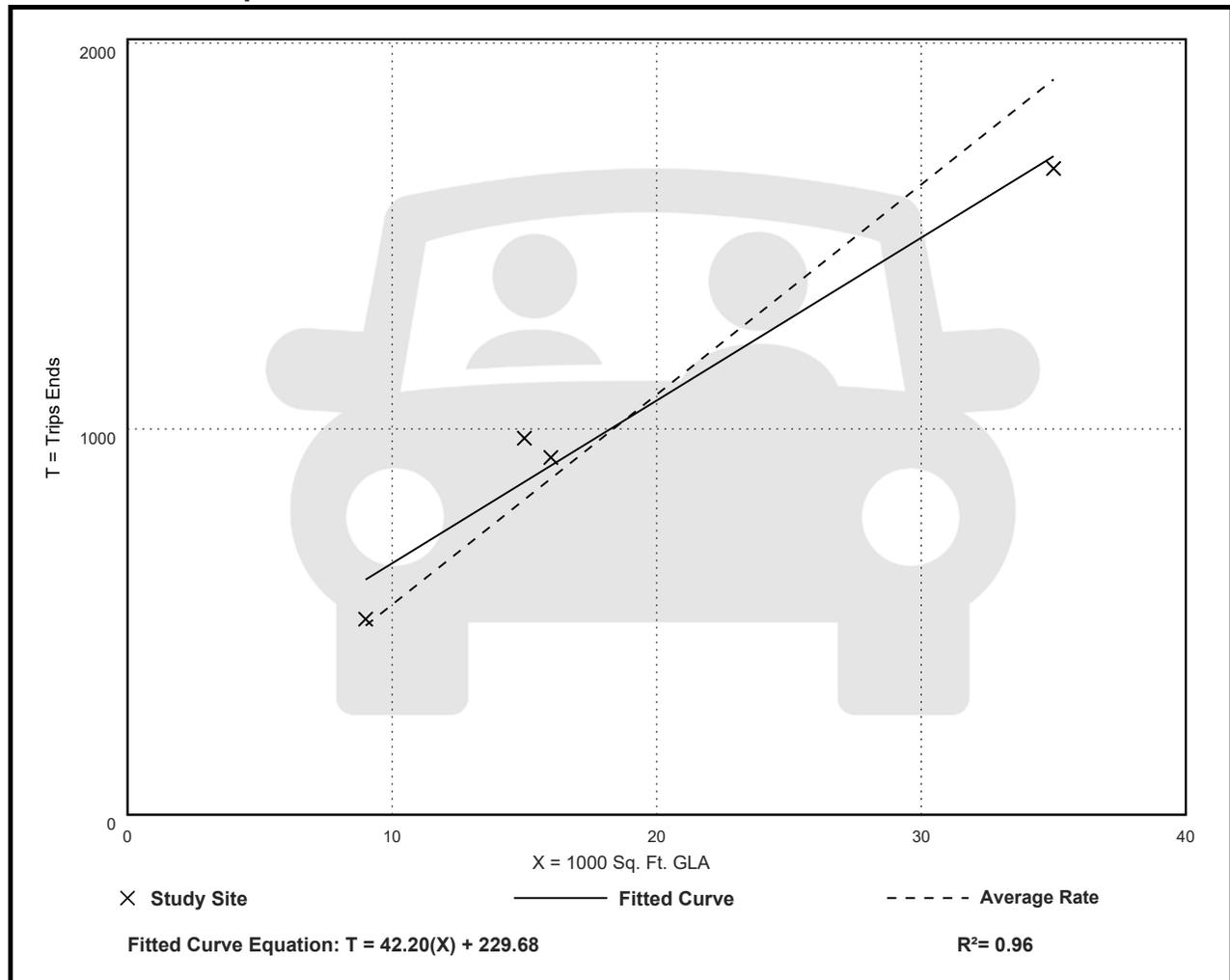
Avg. 1000 Sq. Ft. GLA: 19

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
54.45	47.86 - 65.07	7.81

## Data Plot and Equation



# Strip Retail Plaza (<40k) (822)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**

**On a: Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 5

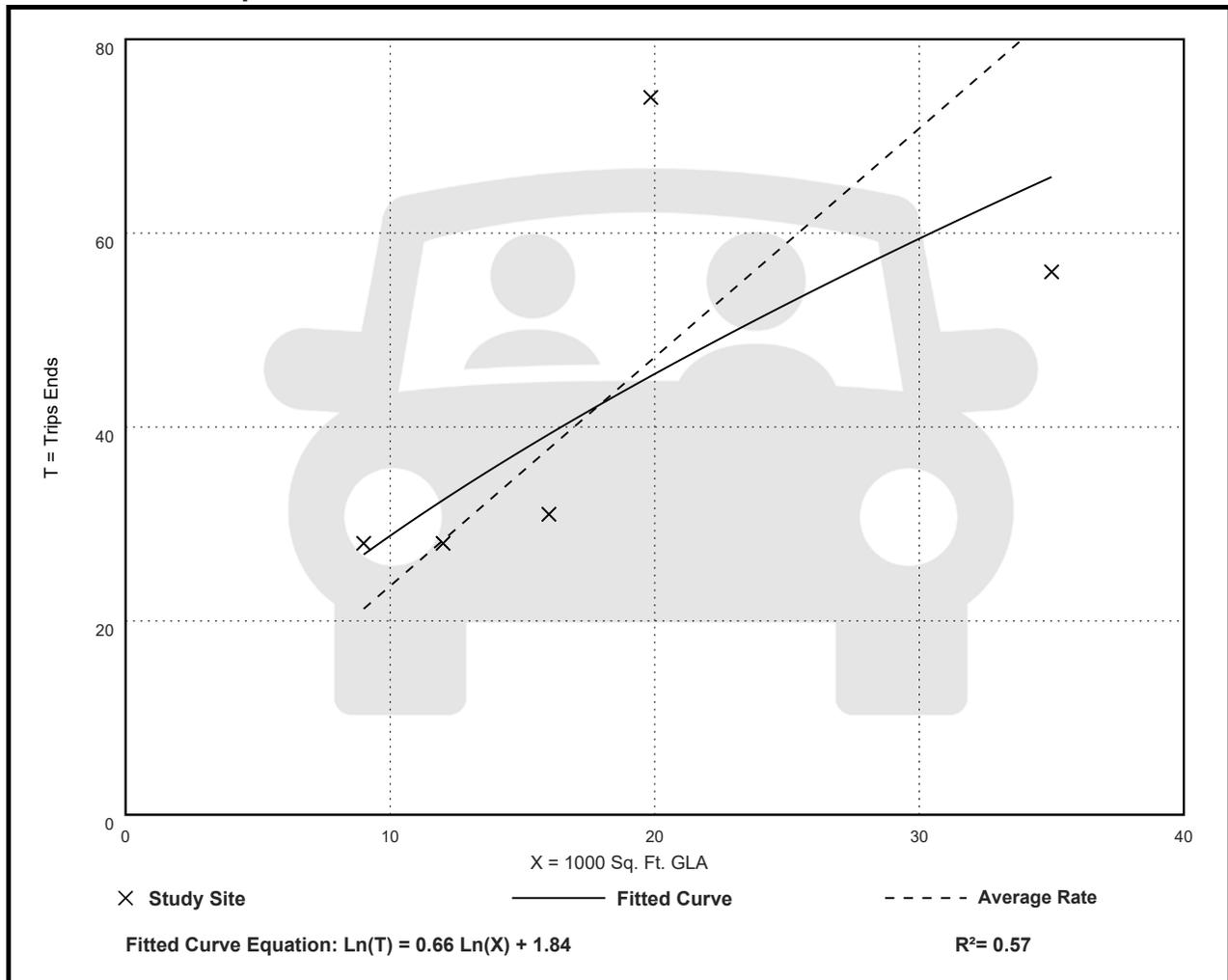
Avg. 1000 Sq. Ft. GLA: 18

Directional Distribution: 60% entering, 40% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
2.36	1.60 - 3.73	0.94

## Data Plot and Equation



# Strip Retail Plaza (<40k) (822)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GLA**

**On a: Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 25

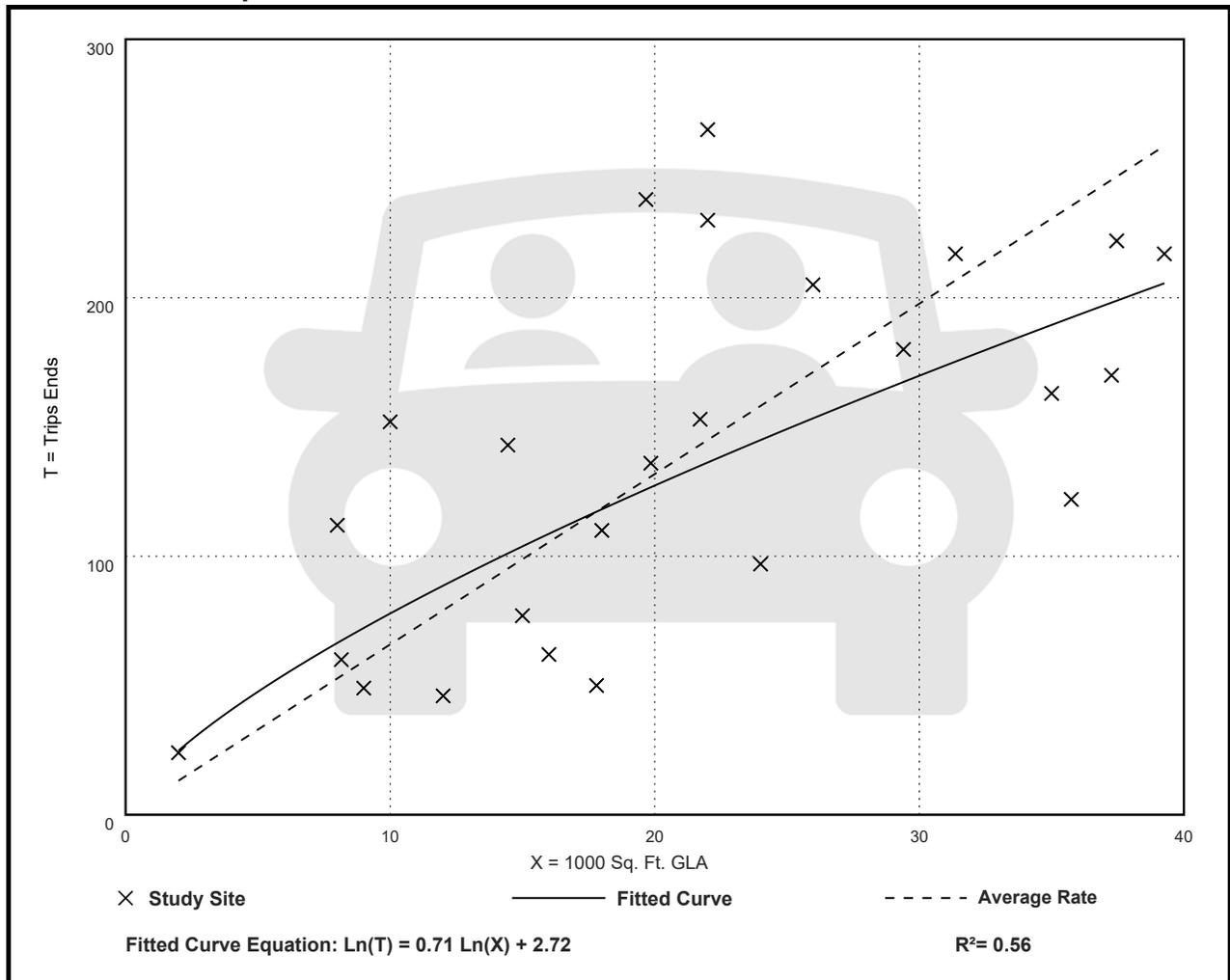
Avg. 1000 Sq. Ft. GLA: 21

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
6.59	2.81 - 15.20	2.94

## Data Plot and Equation



**Table 5.6 (Cont'd)**  
**Pass-By Trips and Diverted Linked Trips**  
**Weekday, p.m. Peak Period**

**Land Use 820—Shopping Center**

SIZE (1,000 SQ. FT. GLA)	LOCATION	WEEKDAY SURVEY DATE	NO. OF INTERVIEWS	TIME PERIOD	PRIMARY TRIP (%)	NON-PASS- BY TRIP (%)	DIVERTED LINKED TRIP (%)	PASS-BY TRIP (%)	ADJ. STREET PEAK HOUR VOLUME	AVERAGE 24-HOUR TRAFFIC	SOURCE
237	W. Windsor Twp, NJ	Winter 1988/89	n/a	4:00–6:00 p.m.	—	52	—	48	n/a	46,000	Booz Allen & Hamilton
242	Willow Grove, PA	Winter 1988/89	n/a	4:00–6:00 p.m.	—	63	—	37	n/a	26,000	McMahon Associates
297	Whitehall, PA	Winter 1988/89	n/a	4:00–6:00 p.m.	—	67	—	33	n/a	26,000	Orth-Rodgers & Assoc. Inc.
360	Broward Cnty., FL	Winter 1988/89	n/a	4:00–6:00 p.m.	—	56	—	44	n/a	73,000	McMahon Associates
370	Pittsburgh, PA	Winter 1988/89	n/a	4:00–6:00 p.m.	—	81	—	19	n/a	33,000	Wilbur Smith
150	Portland, OR	n/a	519	4:00–6:00 p.m.	6	—	26	68	n/a	25,000	Kittleson and Associates
150	Portland, OR	n/a	655	4:00–6:00 p.m.	7	—	28	65	n/a	30,000	Kittleson and Associates
760	Calgary, Alberta	Oct-Dec 1987	15,436	4:00–6:00 p.m.	39	—	41	20	n/a	n/a	City of Calgary DOT
178	Bordentown, NJ	Apr. 1989	154	2:00–6:00 p.m.	—	65	—	35	n/a	37,980	Raymond Keyes Assoc.
144	Manalapan, NJ	Jul. 1990	176	3:30–6:15 p.m.	44	—	24	32	n/a	69,347	Raymond Keyes Assoc.
549	Natick, MA	Feb. 1989	n/a	4:45–5:45 p.m.	26	—	41	33	n/a	48,782	Raymond Keyes Assoc.

Average Pass-By Trip Percentage: 34

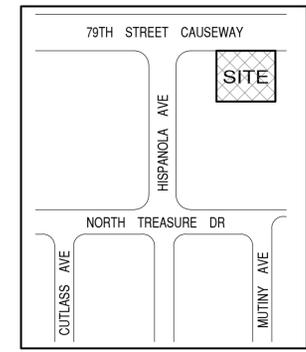
**LEGEND:**

- PROPOSED ASPHALT
- PROPOSED 4" THICK CONCRETE
- PROPOSED 6" THICK CONCRETE
- PROPOSED ASPHALT RESTORATION
- PROPOSED GRADE ELEVATION
- PROPOSED FIRE HYDRANT
- PROPOSED WATER METER
- PROPOSED VALVE
- PROPOSED FIRE DEPARTMENT CONNECTION
- PROPOSED CATCH BASIN
- PROPOSED DRAINAGE MANHOLE
- PROPOSED YARD DRAIN
- PROPOSED SIGN (AS INDICATED)
- PROPOSED CLEANOUT
- PROPOSED RPZ BACKFLOW PREVENTER
- PROPOSED PIPING
- PROPOSED SILT FENCE
- PROPOSED PAVERS
- PROPOSED LANDSCAPE
- EXISTING BACKFLOW PREVENTER
- EXISTING CATCH BASIN
- EXISTING CLEANOUT
- EXISTING ELEVATION
- EXISTING GAS METER
- EXISTING MANHOLE (AS DESIGNATED)
- EXISTING MONITORING WELL
- EXISTING SIGN (AS INDICATED)
- EXISTING VALVE BOX
- EXISTING WATER METER
- EXISTING CONCRETE POLE
- EXISTING FENCE
- EXISTING FIRE HYDRANT
- EXISTING ELEVATIONS

**LEGAL DESCRIPTION:**

A PORTION OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE ONE HALF MILE POST ON THE WEST LINE OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, AS SHOWN ON MAP OF HIGHWAY RIGHT-OF-WAY OF PROPOSED N.E. 79 STREET CAUSEWAY, WHICH IS THE SAME AS RECORDED IN PLAT BOOK 25, PAGE 70, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 88°41'24" EAST, ALONG THE CENTER LINE OF ABOVE RIGHT-OF-WAY 1560.0 FEET; THENCE SOUTH 01°37'08" EAST 50.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID RIGHT-OF-WAY; THENCE NORTH 88°41'24" EAST, ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY 1672.76 FEET TO A POINT OF BEGINNING; THENCE FROM THE ABOVE ESTABLISHED POINT OF BEGINNING, CONTINUE NORTH 88°41'24" EAST ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY 270.40 FEET TO THE POINT OF A CURVATURE OF A CURVE HAVING A RADIUS OF 557.82 FEET AND A CENTRAL ANGLE OF 01°56'04" FOR AN ARC DISTANCE OF 18.83 FEET; THENCE SOUTH 01°37'08" EAST 340.28 FEET; THENCE NORTH 83°49'44" WEST 193.40 FEET; THENCE SOUTH 88°41'24" WEST 8.39 FEET; THENCE NORTH 01°37'08" WEST 2.0 FEET; THENCE SOUTH 88°41'24" WEST 139.50 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF HISPANIOLA DRIVE; THENCE NORTH 01°37'08" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HISPANIOLA DRIVE A DISTANCE OF 265.15 FEET TO A POINT OF A CURVE; THENCE RUN NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.0 FEET, A CENTRAL ANGLE OF 90°18'32" AND AN ARC DISTANCE OF 78.80 FEET TO THE POINT OF BEGINNING. IT LIES IN SECTION 9, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF NORTH BAY VILLAGE, MIAMI-DADE COUNTY, FLORIDA.

THE LOCATION AND SIZE OF ALL EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATE AND ARE BASED ON THE BEST AVAILABLE INFORMATION. ADDITIONAL UTILITIES MAY EXIST WHICH ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITIES, BY ELECTRONIC METHODS AND BY HAND EXCAVATION IN COORDINATION WITH ALL UTILITY COMPANIES, PRIOR TO BEGINNING ANY CONSTRUCTION OPERATIONS. CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING OF DISCREPANCIES PRIOR TO BEGINNING WORK. ANY AND ALL CONFLICTS OF EXISTING UTILITIES WITH PROPOSED IMPROVEMENTS SHALL BE RESOLVED BY THE ENGINEER AND THE UTILITY OWNER PRIOR TO BEGINNING ANY CONSTRUCTION OPERATIONS. THIS WORK BY THE CONTRACTOR SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT AND NO ADDITIONAL COMPENSATION SHALL BE ALLOWED.



**LOCATION SKETCH**  
N.T.S.



**LOCATION MAP**  
N.T.S.

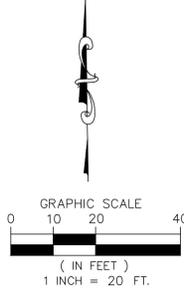
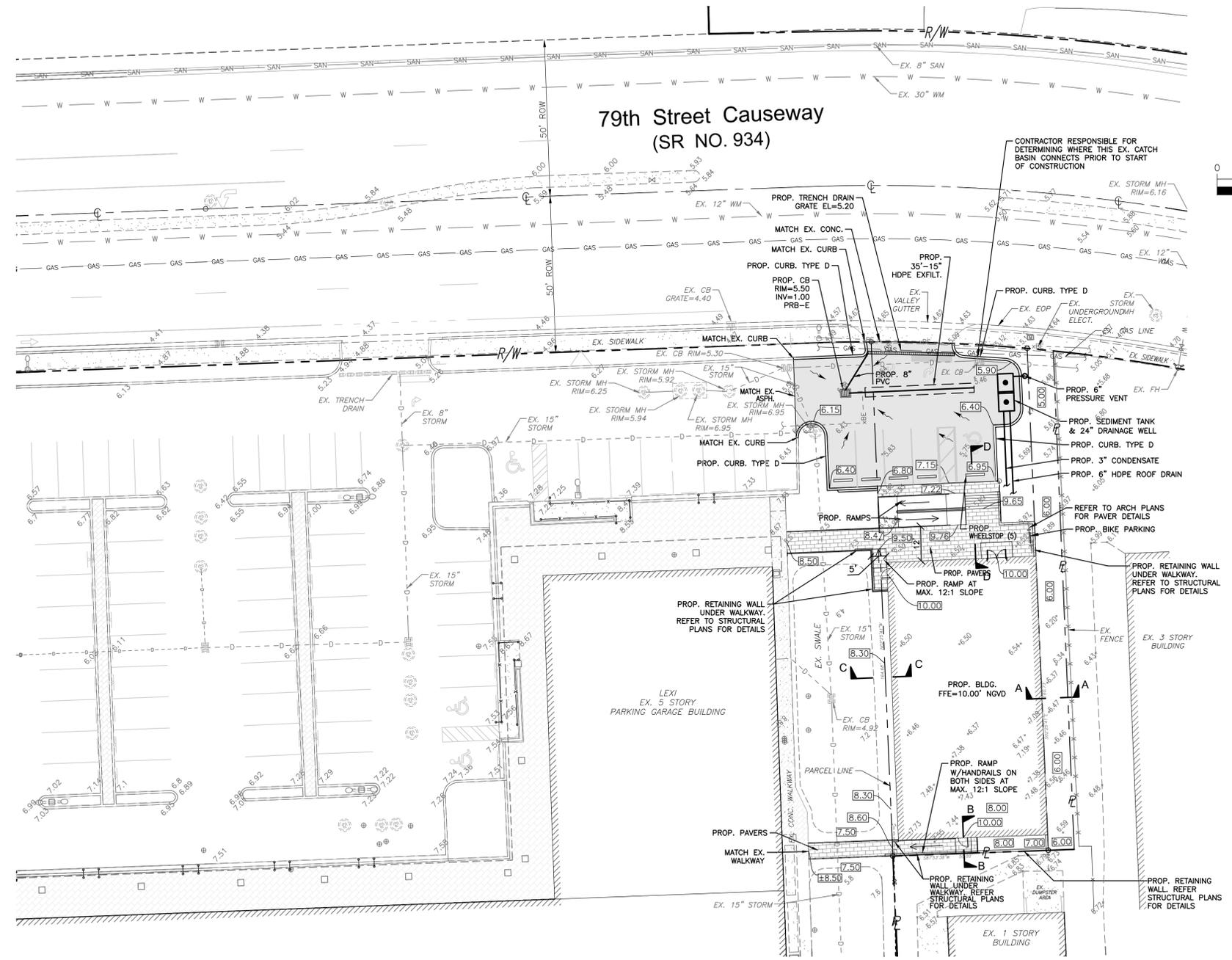
SEC 9, TWSP 53S, RNG 42E

**NOTE:**  
ALL ELEVATIONS ARE REFERENCED TO N.G.V.D. 1929

**FLOOD INFORMATION:**  
LANDS SHOWN HEREON WERE BASED ON FLOOD INSURANCE RATE MAP AS SUPPLIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND ARE RELATIVE TO NATIONAL GEODETIC VERTICAL DATUM OF 1929, AND ARE LOCATED IN FEDERAL FLOOD ZONE AE (EL 8) PER COMMUNITY PANEL NO.120654 0182 J, DATED MARCH 2, 1994, AND INDEX MAP REVISED JULY 17, 1995.

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE PROCEEDING WITH WORK. IF ANY DISCREPANCIES, ERRORS OR OMISSIONS SHOULD BE ENCOUNTERED ON PLANS, CONTRACTOR SHALL NOTIFY ARCHITECT BEFORE ANY PART OF THE WORK IS STARTED, SO THAT PROPER CORRECTIONS BE MADE. IF ARCHITECT IS NOT NOTIFIED PRIOR TO COMMENCING OF THE WORK, THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR ANY DISCREPANCIES, ERRORS OR OMISSIONS.

- NOTES:**
- MAXIMUM SLOPE FOR HANDICAP PARKING SPACES & ACCESS AISLES TO BE 2%.
  - CONTRACTOR RESPONSIBLE FOR ALL REQUIRED DEMOLITION & REMOVAL OF MATERIAL FROM SITE.
  - WALKWAYS TO BE COMPLIANCE WITH NORTH BAY VILLAGE REQUIREMENTS.
  - CONCRETE FOR SIDEWALKS CROSSING DRIVEWAYS & IN THE PUBLIC RIGHT OF WAY BE 6" DEEP AND 3,000 PSI ON 12" COMPACTED SUBGRADE.
  - ON-SITE PEDESTRIAN SIDEWALKS TO BE 4" DEEP, 3,000 PSI ON 4" COMPACTED SUBGRADE.
  - CONTRACTOR RESPONSIBLE FOR REMOVING AND RELOCATING ANY EXISTING ITEMS IN CONFLICT WITH NEW CONSTRUCTION.
  - CONTRACTOR TO FIELD VERIFY EXISTING GRADES PRIOR TO CONSTRUCTION.
  - CONTRACTOR RESPONSIBLE FOR REPAIRING ALL EXISTING ITEMS DAMAGED DURING CONSTRUCTION TO THEIR ORIGINAL CONDITIONS (AT A MINIMUM).
  - REFER TO ARCHITECT'S SITE PLAN FOR SITE LAYOUT AND DIMENSIONS.
  - CONTRACTOR IS RESPONSIBLE FOR VERIFYING PROPER DRAINAGE AND GUTTER FLOW LINE WITHIN THE CONSTRUCTION LIMITS.
  - ALL COMPACTED SIDEWALK SUBGRADE ALONG 79th STREET TO EXTEND AT LEAST 6" BEYOND EACH SIDE OF THE SIDEWALK WHERE R/W ALLOWS.
  - ALL BROKEN SIDEWALK/CURB WITHIN THE PERMIT LIMITS IS TO BE REPLACED.
  - REFER TO ARCHITECTURAL PLANS FOR HANDRAIL DETAILS AND LOCATIONS.



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 2655 LEJEUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

**POWER DESIGN**  
 Jacob Walters  
 727.497.2605  
 727.686.1999  
 jwalters@powerdesigninc.us

**DESIGN HOUSE ASSOCIATES**  
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**HOLLAND ENGINEERING**  
 CIVIL ENGINEERING SOLUTIONS  
 301 SW 7th Street  
 Fort Lauderdale, Florida 33315  
 Phone: 954.367.0371  
 Certificate of Authorization 7325

**SUSAN C. HOLLAND**  
 STATE OF FLORIDA PROFESSIONAL ENGINEER  
 LICENSE NO. 41831

SEAL/SIGNATURE/DATE

KEY PLAN IF APPLICABLE

**CIVIL DRAWINGS ONLY AS REFERENCE TO MASTER PERMIT SUBMITTAL**

Issue # 08/01/2025/Master Permit  
 Issue # 03/19/2025/Master Permit  
 Issue # 10/27/2025/Master Permit

DHA Project No.: 25-11  
 Drawn by: HS  
 Approved by: SCH

**PAVING, GRADING & DRAINAGE PLAN**

SCALE: 1"=20'

NO OF SHEETS: 7  
 SHEET NO.: C-1

PROJECT NO.: 25-11

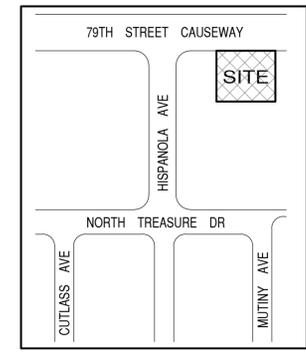
**LEGEND:**

- PROPOSED ASPHALT
- PROPOSED 4" THICK CONCRETE
- PROPOSED 6" THICK CONCRETE
- PROPOSED ASPHALT RESTORATION
- 3.44 PROPOSED GRADE ELEVATION
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- PROPOSED YARD DRAIN
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- PROPOSED SILT FENCE
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- PROPOSED LANDSCAPE
- EXISTING BACKFLOW PREVENTOR
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- EXISTING MANHOLE (AS DESIGNATED)
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**NOTES:**  
 1. CONTRACTOR TO FIELD VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES.  
 2. REFER TO PLUMBING PLANS FOR CONTINUATION OF WATER AND SEWER SERVICES.  
 3. CONTRACTOR TO COORDINATE SIZE OF PROPOSED WATER AND SEWER PIPES, CLEANOUTS AND METERS WITH PLUMBING PLANS.  
 4. ALL WORK PER NORTH BAY VILLAGE CODES AND STANDARDS.

THE LOCATION AND SIZE OF ALL EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATE AND ARE BASED ON THE BEST AVAILABLE INFORMATION. ADDITIONAL UTILITIES MAY EXIST WHICH ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITIES, BY ELECTRONIC METHODS AND BY HAND EXCAVATION IN COORDINATION WITH ALL UTILITY COMPANIES, PRIOR TO BEGINNING ANY CONSTRUCTION OPERATIONS. CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING OF DISCREPANCIES PRIOR TO BEGINNING WORK. ANY AND ALL CONFLICTS OF EXISTING UTILITIES WITH PROPOSED IMPROVEMENTS SHALL BE RESOLVED BY THE ENGINEER AND THE UTILITY OWNER PRIOR TO BEGINNING ANY CONSTRUCTION OPERATIONS. THIS WORK BY THE CONTRACTOR SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT AND NO ADDITIONAL COMPENSATION SHALL BE ALLOWED.



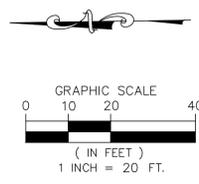
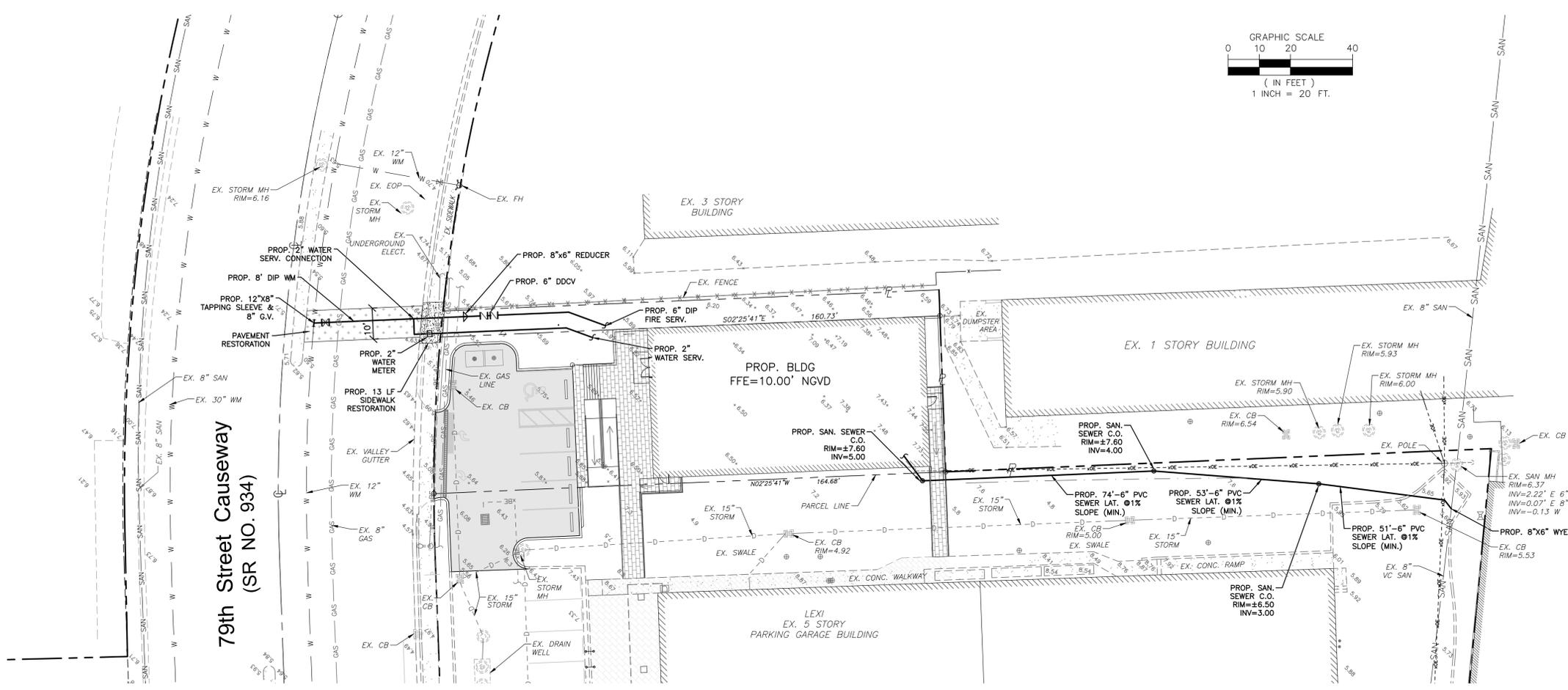
**LOCATION SKETCH**  
N.T.S.



**LOCATION MAP**  
N.T.S.

SEC 9, TWSP 53S, RNG 42E

**NOTE:**  
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 North Bay Village, FL 33141  
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**ARCHITECT OF RECORD:**  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJEUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

**STRUCTURAL ENGINEER OF RECORD:**  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Marlys Molina  
 mhollina@yhc.us  
 305.969.9423  
 99 NW 27 Avenue

**MEP ENGINEER OF RECORD:**  
**POWER DESIGN**  
 Jacob Walters  
 727.491.2605  
 727.286.1999  
 jwalters@powerdesigninc.us

**LANDSCAPE ARCHITECT OF RECORD:**  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJEUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
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**REGISTERED CIVIL ENGINEER:**  
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 301 SW 7th Street  
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 SUSAN C. HOLLAND  
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Issue # 08/01/2025/Master Permit  
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 Issue # 10/27/2025/Master Permit

DHA Project No.: 25-11  
 Drawn by: HS  
 Approved by: SCH

SHEET INDEX

**WATER & SEWER PLAN**

SCALE: 1"=20'

NO OF SHEETS: 7  
 SHEET NO.: C-2

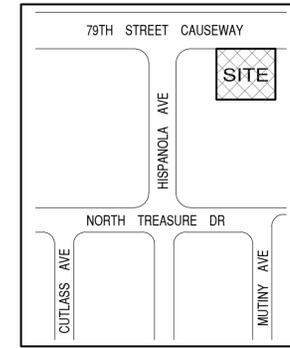
PROJECT NO.: 25-11

**LEGEND:**

- |  |                                     |  |                                  |
|--|-------------------------------------|--|----------------------------------|
|  | PROPOSED ASPHALT                    |  | PROPOSED PAVERS                  |
|  | PROPOSED 4" THICK CONCRETE          |  | PROPOSED LANDSCAPE               |
|  | PROPOSED 6" THICK CONCRETE          |  | EXISTING BACKFLOW PREVENTOR      |
|  | PROPOSED ASPHALT RESTORATION        |  | EXISTING CATCH BASIN             |
|  | PROPOSED GRADE ELEVATION            |  | EXISTING CLEANOUT                |
|  | PROPOSED FIRE HYDRANT               |  | EXISTING ELEVATION               |
|  | PROPOSED WATER METER                |  | EXISTING GAS METER               |
|  | PROPOSED VALVE                      |  | EXISTING MANHOLE (AS DESIGNATED) |
|  | PROPOSED FIRE DEPARTMENT CONNECTION |  | EXISTING MONITORING WELL         |
|  | PROPOSED CATCH BASIN                |  | EXISTING SIGN (AS INDICATED)     |
|  | PROPOSED DRAINAGE MANHOLE           |  | EXISTING VALVE BOX               |
|  | PROPOSED YARD DRAIN                 |  | EXISTING WATER METER             |
|  | PROPOSED SIGN (AS INDICATED)        |  | EXISTING CONCRETE POLE           |
|  | PROPOSED CLEANOUT                   |  | EXISTING FENCE                   |
|  | PROPOSED RPZ BACKFLOW PREVENTER     |  | EXISTING FIRE HYDRANT            |
|  | PROPOSED PIPING                     |  | EXISTING ELEVATIONS              |
|  | PROPOSED SURFACE FLOW               |  |                                  |
|  | PROPOSED SILT FENCE                 |  |                                  |

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE PROCEEDING WITH WORK. IF ANY DISCREPANCIES, ERRORS OR OMISSIONS SHOULD BE ENCOUNTERED ON PLANS, CONTRACTOR SHALL NOTIFY ARCHITECT BEFORE ANY PART OF THE WORK IS STARTED, SO THAT PROPER CORRECTIONS BE MADE. IF ARCHITECT IS NOT NOTIFIED PRIOR TO COMMENCING OF THE WORK, THE CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR ANY DISCREPANCIES, ERRORS OR OMISSIONS.

**NOTES:**  
 1. ROADWAY PAVEMENT MARKERS AND ROADWAY THERMAL STRIPPING SHALL BE COMPLETELY RESTORED TO THEIR ORIGINAL CONDITIONS.  
 2. STRIPING SHALL BE IN COMPLIANCE WITH FDOT STANDARDS.

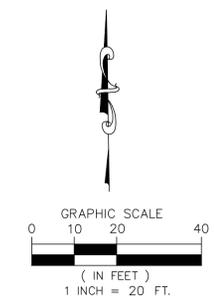
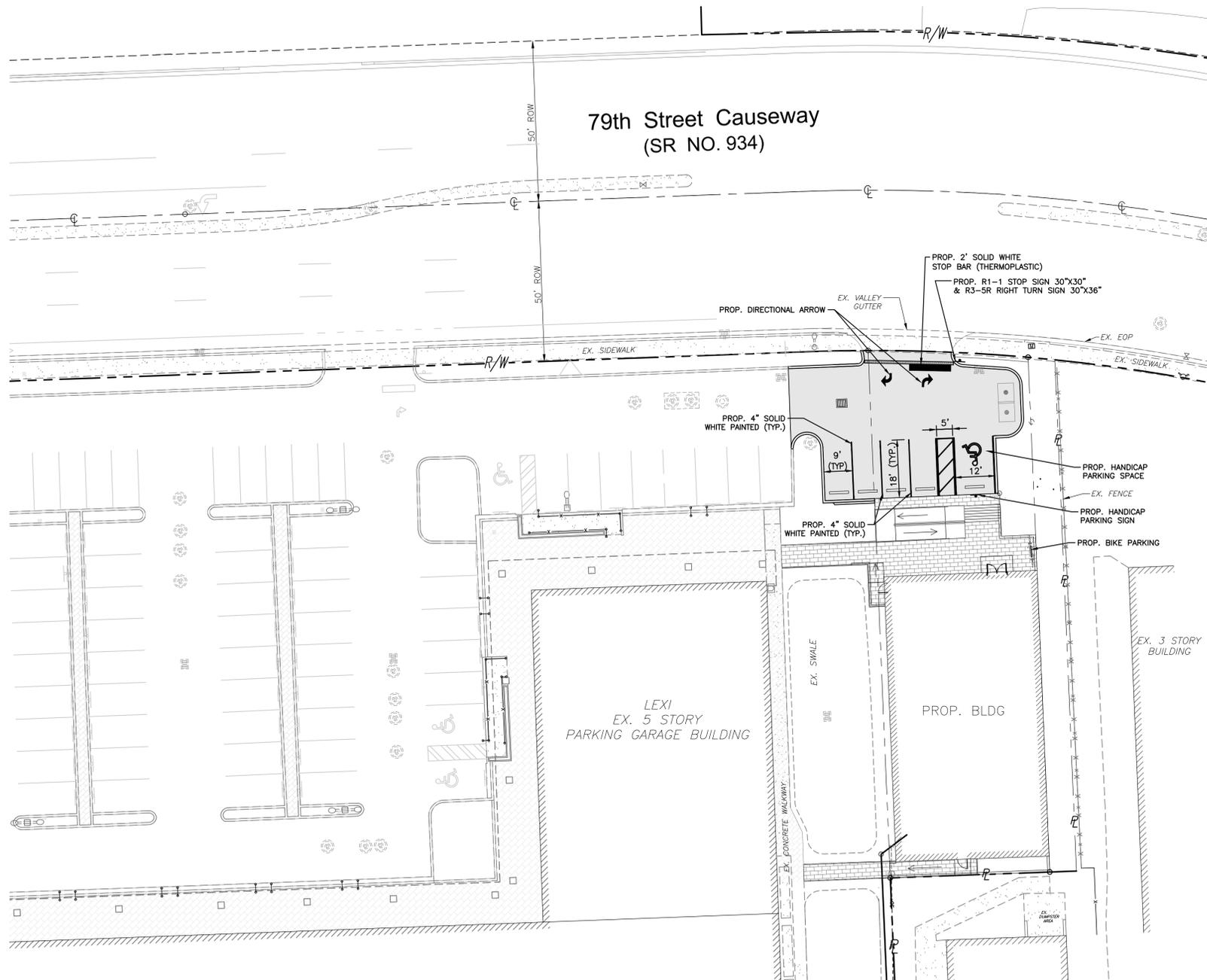


**LOCATION SKETCH**  
N.T.S.



**LOCATION MAP**  
N.T.S.

SEC 9, TWSP 53S, RNG 42E



**CLIENT:**  
**CONTINUUM CO. SALES CENTER**  
 1700 79th Street Causeway  
 North Bay Village, FL 33141  
 CU-2

**ARCHITECT OF RECORD:**  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJEUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

**STRUCTURAL ENGINEER OF RECORD:**  
 YOUSSEF HACHEM CONSULTING  
 ENGINEERING  
 Marlys Molina  
 mhachem@yhc.us  
 305.969.9423  
 99 NW 27 Avenue

**LANDSCAPE ARCHITECT OF RECORD:**  
**DESIGN HOUSE ASSOCIATES**  
 2655 LEJEUNE RD PH2-A5  
 A: CORAL GABLES, FLORIDA  
 33134786.655.7277  
 DESIGNHOUSEASSOCIATES.COM  
 MARC@DESIGNHOUSEASSOCIATES.COM

**REGISTERED CIVIL ENGINEER:**  
  
**HOLLAND ENGINEERING**  
 CIVIL ENGINEERING SOLUTIONS  
 301 SW 7th Street  
 Fort Lauderdale, Florida 33315  
 Phone: 954.367.0371  
 Certificate of Authorization 7325  
 SUSAN C. HOLLAND  
 STATE OF FLORIDA PROFESSIONAL ENGINEER  
 LICENSE No. 41831

SEAL / SIGNATURE / DATE

KEY PLAN IF APPLICABLE

**CIVIL DRAWINGS ONLY AS REFERENCE TO MASTER PERMIT SUBMITTAL**

Issue # ① 08/01/2025 / Master Permit  
 Issue # ② 03/19/2025 / Master Permit  
 Issue # ③ 10/27/2025 / Master Permit

DHA Project No.: 25-11  
 Drawn by: HS  
 Approved by: SCH

**SHEET INDEX**

**PAVEMENT, MARKING & SIGNAGE PLAN**

SCALE: 1"=20'

NO OF SHEETS: 7  
 SHEET NO.: C-3

PROJECT NO.: 25-11



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**Sunshine811**

Call 811 or visit sunshine811.com two full business days before digging to have buried facilities located and marked.  
 Check positive response codes before you dig!

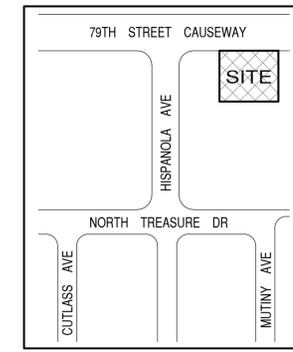
**LEGEND:**

- |  |                                     |  |                                  |
|--|-------------------------------------|--|----------------------------------|
|  | PROPOSED ASPHALT                    |  | PROPOSED PAVERS                  |
|  | PROPOSED 4" THICK CONCRETE          |  | PROPOSED LANDSCAPE               |
|  | PROPOSED 6" THICK CONCRETE          |  | EXISTING BACKFLOW PREVENTOR      |
|  | PROPOSED ASPHALT RESTORATION        |  | EXISTING CATCH BASIN             |
|  | PROPOSED GRADE ELEVATION            |  | EXISTING CLEANOUT                |
|  | PROPOSED FIRE HYDRANT               |  | EXISTING ELEVATION               |
|  | PROPOSED WATER METER                |  | EXISTING GAS METER               |
|  | PROPOSED VALVE                      |  | EXISTING MANHOLE (AS DESIGNATED) |
|  | PROPOSED FIRE DEPARTMENT CONNECTION |  | EXISTING MONITORING WELL         |
|  | PROPOSED CATCH BASIN                |  | EXISTING SIGN (AS INDICATED)     |
|  | PROPOSED DRAINAGE MANHOLE           |  | EXISTING VALVE BOX               |
|  | PROPOSED YARD DRAIN                 |  | EXISTING WATER METER             |
|  | PROPOSED SIGN (AS INDICATED)        |  | EXISTING CONCRETE POLE           |
|  | PROPOSED CLEANOUT                   |  | EXISTING FENCE                   |
|  | PROPOSED RPZ BACKFLOW PREVENTOR     |  | EXISTING FIRE HYDRANT            |
|  | PROPOSED PIPING                     |  | EXISTING ELEVATIONS              |
|  | PROPOSED SURFACE FLOW               |  |                                  |
|  | PROPOSED SILT FENCE                 |  |                                  |

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**BMP NOTES:**

1. ALL SEDIMENT CONTROL MEASURES ARE TO BE ADJUSTED TO MEET FIELD CONDITIONS AT THE TIME OF CONSTRUCTION AND BE CONSTRUCTED PRIOR TO ANY GRADING OR DISTURBANCE OF EXISTING SURFACE MATERIAL ON BALANCE OF SITE. PERIMETER SEDIMENT BARRIERS SHALL BE CONSTRUCTED TO PREVENT SEDIMENT OR TRASH FROM FLOWING OR FLOATING ON TO ADJACENT PROPERTIES.
2. PERIODIC INSPECTION AND MAINTENANCE OF ALL SEDIMENT CONTROL STRUCTURES MUST BE PROVIDED TO ENSURE INTENDED PURPOSE IS ACCOMPLISHED. THE DEVELOPER, OWNER AND/OR CONTRACTOR SHALL BE CONTINUALLY RESPONSIBLE FOR ALL SEDIMENT CONTROLS. SEDIMENT CONTROL MEASURES SHALL BE IN WORKING CONDITION AT THE END OF EACH WORKING DAY.
3. SEDIMENT WILL BE PREVENTED FROM ENTERING ANY STORM WATER SYSTEM, DITCH OR CHANNEL. ALL STORMWATER INLETS THAT ARE MADE OPERABLE DURING CONSTRUCTION SHALL BE PROTECTED SO THAT SEDIMENT-LADEN WATER CANNOT ENTER THE CONVEYANCE SYSTEM WITHOUT FIRST BEING FILTERED OR OTHERWISE TREATED TO REMOVE SEDIMENT.
4. WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PUBLIC ROAD SURFACE WITH CURBS AND GUTTERS, THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER. THIS PROVISION SHALL APPLY TO INDIVIDUAL SUBDIVISION LOTS AS WELL AS TO LARGER LAND DISTURBING ACTIVITIES.
5. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN (7) DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN (7) DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN UNDISTURBED FOR LONGER THAN THIRTY (30) DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT UNDISTURBED FOR MORE THAN ONE YEAR.
6. DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES SHALL BE STABILIZED, COVERED OR CONTAINED WITH SEDIMENT TRAPPING MEASURES. THE CONTRACTOR IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.
7. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED.
8. PROPERTIES AND WATER WAYS DOWNSTREAM FROM CONSTRUCTION SITE SHALL BE PROTECTED FROM SEDIMENT DEPOSITION AND EROSION AT ALL TIMES DURING CONSTRUCTION.
9. CONTRACTOR IS RESPONSIBLE FOR ALL SURFACE WATER DISCHARGES, RAINFALL RUN OFF OR DEWATERING ACTIVITIES.
10. CONTRACTOR MUST INCORPORATE ALL BMP'S NECESSARY TO MEET OR EXCEED STATE WATER QUALITY AND SWPPP REQUIREMENTS.
11. THE POLLUTION PREVENTION PLAN IS A MINIMUM GUIDELINE ONLY. ADDITIONAL BMP'S MAY BE NECESSARY AT CONTRACTOR'S EXPENSE.

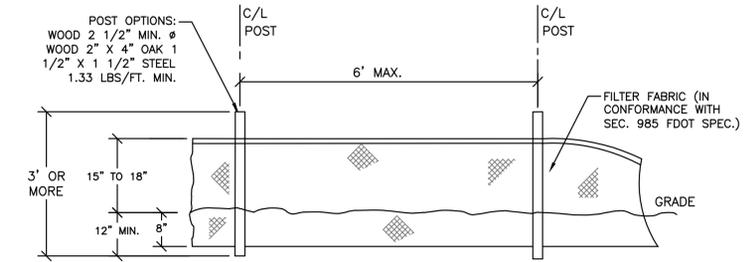


**LOCATION SKETCH**  
N.T.S.

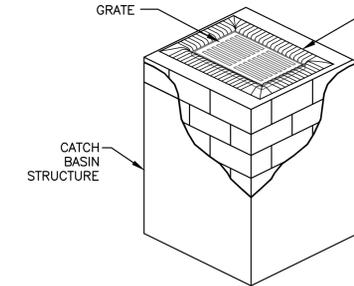


**LOCATION MAP**  
N.T.S.

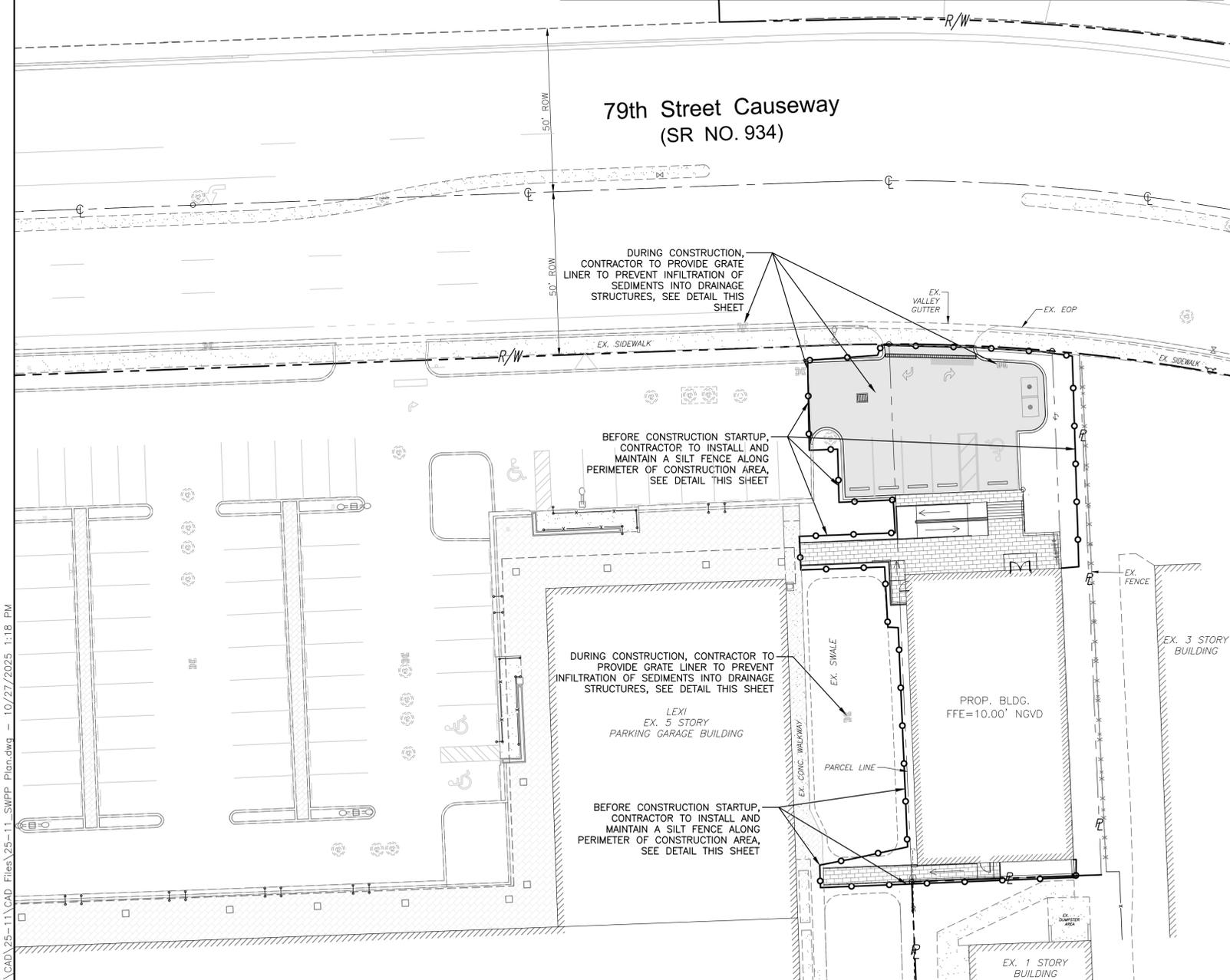
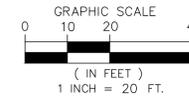
SEC 9, TWSP 53S, RNG 42E



**TYPE III SILT FENCE**  
N.T.S.



**POLLUTION PREVENTION FOR CATCH BASIN**  
N.T.S.



**DH**  
DESIGN HOUSE ASSOCIATES

CLIENT:  
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North Bay Village, FL 33141  
CU-2

ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJEUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
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STRUCTURAL ENGINEER OF RECORD  
YOUSSEF HACHEM CONSULTING  
ENGINEERING  
Marlys Molina  
mhachem@yhc.us  
305.969.9423  
99 NW 27 Avenue

MEP ENGINEER OF RECORD  
POWER DESIGN  
Jacob Walters  
727.497.2605  
727.286.1999  
jwalters@powerdesigninc.us

LANDSCAPE ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJEUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
33134786.655.7277  
DESIGNHOUSEASSOCIATES.COM  
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REGISTERED CIVIL ENGINEER  
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DHA Project No.: 25-11  
Drawn by: HS  
Approved by: SCH

**STORMWATER POLLUTION PREVENTION PLAN**

SCALE: 1"=20'

NO OF SHEETS: 7  
SHEET NO.: C-4

PROJECT NO.: 25-11



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**GENERAL CONDITION NOTES :**

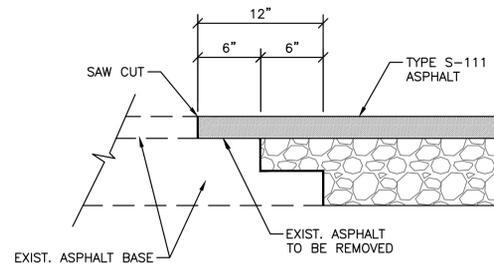
- THE LOCATION OF EXISTING UTILITIES AND TOPOGRAPHY HAS BEEN PREPARED FROM THE MOST RELIABLE INFORMATION AVAILABLE TO THE ENGINEER. THIS INFORMATION IS NOT GUARANTEED AND IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES AND TOPOGRAPHY PRIOR TO CONSTRUCTION.
- PRIOR TO CONSTRUCTION THE CONTRACTOR IS TO NOTIFY THE FOLLOWING COMPANIES & AGENCIES AND ANY OTHERS SERVING THE AREA:  
 FLORIDA POWER & LIGHT CO., CONSTRUCTION SOUTHERN BELL TELEPHONE & TEL. CO. CABLE CONSTRUCTION BUREAU LOCAL CITY / COUNTY ENGINEERING & UTILITY DEPARTMENTS FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), AS APPLICABLE UNDERGROUND UTILITIES NOTIFICATION CENTER OF FLORIDA (S.U.N.S.H.I.N.E.)

**PAVING, GRADING & DRAINAGE NOTES:**

- ALL UNSUITABLE MATERIALS, SUCH AS MUCK, HARDPAN, ORGANIC MATERIAL & OTHER DELETERIOUS MATERIAL AS CLASSIFIED BY AASHTO M-145, FOUND WITHIN THE ROAD & PARKING LOT AREAS SHALL BE REMOVED DOWN TO ROCK OR SUITABLE MATERIAL, & REPLACED W/ THE SPECIFIED FILL MATERIAL IN MAXIMUM 12" LIFTS COMPACTED TO NOT LESS THAN 100% MAXIMUM DRY DENSITY AT OPTIMUM MOISTURE IN ACCORDANCE W/AASHTO T-99. THICKNESS OF LAYERS MAY BE INCREASED PROVIDED THE EQUIPMENT & METHODS USED ARE PROVEN BY FIELD DENSITY TESTING TO BE CAPABLE OF COMPACTING THICK LAYERS TO SPECIFIED DENSITIES.
- ALL AREAS SHALL BE CLEARED & GRUBBED PRIOR TO CONSTRUCTION. THIS SHALL CONSIST OF THE COMPLETE REMOVAL & DISPOSAL OF ALL TREES, BRUSH, STUMPS, ROOTS, GRASS, WEEDS, RUBBISH & ALL OTHER OBSTRUCTION RESTING ON OR PROTRUDING THROUGH THE SURFACE OF THE EXIST. GROUND TO A DEPTH OF 12". ITEMS DESIGNATED TO REMAIN OR TO BE RELOCATED OR ADJUSTED SHALL BE SO DESIGNATED ON THE DWGS.
- FILL MATERIAL SHALL BE CLASSIFIED AS A-1, A-3 OR A-2.4 IN ACCORDANCE W/ AASHTO M-145 & SHALL BE FREE FROM VEGETATION & ORGANIC MATERIAL NOT MORE THAN 12% BY WEIGHT OF FILL MATERIAL SHALL PASS THE NO. 200 SIEVE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING CERTIFIED MATERIAL TEST RESULTS TO THE ENGINEER OF RECORD PRIOR TO THE RELEASE OF FINAL CERTIFICATION BY THE ENG. TEST RESULTS MUST INCLUDE BUT MAY NOT BE LIMITED TO, DENSITIES FOR SUBGRADE & LIME ROCK, UTILITIES, EXCAVATION, ASPHALT GRADATION REPORTS, CONC. CYLINDERS, ETC.
- ALL INLETS & PIPE SHALL BE PROTECTED DURING CONSTRUCTION TO PREVENT SILTATION IN THE DRAINAGE SYSTEMS BY WAY OF TEMPORARY PLUGS OR PLYWOOD OR PLASTIC COVERS OVER THE INLETS. THE ENTIRE DRAINAGE SYSTEM TO BE CLEAN OF DEBRIS PRIOR TO FINAL ACCEPTANCE.
- WHERE NEW ASPHALT MEETS OR ABUTS EXIST. ASPHALT, THE EXIST. ASPHALT SHALL BE SAWCUT TO PROVIDE A STRAIGHT EVEN LINE. PRIOR TO REMOVING CURB OR GUTTER, THE ADJACENT ASPHALT SHALL ALSO BE SAWCUT TO PROVIDE A STRAIGHT EVEN LINE.
- SITE GRADING SHALL BE W/IN 0.1' OF THE REQUIRED ELEVATION & ALL AREAS SHALL BE GRADED TO DRAIN.
- ALL SUBGRADE SHALL HAVE AN LBR OF 40 UNLESS OTHERWISE NOTED & SHALL BE COMPACTED TO 95% MAXIMUM DRY DENSITY PER AASHTO T-180.
- ALL LIMEROCK SHALL BE COMPACTED TO 98% PER AASHTO T-180 & HAVE NOT LESS THAN 60% OF CARBONATES OF CALCIUM & MAGNESIUM UNLESS OTHERWISE DESIGNATED. ALL LIMEROCK SHALL BE PRIMED.
- CONCRETE & ASPHALT THICKNESS SHALL BE OF TYPE DESIGNATED ON DWGS.
- PLASTIC FILTER FABRIC SHALL BE MIRAFI, TYPAR OR EQUAL CONFORMING TO SECTION 985 OF THE FDOT STANDARD SPECIFICATIONS.
- CONC. SIDEWALKS SHALL BE 4" THICK ON COMPACTED SUBGRADE, W/ 1/2" EXPANSION JOINTS PLACED AT A MAXIMUM OF 75'. CRACK CONTROL JOINTS SHALL BE 5' ON CENTER. THE BACK OF SIDEWALK ELEVATION SHALL EQUAL THE CROWN OF ROADWAY, UNLESS SPECIFIED OTHERWISE BY LOCAL CODES OR INDICATED ON DWGS. ALL CONC. SIDEWALKS THAT CROSS DRIVEWAYS SHALL BE 6" THICK.
- PIPE SPECIFICATIONS : THE MATERIAL TYPE IS SHOWN ON THE DRAWINGS BY ONE OF THE FOLLOWING DESIGNATIONS -  
 RCP = REINFORCED CONC. PIPE, ASTM DESIGNATION C-76, TABLE III  
 CMP = CORRUGATED METAL (ALUM.) PIPE, TM DESIGNATION M-196  
 CMP = (SMOOTH LINED) CORRUGATED METAL (ALUM.) PIPE, ASTM DESIGNATION M-196  
 SCP = SLOTTED CONC. PIPE, FDOT SECTIONS 941 & 942  
 PVC = POLYVINYLCHLORIDE PIPE  
 PCMP = PERFORATED CMP, FDOT SECTION 945  
 DIP = DUCTILE IRON PIPE  
 HDPE = HIGH DENSITY POLYETHYLENE PIPE.

**PAVEMENT MARKING & SIGNING STANDARD NOTES:**

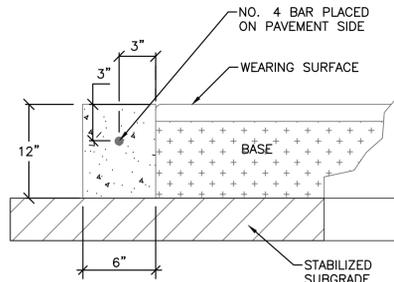
- STOP SIGNS SHALL BE 30"x30" (R1-1), HIGH INTENSITY.
- ALL SIGNS SHALL BE PLACED AT A HEIGHT NOT LESS THAN 5' & NOT GREATER THAN 7'; THE HEIGHT IS MEASURED FROM THE BOTTOM OF THE SIGN TO THE EDGE OF NEAREST PAVEMENT. THE SIGN POST SHALL BE PLACED A MINIMUM OF 6" TO A MAXIMUM OF 12" FROM THE ADJACENT PAVEMENT, & A MINIMUM OF 6" FROM THE CROSS TRAFFIC PAVEMENT.
- STOP BARS SHALL BE 24" WHITE.
- ALL SITE PAVEMENT MARKINGS SHALL BE PAINT. (UNLESS INDICATED OTHERWISE)
- ALL PAVEMENT MARKINGS IN THE ROAD RIGHT-OF-WAY SHALL BE THERMOPLASTIC & SHALL CONFORM TO FDOT OR LOCAL CITY/COUNTY STANDARDS.



**NOTE:**  
THIS METHOD OF PAVEMENT JOINT SHALL BE USED FOR ANY APPLICATION OR CONSTRUCTION WHERE PROPOSED PAVEMENT AND BASE WILL BE CONNECTED TO EXISTING PAVEMENT AND BASE.

**PAVEMENT JOINT DETAIL**

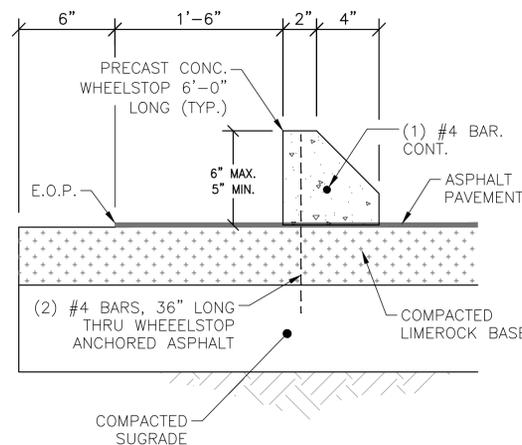
N.T.S.



**NOTE:**  
1. ROADWAY SUBGRADE SHALL IN ALL CASES EXTEND BELOW CURBING.  
2. SAWCUTS AT 10-FT. CENTERS SHALL BE MADE WITHIN 24-HOURS.

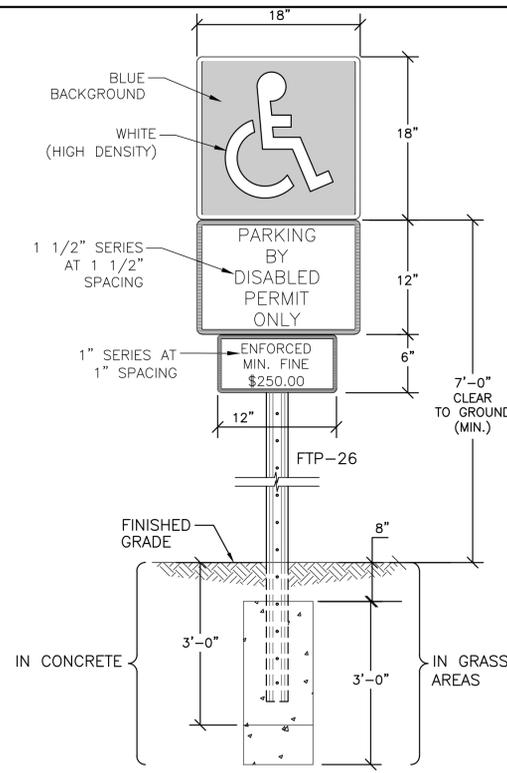
**CONCRETE HEADER CURB DETAIL**

N.T.S.



**CONCRETE WHEELSTOP**

N.T.S.



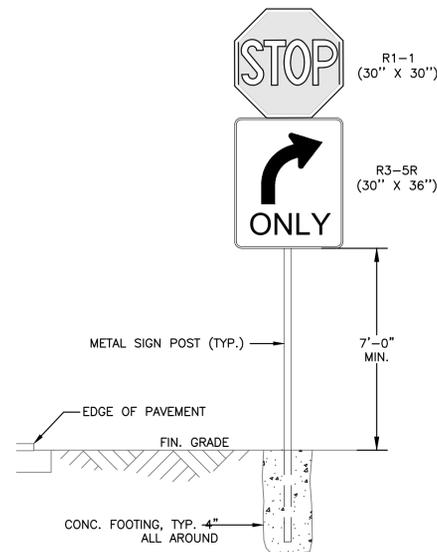
FTP-26 HANDICAP PARKING SIGN WITH SUPPLEMENTAL 12" x 6" MINIMUM FINE \$250.00 SIGN

**NOTES:**

- TOP PORTION OF SIGN SHALL HAVE A REFLECTORIZED BLUE BACKGROUND.
- BOTTOM PORTION OF SIGN SHALL HAVE A REFLECTORIZED WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
- LOCATE SIGN AT CENTERLINE AND HEAD OF EACH HANDICAP PARKING STALL, WHERE APPLICABLE.

**HANDICAP PARKING SIGN**

N.T.S.

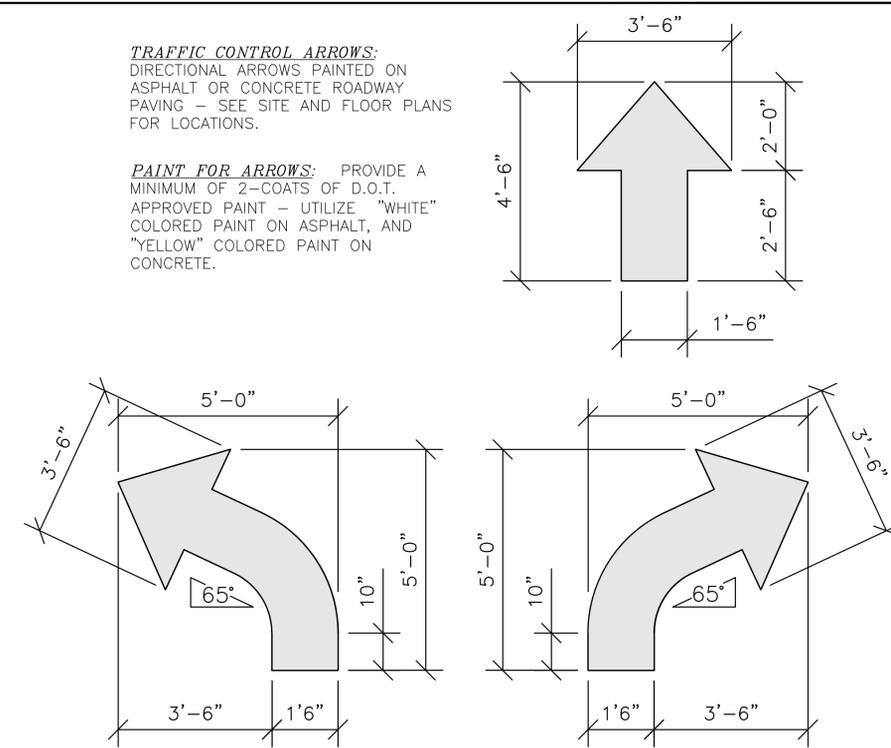


**SIGN DETAIL**

N.T.S.

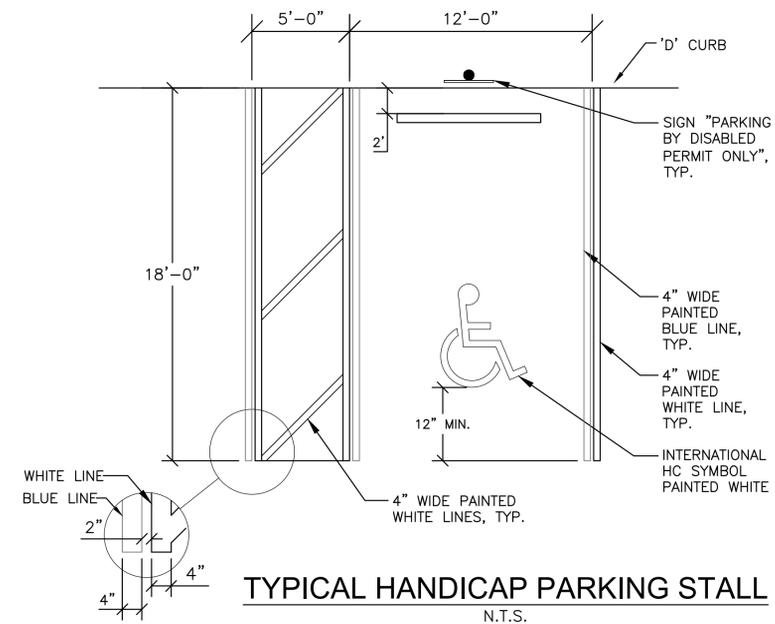
**TRAFFIC CONTROL ARROWS:**  
DIRECTIONAL ARROWS PAINTED ON ASPHALT OR CONCRETE ROADWAY PAVING - SEE SITE AND FLOOR PLANS FOR LOCATIONS.

**PAINT FOR ARROWS:** PROVIDE A MINIMUM OF 2-COATS OF D.O.T. APPROVED PAINT - UTILIZE "WHITE" COLORED PAINT ON ASPHALT, AND "YELLOW" COLORED PAINT ON CONCRETE.



**TRAFFIC CONTROL ARROWS**

N.T.S.



**TYPICAL HANDICAP PARKING STALL**

N.T.S.

**DH**  
DESIGN HOUSE ASSOCIATES

CLIENT:  
**CONTINUUM CO. SALES CENTER**  
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ARCHITECT OF RECORD  
**DESIGN HOUSE ASSOCIATES**  
2655 LEJEUNE RD PH2-A5  
A: CORAL GABLES, FLORIDA  
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STRUCTURAL ENGINEER OF RECORD  
YOUSSEF HACHEM CONSULTING ENGINEERING  
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REGISTERED CIVIL ENGINEER

**HOLLAND ENGINEERING**  
CIVIL ENGINEERING SOLUTIONS  
301 SW 7th Street  
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DHA Project No.: 25-11  
Drawn by: HS  
Approved by: SCH

SHEET INDEX

**CIVIL DETAILS & NOTES**

SCALE: N.T.S.

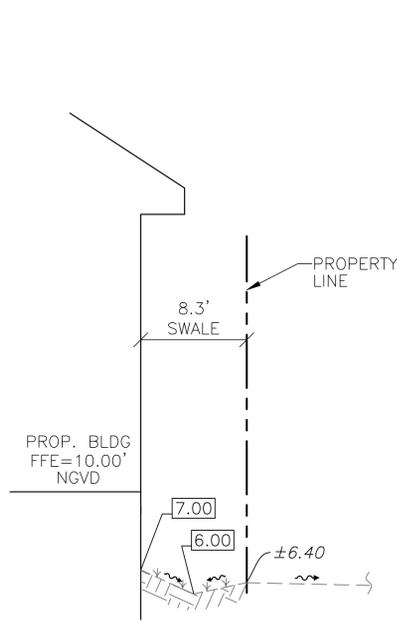
NO OF SHEETS: 7  
SHEET NO.: C-5

PROJECT NO.: 25-11

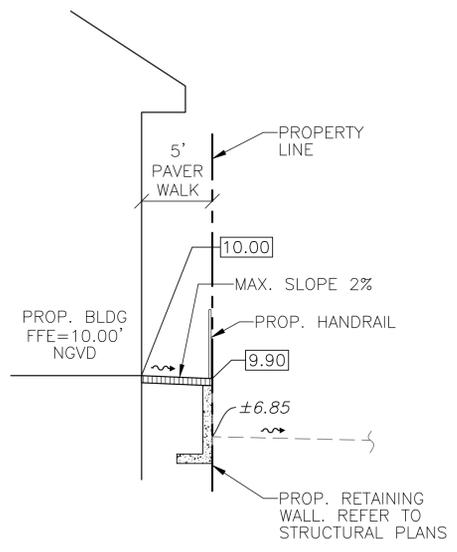


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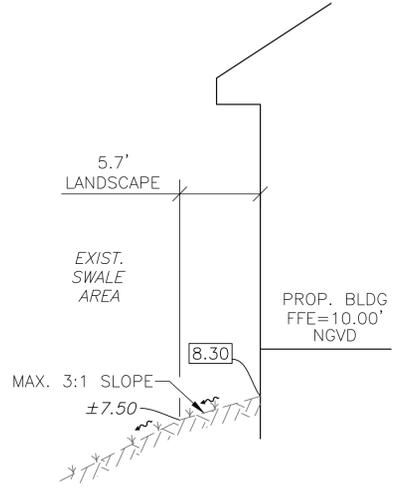




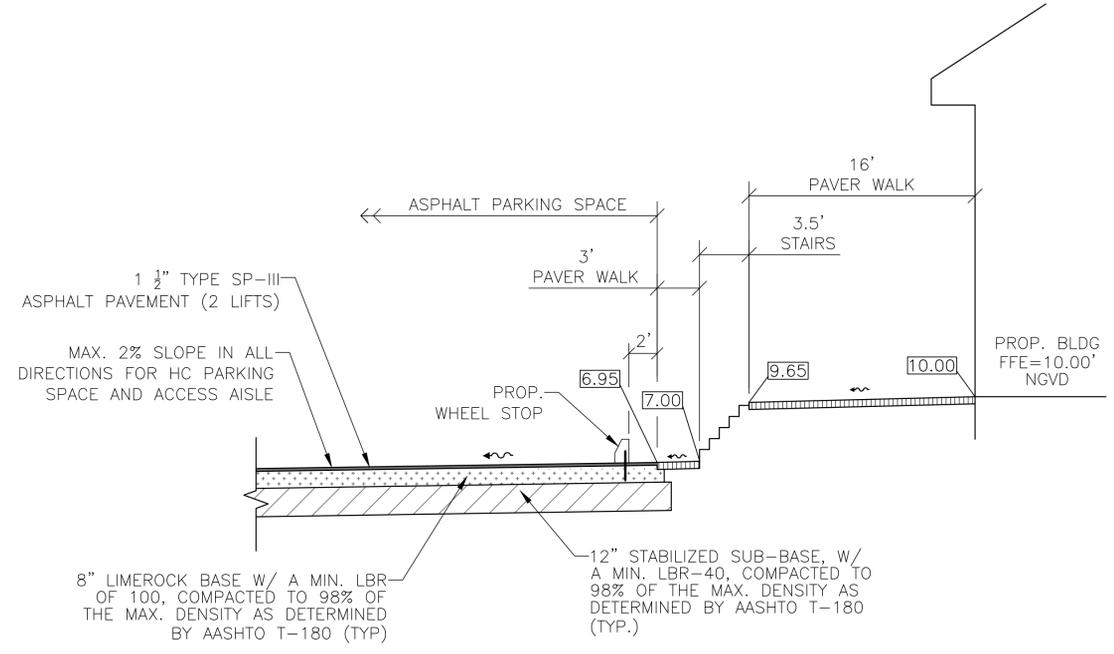
**SECTION A-A**  
N.T.S.



**SECTION B-B**  
N.T.S.



**SECTION C-C**  
N.T.S.



**SECTION D-D**  
N.T.S.



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1700 79th Street Causeway, North Bay Village  
Elevations are referenced to NGVD  
Post-Development Calculations

Prepared by **Susan C Holland, P.E.**  
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**General Information**

Total Project Area =	<u>0.24 Acres</u>	
Paved Area =	<u>0.10 Acres</u>	
Building Area =	<u>0.10 Acres</u>	
Lake Area =	<u>0.00 Acres</u>	
Recreation Area =	<u>0.00 Acres</u>	
Landscape Area =	<u>0.04 Acres</u>	
Total Impervious Area =	<u>0.20 Acres</u>	( 83.3%)
Total Pervious Area (TPA) =	<u>0.04 Acres</u>	( 16.7%)
Proposed Floor Elevation =	<u>9.00 '</u>	
Prop. Min. Crown of Road =	<u>NA</u>	
Prop. Average Finished Grade =	<u>7.00 '</u>	
Lake Control Stage =	<u>0.00 '</u>	
October Water Table =	<u>2.00 '</u>	
<i>(Wet season water table)</i>		

**Storm Event Information**

25 year - 6 hour event = 7.40 "

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**Proposed Exfiltration Trench Data**

Proposed Trench Length = 30.0'

Trench Width = 4.0'

Trench Depth = 15.0'

Pipe Diameter = 1.25'

K = 0.000421

Refer to geotechnical report

storm event = 7.40"

H2 (depth to water table) = 4.50'

Du (non-saturated trench depth) = 4.50'

Ds (saturated trench depth) = 10.50'

**C Factor**

Pervious = 0.6

Impervious = 0.9

Weighted C Factor = 0.85

$$\frac{(0.04) \times (0.60) + (0.20) \times (0.90)}{0.24} = 0.85$$

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**SCS Curve Number**

Design Water Table Elevation = 2.00 '  
Average Finished Grade = 7.00 '  
Average Depth Water Table = 5.00 '

Compacted Water Storage - (CWS) = 8.18 "

Ground Storage Under Pervious Area  
(CWS/12 in/ft) x (TMPA) = 0.03 AC-FT

Soil Storage (S) = 1.36 "

SCS Curv Number (CN) = 88.00

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**Stage / Storage**

Area of Developed Site Grading = 0.14 Acres

(Linear from 5.5' - 8')

<b>Stage</b>	<b>Lake</b>	<b>Site Storage</b>	<b>Exfil. Trench Storage</b>	<b>Not Used</b>	<b>Not Used</b>	<b>Not Used</b>	<b>Total</b>
2.00'	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT
3.00'	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT
4.00'	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT
5.00'	0.00 AC-FT	0.07 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.22 AC-FT
5.50'	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.15 AC-FT
6.00'	0.00 AC-FT	0.40 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.55 AC-FT
6.50'	0.00 AC-FT	0.07 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.22 AC-FT
7.00'	0.00 AC-FT	0.11 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.26 AC-FT
7.50'	0.00 AC-FT	0.14 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.29 AC-FT
8.00'	0.00 AC-FT	0.18 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.33 AC-FT
8.50'	0.00 AC-FT	0.25 AC-FT	0.15 AC-FT	0.00 AC-FT	0.00 AC-FT	0.00 AC-FT	0.40 AC-FT

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## **Retention / Detention Requirements for Water Quality**

First 1" of runoff

$$\text{Volume} = 1" \times 1\text{ft}/12" \times 0.24 \text{ Acres} = 0.02 \text{ AC-FT}$$

3 Year - 1 Hour event = 2.5"

Total project area - roof area = 0.24 acres - 0.10 acres = 0.14 acres

0.14 acres - 0.04 acres (pervious area) = 0.10 acres (impervious)

0.10 acres / 0.24 acres X 100% = 42% impervious

2.5" X 0.42 = 1.05" to be treated

1.05" X 0.24 acres = 0.25 acre-inches (0.02 acre-feet)

**Water quality provided in the exfiltration trench**

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### **25 Year - 6 Hour**

$$Q = \frac{[7.40 \quad - 0.20 \quad (1.36)]^2}{7.40 \quad + 0.80 \quad (1.36)} = 5.98 \text{ ''}$$

$$5.98 \text{ ''} \quad - 0.00 \text{ '' (Dade Co. Credit)} = 5.98 \text{ ''}$$

$$\text{Volume} = \frac{5.98 \text{ ''}}{12 \text{ in/ft}} (0.24) = 0.12 \text{ AC-FT}$$

$$\text{Corresponding Stage} = 2.80 \text{ '}$$

Exfilt Trench Lenght

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**Exfiltration Trench Length**

C Pervious = 0.60  
C Impervious = 0.90

Weighted C Factor = 2.70

Trench width = 4.00  
H2 (depth to water table) = 4.50

Du (non-saturated trench depth) = 4.50

Ds (saturated trench depth) = 10.50

Capacity of existing system = 1.75 AC-IN  
(0.15 AC-FT)

$$L = \frac{1.75}{0.000421 \times [(4.5 \times 4) + (2 \times 4.5 \times 4.5)] - (4.5)^2 + (2 \times 4.5 \times 10.5)] + [(0.000139 \times 4 \times 4.5]}$$

$$L = 29.97'$$

Length of exfiltration system provided = 30 feet



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Drainage Well Calculations**

**Drainage Well**

10 year, 1day storm = 7"

Roof area = 4,512 sf

Drainage required = 4,512 sf X 7"/hour X 0.90 X ft/12" X hour/3600 sec = 0.66 cfs

**Total roof drainage required = 1.84 cfs**

Well head available for discharge:

Top elevation of vent pipe = 8'

Salt/fresh = 1.5'

Wet season water level = 2'

Design Head = 4.5'

1-24" well to be developed to discharge 350 gpm / ft. head

**Stage (feet) Discharge (gpm) Discharge (cfs)**

3	0	0
4	175	0.39
5	525	1.18
6	875	1.96
7	1,225	2.75
8	1,575	3.53

**Sand and Oil Interceptors**

Q = 0.66 cfs, retention = 1.5 minutes (90 seconds)

Volume = 0.66 cfs X 60 sec/min X 1.5 min = 60 cf

Use 5' wide X 6' deep X 5' long = 150 cf



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