

**TOWN OF SURFSIDE PLANNING & ZONING BOARD
RESOLUTION NO. 11-Z- 02**

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING & ZONING BOARD AND DESIGN REVIEW BOARD RECOMMENDING THAT THE TOWN COMMISSION APPROVE THE CONDITIONAL USE APPLICATION SUBMITTED BY TRANSACTA LANAI DEVELOPERS, LTD., (THE "APPLICANT"), PURSUANT TO SECTION 90-23-2 OF THE ZONING CODE TO PERMIT THE DEVELOPMENT OF A STRUCTURED PARKING FACILITY AND HOTEL SWIMMING POOL AND JACUZZI, AND THE SITE PLAN APPLICATION, PURSUANT TO SECTION 90-41 ET SEQ. OF THE ZONING CODE TO PERMIT A 175 UNIT FOUR (4) STORY HOTEL WITH ACCESSORY USES, ALL ON THE PROPERTY LOCATED AT 9200 COLLINS AVENUE, SUBJECT TO CERTAIN CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

I. RECITALS.

WHEREAS, Applicant as owner of the Property located at 9200 Collins Avenue, submitted an application to the Town of Surfside, Florida ("the Application"), requesting the following:

- A.** Pursuant to Section 90-41 et seq., of the Town Zoning Code, site plan approval a four-story hotel with 175 hotel rooms; three-story parking garage with 190 parking spaces total; 60 tandem parking; 24-hour valet service; roof top deck, including pool; monument signage proposed for corner of 92nd Street and Collins Avenue (Monument and wall signage to be applied for under separate permit to be reviewed by the Design Review Board); hotel pedestrian entrance fronting 92nd Street; vehicular entrance from 92nd Street with drop off interior to the parking garage (one-way in/one-way out); and loading entrance from Harding Avenue.

- B.** Pursuant to Section 90-23-2 of the Town Zoning Code, conditional use approval for a structured Parking Facility and Hotel Swimming Pool and Jacuzzi as part of the redevelopment of the property at 9200 Collins Avenue, Surfside, Florida for a hotel with approximately 175 hotel rooms and related accessory uses.

Plans are on file and may be examined in the Building Department titled Proposed Surfside Hotel at 9200 Collins Avenue- A development by Transacta Lanai Developers LTD which supercede those plans previously approved on March 9, 2010 by Resolution 10-Z-01 which plans may be modified at public hearing (hereinafter referred to as the "Plans").

Legal: Lots 1-6 and Lots 20-24 in Block 4 of Altos Del Mar" No. 5 according to the Plat thereof, as recorded in Plat Book 8, Page 92 of the Public Records of Miami-Dade County, Florida.

ADDRESS: 9200 Collins Avenue

WHEREAS, the Town Planner and the Development Review Committee reviewed the Application and recommended that the Application be approved with conditions set out in the Development Review Committee Report including those certain Agreed Upon Conditions as well as such other conditions imposed by the Board all of which shall be accepted by the Applicant and owner of the Property as a covenant running with the land; and

WHEREAS, on April 28, 2011, the Design Review Board and the Planning & Zoning Board heard and reviewed this Application, considering the requirements of Section 90-23-2 of the Town Zoning Code for Conditional Use Approval, Section 90-41 et seq. of the Town Zoning Code for Site Plan Approval, and the Application's consistency with the Town of Surfside Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF SURFSIDE PLANNING AND ZONING BOARD AND DESIGN REVIEW BOARD TO RECOMMEND TO THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

II. INCORPORATION OF RECITALS.

All recitals are incorporated into the body of this Resolution as if same were fully set forth herein.

III. APPROVALS.

The Planning and Zoning Board and the Design Review Board recommend to the Town Commission approval of the Applicant's requests to the Town Commission in accordance with the terms of this Section III and subject to all of the conditions set forth in Section IV of this Resolution and the execution of all attendant agreements prior to the issuance of the Building Permit for the Project.

- A. The Applicant's request for approval of a Site Plan for a four-story hotel with 175 hotel rooms; three-story parking garage with 190 parking spaces total; 60 tandem parking; 24-hour valet service; roof top deck, including pool; monument signage proposed for corner of 92nd Street and Collins Avenue (Monument and wall signage to be applied for under separate permit to be reviewed by the Design Review Board); hotel pedestrian entrance fronting 92nd Street; vehicular entrance from 92nd Street with drop off interior to the parking garage (one-way in/one-way out); and loading entrance from Harding Avenue.
- B. The Applicant's request for approval of a Conditional Use for Structured Parking Facility and Hotel Swimming Pool and Jacuzzi as part of the redevelopment of the property at 9200 Collins Avenue, Surfside, Florida for a hotel with approximately 175 hotel rooms and related accessory uses.

IV. CONDITIONS.

1. All signage shall be submitted, reviewed and approved under a separate application for review by the Design Review Board prior to the issuance of a Certificate of Occupancy.
2. Rooftop Pool shall be limited to the following hours of operation: dawn to dusk.
3. Live, amplified music shall be prohibited. Recorded music no greater than 75 decibels is allowed from 11 am to dusk.
4. The gate at the 92nd Street entrance shall remain open between 7 am – 9 pm.
5. The service gate on Harding Avenue shall not open any earlier than 7am and later than 6pm.
6. Valet or self parking are options, however valet shall be available 24 hours per day, 7 days per week.
7. Self-parking spaces will not be permitted if the space is adjacent to a wall or other encumbrance. These spaces shall be valet only.
8. On street metered parking spaces parallel to the curb shall be provided along the north side of 92nd Street with the approval of Miami-Dade County. This will include striping and signage. No more than one of these spaces shall be a taxi stand and subject to the approval of Miami-Dade County.
9. The applicant shall perform a traffic signal analysis to determine if a light is warranted at Harding Avenue and 92nd Street. If a signal is warranted by FDOT and Miami-Dade County standards, the applicant shall fund 25% of the first \$50,000 and 50% of everything above that for the installation of the required signal six months prior to the expected date of issuance of the Certificate of Occupancy.
10. A bond shall be posted to replace public property damaged during the construction of the hotel or currently in need of replacement. The final determination regarding what property shall be replaced will be the sole determination of the Director of Public Works. The amount of the bond shall be determined jointly by the Director of Public Works and the Building Official. The bond shall be posted prior to the issuance of the building permit.
11. The applicant shall pay a contribution to upgrade the public beach access at the street end at 92nd Street and the ocean bulkhead: \$7,500. This amount shall be paid 90 days prior to the expected date of issuance of the Certificate of Occupancy.

12. The applicant acknowledges that FDOT will repave Collins Avenue during the time of construction for the project and commits to funding cost of the improvements not included in the FDOT project such as paving, curb, gutter, and striping, but not to include subsurface improvements.
13. The applicant shall pay for the repaving and any related work (including curb, gutter and striping, but not to include subsurface improvements) to the north side of 92nd Street and the Town shall pay for repaving any related work to the south side of 92nd Street between Collins Avenue and Harding Avenue. This project shall be completed prior to the issuance of a Certificate of Occupancy. Applicant will be responsible for completing design plans and obtaining any necessary permits from Miami-Dade County and/or other maintaining agencies, if necessary.
14. The applicant shall underground the utilities on 92nd Street. This project shall be completed prior to the repaving of 92nd Street.
15. The applicant shall meet all requirements of the Department of Public Works for trash containers prior to the issuance of a building permit. The service roll gate shall be at least 15 ft. high.
16. The applicant shall meet all requirements of the Department of Public Works for water, sewer and storm drainage services.
17. The applicant shall fund the cost of two litter receptacles along Collins Avenue and Harding Avenue in a design acceptable to the Department of Public Works. Cost and the design of the litter receptacles shall be determined by the Department of Public Works before issuance of the final certificate of occupancy.
18. The applicant shall fund a contribution of \$25,000 to the Town's Tennis Center for refurbishment of the tennis courts and other needs within six (6) months after issuance of the building permit for the hotel. Provisions to accommodate hotel guests shall be developed by the Parks and Recreation Director subject to review by the Parks and Recreation Board.
19. Remove the groundcover in front of the proposed steps along the parking garage façade and replace with walkways to Harding Avenue and 92nd Street.
20. Provide planters with landscaping on every level of the parking garage to help to achieve the required landscape coverage on the parking garage.

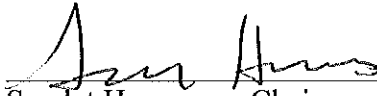
V. **EFFECTIVE DATE.** This resolution becomes effective upon adoption.

PASSED AND ADOPTED this 28th day of April, 2011

Motion by Planning and Zoning Board Member Sheldon Lisbon,
Second by Planning and Zoning Board Member Peter Glynn


FINAL VOTE ADOPTION

Armando Casellanos	<u>no</u>
Sheldon Lisbon	<u>yes</u>
Peter Glynn	<u>yes</u>
Galen Bakken	<u>absent</u>
Scarlet Hammons	<u>yes</u>



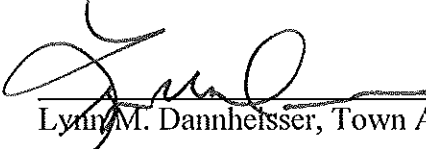
Scarlet Hammons, Chair

ATTEST:



Debra Eastman, Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR
THE TOWN OF SURFSIDE ONLY:



Lynn M. Dannheisser, Town Attorney