



April 27, 2023

400 Sunny Isles
Property Site Survey and Visit of Buildings F&B Options
Chris Baetz , Vice President Foodservice Co-op of America

Prior Operation

The prior operator was removed by the current board due to food safety concerns.

- 1.) The Health Department was called to do an inspection.
 - a. The former operator told Health department that he was not selling food at this location and that the food being served at that time was for a catering event.
 - b. The report shows that grills were removed and that the bar was not open during the inspection.
 - c. The report also showed that the vendor only had fruit and chips in storage located on 5th floor.

License Research

Food License -

- 1.) I couldn't find any licenses for the operator's name as listed on the health inspection.
 - a. Owner: [REDACTED]
 - i. Person In Charge: [REDACTED]
- 2.) I was able to find food licenses for the following entities –
 - a. MVK MIA – For the La Palma Bay located at 400 Sunny Isles Unit CU4 effective 11/30/22.
 - b. MVK MIA – Food license in process. The DBPR doesn't show when the process started –
 - i. This is for 400 Sunny Isles with no unit number.
 1. This entity has 2 food licenses in process for this same address.
 - c. Beach Café & Mini Market LLC – Food license in process
 - i. This is for 400 Sunny Isles with no unit number –
 1. Assuming this is the prospective new vendor that is in coming.
- 3.) Major concerns with Food license is that this property has no existing history of a food license. The La Palma Bay is a restaurant located in unit CU4 at the street level. The residents and property believe that the former operator had the needed license and that putting in a new

operator would be easy. This should be the case but since no prior food license has been issued for this property, site plans and inspections are a must to obtain the proper licenses.

Beverage Licenses –

- 1.) I couldn't find any beverage licenses for the operator listed on the health inspection.
 - a. Owner: ██████████ Sunny Isle Marina LLC
 - i. Person In Charge: Sunny Isle Marina LLC Phone: ██████████
 - b. Florida requires the following licenses and items needed to obtain a liquor license –
 - i. Resale Certificate
 - ii. Food license – The food license and liquor must be in the same vendor's name.
 - c. La Palma Bay House – 400 Sunny Isles – Key factor is that the address listed on the license doesn't indicate the unit number.
 - i. The license is a 4cop meaning to be consumed on property only. When the license was issued the operator had to submit the plans for the location. They also had to submit the food license, resale certificate and get approval that they estimated food sales to be 51% or greater and that liquor sales would be 49% or lower. This is a state requirement for a 4cop SFS license.
 - d. If the former operator was selling beer, wine or liquor he was doing so illegally. He did not have an approved food license, nor did he have a liquor license for the pool bar and grill located on the 6th floor of the 400 Sunny Isles Building.

LICENSEE DETAILS

10:29:15 AM 4/11/2023

Licensee Information

Name:	MVK MIA INC (Primary Name) LA PALMA BAY HOUSE (DBA Name)
Main Address:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES Florida 33160
County:	DADE
License Mailing:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES FL 33160
County:	DADE
License Location:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES FL 33160
County:	DADE

License Information

License Type:	Permanent Food Service
Rank:	Seating
License Number:	SEA2337496
Status:	Current,Active
Licensure Date:	11/30/2022
Expires:	10/01/2023

Special Qualifications **Qualification Effective**

150-249 SEATS	
Risk Level 2	11/29/2022

Alternate Names

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LICENSEE DETAILS

10:28:27 AM 4/11/2023

Licensee Information

Name:	MVK MIA INC (Primary Name)
Main Address:	LA PALMA BAY HOUSE (DBA Name) 18101 COLLINS AVE APT 1903 SUNNY ISLES BEACH Florida 33160
County:	DADE
License Location:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES BEACH FL 33160
County:	DADE

License Information

License Type:	Retail Beverage
Rank:	4COP
License Number:	BEV2337405
Status:	Current,Active
Licensure Date:	01/25/2023
Expires:	03/31/2024

Special Qualifications **Qualification Effective**

Special Food Service - COP only	01/24/2023
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Alternate Names

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LICENSEE SEARCH OPTIONS

10:30:02 AM 4/11/2023

Data Contained In Search Results Is Current As Of 04/11/2023 10:27 AM.

Search Results - 6 Records

Please see our [glossary of terms](#) for an explanation of the license status shown in these search results. For additional information, including any complaints or discipline, click on the name.

License Type	Name	Name Type	License Number/ Rank	Status/Expires
Retail Beverage	MVK MIA INC	Primary	BEV2325215 4COP	Inactive, Inactive 03/31/2024
	License Location Address*:	INACTIVE INACTIVE/MIAMI DADE NO CITY, FL 99999		
	Main Address*:	18101 COLLINS AVE SUNNY ISLES BEACH, FL 33160		
	Mailing Address*:	18101 COLLINS AVE APT 1903 SUNNY ISLES BEACH, FL 33160		
Retail Beverage	MVK MIA INC	Primary	BEV2337405 4COP	Current, Active 03/31/2024
	License Location Address*:	400 SUNNY ISLES BLVD SUNNY ISLES BEACH, FL 33160		
	Main Address*:	18101 COLLINS AVE SUNNY ISLES BEACH, FL 33160		
Retail Beverage	MVK MIA INC	DBA	BEV2325215 4COP	Inactive, Inactive 03/31/2024
	License Location Address*:	INACTIVE INACTIVE/MIAMI DADE NO CITY, FL 99999		
	Main Address*:	18101 COLLINS AVE SUNNY ISLES BEACH, FL 33160		
	Mailing Address*:	18101 COLLINS AVE APT 1903 SUNNY ISLES BEACH, FL 33160		
Permanent Food Service	MVK MIA INC	Primary	SEA2337496 Seating	Current, Active 10/01/2023
	License Location Address*:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES, FL 33160		
	Main Address*:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES, FL 33160		
	Mailing Address*:	400 SUNNY ISLES BLVD UNIT CU4 SUNNY ISLES, FL 33160		
Permanent Food Service	MVK MIA INC	Primary		Application in Progress
	License Location Address*:	400 SUNNY ISLES BLVD SUNNY ISLES BEACH, FL 33160		
	Main Address*:	400 SUNNY ILSES BLVD SUNNY ISLES BEACH, FL 33160		
	Mailing Address*:	400 SUNNY ILSES BLVD SUNNY ISLES BEACH, FL 33160		
Permanent Food Service	MVK MIA INC	DBA		Application in Progress
	License Location Address*:	400 SUNNY ISLES BLVD SUNNY ISLES BEACH, FL 33160		
	Main Address*:	400 SUNNY ILSES BLVD SUNNY ISLES BEACH, FL 33160		
	Mailing Address*:	400 SUNNY ILSES BLVD SUNNY ISLES BEACH, FL 33160		

LICENSEE DETAILS

10:31:19 AM 4/11/2023

Licensee Information

Name:	BEACH CAFE AND MINI MARKET LLC (Primary Name) 400 SUNNY ISLES CAFE (DBA Name)
Main Address:	400 SUNNY ISLES BLVD MIAMI Florida 33160
County:	DADE
License Mailing:	918 NE 7 ST HALLANDALE BEACH FL 33009
County:	BROWARD
License Location:	400 SUNNY ISLES BLVD MIAMI FL 33160
County:	DADE

License Information

License Type:	Permanent Food Service
Rank:	
License Number:	
Status:	Application in Progress
Licensure Date:	
Expires:	

Special Qualifications	Qualification Effective

Alternate Names

Facility –

The current pool grill located on the 6th floor has the following equipment –

- 1.) 2 each – grills – these are home style grills not designed for commercial uses –
 - a. 1 is rusted and in bad shape, the other is in decent shape.
- 2.) 2 each under counter reach in coolers, single door.
 - a. 1 in broken, the other is in decent shape.
 - b. Neither cooler had thermometers
- 3.) 1 large sink –
 - a. This is a home kitchen sink with sink faucet/sprayer.
- 4.) 1 triple bar sink

What the current operation is missing

- 1.) Food prep/cooking space is not enclosed and is open to bugs, rain, and outside elements.
- 2.) No dedicated hand sinks.
- 3.) No dedicated pot/pan triple sink for washing items needed for cooking process.
 - a. Triple sink is a bar sink and not designed for kitchen needs.
- 4.) Noncommercial grease trap.
- 5.) Proper storage for food in production –
 - a. This means food that is ready to serve at the time an order is taken.

- 6.) The proper barrier from guests to food production areas doesn't exist. The guest sits right at the bar and can sneeze on the food in production. The middle island is not designed for food production.
- 7.) There is no ice machine in the food service area or storage on the 5th floor. This requires water and drain.
- 8.) Food production, unless for a temporary event cannot be done outside in the elements. This needs to be done in a space that is cleanable, and pest free.
- 9.) The operation doesn't have beer coolers, glass chillers or any type of bar equipment to properly serve beer, wine, or liquor.
- 10.) No fire suppression for grills, or the wood structure that covers the bar/grill area.

Relevant Links and information

Link for Florida FDA Food Code -

<http://www.myfloridalicense.com/dbpr/hr/statutes/documents/2017-FDA-Food-Code.pdf>

Department of Business & Professional Regulation –

Below is a link to the DBPR website for food license application.

<http://www.myfloridalicense.com/DBPR/hotels-restaurants/>

Here is tips for applying for a food license from the DBPR -

Application Tips

Seating License

- is for a permanent structure that includes seats for customers to dine-in
- is the most common food service license.
- is typically what people think of when someone refers to a restaurant.
- allows for take-out/delivery and catering services.
- Food safety requirements for a Seating food service license are the same as other fixed food service licenses.

Non-Seating License

- is a type of food service license for a permanent structure that does not include any seating under the control of the food service?
- allows for take-out, delivery services and catering services.
- Food safety requirements for non-Seating food service licenses are the same as other fixed food service licenses.

How many seats do I have? (Seating License only)

- The number of seats is determined by how many seats are under the control of the food service establishment. Seating limits are established by building design, building code, fire safety, water and sewer capacity, and other considerations under the jurisdiction of local authorities.

New or existing establishment?

If restaurant is:

- in a new building
- or in a space that has never been a restaurant before
- or taking over a space where a restaurant closed over 18 months ago.
- apply for a NEW license.

If taking over a space currently licensed by a restaurant or where a restaurant has been closed less than a year, apply for CHANGE OF OWNER even if the business is completely different. Search licenses for location [here](#).

Plan Review

Plan review is required if an operator:

- constructs or uses a space that has never been licensed by the division.
- uses a space that has been closed for more than 18 months.
- uses a space that has been remodeled.
- changes the menu or concept.

No plan review is required if:

- none of the above are true.
- or the kitchen is already licensed by the division and no changes are made.
- or if sharing a kitchen. Each operator must obtain a separate license and is subject to all of the same requirements as the existing establishment. Verify the license number of the kitchen by [searching here](#).

In general, the plan review process ensures food service facilities meet sanitation and safety standards. In addition to the application, to complete the plan review process provide a plan of the establishment with equipment labeled and a sample menu. For more details about plan review visit the [plan review page](#).

Inspection

Opening Inspection

- All new licensees are required to pass a sanitation and safety inspection prior to opening. After meeting all requirements of the plan review and submitting a license application and fees, check the approved plan review packet for inspector contact information or contact the department at 850.487.1395 to schedule an opening inspection. For more information about inspections view the [inspections page](#).

Ongoing Requirements

- Once licensed, operators must meet and maintain all applicable standards of a public food service establishment as provided in rule, code, and statute. Conduct all food storage and food

preparation operations in an approved, licensed food service establishment. Food service operations MAY NOT be conducted in a private residence.

Division personnel inspect as often as necessary for enforcement of the provisions of law and rule, and the protection of the public's health, safety, and welfare. Seating and Non-Seating food service license operators must permit division personnel right of entry at any reasonable time to observe food preparation and service. If necessary, division personnel may examine records of the unit to obtain pertinent information regarding food and supplies purchased, received, or used.

Conclusion

I have been in the F&B industry for over 30 years. I have been a Food & Beverage Director for the past 15 years of my career. I am also a trained Professional Chef. In my professional opinion this property will not be approved for a food license, nor a liquor or beverage license. I would recommend the following.

- 1.) Bring in an architect to design the pool grill building -
 - a. Food code will require walls, doors, ceiling, and a closed structure. You could have windows that open and sliding doors, but you must have a barrier that is close to the kitchen to produce food.
- 2.) Before you spend money on moving the grease trap look at the structure needed for a restaurant. This will also require fire sprinklers, and a revised emergency exit plan for this area as well.
- 3.) The current set up will not work for the kitchen. It was designed as a grill area for residents to use when they use the pool. It was not designed for commercial food production and will require a significant investment to get up to code.
- 4.) Your prior operator did you no favors by operating illegally with no food license or liquor license. This makes is very hard to obtain a license as you can see from the DBPR website and license requirements.
- 5.) If the property does decide to make these types of investments I would add the following suggestions –
 - a. All licenses should be in the association's name. If you need to remove a vendor replacement is easier.
 - b. All equipment, furniture and fixtures should belong to the association, if you need to remove a vendor replacement is easier.
 - c. I would add a F&M minimum or credit for the pool grill & bar to ensure all residents use this outlet to improve your ROI.
 - d. Any vendor coming in would need to have liability insurance with the association listed.

Pictures of site inspection –



