

RESOLUTION NO. R-2013-73

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE CONCEPTUAL MASTER DEVELOPMENT PLAN FOR TRACT A OF BISCAYNE LANDING PLAT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on May 23, 2012, the Mayor and Council of the City of North Miami (“City”) passed and adopted Resolution Number R-2012-67, authorizing the execution of a Lease Agreement between the City and Oleta Partners, LLC (“Developer”), for the master development of real property consisting of approximately 183.8 acres of land known as “Biscayne Landing”, as legally described in “Exhibit C”, attached hereto (“Development”); and

WHEREAS, the Developer filed an application with the Community Planning & Development Department requesting issuance of a Conditional Use Permit and approval of the Conceptual Master Development Plan for the Development, pursuant to the requirements of Article 3, Division 4 of the City Land Development Regulations (“LDRs”); and

WHEREAS, the proposed Conceptual Master Development Plan includes a mixture of residential, hotel, community facility/open space, assisted/independent living and commercial uses; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on April 2, 2013, could not achieve a majority vote after reviewing the proposed request, public testimony, reports and the recommendation of approval by City staff with conditions; and

WHEREAS, the Mayor and Council of the City of North Miami have determined that the proposed requests are in the best interest of the City and will not adversely affect the health, safety, and welfare of residents; thereby, approve the issuance of the Conditional Use Permit in conjunction with the Conceptual Master Development Plan.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Approval of Conceptual Master Development Plan. The Mayor and

City Council of the City of North Miami, Florida, hereby, approve the Conceptual Master Development Plan Map as described in "Exhibit C", attached hereto.

Section 2. Issuance of Conditional Use Permit. The Mayor and City Council of the City of North Miami, Florida, hereby, approve and issue a Conditional Use Permit, in substantially the attached form.

Section 3. Effective Date. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 3-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 25 day of June, 2013.

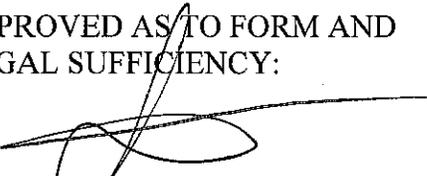

LUCIE M. TONDREAU
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Vice Mayor Steril

Seconded by: Councilman Galvin

Vote:

Mayor Lucie M. Tondreau
Vice Mayor Marie Erlande Steril
Councilperson Scott Galvin
Councilperson Carol F. Keys, Esq.
Councilperson Philippe Bien-Aime

_____	(Yes)	_____	(No)	Abstained/Conflict
<u>X</u>	(Yes)	_____	(No)	
<u>X</u>	(Yes)	_____	(No)	
<u>X</u>	(Yes)	_____	(No)	
_____	(Yes)	<u>X</u>	(No)	