NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Staff Report

To: The Honorable Mayor and City Council

From: Maxine Calloway, Esq., AICP, Director of Community Planning & Development

Date: July 9, 2013

Re: Request for Tentative Plat Approval

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT FOR CERTAIN PROPERTIES WITHIN THE CITY OF NORTH MIAMI, SITUATED ON THE SOUTHEAST QUADRANT OF THE INTERSECTION OF NORTHEAST 151ST STREET AND NORTHEAST 20TH AVENUE, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

STAFF RECOMMENDATION

That the City Council recommends approval of the proposed Resolution, for the Tentative Plat request, with conditions, for the properties located on the southeast quadrant of the intersection of Northeast 151st Street and Northeast 20th Avenue.

PLANNING COMMISSION RECOMMENDATION

At its meeting on June 4th, 2013 the Planning Commission (attended by Commissioners James, Castor, Ernst, Siefried and Harwitz) reviewed and discussed the resolution to adopt the proposed Tentative Plat. The applicant's agent (Damian Thomason gave the presentation and provided an overview of the proposed Tentative Plat (t-plat) request. Based on the information provided, the Planning Commission had no objection to the proposed t-plat request, and rendered a unanimous approval of 5-0. The motion to approve was made by Commissioner Harwitz and seconded by Commissioner Ernst.

BACKGROUND INFORMATION

Applicants Community Television Foundation, Inc., the Board of Trustees of the Internal Improvement Fund of the State of Florida, and 151st Street Warehouse, LLC, own abutting lots and share parking access on properties generally located on the Southeast quadrant of the intersection of Northeast 151st Street and Northeast 20th Avenue, specifically identified by the following Miami-

Dade County property folio numbers: 06-2221-012-0090, 06-2221-012-0091, 06-2221-012-0092, 06-2221-012-0110, and 06-2221-012-0100.

The applicants filed a request for tentative plat (T-Plat) approval with the Community Planning and Development Department in order to revise the existing recorded plat to clearly delineate the limits of each parcel boundary and to ensure consistency with the ownership and use of the existing deeded lots.

CONCLUSION

Staff has reviewed the proposed Tentative Plat pursuant to Section 3-802 of the City's LDR and is of the opinion that the T-plat conforms to all zoning and Comprehensive Plan regulations and has addressed all the conditions of the City's contract surveyor Craven Thompson & Associates. As such, staff recommends approval subject to the following conditions:

1. After Council approval of the T-plat the applicant shall deliver a signed copy of the Resolution to Miami-Dade Plat Committee along with copies of the survey drawings and file a request for County review.

2. Within 180 days of approval by the Miami-Dade Plat Committee the applicant shall file an application for a Final Plat with the City's Community Planning & Development Department.

3. Per Section 3-802 (H) of the City's LDR, the tentative plat shall be considered expired and of no further effect after 180 days. The applicant will be required to resubmit the tentative plat application for staff and Planning Commission review.

4. Applicant shall submit an executed shared parking agreement along with the application of Final Plat submittal to the Director of Community Planning & Development.

TWS: mc

Attachments:
1. Proposed Resolution
2. Exhibit 1 – Survey
3. Letter of intent

Fortin, Leavy, Skiles, Inc.

Consulting Engineers, Surveyors & Mappers

Daniel O. Fortin, Sr., PSM President
Richard L. Leavy, PSM Secretary/Treasurer
Daniel O. Fortin, Jr., PSM Vice President
Michael A. Vazquez, PE Vice President

180 Northeast 168th Street
North Miami Beach, Florida 33162-3412
Phone 305-653-4493
Fax 305-651-7152
www.flssurvey.com

October 8, 2012

Ms. Tanya Wilson-Sejour, AICP
City Planner
Community Planning & Development Dept.
City of North Miami
12400 NE 8th Ave.
North Miami, FL 33161

RECEIVED
OCT 08 2012
COMMUNITY PLANNING
& DEVELOPMENT

Re: CTF Subdivision
Letter of Intent

Dear Ms. Wilson-Sejour,

The intent of the CTF Subdivision replat is to create parcels that are consistent with the ownership of the existing parcels. The proposed development of each proposed lot is as follows:

PROPOSED LOT 1
Containing 71,521 square feet ±
Current Use of Property – Vacant Land
Proposed Use of Property – Any permitted use under existing or future zoning

PROPOSED LOT 2
Containing 36,135 square feet ±
Current Use of Property – Television broadcasting operations including office, satellite and ancillary uses.
Proposed Use of Property – Television broadcasting operations including office, satellite, and ancillary uses or any other permitted use under existing and future zoning

PROPOSED LOT 3
Containing 30,913 square feet ±
Current Use of Property – Television broadcasting operations including office, satellite and ancillary uses.
Proposed Use of Property – Television broadcasting operations including office, satellite, and ancillary uses or any other permitted use under existing and future zoning

PROPOSED LOT 4
Containing 58,826 square feet ±
Current Use of Property – Television broadcasting operations including office, satellite and ancillary uses.
Proposed Use of Property – Television broadcasting operations including office, satellite, and ancillary uses or any other permitted use under existing and future zoning

Sincerely,

Damian Thomason
Project Manager

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 8th day October, 2012, by Damian Thomason, who is personally known to me or has produced _____ as identification.

Renée Baccari
NOTARY PUBLIC

My commission Expires:

Notary Public State of Florida
Renee Baccari
My Commission EE005123
Expires 09/07/2014

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT FOR CERTAIN PROPERTIES WITHIN THE CITY OF NORTH MIAMI, SITUATED ON THE SOUTHEAST QUADRANT OF THE INTERSECTION OF NORTHEAST 151ST STREET AND NORTHEAST 20TH AVENUE, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the Community Television Foundation, Inc., the Board of Trustees of the Internal Improvement Fund of the State of Florida, and 151st Street Warehouse, LLC, (collectively referred to as "Applicants") own abutting lots and share parking access on properties generally located on the Southeast quadrant of the intersection of Northeast 151st Street and Northeast 20th Avenue, specifically identified by the following Miami-Dade County property folio numbers: 06-2221-012-0090, 06-2221-012-0091, 06-2221-012-0092, 06-2221-012-0110, and 06-2221-012-0100 (collectively referred to as "Subject Properties"); and

WHEREAS, the Applicants filed an application for tentative plat approval with the Community Planning and Development Department ("Application") in order to revise the existing recorded plat to clearly delineate the limits of each parcel boundary and to ensure consistency with the ownership and use of the existing deeded lots; and

WHEREAS, the Subject Properties are being platted pursuant to Chapter 28 of the Miami-Dade County Code of Ordinances, with City of North Miami ("City") approval of the Application, pursuant to Article 3, Division 8, Section 3-802 of the City Code of Ordinances, Land Development Regulations ("LDRs"); and

WHEREAS, on June 6, 2013, the City Planning Commission reviewed the Application and found that it conforms to the requirements of LDR's and the City's Comprehensive Plan, and recommended to the Mayor and City Council approval of the Application, with certain conditions; and

WHEREAS, the Mayor and City Council have determined that the proposed tentative plat is in the best interest of the City and will not adversely affect the public health, safety, and welfare, and therefore approve the Application.

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

Section 1. **Approval of Tentative Plat**. The Mayor and City Council of the City of North Miami, Florida, hereby approve a tentative plat for certain properties within the City of North Miami, situated on the Southeast quadrant of the intersection of Northeast 151st Street and Northeast 20th Avenue (as further described in the attached "Exhibit 1"), in accordance with Article 3, Division 8, Section 3-802 of the City of North Miami Code of Ordinances, Land Development Regulations.

Section 2. **Effective Date.** This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of July, 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: _____

Seconded by: _____

Vote:

Mayor Lucie M. Tondreau	_____ (Yes)	_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Carol F. Keys, Esq.	_____ (Yes)	_____ (No)
Councilperson Philippe Bien-Aime	_____ (Yes)	_____ (No)

SEE SHEET TWO

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- RISER
- FIRE HYDRANT
- HANDHOLE
- SIGN
- = 0.5' CURB
- = 2.00' CURB & GUTTER
- = CHAIN LINK FENCE
- 6.54 = GRADE ELEVATION
- EL. = ELEVATION
- INV. = INVERT
- SAN. = SANITARY
- P.R.M. = PERMANENT REFERENCE MONUMENT
- B.O.S. = BOTTOM OF STRUCTURE
- T.O.B. = TOP OF BAFFEL
- = CONCRETE
- = ASPHALT PAVEMENT

DEVELOPMENT INFORMATION:

OWNER:

151st Street Warehouse, LLC
555 NE 185th Street
Miami, FL 33179

Community Television Foundation of South Florida, Inc.
14901 NE 20th Ave.
Miami, FL 33181

Board of Trustees of the Internal Improvement Trust Fund of the State of Florida
3900 Commonwealth Blvd. MS 130
Tallahassee, FL 32399

FOLIO's:
06-2221-012-0090
06-2221-012-0091
06-2221-012-0100
06-2221-012-0092
06-2221-012-0110

PRESENT ZONE:
M-1 – INDUSTRIAL

DEVELOPMENT INFORMATION:

PROPOSED LOT 1
Containing 71,521 square feet ±
Current Use of Property – Vacant Land
Proposed Use of Property – Any permitted use under existing or future zoning

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FLOOD CRITERIA (NGVD 1929):
MIAMI-DADE COUNTY FLOOD CRITERIA PER PLAT BOOK 120, PAGE 13: +5.1.

LEGAL DESCRIPTION:

Lots 1 and 2, Block 2, FINKEL'S INDUSTRIAL SUB. SECTION ONE, according to the plat thereof as recorded in Plat Book 71 at Page 62 of the Public Records of Miami-Dade County, Florida.

FORMALLY DESCRIBED AS:

Parcel 1

A portion of Lot 1, Block 2, FINKEL'S INDUSTRIAL SUBDIVISION, SECTION ONE, as recorded in Plat Book 71, page 62, of the Public Records of Miami-Dade County, Florida, being described as follows:

Commence at the Southwest corner of said Lot 1; thence North 00°01'00" East for 51.00 feet to the Point of Beginning; thence continue North 00°01'00" East for 317.06 feet to a Point of Curvature of a circular curve leading to the right; thence Northerly and Easterly along the arc of said curve, having for its elements a central angel of 89°22'00" and a radius of 25.00 feet, for 38.99 feet to a Point of Tangency; thence North 89°23'00" East for 184.89 feet; thence South 00°00'15" West for 341.79 feet; thence South 89°23'00" West for 209.69 feet to the Point of Beginning.

Parcel 2

Lot 1 of Block 2 of FINKEL'S INDUSTRIAL SUBDIVISION, SECTION ONE, as recorded in Plat Book 71, page 62, of the Public Records of Dade County, Florida, subject to platted or dedicated road rights-of-way of record LESS AND EXCEPT the following described parcels of land forming a part of said Lot 1 of Block 2, to-wit:

PARCEL A: Commence at the Southwest corner of said Lot 1; thence North 00°01'00" East for 51.00 feet to the Point of Beginning; thence continue North 00°01'00" East for 341.79 feet to a point; thence North 89°23'00" East for 209.62 feet; thence South 00°00'15" West for 341.79 feet; thence South 89°23'00" West for 209.69 feet to the Point of Beginning, subject to platted or dedicated road rights-of-way of record (said Parcel A being a Florida Power & Light Company Electric Sub-station Site);

PARCEL B: The South twelve feet (12') of said Lot 1, said twelve foot (12') parcel being the subject of an existing easement (said Parcel B being a Florida Power & Light Company easement site containing electric utility facilities); and

PARCEL C: The North nine feet (9') of the South twenty-one feet (21') of the West two hundred sixty-eight and eighty-eight one-hundredths feet (268.88') of said Lot 1 (said Parcel C being an ingress and egress easement area).

The South 27.33 feet of Lot 1, Block 2 of Finkel's Industrial Subdivision, Section One, according to the Plat thereof as recorded in Plat Book 71, at Page 62 of the Public Records of Dade County, Florida.

LEGAL DESCRIPTION (Continued):

Parcel 3

The South 27.33 feet of Lot 1, Block 2 of Finkel's Industrial Subdivision, Section One, according to the Plat thereof as recorded in Plat Book 71, at Page 62 of the Public Records of Dade County, Florida. Together with:

Lot 2, in Block 2 of FINKEL'S INDUSTRIAL SUBDIVISION, SECTION ONE, as recorded in Plat Book 71, Page 62, of the Public Records of Dade County, Florida, less: That portion lying South of a line that is 15 feet South of and parallel to the North line of said Lot 2 and lying West of a line that is 229.88 feet East of and parallel to the West line of said Lot 2, all as measured along the West and South lines of said Lot 2, lying and being in the City of North Miami, Dade County. Together with: A portion of Lot 1, Block 2, FINKEL'S INDUSTRIAL SUBDIVISION, Section 1, according to the Plat thereof, as recorded in Plat Book 71, Page 62, of the Public Records of Dade County, Florida, to-wit: The South twelve feet (12') of said Lot 1; and The North nine feet (9') of the South twenty-one (21') of the West two hundred sixty-eight and eighty-eight one-hundredths feet (268.88') of said Lot 1.

Parcel 4

That portion of Lot 2, in Block 2, lying South of a line that is 15 feet South of and parallel to the North line of said Lot 2, and lying West of a line that is 229.88 feet East of and parallel to the West line of said Lot 2, all as measured along the West and South lines of said Lot 2, all shown on the Plat of FINKEL'S INDUSTRIAL SUB., SECTION ONE, according to the Plat thereof, recorded in Plat Book 71, Page 62, of the Public Records of Dade County, Florida. Together with: A portion of Lot 2, Block 2 of Finkel's Industrial Subdivision, Section One, according to the plat thereof as recorded in Plat Book 71, at page 62, of the Public Records of Dade County, Florida being more particularly described as follows:

Begin at the Southeast corner of said Lot 2; thence South 89°35'00" West along the South line of said Lot 2 for 104.00 feet; thence North 00°01'00" East along a line 229.88 feet East of and parallel to the West line of said Lot 2 for 91.43 feet; thence North 89°35'00" East for 119.35 feet to a point on the Westerly right-of-way line of Florida East Coast Railroad right-of-way, also being the East line of said Lot 2; thence South 09°32'00" West along said East line of Lot 2 for 92.82 feet to the Point of Beginning. Said lands lying and being in Section 21, Township 52 South, Range 42 East, North Miami, Dade County, Florida and containing 10,211 square feet or 0.234 acres, more or less.

SURVEYOR'S NOTES:

- This site lies in Section 21, Township 52 South, Range 42 East, City of North Miami, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida unless otherwise noted.
- Lands shown hereon were NOT abstracted for restrictions, easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of S86°25'31"W for the South right of way line of N.E. 151st Street, and evidenced by (2) two set P.R.M.'s.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Bench Mark No. N-760-R, Elevation +9.65 Located on July 3, 2012 at NE 151st Street and NE 18th Avenue.
- Lands shown hereon are located within an area having a Zone Designation X by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 12086C0141L, for Community No. 120655, dated September 11, 2009, and index map revised September 11, 2009, and is relative to the National Geodetic Vertical Datum of 1929.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- Lands shown hereon containing 197,395 square feet, or 4.532 acres, more or less.
- All control measurements are within a precision of 1:10,000 by redundant measurements.
- This map is intended to be displayed at the graphic scale shown hereon or smaller.
- Roof overhang not located unless otherwise shown.
- 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 furnished by client and no claims as to ownership are made or implied.

DEVELOPMENT CONTACT PERSON INFORMATION

Damian Thomason
Phone: 305-653-4493 x 112
Fax: 305-651-7152
E-mail: damian@flssurvey.com

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Boundary & Topographic Survey" was made under my responsible charge on July 3, 2012, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By: ______________________________
Daniel C. Fortin, For The Firm
Surveyor and Mapper, LS2853
State of Florida.

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.

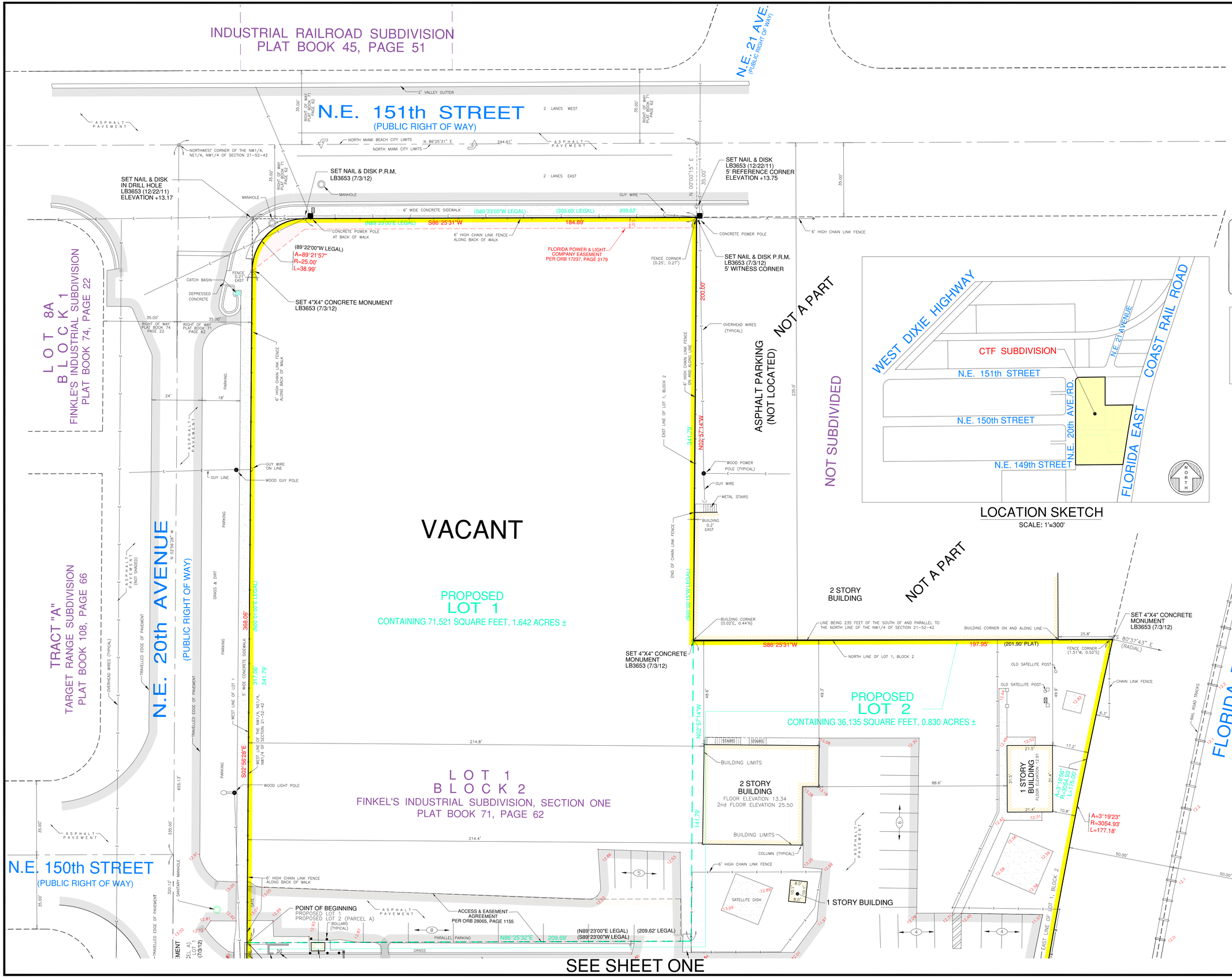
No.	O.N.	Revision Description	
1	120433	REVISED LEGAL DESCRIPTION PER CITY'S REVIEWING	
		SURVEYOR	GEM

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

TENTATIVE PLAT OF CTF SUBDIVISION

SECTION 21, TOWNSHIP 52 SOUTH, RANGE 42 EAST
CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA

Date	7/3/12
Scale	1"=20'
Drawn By.	DWF
Cad. No.	120430
Plotted:	4/9/13 11:48a
Ref. Dwg.	296-082
Field Book.	620/10, 476/31,33 & F.S.
Job. No.	120430
Dwg. No.	2012-077
Sheet	1 of 2



LOCATION SKETCH
SCALE: 1'=300'

NORTH

GRAPHIC SCALE
0 10 20 40
(IN FEET)
1 inch = 20 ft.

LEGEND

- = CATCH BASIN
- = MANHOLE
- = LIGHT POLE
- = WATER METER
- = WATER VALVE
- = CATCH BASIN INLET
- = UTILITY POLE
- = RISER
- = FIRE HYDRANT
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