

**RESOLUTION NO. 2021-R-92**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A PROPOSED 4-STORY, 59,906 SQ. FT. HIGH SCHOOL ON THE 2.14 ACRE REAL PROPERTY LOCATED AT 125 NE 119TH STREET, AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2125-000-0231, IN ACCORDANCE WITH ARTICLE 2, DIVISION 7, SECTION 2-701 AND ARTICLE 3, DIVISION 2, SECTION 3-204 THROUGH SECTION 3-206, AND ARTICLE 3, DIVISION 3, SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, CHAPTER 29, ENTITLED “LAND DEVELOPMENT REGULATIONS”; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, on July 11, 2017, the Mayor and City Council of the City of North Miami adopted the Land Development Regulations (“LDRs”) under Chapter 29 of the City’s Code of Ordinances, in order to implement the adopted EAR-Based Amendments to the Comprehensive Plan, consistent with the requirements of section 163.3184 of the Florida Statutes; and

**WHEREAS**, Article 3, Division 2, Section 3-204 through 3-206 of the LDRs establish criteria for Site Plan review by the Development Review Committee (DRC); and

**WHEREAS**, Article 2, Division 7, Section 2-701, and Article 3, Division 2, Section 3-204 (O)(1), and Section 3-206 (E) of the LDRs provide that the Mayor and Council review and approve of Site Plan application for developments over five thousand (5,000) square feet; and

**WHEREAS**, Bethany Evangelical Covenant Church of Miami, Florida, Inc. is the owner of the Subject Property, which is 93,338 square feet (2.14 acre) in size, located at 125 NE 119<sup>th</sup> Street, and specifically identified with Miami-Dade County folio number: 06-2125-000-0231; and

**WHEREAS**, the Subject Property has a zoning designation of R-6, Residential District, which allows private schools through a special exception approval; and

**WHEREAS**, 5-105(C)(9)(c) of the LDRs, specifies the amount of outdoor recreation area required based upon grade level and the number of students; and

**WHEREAS**, on May 19, 2021, the Board of Adjustment granted the property owner’s request for special exception approval for the development of a private high school (Cristo Rey Miami High School), and a variance to allow a reduction of the required on-site recreation area, subject to obtaining a shared use agreement with an off-site outdoor playground/play area resource to provide a minimum of 40,000 square feet of outdoor play area; and

**WHEREAS**, the property owner, Bethany Evangelical Covenant Church of Miami, Florida, Inc. authorized Joseph G. Goldstein, Esq. of Holland & Knight, LLP (“Applicant”) to submit a Site Plan application to the Community Planning and Development Department, requesting site plan approval for “Cristo Rey Miami High School”, a proposed 4-story, 59,906 sq. ft. high school on the Subject Property; and

**WHEREAS**, the DRC reviewed the Site Plan and on June 24, 2021, found that it conforms to the requirements of LDRs and the City’s Comprehensive Plan, and thereby recommends the application for approval to the Mayor and City Council, subject to the conditions indicated in the corresponding Staff Report; and

**WHEREAS**, in accordance with Article 2, Division 7, Section 2-701, and Article 3, Division 2, Section 3-204 through 3-206 of the LDRs, the Mayor and City Council find that the proposed site plan application is consistent with the City’s adopted LDRs and the goals, policies and objectives of the City’s Comprehensive Plan.

**WHEREAS**, the Mayor and City Council have determined that the proposed site plan furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Site Plan application as recommended by the DRC.

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

**Section 1. Mayor and City Council Approval.** The Mayor and City Council of the City of North Miami, Florida, hereby approve the site plan application , subject to the conditions indicated in the corresponding Staff Report, for “Cristo Rey Miami High School” for Bethany Evangelical Covenant Church of Miami, Florida, Inc., to develop a proposed 4-story, 59,906 sq. ft. high school on the Subject Property located at 125 NE 119<sup>th</sup> Street, specifically identified with Miami-Dade County folio number: 06-2125-000-0231, in accordance with Article 3, Division 2,

Section 3-204 through 3-206 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 3-2 vote of the Mayor and City Council of the City of North Miami, Florida, this 13th day of July, 2021.

  
PHILIPPE BIEN-AIME  
MAYOR

ATTEST:

  
\_\_\_\_\_  
VANESSA JOSEPH, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Estimé-Irvin

**Vote:**

Mayor Philippe Bien-Aime	_____ (Yes) <u>X</u> (No)
Vice Mayor Scott Galvin	<u>X</u> (Yes) _____ (No)
Councilwoman Kassandra Timothe, MPA	<u>X</u> (Yes) _____ (No)
Councilwoman Mary Estimé-Irvin	<u>X</u> (Yes) _____ (No)
Councilman Alix Desulme, Ed.D.	_____ (Yes) <u>X</u> (No)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH MIAMI CITY COUNCIL ON THIS 2nd DAY OF August, 2021.