

**RESOLUTION NO. 2021-R-113**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A MODIFICATION TO THE EXISTING CONDITIONAL USE PERMIT, APPROVED UNDER RESOLUTION NO 1637, FOR THE PROPERTY LOCATED AT 1820 NE 142<sup>ND</sup> STREET AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2221-023-0010, TO ALLOW A NEW 9-STORY, 516-UNIT MULTIFAMILY BUILDING WITH AN ATTACHED 8-STORY PARKING GARAGE, AND A 25,259 SQUARE FOOT AMENITY STRUCTURE WITH ATTACHED 3-STORY PARKING GARAGE; IN ACCORDANCE WITH ARTICLE 3, DIVISION 3, SECTION 3-302 AND ARTICLE 3, DIVISION 4, SECTION 3-404 THROUGH SECTION 3-410, 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**, Article 3, Division 4, section 3-404 through section 3-410 of the LDRs establishes criteria for the approval and modification of a Conditional Use Permit ("CUP"); and

**WHEREAS**, on March 27, 1973, the Mayor and City Council of the City of North Miami ("City"), adopted Resolution No. 1637 which approved a CUP to allow the construction of a multi-family facilities to be known as the Carmel Apartment and Tennis Club; and

**WHEREAS**, the approved CUP and Precise Plan included a total of eight hundred fifty (850) multifamily residential units, established density as 36.6 dwelling units per acre, limited the number of apartment buildings to five (5), each containing One Hundred Seventy (170) dwelling units with a maximum height of ten (10) stories or one hundred (100) feet, and prohibited any recreational building to exceed two (2) stories; and

**WHEREAS**, on August 28, 1979, Mayor and City Council approved Resolution No. 79-64 which amended the CUP to allow an additional four (4) dwelling units per building; thereby allowing a total of eight hundred seventy (870) dwelling units;

**WHEREAS**, BRE Portofino MF Property Owner, LLC ("Applicant") is the current owner and developer of the Subject Property, known as "Aliro Apartments", which is 1,007,328 square feet (23.12 acres) in size, located at 1820 NE 142<sup>ND</sup> Street, designated Mixed Use High on the

Future Land Use Map, zoned PD-3, and specifically identified with Miami-Dade County folio number: 06-2221-023-0010; and

**WHEREAS**, on December 10, 2019, the Mayor and City Council adopted Resolution No. 2019-R-152 approving a modification to the CUP to allow for the construction of a parking garage located on the current parking lot of the development; and

**WHEREAS**, the Subject Property has a PD-3, Planned Development (“PD”) zoning designation, which allows a permitted density of forty-five (45) dwelling units per acre, and up to an additional fifteen (15) dwelling units per acre through the conditional use permit process; and a maximum height of one hundred, ten feet (110') for development on the Subject Property; and

**WHEREAS**, the Applicant has filed an application with the Community Planning and Development Department requesting: 1) a density bonus of fifteen (15) dwelling units per acre, for a total density of sixty (60) dwelling units per acre; and 2) modification of the CUP to allow for the construction of a new 9-story, 516-unit multifamily building, with an attached 8-story parking garage, and a 25,259 square foot amenity structure with an attached 3-story parking garage (“Project”), to be located on the current parking lot of the development; and

**WHEREAS**, the City has reviewed the proposed request and found that it is consistent with Policy 1.21.6 of the Comprehensive Plan, and satisfies the requirements of Sections 3-409 and 4-302 of the LDRs; and

**WHEREAS**, the Planning Commission, after a duly noticed public hearing held on May 4, 2021, reviewed the proposed request and found it to be consistent with the Comprehensive Plan and in keeping the intent of the LDRs, and, thereby, recommended approval of the amended CUP to Mayor and City Council; and

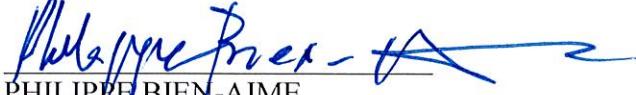
**WHEREAS**, Mayor and City Council have determined that the proposed request is in the best interest of the City, does not adversely affect the health, safety and welfare of residents, and thereby approve the amendment to the CUP.

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

**Section 1. Approval and Issuance of Amended Conditional Use Permit.** The Mayor and City Council of the City of North Miami, Florida, hereby, approve and issue an amended Conditional Use Permit, in substantially the attached form.

**Section 2. Effective Date.** This Resolution shall be effective upon adoption.

**PASSED AND ADOPTED** by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 24th day of August, 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: Bien-Aime  
Seconded by: Galvin

**Vote:**

Mayor Philippe Bien-Aime	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Vice Mayor Scott Galvin	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Councilwoman Kassandra Timothe, MPA	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Councilwoman Mary Estimé-Irvin	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Councilman Alix Desulme, Ed.D.	<input checked="" type="checkbox"/> (Yes) <input type="checkbox"/> (No)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH MIAMI CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.