

RESOLUTION NO. 2021-R-150

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A PROPOSED 9-STORY, 358-UNIT APARTMENT BUILDING, WITH 1,100 SQ. FT. OF GROUND LEVEL CAFÉ SPACE ON THE 4.0 ACRE REAL PROPERTY LOCATED AT 1195 NE 126TH STREET AND 12640 NE 12TH AVENUE, AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBERS: 06-2229-029-0010 AND 06-2229-030-0010, 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 FOR 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 Evaluation and Appraisal Review (“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 of the LDRs provide that the Mayor and Council review and approve of Site Plan application for developments over twenty thousand (20,000) square feet; and

WHEREAS, Omega Investors Group, LLC is the (“Property Owner”) of the Property, which is 174,668 square feet (4.0 acres) in size, located at 1195 NE 126TH Street and 12640 NE 12TH Avenue and specifically identified with Miami-Dade County folio numbers: 06-2229-029-0010 and 06-2229-030-0010 the (“Subject Property”); and

WHEREAS, the Subject Property has a zoning designation of R-6, Residential District on the Official Zoning Map, and is designated High Density Residential on the City of North Miami 2036 Future Land Use Map, which allows twenty-five (25) dwelling units per acre (“du/acre”), and a height of up to one hundred ten feet (110’); and

WHEREAS, the current R-6 zoning allows up to one hundred (100) dwelling units on the Subject Property as-of-right; and

WHEREAS, the Subject Property is also located within the Neighborhood Redevelopment Overlay (“NRO”) District, and the North Miami Transit Station Overlay District (“NMTSOD”) that provides, through a Conditional Use Permit (“CUP”), up to a maximum of 150 du/acre, which equates to maximum of six hundred (600) dwelling units on the Subject Property; and

WHEREAS, on July 13, 2021, Mayor and City Council granted the property owner’s request for a CUP to allocate two hundred sixty-nine (269) floating units to develop a nine (9) story three-hundred sixty-nine (369) unit apartment building with One Thousand One hundred (1,100) square feet of ground level café space; and

WHEREAS, the Property Owner, submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for “The Garden Residences”, a proposed 9-story, 358-unit apartment building, with 1,100 sq. ft. of ground level café space on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on October 15, 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, 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.

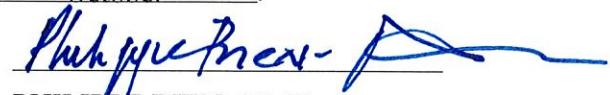
WHEREAS, the Mayor and City Council have determined that the proposed site plan furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Site Plan application as recommended by the DRC.

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 "The Garden Residences" for Omega Investors, LLC, to develop a proposed 9-story, 358-unit apartment building with 1,100 square feet of ground level café space on the Subject Property located at 1195 NE 126th Street and 12640 NE 12th Avenue, and specifically identified with Miami-Dade County folio numbers: 06-2229-029-0010 and 06-2229-030-0010, 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.

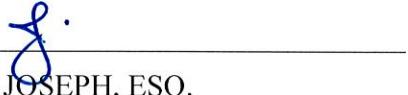
Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 26th day of October, 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: Desulme
Seconded by: Galvin

Vote:

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

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