

RESOLUTION NO. 2022-R-140

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR AN 382-UNIT MIXED USE DEVELOPMENT COMPRISED OF AN 8-STORY APARTMENT BUILDING, NINE THOUSAND, THREE-HUNDRED THIRTY-FIVE (9,335) SQUARE FEET OF GROUND LEVEL RETAIL, AND A PARKING GARAGE WITH SIX HUNDRED SIXTY-EIGHT (668) PARKING SPACES ON THE APPROXIMATELY 3.12 ACRE REAL PROPERTY LOCATED AT 1650 NE 124TH STREET, IDENTIFIED WITH MIAMI DADE FOLIO NO. 06-2229-007-0630, 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 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, Biscayne Apts. Development, LLC is the owner of the Subject Property, which is located at 1650 NE 124th Street; approximately 135,725 square feet (3.12 acres) in size; and identified with Miami Dade County Folio Number 06-2229-007-0630; and

WHEREAS, the Subject Property has a zoning designation of PU, Public Use on the Official Zoning Map, and Community Facilities University on the City of North Miami 2036 Future Land Use Map, which allows a height of up to one fifty-five (55’), and uses are limited to educational facilities, public and community facilities uses; and

WHEREAS, the Subject Property is also located in the North Miami Transit Station Overlay District (“NMTSOD”), which allows a variety of residential and commercial uses, e.g., multi-family apartments, retail, restaurant, office; a maximum height of two hundred (200) feet; and, up to one hundred fifty (150) dwelling units per acre, through a Conditional Use Permit (“CUP”); and

WHEREAS, on April 12, 2022, under Resolution No. 2022-R-45, Mayor and City Council approved a CUP for three hundred eighty-two (382) bonus units from the secondary pool for a mixed-use development on the Subject Property; and

WHEREAS, the Applicant, Biscayne Apts., LLC, through their agents, Anthony De Yurre and Liana M. Kozlowski of Bilzin Sumberg, submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for an 8-story apartment building, with 9,335 square feet of ground level retail space, and a parking garage with six-hundred sixty-eight (668) parking spaces, on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on June 30, 2022, 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 “Manor Biscayne” for Biscayne Apts.


Development, LLC., to develop an 8-story apartment building, with 9,335 square feet of ground level retail space, and a parking garage with six-hundred sixty-eight (668) parking spaces, on the Subject Property located at 1650 NE 124th Street - Miami-Dade County folio number 06-2229-007-0630, 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 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 13th day of September, 2022.


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: Estime-Irvin

Vote:

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

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH
MIAMI CITY COUNCIL ON THIS 13th DAY OF September , 2022.