

RESOLUTION NO. 2022-R-174

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A SEVEN-STORY, 342-UNIT MIXED USE DEVELOPMENT, WITH A GROUND-LEVEL AMENITIES COURTYARD, FIVE-HUNDRED EIGHTEEN (518) SURFACE PARKING SPACES, AND THREE-THOUSAND ONE-HUNDRED FIFTY-EIGHT (3,158) SQUARE FEET OF GROUND-LEVEL RETAIL SPACE ON THE APPROXIMATELY 7.60 ACRE REAL PROPERTY LOCATED AT 13855 NW 17TH AVENUE, IDENTIFIED WITH MIAMI DADE FOLIO NO. 06-2123-000-0060 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, North Miami Ventures, LLC. is the owner of the Subject Property, which consists of one parcel of land totaling thirty thousand, eight hundred fifty-nine (331,286) square feet (7.60 acres) in size, located at 13855 NW 17th Avenue, and identified with Miami-Dade County folio number 06-2123-000-0060; and

WHEREAS, the Subject Property has a zoning designation of PD-3, Planned Development (“PD”) on the Official Zoning Map, and Mixed Use High on the City of North Miami 2036 Future Land Use Map, which allows height of up to 45 dwelling units per acre (“du/ac”), an additional 15 du/ac bonus floating units as part of a CUP, limits the maximum height to one-

hundred ten feet (110'), and requires mixed-use with three (3) or more complementary permitted uses, one (1) of which must be residential; and

WHEREAS, the Applicant is not pursuing any bonus floating units; however, pursuant to Article 3, Division 4, Section 3-401 (B) of the City of North Miami's (the "City") LDRs, all development, including "as of right", within the PD districts requires a Conditional Use Permit; and

WHEREAS, on September 27, 2022, City Council approved a CUP for the development of a seven-story, 342-unit mixed use development, with a ground-level amenities courtyard, five-hundred eighteen (518) surface parking spaces, and three-thousand one-hundred fifty-eight (3,158) square feet of ground-level retail space on the Subject Property; and

WHEREAS, the Applicant, North Miami Ventures, LLC, submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for a seven-story, 342-unit mixed use development, with a ground-level amenities courtyard, five-hundred eighteen (518) surface parking spaces, and three-thousand one-hundred fifty-eight (3,158) square feet of ground-level retail space on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on September 19, 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 NoMi Square for North Miami Ventures, LLC to develop a seven-story, 342-unit mixed use development, with a ground-level amenities courtyard, five-hundred eighteen (518) surface parking spaces, and three-thousand one-hundred fifty-eight (3,158) square feet of ground-level retail space, on the Subject Property located at 13855 NW 17th Avenue, identified with Miami-Dade County folio number 06-2123-000-0060, 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 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 11th day of October, 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: Desulme

Seconded by: Galvin

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> </u> (Yes)	<u> </u> (No) Absent

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH
MIAMI CITY COUNCIL ON THIS 25th DAY OF October , 2022.