

RESOLUTION NO. 2022-R-204

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF A 20-STORY, 139-UNIT RESIDENTIAL BUILDING, AN ATTACHED 4-STORY PARKING GARAGE WITH TWO-HUNDRED THIRTY-FIVE (235) PARKING SPACES, AND NINE-THOUSAND, NINE-HUNDRED EIGHTY-NINE (9,989) SQUARE FEET OF GROUND LEVEL COMMERCIAL AND OFFICE SPACE ON FIVE (5) PARCELS OF REAL PROPERTY, LOCATED AT 12041 NW 7TH AVENUE - FOLIO NO. 06-2125-018-0550; 12065 NW 7TH AVENUE – FOLIO NO. 06-2125-018-0540; 660 NW 121ST STREET – FOLIO NO. 06-2125-018-0590; 654 NW 121ST STREET – FOLIO NO. 06-2125-018-0600; AND A VACANT PARCEL AT THE SOUTHWEST QUADRANT OF THE INTERSECTION OF NW 121ST AND I-95 IDENTIFIED WITH FOLIO NO. 06-2125-018-0610; TOTALING APPROXIMATELY 1.11 ACRES, 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, 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, Seventh Ave. Group, LLC is the owner of the Subject Property, which consists of five (5) parcels located at 12041 NW 7th Avenue – Miami Dade County Folio Number 06-2125-018-0550; 12065 NW 7th Avenue – Miami Dade County Folio Number 06-2125-018-0540; 660 NW 121st Street – Miami Dade County Folio Number 06-2125-018-0590; 654 NW 121st Street – Miami Dade County Folio Number 06-2125-018-0600; and a vacant parcel at the IWO #22-574 (JLW)

southwest quadrant of the intersection of NW 121st Street and I-95 - Miami Dade County Folio Number 06-2125-018-0610; and totaling approximately 48,200 square feet (1.11 acres) in size; and

WHEREAS, the Subject Property has a zoning designation zoned C-1, Commercial District, and is designated Commercial/Office on the City of North Miami 2036 Future Land Use Map, which pursuant to Article 4, Section 4-202(B) allows a wide-variety of commercial, uses, including retail, and office; and

WHEREAS, the Subject Property is also located in the State Road 7/NW 7th Avenue Planned Corridor Development (“PCD”) Overlay District, which allows mixed use, e.g., multi-family apartments, retail, restaurant, office, a maximum height of two hundred (200) feet on the east side of NW 7th Avenue, and up to one hundred twenty-five (125) dwelling units per acre, through a Conditional Use Permit (“CUP”); and

WHEREAS, on May 10, 2022, under Resolution No. 2022-R-61, Mayor and City Council approved a CUP for one hundred thirty-nine (139) bonus units from the secondary pool for a mixed-use development on the Subject Property; and

WHEREAS, the Applicant, Seventh Ave. Group, LLC, through their agent, Steven J. Wernick Esq. AICP of Wernick & Co, PLLC, submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for a 20-story, 139-unit apartment building, with nine thousand nine hundred eighty-nine (9,989) square feet of ground level commercial and office space, and an attached 4-story parking garage with two-hundred thirty-five (235) parking spaces, on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on October 20, 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.

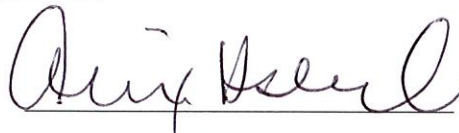
WHEREAS, the Mayor and City Council have determined that the proposed site plan furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Site Plan application as recommended by the DRC.

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 “Emblem Tower” for Seventh Ave. Group, LLC., to develop a 20-story, 139-unit apartment building, with nine thousand nine hundred eighty-nine (9,989) square feet of ground level commercial and office space, and an attached 4-story parking garage with two hundred thirty-five (235) parking spaces, on the Subject Property located at 12041 NW 7th Avenue – Miami Dade County Folio Number 06-2125-018-0550; 12065 NW 7th Avenue – Miami Dade County Folio Number 06-2125-018-0540; 660 NW 121st Street – Miami Dade County Folio Number 06-2125-018-0590; 654 NW 121st Street – Miami Dade County Folio Number 06-2125-018-0600; and a vacant parcel at the southwest quadrant of the intersection of NW 121st Street and I-95 - Miami Dade County Folio Number 06-2125-018-0610, 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 21st day of November, 2022.



PHILIPPE BIEN-AIME

MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.

IWO #22-574 (JLW)

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: Estimé-Irvin

Vote:

Mayor Philippe Bien-Aime	<u> </u> (Yes) <u> </u> (No) Absent
Vice Mayor Alix Desulme, Ed.D.	<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)
Councilman Scott Galvin	<u> X </u> (Yes) <u> </u> (No)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH
MIAMI CITY COUNCIL ON THIS 29th DAY OF November, 2022.