

RESOLUTION NO. 2023-R-47

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR AN 832-UNIT MIXED-USE DEVELOPMENT, COMPRISED OF TWO (2) 8-STORY APARTMENT BUILDINGS, TWO (2) 20-STORY APARTMENT BUILDINGS, NINETEEN THOUSAND FOUR-HUNDRED SEVENTY-EIGHT (19,478) SQUARE FEET OF GROUND-LEVEL RETAIL AND RESTAURANT SPACE, AND A 6-STORY PARKING GARAGE WITH 1,174 PARKING SPACES ON THE APPROXIMATELY 5.55 ACRE REAL PROPERTY LOCATED IN THE SOUTHEAST QUADRANT OF NE 151ST STREET AND NE 20TH AVENUE; SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBERS: 06-2221-000-0021, 06-2221-038-0010, 06-2221-038-0020, AND 06-2221-038-0030, 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, RF 151st Street, LLC and 151st Street Warehouse LLC (collectively, the “Applicant”) are the owners of the Subject Property, which is generally located in the southeast quadrant of NE 151st Street an NE 20th Avenue; approximately 241,841 square feet (5.55 acres) in size; and identified with Miami Dade County Folio Numbers: 06-2221-000-0021, 06-2221-038-0010, 06-2221-038-0020, and 06-2221-038-0030; and

WHEREAS, The Subject Property is designated Industrial on the City’s 2036

Future Land Use Map; and

WHEREAS, Policy 1.21.7 of the Comprehensive Plan establishes the allowable uses within the Industrial district, e.g., industrial, office, wholesaling; and

WHEREAS, the Subject Property has a M-1, Industrial zoning designation, which provides a maximum permitted height of fifty-five (55) feet; and

WHEREAS, Article 4, Section 4-202(B) establishes the allowable uses within the M-1, Industrial district, e.g., retail, restaurant; and

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

WHEREAS, on July 13, 2021, under Resolution No. 2021-R-90, Mayor and City Council approved a CUP for eight hundred thirty-two (832) bonus units from the SDTOD Residential Pool for a mixed-use development on the Subject Property; and

WHEREAS, the Applicant, RF 151st Street, LLC and 151st Street Warehouse, LLC, through their agent, Ethan B. Wasserman, Esq. of Greenberg Traurig, P.A., submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for an 832-unit mixed use development, comprised of two (2) 8-story apartment buildings, two (2) 20-story apartment buildings, with nineteen thousand four hundred seventy-eight (19,478) square feet of ground level retail and restaurant space, and a six-story parking garage, with 1,174 parking spaces, on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on March 3, 2023, 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 Applicant, to develop an 832-unit mixed use development, comprised of two (2) 8-story apartment buildings, two (2) 20-story apartment buildings, with nineteen thousand four hundred seventy-eight (19,478) square feet of ground level retail and restaurant space, and a six-story parking garage, with 1,174 parking spaces, on the Subject Property generally located in the southeast quadrant of NE 151st Street and NE 20th Avenue and identified with Miami Dade County Folio Numbers: 06-2221-000-0021, 06-2221-038-0010, 06-2221-038-0020, and 06-2221-038-0030, 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 29th day of March, 2023.



ALIX DESULME, Ed.D.
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: Tinothe

Vote:

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

THIS ORDINANCE WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH
MIAMI CITY COUNCIL ON THIS 6th DAY OF April, 2023.