

RESOLUTION NO. 2024-R-36

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A SITE PLAN FOR 123 NOMI, A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF A TWELVE (12) UNIT, 4-STORY APARTMENT BUILDING, WITH 434 SQ. FT. OF RETAIL SPACE, ON REAL PROPERTY LOCATED AT 12315 NE 4TH AVENUE, IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER 06-2230-036-0100, AND TOTALING APPROXIMATELY .20 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 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, 123 NoMi Venture, LLC (the “Applicant”) is the owner of the Subject Property, which consists of one parcel of real property located at 12315 NE 4 AVE; totaling approximately 8,100 square feet in size; identified with Miami Dade County Folio Numbers 06-2230-036-0100 and designated Commercial/Office on the City’s 2036 Future Land Use Map (“FLUM”), and C-3, Commercial/Office on the Official Zoning Map; and

WHEREAS, the C-3 district allows greater flexibility in development standards and to encourage mixed-use development in order to enhance the pedestrian experience of citizens and to promote the use of transit. The

WHEREAS, the Subject Property is in the Arts, Culture and Design Overlay District (“AOD”), which allows uses that further arts, culture and design and art education within the district, including live/work studios, and requires that all new development (exclusive of single family residential) incorporate a public art component; and

WHEREAS, it is also located within the Neighborhood Redevelopment Overlay (“NRO”) District, which requires that buildings over thirty-five (35) feet located adjacent to single-family structures be setback a minimum of twenty-five (25) feet; and

WHEREAS, the property is within the NE 123rd/NE 125th Street Planned Corridor Development (“PCD”) Overlay District, both of which allows, through the conditional use permit (“CUP”) process, up to 100 dwelling units per acre (du/acre); a maximum height of one hundred ten (110) feet; and allows multi-family residential and a wide-variety of commercial uses, including retail, and based upon the property size, the site could accommodate up to twenty (20) dwelling units; and

WHEREAS, the Applicant submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for a 12-unit mixed use development, including one (1) live/work unit; four hundred thirty-four (434) square feet of retail space; and sixteen (16) ground level covered parking spaces on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on January 31, 2024, determined 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, the 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 123 NoMi Venture LLC to develop a 12-unit mixed-use development, including one (1) live/work unit; four hundred thirty-four (434) square feet of retail space; and sixteen (16) ground level covered parking spaces on the Subject Property located at 12315 NE 4th AVE - Miami-Dade County folio numbers 06-2230-036-0100 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 3 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 12th day of March, 2024.



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: Charles

Seconded by: Galvin

Vote:

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

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH MIAMI CITY COUNCIL ON THIS 26th DAY OF March, 2024.