

**RESOLUTION NO. 2024-R-83**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF EIGHT (8) 18-STORY MIXED-USE BUILDINGS CONTAINING 2,193-UNITS, ONE HUNDRED TWENTY-ONE THOUSAND FIVE HUNDRED (121,500) SQUARE FEET OF COMMERCIAL SPACE AND FOUR THOUSAND ONE HUNDRED FOURTEEN (4,114) PARKING SPACES ON TWO PARCELS OF REAL PROPERTY LOCATED AT 1255 NW 135<sup>TH</sup> STREET AND 1525 NW 135<sup>TH</sup> STREET TOTALING 27.67 ACRES, AND IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBERS: 06-2123-000-0180 AND 06-2123-000-0050, IN ACCORDANCE WITH ARTICLE 3, DIVISION 4, SECTIONS 3-402 THROUGH 3-407, ARTICLE 4, DIVISION 3, SECTIONS 4-304, AND SECTION 4-306(D)(6) 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,** the Subject Property consists of two (2) parcels of land totaling approximately 27.67 acres or 1,205,278 square feet, located at 1255 NW 135<sup>th</sup> Street and 1525 NW 135<sup>th</sup> Street, and further identified with Miami-Dade County folio numbers 06-2123-000-0180 and 06-2123-000-0050, which includes Claude Pepper Park and the Joe Celestin Center, and approximately 11.23 acres of undeveloped land; and

**WHEREAS,** the Subject Property is designated Community Facilities on the City's 2036 Future Land Use Map ("FLUM") and PU, Public Use on the Official Zoning Map, which allows a building height of fifty-five (55) feet, and a wide variety of public uses, including public facilities, parks, preservation lands, government, community, and educational facilities; and

**WHEREAS,** on August 31, 2022, the City issued a Request for Proposals under RFP No. 70-21-22 (the "RFP") for the design, development, and financing of improvements to Claude Pepper Park, renovations to the Joe Celestin Center and the development of the vacant site with a mixed-use project containing senior housing, and workforce housing along with retail, restaurant, and other commercial uses; and

**WHEREAS,** Redwood CP Dev, LLC submitted a response to the RFP and at a Special Council meeting held on November 18, 2022, was selected as the top-ranked bidder; and

**WHEREAS,** to implement the development program approved by Mayor and City Council

for the Subject Property, on December 12, 2023, the Mayor and Council approved the establishment of the Joe Celestin Global Planned Corridor Development Overlay District (“Overlay District”) along a portion of the north side of NW 135<sup>th</sup> Street between NW 12<sup>th</sup> Avenue and NW 17<sup>th</sup> Avenue via Ordinance No. 1516; and

**WHEREAS**, the Overlay District includes property on the north side of NW 135<sup>th</sup> Street between NW 12<sup>th</sup> Avenue and NW 17<sup>th</sup> Avenue with the following development standards:

- a. Height: Up to 200 feet west of the Joe Celestin Center, including parking levels and compatible building transitions and setbacks.
- b. Mixed-use is allowed along the corridor with a permitted density of up to 150 du/acre, including floating units. Allocation is subject to the availability of floating units, and pursuant to a conditional use permit. The commercial floor area is not subject to intensity limits but shall be approved by the City Council pursuant to a conditional use permit.
- c. Maximum lot coverage: 80% (to be calculated for the district, including the residential, commercial, and recreational uses)
- d. Signage. All property within the district will be subject to the regulations of the Comprehensive Sign Program in Section 5-1506.

**WHEREAS**, Article 3, Division 4, section 3-405 of the LDRs establishes criteria for the approval of a Conditional Use Permit (“CUP”); and

**WHEREAS**, Redwood CP Dev, LLC (“Applicant”) and lessee of the Subject Property, and has filed a CUP application with the Development Services Department requesting two thousand one hundred ninety-three (2,193) floating bonus units from the residential pool, and one hundred twenty-one thousand five hundred (121,500) sq. ft. of non-residential floor area from the commercial pool to construct a mixed-use development entailing eight (8) 18-story, buildings with two thousand one hundred ninety-three (2,193) dwelling units, consisting of a mix of age-restricted independent living units, affordable housing units, and market-rate units with integrated parking garages containing three thousand (3,930) parking spaces, two hundred twenty-seven (227) surface parking spaces, and one hundred twenty-one thousand five hundred (121,500) square feet of ground-level commercial area encompassing retail, entertainment, restaurant space on the Subject Property; and

**WHEREAS**, the CUP request also involves the redevelopment of Claude Pepper Park consisting of the expansion of the Joe Celestin Center with classrooms, a computer lab, a kitchen, a gym, an event terraces, banquet hall/ballroom, concessions building, amphitheater, community



pool with splash area, multi-purpose field, baseball fields, tennis, basketball, paddle courts, and exercise trail; and

**WHEREAS**, City has reviewed the proposed request and found that it is consistent with Objective 1.22 of the Comprehensive Plan, and satisfies the requirements of Sections 3-405 and 4-306 of the LDRs; and

**WHEREAS**, the Planning Commission, after a duly noticed public hearing held on May 7, 2024, reviewed the proposed request, and found it to be consistent with the Comprehensive Plan and in keeping with the intent of the LDRs, and, thereby, recommended approval of the CUP to Mayor and City Council; and

**WHEREAS**, Mayor and City Council have determined that the proposed request is in the best interest of the City, does not adversely affect the health, safety, and welfare of residents, and thereby, approve the CUP.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.**     **Approval of Conditional Use Permit.** The Mayor and City Council of the City of North Miami, Florida, hereby, approve the CUP, in substantially the attached form, for a mixed-use development consisting of eight (8) 18-story buildings with two thousand one hundred ninety-three (2,193) dwelling units, consisting of a mix of age-restricted independent living units, affordable housing units, and market-rate units with integrated parking garages containing (3,930) parking spaces, two hundred twenty-seven (227) surface parking spaces, and one hundred twenty-one thousand five hundred (121,500) square feet of ground-level commercial area encompassing retail, entertainment, restaurant space located at 1255 NW 135<sup>th</sup> Street and 1525 NW 135<sup>th</sup> Street, in accordance with Article 3, Division 4, Section 3-407 of Chapter 29 of the City of North Miami Code of Ordinances, Land Development Regulations.


**Section 2.**     **Effective Date.** This Resolution shall be effective upon adoption.

**NOW, THEREFORE**, Mayor and City Council approves this CUP along with the following findings and conditions:


1. **Density and Intensity Bonus:** That the City allocates two thousand one hundred ninety-three (2,193) residential units from the city-wide residential pool, and one hundred twenty-one thousand five hundred (121,500) non-residential square feet from the commercial pool.
2. **Development Review Committee Approval:** After approval of the CUP, the Applicant shall submit a site plan application to the Development Review Committee (“DRC”) for City Council. Failure to file said precise plan within one (1) year of the City Council approval shall result in the revocation of the CUP. Site Plan approval must be granted by City Council before applicant can apply for a building permit;
3. **Site Plan and Architectural Compliance:** That the Applicant must develop the property in accordance with the architectural design as approved by the DRC, including color palette, and the final site plan approved by the City Council;
4. **Operation and Maintenance:** That the owners or successors or assigns in title is bound by the CUP and shall continue operation and maintenance of all areas, functions, and facilities as depicted on the approved precise site plan, unless otherwise released by the Mayor and City Council.
5. **Easements:** That the Applicant shall provide suitable areas for easements for dedication and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, and other public purposes.
6. **Installation of Utilities:** That all utilities within the Subject Property including, but not limited to, telephone, electrical systems, and television cables, shall be installed underground.
7. **Sidewalks:** That the Applicant shall construct and maintain a ten (10) foot sidewalk along the NW 135<sup>th</sup> Street frontage, and a six (6) foot wide sidewalk along the NW 12<sup>th</sup> Avenue, NW 17<sup>th</sup> Avenue, and Opa Locka Boulevard frontages of the Subject Property;
8. **Public Art:** That the Applicant shall, prior to building permit, complete the Arts in Public and Private Spaces approval process, and prior to Certificate of Occupancy, the approved public art must be installed or completed;
9. **Building Permits:** That the Applicant apply for a building permit within eighteen (18) months of approval of the precise site plan by the City Council. Failure to do so will result in the expiration of the precise site plan;

- 10. Miscellaneous:** That the CUP comply with all applicable requirements of the City's Public Works Department, Police Department, and all other County and State agencies;
- 11. Certificate of Occupancy:** That a Certificate of Occupancy ("CO") from the Building Department be only issued to the applicant upon complying with all the terms and conditions of this CUP approval; the same subject to cancellation upon violation of any of the conditions herein listed.
- 12. Certificate of Use:** That a CU from the Community Planning and Development Department and Business Tax Receipt ("BTR") be only issued to the Applicant upon compliance with all terms and conditions of this CUP approval; the same subject to cancellation upon violation of any of the conditions herein listed.
- 13. Leadership in Energy and Environmental Design ("LEED") Certification:** Proof of LEED or equivalent National Green Building Certification is required prior to obtaining final Certificate of Occupancy; and
- 14. Sustainable Building Program:** The Applicant shall integrate and maintain their proposed sustainable building commitments, e.g., ten percent (10%) increased stormwater retention over the minimum required and the bioswales, rainwater collection, and rain gardens.

**PASSED AND ADOPTED** by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of May, 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: Estime-Irvin

**Vote:**

Mayor Alix Desulme, Ed.D.	<u>X</u>	(Yes)	<u>      </u>	(No)
Vice-Mayor Mary Estimé-Irvin	<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)
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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.