

RESOLUTION NO. 2024-R-159

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A SITE PLAN FOR DELMAS HOMES, IN SUBSTANTIALLY THE ATTACHED FORM, FOR A PROPOSED DEVELOPMENT CONSISTING OF EIGHTEEN (18), 2-STORY TOWNHOMES ON TWO (2) PARCELS OF REAL PROPERTY GENERALLY LOCATED SOUTH OF CITADEL PLAZA, 13400 NE 3RD COURT, WEST OF 13330 AND 13350 NE 3RD COURT, SOUTH OF 13310 NE 3RD COURT, NORTH OF 13270 NE 3RD COURT, SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS 06-2230-000-0121 AND 06-2230-000-0122, AND TOTALING APPROXIMATELY 1.52 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, 135 Memorial, LLC (the "Applicant"), represented by Jerry B. Proctor, Esq., is the owner of the Subject Property, which consists of two parcels of real property totaling 68,296 square feet (1.57 acres) and approximate physical location south of Citadel Plaza, 13400 NE 3rd Court, west of 13330 and 13350 NE 3rd Court, south of 13310 NE 3rd Court, north of 13270 NE 3rd Court; is specifically identified with Miami-Dade County ("County") folio numbers 06-2230-

000-0121 and 06-2230-000-0122 and designated Low Medium Density Residential on the City's 2045 Future Land Use Map ("FLUM"), and R-4 on the Official Zoning Map; and

WHEREAS, the R-4 district allows low-scale and low-medium-density multi-family use and other non-commercial uses and allows a maximum density of twelve (12) units per acre with a maximum height of thirty-five (35) feet; and

WHEREAS, the subject property is 1.57 acres, which would allow a maximum number of units of nineteen (19) by-right and according to LDRs, Section 4-205.B, an additional twenty-five (25) dwelling units per acre are permitted through the conditional use permit (CUP) process to allow up to fifty-eight (58) dwelling units; and

WHEREAS, the Applicant submitted a Site Plan application to the Development Services Department, requesting site plan approval for an 18-unit, 2-story townhome development with forty-five (45) surface parking spaces on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan, and on July 23, 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 135 Memorial, LLC to develop a 18-unit, 2-story, townhome development with forty-five (45) surface parking spaces on the Subject Property with

an approximate physical location south of Citadel Plaza, 13400 NE 3rd Court, west of 13330 and 13350 NE 3rd Court, south of 13310 NE 3rd Court, north of 13270 NE 3rd Court; is specifically identified with Miami-Dade County ("County") folio numbers 06-2230-000-0121 and 06-2230-000-0122 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 22nd day of October, 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: Estime-Irvin

Seconded by: Timothe

Vote:

Mayor Alix Desulme, Ed.D.

_____ (Yes) _____ (No) Absent

Vice Mayor Mary Estimé-Irvin

X (Yes) _____ (No)

Councilman Scott Galvin

X (Yes) _____ (No)

Councilwoman Kassandra Timothe, MPA

X (Yes) _____ (No)

Councilman Pierre Frantz Charles, M.Ed.

X (Yes) _____ (No)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH
MIAMI CITY COUNCIL ON THIS 4th DAY OF November, 2024.