

RESOLUTION NO. 2025-R-211

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 DEVELOPMENT CONSISTING OF A 11-STORY, EIGHTEEN (18) UNIT RESIDENTIAL BUILDING ON TWO (2) PARCELS OF REAL PROPERTY LOCATED AT 1998 NE 135TH STREET, IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBERS 06-2229-008-0060 AND 06-2229-008-0061, AND TOTALING APPROXIMATELY 0.34 ACRES, IN ACCORDANCE WITH ARTICLE 3, DIVISION 4, SECTIONS 3-402 THROUGH 3-407, ARTICLE 4, DIVISION 2, SECTION 4-202, SECTION 4-203(A), SECTION 4-205, AND SECTION 4-310 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 0.34 acres (15,000 sq. ft), with physical location of 1998 NE 135th Street, and specifically identified with Miami-Dade County (“County”) folio numbers 06-2229-008-0060, and 06-2229-008-0061 (referred to herein as “Subject Property”) that are designated as High Density Residential Density on the City’s 2036 Future Land Use Map (“FLUM”), and R-6, Residential on the Official Zoning Map; and

WHEREAS, the R-6 district allows up to twenty-five (25) dwelling units per acre (“du/ac”), and a maximum building height of one hundred ten (110) feet; therefore, based upon the size of the Subject Property, the Applicant may develop up to nine (9) units as of right; and

WHEREAS, Article 3, Division 4, section 3-405 of the LDRs establishes criteria for the approval of a CUP; and

WHEREAS, Shelton Miami, Inc. (the “Applicant”) has, through their Agent, Rachel A. Streitfeld, Esq., filed a CUP application with the Office of Land Use Services, requesting approval to construct an 11-story, 18-unit residential building on the Subject Property; and

WHEREAS, the City has reviewed the proposed request and found that it is consistent with Objective 1.21 of the Comprehensive Plan, and satisfies the requirements of Sections 3-405, 4-203, and 4-310 of the LDRs; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on September 18, 2025, 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 an 11-story, 18-unit residential building located on the Subject Property, 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 Bonus:** That the City allocates nine (9) floating bonus units from the citywide bonus pool to allow the construction of a residential building with eighteen (18) units, whereas nine (9) units are allowed by right.
- 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 the applicant can apply for a building permit. The final approved precise plan and the CUP shall be recorded in the records of the Miami Dade County Clerk and provided to the City Planner prior to submission of a building permit.
- 3. Site Plan Compliance:** That the Applicant must develop the property in accordance with 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. **Front Setback:** That the Applicant maintain a front setback of 25', where a maximum of fifteen (15) feet is required, and shall install and maintain a five (5) foot landscaped buffer and drop off zones using permeable materials within the expansion area.
6. **Easements:** That the Applicant shall provide suitable areas for easements for dedication and/or improvements 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.
7. **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.
8. **Sidewalks:** That the Applicant shall, through an Installation and Maintenance Agreement in coordination with the City of North Miami Public Works Department, construct a 10' wide sidewalk along the NE 135th Street frontage of the Subject Property.
9. **Public Art:** That the Applicant shall, prior to the submittal of an application for building permits, 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.
10. **Unification of Parcels:** Prior to site plan approval by City Council, the Applicant shall unify the individual lots under one folio number.
11. **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.
12. **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.
13. **Certificate of Occupancy:** That a Certificate of Occupancy (CO) from the Office of Building Services be only issued to the applicant upon complying with all the terms and conditions of this CUP approval; the same is subject to cancellation upon violation of any of the conditions herein listed.

14. Certificate of Use: That a Certificate of Use (CU) from the Community Planning & 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 is subject to cancellation upon violation of any of the conditions herein listed.


15. Leadership in Energy and Environmental Design (LEED) Certification: Proof of LEED or equivalent National Green Building Certification is required prior to obtaining the final Certificate of Occupancy.

16. Sustainable Building Program: The Applicant shall integrate and maintain their proposed sustainable building commitments.

PASSED AND ADOPTED by a 3 - 1 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of October, 2025.


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: Burns

Seconded by: Charles

Vote:

Mayor Alix Desulme, Ed.D.	<u> </u> (Yes)	<u> </u> (No)	Absent
Vice-Mayor Kassandra Timothe, MPA	<u> X </u> (Yes)	<u> </u> (No)	
Councilman Kevin A. Burns	<u> X </u> (Yes)	<u> </u> (No)	
Councilwoman Mary Estimé-Irvin	<u> </u> (Yes)	<u> X </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 19th DAY OF December, 2025.