

RESOLUTION NO. 2018-R-100

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A PROPOSED 6-STORY, 67-UNIT, MULTIFAMILY RESIDENTIAL DEVELOPMENT ON THE 1.1 ACRE REAL PROPERTY, GENERALLY LOCATED AT 840 N.E. 130TH STREET AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2230-013-0110, 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 FOR 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 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, and Article 3, Division 2, Section 3-204 (O)(1), and Section 3-206 (E) of the LDRs provide that the Mayor and Council review and approve of Site Plan applications for developments over 5,000 square feet; and

WHEREAS, OZ & BF, LLC is the owner of the Subject Property, which is slightly over one (1) acre in size (48,186 square feet), generally located at 840 NE 130th Street and specifically identified with Miami-Dade County folio number: 06-2230-013-0110; and

WHEREAS, the Subject Property has a zoning designation of R-2, Single Family District, with a maximum permitted height of thirty-five feet (35’) and a density of 5.1 dwelling units per acre; thus, allowing up to five (5) dwelling units to be developed by right; and

WHEREAS, the Subject Property is also located within the Neighborhood Redevelopment Overlay (“NRO”) District which, pursuant to Section 4-205 (B) and 4-305 of the City’s LDRs, provides for additional height (to a maximum of 90’) and, through the issuance

of a conditional use permit, a density bonus of up to ninety (90) dwelling units per acre for development on the Subject Property; and

WHEREAS, on April 23, 2018, Resolution 2018-R-53 was approved by City Council granting approval of the property owner's request for conditional use permit and allocating sixty-two (62) residential dwelling units from the primary pool of floating residential units reserved for use within the NRO District; and

WHEREAS, the OZ & BF, LLC authorized Cemil Akbas of PSN Contracting LLC ("Applicant") to submit a Site Plan application to the Community Planning and Development Department, requesting site plan approval for "North Miami Condos", a proposed 6-story, 67-unit multifamily residential development on the Subject Property; and

WHEREAS, with the approval of the Application, the Subject Property will be developed in accordance with development review standards listed in, Article 3, Division 2, Section 3-204 through 3-206 of the City of North Miami Code of Ordinances, Land Development Regulations ("LDRs"); and

WHEREAS, the DRC reviewed the Site Plan and on July 20, 2018, 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, 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 for "North Miami

Condos” from OZ & BF, LLC, to develop a proposed 6-story, 67-unit multifamily residential development on the Subject Property, specifically identified with Miami-Dade County folio number: 06-2230-013-0110, 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 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of August, 2018.



DR. SMITH JOSEPH
MAYOR

ATTEST: 

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Desulme
Seconded by: Galvin

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Carol Keys, Esq.	<u> </u> (Yes)	<u> X </u> (No)
Councilman Scott Galvin	<u> X </u> (Yes)	<u> </u> (No)
Councilman Alix Desulme	<u> X </u> (Yes)	<u> </u> (No)
Councilman Philippe Bien-Aime	<u> X </u> (Yes)	<u> </u> (No)