

**RESOLUTION NO. 2019-R-106**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A PROPOSED MIXED USE DEVELOPMENT ON THE 1.95 ACRE REAL PROPERTY, GENERALLY LOCATED AT 950 NE 124<sup>TH</sup> STREET AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2230-040-0020, 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 twenty thousand (20,000) square feet; and

**WHEREAS**, NM 124, LLC is the owner of the Subject Property, which is 84,942 square feet (1.95 acres) in size, generally located at 950 NE 124<sup>th</sup> Street, and specifically identified with Miami-Dade County folio number: 06-2230-040-0020; and

**WHEREAS**, the Subject Property has a zoning designation of PU, Public Use District, which permits public uses, and is also within the Neighborhood Redevelopment Overlay (NRO) district, which permits mixed-use residential developments; and

**WHEREAS**, the property owner, NM 124, LLC submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for a proposed

mixed use residential development featuring 175 senior apartments and 31,053 square feet of retail, office and event space; and

**WHEREAS**, the DRC reviewed the Site Plan and on June 13, 2019, 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, subject to the conditions indicated in the corresponding Staff Report, from NM 124, LLC, to develop a proposed mixed use residential development featuring 175 senior apartments and 31,053 square feet of retail, office and event space on the Subject Property located at 950 NE 124<sup>th</sup> Street specifically identified with Miami-Dade County folio number: 06-2230-040-0020, 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 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 24th day of September, 2019.

  
PHILIPPE BIEN-AIME  
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: Keys

Seconded by: Estimé-Irvin

**Vote:**

Mayor Philippe Bien-Aime	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Carol Keys, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilwoman Mary Estimé-Irvin	<u>X</u>	(Yes)	_____	(No)
Councilman Alix Desulme, Ed.D.	<u>X</u>	(Yes)	_____	(No)