

RESOLUTION NO. 2019-R-152

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A PROPOSED 4-STORY PARKING GARAGE ON THE 23.1 ACRE REAL PROPERTY, LOCATED AT 1820 NE 142ND STREET, AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2221-023-0010, 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, BRE Portofino MF Property Owner, LLC is the owner of the Subject Property, which is 1,007,328 square feet (23.1 acres) in size, located 1820 NE 142nd Street, and specifically identified with Miami-Dade County folio number: 06-2221-023-0010; and

WHEREAS, the Subject Property has a zoning designation of CPD-3, Planned Development District, which permits parking garages; and

WHEREAS, the property owner, BRE Portofino MF Property Owner, LLC. submitted a Site Plan application to the Community Planning and Development Department, requesting site plan approval for a proposed 4 story, 132,838 square foot parking garage; and

WHEREAS, the DRC reviewed the Site Plan and on November 20, 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; and

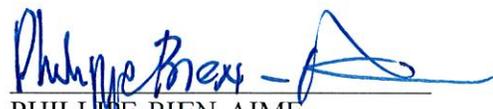
WHEREAS, the Mayor and City Council have determined that the proposed site plan furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Site Plan application as recommended by the DRC.

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 BRE Portofino MF Property Owner, LLC to develop a proposed 4-story, 132,838 square foot parking garage on the Subject Property located at 1820 NE 142nd Street specifically identified with Miami-Dade County folio number: 06-2221-023-0010, 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 10th day of December, 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: Galvin

Seconded by: Desulme

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)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH
MIAMI CITY COUNCIL ON THIS _____ DAY OF _____, 2019