

RESOLUTION NO. 2020-R-18

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING MIAMI-DADE COUNTY RESOLUTION NO. Z-10-06 WHICH GRANTED SPECIAL EXCEPTION APPROVAL FOR A CHARTER SCHOOL LOCATED AT 13300 MEMORIAL HIGHWAY; AND APPROVING MODIFICATIONS TO THE SPECIAL EXCEPTION APPROVAL; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on March 9, 2006, the Miami-Dade Board of County Commissioners (“MDC”) approved a Special Exception to permit a Charter School at the location of 13300 Memorial Highway, Miami-Dade County, Florida with specific conditions contained within MDC Resolution No. Z-10-06 (Exhibit “A”); and

WHEREAS, on June 26, 2013, the City of North Miami (“City”) and MDC entered into an Interlocal Agreement to effectuate the annexation of County land into the City’s municipal boundaries; and

WHEREAS, the Charter School now lies within the City’s municipal boundaries and the City of North Miami wishes to adopt MDC Resolution No. Z-10-06 which granted special exception approval for the Charter School; and

WHEREAS, applicant, YES PROPERTIES 13300 MEMORIAL INC has submitted a request to modify the conditions to the special exception approval to allow for a Private School consisting of grades K-8 and changes to the arrival and departure times due to the change in grade levels serviced by the facility; and

WHEREAS, the 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 modifications to the special exception approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Adoption of MDC Resolution. The Mayor and City Council of the City of North Miami, Florida, hereby, adopt Miami-Dade County Resolution No. Z-10-06 which granted special exception approval for a Charter School located at 13300 Memorial Highway.

Section 2. Approval of Modifications to Special Exception Approval. The Mayor and City Council of the City of North Miami, Florida, hereby, approve the modifications to the conditions for special exception approval under MDC Resolution No. Z-10-06 as follows:

FROM: 2. That the Charter School shall be limited to sixth through eighth grades with six hundred (600) students.

TO: 2. The Private School shall be limited to Kindergarten through eighth grades with six hundred (600) students.

FROM: 3. That the Charter School shall have three staggered arrival and departure times as follows:

	8 th Grade	7 th Grade	6 th Grade
Arrival	7:00 a.m.	7:45 a.m.	8:30 a.m.
Departure	2:30 p.m.	3:15 p.m.	4:00 p.m.

However, the Owner, at its discretion may modify the foregoing Schedule so long as the Charter School has a minimum of three (3) staggered arrival and departure times. Further, the Owner shall provide written notice of any modifications to the arrival and departure times to the directors of the Planning and Zoning Department and Public Works Department, respectively, and said modifications shall be subject to the approval of the directors.

TO: 3. That the Private School shall have two (2) staggered arrival and departure times as follows:

	<u>Kindergarten – 5th Grade</u>	<u>6-8th Grade</u>
Arrival	<u>7:00 a.m.</u>	<u>8:30 a.m.</u>
Departure	<u>2:30 p.m.</u>	<u>4:00 p.m.</u>

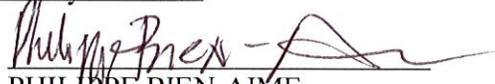
However, the Owner, at its discretion may modify the foregoing Schedule so long as the Private School has a minimum of two (2) staggered arrival and departure times. Further, the Owner shall provide written notice of any modifications to the arrival and departure times to the directors of the City of North Miami Planning and Zoning Department and Public Works Department, respectively, and said modifications shall be subject to the approval of the Department directors.

FROM: 8. That the Charter School gates shall be opened at least thirty (30) minutes prior to the arrival and dismissal times.
 TO: 8. That the Private School will have a rolling gate that will be closed at all times and only open upon a vehicle's approach during arrival and dismissal times.

13. That prior to the issuance of any Certificate of Occupancy or Certificate of Use, the applicant must obtain an Administrative Site Plan approval from the City of North Miami Community Planning and Development Department.

Section 3. Effective Date. This Resolution shall be effective upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 28th day of January, 2020.


 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: Estimé-Irvin
 Seconded by: Galvin

Vote:

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