



**NORTH MIAMI PLANNING COMMISSION AGENDA  
VIRTUAL MEETING**

**Tuesday, May 5, 2020 2:00 PM**

Meeting access link: <https://www.gotomeet.me/NOMICPD/planningcommissionmay5>

Dial in: [872-240-3212](tel:872-240-3212) Access Code: 945-364-637

**I. ASSEMBLY AND ORGANIZATION:**

- A. Call to Order
- B. Roll Call of Board Members
- C. Amendments to the Agenda

**II. APPROVAL OF MINUTES:** December 3, 2019

**III. COMMUNICATIONS**

**IV. CONTINUED PUBLIC HEARING:** None

**V. PUBLIC HEARING:**

PC 01-20:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE WILLIAM E. SADOWSKI AFFORDABLE HOUSING ACT OF 1992 AND THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) ACT, FOR FISCAL YEARS 2020-2021, 2021-2022, AND 2022-2023; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO EXECUTE AND SUBMIT THE LOCAL HOUSING ASSISTANCE PLAN AND ANY OTHER NECESSARY DOCUMENTS TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND FINAL APPROVAL, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

- 1. Staff Report
- 2. Commission Action
- 3. Public Comment

PC 02-20:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY RF 151<sup>ST</sup> STREET, LLC. AND ENTITLED "TENTATIVE PLAT OLETA DEVELOPMENT," TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06-2221-038-0010; 06-2221-038-0020; 06-2221-038-0030 & 06-2221-000-0021) INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

- 1. Staff Report
- 2. Commission Action
- 3. Public Comment

PC 03-20:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY CITADEL PLAZA, LLC. AND ENTITLED "TENTATIVE PLAT CITADEL PLAZA," TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06-2230-000-0020 & 06-2230-000-0230) LOCATED AT 280 NE 135<sup>TH</sup> STREET INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

1. Staff Report
2. Commission Action
3. Public Comment

## **VI. COMMITTEE REPORTS**

## **VII. OLD BUSINESS**

## **VIII. NEW BUSINESS**

## **IX. ADJOURNMENT**

The Planning Commission will hold a Virtual Public Hearing for these proposed Resolutions on **Tuesday, May 5, 2020 at 2:00 p.m. via GoToWebinar.** To log onto the virtual public hearing, go to the following web address at the date and time indicated above; <https://www.gotomeet.me/NOMICPD/planningcommissionmay5>, or dial in to 872-240-3212, Access Code: 945-364-637.

Members of the public are invited to attend the virtual Public Hearing and provide oral or written comments on the matter. Comments, which must include your full name and address, may be provided in advance of the hearing via telephone at 305-895-9803, or by sending an email to [publiccomment@northmiamifl.gov](mailto:publiccomment@northmiamifl.gov). Comments received by 10 a.m., May 5, 2020, will be read into the record during the hearing. Comments received after the deadline will become part of the record, but will not be read during the hearing.

If you do not have internet access, you may call 305-893-6511, Ext. 19003 to ask questions about the items. A copy of the full package containing staff reports and recommendations for all items is available online at <http://www.northmiamifl.gov/pc05052020>, and will also be available for public review from Monday to Friday between the hours of 8:15 a.m. and 12:30 p.m. in the Community Planning & Development Office located at 12400 NE 8th Avenue, North Miami, Florida 33161.

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT NO LATER THAN FOUR (4) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 893-6511, EXT. 19000, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE 711 OR YOU MAY CONTACT 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.**

MINUTES  
 NORTH MIAMI PLANNING COMMISSION  
 7:00 P.M.  
 Tuesday, December 3, 2019  
 COUNCIL CHAMBERS

The meeting was called to order at 7:03 p.m. After the pledge of allegiance, a roll call of the members was taken.

	<b>Name</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>
1.	Vice-Chair Charles Ernst	X		
2.	Commissioner Howard Tonkin	X		
3.	Commissioner Jason James		X	
4.	Commissioner Bob Pechon	X		
5.	Commissioner Michael McDearmaid	X		
6.	Commissioner Melton Goodwin	X		
7.	Commissioner Bernadette Pierre	X		
<i>Alternative Members:</i>				
8.				
9.				

**Staff was represented by:**

Debbie Love, AICP, City Planner  
 Jennifer Warren, Deputy City Attorney  
 Gary Held, Planning Commission Attorney  
 Dunia Sanzetenea, Information Technology  
 Marline Monestime, CPD Technician/Board Secretary

- I. Assembly and Organization:** None
- II. Amendments to the Agenda:** The Chair announced there would need to be a selection for the Chair and Vice-Chair of the Planning Commission. Commissioner Pechon nominated Vice-Chairman to assume the role as Chair. The motion was seconded by Commissioner McDearmaid. The motion passed 5-0. Commissioner Tonkin was not present to participate in the vote.

Commissioner Pechon made a motion to nominate Commissioner McDearmaid as the Vice-Chair. That motion was seconded by Commissioner Pierre. The motion passed 5-0. Commissioner Tonkin was not present to participate in the vote.

- III. Approval of Minutes:** A motion to approve minutes for the November 5, 2019 meeting was made by Commissioner Goodwin and seconded by Commissioner Pechon. Passed 5-0. Commissioner Tonkin was not present to participate in the vote.
- IV. Communications:** The City Planner confirmed the 2020 Planning Commission Schedule was being updated and would be provided soon.
- V. Continued Public Hearings:** None
- VI. Public Hearings:**

PC 14-19:

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, PROVIDING FOR A TEXT AMENDMENT TO CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES BY AMENDING ARTICLE 4, DIVISION 2, ENTITLED "ZONING DISTRICTS", SPECIFICALLY AT SECTION 4-202, ENTITLED "TYPES OF USES", ARTICLE 5, DIVISION 17, ENTITLED "STORAGE FACILITIES", SPECIFICALLY AT SECTION 5-1702, ENTITLED, "SELF-STORAGE FACILITIES", AND DIVISION 22, ENTITLED "DISTANCE LIMITATION FOR CERTAIN USES", SPECIFICALLY AT SECTIONS 5-2201 AND 5-2202, AND A NEW SECTION 5-2205, ENTITLED "LOCATION AND DISTANCE RESTRICTION FOR SELF-STORAGE FACILITIES", TO ESTABLISH LOCATIONAL STANDARDS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, CODIFICATION AND FOR AN EFFECTIVE DATE.**

The Chair read the title for the record. Debbie Love, City Planner, presented the item. The item was then opened for public discussion. Commission discussion commenced thereafter and the following changes were made and voted on to add the underlined text below:

- Attorney Held recommended for staff to reconcile Section 5-1702.G, to include "...applicable to self-storage facilities; except as otherwise more specifically provided in these LDRs"
- The Commission added the recommendation to include in Section 5-1702.G.1. "...single-family district or from another facility".
- In Section 5-2202, include "No wholesale or retail sales are permitted from the unit".

Vice-Chair McDermid motioned to approve the item with the amendments listed above. The motion was seconded by Commissioner Pierre. The item passed 4-2. (Commissioners Pechon and Tonkin opposed).

- VII. COMMITTEE REPORTS:** None
- VIII. OLD BUSINESS:** None
- IX. NEW BUSINESS:** The 2020 Planning Commission calendar will be prepared and will reflect one meeting per month. The next meeting is tentatively set for January 7, 2020.
- X. ADJOURNMENT:** The meeting was adjourned at 7:39 p.m.

Respectfully submitted:

Attest:

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Charles Ernst, Chair  
Planning Commission

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Debbie Love, AICP, City Planner  
Community Planning & Development

Prepared by:

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Marline Monestime, Board Secretary  
Community Planning & Development

**To:** The Planning Commission Board

**From:** Marie-Frantz Jean-Pharuns, CFM  
Housing and Social Services Assistant Director

**Date:** May 5, 2020

**RE: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE WILLIAM E. SADOWSKI AFFORDABLE HOUSING ACT OF 1992 AND THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) ACT, FOR FISCAL YEARS 2020-2021, 2021-2022, AND 2022-2023; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO EXECUTE AND SUBMIT THE LOCAL HOUSING ASSISTANCE PLAN AND ANY OTHER NECESSARY DOCUMENTS TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND FINAL APPROVAL, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

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## **RECOMMENDATION**

Staff is recommending the adoption of the Local Housing Assistance Plan (LHAP) for the City of North Miami's SHIP Program for fiscal years 2020-2021, 2021-2022 and 2022-2023 as required by the William E. Sadowski Affordable Housing Act of 1992 and the State Housing Initiatives Partnership (SHIP) Program.

## **PURPOSE & INTENT**

The William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Session Laws, allocates a portion of documentary stamp taxes on deeds to local governments, for the development and maintenance of affordable housing. The State Housing Initiatives Partnership Act ("SHIP") under Sections 420.907-420.9079, Florida Statutes, and Rule 67-37, Florida Administrative Code, require local governments to develop a one to three-year Local Housing Assistance Plan ("LHAP") outlining how funds will be used for housing programs. Moreover, Florida Statutes, Section 393.063 requires counties and eligible municipalities to describe initiatives in their LHAPs that give first priority to households with developmental disabilities, special needs with an emphasis on home modification, including technological enhancements and devices, which will allow homeowners and/or developmentally disabled household members to remain independent in their own homes and maintain their homeownership. The intent of this proposed LHAP is to reach the objectives as outline above.

## **BACKGROUND**

The State of Florida and the Florida Housing Finance Corporation provide funds for affordable housing activities through the State Housing Initiative Partnership (SHIP) Program. As a requirement for funding, The City of North Miami (“City”) must submit a Local Housing Assistance Plan (LHAP) every three (3) years. The City Council, through Resolution 2017-R-12, approved the last LHAP for the years 2017-2018, 2018-2019, and 2019-2020 where we outlined various affordable housing programs for North Miami residents under the first come, first served criteria. The proposed LHAP for the years 2020-2021, 2021-2022 and 2022-2023 once more features initiatives that will advance affordable housing for City’s residents with preference given to special needs families, persons with disabilities, elderly, and very low-income household. In addition, the proposed LHAP exhibits the current lottery selection process, instead of the first come, first served process used previously by the City.

## **CONCLUSION**

In conclusion, the proposed LHAP (attached) outlines the programs and guidelines which will allow staff to provide services to North Miami residents through various affordable housing strategies should funding become available. Staff recommends approval for the proposed LHAP.

### **Attachments:**

- 1) Resolution
- 2) LHAP

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE WILLIAM E. SADOWSKI AFFORDABLE HOUSING ACT OF 1992 AND THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) ACT, FOR FISCAL YEARS 2020-2021, 2021-2022, AND 2022-2023; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO EXECUTE AND SUBMIT THE LOCAL HOUSING ASSISTANCE PLAN AND ANY OTHER NECESSARY DOCUMENTS TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND FINAL APPROVAL, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Session Laws, allocating a portion of documentary stamp taxes on deeds to local governments, for the development and maintenance of affordable housing; and

**WHEREAS**, the State Housing Initiatives Partnership Act (“SHIP”) under Sections 420.907-420.9079, Florida Statutes, and Rule 67-37, Florida Administrative Code, require local governments to develop a one to three-year Local Housing Assistance Plan (“LHAP”) outlining how funds will be used for housing programs; and

**WHEREAS**, Florida law also requires the LHAP to be an element of the City of North Miami (“City”) SHIP program; and

**WHEREAS**, SHIP further requires the City to establish an average area purchase price for new and existing housing benefiting from SHIP awards, using the methodology and purchase prices found in the LHAP; and

**WHEREAS**, the Planning Commission, after a duly noticed public hearing held on \_\_\_\_\_, reviewed the proposed LHAP and recommended unanimously approval to the Mayor and City Council; and

**WHEREAS**, the Mayor and City Council of the City of North Miami, find the proposed LHAP for Fiscal Years 2020-2021, 2021-2022, and 2022-2023, to be in the best interests of the City, and accordingly accept the Planning Commission’s recommendation for approval.

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

**Section 1. Approval of Plan.** The Mayor and City Council of the City of North Miami, Florida, hereby adopt the Local Housing Assistance Plan (LHAP) as required by the William E. Sadowski Affordable Housing Act of 1992 and the State Housing Initiatives Partnership (SHIP) Act, for fiscal years 2020-2021, 2021-2022, and 2023-2024, attached hereto as “Exhibit A”.

**Section 2. Authority of Interim City Manager and City Attorney.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager and City Attorney to execute and submit the Local Housing Assistance Plan and any other necessary documents to the Florida Housing Finance Corporation for its review and final approval, as required by Florida Law.

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

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR PHILIPPE BIEN-AIME  
MAYOR

ATTEST :

\_\_\_\_\_  
VANESSA JOSEPH, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Mayor Philippe Bien-Aime

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Vice Mayor Alix Desulme

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilman Scott Galvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Carol Keys, Esq.

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Mary Estime-Irvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)



**City of North Miami**

**SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)**

**2020-2021, 2021-2022, 2022-2023**

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A. Administrative Budget for each fiscal year covered in the Plan B. Timeline for Estimated Encumbrance and Expenditure C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan D. Signed LHAP Certification E. Signed, dated, witnessed or attested adopting resolution F. Ordinance: (If changed from the original creating ordinance) G. Interlocal Agreement	



**I. Program Details:**

**A. LG(s)**

Name of Local Government	City of North Miami
Does this LHAP contain an interlocal agreement?	No
If yes, name of other local government(s)	

**B. Purpose of the program:**

- To meet the housing needs of the very low, low and moderate-income households;
- To expand production of and preserve affordable housing; and
- To further the housing element of the local government comprehensive plan specific to affordable housing.

**C. Fiscal years covered by the Plan: 2020-2021, 2021-2022, 2022-2023**

**D. Governance:** The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

**E. Local Housing Partnership:** The SHIP Program encourages building active partnerships between government, lending institutions, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

**F. Leveraging:** The Plan is intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

**G. Public Input:** Public input will be solicited on the City website and/or through face to face meetings with housing providers, social service providers, local lenders, and neighborhood associations.

**H. Advertising and Outreach:** SHIP funding availability shall be advertised in a community newspaper, periodicals serving ethnic and diverse neighborhoods, and City of North Miami Website at least 30 days before the beginning of the application period.

**I. Waiting List/Priorities: Selection Process:** First-time Homebuyer is served on a first qualified, first served basis until funds are depleted. Eligible rehab applicant will be selected based on a lottery process until funds are fully expended.

The following priorities for funding (very low income, Special Needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

Priorities are listed in each strategy.



- J. **Discrimination** : In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or marital status in the award application process for eligible housing.
- K. **Support Services and Counseling:** Support services are available from various sources. Available support services may include, but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling, Foreclosure Counseling and Transportation with Experts Resource Community Center and other community based organizations.
- L. **Purchase Price Limits:** The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

- M. **Income Limits, Rent Limits and Affordability:** The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at [www.floridahousing.org](http://www.floridahousing.org).

*“Affordable” means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071, F.S. However, it is not the intent to limit an individual household’s ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.*

- N. **Welfare Transition Program:** Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.
- O. **Monitoring and First Right of Refusal:** In the case of rental housing, the staff and any entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this



program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

- P. Administrative Budget:** A line-item budget is attached as Exhibit A. The city/county finds that the moneys deposited in the local housing assistance trust fund are necessary to administer and implement the local housing assistance plan.

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:** “A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:** “The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.” The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

- Q. Program Administration:** Administration of the local housing assistance plan will be performed by:

Entity	Duties	Admin. Fee Percentage
City of North Miami	Administration of the local housing assistance plan	10%
Third Party Entity/Sub-recipient	N/A	

- R. First-time Homebuyer Definition:** For any strategies designed for first-time homebuyers, the following definition will apply: *An individual who has had no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned a home with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse. An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.*

- S. Project Delivery Costs:** N/A

- T. Essential Service Personnel Definition (ESP):** **Essential Services Personnel are defined locally** as teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, and skilled building trade personnel in North Miami, Florida. Defined in accordance with Rule Chapter 67-37.002(8) F.A.C. and Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a) FS.

- U. Describe efforts to incorporate Green Building and Energy Saving products and processes:** On September 25, 2007, The City of North Miami adopted Resolution Number 2007-130 establishing the Green Residential Rehabilitation Standards (NMRRS) which provides for a level of commitment to the use of green design, construction, and management principles when conducting residential rehabilitation. The



NMRRS also establishes specifications for materials, measures and installation for the major components of a residential structure including but not limited to, structural, roofing, HVAC (heating/ventilation/ air conditioning), electrical and plumbing systems. The NMRRS applies to both single family and multi-family residential structures. The city believes that greener buildings are key components to achieving sustainable communities which are good places to work, do business and raise children.

The city’s commitment is also evident with the implementation of a series of “Green Initiatives which is incorporated into the city’s Comprehensive Plan and Land Development Regulations, designed to produce energy-efficient and resource-efficient buildings with healthier indoor air, while carrying out needed rehabilitation in a manner that preserves the environment and improves the lives of residents. The implementation of “green” initiatives also improve families by preserving family income and wealth through lower utility bills: connect neighborhoods to green related job opportunities in the design and building trades; and support healthier lifestyles by exposing residents to fewer toxic substances, and lessening respiratory problems.

To facilitate its commitment to green building and environmentally friendly principles, the city has included standard requirements and polices not only in the NMRRS, but also in the Housing Element of the Comprehensive Plan, which require both contractors and participants in the housing program to implement relevant standards to achieve these goals. Some of the requirements are considered to be cost effective and practical, such as requiring the contractors in the city’s housing programs including residential rehabilitation to install low flush toilets and showerheads and to use low reflective materials on the roof and high energy efficient windows and doors to increase cooling.

- V. Describe efforts to meet the 20% Special Needs set-aside:** The City of North Miami will partner with social service agencies serving the designated special needs population to achieve the goal of the special needs set-aside. The goals will be met through the owner occupied rehabilitation, emergency repair, and rental assistance strategies.
- W. Describe efforts to reduce homelessness:** The City of North Miami will work with the homeless trust serving homeless populations primarily through rental assistance to place these individuals or families in rental or transitional housing for the purpose of providing a stable housing situation for (12) twelve months or more subject to the availability of funds.

**Section II. LHAP Strategies:**

<b>A. Owner Occupied Rehabilitation</b>	3
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a.	Summary: This strategy emphasizes rehabilitation of owner occupied substandard housing units.
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- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income categories to be served: Very low, low and moderate
- d. Maximum award: \$ 25,000.00
- e. Terms:



1. Repayment loan/deferred loan/grant: The SHIP funds are provided as a deferred loan. Recipients must execute an agreement, a Restrictive Covenant, and a Mortgage and Note.
2. Interest Rate: 0 %
3. Years in loan term: 7 years
4. Forgiveness: Forgiven on a prorated basis each year over a 7- year period.
5. Repayment: No repayment is required as long as the loan is in good standing
6. Default: If at any time during the 7-year period the property is sold, refinanced, rented or ceases to be owner-occupied, the loan recipient shall pay to the City the outstanding balance of the loan, plus interest on the balance due at the time. Interest shall be computed at the rate of 4% per annum, simple interest. In the event of death of the surviving property owner(s), assumption of the outstanding loan balance is permissible under certain conditions Legal heirs to the estate and who are granted legal or equitable possession of the property may assume the loan. Legal heirs that qualify as very low, low and moderate income, and who intend to occupy the property as their principal residence shall be approved to assume the balance of the deferred loan. Validated heirs who qualify based on the above conditions shall execute a new mortgage and promissory note for the remaining balance of the loan.

f. Recipient/Tenant Selection Criteria: For the rehabilitation program, funds are awarded based on a lottery process until funds are fully encumbered. The lottery is held once a year. Open enrollment starts from October 1 to October 31. All persons must submit all required documents including a complete application to be eligible to participate in the lottery. If the applicant meets the program guidelines, they get included in the lottery. All applicants selected are notified and invited to attend the lottery drawing. The number of names selected from the lottery depends upon funding availability, with equal priority given to households with developmental disabilities, special needs and/or very low and low income.

g. Sponsor Selection Criteria: N/A

h. Additional Information: All work will be performed by contractors on the city’s approved contractor’s list

<b>B. Purchase Assistance without Rehabilitation</b>	2
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a. Summary: This strategy emphasizes affordable home ownership for first time homebuyers. Qualified households may receive assistance with down payment and / or closing cost.

b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023

c. Income Categories to be served: Very low, low and moderate

d. Maximum award: \$ 25,000.00



- e. Terms:
  1. Repayment loan/deferred loan/grant: Repayment loan/deferred loan/grant: The SHIP funds are provided as a deferred loan. Recipients must execute an agreement, a Restrictive Covenant, and a Mortgage and Note.
  2. Interest Rate: 0%
  3. Years in loan term: 7 years
  4. Forgiveness: The deferred loan will be forgiven on a prorated basis each year over a 7- year period, at the conclusion of which the debt will be considered satisfied
  5. Repayment: No repayment is required as long as the loan is in good standing.
  7. Default: If at any time during the 7-year period the property is sold, refinanced, rented or ceases to be owner-occupied, which does not constitute default the loan recipient shall pay to the City the outstanding balance of the loan, plus interest on the balance due at the time. Interest shall be computed at the rate of 4% per annum, simple interest. In the event of death of the surviving property owner(s), assumption of the outstanding loan balance is permissible under certain conditions. Legal heirs to the estate and who are granted legal or equitable possession of the property may assume the loan. Legal heirs that qualify as very low, low and moderate income, and who intend to occupy the property as their principal residence shall be approved to assume the balance of the deferred loan. Validated heirs who qualify based on the above conditions shall execute a new mortgage and promissory note for the remaining balance of the loan.
- f. Recipient Purchase Assistance Selection Criteria: Funds will be reserved on a first-qualified, first served basis until funds are depleted.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Applicants are required to attend and complete a homebuyer education course. The course is provided under contract with Expert Resources and Community Center, Inc. The course must be six (6) to eight (8) hours and provide valuable information that will educate the buyer about the critical and delicate areas of owning a home. The course may be a one (1) day group sitting or a series of one on one counseling, with a minimum of (6) hours. The course must cover money management, credit monitoring and tips on maintaining your home

<b>C. Purchase Assistance with Rehabilitation</b>	<b>1</b>
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a. Summary: This strategy emphasizes affordable home ownership for first time homebuyers. Qualified households may receive assistance with down payment and / or closing cost.

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low, low and moderate



- d. Maximum award: \$30,000.00  
Up to \$25,000.00 for purchase assistance and closing cost and up to \$5,000.00 for minor home repair.
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: The SHIP funds are provided as a deferred loan. Recipients must execute an agreement and a Mortgage and Note.
  - 2 Interest Rate: 0%
  - 3. Years in loan term: 7 years
  - 4. Forgiveness: The deferred loan will be forgiven on a prorated basis each year over a 7- year period.
  - 5. Repayment: No repayment is required as long as the loan is in good standing.
  - 6. Default: If at any time during the 7-year period the property is sold, refinanced, rented or ceases to be owner-occupied, which does not constitute default the loan recipient shall pay to the City the outstanding balance of the loan, plus interest on the balance due at the time. Interest shall be computed at the rate of 4% per annum, simple interest. In the event of death of the surviving property owner(s), assumption of the outstanding loan balance is permissible under certain conditions. Legal heirs to the estate and who are granted legal or equitable possession of the property may assume the loan. Legal heirs that qualify as very low, low and moderate income, and who intend to occupy the property as their principal residence shall be approved to assume the balance of the deferred loan. Validated heirs who qualify based on the above conditions shall execute a new mortgage and promissory note for the remaining balance of the loan.
- f. Recipient Purchase Assistance Selection Criteria: Funds will be reserved on a first qualified, first served basis until funds are depleted.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Applicants are required to attend and complete a homebuyer education course. The course must be six (6) to eight (8) hours and provide valuable information that will educate the buyer about the critical and delicate areas of owning a home. The course may be a one (1) day group sitting or a series of one on one counseling, with a minimum of (6) hours. The course must cover money management, credit monitoring and tips on maintaining your home.

<b>D. Disaster Assistance</b>	5, 16, 13
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<p>Summary: This strategy provides assistance to households following a disaster as declared by Executive Order by the President of the United States or the Governor of the State of Florida. Disaster funds may be used for:</p> <ul style="list-style-type: none"> <li>1) Purchase of emergency supplies for eligible households to weatherproof damaged homes;</li> <li>2) Interim repairs to prevent further damage; tree and debris removal required to make the housing unit habitable;</li> <li>3) Payment of insurance deductibles for rehabilitation of a home covered under homeowners' insurance policy;</li> </ul>
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- 4) Rental payment assistance
- 5) Mortgage payment assistance
- 6) Utility payment assistance
- 7) Other activities approved by Florida Housing Finance Corporation

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: Owner occupied housing \$ 20,000.00  
Assistance to tenants \$ 5,000.00
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: Assistance up to \$5,000 will be in the form of a grant. Owner occupied housing assistance above \$5,000 will be in the form of a deferred forgivable loan. Grant recipients must execute an agreement only, but loan recipients must execute an agreement, a Restrictive Covenant, and a Mortgage and Note.
  - 2. Interest Rate: \$5,000 or less: N/A  
\$5,001-20,000: 0%
  - 3. Years in loan term: \$5,000 or less: N/A  
\$5 001 or more: 7 years
  - 4. Forgiveness: \$5,000 or less: N/A  
\$5 001 or more: The deferred loan will be forgiven on a prorated basis each year over a 7- year period.
  - 5. Repayment: \$5,000 or less: N/A  
\$5,001 or more: No repayments are required as long as the loan is in good standing.
  - 6. Default: \$5,000 or less: N/A  
\$5,001 or more: If at any time during the 7-year period the property is sold, refinanced, rented or ceases to be owner-occupied, which does not constitute default the loan recipient shall pay to the City the outstanding balance of the loan, plus interest on the balance due at the time. Interest shall be computed at the rate of 4% per annum, simple interest. In the event of death of the surviving property owner(s), assumption of the outstanding loan balance is permissible under certain conditions. Legal heirs to the estate and who are granted legal or equitable possession of the property may assume the loan. Legal heirs that qualify as very low, low and moderate income, and who intend to occupy the property as their principal residence shall be approved to assume the balance of the deferred loan. Validated heirs who qualify based on the above conditions shall execute a new mortgage and promissory note for the remaining balance of the loan.
- f. Recipient Selection Criteria: Funds will be reserved on a first-qualified, first served basis until funds are depleted, with priority given to households with developmental disabilities, elderly, special needs, extremely low, very low, and low income.
- g. Sponsor Selection Criteria: N/A



- h. Additional Information: This strategy will only be implemented in the event of a disaster using any funds that have not been encumbered or additional disaster funds that become available and issued by the Florida Housing Finance Corporation.

<b>E. Rental Assistance (Tenant)</b>	13
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a. Summary: This strategy will assist renters that are in need of a (1) one-time payment with obtaining a lease on a rental unit. This may include security deposits, utility deposits, and no more than (3) three months' rent.

- b. Fiscal Years Covered: 2020-2021, 2021-2022, 2022-2023
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$ 5,000.00
- e. Terms:
  1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant
  2. Interest Rate: N/A
  3. Years in loan term: N/A
  4. Forgiveness: N/A
  5. Repayment: N/A
  6. Default: N/A
- f. Recipient/Tenant Selection Criteria: Funds will be reserved on a first-qualified, first served basis with priority given to households with developmental disabilities, elderly, special needs, extremely low, very low, and low income
- g. Sponsor/Sub-recipient Selection Criteria: N/A
- h. Additional Information: N/A

**III. LHAP Incentive Strategies**

In addition to the **required Incentive Strategy A and Strategy B**, include all adopted incentives with the policies and procedures used for implementation as provided in Section 420.9076, F.S.:

- A. Name of the Strategy: **Expedited Permitting**  
 Provide a description of the procedures used to implement this strategy;  
 Permits as defined in ss. 163.3177 (6) (f) (3) for affordable housing projects are expedited to a greater degree than other projects.  
 Permits as defined in ss. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects. Through the City's Administrative Regulation #130-13 and the City's Comprehensive Plan Policy 2.3.5, an expedited permitting procedure has been implemented. The Housing and Social Services Department coordinates with the Building and Zoning Department to ensure applications to rehabilitate affordable housing units are processed expeditiously, and make available a staff person to serve as an intermediary



between the contractor and the permit granting agencies should problems arise. All permits for housing rehabilitation activities funded under SHIP shall be given top priority and issued no later than three (3) working days after filing. Permits for new construction shall be given top priority and issued no later than ten (10) working days after the final submittal to the City.

B. Name of the Strategy: **Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

Provide a description of the procedures used to implement this strategy; Established policies and procedures;

This incentive provides a process through which the City of North Miami can assess the impact of proposed policies, procedures and regulations on the cost of housing. Prior to adoption, any proposed policies, procedures and regulations deemed by the Housing and Social Services Department to have the potential for detrimentally impacting the provision of affordable housing in the City of North Miami, shall be referred to the Local Housing Advisory Committee for review and the recommendation to the City Council. Further, site plans and plats are reviewed to ensure the housing development is consistent with the City's Comprehensive Plan, the Code of Ordinances, and its Concurrency Management System. Reviews include assessments by the Housing and Social Services and Public Works Departments.

- C. Other Incentive Strategies Adopted: In addition to Expedited Permitting and Ongoing Review Process (Oversight), the City has adopted a variety of development incentives into the Land Development Regulations (LDRs) and Comprehensive Plan (Ordinance No. 1278, 4-28-09; Ordinance No. 1327, 2-14-12; Ordinance No. 1440, 6-25-19; and Ordinance No. 1442, 9-10-19) to promote affordable, workforce, and small-scale affordable elderly rental housing. These incentives include a density bonus program; reduced parking requirements for elderly housing (over 55); and higher density and reduced setbacks within Transit-Oriented Districts. Additionally, the City will soon adopt provisions in the LDRs allowing accessory dwelling units and providing for administrative approval up to a certain level of development for affordable/workforce housing development.

#### IV. EXHIBITS:

##### Required

- A. Administrative Budget for each fiscal year covered in the Plan.
- B. Timeline for Estimated Encumbrance and Expenditure.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.
- D. Signed LHAP Certification.
- E. Signed, dated, witnessed or attested adopting resolution.

##### Optional

- F. Ordinance: (If changed from the original creating ordinance).



G. Interlocal Agreement.

H. Other Documents Incorporated by Reference.

**Exhibit A (2020)**

<b>City of North Miami</b>
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Fiscal Year: 2020-2021	
Estimated SHIP Funds for Fiscal Year:	\$ 53,679.00
Salaries and Benefits	\$ 5,000.00
Office Supplies and Equipment	\$
Travel Per diem Workshops, etc.	\$
Advertising	\$ 367.90
Other*	\$
<b>Total</b>	<b>\$ 5,367.90</b>
Admin %	10.00%
	<b>OK</b>
Fiscal Year 2021-2022	
Estimated SHIP Funds for Fiscal Year:	\$ 53,679.00
Salaries and Benefits	\$ 5,000.00
Office Supplies and Equipment	\$
Travel Per diem Workshops, etc.	\$
Advertising	\$ 367.90
Other*	\$
<b>Total</b>	<b>\$ 5,367.90</b>
Admin %	10.00%
	<b>OK</b>
Fiscal Year 2022-2023	
Estimated SHIP Funds for Fiscal Year:	\$ 53,679.00
Salaries and Benefits	\$ 5,000.00
Office Supplies and Equipment	\$
Travel Per diem Workshops, etc.	\$
Advertising	\$ 367.90
Other*	\$
<b>Total</b>	<b>\$ 5,367.90</b>
Admin %	10.00%
	<b>OK</b>
*All "other" items need to be detailed here and are subject to review and approval by the SHIP review committee. Project Delivery Costs that are outside of administrative costs are not to be included here, but must be detailed in the LHAP main document.	



Details:
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**Exhibit B  
Timeline for SHIP Expenditures**

City of North Miami affirms that funds allocated for these fiscal years will (local government) meet the following deadlines:

Fiscal Year	Encumbered	Expended	1 <sup>st</sup> Year AR	2 <sup>nd</sup> Year AR	Closeout AR
2020-2021	6/30/2022	6/30/2023	9/15/2021	9/15/2022	9/15/2023
2021-2022	6/30/2023	6/30/2024	9/15/2022	9/15/2023	9/15/2024
2022-2023	6/30/2024	6/30/2025	9/15/2023	9/15/2024	9/15/2025

If funds allocated for these fiscal years is not anticipated to meet any of the deadlines in the table above, Florida Housing Finance Corporation will be notified according to the following chart:

Fiscal Year	Funds Not Encumbered	Funds Not Expended	1 <sup>st</sup> Year AR Not Submitted	2 <sup>nd</sup> Year AR Not Submitted	Closeout AR Not Submitted
2020-2021	3/30/2022	3/30/2023	6/15/2021	6/15/2022	6/15/2023
2021-2022	3/30/2023	3/30/2024	6/15/2022	6/15/2023	6/15/2024
2022-2023	3/30/2024	3/30/2025	6/15/2023	6/15/2024	6/15/2025

Requests for Expenditure Extensions (close-out year ONLY) must be received by FHFC by June 15 of the year in which funds are required to be expended. The extension request shall be emailed to [robert.dearduff@floridahousing.org](mailto:robert.dearduff@floridahousing.org) and [terry.auringer@floridahousing.org](mailto:terry.auringer@floridahousing.org) and include:

1. A statement that "(city/county) requests an extension to the expenditure deadline for fiscal year \_\_\_\_\_.
2. The amount of funds that is not expended.
3. The amount of funds that is not encumbered or has been recaptured.
4. A detailed plan of how/when the money will be expended.

Note: an extension to the expenditure deadline (June 30) does not relieve the requirement to submit (September 15) the annual report online detailing all funds that have been expended. Please email [terry.auringer@floridahousing.org](mailto:terry.auringer@floridahousing.org) when you are ready to "submit" the AR.

**Other Key Deadlines:**

AHAC reports are due for each local government the same year as the local government's LHAP being submitted. Local governments receiving the minimum or less allocation are not required to report.









**AGENDA DATE:** May 5, 2020

**TO:** City of North Miami Planning Commission

**FROM:** Debbie Love, AICP, City Planner 

**RE:** Oleta Development Tentative Plat  
Address: 2050 NE 151<sup>st</sup> Street  
Owner: RF 151<sup>st</sup> Street, LLC  
Applicant: Damian Tomlinson  
Surveyor: Fortin, Leavy, Skiles, Inc.

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**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY RF 151ST STREET, LLC. AND ENTITLED "TENTATIVE PLAT OLETA DEVELOPMENT," TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06-2221-038-0010; -0020;-0030; & 06-2221-000-0021) INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

### **STAFF RECOMMENDATION**

Staff is requesting that, pursuant to the requirements of Article 3, Division 8, Section 3-802 of the City's Land Development Regulations (LDRs), the Planning Commission reviews the proposed tentative plat request to combine four adjacent parcels into a single parcel, the recommendation of staff and public comment, if any, and issues a recommendation to the Mayor and the City Council to approve same, via the adoption of the attached resolution.

### **BACKGROUND INFORMATION**

As illustrated below, the subject property consists of four (4) contiguous, irregularly shaped lots (See Fig. 1) that are designated Industrial on both the Future Land Use and Zoning Maps:

Parcel 1: 06-2221-038-0010 is 71,521 sq. ft. and is currently vacant.

Parcel 2: 06-2221-038-0020 is 36,135 sq. ft., and is currently developed with two buildings, totaling 4,927 sq. ft

Parcel 3: 06-2221-038-0030 is 89,739 sq. ft., and is currently developed with two buildings, totaling 75,759 sq. ft., with a physical address of 14901 NE 20<sup>th</sup> Avenue, North Miami.

Parcel 4: 06-2221-000-0021 is 44,585 sq. ft., and is currently developed with a 21,497 sq. ft. building, with a physical address of 2050 NE 151<sup>st</sup> Street.

Together, these four (4) lots comprise sq. ft. or 5.5 acres.

**Figure 1**



## **CURRENT REQUEST**

The property owner, RF 151st Street, LLC has, through its surveying consultant, Mr. Damian Thomason (the “Applicant”), filed a tentative plat application to replat the four lots to support a mixed-use development with rental apartments and retail uses.

## **ANALYSIS**

The replat of this property will not require any changes to the Comprehensive Plan in that it does not change the Industrial Future Land Use map designation of the parcel, nor does it alter the uses or intensities of development authorized by the Future Land Use Element (FLUE) in that land use designation. The requested tentative plat will not require any other departure from the provisions of the LDRs, nor will it warrant any amendment to either the text of the LDRs or the adopted Zoning Map.

*Public Utilities:* The proposed tentative plat survey was sent to Florida Power and Light Company, AT&T and TECO People’s Gas System, Inc. and received letters of no objection from each of the utility companies.

*City Staff Comments:* The tentative plat survey was provided to the Development Review Committee (DRC), specifically Planning and the Public Works Departments to assure compliance with the LDRs and to anticipate the impacts on Water and Sewer services. All of the comments, which were provided by those Departments have subsequently been satisfactorily addressed by the developer.

*City’s Contracting Surveyor Comments:* In addition to City Staff’s comments, the Community Planning & Development Department solicited peer review comments from the City’s contracting surveying company, Craven Thompson & Associates, which found this plat to be in compliance with Article 3, Division 8, Section 3-802 of the City’s LDRs, with Chapter 28 of the Miami-Dade County Code of Ordinances, as well as Chapter 177, Florida Statutes (2019). See Surveyor’s Review, enclosed.

## **CONCLUSION**

In light of these findings, staff is of the opinion that the proposed tentative plat application is both consistent with the goals, objectives and policies of the City’s Comprehensive Plan and in keeping with the purpose and intent of the City’s LDRs. Consequently, staff requests that the Planning Commission recommend approval of the attached resolution approving the requested tentative plat, and subsequently forward said resolution to the Mayor and City Council for final consideration, subject to the following conditions:

1. *Approving resolution.* After Council approval and upon the filing of a request for County review, a signed copy of the approving resolution shall be delivered to the Platting and Traffic Review Division of the Miami-Dade's Department of Regulatory and Economic Resources, along with copies of the survey.
2. *Expiration of tentative plat.* This tentative plat shall expire and be of no further force and effect if a completed application for a final plat is not filed as set forth in Article 3, Division 8, Section 3-803 of the LDRs within one hundred eighty (180) days of approval by the County Platting and Traffic Review Division. Should this tentative plat not be extended and be expired, a new tentative plat application shall be resubmitted for further review by City Staff and the Planning Commission pursuant to the requirements of Article 3, Division 8, Section 3-802 of the LDRs.
3. *Surety Agreement/and Bond:* Prior to final plat approval, the required Surety agreement providing for the construction of such streets, alleys and other rights of-way in accordance with the specifications hereinafter set forth, and providing further for drainage of all lands included within such plat in accordance with good engineering principles and practices, as approved by the city engineer, shall be recorded with the Miami Dade County Clerk and a copy filed with the City's Community Planning and Development department. Such agreement shall be accompanied by a surety bond in the penal sum of not less than one hundred ten (110) percent of the estimated cost of such construction.

DL/ tsw

Attachments:

1. Proposed Resolution
2. Exhibit 1 – "Oleta Development" T-Plat Survey
3. Application
4. Letter of Intent
5. Utility Companies No Objection Statements
6. Tentative Plat Review – Craven Thompson and Associates

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY RF 151<sup>ST</sup> STREET, LLC. AND ENTITLED “TENTATIVE PLAT OLETA DEVELOPMENT,” TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06-2221-038-0010; 06-2221-038-0020; 06-2221-038-0030 & 06-2221-000-0021) INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, RF 151<sup>st</sup> Street, LLC (“Applicant”) is the owner of contiguous parcels of vacant land with an approximate aggregate size of 5.5 acres, generally located at 2050 N.E. 151<sup>st</sup> Street, as specifically identified by the following Miami-Dade County property folio numbers: 06-2221-038-0010, 06-2221-038-0020, 06-2221-038-0030, and 06-2221-000-0021 (collectively referred to herein as “Subject Property”); and

**WHEREAS**, the Applicant has proposed to improve the Subject Property with a mixed use development, including residential and retail uses; and

**WHEREAS**, with the approval of the Application, the Subject Property will be platted in accordance with Chapter 28 of the Miami-Dade County Code of Ordinances, Article 3, Division 8, Section 3-802 of the City of North Miami Land Development Regulations (LDRs), and Chapter 177, Florida Statutes (2019), for the re-subdivision of the Subject Property; and

**WHEREAS**, on May 5, 2020, the City Planning Commission reviewed the Application and found that it conforms to the requirements of LDRs and the City’s Comprehensive Plan, and thereby recommended approval of the Application to the Mayor and City Council, subject to the conditions indicated in staff’s report; and

**WHEREAS**, the Mayor and City Council have determined that the proposed tentative plat furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Application as recommended by the City Planning Commission.

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

**Section 1. Approval of Tentative Plat.** The Mayor and City Council of the City of North Miami, Florida, hereby approve a tentative plat (as further described in the attached “Exhibit 1”) for the property generally located at 2050 NE 151<sup>st</sup> Street, with Miami-Dade County folio numbers: 06-2221-038-0010, 06-2221-038-0020, 06-2221-038-0030, and 06-2221-000-0021, in accordance with Article 3, Division 8, Section 3-802 of the City of North Miami Code of Ordinances, Land Development Regulations, and Chapter 28, Section 28-7 (B) of the Miami-Dade County Code of Ordinances.

**Section 2. Effective Date.** This Resolution shall be effective upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PHILIPPE BIEN-AIME  
MAYOR

ATTEST:

\_\_\_\_\_  
VANESSA JOSEPH, Esq.  
CITY CLERK

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY:

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Jeff P. H. Cazeau, Esq.  
CITY ATTORNEY

SPONSORED BY: City Administration

Moved by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

**Vote:**

Mayor Philippe Bien-Aime

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Vice Mayor Alix Desulme, Ph.Ed.

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Carol Keys, Esq.

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilman Scott Galvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Mary Estimé-Irvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)



**LOCATION SKETCH**

A PORTION OF THE N.W. 1/4 OF SECTION 21, TOWNSHIP 52 SOUTH, RANGE 42 EAST,  
CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA  
SCALE: 1" = 300'

**SITE DEVELOPMENT INFORMATION:**

**OWNER:**  
RF 151ST STREET, LLC  
2999 N.E. 191ST STREET, SUITE 800  
AVENTURA, FL 33180

**FOLIO NUMBERS**  
06-2221-038-0010, 06-2221-000-0021, 06-2221-038-0020 & 06-2221-038-0030

**DEVELOPMENT INFORMATION:**

**EXISTING DEVELOPMENT:**  
EXISTING SITE CONTAINING 241,841 SQUARE FEET ±  
CURRENT USE OF PROPERTY – TELEVISION BROADCASTING OPERATIONS INCLUDING OFFICE, SATELLITE AND  
ANCILLARY USES CONTAINING 102,183 SQUARE FEET.

**PROPOSED DEVELOPMENT:**  
832 RESIDENTIAL APARTMENT UNITS CONTAINING 540,800 SQ. FT. ±  
25,000 SQUARE FEET OF RETAIL

**ZONING NOTE:**  
PRESENT ZONE: M-1 – INDUSTRIAL  
SDTD – SPECIAL DEVELOPMENT AND TRANSIT DEVELOPMENT OVERLAY DISTRICT

**FLOOD CRITERIA** MIAMI-DADE COUNTY FLOOD CRITERIA PER PLAT BOOK 120, PAGE 13: +5.1

AN EXPRESS PURPOSE OF THIS PLAT IS TO VACATE AND CLOSE THE 10 FOOT PUBLIC UTILITY EASEMENT CONTAINING 7,230 SQUARE FEET, MORE OR LESS AND THE 12 FOOT PUBLIC UTILITY EASEMENT CONTAINING 4,450 SQUARE FEET MORE OR LESS LYING WITHIN THE LIMITS OF THIS PLAT.

**LEGAL DESCRIPTION:**

Lot 1, in Block 1, CTF SUBDIVISION, according to the plat thereof as recorded in Plat Book 170, Page 79, of the Public Records of Miami-Dade County, Florida.

AND

Commencing at the Northwest corner of Section 21, Township 52 South, Range 42 East, thence run due East along the North line of said Section 21 for a distance of 1572.22 feet to a point; thence run South 00°37'15" West for a distance of 35 feet to the Point of Beginning; thence continue South 00°37'15" West for a distance of 200 feet to a point; thence run due East parallel with the North line of Section 21, for a distance of 196.52 feet to a point on the Westerly right-of-way line of the Florida East Coast Railway; thence run North Easterly along the Westerly right-of-way line of the Florida East Coast Railway for a distance of 207.5 feet to a point; thence run due West along a line parallel with and 35 feet of the North line of Section 21 for a distance of 249.35 feet to the Point of Beginning.

AND

Lot 2 and Lot 4, Block 1, CTF SUBDIVISION, Plat Book 170, Page 79, of the Public Records of Miami-Dade County, Florida, of the Public Records of Miami-Dade County, Florida.

AND

Lot 3, Block 1, CTF SUBDIVISION, Plat Book 170, Page 79, of the Public Records of Miami-Dade County, Florida, of the Public Records of Miami-Dade County, Florida.

**SURVEYOR'S NOTES:**

- This site lies in Section 21, Township 52 South, Range 42 East, City of North Miami, Miami-Dade County, Florida.
- All documents are recorded in the Public Records of Miami-Dade County, Florida, unless otherwise noted.
- Lands shown hereon were NOT abstracted for restrictions, easements and/or rights-of-way of records.
- Bearings hereon are referred to an assumed value of S86°25'31"W for the South right-of-way line of N.E. 151st Street, and evidenced by (2) two nails & disks (LB3653).
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Bench Mark No. N-760-R, Elevation +9.65, located on July 3, 2012 at N.E. 151st St. and N.E. 18th Ave.
- Lands shown hereon are located within an area having a Zone Designation X by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 12086C0141L, for Community No. 120655, dated September 11, 2009, and index map revised September 11, 2009, and is relative to the National Geodetic Vertical Datum of 1929.
- Dimensions indicated hereon are field measured by electronic measurement, unless otherwise noted.
- Lands shown hereon containing 241,841 square feet, or 5.552 acres, more or less.
- All horizontal control measurements are within a precision of 1:10,000.
- This map is intended to be displayed at the graphic scale shown hereon or smaller.
- Roof overhang not located unless otherwise shown.
- Underground improvements and/or underground encroachments not shown, unless otherwise indicated.
- The approximate location of all utilities shown hereon were determined from As-Built plans and/or on-site locations and should be verified before construction.
- The underground utilities shown hereon have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from the information available. Except for where accessible at sanitary and/or storm sewer structures, the surveyor has not physically located the underground utilities.  
Note: Prior to any new construction, this firm recommends that the underground utilities should be field verified.
- Legal description shown hereon based on information furnished by client and no claims as to ownership are made or implied.
- Folio Numbers: 06-2221-000-0021, 06-2221-038-0010, 06-2221-038-0020, and 06-2221-038-0030, per Miami-Dade County Property Appraiser's Website.

**SURVEYOR'S CERTIFICATION:**

I hereby certify that this "Boundary and Topographic Survey" was made under my responsible charge on August 7, 2019, and as a "Tentative Plat" for the City of North Miami and Miami-Dade County, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

\*Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper\*

FORTIN, LEAVY, SKILES, INC., LB3653

By: Daniel C. Fortin Jr., For The Firm  
Surveyor and Mapper, LS6435  
State of Florida.

**DEVELOPMENT CONTACT PERSON INFORMATION**  
Name: Damian Thomason  
Telephone Number: (954) 314-7927  
Mobile Number: (248) 794-0264  
E-mail Address: damian@delstrategicconsultants.com

This Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an Instrument of Service not to be Reproduced in Whole or in Part without the Express WRITTEN Permission of Same.

No.	O.N.	Revision Description
9	191000	SHOW PROPOSED W&S EASEMENTS (3/26/20) GEM
8	200061	LOCATE MARKED U.G. UTILS. W/IN SITE (2/13/20) TC
7	191000	AMEND PER CITY COMMENTS (1/28/20) GEM
6	191000	ADD U.G. SANI. SEWER LINES (WASO) (11/6/19) GEM
5	191000	ADD U.G. WATER MAINS (CMA) (11/4/19) GEM

**FORTIN, LEAVY, SKILES, INC.**  
CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653  
180 Northeast 168th Street / North Miami Beach, Florida 33162  
Phone: 305-653-4493 / Fax: 305-651-7152 / Email: fls@flsurvey.com

**TENTATIVE PLAT**  
**OLETA DEVELOPMENT**  
A PORTION OF THE N.W. 1/4 OF SECTION 21, TOWNSHIP 52 SOUTH, RANGE 42 EAST,  
CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA

Original Date	8/7/19
Scale	1" = 20'
Drawn By	GEM
CAD No.	120430
Plotted	3/26/20 10:55a
Ref. Dwg.	2012-077, 2017-184 & 2018-185
Field Book	SJD
Job No.	620/10, 476/31,33 & F.S.
Dwg. No.	190509
Sheet	2019-076-TPLAT
	1 of 3

SEE SHEET 3

LOT 2  
CTF SUBDIVISION  
PLAT BOOK 170, PAGE 79

LOT 1  
BLOCK 1  
CTF SUBDIVISION  
PLAT BOOK 170, PAGE 79

PROPOSED  
TRACT "A"  
241,841 SQ. FT., OR  
5.552 ACRES±

LOT 2  
BLOCK 1  
CTF SUBDIVISION  
PLAT BOOK 170, PAGE 79

LOT 3  
BLOCK 1  
CTF SUBDIVISION  
PLAT BOOK 170, PAGE 79

LOT 4  
BLOCK 1  
CTF SUBDIVISION  
PLAT BOOK 170, PAGE 79

PROPOSED  
TRACT "A"  
241,841 SQ. FT., OR  
5.552 ACRES±

LOT 8  
BLOCK 3  
FINKEL'S INDUSTRIAL SUBDIVISION  
PLAT BOOK 79, PAGE 24

LOT 9  
BLOCK 3  
FINKEL'S INDUSTRIAL SUBDIVISION  
PLAT BOOK 79, PAGE 24  
NOT A PART

N.E. 20th AVENUE  
(PUBLIC RIGHT OF WAY)

N.E. 150th ST.  
(PUBLIC RIGHT OF WAY)

FLORIDA EAST COAST RAIL ROAD  
(RIGHT OF WAY)

EARL LANE  
(PUBLIC RIGHT OF WAY)  
PLAT BOOK 40, PAGE 4

LOT 5  
BLOCK 2  
PLAT BOOK 40, PAGE 4

LOT 4

LOT 6

**LEGEND**

	CATCH BASIN		0.5' CURB
	MANHOLE		2.0' CURB & GUTTER
	LIGHT POLE		CHAIN LINK FENCE
	WATER METER		FIELD MEASURED BEARING/DISTANCE
	WATER VALVE		BEARING/DISTANCE PER LEG
	CATCH BASIN INLET		SQ. FT. = SQUARE FEET
	UTILITY POLE		ELEVATION
	RISER		INVERT
	FIRE HYDRANT		SANITARY MANHOLE
	HANDHOLE		PERMANENT REFERENCE MONUMENT
	SIGN		B.O.S. = BOTTOM OF STRUCTURE
	GRADE ELEVATION		T.O.B. = TOP OF BAFFLE
	ASPHALT PAVEMENT		CONCRETE

**UNDERGROUND UTILITIES LEGEND**

	U.G. SANITARY SEWER LINE
	U.G. FORCE MAIN
	U.G. WATER MAIN
	U.G. COMMUNICATION LINE
	U.G. ELECTRIC LINE
	U.G. STORM SEWER LINE

(\*) = PAINTED/MARKED U.G. UTILITY ONLY (NO AS-BUILT SKETCH OR DRAWINGS RECEIVED OR PROVIDED BY CLIENT OR UTILITY COMPANIES)

**ABBREVIATIONS:**  
 U.G. = UNDERGROUND  
 CMM = CITY OF NORTH MIAMI  
 WASD = MIAMI-DADE COUNTY WATER & SEWER DEPARTMENT

**811** KNOW WHAT'S BELOW ALWAYS CALL 811 BEFORE YOU DIG  
 It's fast. It's free. It's the law.  
[www.callsunshine.com](http://www.callsunshine.com)



NOT SUBDIVIDED  
 SOUTH LINE OF THE N1/2, N1/2, NW1/4 OF SECTION 21-52-42 AND SOUTH LINE OF LOT 4  
 SOUTH LINE OF THE NORTH 660.00' OF SECTION 21-52-42 AND SOUTH LINE OF LOT 4  
 SOUTH LINE OF TRACT A PER PLAT BOOK 91, PAGE 64

**DEVELOPMENT CONTACT PERSON INFORMATION**  
 Name: Damian Thomason  
 Telephone Number: (954) 314-7927  
 Mobile Number: (248) 794-0264  
 E-mail Address: damian@delstrategicconsultants.com

TRACT A  
 BAXTER VOVA & TRAPLAN SUBDIVISION  
 PLAT BOOK 91, PAGE 64

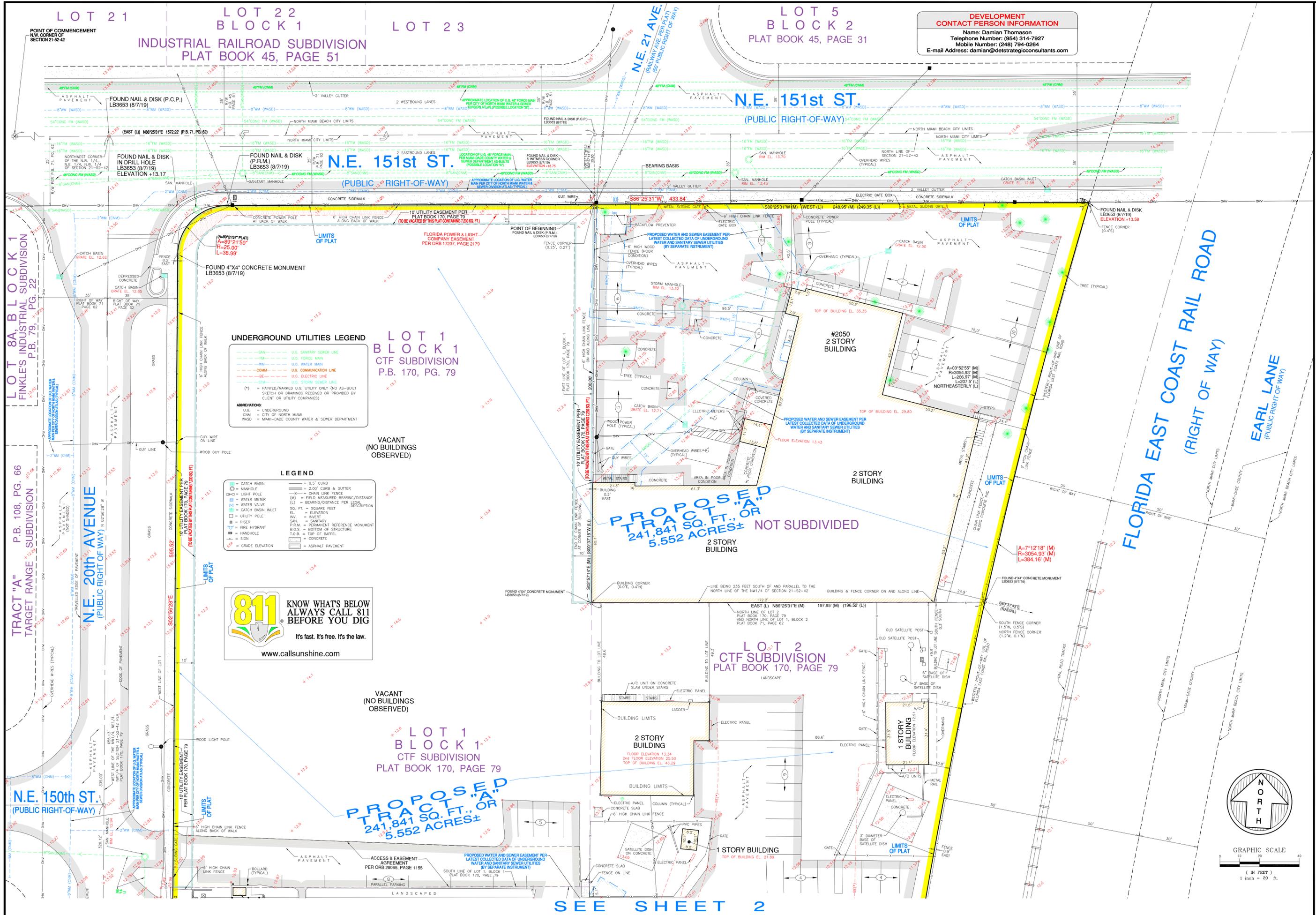
FOLIO: 06-2221-018-0010  
 OWNER: NMB PARTNERS LLC

This Drawing is the Property of Fortin, Leavy, Skiles, Inc. and is an Instrument of Service not to be Reproduced in Whole or in Part without the Express Written Permission of Some.

9	191000	SHOW PROPOSED W&S EASEMENTS (3/26/20)	GEM
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7	191000	AMEND PER CITY COMMENTS (1/8/20)	GEM
6	191000	ADD U.G. SAN. SEWER LINES (WASD) (11/6/19)	GEM
5	191000	ADD U.G. WATER MAINS (CMM) (11/4/19)	GEM
No.	O.N.	Revision Description	

**TENTATIVE PLAT**  
 OLETA DEVELOPMENT  
 A PORTION OF THE N.W. 1/4 OF SECTION 21, TOWNSHIP 52 SOUTH, RANGE 42 EAST,  
 CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA

Original Date	8/7/19
Scale	1" = 20'
Drawn By	GEM
CAD No.	120430
Plotted	3/26/20 10:55a
Ref. Dwg.	2012-077, 2017-184 & 2018-185
Field Book	SJD 620/10, 476/31, 33 & F.S.
Job No.	190509
Dwg. No.	2019-076-TPLAT
Sheet	2 of 3



**DEVELOPMENT CONTACT PERSON INFORMATION**  
 Name: Damian Thomason  
 Telephone Number: (954) 314-7927  
 Mobile Number: (248) 794-0264  
 E-mail Address: damian@detstrategicconsultants.com

**UNDERGROUND UTILITIES LEGEND**

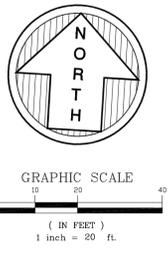
--- SAN ---	U.G. SANITARY SEWER LINE
--- U.G. ---	U.G. FORCE MAIN
--- W.M. ---	WATER MAIN
--- COM ---	U.G. COMMUNICATION LINE
--- BE ---	U.G. ELECTRIC LINE
--- STM ---	U.G. STORM SEWER LINE

ABBREVIATIONS:  
 U.G. = UNDERGROUND  
 CNM = CITY OF NORTH MIAMI  
 WSD = MIAMI-DADE COUNTY WATER & SEWER DEPARTMENT

**LEGEND**

○	CATCH BASIN	—	0.5' CURB
○	MANHOLE	—	2.00' CURB & GUTTER
○	LIGHT POLE	—	CHAIN LINK FENCE
○	WATER METER	(M)	FIELD MEASURED BEARING/DISTANCE
○	WATER VALVE	(L)	BEARING/DISTANCE PER LEGAL DESCRIPTION
○	CATCH BASIN INLET	SQ. FT.	SQUARE FEET
○	UTILITY POLE	EL.	ELEVATION
○	RISER	INV.	INVERT
○	FIRE HYDRANT	SAN.	SANITARY
○	HANDHOLE	P.R.M.	PERMANENT REFERENCE MONUMENT
○	SIGN	T.O.B.	TOP OF BENTFL
○	GRADE ELEVATION	CONC.	CONCRETE

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 It's fast. It's free. It's the law.  
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7	191000	AVENUE PER CITY COMMENTS (1/78/20)	GEM
6	191000	ADD U.G. SAN. SEWER LINES (WASO) (11/7/19)	GEM
5	191000	ADD U.G. WATER MAINS (CNM) (11/7/19)	GEM
No.	O.N.	Revision Description	

**TENTATIVE PLAT OLETA DEVELOPMENT**  
 A PORTION OF THE N.W. 1/4 OF SECTION 21, TOWNSHIP 52 SOUTH, RANGE 42 EAST, CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA

Original Date: 8/7/19  
 Scale: 1" = 20'  
 Drawn By: GEM  
 CAD No.: 120430  
 Plotted: 3/26/20 10:55a  
 Ref. Dwg. 2012-077, 2017-184 & 2018-185  
 Field Book: SJJ 62/10, 476/31, 33 & F.S.  
 Job No.: 190509  
 Dwg. No.: 2019-076-TPLAT  
 Sheet: 3 of 3



### SECTION 1: APPLICATION FOR TENTATIVE / FINAL PLAT

**INSTRUCTIONS:** Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (Not Applicable).

Check one type **ONLY** (Use separate applications if applicable)       Tentative Plat       Final Plat

<b>DEVELOPMENT/PROJECT NAME:</b>	
DEVELOPMENT/PROJECT ADDRESS OR LOCATION: South of NE 151st St. & East of NE 20th Ave.	
Legal Description (attach separate sheet if necessary): See attached	
All Tax ID Folio Numbers: 06-2221-038-0010, 06-2221-000-0021, 06-2221-038-0020 & 06-2221-038-0030	
Project Narrative (Brief description)(Please attach Letter of Intent as a separate sheet) Plat property to create one unified site. See attached letter of intent for full description.	
Residential Use(s)/Unit Type(s): Rental Apartments	Site Area (sq. ft. & acres): 241,841 Sq. Ft. 5.55 Acres
Number of Residential Units: 900	Existing Zoning Designation(s): M-1
Non-Residential Use(s) (Type & sq. ft.): Retail	Proposed Zoning Designation(s): Same
Current Use(s) of Property: Television broadcast operations, including offices	Existing Land Use Designation(s): Industrial
Proposed Use(s) of Property: Residential with retail	Proposed Land Use Designation(s): SDTOD
Is the property platted? A portion of the property is platted	Will the plat be affected by this application? If yes, please explain. No
DR Book & Page: PB 170, PG 79	Is the property the subject of Code Enforcement Action? No If yes, Code Enforcement Case No.:
Plat Name: CTF Subdivision	
Is the property an existing legal lot of record? If No, please explain.	

#### PROPERTY OWNER / APPLICANT / AGENT INFORMATION

Property Owner (s) <u>RF 151st Street, LLC</u>	
Address <u>2999 NE 181st Street, Suite 800, Aventura, FL 33180</u>	
Phone <u>305-866-7555</u>	Fax _____ E-mail <u>robert@finvarb.com</u>
Applicant <u>D.E.T. Strategic Consultants, LLC</u>	
Address <u>1591 Passion Vine Cir., Weston, FL 33326</u>	
Phone <u>248-794-0264</u>	Fax _____ E-mail <u>damian@detstrategicconsultants.com</u>
Agent _____	
Address _____	
Phone _____	Fax _____ E-mail _____

#### CONTACT PERSON

Identify one person to serve as the contact for the City during the application process. This will be the person notified by the City regarding comments and meetings (if needed).	
Name <u>Damian Thomason</u>	
Address <u>1591 Passion Vine Cir., Weston, FL 33326</u>	
Phone <u>248-794-0264</u>	Fax _____ E-mail <u>damian@detstrategicconsultants.com</u>

**CERTIFICATION**

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing the application I am acting with the knowledge and consent of those persons who are owners of the subject property or are parties to this application. I understand that all materials required by the City of North Miami must be submitted prior to having this application processed and that additional fee or materials may be required as a result of processing of this application.

Owners Signature

Date 7/2/19

**OWNER'S SWORN-TO-CONSENT  
PERMITTING AGENT TO FILE FOR A HEARING**

I, Robert Finvarb, being the first duly sworn, depose and say that I am the owner of the property describe herein and which is the subject matter of the proposed hearing, do hereby authorize Damian Thomason to file this application for a public hearing.

Signature

Date 7/2/19

**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 2 day of July, 2019, by Robert Finvarb

(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

Tiffannie Ramos



Tiffannie Ramos  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG291228  
Expires 1/21/2023

Personally Known  OR Produced Identification  Type of Identification Produced \_\_\_\_\_

**FOR CITY STAFF USE ONLY**

Application Fee: \$ \_\_\_\_\_

**SUPPORTING DOCUMENTS RECEIVED**

Mail Public Notice Required  
 Sign Public Notice Required

- Proof of Ownership
- Warranty Deed
- Letter of Consent
- Project Narrative/Letter of Intent
- Required Submittal Documents

APPLICATION NO: \_\_\_\_\_

INTAKE DATE: \_\_\_\_\_

Application Complete: YES \_\_\_ NO \_\_\_

RECEIPT NO.: \_\_\_\_\_

RECEIVED & REVIEWED BY:

\_\_\_\_\_

COMMENTS:

\_\_\_\_\_



**OWNER'S LIMITED POWER OF ATTORNEY PERMITTING APPLICANT TO FILE FOR THE REQUEST**  
**(CORPORATION)**

**STATE OF FLORIDA**  
**COUNTY OF MIAMI-DADE**

On behalf of RF 151st Street, LLC, a Florida (state) corporation,  
Robert Finvarb being first duly sworn, deposes and says that as the  
President/Vice-President, or **CEO** (circle one) of the aforesaid Corporation, which is the owner of the property legally described below  
and which is the subject property of the proposed request, does hereby grant limited power of attorney to Damian Thomason  
as applicant, to file this application for the proposed request.

**LEGAL DESCRIPTION:**

See attached Exhibit "A"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WITNESSES:**

*Maria Rivas*

Signature

Ninliri RIVAS

Print Name

*[Signature]*

Signature

Christopher Simon

Print Name

RF 151<sup>st</sup> Street, LLC

Name of Corporation

2999 NE 191<sup>st</sup> Street, Ste. #800 Aventura, FL 33180

Address

*[Signature]*

By: President, Vice-President or **CEO** (circle one)

Sworn to and subscribed before me on the 2 day of July, 2019.  
Affiant is personally known to me or has produced *[Signature]* as identification.

Notary *[Signature]*

Commission Expires: 1/21/23



Tiffanie Ramos  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG291228  
Expires 1/21/2023



*"A Modern Approach to Land Development"*  
1591 Passion Vine Cir.  
Weston, FL 33326  
Office: 954-314-7927 Mobile: 248-794-0264  
Email: [damian@detstrategicconsultants.com](mailto:damian@detstrategicconsultants.com)

August 15, 2019

Ms. Debbie Love, AICP  
City Planner  
Community Planning & Development Dept.  
City of North Miami  
12400 NE 8<sup>th</sup> Ave.  
North Miami, FL 33161

Re: Oleta Development  
Letter of Intent

Dear Ms. Love,

The intent of the Oleta Development plat is to combine the underlying lots of the CTF Subdivision plat (PB 170, PG 79) and an un-subdivided parcel into one lot and to vacate and close the 10-foot public utility easement containing 1,899 square feet, more or less and the 12-foot public utility easement containing 4,450 square feet, more or less lying within the limits of the CTF Subdivision plat. The proposed development of the proposed lot is as follows:

**PROPOSED TRACT "A"**

Containing 241,841 square feet ±

Current Use of Property – Television broadcasting operations including office, satellite and ancillary uses.

Proposed Use of Property – 900 Residential apartment units and 30,000 square feet of retail.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Thomason", written over a horizontal line.

Damian Thomason  
President



AT&T Florida  
8101 NW 90<sup>th</sup> St  
Medley, FL 33166

T: 305 887 9476  
F: 305 888 4908  
E: js0425@att.com

December 5, 2019

Ms. Debbie Love, AICP – City Planner  
City of North Miami  
12400 NE 8<sup>th</sup> Ave.  
North Miami, FL 33161

Re: Oleta Development – Plat

Dear Ms. Love:

On behalf of BellSouth Telecommunications, Inc d/b/a AT&T Florida, this letter shall serve as notice of “**non objection**” to the recording of the referenced Tentative Plat ““Oleta Development” prepared by Fortin, Leavy, Skiles INC. dated 8/7/19 and has the availability to serve the property with telecommunications services when requested. In addition, This letter is to confirm that the Oleta Development plat does not affect any AT&T facilities as such AT&T will not require any easements

Sincerely,

A handwritten signature in black ink that reads "Steven A. Low".

Steven A. Low  
Plng & Engrg Design  
SE Construction and Engineering



September 12, 2019

Ms. Debbie Love, AICP – City Planner  
City of North Miami  
12400 NE 8<sup>th</sup> Ave.  
North Miami, FL 33161

Re: Oleta Development – Plat  
Folio #'s: 06-2221-038-0010, 06-2221-000-0021, 06-2221-038-0020 & 06-2221-038-0030

Dear Ms. Love:

This letter is to confirm that the Oleta Development plat does not affect any TECO facilities as such TECO will not require any easements.  
Please let me know if you need additional information.

Thank you,

A handwritten signature in black ink, appearing to read "Joan A. Domning".

Joan A Domning-Senior Admin Specialist  
TECO-PGS Distribution Engineering  
8416 Palm River Rd., Tampa, Fl 33619  
813-275-3783

(1)Enc

**Subject:** RE: Oleta Development  
**Date:** Thursday, September 12, 2019 at 10:15:13 AM Eastern Daylight Time  
**From:** Bentata, Isaac  
**To:** Damian Thomason  
**Attachments:** image014.png, image016.png, image017.png, image018.png, image019.png, image020.png, image021.png, image022.png, image023.png, image024.png, image025.jpg, image026.png, image027.png, image001.png

Good Morning,

I hope this email find you well.

This email is to confirm that the Oleta Development plat does affect FP&L facilities and we are requiring an easement by instrument (to replace all existing easements) be provided prior to the approval of the platted easement vacation by the final plat.

Regards,

Isaac Bentata  
FPL Associate Engineer | North Dade Service Center  
(305)-626-7695

Power Delivery  
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**From:** Damian Thomason <Damian@detstrategicconsultants.com>  
**Sent:** Thursday, September 12, 2019 8:53 AM  
**To:** Bentata, Isaac <Isaac.Bentata@fpl.com>  
**Subject:** Re: Oleta Development

Hi Isaac, we are working on the SOD for the easement. The T-Plat is being reviewed by the City and they are requiring the attached letter be provided from FP&L in order to finalize their review of the T-Plat.



Damian Thomason  
President  
D.E.T. Strategic Consultants, LLC  
1591 Passion Vine Cir.  
Weston, FL 33326  
Ph: 954-314-7927  
Mobile: 248-794-0264

## Love, Debbie

---

**From:** Tom Shahan <tshahan@craventhompson.com>  
**Sent:** Friday, April 17, 2020 2:06 PM  
**To:** Love, Debbie  
**Cc:** Ozaydin, Akin  
**Subject:** RE: Oleta Development - Water and San. Sewer SODs  
**Attachments:** 3rd Review\_Oleta Development 04-17-20.pdf

**This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.**

*-City Of North Miami IT Department.*

Debbie,

They have made all requested revisions to the plat from a survey standpoint.

I still have reservations about the showing of existing utilities to the two building circled on sheets 2 & 3. (see attached)

Akin may have resolve this with the client, I know they were having problems locating the utilities with GPR.

### **Thomas C. Shahan, PSM**

Survey Project Manager  
Craven Thompson & Associates, Inc.  
3563 NW 53rd Street  
Fort Lauderdale, FL 33309  
Phone: 954-739-6400 ext. 344  
Fax: 954-739-6409  
[tshahan@craventhompson.com](mailto:tshahan@craventhompson.com)  
[Craven Thompson & Associates](#)

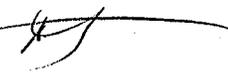
Engineers Land Planners Surveyors

**From:** Love, Debbie <dlove@northmiamifl.gov>  
**Sent:** Thursday, April 16, 2020 11:31 AM  
**To:** Tom Shahan <tshahan@craventhompson.com>  
**Subject:** Fw: Oleta Development - Water and San. Sewer SODs

Hi Tom: Please verify this is now in compliance and ready for Planning Commission. Thank you.

---

**From:** Ozaydin, Akin  
**Sent:** Friday, March 27, 2020 9:22 AM  
**To:** Love, Debbie; Damian Thomason

**DATE:** May 5, 2020  
**TO:** City of North Miami Planning Commission  
**FROM:** Debbie Love, AICP, City Planner   
**RE:** Citadel Plaza Tentative Plat  
280 NE 135<sup>th</sup> Street  
Owner/Applicant: Citadel Plaza, LLC  
Agent: Jerry B. Proctor, Esq.  
Surveyor: Royal Point Land Surveyors Inc.

---

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY CITADEL PLAZA, LLC. AND ENTITLED “TENTATIVE PLAT FOR CITADEL PLAZA TRACT,” TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06-2230-000-0020 & 06-2230-000-0230) LOCATED AT 280 NE 135<sup>TH</sup> STREET INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**STAFF RECOMMENDATION**

Staff is requesting that, pursuant to the requirements of Article 3, Division 8, Section 3-802 of the City’s Land Development Regulations (LDRs), the Planning Commission reviews the proposed tentative plat request, considers the recommendation of staff and public comment, if any, and issues a recommendation to the Mayor and the City Council to approve same, via the adoption of the attached resolution.

**BACKGROUND INFORMATION**

The subject property is 89,975 square feet (2.06 acres) in size; has a physical location of 280 NE 135<sup>th</sup> Street; and is specifically identified with Miami-Dade County (“County”) folio numbers 06-2230-000-0020 and 06-2230-000-0230, as depicted in **Figure 1**, below. The subject property is zoned C-1, Commercial District, designated Commercial on the Future Land Use Map, and was annexed into the City in 2014. It is currently developed with a shopping center; the applicant also proposes the construction of a fast food restaurant with a drive-thru at the site.

The subject property consists of two un-platted parcels previously unified under a Unity of Title.

**Figure 1**



**CURRENT REQUEST**

The property owner, Citadel Plaza, LLC has, through its agent, Mr. Jerry Proctor filed a tentative plat application to plat the subject property to support the eventual conveyance by meets and bounds of a portion of the site to Wendy’s for the development of a fast food restaurant.

**ANALYSIS**

The replat of this property will not require any changes to the Comprehensive Plan in that it does not change the Commercial Future Land Use map designation of the parcel, nor does it alter the uses or intensities of development authorized by the Future Land Use Element (FLUE) in that land use designation. The requested tentative plat will not require any other departure from the

provisions of the LDRs, nor will it warrant any amendment to either the text of the LDRs or the adopted Zoning Map.

*Public Utilities:* The proposed tentative plat survey was sent to Florida Power and Light Company, AT&T and TECO People's Gas System, Inc. and received letters of no objection from each of the utility companies.

*City Staff Comments:* The tentative plat survey was provided to the Development Review Committee (DRC), specifically Planning and the Public Works Departments to assure compliance with the LDRs and to anticipate the impacts on Water and Sewer services. All of the comments, which were provided by those Departments have subsequently been satisfactorily addressed by the developer.

*Surety Agreement/and Bond:* Prior to final plat approval, the required Surety agreement providing for the construction of such streets, alleys and other rights of-way in accordance with the specifications hereinafter set forth, and providing further for drainage of all lands included within such plat in accordance with good engineering principles and practices, as approved by the city engineer, shall be recorded with the Miami Dade County Clerk. Such agreement shall be accompanied by a surety bond in the penal sum of not less than one hundred ten (110) percent of the estimated cost of such construction.

*City's Contracting Surveyor Comments:* In addition to City Staff's comments, the Community Planning & Development Department solicited peer review comments from the City's contracting surveying company, Craven Thompson & Associates, which found this plat to be in compliance with Article 3, Division 8, Section 3-802 of the City's LDRs, with Chapter 28 of the Miami-Dade County Code of Ordinances, as well as Chapter 177, Florida Statutes (2019). See Surveyor's Review, enclosed.

## **CONCLUSION**

In light of these findings, staff is of the opinion that the proposed tentative plat application is both consistent with the goals, objectives and policies of the City's Comprehensive Plan and in keeping with the purpose and intent of the City's LDRs. Consequently, staff requests that the Planning Commission recommends approval of the attached resolution approving the requested tentative plat, and subsequently forward said resolution to the Mayor and City Council for final consideration, subject to the following conditions:

1. *Approving resolution.* After Council approval and upon the filing of a request for County review, a signed copy of the approving resolution shall be delivered to the Planning and Traffic Review Division of the Miami-Dade's Department of Regulatory and Economic Resources, along with copies of the survey.
2. *Expiration of tentative plat.* This tentative plat shall expire and be of no further force and effect if a completed application for a final plat is not filed as set forth in Article 3,

Division 8, Section 3-803 of the LDRs within one hundred eighty (180) days of approval by the County Platting and Traffic Review Division. Should this tentative plat not be extended and be expired, a new tentative plat application shall be resubmitted for further review by City Staff and the Planning Commission pursuant to the requirements of Article 3, Division 8, Section 3-802 of the LDRs.

3. *Surety Agreement/and Bond:* Prior to final plat approval, the required Surety agreement providing for the construction of such streets, alleys and other rights of-way in accordance with the specifications hereinafter set forth, and providing further for drainage of all lands included within such plat in accordance with good engineering principles and practices, as approved by the city engineer, shall be recorded with the Miami Dade County Clerk and a copy filed with the City's Community Planning and Development department. Such agreement shall be accompanied by a surety bond in the penal sum of not less than one hundred ten (110) percent of the estimated cost of such construction.

DL/ tsw

Attachments:

1. Proposed Resolution
2. Exhibit 1 – "Citadel Plaza Tract" T-Plat Survey
3. Application
4. Letter of Intent
5. Utility Companies No Objection Statements
6. Tentative Plat Review Statement of Satisfaction – Craven Thompson and Associates

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY RF 151<sup>ST</sup> STREET, LLC. AND ENTITLED “TENTATIVE PLAT CITADEL PLAZA,” TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06-2230-000-0020 & 06-2230-000-0230) LOCATED AT 280 NE 135<sup>TH</sup> STREET INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, Citadel Plaza, LLC (“Applicant”) is the owner of contiguous parcels of vacant land with an approximate aggregate size of 2.06 acres, generally located at 280 NE 135th Street, as specifically identified by the following Miami-Dade County property folio numbers: 06-2230-000-0020 and 06-2230-000-0230 (collectively referred to herein as “Subject Property”); and

**WHEREAS**, the Applicant has improved the Subject Property with a shopping center and proposes to develop a fast food restaurant; and

**WHEREAS**, with the approval of the Application, the Subject Property will be platted in accordance with Chapter 28 of the Miami-Dade County Code of Ordinances, Article 3, Division 8, Section 3-802 of the City of North Miami Land Development Regulations (LDRs), and Chapter 177, Florida Statutes (2019), for the re-subdivision of the Subject Property; and

**WHEREAS**, on May 5, 2020, the City Planning Commission reviewed the Application and found that it conforms to the requirements of LDRs and the City’s Comprehensive Plan, and thereby recommended approval of the Application to the Mayor and City Council, subject to the conditions indicated in staff’s report; and

**WHEREAS**, the Mayor and City Council have determined that the proposed tentative plat furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Application as recommended by the City Planning Commission.

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

**Section 1.**     **Approval of Tentative Plat.** The Mayor and City Council of the City of North Miami, Florida, hereby approve a tentative plat (as further described in the attached “Exhibit 1”) for the property generally located at 280 NE 135<sup>th</sup> Street, with Miami-Dade County folio numbers: 06-2223-000-0020, and 06-2223-000-0230, in accordance with Article 3, Division 8, Section 3-802 of the City of North Miami Code of Ordinances, Land Development Regulations, and Chapter 28, Section 28-7 (B) of the Miami-Dade County Code of Ordinances.

**Section 2.**     **Effective Date.** This Resolution shall be effective upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_ day of \_\_\_\_\_, 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: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

**Vote:**

Mayor Philippe Bien-Aime

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Vice Mayor Alix Desulme, Ph.Ed.

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Carol Keys, Esq.

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilman Scott Galvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

Councilwoman Mary Estimé-Irvin

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)





## SECTION 1: APPLICATION FOR TENTATIVE / FINAL PLAT

**INSTRUCTIONS:** Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (Not Applicable).

Check one type **ONLY** (Use separate applications if applicable)       Tentative Plat       Final Plat

DEVELOPMENT/PROJECT NAME: <u>Wendy's</u>	
DEVELOPMENT/PROJECT ADDRESS OR LOCATION: <u>13400 NE 3 court</u>	
Legal Description (attach separate sheet if necessary): <u>See attached survey</u>	
All Tax ID Folio Numbers: <u>06-2230-000-0230, 06-2230-000-0020</u>	
Project Narrative (Brief description)(Please attach Letter of Intent as a separate sheet) <u>Waiver of plat - new commercial development</u>	
Residential Use(s)/Unit Type(s):	Site Area (sq. ft. & acres): <u>2.06 Acres</u>
Number of Residential Units:	Existing Zoning Designation(s): <u>C-1</u>
Non-Residential Use(s) (Type & sq. ft.): <u>retail/restaurant - 13,397</u>	Proposed Zoning Designation(s): <u>C-1</u>
Current Use(s) of Property: <u>Vacant</u>	Existing Land Use Designation(s): <u>commercial</u>
Proposed Use(s) of Property: <u>Wendy's restaurant /Retail Center</u>	Proposed Land Use Designation(s): <u>commercial</u>
Is the property platted? <u>No</u>	Will the plat be affected by this application? If yes, please explain. <u>N/A</u>
DR Book & Page:	Is the property the subject of Code Enforcement Action? If yes, Code Enforcement Case No.:
Plat Name:	
Is the property an existing legal lot of record? <u>Yes</u>	
If No, please explain.	
<b>PROPERTY OWNER / APPLICANT / AGENT INFORMATION</b>	
Property Owner (s) <u>Citadel Plaza, LLC</u>	
Address <u>14011 SW 20 Street, Miami, FL 33176</u>	
Phone <u>786-485-4174</u>	Fax _____ E-mail <u>dg@candeladev.com</u>
Applicant <u>Same as Owner</u>	
Address _____	
Phone _____	Fax _____ E-mail _____
Agent <u>Jerry B. Proctor, Esq.</u>	
Address <u>Jerry B. Proctor, PA 9130 S. Dadeland Blvd., Suite 1700, Miami, FL 33156</u>	
Phone <u>305-779-2924</u>	Fax _____ E-mail <u>jproctor@proctorpa.com</u>
<b>CONTACT PERSON</b>	
Identify one person to serve as the contact for the City during the application process. This will be the person notified by the City regarding comments and meetings (if needed).	
Name <u>Royal Point Land Surveyors, Inc.</u>	
Address <u>6175 NW 153 St., Suite321, Miami Lakes, FL 33014</u>	
Phone <u>305-822-6062</u>	Fax _____ E-mail <u>jinfo@royalpointls.com</u>

## DEVELOPMENT REVIEW APPLICATION

Application #: _____
Project Name: _____

**INSTRUCTIONS:** Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (Not Applicable).

**DEVELOPMENT REQUEST – Check one type ONLY (Use separate applications if applicable)**

<input type="checkbox"/> Abandonment/Vacation of Right-of-Way or Easement <input type="checkbox"/> Annexation <input type="checkbox"/> Amendment to Text of LDR <input type="checkbox"/> Comprehensive Plan Determination Letter <input type="checkbox"/> Comprehensive Plan Text Amendment <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Conditional Use Permit Amendment <input type="checkbox"/> Conditional Use Permit Master Plan Development/ Non Residential	<input type="checkbox"/> Conditional Use Permit Master Plan Development / Residential <input type="checkbox"/> Development Agreement <input type="checkbox"/> Development of Regional Impact - Review <input type="checkbox"/> Development of Regional Impact - Notice of Proposed Change (NOPC) <input type="checkbox"/> Land Use Plan Amendment – Map <input type="checkbox"/> Unity of Title (Release) <input type="checkbox"/> Land Use Plan Amendment Comprehensive Plan Text Amendment <input type="checkbox"/> Rezoning/ Zoning Map Amendment	<input checked="" type="checkbox"/> Plat- Tentative Plat <input type="checkbox"/> Plat - Final Plat <input type="checkbox"/> Plat – Waiver of Plat <input type="checkbox"/> School Concurrency Review <input type="checkbox"/> Traffic Impact Analysis Review <input type="checkbox"/> Transfer of NRO Units <input type="checkbox"/> Finding of Consistency for Non-conformity Other _____
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**DEVELOPMENT/PROJECT NAME:**

**DEVELOPMENT/PROJECT ADDRESS OR LOCATION:** 13400 NE 3 Court

**Legal Description (attach separate sheet if necessary):** See attached survey

**All Tax ID Folio Numbers:** 06-2230-000-0230, 06-2230-000-0020

**Brief Project Narrative:** SEE ATTACHED LETTER OF INTENT

Residential Use(s)/Unit Type(s): NA	Site Area (sq. ft. & acres): 2.06 Acres
Number of Residential Units: NA	<b>Existing Zoning Designation(s):</b> C-1
Non-Residential Use(s) (Type & sq. ft.):	<b>Proposed Zoning Designation(s):</b> C-1
Current Use(s) of Property: commercial under construction	<b>Existing Land Use Designation(s):</b> COMMERCIAL
Proposed Use(s) of Property: commercial	<b>Proposed Land Use Designation(s):</b> COMMERCIAL
Is the property platted? NO	Will the plat be affected by this application? If yes, please explain. Yes, see letter of intent
OR Book & Page: NA Plat Name: NA Is the property an existing legal lot of record? YES If No, please explain.	Is the property the subject of Code Enforcement Action? NO If yes, Code Enforcement Case No.: NA

**PROPERTY OWNER / APPLICANT / AGENT INFORMATION**

Property Owner (s) Citadel Plaza LLC

Address 14011 SW 20 Street, Miami, FL 33175

Phone 786-485-4174 Fax \_\_\_\_\_ E-mail dg@candeladev.com

Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

Agent Jerry B. Proctor, Jerry B. Proctor, PA

Address 9130 S. Dadeland Blvd., Suite 1700, Miami, FL 33156

Phone 305-779-2924 Fax \_\_\_\_\_ E-mail jproctor@proctorpa.com

**CONTACT PERSON**

Identify one person to serve as the contact for the City during the application process. This will be the person notified by the City regarding comments and meetings (if needed).

Name Jerry B. Proctor

Address 9130 S. Dadeland Blvd., Suite 1700, Miami, FL 33156

Phone 305-779-2924 Fax \_\_\_\_\_ E-mail jproctor@proctorpa.com

**CERTIFICATION**

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing the application I am acting with the knowledge and consent of those persons who are owners of the subject property or are parties to this application. I understand that all materials required by the City of North Miami must be submitted prior to having this application processed and that additional fee or materials may be required as a result of processing of this application.

Owners Signature \_\_\_\_\_ Date \_\_\_\_\_

**OWNER'S SWORN-TO-CONSENT  
PERMITTING AGENT TO FILE FOR A  
HEARING**

I, Daniel Abreu, being the first duly sworn, depose and say that I am the owner of the property describe herein and which is the subject matter of the proposed hearing, do hereby authorize Jerry B. Proctor to file this application for a public hearing.

Signature [Signature] Date 8/24/2018

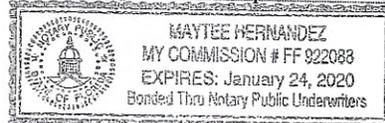
**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF MIAMI DADE

The foregoing instrument was acknowledged before me this 24 day of August 2018, by Maytee Hernandez (Signature of Notary Public – State of Florida)

Notary Public)

(Print, Type or Stamp Commissioned Name of



Personally Known  OR Produced Identification \_\_\_\_\_ Type of Identification Produced \_\_\_\_\_





**OWNERSHIP AFFIDAVIT FOR CORPORATION**

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared Daniel Abreu  
\_\_\_\_\_ hereinafter the Affiant(s), who being first duly sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or CEO of the Corporation, or otherwise authorized to sign on behalf of the Corporation, doing business at the following address:  
14011 SW 20 Street, Miami, FL 33175
2. The Corporation owns the property which is the subject of this request.
3. The subject property is legally described as:  
See attached survey
4. Affiant is legally authorized to file this application or the Affiant has authorized Jerry B. Proctor  
\_\_\_\_\_ as the applicant/duly appointed agent to file this application and to receive all correspondence and represent the Affiant.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning action granted at public hearing.

WITNESSES:

Signature \_\_\_\_\_

Jorge A. Garcia

Print Name \_\_\_\_\_

Maytee Hernandez

Signature \_\_\_\_\_

Maytee Hernandez

Print Name \_\_\_\_\_

Daniel Abreu

Affiant's Signature

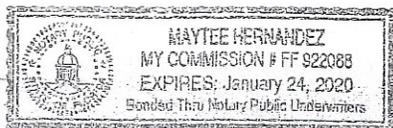
Daniel Abreu

Print Name

Sworn to and subscribed before me on the 24 day of August, 2018  
Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Maytee Hernandez

Commission Expires:



# Jerry B. Proctor, P.A.

February 6, 2019.

Ms. Debbie Love  
City of North Miami  
Community Planning and Development Department  
12400 NE 8 Avenue  
North Miami, FL 33161

Re: Tentative Plat Application  
Property: Southwest Corner of NE 135 Street and  
NE 3 Court  
Folio Nos.: 06-2230-000-0230, 06-2230-000-0020

Dear Ms. Love:

Enclosed, please find a Tentative Plat Application for Citadel Plaza, LLC, property owner at 13400 NE 3 Court (the "Property"). This application supercedes the earlier submittal for "Waiver of Plat". The applicant intends to utilize the "Covenant in Lieu of Unity of Title" concept to develop the Property.

Thank you for your consideration of this application.

Sincerely,



Jerry B. Proctor, P.A.  
Jerry B. Proctor  
President

cc: Daniel Abreu

## Love, Debbie

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**From:** Tom Shahan <tshahan@craventhompson.com>  
**Sent:** Friday, April 17, 2020 3:44 PM  
**To:** Love, Debbie; Ozaydin, Akin  
**Subject:** RE: Final Sign offs on Citadel Plaza T Plat  
**Attachments:** 2nd Review\_Citadel Plaza Tract 04-17-20.pdf; 2ndReview\_Citadel Plaza Tract Letter 04-17-20.pdf

**This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.**

*-City Of North Miami IT Department.*

Debbie,

From a survey standpoint the T-Plat complies, I left the one comment on the letter pertaining to drainage easement.

That is Akins call. Attached are the report documents.

### **Thomas C. Shahan, PSM**

Survey Project Manager  
Craven Thompson & Associates, Inc.  
3563 NW 53rd Street  
Fort Lauderdale, FL 33309  
Phone: 954-739-6400 ext. 344  
Fax: 954-739-6409  
[tshahan@craventhompson.com](mailto:tshahan@craventhompson.com)  
Craven Thompson & Associates

Engineers Land Planners Surveyors

**From:** Love, Debbie <dlove@northmiamifl.gov>  
**Sent:** Thursday, April 16, 2020 11:18 AM  
**To:** Tom Shahan <tshahan@craventhompson.com>; Ozaydin, Akin <dozaydin@northmiamifl.gov>  
**Subject:** Final Sign offs on Citadel Plaza T Plat

Hi Tom and Akin: Please verify that the TPlat is in compliance now (subject to the agreement/bond requirement); am scheduling for the May 5 Planning Commission meeting. Thank you.

The City of North Miami is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

Ms. Tanya Wilson, AICP  
Planning, Zoning and Community Development Director  
CT&A Project No. 15-0048.001.01  
April 17, 2020  
Page 1

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April 17, 2020

*e-mail:dlove@northmiamifl.gov*

Ms. Tanya Wilson, AICP  
Planning, Zoning and Community Development Director  
City of North Miami  
Community Planning and Development Department  
12400 NE 8<sup>th</sup> Avenue  
North Miami, FL 33161

**RE: SURVEY REVIEW -TENTATIVE PLAT APPLICATION  
"CITADEL PLAZA TRACT"-SECOND REVIEW  
CT&A PROJECT NO. 19-0011**

Dear Ms. Wilson:

This review is based on the City of North Miami's Land Development Regulations (LDR), Article 3, Division 8. All references appearing below are based on these requirements. I have also attached a red-line mark-up of the provided Survey. Although it was not requested by the City I have red-lined comments on the survey pertaining to The Standards of Practice (5J-17FAC).

I have not reviewed this Survey for Tentative Plat with reference to Chapter 177, Florida Statutes, as to platting, which does not address Tentative Plats.

I have the following comments in **BOLD**.

**TENTATIVE PLAT REQUIREMENTS**

SEC. 3-804. – Tentative Plat

1. The following information shall be part of the tentative plat unless waived by the plat Division of the appropriate authority.
  - a. Proposed subdivision name and identifying title and the name of the City, if any, in which the subdivision is located, and the section, township and range.  
**COMPLIES.**
  - b. Location of property lines, existing easements, buildings, watercourses, elevations, permits and other essential features.  
**COMPLIES WITH THE EXCEPTION OF EASEMENT FOR DRAINAGE STRUCTURES IN PARKING LOT, (ADD EASEMENT LIMITS IF REQUIRED).**
  - c. The names of all subdivisions immediately adjacent.  
**COMPLIES.**

- d. The location of any existing sewers and water mains, or any underground or overhead utilities, culverts and drains on the property to be subdivided.  
**COMPLIES.**
  - e. Location, names and present widths of existing and proposed streets, highways, alleys, parks and other open public spaces and similar facts regarding property immediately adjacent.  
**COMPLIES.**
  - f. The width and location of any street or other public ways or places shown upon the official map or the master plan, within the area to be subdivided, and the width and locations of all streets or other public ways proposed by the developer.  
**N/A.**
  - g. Date of field survey, north point and graphic scale.  
**COMPLIES.**
  - h. Legal description and plan of proposed layout made and certified by a Florida- licensed land surveyor.  
**COMPLIES.**
  - i. The proposed lot lines with approximate dimensions and in the case of odd or irregularly shaped lots, suggested location of building setback lines.  
**N/A.**
  - j. Where the tentative plat submitted covers only a part of the subdivider's entire holding, a master tentative plat of the prospective future street system of the unsubdivided part will be required, and the street system of the unsubmitted part will be considered in the light of adjustments and connection with the street system of the plat submitted.  
**N/A.**
  - k. A plat application signed by the owner and notarized on the form prescribed by the City.  
**COMPLIES.**
  - l. The numbering of all lots, blocks and the lettering of all tracts shall be shown on the tentative plat. All lots or tracts shall be numbered or lettered progressively. All blocks shall be progressively numbered except that blocks in numbered additions bearing the same name shall be numbered consecutively throughout the several additions.  
**COMPLIES.**
  - m. A location map at the scale of one (1) inch equals three hundred (300) feet showing existing and proposed rights-of-way.  
**COMPLIES.**
2. The following information shall be submitted in addition to the tentative plat if requested by the plat division of the appropriate authority.
- a. The names of owners of record of immediately adjacent property.  
**COMPLIES.**

- b. Any changes in the use, height, area and density districts or other regulations under these LDRs, applicable to the area to be subdivided, and any boundaries of such districts, affecting the tracts; all parcels of land proposed to be dedicated to public use and the conditions of such dedications.  
**NOT PROVIDED.**
- c. Typical cross-section of the proposed grading and roadways or sidewalks and topographic conditions.  
**NOT PROVIDED.**
- d. Location of closest available subdivision or public water supply system.  
**COMPLIES.**
- e. Location of closest available subdivision or public sewage disposal system.  
**COMPLIES.**
- f. Provisions for collecting and discharging surface drainage.  
**COMPLIES.**
- g. Preliminary designs of any bridges or culverts which may be required.  
**NOT PROVIDED.**
- h. A boundary survey.  
**COMPLIES.**
- i. If required by these regulations or if proposed by the subdivider, the proposed location of any type of sidewalks, street lighting standards and species of street trees, the location of curbs, gutters, water mains, sanitary sewers and storm drains and the sizes and types thereof, the character, width and depth of pavement and sub-base, and the location of manholes and basins and underground conduits.  
**NOT PROVIDED.**
- j. The boundaries of proposed permanent utility easements over or under private property. Such easements shall provide satisfactory access to an existing public highway or other public open space shown upon the layout. Permanent drainage easements shall also be shown.  
**NOT PROVIDED.**
- k. All dimensions affecting public rights-of-way and proposed dedication of the public rights-of-way shall be established by a registered surveyor and shown on the grading and drainage plan accompanying approved and valid tentative plats when said plan is submitted for approval, with the same degree of accuracy as, and identical to, the corresponding dimensions shown on the final plat.  
**NOT PROVIDED.**
- l. A copy of owners' deed or a current opinion of title from any attorney authorized to practice law in the State.  
**NOT PROVIDED.**

If you have any questions, or need further information as to the above comments, please feel free to call me.

Respectfully Submitted,

Ms. Tanya Wilson, AICP  
Planning, Zoning and Community Development Director  
CT&A Project No. 15-0048.001.01  
April 17, 2020  
Page 4

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**CRAVEN THOMPSON & ASSOCIATES, INC.**



THOMAS C. SHAHAN, P.S.M.  
For the Firm

TCS/wg  
Enclosure





MARCH 12th, 2020

MAYE HERNANDEZ  
13500 NE 3<sup>RD</sup> CT.  
North Miami, FL 33161.

**RE: CITADEL PLAZA- 13500 NE 3<sup>RD</sup> CT.**

I am familiar with the subject property and hereby advise you that Florida Power & Light Company is prepared to supply all necessary and required power to the referenced property.

FPL currently has existing facilities in the vicinity of the site which will supply the power requirements, with the understanding that the owners will grant to Florida Power & Light Company any other easement rights necessary to provide the service from existing utility easements to the property; and pay, if required, any overhead to underground differential costs.

Power will be supplied at prevailing rates for the appropriate class of service. Prior to beginning construction of the above referenced property, FPL will need certain information in order to design the electrical facilities needed to provide electric service.

It is a pleasure to be of service to you. Thank you for your cooperation and if I may be of further assistance, please call me at (305) 626-7695.

Sincerely,

A handwritten signature in black ink, appearing to read 'IB', is written over a horizontal line.

Isaac Bentata  
Customer Project Manager  
5106 NW 159<sup>th</sup> ST,  
Miami, FL 33179



Joel Gonzalez  
OSPE  
AT&T Florida  
9101 SW 24<sup>th</sup> ST  
Miami, FL 33165

T: 305-222-8740  
F: 305-552-5935  
www.att.com

March 19, 2019

File No.240.1000

**VIA E-Mail:**  
paul@bluewaterrellc.com

Attn: Paul Tremblay  
Citadel Plaza, LLC

Re: Proposed development at 13500 NE 5<sup>th</sup> Ave, North Miami, FL

To whom it may concern,

AT&T Florida has no objection to the proposed development at the above address. With regards to the addresses of 13400 and 13500 NE 5<sup>th</sup> Ave, At&t has no active facilities or easements within the referenced properties and, therefore, has no objection to the proposed project by Citadel Plaza, LLC.

AT&T will make telephone service available, to be provided coincident with the needs of any permanent improvements constructed on the property. However this may be contingent upon suitable entrance conduit, electrical grounding and other required support structures and agreements where applicable.

Please call Raul Villanueva at 305-222-8249 to have a copy of any site and electrical plans forwarded to our office when they become available. This will help ensure a timely provisioning of service to the project.

If you have any questions on this matter, you may call me at 305-222-8740.

Sincerely:

Joel Gonzalez  
Outside Plant Engineer  
AT&T Florida

9101 SW 24<sup>th</sup> ST, Miami, Florida 33165  
Facsimile (305) 552-5935



3/18/2020

To: Citadel Plaza, LLC  
14011 SW 20<sup>th</sup> St  
Miami, FL 33176

**RE: Tentative Plat Application**  
Southwest Corner of NE 135<sup>th</sup> St & NE 3<sup>rd</sup> Court  
Miami, FL 33161  
Folio NOS: 06-2230-000-0230 & 06-2230-000-0020

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the plat application at the above referenced location. After reviewing the documents provided, TECO-PGS has no objection to this Plat Application.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joan Domning". The signature is fluid and cursive, with a large initial "J" and "D".

Joan Domning  
Administrative Specialist, Senior  
Peoples Gas-Distribution Engineering  
8416 Palm River Road  
Tampa, FL 33619  
Office: 813-275-3783

4/24/2020



**NORTH MIAMI PLANNING  
COMMISSION AGENDA  
VIRTUAL MEETING  
TUESDAY, MAY 5, 2020 2:00 PM**

CATEGORY

Meetings FL

AD NUMBER

0000468426-01

**Meeting access link:** <https://www.gotomeet.me/NOMICPD/planning-commissionmay5>

**Dial in:** 872-240-3212 **Access Code:** 945-364-637

**I. ASSEMBLY AND ORGANIZATION:**

A. Call to Order

B. Roll Call of Board Members

C. Amendments to the Agenda

**II. APPROVAL OF MINUTES: December 3, 2019**

**III. COMMUNICATIONS**

**IV. CONTINUED PUBLIC HEARING: None**

**V. PUBLIC HEARING:PC 01-20:A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE WILLIAM E. SADOWSKI AFFORDABLE HOUSING ACT OF 1992 AND THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) ACT, FOR FISCAL YEARS 2020-2021, 2021-2022, AND 2022-2023; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO EXECUTE AND SUBMIT THE LOCAL HOUSING ASSISTANCE PLAN AND ANY OTHER NECESSARY DOCUMENTS TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND FINAL APPROVAL, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**1. Staff Report**

**2. Commission Action**

**3. Public CommentPC 02-20:A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY RF 151ST STREET, LLC. AND ENTITLED "TENTATIVE PLAT OLETA DEVELOPMENT," TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06- 2221-038-0010; 06-2221-**

038-0020; 06-2221-038-0030 & 06-2221-000-0021) INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3- 802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

1. Staff Report

2. Commission Action

3. Public Comment PC 03-20: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT APPLICATION SUBMITTED BY CITADEL PLAZA, LLC, AND ENTITLED "TENTATIVE PLAT CITADEL PLAZA," TO CONSOLIDATE THE FOLLOWING ADJACENT PARCELS (AS SPECIFICALLY IDENTIFIED WITH MIAMI-DADE FOLIO NUMBERS: 06- 2230-000-0020 & 06-2230-000-0230) LOCATED AT 280 NE 135TH STREET INTO ONE SINGLE PARCEL WITH ONE SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3- 802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

1. Staff Report

2. Commission Action

3. Public Comment

VI. COMMITTEE REPORTS

VII. OLD BUSINESS

VIII. NEW BUSINESS

IX. ADJOURNMENT The Planning Commission will hold a Virtual Public Hearing for these proposed Resolutions on Tuesday, May 5, 2020 at 2:00 p.m. via GoToWebinar. To log onto the virtual public hearing, go to the following web address at the date and time indicated above; [https://www.gotomeet.me/NOMICPD/ planningcommissionmay5](https://www.gotomeet.me/NOMICPD/planningcommissionmay5), or dial in to 872-240-3212, Access Code: 945-364-637.

Members of the public are invited to attend the virtual Public Hearing and provide oral or written comments on the matter. Comments, which must include your full name and address, may be provided in advance of the hearing via telephone at 305-895-9803, or by sending an email to [publiccomment@northmiamifl.gov](mailto:publiccomment@northmiamifl.gov). Comments received by 10 a.m., May 5, 2020, will be read into the record during the hearing. Comments received after the deadline will become part of the record, but will not be read during the hearing.

If you do not have internet access, you may call 305-893-6511, Ext. 19003 to ask questions about the items. A copy of the full package containing staff reports and recommendations for all items is available online at

<http://www.northmiamifl.gov/pc05052020>, and will also be available for public review from Monday to Friday between the hours of 8:15 a.m. and 12:30 p.m. in the Community Planning & Development Office located at 12400 NE 8th Avenue, North Miami, Florida 33161.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT NO LATER THAN FOUR (4) DAYS PRIOR TO

**THE PROCEEDING. TELEPHONE (305) 893-6511, EXT. 19000, FOR ASSISTANCE.**  
**IF HEARING IMPAIRED, TELEPHONE 711 OR YOU MAY CONTACT 1-800-955-**  
**8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.**  
**4/24 20-19/0000468426M**