NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Staff Report

Date: June 9, 2015

To: The Honorable Mayor and City Council Members

From: Tanya Wilson-Séjour, AICP, Community Planning and Development Manager

Re: Tentative Plat Approval – Parkview Villas @ 2500 N.E. 135th Street

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT (AS FURTHER DESCRIBED IN THE ATTACHED "EXHIBIT 1") FOR THE PARKVIEW VILLAS PROPERTY GENERALLY LOCATED AT 2500 NE 135TH STREET, WITH MIAMI-DADE COUNTY FOLIO NUMBERS: 06-2228-064-0010, 06-2228-064-0020, 06-2228-064-0030, 06-2228-064-0040, 06-2228-064-0050, 06-2228-064-0060, 06-2228-064-0070, 06-2228-064-0080, 06-2228-064-0090, 06-2228-064-0100, 06-2228-064-0110, 06-2228-064-0120, 06-2228-064-0130, 06-2228-064-0140, 06-2228-064-0150, AND 06-2228-064-0160, 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; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

STAFF RECOMMENDATION

That the Mayor and City Council pass and adopt the proposed resolution approving with conditions the tentative plat, entitled "Parkview Villas Replat," to allow the resubdivision of the property generally located at 2500 N.E. 135th Street from fifteen (15) lots into eighteen (18) individual taxing parcels.

PLANNING COMMISSION RECOMMENDATION

At its meeting on May 5, 2015, the Planning Commission (attended by Commissioners James, Ernst, Each, Jeanty, Boule and Prevatel) reviewed and discussed the proposed resolution approving with conditions the tentative plat, entitled "Parkview Villas Replat," to allow the resubdivision of the property generally located at 2500 N.E. 135th Street from fifteen (15) lots into eighteen (18) individual lots. Following staff's presentation, the Planning Commission briefly discussed the item indicating their enthusiasm to allow the resubdivision and the impact of a potential new development. A motion to recommend approval of the proposed item was made by Commissioner Prevatel and seconded by Commissioner Each. The motion passed 6-0.

BACKGROUND INFORMATION

The City Council through Resolution R-2007-51 approved a final plat for a fifteen (15) lot subdivision known as Parkview Villas. The subject property is currently vacant and comprises of a total of 55,386 sq. ft.in size. On April 9, 2013, the City Council subsequently passed and adopted Resolution R-2013-38, approving a conditional use application to transfer 27 bonus units from the secondary pool of 1000 floating residential units of the Neighborhood Redevelopment Overlay (NRO) District to construct a proposed 48-units multi-family garden apartment building on the subject property. However, the property has since changed ownership and that approval has also expired since the project was not built within a year of the adoption of that resolution. The new owner, FFS 135, LLC, was recently granted a side setback variance approval by the Board of Adjustment (BOA) to improve the subject property with a residential development, which is to be developed around an appealing, modern-styled architecture. The development will consist of 18 townhouses, grouped in three (3) rows of six (6) units. Each unit will have three (3) stories and will include a kitchen, a dining room, a half-bathroom and an enclosed garage on the ground floor; three (3) bedrooms, two (2) bathrooms and an office on the second floor; and a terrace and spa on the third floor. The property is currently platted for fifteen (15) residential lots. However, the purpose of this tentative plat request is to establish eighteen (18) individual taxing parcels for the proposed development (three (3) more lots than what the property currently allows), as well as new easements that reflect prior plats of the property.

NEIGHBORHOOD LAND USE CHARACTERISTICS

Property	Future Land Use	Existing Zoning	Existing Use/Subdivision
Site	Medium Density Residential	R-5, Multi-Family Residential	Vacant
North	Wetlands	PU, Public Use	State Preserve
South	High Density Residential	R-6, Multi-Family Residential	Apartments
East	Medium Density Residential	R-5, Multi-Family Residential	Townhouse Development
West	Medium Density Residential	R-5, Multi-Family Residential	Apartments

The subject property is a vacant parcel located on the north side of N.E. 135th Street and is zoned R-5, Multi-Family Residential District. The properties along the same block on N.E. 135th Street are also zoned R-5 and include a townhouse development on the east and an apartment building on the west. The properties lying south of the site, across from N.E. 135th Street, feature various apartment buildings. A 102-acre state preserve park is located north of the site, as depicted in the aerial picture that follows.

ANALYSIS

As previously stated, the purpose of this tentative plat request is tore-plat the subject site from fifteen (15) lots to establish eighteen (18) individual lots for the proposed development. The replat of this property will not require any changes to the Comprehensive Plan in that it does not change the Medium Density Residential Land Use Plan 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. Besides the side setback variances, which the BOA has already approved, the requested replat will not require an amendment to either the text of the LDRs or the adopted Zoning Map.

Outside Agencies: Pursuant to the Growth Management Legislation enacted under Chapters 163 and 1013, Florida Statutes, which require that all residential development applications be reviewed for compliance with Public School Concurrency, the applicant also submitted an application to the City, which was subsequently transmitted to Miami-Dade County Public Schools for a Concurrency Determination Statement. The proposed tentative plat survey was also sent to Florida Power and Light Company, AT&T, Miami TCI Cablevision, and People's Gas System, Inc., for their review and comments. At the time of this writing, no objections or substantive comments were received from any of the utility companies.

City Staff Comments: This tentative plat application was taken to a Development Review Committee (DRC) meeting to gather input from other City Departments, particularly Public Works Department to determine the impacts on Water and Sewer services. Comments, which were provided by those Departments, have subsequently been satisfactorily addressed by the applicant.

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 (2014).

CONCLUSION

In light of the aforementioned findings, staff is of the opinion that the 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 Mayor and City Council pass and adopt the attached resolution approving the requested tentative plat, subject to the applicant following satisfying 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 by the applicant 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. *Application for final plat.* Upon approval of said tentative plat by Miami-Dade County, the applicant shall file an application for a final plat with the City's Community Planning and Development Department.
3. *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, the Planning Commission and the City Council, pursuant to the requirements of Article 3, Division 8, Section 3-802 of the LDRs.

TWS/nl

Attachments:

1. Proposed Resolution
2. Exhibit 1 – "Parkview Villas Replat" T-Plat Survey
3. Tentative Plat Review – Craven Thompson and Associates, Inc.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT (AS FURTHER DESCRIBED IN THE ATTACHED "EXHIBIT 1") FOR THE PROPERTY GENERALLY LOCATED AT 2500 NE 135TH STREET, WITH MIAMI-DADE COUNTY FOLIO NUMBERS: 06-2228-064-0010, 06-2228-064-0020, 06-2228-064-0030, 06-2228-064-0040, 06-2228-064-0050, 06-2228-064-0060, 06-2228-064-0070, 06-2228-064-0080, 06-2228-064-0090, 06-2228-064-0100, 06-2228-064-0110, 06-2228-064-0120, 06-2228-064-0130, 06-2228-064-0140, 06-2228-064-0150, AND 06-2228-064-0160, 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; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, FFS 135, LLC ("Applicant") is the owner of contiguous parcels of vacant land with an approximate aggregate size of 1.27 acres, generally located at 2500 N.E. 135th Street, as specifically identified by the following Miami-Dade County property folio numbers: 06-2228-064-0010, 06-2228-064-0020, 06-2228-064-0030, 06-2228-064-0040, 06-2228-064-0050, 06-2228-064-0060, 06-2228-064-0070, 06-2228-064-0080, 06-2228-064-0090, 06-2228-064-0100, 06-2228-064-0110, 06-2228-064-0120, 06-2228-064-0130, 06-2228-064-0140, 06-2228-064-0150, and 06-2228-064-0160 (collectively referred to herein as "Subject Property"); and

WHEREAS, the Applicant has proposed to improve the Subject Property with a residential development consisting of eighteen (18) townhouses, revealing modern-styled architecture ("Residential Development"), to be developed well within the parameters prescribed by applicable City of North Miami ("City") Codes of Ordinances, Land Development Regulations ("LDRs"); and

WHEREAS, on January 8, 2015, the Applicant was granted a Variance by the North Miami Board of Adjustment ("Board of Adjustment") to allow a side setback of twelve (12) feet instead of the minimum thirty (30) feet side setback required for townhouse developments, pursuant to Article 3, Section 3-606, LDRS; and

WHEREAS, as a condition of granting the Variance, the Board of Adjustment required, among other things, an application for tentative plat and a subsequent application for final plat to be submitted by the Applicant to obtain the approval of the City, prior to seeking review and approval from the Miami-Dade County Land Development Division; and

WHEREAS, in accordance with the Board of Adjustment, the Applicant filed an application for tentative plat approval with the Community Planning and Development Department ("Application") in order to revise the existing recorded plat and to clearly delineate the Subject Property for the Residential Development; and

WHEREAS, with the approval of the Application, the Subject Property will platted in accordance with Chapter 28 of the Miami-Dade County Code of Ordinances, Article 3, Division 8, Section 3-802, LDRs, and Chapter 177, Florida Statutes (2014), for the re-subdivision of the Subject Property; and

WHEREAS, on May 5, 2015, the City Planning Commission reviewed the Application and unanimously found that it conforms to the requirements of LDR's 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 2500 NE 135th Street, with Miami-Dade County folio numbers: 06-2228-064-0010, 06-2228-064-0020, 06-2228-064-0030, 06-2228-064-0040, 06-2228-064-0050, 06-2228-064-0060, 06-2228-064-0070, 06-2228-064-0080, 06-2228-064-0090, 06-2228-064-0100, 06-2228-064-0110, 06-2228-064-0120, 06-2228-064-0130, 06-2228-064-0140, 06-2228-064-0150, and 06-2228-064-0160, 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 become 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 _____, 2015.

_____
DR. SMITH JOSEPH
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

_____
REGINE M. MONESTIME, ESQ.
CITY ATTORNEY

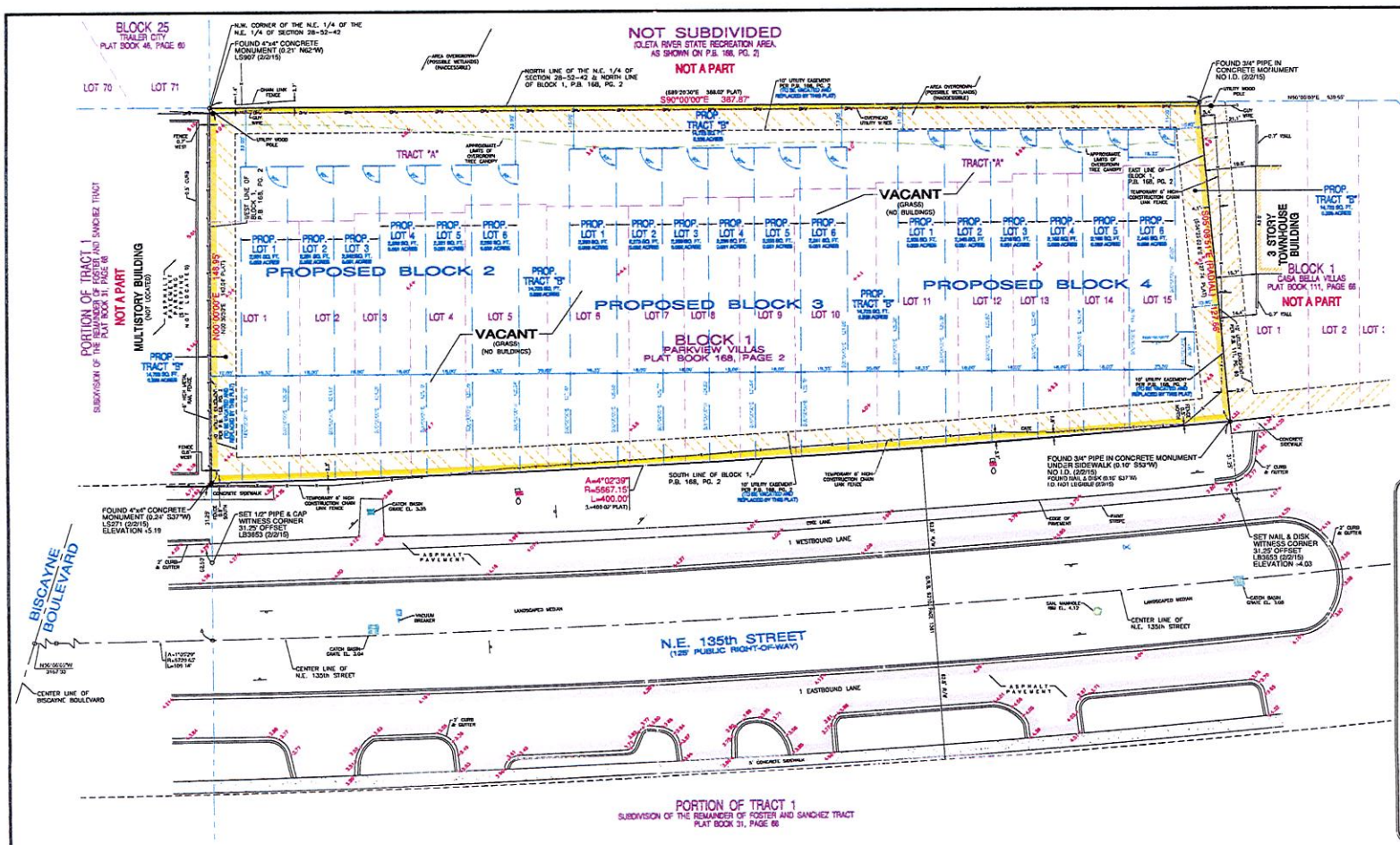
SPONSORED BY: CITY ADMINISTRATION

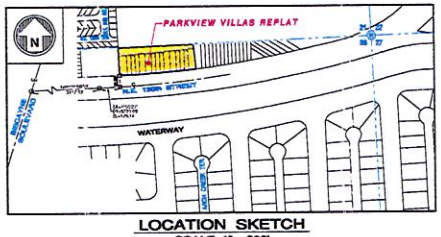
Moved by: _____

Seconded by: _____

Vote:

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





LOCATION SKETCH

SCALE: 1" = 300'

LEGEND

- CB = CATCH BASIN
- CI = CATCH BASIN INLET
- MH = MANHOLE
- LP = LIGHT POLE
- WM = WATER METER
- WV = WATER VALVE
- UP = UTILITY POLE
- WELL = WELL
- FH = FIRE HYDRANT
- MH = MANHOLE
- SVG = SEWER/GAS VALVE
- CO = CLEANOUT
- WELL = WELL
- DRAIN = DRAIN
- GE = GRADE ELEVATION
- BOLLARD = BOLLARD
- SIGN = SIGN
- OHW = OVERHEAD UTILITY WIRE
- CLF = CHAIN LINK FENCE
- 0.5" CURB = 0.5" CURB
- 2.00" CURB & GUTTER = 2.00" CURB & GUTTER
- WALL = WALL
- EL. = ELEVATION
- INV. = INVERT
- SAN. = SANITARY
- PROP. = PROPOSED
- P.R.M. = PERMANENT REFERENCE MONUMENT
- P.B. = PLAT BOOK
- PG. = PAGE
- CONC. = CONCRETE
- ASPHALT PAVEMENT = ASPHALT PAVEMENT
- R/W = RIGHT-OF-WAY
- ℄ = CENTER LINE

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

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DEVELOPMENT CONTACT PERSON INFORMATION

Name: Damian Thomason
Telephone Number: (305) 662-4493
Fax Number: (305) 651-7152
E-mail Address: damian@fls-survey.com

SURVEYOR'S NOTES:

- This site lies in Section 28, 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 S05°08'51"E for the East line of Block 1 and its Southerly extension, and evidenced by one (1) found 3/4" pipe in concrete monument (No I.D.) AND one (1) set nail & disk (LB3653), being a witness corner on a 31.25' offset.
- Elevations shown hereon are relative to the National Geodetic Vertical Datum of 1929, based on Miami-Dade County Benchmark No. N-549, Elevation =4.82, located on February 3, 2015 at the intersection of N.E. 135th Street and N.E. 24th Place.
- Lands shown hereon are located within an area having a Zone Designation AE (EL 8) by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 12086C0144L, for Community No. 120650, 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 55,338 square feet, or 1.270 acres, more or less.
- All horizontal control monuments are within a precision of 1:10,000.
- This map is intended to be displayed at the graphic scale shown hereon or smaller.
- Roof overhangs 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.
- Legal description shown hereon based on information furnished by client and no claims as to ownership are made or implied.

DEVELOPMENT INFORMATION

OWNERS:
FPS 135 LLC
848 Brickell Ave.
#305
Miami, FL 33131

FOLIO NUMBERS:
06-2228-054-0010, 06-2228-054-0020, 06-2228-054-0030, 06-2228-054-0040, 06-2228-054-0050, 06-2228-054-0060, 06-2228-054-0070, 06-2228-054-0080, 06-2228-054-0090, 06-2228-054-0100, 06-2228-054-0110, 06-2228-054-0120, 06-2228-054-0130, 06-2228-054-0140, 06-2228-054-0150 and 06-2228-054-0160

PROPOSED DEVELOPMENT INFORMATION:
3 Residential Town house buildings containing 18 units
Total building square footage 40,464 ±
Lots 1-6, Block 2 – Town house building containing 6 units
Lots 1-6, Block 3 – Town house building containing 6 units
Lots 1-6, Block 4 – Town house building containing 6 units
Lot 1, Block 2 – Containing 2,301 square feet ±
Lot 2, Block 2 – Containing 2,251 square feet ±
Lot 3, Block 2 – Containing 2,242 square feet ±
Lot 4, Block 2 – Containing 2,232 square feet ±
Lot 5, Block 2 – Containing 2,221 square feet ±
Lot 6, Block 2 – Containing 2,250 square feet ±
Lot 1, Block 3 – Containing 2,330 square feet ±
Lot 2, Block 3 – Containing 2,272 square feet ±
Lot 3, Block 3 – Containing 2,256 square feet ±
Lot 4, Block 3 – Containing 2,238 square feet ±
Lot 5, Block 3 – Containing 2,220 square feet ±
Lot 6, Block 3 – Containing 2,241 square feet ±
Lot 1, Block 4 – Containing 2,305 square feet ±
Lot 2, Block 4 – Containing 2,240 square feet ±
Lot 3, Block 4 – Containing 2,216 square feet ±
Lot 4, Block 4 – Containing 2,192 square feet ±
Lot 5, Block 4 – Containing 2,168 square feet ±
Lot 6, Block 4 – Containing 2,440 square feet ±
Tract "B" – Containing 14,773 square feet ±

AN EXPRESS PURPOSE OF THIS REPLAT IS TO VACATE THE UTILITY EASEMENT PER PARKVIEW VILLAS, PLAT BOOK 168, PAGE 2, AND REPLACE SAID UTILITY EASEMENT WITH NEW UTILITY EASEMENT TO CONFORM WITH CURRENT LOT CONFIGURATIONS

PRESENT ZONE:
R-5 – MULTI-FAMILY

FLOOD CRITERIA:
MIAMI-DADE COUNTY FLOOD CRITERIA PER PLAT BOOK 120, PAGE 13: +5.0'

LEGAL DESCRIPTION:

Lots 1 through 15, inclusive, Block 1, together with Tract "A" of PARKVIEW VILLAS, according to the Plat thereof as recorded in Plat Book 168, Page(s) 2, of the Public Records of Miami-Dade County, Florida.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Boundary and Topographic Survey" was made under my responsible charge on February 3, 2015, 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, For The Firm
Surveyor and Mapper, LS2850
State of Florida.

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.	Date	Revisions Description	Dr.
1	141558	REVISED PROPOSED LOT CONFIGURATION	GEM

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION LB-3653
180 Northeast 168th Street / North Miami Beach, Florida 33162
Phone 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

TENTATIVE PLAT
PARKVIEW VILLAS REPLAT
SECTION 28, TOWNSHIP 52 SOUTH, RANGE 42 EAST
CITY OF NORTH MIAMI, MIAMI-DADE COUNTY, FLORIDA

Date	2/3/15
Scale	1" = 20'
Drawn By.	GEM
Cad. No.	141558
Plotted:	3/10/15 9:59a
Ref. Dwg.	282-321
Field Book.	456/15 A FLD. SHT. TC
Job. No.	141558
Dwg. No.	2014-227
Sheet	1 of 1