

RESOLUTION NO. R2026-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE CONDITIONAL USE AND SITE PLAN APPLICATION LOCATED AT 15090 BISCAYNE BOULEVARD, NORTH MIAMI BEACH, FLORIDA FOR PRESTIGE MOTOR IMPORTS FOR THE CONSTRUCTION OF A 48-SPACE PARKING LOT AS PART OF AN PARKING LOT USE; PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach (“City”) Code of Ordinances, Chapter 24, “Zoning and Land Development Code” (the “ZLDC”), Article V, “Zoning Use Districts,” Section 24-52, “General Business District” provides that Conditional Use approval is required for automotive sales and rental uses; and

WHEREAS, Carlos J. Ballbe, P.E., Ballbe & Associates, Inc. on behalf of Prestige Imports Outparcel 2, LLC (the “Applicant”), requests site plan and conditional use approval as specified herein in the Application for the proposed demolition of the existing improvements to construct a parking area consisting of 45 parking spaces at 15090 Biscayne Boulevard, North Miami Beach, Florida, to be used in conjunction with Prestige Motor Imports at 15050 Biscayne Boulevard, and;

WHEREAS, after a duly noticed public hearing held on July 13, 2026, the Planning and Zoning Board by a vote of 5 to 0, recommended Approval/Disapproval of the Site Plan and Conditional Use Permit, subject to the conditions set forth and included below in Section 2; and

WHEREAS, the City Commission conducted a duly noticed public hearing in accordance with the law; and

WHEREAS, the Mayor and City Commission finds that the proposed Site Plan and Conditional Use Permit application is consistent with the North Miami Beach Comprehensive Plan and are in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Commission of the City of North Miami Beach, Florida:

Section 1. **Recitals.** The foregoing recitals are true and correct.

Section 2. **Decision.** The Conditional Use to permit the operation of a parking lot on an approximately 0.55 acre parcel of land, located at 15090 Biscayne Boulevard, North Miami Beach, Florida, is approved subject to the following conditions:

The conditions of approval in Resolution R2026-XX shall be incorporated into this Resolution as if set forth herein.

1. Unless otherwise provided, all the below conditions shall be

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completed/complied with prior to the issuance of the building permit.

2. The conditions of approval for the proposed conditional uses are binding on the Applicant, the property owners, operators, and all successors in interest and assigns. Prior to issuance of any Master Building Permit, Applicant shall execute a covenant running with the land, binding upon its heirs, successors and assigns, subject to the approval of the City Attorney, which shall be recorded in the public records of Miami-Dade County, Florida, at Applicant's sole expense, containing all of the conditions and provisions required by this Resolution. This recorded covenant may be amended from time to time and shall be re-recorded after each amendment at the Applicant's sole expense, subject to the approval of the City Attorney.
3. The operation of the Conditional Uses shall be in conformance with the following:
 - a. Site Plan as prepared by BALLBÉ & ASSOCIATES, INC.
 - b. All representations proffered by the Applicant's representatives as a part of the site plan and conditional use application review at the Planning and Zoning Board and City Commission public hearings.
 - c. Conditions of Approval as outlined in this approval.
4. Prior to the issuance of a Master Building Permit, the City Manager or designee and the City Attorney, may refer any application for review by engineering, planning, legal, technical, environmental, or professional consultant(s) as deemed necessary. The City shall be reimbursed by Applicant for reasonable fees and charges made by such consultant(s) or professional(s) within thirty (30) days of submission of a City voucher. These fees and charges are in addition to any and all other fees required by the City.
5. The Applicant shall comply with all applicable conditions and permit requirements of the Miami-Dade County Fire Department, the Water and Sewer Department, and Department of Regulatory and Economic Resources; and the Florida Department of Environmental Protection (FDEP), the Florida Department of Transportation (FDOT) and any other applicable regulatory agency.
6. Applicant must join the North Miami Beach Police Department ("NMBPD") ***Trespass After Warning*** Program, provide the NMBPD with access to the property at all times, and a safety plan.
7. The Applicant, its successors and assigns shall comply with all City Ordinances applicable to development and permit approvals at the time of adoption of the Resolution and in the event the Master Building Permit expires, all approvals and prior fees paid,

shall be subject to forfeiture. This shall not be applied to City of North Miami Beach impact fees paid, which would not be refunded but would be credited to the property for any subsequent development.

8. Applicant shall remove all public hearing signage no later than 48 hours after the final public hearing for the development project.
9. Site Plan approval is conditioned upon the use of the parking area shall only be utilized for vehicle stock, special events, and employee parking.
10. The applicant shall not remove the bollards nor permit entry along NE 151st Street unless a permit for a Special Event Permit has been granted with approved Maintenance of Traffic (MOT) plan on file at the city.
11. Applicant shall execute an Unity of Title for the parking lot and the primary business for Folios 07-2221-007-0120 (15090 Biscayne Boulevard) and 07-2221-007-0130 (15050 Biscayne Boulevard).
12. This Conditional Use shall terminate upon termination of an Automotive Sales use at 15050 Biscayne Boulevard, termination of Unity of Title, or failure to maintain an active Business Tax Receipt for automotive sales at 15050 Biscayne Boulevard for a period of 6 months or more.
13. Prior to Building Permit approval, applicant shall provide documentation from the FDOT Access Management Review Committee (AMRC) regarding the proposed use of the existing driveway connections to NE 151st Street (Earl Place) and access from Earl Lane. There is an existing eastbound right turn lane at the signalized intersection of NE 151st Street and Biscayne Boulevard/US-1. The FDOT AMRC needs to review and provide approval of the proposed driveway connections at NE 151st Street just west of Biscayne Boulevard/US-1.
14. Prior to Building Permit approval, applicant shall provide a separate pavement marking and signage plan signed and sealed by a professional engineer. Please ensure that the appropriate signage per MUTCD is provided for any crosswalk locations within the on-site parking lot. Please include typical handicap, regular parking stall, and specialty EV parking space details per City of North Miami Beach criteria. Please dimension the access lanes and the typical widths of the ADA parking spaces.

Section 3. Findings of Fact. The Mayor and City Commission make the following FINDINGS OF FACT based upon the substantial competent evidence provided: The requested Conditional Uses meet the applicable Conditional Use Review Standards provided for in Section 24-175(B) of the Code of Ordinances of the City of North Miami Beach. The requested Conditional Uses are compatible with the existing natural

environment and surrounding properties, does not create substantial detrimental effects on the neighborhood property values, has adequate provisions for vehicular and pedestrian traffic movement, has adequate drainage systems for the proposed use, complies with the required setbacks and buffering to control possible adverse effects, is located in an area which is sufficient, appropriate and adequate for the proposed use and reasonable expansion.

Section 4. Time for Business Tax Receipt. Pursuant to Section 24-175(C) of the City Code, the Applicant must obtain a Business Tax Receipt within one (1) year of the date of this Resolution or the Conditional Use approval granted shall be deemed null and void and the Applicant shall be required to reinstate the conditional use review process unless the term is extended administratively or by the City Commission prior to its expiration.

Section 5. Limitation of Approval. The issuance of this conditional use permit does not in any way create a vested right(s) on the part of the Applicant to obtain a permit from a county, state or federal agency, and does not create any liability on the part of the municipality for issuance of the permit if the Applicant fails to obtain requisite approvals or does not fulfill the obligations imposed by a county, state or federal agency or undertakes actions that result in a violation of county, state, or federal law.

Section 6. Conflicts. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. Effective Date. This Resolution shall be in force and take effect immediately upon its passage and adoption.

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APPROVED AND ADOPTED by the City Commission of the City of North Miami Beach, Florida at regular meeting assembled this the day of August, 2026.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF
NORTH MIAMI BEACH:

GREENSPOON MARDER, LLP

BY: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission

COMMISSIONERS	YES	NO	ABSTAIN	ABSENT
Mayor Michael Joseph				
Vice Mayor McKenzie Fleurimond				
Commissioner Jay Chernoff				
Commissioner Daniela Jean				
Commissioner Phyllis Smith				
Commissioner Fortuna Smukler				
Commissioner Lynn Su				

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