



RESOLUTION # 2024-18

A RESOLUTION OF THE CITY OF WEST MIAMI, FLORIDA, FOR SITE PLAN ACCEPTING THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD FOR A SPECIAL USE PERMIT NO. 2023-002 FOR 6468-6470 SW 8 STREET, WEST MIAMI, FLORIDA BY FRANK'S FRESH FRUIT MINI MARKET / CARLOS ABREU / ABREU, INC., FOR A COMMERCIAL GROCERY STORE WITH HEATING FOOD SERVICE AND TAKE OUT AND ALCOHOLIC BEVERAGES WITH FOOD REQUIRING CERTAIN IMPROVEMENTS AND OTHER TERMS AND CONDITIONS, ATTACHED AS EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, FRANK'S FRESH FRUIT MINI MARKET / CARLOS ABREU / ABREU, INC., hereinafter referred to as "Applicant", has submitted an application for SPECIAL USE PERMIT # 2023-002, on August 20, 2023 together with a site plan of the proposed use, showing certain improvements which, the Applicant(s) agree to make; and

WHEREAS, Applicant submitted materials for a Mini Market/cafeteria expanding the current location at 6480 SW 8 Street, West Miami, Florida 33144, for compliance with the City's Zoning Ordinance 282; and

WHEREAS, the Special Use Permit Application was reviewed by the City Administration and the Zoning Department for the City of West Miami; and

WHEREAS, a third review of the application was conducted by Francisco J. Alonso, PE, Building Official on November 29, 2023 and a copy of his review is attached as Exhibit B; and

WHEREAS, a properly noticed Public Hearing was held on November 29th, 2023, before the Planning and Zoning Board where after hearing all the views, the Planning and Zoning Board made a motion to recommend the Special Use Permit application with certain conditions for a favorable recommendation to the City Commission, see attached Exhibit C; and

WHEREAS, the review of the proposed Special Use Permit from the plans as submitted show the proposed layout of the 1,542 square foot interior space (plus 300 sq.ft. of storage) of the old body shop office reconfigured to allow for a steam table for food take out. The east portion of the building consists of 2,830 square feet that will remain as storage. The existing rear storage lot has been converted to parking adding an additional 9 spots complying with Zoning ordinance 282; and

WHEREAS, Applicant(s) have agreed to the terms and conditions set forth in this resolution in consideration for the granting of the site plan approval

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of West Miami as follows:

Section 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. In consideration of the foregoing, Applicants are hereby granted SUP # 2023-002 of the above-described Parcel located and being in the City of West Miami, County of Miami-Dade, State of Florida, with the conditions presented by Building Official, Francisco J. Alonso, PE in his November 29, 2023 memorandum, attached hereto as Exhibit B.

Section 3. Due to the reviews by Planning and Zoning Department and the "Public Hearing" on November 29, 2023 before the Planning and Zoning Board, the City Commission has determined that the proposed "Special Use Permit" for a commercial grocery store with heating food service and take out and alcoholic beverages with food, with certain conditions, is in compliance with the intent of Zoning Ordinance 282.

Section 4. All Resolutions and parts of Resolutions in conflict herewith are repealed.

Section 5. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this 20th day of March, 2024.

APPROVED:




ERIC DIAZ-PADRON, MAYOR

ATTEST:



ANNERY GONZALEZ, MMC
CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

This Resolution was offered by Commissioner Chavez who moved its adoption. The motion was seconded by Commissioner Milian Orbis. The vote was as follows:

MAYOR ERIC DIAZ-PADRON	<u>Y</u>
VICE-MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER IVAN CHAVEZ, JR.	<u>Y</u>
COMMISSIONER NATALIE MILIAN ORBIS	<u>Y</u>
COMMISSIONER LUCIANO SUAREZ	<u>Y</u>

EXHIBIT "A"

Conditions for approval FRANK'S FRESH FRUIT MINI MARKET / CARLOS ABREU / ABREU, INC., application for SPECIAL USE PERMIT # 2023-002

- No extra seats/tables
- No expansion of current dining area
- Designated loading space must be on site
- No parking allowed on SW 65th AVE – "No Parking" signs must be installed
- No cooking on the premises (new building)
- A CBS wall must be constructed along commercial area, extending across new building
- No loud music
- Maintain all patrons inside the property
- Alcoholic beverages to be offered only with food
- Landscape plan must be submitted for City's approval.
- Provide on-site pickup for trash
- No loitering in or around the parking lot areas
- Parking lot must have required outdoor lighting per City's ordinance, Owner to provide a detailed map of layout of the interior space by a registered engineer or architect and provide maximum occupancy not to exceed the allowed by the Miami Dade Fire Department.
- Meet all outside agencies approvals
- Comply with original approval conditions