

MINUTES
PLANNING & ZONING BOARD MEETING
March 21, 2017
6:00 p.m.
Government Center
6601 Main Street, Miami Lakes, FL 33014

1. Call to Order

Chairman Jeffrey Rodriguez called the meeting to order at 6:11 P.M.

2. Roll Call

The Town Clerk, Gina Inguanzo, called the roll and the following Board Members were present: Robert Julia, Avelino Leoncio, Ameli Padron-Fragetta, Fred Senra, Vice Chairman Raul de la Sierra and Chairman Jeffrey Rodriguez. Board Member Homero Cruz was absent.

3. Pledge of Allegiance/Moment of Silence

Chairman Jeffrey Rodriguez led the Pledge of Allegiance and called for a moment of silence.

4. Approval of Minutes

A. Minutes for February 21, 2017 Planning and Zoning Board Meeting

Vice Chairman de la Sierra made a motion to approve the minutes. The motion received a second from Board Member Senra and all were in favor. Board Member Homero Cruz was absent.

5. Business Requiring Board Action

Assistant Town Attorney, Lorenzo Cobiella, explained that all the items in the agenda are quasi-judicial in nature and he proceeded to read the Quasi-Judicial Procedures.

The Town Clerk swore in anyone wishing to speak.

B. Hearing Number:	VARH2016-0019
Applicant:	Jesus Reyes
Folio:	32-2014-010-1110
Legal Description:	Lot 29, Block 5, MIAMI LAKES LOCH NESS SECTION, according to the Plat thereof as recorded in Plat Book 93, Page 45, of the Public Records of Miami-Dade County, Florida
Location:	7560 Loch Ness Drive Miami Lakes, 33014

Susana Alonso, Senior Town Planner, presented the item and answered questions posed by the Board

Darby P. Delsalle, Planning Department Director, answered questions posed by the Board.

Chairman Rodriguez opened the public hearing.

Albert Gonzalez, the architect, spoke on behalf of the applicant.

Maria Veronica Mauri spoke in opposition of the variance.

Diana Gaitan asked question about the variance.

The Applicant, Jesus Reyes, spoke on behalf of the variance.

After some informal discussion between the architect, the applicant and the neighbors, Vice Chairman De la Sierra made a motion for the applicant, the architect and neighbors to set outside the conversation amongst them and for them to come back once the conversations are conclusive. Board Member Padron-Fragetta seconded the motion and all were in favor. Board Member Cruz was absent.

Later on, at approximately 8:40 p.m., Chairman Rodriguez made a motion to bring back all the prior testimony of the initial offering over and to reopen the hearing and Vice Chairman De la Sierra seconded the motion. All were in favor.

Mr. Gonzalez, on behalf of the Applicant, explained the new proposal, which is: the setback in the site to be 25 feet for a CVS wall in the east side, setback on the west side also 25 feet, the setback will continue on the radius for 12 and a half feet up to the initial proposed fence started, so the wall would start at the west property line.

Maria Veronica Mauri stated that she has no objection with the new submitted proposal. Diana Gaitan stated that she has no objection with the new submitted proposal.

As no one else wished to speak, Chairman Jeffrey Rodriguez closed the public hearing.

Board Member Leoncio made a motion to approve the variance, as per the proposal submitted by the architect into the record, which reflects the following: that the fence on the East side would be 25 feet away from the property line, that the fence on the west side would also be 25 feet away from the property line with the exception of the one that is parallel to the cul de sac and there they have requested a 12 foot setback. Chairman Rodriguez seconded the motion. Board Member Leoncio amendment his motion to state that he also wanted to incorporate the proposal submitted as Exhibit A into the record. Chairman Rodriguez seconded the original motion with the amendment.

The Town Clerk called the roll and the variance passed unanimously 6-0. Board Member Homero Cruz was absent.

- C. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE TOWN COMPREHENSIVE PLAN; REDESIGNATING 9.445 +/--ACRE PROPERTY LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, AS MORE PARTICULARY DESCRIBED AT ATTACHMENT "A", FROM THE INDUSTRIAL AND OFFICE CATEGORY, TO THE MEDIUM DENSITY RESIDENTIAL CATEGORY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Rodriguez read the title of the ordinance into the record.

Susana Alfonso, Senior Town Planner, presented the item and answered questions posed by Board.

Darby P. Delsalle, Planning Department Director, answered questions posed by the Board.

Robert Elias spoke on behalf of the Applicant.

Luis Martinez, spoke on behalf of the Applicant.

Chairman Rodriguez opened the public hearing.

Alex Ariano, spoke in favor of the Senior Village community proposed by the Applicant, and stated that he was representing the Elderly Affairs Committee.

Dorothy Wix, spoke in favor of the Senior Village community proposed by the Applicant.

Lazaro Herrera spoke in opposition of the item and about increased traffic congestion that would be generated due to this project.

Susana Herrera spoke in opposition of the item and about increased traffic congestion that would be generated due to this project.

Mirtha Mendez spoke about her traffic concerns and increased traffic congestion that would be generated due to the project.

Marilyn Ruano spoke about traffic concerns and increased traffic congestion that would be generated due to the project.

Claudia Luces asked questions about the zoning laws and changes being done to the Future Land Use Map, traffic concerns and increased traffic congestion that would be

generated due to the project and asked for the project to be delayed until the traffic improvements get put into place.

Nayib Saba spoke in opposition of the proposed change in zoning laws and in opposition of the proposed project.

Maria Barreto spoke about her concerns with future developers interested in the proposed area.

The Town Clerk read into the record the names of all the individuals who sent emails as written public comments. The individuals are: Silvia M. Gonzalez, Frank Weber, Miguel Folgueras, Lissette and Sandalio Perez, Patricia Plana, Jose Azuaje, Denise Rodriguez.

Board Member Julia made a motion to re-open the public hearing. The motion was seconded by Vice Chairman de la Sierra and all were in favor.

Luis Martinez answered questions posed by the Board and he addressed that the conditions of limiting the project to 220 units and the age restriction will be gladly proffered and honored by the Applicant.

Chairman Rodriguez closed the public hearing

Board Member Julia made a motion to recommend approval of the Ordinance, which is to accept staff's recommendation with the seven conditions, which includes the proffered condition which includes the statements offered by the applicant to limit it to 220 units including the proffered covenant #7. Covenant #7 reads "The declaration of restrictions shall be proffered by the applicant to limit occupancy exclusively to age 62 and over and shall include the limitation offered by the applicant of 220 residential units. The motion was seconded by Board Member Senra. The Town Clerk called the roll and the motion passes 4-2, with Board Member Leoncio and Chairman Rodriguez voting in opposition. Board Member Cruz was absent.

- D. AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 9.445 +/--ACRE PROPERTY LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE IU-C, INDUSTRIAL DISTRICT, CONDITIONAL, TO THE RM-36, MEDIUM DENSITY RESIDENTIAL DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Rodriguez read the title of the ordinance into the record.

Chairman Rodriguez opened the public hearing.

Chairman Rodriguez made a motion for all public comments and comments from staff and applicant from the prior matter item 5C, to be incorporated to item 5D. Vice Chairman De la Sierra seconded the motion and all were in favor.

Marilyn Ruano asked for clarification regarding the ALF and the skilled nursing facility and the residences.

Susana Herrera expressed concerns about the impartial judgment of the Board.

As no one wished to speak, Chairman Jeffrey Rodriguez closed the public hearing.

Board Member Julia made a motion to approve the approval of the ordinance, subject to the seven recommendations previously read in item 5C. Vice Chairman De La Sierra seconded the motion and the ordinance passed 4-2, with Board Member Leoncio and Chairman Rodriguez voting in opposition. Board Member Cruz was absent.

6. Director's Report

No Director's Report.

7. Adjournment

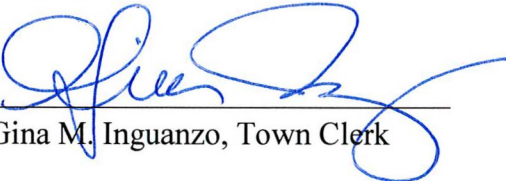
There being no further business to come before the Board, Chairman Rodriguez made a motion to adjourn the meeting. The motion was seconded by Board Member Senra and all were in favor. The meeting adjourned at 9:10 P.M.

Approved this 18th day of July, 2017.

Attest:



Jeffrey Rodriguez, Chairman



Gina M. Inguanzo, Town Clerk