

MINUTES
Quasi-Judicial Public Hearings
November 29, 2021
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

The Town Clerk, Gina M. Inguanzo, called the roll at 6:35 pm with the following Councilmembers being present: Luis E. Collazo, Josh Dieguez, Tony Fernandez, Vice Mayor Rodriguez. Councilmember Marilyn Ruano arrived at 6:43 pm. Councilmember Carlos O. Alvarez and Mayor Manny Cid were absent.

2. MOMENT OF SILENCE:

Deputy Town Attorney, Lorenzo Cobiella led the prayer.

3. PLEDGE OF ALLEGIANCE:

The Pledge of the Allegiance was led by Councilmember Josh Dieguez.

4. ORDER OF BUSINESS (DEFERRALS/ADDITIONS/DELETIONS):

Vice Mayor Rodriguez added an Attorney's Report before Public Comments. He also moved up Item 7A to after Public Comments.

Vice Mayor Rodriguez made a motion to adopt the new Order of Business and Councilmember Fernandez seconded the motion. The motion passed 5-0; Councilmember Alvarez, Councilmember Ruano and Mayor Cid were absent.

5. PUBLIC COMMENTS:

The Town Clerk, Gina M. Inguanzo, read the instructions of proper decorum that are to be respected and followed during public meetings.

With there being no one in the public wishing to speak, Public Comments closed.

6. QUASI-JUDICIAL PUBLIC HEARINGS:

The Town Attorney, Raul Gastesi read the instructions for the Quasi-Judicial Public Hearings.

A. Requesting a Conditional Use to establish an Assisted Living Facility and a Skilled Nursing Facility

HEARING NUMBER: PHSP2021-0554 COND2021-0555

APPLICANT: The Graham Companies, Inc., & DOS of Hialeah

FOLIO: 32-2022-001-0230

LOCATION: West of Commerce Way & intersection of NW 146 Street ZONING

DISTRICT: IU-C, Industrial Use - conditional

FUTURE LAND USE: Industrial Office

The Town Attorney, Raul Gastesi, read the title of the variance into the record.

The following Councilmembers made verbal disclosures of any ex-parte communications held in the last 7 days: Councilmember Luis E. Collazo, Josh Dieguez, Tony Fernandez, Marilyn Ruano, and Vice Mayor Rodriguez.

The Town Clerk swore in all the individuals wishing to speak.

The Applicant, DOS of Hialeah, was represented by Attorney Javi Vazquez. He introduced Mr. Ken Tobin, the Architect who spoke on behalf of the Applicant of Item 6A. Mr. Tobin presented a PowerPoint presentation on their behalf. They went on to explain the Assisted Living Facility project they have in collaboration with The Graham Companies and provided a presentation with visuals and details. Mr. Vazquez mentioned that condition 7 of the staff recommendations stipulates that the operator shall coordinate with Town staff a letter of mutual understanding to address overflow parking needs for both the ALF and the community center, in a matter that is deemed acceptable by the Town Manager.

Principal Town Planner, Ms. Susana Alonso, presented the item, stated that Town Staff recommends approval of the Conditional Use and Site Plan contingent on the 11 conditions in the staff report, which many mitigate the parking situation. She also answered questions posed by the Town Council.

Vice Mayor Rodriguez opened the public hearing. There being no one else wishing to speak, Vice Mayor Rodriguez closed the public hearing.

Councilmember Dieguez made a motion to approve the application in accordance with the reasons stated in the Staff report and in accordance with the testimony provided during the quasi-judicial hearing. Councilmember Collazo seconded the motion.

The Town Clerk called the roll and the motion passed 5-0; Councilmember Alvarez and Mayor Cid were absent.

B. Requesting a Preliminary Plat Approval to replat portions of an existing tract

HEARING NUMBER: PLAT2021-0606
APPLICANT: TGC 15201 Office
FOLIO: 32-2022-009-0025
LOCATION: 15201 NW 79 Ct
ZONING DISTRICT: IU-C
FUTURE LAND USE: Industrial Office

The Town Clerk swore in all the individuals wishing to speak.

Principal Town Planner, Susana Alonso explained this application is requesting approval for Preliminary Plat titled "Miami Lakes Business Park Section One". She stated that it is to rearrange lines on something previously platted and that it meets all requirements of the Town Land Development Code and that the applicant shall comply, prior to recordation of the Final Plat, with all platting requirements of Miami-Dade County Code.

The applicant, Mark Johnson answered questions posed by the Town Council and he recognized that the lines are aligned with the Code.

Vice Mayor Rodriguez opened the public hearing. There being no one else wishing to speak, Vice Mayor Rodriguez closed the public hearing.

Councilmember Collazo made a motion to move the item and Councilmember Fernandez seconded.

The Town Clerk called the roll and the motion passed 5-0; Councilmember Alvarez and Mayor Cid were absent.

C. Requesting a Preliminary Plat Approval in order to replat portions of an existing tract

HEARING NUMBER: PLAT2021-0521
APPLICANT: Church of Christ
FOLIO: 32-2013-001-0061 32-2013-001-0062
LOCATION: 16401 NW 58 Ave
ZONING DISTRICT: IU-C, Industrial Use - conditional
FUTURE LAND USE: Industrial Office

The Town Clerk stated for the record that the Attorneys for Applicant Church of Christ, were previously sworn.

The following Councilmembers made verbal disclosures of any ex-parte communications held in the last 7 days: Councilmember Luis E. Collazo, Josh Dieguez, Tony Fernandez, Marilyn Ruano, and Vice Mayor Rodriguez.

Principal Town Planner, Susana Alonso explained this is a two-part item. She explained the applicant proposes a replat in order to subdivide the property into two lots. The first part is requesting a replat of an existing plat to break off 1/3 of the property to develop the second

part of the item, which is site plan approval and variants. The items will be presented separately, first being discussed and voted on is the replat item.

Principal Town Planner Alonso presented the item and stated that Town Staff recommends approval, based on the conditions enumerated. Town Staff is asking that they create a document to create an easement between those two properties, to make this more understandable.

Attorney Tony Recio joined by Attorney Haydee Sera, James Preacher, and Ken Carlson. Spoke on behalf of the applicant. Mr. Recio explained to the Town Council the application and explained there is one condition they would like to modify. Mr. Recio stated that they would like to remove the encroachments at this location.

Vice Mayor Rodriguez understood the better way to handle the encroachment issue is to create an easement between the two parties rather than removing it. Both Attorney Recio and Attorney Cobiella stated they have been working on that and it is in place. They both stated there is no longer a need to remove the encroachment stipulated in condition 1 of the Town Staff report, which dealt with the encroaching structures.

Vice Mayor Rodriguez opened the public hearing. There being no one else wishing to speak, Vice Mayor Rodriguez closed the public hearing.

Councilmember Dieguez made a motion to approve item 6C, with the reason stated in the Staff Report and based on the testimony provided at the quasi-judicial public hearing, with the change proffered by the applicant with respect to the easement and Councilmember Fernandez seconded the motion.

The Town Clerk called the roll and the motion passed 5-0; Councilmember Alvarez and Mayor Cid absent.

D. Requesting A Site Plan & Variance in order to allow a new construction of a three-story self-storage facility

HEARING NUMBER: PHSP2021-0522 VARH2021-0523

APPLICANT: William Warren Properties

FOLIO: 32-2013-001-0061 32-2013-001-0062

LOCATION: 16401 NW 58 Ave

ZONING DISTRICT: IU-C, Industrial Use - conditional

FUTURE LAND USE: Industrial Office

Principal Town Planner, Susana Alonso addressed the requested variance and site plan. She presented the item and explained that the Code does not necessarily specify anything about the maximum height – that the variance is warranted because how you subdivide the interior of the space is not how you measure height. She stated that the building meets all the aesthetic regulations and all the site plan requirements.

Vice Mayor Rodriguez opened the public hearing. There being no one else wishing to speak, Vice Mayor Rodriguez closed the public hearing.

Councilmember Dieguez made a motion to approve item 6D as for the reasons stated in the Staff Report and based on the testimony provided in the quasi-judicial hearing. The motion was seconded by Councilmember Fernandez.

The Town Clerk called the roll and the motion passed 5-0; Councilmember Alvarez and Mayor Cid were absent.

7. RESOLUTIONS

- A. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A LICENSE AGREEMENT WITH MIAMI LAKES LAKE MARTHA HOMEOWNERS ASSOCIATION #2, INC, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF CERTAIN FOUNTAIN EQUIPMENT FOR LAKE MAINTENANCE; PROVIDING AUTHORITY TO TOWN OFFICIALS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

The Town Attorney, Raul Gastesi read the title of the resolution into the record.

This item was moved up to after Public Comments by Vice Mayor Rodriguez.

Deputy Town Attorney, Lorenzo Cobiella thanked Jeremy Bajdaun and Town Staff on coordinating with Lake Martha on this process. He added this is a license agreement where the Town will allow them to use certain space within the private parks to keep their equipment and aerate their lake.

Councilmember Collazo made a motion to move the item and Councilmember Dieguez seconded.

Councilmember Collazo explained this item was brought forth by the Lake Martha Association where they were looking to the Town to help with the installation of bubblers. He expressed his gratitude towards the Staff and Council for listening to the residents needs to make sure this was done. Councilmember Collazo also thanked the Lake Martha Association for being proactive and leading this.

All were in favor and the motion passed with Councilmember Alvarez and Mayor Cid absent.

8. NEW BUSINESS ITEMS:

- A. MLBA Gala Request (Dieguez)

Councilmember Dieguez made a motion to waive Section 6.9 and 7.2 of the Special Rules of Order and Vice Mayor Rodriguez seconded the motion. All were in favor and the motion passed with Councilmember Alvarez and Mayor Cid being absent.

Councilmember Dieguez presented his item and explained the Miami Lakes Bar Association came to him to request the authorization to use Council Chambers, if need be, as part of their annual gala.

Councilmember Dieguez made a motion to authorize Town Staff to work with the MLBA to host the event. Vice Mayor Rodriguez seconded the motion. All were in favor and the motion passed with Councilmember Alvarez and Mayor Cid being absent.

9. MANAGER'S REPORT:

None.

10. ATTORNEY'S REPORT:

This item was added during the Order of Business and discussed before Public Comments.

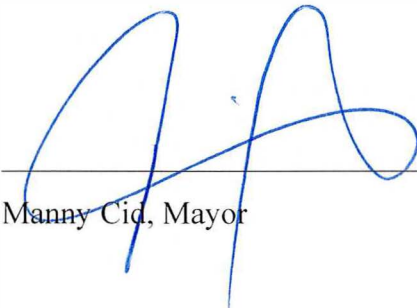
Town Attorney Raul Gastesi presented this report and asked for an Executive Session for the Bridges Litigation, TOML v. Miami-Dade County et. al. as well as an Executive Session for the Twin Lakes Lennar v. TOML case. The Attorney-Client Executive Session was called for Thursday morning around 9:00am.

Vice Mayor Rodriguez made a motion to move the report and Councilmember Dieguez seconded. The motion passed 5-0; Councilmember Alvarez, Councilmember Ruano, and Mayor Cid were absent.

11. ADJOURNMENT:

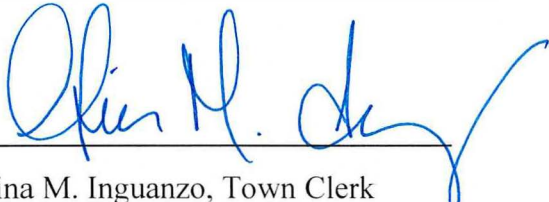
There being no further business to come before the Town Council, the meeting adjourned at 7:33 pm.

Approved this 11th day of January 2022.



Manny Cid, Mayor

Attest:



Gina M. Inguanzo, Town Clerk