

RESOLUTION NO. 23-1947

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PURSUANT TO SUBSECTION 13-305(F)(1) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE; PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-304(H) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR SITE PLAN APPROVAL SUBMITTED FOR THE PROPERTY LOCATED AT 16600 NW 57TH AVENUE, AS PROVIDED AT EXHIBIT "A", MIAMI LAKES, FLORIDA, FOLIO NOS. 32-2013-015-0010, PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Subsection 13-304 of the Town of Miami Lakes ("Town") Land Development Code ("LDC"), Miami Lakes AM LLC, (the "Applicant") applied to the Town for approval of a Site Plan, entitled "Miami Lakes KIA," dated stamped received August 4th, consisting of 23 sheets, as prepared by Thomas Engineering Group. A copy of the Site Plan (the "Site Plan") being attached hereto as Exhibit "A", for property located at 16600 NW 57th Ave, bearing Miami-Dade Tax Folio No. 32-2013-015-0010, and legally described on the survey as provided in Exhibit "B" ("Property"), and containing approximately 11.75 acres of land; and

WHEREAS, in accordance with Section 13-309 of the Town LDC, proper notice was mailed to the appropriate property owners of record, notice was posted at the property, and duly advertised in the newspaper; for a quasi-judicial public hearing on Site Plan as noticed for Tuesday, September 12th, at 6:30 P.M. at Town Hall, 6601 Main Street, Miami Lakes, Florida; and all interested parties had the opportunity to address their comments to the Town Council; and

WHEREAS, Town staff has reviewed the application and recommends approval with a modification, subject to conditions, of the request for a Site Plan Approval, as set forth in the Town of Miami Lakes Staff Analysis and Recommendation, a copy of which is on file in the

Town of Miami Lakes Clerk's Office and incorporated into this Resolution by reference; and

WHEREAS, the Town Council now desires to approve the Applicant's Conditional Use and Site Plan requests.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings. In accordance with Section 13-304, the Town Council finds that the Applicant, subject to the conditions in Section 5 below, meets the criteria for a site plan approval, which are as follows:

1. In what respects the plan is or is not consistent with the Comprehensive Plan, the purpose and intent of the zoning district in which it is located and any design or planning studies adopted by the Town Council that include recommendations applicable to the design of the site under review.

2. In what respects the plan is or is not in conformance with all applicable regulations of the zoning district in which it is located.

3. In what respects the plan is or is not in conformance with the Town requirements including the design and construction of streets, utility facilities and other essential services.

4. In what respects the plan is or is not consistent with good design standards in respect to all external relationships including but not limited to:

a. Relationship to adjoining properties, including the arrangement of buildings and landscape to produce spatial relationships that are compatible with, and complementary to, the development and zoning in adjoining areas.

b. Internal and external circulation, including vehicular, bicycle and pedestrian. Circulation systems shall serve the needs of the development and be compatible with, and functionally

integrate with, circulation systems outside the development. Vehicular traffic from non-residential development shall be routed so as to minimize impacts on residential development.

c. Disposition of open space, use of screening or buffering where appropriate to provide a logical transition to existing, permitted or planned uses on adjoining properties.

d. Landscaping that enhances architectural features, strengthens vista and important axes, provides shade, blocks noise generated by major roadways and intense-use areas and, to the maximum extent practicable, preserves existing trees on-site.

e. Appropriate scale of proposed structures to be compatible with and complementary to existing, permitted or planned uses on adjoining properties and in the immediate area.

f. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.

g. Service areas which may be provided shall be screened and so located as not to be visible from the public right-of-way and other properties.

h. Design of the site shall ensure adequate access for emergency vehicles and personnel.

i. Design of the site shall utilize strategies to provide for the conservation of energy and natural resources, including water.

5. In what respects the plan is or is not in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.

Section 3. Approval of Site Plan. Pursuant to Section 13-304(h), the proposed Site Plan entitled “Miami Lakes KIA,” dated stamped received August 4th, 2023, consisting of 23 sheets, as prepared by Thomas Engineering Group. A copy of the Site Plan (the “Site Plan”) being attached hereto as Exhibit "A", is hereby Approved with the following conditions:

1. The project shall be developed in substantial compliance with the approved Site Plan.
2. Prior to the issuance of a building permit authorizing any construction, all required impact fees, including Mobility Fees, must be paid in full.

3. Prior to permitting, all civil plans must be finalized and in substantial compliance with the Site Plan.
4. Prior to permitting, the project must obtain approvals from all relevant external authorities and jurisdictions.
5. All signage shown on the renderings and elevations is for illustrative purposes and has not been evaluated for compliance with the code. No signage is approved as part of this application.
6. Prior to permitting, the applicant shall either provide six-foot minimum sidewalks along 165th avenue frontage or provide adequate reimbursement to the Town for future construction of the facilities, at a rate set by the Public Works Director.
7. The Applicant shall obtain a Certificate of Use (CU), upon compliance with all the terms and conditions of this approval, the same subject to cancellation by the Town upon violation of any of the conditions. Business tax receipt shall be obtained if applicable.
8. The Applicant shall obtain all required building permits, within one (1) year of the date of this approval. If all required building permits are not obtained or an extension granted not within the prescribed time limit, this approval shall become null and void.
9. Compliance with all other applicable laws not specifically identified herein.
10. All fees associated with this request that are owed to the Town be paid in full prior to issuance of development order.

Section 4. Violation of Conditions. Failure to adhere to the terms and conditions of this Resolution shall be considered a violation of the Town LDC and persons found violating the conditions shall be subject to the penalties prescribed by the Town LDC, including but not limited to, the revocation of any of the approval(s) granted in this Resolution. The Applicant understands and acknowledges that it must comply with all other applicable requirements of the Town LDC before it may commence operation, and that the foregoing approval in this Resolution may be revoked by the Town at any time upon a determination that the Applicant is in non-compliance with the Town LDC.

Section 5. Appeal. In accordance with Section 13-310 of the Town LDC, the Applicant, or any affected party may seek review of development orders of the Town Council by the filing of an appeal or writ of certiorari in the appropriate court as prescribed in the Florida Rules of Appellate Procedure.

Section 6. Final Order.

This is a Final Order.


Section 7. Effective Date. This Resolution shall become effective immediately upon adoption hereof.

PASSED AND ADOPTED this 12th day of September 2023.

The foregoing resolution was offered by Councilmember Fernandez who moved its adoption. The motion was seconded by Councilmember Dieguez and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION

Mayor Manny Cid	Absent
Vie Mayor Carlos O. Alvarez	Absent
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Tony Fernandez	Yes
Councilmember Ray Garcia	Yes
Councilmember Marilyn Ruano	Yes



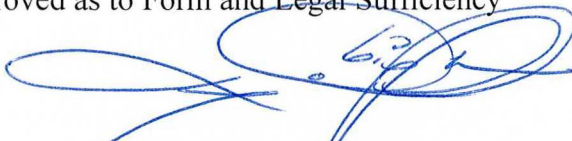
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to Form and Legal Sufficiency



Raul Gastesi
TOWN ATTORNEY

This Resolution was filed in the Office of the Town Clerk on this 22 day of Sept . , 2023.



Gina Inguanzo
Town Clerk

EXHIBIT A
SITE PLAN

EXHIBIT B

SURVEY

EXHIBIT C

RENDERING