

RESOLUTION NO. 23-1957

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-304(h) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A SITE PLAN APPROVAL AS PROVIDED AT EXHIBIT “A”; FOR THE PROPERTIES LOCATED ON THE CORNER OF 87TH AVE AND 162ND STREET, AS MORE PARTICULARLY DESCRIBED AT EXHIBIT “B”, BEARING FOLIO NOS. 32-2015-046-0010—0160 & 32-2015-047-0010—0170; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR VIOLATION OF CONDITIONS, 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"), GT Homes (the "Applicant") applied to the Town for approval of a Site Plan, entitled “Palma Del Lago”, dated stamped received October 4, 2023, consisting of 59 sheets, as prepared by Wendy Toma of Urban Design Studio, a copy of the Site Plan (the “Site Plan”) being attached hereto as Exhibit "A"; for properties located on the corner of 87th Ave and 162nd street, bearing Miami-Dade Tax Folio Nos. 32-2015-046-0010—0160 & 32-2015-047-0010—0170, as more particularly described on the survey at Exhibit "B" (“Property”), and containing approximately 18.5 +/- 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 the duly advertised in the newspaper; for a quasi-judicial public hearing on the Site Plan as noticed for Tuesday, October 10th, 2023, 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, on October 10th, 2023, at the properly noticed quasi-judicial hearing held by the Town Council of the Town of Miami Lakes, after hearing testimony from staff, the applicant, the public, and other testimony, both verbal, and written, as incorporated herein by reference, the Town Council determined that the submitted site plan conditionally meets the criteria of section 13-304(h) for approval; and

WHEREAS, the Town Council now desires to conditionally approve the Applicant's Site Plan request.

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 consideration of all the submitted evidenced, both verbal and written, as provided at the October 10th, 2023 quasi-judicial hearing, the Town Council finds, in accordance with Section 13-304(h), that the Application conditionally meets the criteria for 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 impact on residential development. 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.
 - l. 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 “Palma Del Lago”, dated October 4, 2023, consisting of 59 sheets, as prepared by Wendy Toma of Urban Design Studio, a copy of the Site Plan (the “Site Plan”) being attached hereto as Exhibit "A"; for properties located on the corner of 87th Ave and 162nd street, bearing Miami-Dade Tax Folio Nos. 32-2015-046-0010—0160 & 32-2015-047-0010—0170 as more particularly described on the survey at Exhibit "B" (“Property”), and containing approximately 18.5 +/- acres of land, is hereby Approved with the following conditions:

1. The Application’s approval is for development indicated on submitted plans entitled Palma Del Lago as prepared by Wendy Tuma of Urban Design Studio, consisting of 59 sheets, dated October 4, 2023, and signed/sealed on October 4, 2023. This approval is a

masterplan site plan approval and does not include approval of the individual single family home lots or any improvements therein.

2. A phasing plan for the construction of the project, including traffic management for construction trucks and equipment shall be submitted and approved by the Administrative Official prior to the issuance of a building permit for the first individual lot or model home.
3. An administrative site plan review (ASPR) application shall be submitted to the Town and shall be approved prior to the issuance of a building permit for each individual lot. Said site plan shall be in substantial compliance with the plan referenced in condition one, above, and shall include detailed plans for main structures, accessory structures, driveways, pools, decks, and landscaping.
4. All construction activity and shoreline reconstruction work shall comply with any and all requirements, including DERM, as well as the Town's Land Development Code as well as Article XIII of the Land Development Code.
5. Barrier gates at NW 85th Avenue require either creation of a new Neighborhood Services District or privatization of a portion of NW 85th Avenue and all of NW 160th Terrace. The process for achieving either of these options must be finalized prior to issuance of permits for the installation of the barriers.
6. No signage shall be approved to be installed on public swales or public rights-of-way.
7. The wall along 87th Avenue shall be set back a minimum of five feet and appropriate landscaping, including street trees shall be installed in a manner to be approved by the Administrative Official.
8. All fees related to this site plan approval process must be satisfied prior to issuance of the first individual single family dwelling lot permit. Any Miami Dade County or Town impact fees due may be satisfied as the individual lots obtain permits.
9. Any development of the subject property shall comply with all requirements and obtain any necessary permits or other approvals from every pertinent external agency, including DERM and WASD, including but not be limited to, approval for drainage and water and sewer service.
10. All streets shall include street trees, with species, spacing and planting as approved the Administrative Official and consistent with the Town's adopted Beautification Master Plan.
11. Root barriers shall be provided around all street trees locate on swales, as well as any additional proposed trees that will be located within 20 feet of any right of way.
12. All streets shall include streetlights of height, design and power appropriate for a residential neighborhood to be reviewed and approved by the Public Works Director.
13. The Applicant shall obtain a building permit for construction of improvements as approved herein within one (1) year of the date of issuance of a final development order unless an extension is properly granted by the Administrative Official. If a building permit is not obtained, or an extension granted within the prescribed time limit, this approval shall become null and void.
14. The hours of construction and associated noise shall comply with the Town of Miami Lakes Noise Ordinance No. 04-50.

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.

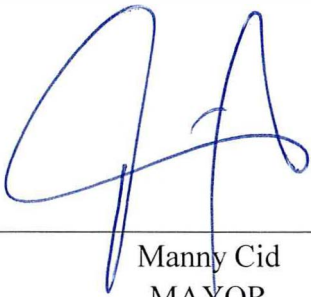
Section 7. Effective Date. This Resolution shall become effective immediately upon adoption hereof.

PASSED AND ADOPTED this 10th day of October 2023.

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


FINAL VOTE AT ADOPTION

Mayor Manny Cid	Yes
Vice 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



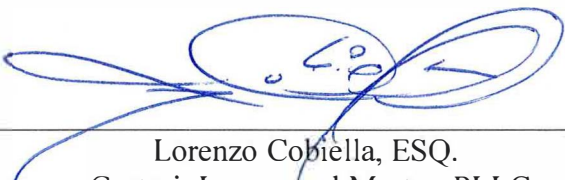
Manny Cid
MAYOR

Attest:



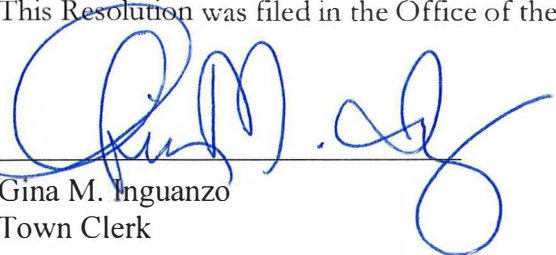
Gina M. Inguanzo
TOWN CLERK

Approved as to Form and Legal Sufficiency



Lorenzo Cobiella, ESQ.
Gastesi, Lopez, and Mestre, PLLC
DEPUTY TOWN ATTORNEY

This Resolution was filed in the Office of the Town Clerk on this 10th day of November, 2023.



Gina M. Inguanzo
Town Clerk

EXHIBIT A
SITE PLAN

EXHIBIT B

SURVEY