

**RESOLUTION NO. 18- 1547**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING A REQUEST IN ACCORDANCE WITH SUBSECTION 13-308(f)(3) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED “TGC LAKESIDE”, SUBMITTED FOR THE PROPERTY LOCATED AT COMMERCE WAY AND NW 82<sup>ND</sup> AVENUE, MIAMI LAKES, FLORIDA, BEARING FOLIO NUMBER. 32-2022-001-0520, AS MORE PARTICULARLY DESCRIBED AT EXHIBIT “B”; PROVIDING FINDINGS; PROVIDING FOR APPROVAL; PROVIDING FOR CONDITIONS; PROVIDING FOR VIOLATION OF CONDITIONS; PROVIDING FOR APPEAL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Subsection 13-308(f)(3) of the Town of Miami Lakes (“Town”) Land Development Code (“LDC”), TGC BPW, LLC (the “Applicant”) has applied to the Town for approval of a Final Plat, a copy of the Final Plat being attached hereto as **Exhibit “A”** and incorporated herein by reference (“Final Plat”), for property generally located at Commerce Way and NW 82<sup>nd</sup> Avenue, bearing Miami-Dade Tax Folio Nos. 32-2022-001-0520 (“Property”), as more particularly described in **Exhibit “B”**, and containing approximately 7.834 acres of land; and

**WHEREAS**, Subsection 13-308(f)(3) of the Town LDC sets forth the authority of the Town Council to consider and act upon an application for a preliminary plat; and

**WHEREAS**, on December 6, 2016, the Town Council adopted Resolution No. 16-1417 approving the associated preliminary plat, and the proposed Final Plat is consistent with that approved preliminary plat; and

**WHEREAS**, in accordance with Section 13-309 of the Town LDC, proper notice was mailed to the appropriate property owners of record, the property was posted as required and the hearing was duly advertised in the newspaper; the public hearing on the Final Plat was noticed for

Tuesday, June 5, 2018, at 6:30 P.M. at Town Hall, 6601 Main Street, Miami Lakes, Florida; and all interested parties have had the opportunity to address their comments to the Town Council; and

**WHEREAS**, Town staff has reviewed the application and recommends approval subject to conditions, of the request for a Final Plat, 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 Director of Planning, acting as the Administrative Official, has determined that the Applicant has met the conditions and prerequisites imposed in Section 13-308 of the LDC; and

**WHEREAS**, the Town Council, in accordance with Section 13-308(f)(2)(c)(3) has considered the physical characteristics of the property, the availability of community services, traffic impact, economic impacts, appropriateness of the type and intensity of the proposed development, existing and future development, existing and future development patterns, compliance with land development regulations, relationship of the project to the capital improvements program; and other such factors as may relate to the Comprehensive Plan or elements thereof; and

**WHEREAS**, the Town Council, in accordance with Section 13-308(f)(3) of the LDC, has considered the written recommendations of staff, any other reviewing agencies, and presentations by the public.

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

**Section 1. Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

**Section 2. Findings.** In accordance with Section 13-308(f)(3), the Town Council finds that the application meets the criteria for a Final Plat approval which are further detailed in the Staff Report.

**Section 3. Approval of Final Plat.** The Final Plat, as attached hereto at Exhibit A, entitled “TGC Lakeside” as prepared by Schwebke-Shiskin and Associates, Inc. consisting of two (2) sheets, signed and sealed by Mark Steven Johnson on January 24, 2017, is approved, subject to the following conditions

1. The Applicant shall comply, prior to recordation of the Final Plat, with all platting requirements of the Town LDC and Chapter 28 of the Miami-Dade County Code.
2. Upon recordation of the final plat, the Applicant shall provide the Town with one signed and sealed original and one digital copy.

**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. Authorization.** Subject to review by the Town Attorney, the Town Manager, the Town Clerk and the Town Surveyor are authorized to sign the face of the Final Plat and to execute any other required documents necessary for approval of the Final Plat consistent with and to implement the intent of the Town Council.

**Section 6. Appeal.** In accordance with Section 13-310 of the Town LDC, the Applicant of any affected party may appeal this decision by filing of a notice of appeal in accordance with the Florida Rules of Appellate Procedure.

**Section 7. Final Order.**      **This is a Final Order**

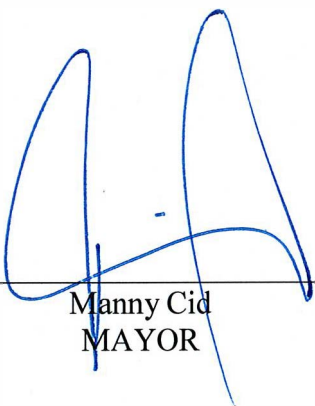
**Section 8. Effective Date.**      This Resolution shall take effect immediately.

**THIS SPACE INTENTIONALLY LEFT BLANK**

Passed and Adopted this 5<sup>th</sup> day of June 2018.

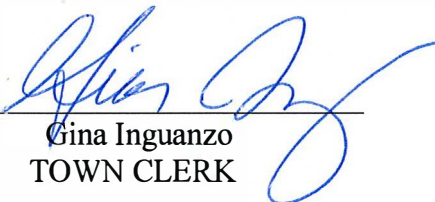
The foregoing resolution was offered by Councilmember Mestre who moved its adoption. The motion was seconded by Vice Mayor Mingo and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	<u>YES</u>
Vice Mayor Frank Mingo	<u>YES</u>
Councilmember Luis Collazo	<u>YES</u>
Councilmember Tim Daubert	<u>YES</u>
Councilmember Ceasar Mestre	<u>YES</u>
Councilmember Nelson Rodriguez	<u>ABSENT</u>
Councilmember Marilyn Ruano	<u>YES</u>



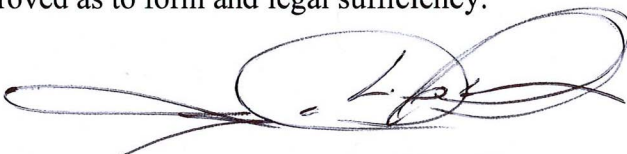
Manny Cid  
MAYOR

Attest:



Gina Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY

**Exhibit A**

**Final Plat**

## Exhibit B

### Legal Description

A PORTION OF TRACTS 3, 4 AND 5 IN THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 52 SOUTH, RANGE 40 EAST AND A PORTION OF TRACTS 15, 16 AND 17 IN THE SOUTHEAST 1/4 OF SAID SECTION 22 AND THE 20 FOOT ROAD RIGHT-OF-WAY ADJACENT THERETO, AS SHOWN ON THE PLAT OF "CHAMBERS LAND COMPANY SUBDIVISION" AS RECORDED IN PLAT BOOK 2 AT PAGE 68 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY CORNER OF TRACT "B", "MIAMI LAKES LAKESIDE CORPORATE CENTER", AS RECORDED IN PLAT BOOK 150 AT PAGE 96 IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 68 DEGREES 45 MINUTES 07 SECONDS WEST ALONG THE SOUTHWESTERLY BOUNDARY OF SAID TRACT "B", FOR 470.90 FEET; THENCE NORTH 33 DEGREES 39 MINUTES 39 SECONDS WEST FOR 61.11 FEET; THENCE NORTH 78 DEGREES 23 MINUTES 28 SECONDS WEST FOR 357.57 FEET; (SAID LAST TWO COURSES BEING ALONG THE SOUTHERLY BOUNDARY OF TRACT "C" AS SHOWN ON THE SAID PLAT OF "MIAMI LAKES LAKESIDE CORPORATE CENTER"); THENCE SOUTH 25 DEGREES 48 MINUTES 43 SECONDS WEST FOR 51.84 FEET; THENCE SOUTH 17 DEGREES 42 MINUTES 34 SECONDS WEST FOR 506.79 FEET; (SAID LAST TWO COURSES BEING ALONG THE EASTERLY BOUNDARY OF THE PLAT OF "ANCHORAGE AT MIAMI LAKES", AS RECORDED IN PLAT BOOK 150 AT PAGE 98 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA); THENCE SOUTH 89 DEGREES 54 MINUTES 23 SECONDS EAST FOR 556.25 FEET TO A POINT OF CURVATURE; THENCE EASTERLY AND NORTHEASTERLY ALONG A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 374.59 FEET AND A CENTRAL ANGLE OF 22 DEGREES 35 MINUTES 21 SECONDS FOR AN ARC DISTANCE OF 147.69 FEET TO THE POINT OF TANGENCY; THENCE NORTH 67 DEGREES 30 MINUTES 16 SECONDS EAST FOR 30.00 FEET; (SAID LAST THREE COURSES BEING ALONG THE NORTH RIGHT-OF-WAY LINE OF COMMERCE WAY AS SHOWN ON THE PLAT OF "MIAMI LAKES BUSINESS PARK 22-2", AS RECORDED IN PLAT BOOK 149 AT PAGE 15 IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA); THENCE NORTHEASTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 629.07 FEET AND A CENTRAL ANGLE OF 19 DEGREES 59 MINUTES 33 SECONDS FOR AN ARC DISTANCE OF 219.50 FEET TO THE POINT OF TANGENCY; (SAID LAST COURSE BEING ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE FOR COMMERCE WAY AS SHOWN ON THE PLAT OF "MIAMI LAKES BUSINESS PARK SOUTH" AS RECORDED IN PLAT BOOK 144 AT PAGE 26 IN THE PUBLIC RECORDS OF MIAMI-

DADE COUNTY, FLORIDA); THENCE NORTH 47 DEGREES 30 MINUTES 43 SECONDS EAST ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE FOR COMMERCE WAY AS SHOWN ON THE PLAT OF "MIAMI LAKES INDUSTRIAL PARK SECTION TEN" AS RECORDED IN PLAT BOOK 118 AT PAGE 33 IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR 117.77 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN THE TOWN OF MIAMI LAKES, MIAMI-DADE COUNTY, FLORIDA.