

MINUTES
Special Call Meeting Minutes
April 1, 2026
6:30 p.m.
Government Center
6601 Main Street
Miami Lakes, Florida 33014

1. CALL TO ORDER:

Mayor Dieguez called the meeting to order at 6:30 pm.

2. ROLL CALL:

The Town Clerk, Gina M. Inguanzo called the roll with the following Councilmembers being present: Councilmember Fernandez, Councilmember Cuadra Garcia, Councilmember Garcia, Councilmember Herzberg, Councilmember Sanchez, Vice Mayor Morera and Mayor Dieguez.

3. MOMENT OF SILENCE:

Vice Mayor Morera led the prayer.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Councilmember Fernandez.

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

Mayor Dieguez moved items 8A, 8B and 8C to after Public Comments and the addition of an Attorney's Report to be heard prior to item 7A. Vice Mayor Morera moved to approve the New Order of Business. Councilmember Fernandez seconded the motion. The motion passed unanimously.

6. PUBLIC COMMENTS: (YouTube 12:20)

(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)

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

Dr. David Bennett came before the Town Council to participate in Public Comments. He stated that zoning changes are based on legislative discretion. He explained that the land is already zoned and is already in a situation where the Graham's can make a profit. He explained his concerns regarding the senior center agreement. He stated that Town Council are the representatives of the people and that they must listen to their constituents.

Ms. Hilda Fernandez came before the Town Council to participate in Public Comments. She stated that she is here speaking on behalf of agenda items 7A and 7B, relating to the requested rezoning of parcels for the development of housing. She stated her concerns regarding a public records request for an executed copy of a restricted covenant. She then explained her concerns regarding the change in the senior center agreement.

Ms. Rosario Navarro came before the Town Council to participate in Public Comments. She explained her concerns regarding the change in the senior center agreement. She stated that if a promise from the Graham Companies for the senior center was made, then the Council should work to fulfill that promise.

Mr. Abel Fernandez came before the Town Council to participate in Public Comments. He stated that the Council isn't just debating a land use change, but the integrity of the promises made to the community. He explained his concerns regarding the change in the senior center agreement. He stated that the developer now wants to swap a community necessity for standard apartments. He explained that the Senior Center was sold to the residents as a low impact, high benefits project. He further explained that the implementation of standard apartments would mean more cars and more pressure on the local schools. He stated that Town Council are the representatives of the people and that they must listen to their constituents.

Ms. Susana Herrera participated in Public Comments via Zoom. She explained her concerns regarding the change in the senior center agreement. She stated that if a promise from the Graham Companies for the senior center was made, then the Town Council should work to fulfill that promise. She urged the Town Council to vote no on items 7A and 7B.

Ms. Alisa Perez participated in Public Comments via Zoom. She stated her concerns regarding the approval of new developments without adequate consideration for the well-being of town residents. She stated that the pace of development within Miami Lakes is rapidly eroding the quality of life for residents. She stated that a comprehensive traffic impact analysis should be conducted prior to the approval of a new development. She

stated that the choices that the Town Council makes will define the character and livability of Miami Lakes for years to come.

Ms. Amy Libson Morales participated in Public Comments via Zoom. She stated that the requirement of an assisted living facility was not optional but was a condition of the approval of the 2019 resolution. She further stated that the covenant was simply the mechanism to formalize and enforce that condition. She explained that if the covenant was never recorded, whether that responsibility fell on the applicant or the town, it does not erase the underlying condition. She stated that the Town Council are representatives of the people and that they must listen to their constituents.

The Town Clerk stated for the record that she received written Public Comments from the following individuals: Ms. Georgina Luces, Ms. Esther Colon, Ms. Hope Reynolds, Ms. Susana Herrera, Ms. Diana Z. Gonzalez, Ms. Bonnie Cintron, Ms. Maria Briceno, Mr. Eduardo Betencourt and Ms. Marymar Lopez.

There being no more public comments, public comments were closed.

ATTORNEY'S REPORT

During the New Order of Business section of the Agenda, the Town Council made a motion to allow the Town Attorney's to provide an oral report before the discussion of Item 7A & 7B.

Deputy Town Attorney Lorenzo Cobiella presented the oral report. He stated that he wanted to put the Town Council in the proper posture of where the Town is with Item 7A and Item 7B, before the discussion of said items.

He stated that this item began in 2017, when the applicant, -The Grahams Companies- came to the Town Council with 3 items and they had the desire to do a senior village. It was comprised of an ALF, a residential portion and a senior center. He explained that the residential portion as it existed in 2017, required rezoning part of the parcel; so, to be able to rezone, the first thing the Town Council has to consider is to change their Future Land Use Map (FLUM). He explained that this FLUM is part of the Comprehensive Plan, which is a color-coded map that shows the different areas that are residential, industrial and commercial.

Deputy Town Attorney Cobiella explained that the actual rezoning that was considered was residential and the zoning that it was given was RM36, which means that the maximum density of the area was 36 units to an acre. He explained that at the time this plan was presented, several components were presented in the packet. One was the covenant regarding 55 and older, that was enclosed and proffered by the Applicant. There was also the senior center and at the time, Miami Jewish was going to be the operator of

that ALF. It was also provided that everything would be built together as one unit and provided for a certain period of time, for this site plan to be consummated.

Deputy Town Attorney Cobiella explained that in 2019, the Applicant informed the Town, that the deal with Miami Jewish fell through and was not happening anymore and the Applicant then asked the Town Council to consider a decoupling, which means that the ALF could be built at a different time than the residential component. The Applicant asked to remove Miami Jewish as it was presented in the agenda packet, via resolution. Deputy Town Attorney Cobiella stated that in 2019, Town Council was not dealing with the rezoning because the rezoning already had happened. He stated that the 55 and older covenant had not been recorded for several reasons. He explained that at the time, the Town of Miami Lakes had outside counsel for Planning & Zoning matters and one of the reasons why the covenant was not recorded was that it had to be done at the time of construction, at the time the site plan was being consummated. However, Deputy Town Attorney Cobiella stated that it was part of the application, so it is a valid covenant. He explained that during the discussion of the decoupling that took place on the dais, the Town Council and the Applicant had a conversation about the ALF and what was going to happen to the ALF portion, if it was not built at the same time as the residential part. During this discussion, the Applicant stated that as a condition for approval, they would provide a covenant, but that covenant was never part of the packet, it was never presented.

Deputy Town Attorney Cobiella explained that it was a condition proffered by the Applicant, but that it was not presented, and he emphasized that is why there is no covenant, why no covenant exist, and why the covenant was not recorded. Deputy Town Attorney Cobiella stated that there were negotiations back and forth between former Vice Mayor Jeffrey Rodriguez and the Applicant, on behalf of the Town Council, and he stated that those conversations never really went much, so some documents that were redlined were never finalized. Deputy Town Attorney Cobiella stated that in the end, the Applicant never moved forward with that application, that it was a site plan that was conditioned and the condition was never met; he stated the site plan is not what we are dealing with now.

Deputy Town Attorney Cobiella also explained that the issue the Town is dealing with now is the issue of 2017. He explained that one of the provisions in the site plan approval and in the rezoning was that after a period of time, if they were not able to build and fulfill that site plan, that the Town Council would consider the reversion of that residential portion to industrial. The Town Council, after consideration, decided that they did not want the residential part to revert back to industrial; thus, the Deputy Town Attorney explained the Town Council now has before them, a site plan that was never fulfilled, a covenant for resident senior living that apparently cannot be fulfilled either.

The Deputy Town Attorney stated that the Applicant now desires for the other segments that are industrial and that were not rezoned in 2017, to rezone them all as residential. He

explained that the Applicant has proffered that RM36 property will be downzoned voluntarily to RM30, which means 30 units to an acre and that the Applicant will present the site plan and pictures of what they intend to build. He stated that what the Town Council is considering now is the FLUM, as an ordinance and that this is public hearing and not a quasi-judicial matter. He explained that the zoning matter is a quasi-judicial matter and that it will be a zoning hearing with all types of evidence and based on substantial competent evidence.

Deputy Town Attorney Cobiella concluded his report by emphasizing that the 2019 covenant never really existed, that it was never part of the application, that it was something that came about during conversations held at the hearing and it was something that would be created prior to them breaking ground and moving forward on that site plan. He stated that the site plan was never fully structured, fully executed – that it just did not happen.

During discussion, Councilmember Herzberg stated that although the covenant was not part of the application, that the Applicant had proffered it at the meeting, and he asked Deputy Town Attorney Cobiella to explain. To this effect, Deputy Town Attorney Cobiella made a distinction between the 55 and older covenant and the 2019 covenant. He explained the 55 and older covenant was part of the application and that it was an actual document considered by the Town Council. He explained that all the details of that covenant were incorporated and embedded into the actual site plan, so it was fully considered and fully vetted and was part of the development order.

Deputy Town Attorney Cobiella then referred to resolution 19-1650 and he read into the record the following sections of said resolution:

“**WHEREAS**, during the December 10, 2019 Town Council Meeting the Town Council conditionally approved the Applicant's Site Plan Amendment request provided that the Applicant provide the Town with a covenant ensuring that the area previously approved for Miami Jewish Health Systems would be developed specifically for an Assisted Living Care type facility ("ALF"); and

WHEREAS, in addition to a covenant, the Applicant agreed to provide construction personnel and supervision at cost for the buildout of the senior center's interior; and

WHEREAS, if, after completion of construction, the Applicant is unable to attract and secure a business partner to build the ALF portion of the development, the Applicant shall allow the ALF dedicated portion of the development to be used as a passive park and shall add improvements which will include, but will not be limited to walkable paths, trees and benches; and

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

Deputy Town Attorney Cobiella emphasized that the amendment request was conditioned upon this covenant being fulfilled. He explained that it was never fulfilled, that the condition was not met, that the site plan was not amended. After the statements made by Deputy Town Attorney Cobiella, no other comments or questions were asked.

7. ORDINANCES – FIRST READING

a. ZONE 2026-0007 Lakeside FLUM Amendment

HEARING NUMBER: ZONE2026-0007

APPLICANT: The Graham Companies

FOLIO: 32-2022-070-0010, 32-2022-068-0010, 32-2022-068-0020

32-2022-068-0030

LOCATION: 14610 Oak Ln. Miami Lakes, Florida 33016

Deputy Town Attorney Cobiella read the title of the first reading ordinance into the record.

Attorney Javier L. Vazquez, from Gunster, Yoakley & Stewart, P.A. Law Firm, spoke on behalf of the Applicant. He stated that his hope and intention was to clean up all the mess that was talked about earlier during the meeting and to incorporate all the new elements of the approvals incorporated now. He stated that he would be making one presentation, for purposes of keeping it simple and that he will incorporate his presentation by reference later tonight.

Mr. Vazquez described the property as a 22-acre parcel located at the NW corner of Oak Lane and NW 146th Street, compromised of 4 folios and 3 applications associated with the proposed development, which has been named Lakeside. The 3 applications are: The FLUM amendment for three of the folios, from industrial and office to medium density residential, a rezoning or a downzoning of all 4 folios from IUC RM36 to RM30 and a site plan approval application for the proposed development. Mr. Vazquez stated that the FLUM amendments and rezoning applications will have ordinances requiring 2 readings to be held before the Town Council. He then provided that the site plan will require a resolution and only one having one reading at the time these ordinances return on second reading.

Mr. Vazquez provided a brief history dating back to 2010, when The Grahams Companies started working on a plan to bring a senior village to Miami Lakes with age restricted apartments, a facility for assisted living and skilled nursing and a community center. He stated that in 2017, a FLUM amendment and rezoning ordinances were adopted for the 9.45-acre portion of the property, to accommodate the senior village, and the approved site plan, which called for 220 age restricted residential units. He mentioned that Miami Jewish backed out and

left The Grahams Companies in limbo, and he explained that they were required to move on from the senior village idea.

Mr. Vazquez then stated that while The Grahams Companies were analyzing alternatives for the subject property, the state of Florida in 2023, enacted the live Local Act, and he explained what this law allows and mentioned that Live Local requires that 40% of the residential units to be offered as workforce housing and that it provides for the developers with significant tax benefits, including an exemption for the payment of property taxes. He mentioned that Live Local became one of the alternatives considered by The Grahams and he mentioned that under Live Local, the site plan included the 220 apartments (which was approved in 2017), 330 unit in the area where the Bob Graham office building area was planned and 272 units on the southern 5.5 acres for a total of 822 residential units. He emphasized that this was not maxing out Live Local because under Live local, 978 units would be allowed.

Mr. Vazquez mentioned that after meeting with Town Staff, an alternative plan was sought, for everyone's best interest. He mentioned that in 2025, the Town Council adopted legislation creating the RM-30 Zoning District, which allows for development at 30 units per acre. After discussions with Town Staff, it was transitioned for a development of the entire 22 acres, using the newly created RM-30 category. Mr. Vazquez mentioned that this information about the site plan is being shared with the Town Council at this moment only as a concept, so that the Town Council could understand what went into the thinking, but he emphasized that the formal consideration of the site plan will be when the site plan resolution comes before the Town Council and not now.

Mr. Vazquez explained that the approval of the 3 applications will allow for the development of 541 apartment residential units as follows: 222 one-bedrooms, 244 two-bedrooms and 75 three-bedrooms, with corresponding amenities and this would be distributed amongst 14 buildings consisting of three, four and five stories and all seven, three story buildings will align in Commerce Way, aligning with urban design principles. He also explained that the remaining seven buildings, four and five stories high, will be in front of the large existing lake and the amenity courtyard. He also explained that of those seven buildings, five will be four stories high and two will be five stories high and he provided details on the amenities to be provided, and the proposed community will have one main entrance on Commerce Way and two additional exits, one on the north and one on the south. He mentioned that the proposed community has been designed by Mr. Roger Fry and he stated that the Code requires 562 trees on site, and the proposed community will have 817 trees, which is 45% more than required by Code.

Mr. Vazquez explained that this application is a downzone, because the Applicants are downzoning from 36 units to the acre, to 30 units to the acre for the RM-36 parcel and downzoning from the available 50 units to the acre, to 30

units to the acre, for the industrial parcels. He stated that the proposed rezoning reduces the maximum potential development from 978 units to 666 units under the new RM-30 category, a 32% reduction in allowable development. However, Mr. Vazquez stated that the Applicant does not want to develop at the maximum of 30 units per acre. He stated that the Applicant is proposing 541 apartments, which the density translates to 24 units per acre, which translates into 55% of the allowable development.

Mr. Vazquez explained that under Live Local, affordable units are granted a 75% to 100% reduction in property taxes depending on the level of affordability. He explained that historically, The Graham Companies have taken a responsible approach to development, creating a community that all value and the proposed community is better than a Live Local project. He stated that The Graham Companies will not remain idle and a no vote from the Town Council is a yes vote for Live Local project.

Lastly, Mr. Vazquez spoke about the proffered contribution, which is part of the site plan application. He explained that The Graham Companies were unsuccessful at creating the senior village; however, he explained that during the discussions held with Town Staff, The Graham Companies made a good faith proffer of \$1 million dollars to the Town, to help with the efforts to fund the senior center at a location to be decided by the Town Council. He explained that Town Staff requested an appraisal for the property where the senior center would have been located and the appraisal came back at \$1.56 million dollars. After further discussions, he explained that the Graham Companies increased the good faith offer to \$1.56 million dollars. He emphasized that this offer is tied to the site plan application, which will be heard by the Town Council, once these ordinances return.

Mr. Vazquez stated that The Graham Companies wish they could have delivered the senior village but have decided to take a different path; the path being the proposed development that is before the Town Council or a development path per Live Local Act.

He then respectfully requested the approval of the proposed ordinance including all the conditions, as per Town Staff recommendations. He thanked Town Staff and reserved time for rebuttal, as needed.

The Town Clerk stated that all Town Council members provided her with the written ex-parte communication disclosures for Item 7B.

Mayor Dieguez then opened the public hearing, and the following individuals provided public comments.

Mr. Dave Bennett came before the Town Council to participate in the Public Hearing. He explained that based on prior cases from the United States Supreme Court, the Town Council has the power to reject the agreement. He stated that he

saw no effort made to find another partner for the proposed senior center. He urged the Town Council to listen to their constituents.

Due to some technical difficulties with the streaming of the meeting, the Town Clerk informed the mayor and councilmembers and asked for a short recess to confirm the livestreaming of the meeting was working well.

Mayor Dieguez then called for a 5-minute recess, and all agreed.

Ms. Hilda Fernandez came before the Town Council to participate in the Public Comments. She explained her concerns regarding the unexecuted restricted covenant. She stated that resolution 19-1650 called for the creation of a covenant. She further stated that this covenant was never executed by the Town. She explained her concerns regarding the change in the senior center agreement. She stated that an amenity was promised to the Town and was taken away due to the issues with the covenant.

Mr. Abel Fernandez came before the Town Council to participate in Public Comments. He explained that the Village of Bal Harbour faced a similar dilemma as the Town with a property owner. He stated that Town residents are tired of new developments. He explained his concerns regarding the live local agreement. He stated that the Town Council are the representatives of the people and that they must listen to their constituents.

Ms. Amy Libson Morales participated in Public Comments via Zoom. She stated that the new agreement was not what was originally promised to the Town. She explained her concerns regarding the live local agreement and the senior center agreement. She urged the Town Council to listen to their constituents.

Ms. Susana Herrera participated in Public Comments via Zoom. She stated that she would be in support of legal action against the Applicant.

There being no more public comments, Mayor Dieguez closed the public hearing.

Councilmember Herzberg made a motion to approve Item 7A and the motion was seconded by Mayor Dieguez.

Councilmember Herzberg stated that during conversations he had with the Applicant, he discussed the appraised value and that he wanted to bring the number up. He stated that he wants to continue having discussions with the Applicant. He also stated that promises were made, that he believes the Town has some rights on the RM36 parcel, the risks of Live Local projects and what will happen with RM36. He stated that he was going to move the item forward in first reading but that he was going to have more discussions with the Applicant and with the Town Attorneys regarding RM36, before the final decision on the second reading of the ordinance.

Councilmember Cuadra Garcia stated that he is extremely worried about the gridlock traffic and he proposed a recommendation, if this were to go forward, for The Grahams Companies to consider making exits and entrances to that area of town, at their expense. He stated that he will make his final decision after the Planning & Zoning Board meeting.

Vice Mayor Morera stated that he is uncomfortable with the fact that the first reading of the ordinance is taking place before the item goes to the Planning & Zoning Board, that he would have preferred for this ordinance to have gone first to the Planning & Zoning Board and then to the Town Council in first reading. He mentioned that the Town Council's decision should not be an imposition on the Planning & Zoning Board and that the P&Z Board Members are free to make their recommendations as they see fit. He also mentioned that he was opposed to having this Special Call meeting because of the strange order of events. He stated that he was going to vote in favor of moving Item 7A forward and he thanked The Grahams and Mr. Vazquez for being willing to meet with the Town Council to discuss this issue, but he emphasized that more discussion needs to take place before second reading. He emphasized that he does not want this discussion to die tonight and for The Grahams Companies then to show up with a project under Live Local.

Vice Mayor Morera emphasized that there was an amenity made, a promise made by The Grahams -the senior center-, and that he understands that it is being replaced with an amount of money, but he would like some changes to be made to the site plan approval later when discussed. He mentioned that the site plan renderings show a big parking and he would like one extra building, a parking garage, to reduce the number of open parking space available, he mentioned that a chunk of land could be carved out for the Town to have the promised delivered -a space for the Town and a shell of the building. He also stated that Par 3 is important for him, that Par 3 is a generational gift that he wants to deliver to our children and to our grandchildren. Deputy Town Attorney Cobiella interjected and told Vice Mayor Morera that it is inappropriate to discuss the issue of the Par 3 at this moment, that it should be discussed later during the site plan discussion. Vice Mayor Morera acknowledged the Town Attorney's comments and stopped that conversation.

Vice Mayor Morera then stated that he does not think this development is consistent with the surrounding areas and he does not agree that this is good for the town. Regarding traffic mitigation, he stated that he did not see any proposals addressing traffic mitigation and he asked the Applicant what the Trip Generation report was based on.

Mr. Luis Martinez, the Applicant, addressed the Town Council and provided a response to Vice Mayor Morera's concern with the Trip Generation report. Mr. Martinez explained that the report was prepared looking at an office ICU Zoning

and that it was done under the Live Local Plan that The Grahams were considering. Mr. Martinez explained that he did not have the report with him but would be happy to review the report with Vice Mayor Morera after the meeting.

Councilmember Fernandez stated that he does not love this proposed development, but he does not want a Live Local project. He mentioned that he does not want to spend money on legal matters and expenses fighting this project. He stated that he is moving forward on the first reading of this ordinance.

Councilmember Sanchez stated that having an ALF in that area means a lot to him and that many residents would benefit from this, like his own parents. He asked The Grahams what other companies were approached by them after Miami Jewish. Mr. Martinez responded that they went through a long list and that he has worked hard in trying to get a senior village for this town. He mentioned that he would be happy to share that list with the Town Council.

Councilmember Sanchez stated that he understands that no landowner wants to sit on empty land, that unfortunately, the senior component just isn't conceivable anymore. He stated that he is going to vote on this matter and move it forward, but he stated that more homework needs to be done. He wants to develop a senior center especially because during the summer, the senior programming gets pushed away due to the kids programming taking place in the town.

Mayor Dieguez stated that although the proposed development is not a perfect solution the fact that The Grahams are giving the Town the full value of the appraisal is a compensation for the loss of the senior center and the land itself. He asked the Town Manager to provide the public with information on the appraisal. Town Manager Pidermann explained that 1.29 acres was the footprint of the piece of property with a shell of a building of 6,500 square feet and the Town would have to build out the interior.

Mayor Dieguez stated that in his opinion, this is the closest solution that the Town is going to get to having the senior center done. He also reminded the public that the Town has \$500,000 set aside for the senior center.

Regarding the site plan, Mayor Dieguez stated that he is not happy with traffic, but he understands that the landowners are not going to sit on empty land. He emphasized that the Live Local option is real and we need to pay attention to that fact. He stated that The Grahams have been good negotiators in the past with the Town, and he believes they are negotiating in good faith. He emphasized that it is better to work with The Grahams instead of having no say on anything through the Live Local option. Mayor Dieguez concluded his comments by pointing out that the Town Council is not in control of Live Local Act -that perhaps we need to speak to our legislators in Tallahassee and ask them to give us more control. Lastly, Mayor Dieguez concluded by asking his colleagues to support this item by moving it forward, to continue negotiating the item and to have another opportunity during second reading of the ordinance.

The Town Clerk called the roll and the motion approving the ordinance in first reading passed 5-2; Councilmember Cuadra Garcia and Councilmember Garcia voted in opposition.

b. ZONE 2026-0007, Rezoning

QUASI-JUDICIAL PUBLIC HEARING -

Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

HEARING NUMBER: ZONE2026-0007

APPLICANT: The Graham Companies

FOLIO: 32-2022-070-0010, 32-2022-068-0010, 32-2022-068-0020, 32-2022-068-0030

LOCATION: 14610 Oak Ln. MIAMI LAKES, FLORIDA 33016

Deputy Town Attorney Cobiella read the quasi-judicial instructions into the record. He stated that all Town Councilmembers had previously provided their ex-parte communication forms to the Town Clerk.

The Town Clerk swore in all the individuals wishing to speak that were physically present in Council Chambers. She mentioned that there were no individuals wishing to speak remotely.

Deputy Town Attorney Cobiella read the title of the ordinance first reading into the record.

Ms. Susana Alosno, Principal Town Planner, entered the Town Staff report into the record. She stated that the Town Council had just adopted the ordinance in first reading regarding the Future Land Use Map (FLUM), which is the Comp

amendment to this item, Item 7B. She emphasized that at this time, during the discussion of Item 7B, the Town Council will only consider the Lakeside Rezoning item and not the site plan. She explained that the Town Council is considering rezoning the four properties. One property is to be rezoned from IU-C to RM30, which is multifamily with 30 units to the acre and Town Staff is recommending approval because it meets the general requirements of the area of most COM Plan Amendments of the Comprehensive Plan and of the Zoning requirements.

Attorney Javier L. Vazquez, from Gunster, Yoakley & Stewart, P.A. Law Firm, spoke on behalf of the Applicant. He incorporated by reference into the record, his presentation from the FLUM amendment and he added that this is a quasi-judicial item, emphasized that substantial competent evidence to go by- so he incorporated his presentation and also he incorporated Town Staff's recommendation of approval, which includes a full analysis and finds compliance with every requirement. He mentioned for it to be part of the record for the rezoning item. He then respectfully requested approval of Item 7B.

Mayor Dieguez opened the public hearing. There being no one wishing to speak, the public hearing was closed.

Principal Town Planner Susana Alonso answered questions posed by the Town Council. Councilmember Sanchez specifically asked why is the Applicant requesting the RM-30 instead of the RM-25? Principal Town Planner Alonso responded that a new district could be created but Deputy Town Attorney Cobiella interjected and added that in 2025, a law called SB180, restricts this from happening.

Attorney Vazquez addressed the Town Council and stated that the site plan approval is going to be tied to the plan that is before you at 24 units per acre. He explained that the RM-30 created by the Town Council in 2025, gives them more flexibility on height and design.

Principal Town Planner Alonso answered questions posed by the Town Council. She emphasized that at this time, the Town Council is only considering the rezoning of the map, that the site plan will be considered in second reading, only after the rezoning ordinance in second reading has passed. Regarding the Town Staff report, Vice Mayor Morera asked whether the proposal is consistent with the Comprehensive Plan and if the Applicant has provided a mitigation plan for their proportionate share of the total and large park area.

Principal Town Planner Alonso explained that the Comprehensive Plan is being reconsidered in the next few months. She explained that it will be going out for RFP and stated that the Comprehensive Plan as approved requires the Town to provide a certain level. She shared those large parks of 5 acres or more, a total area of 5 acres per 1,000 residents. She also explained that the Town is required to have 1.75 acres of small parks per thousand residents of small parks, per 1,000 residents. Principal Town Planner Alonso mentioned that regarding large parks, the number of residents,

as per the census, is below the number of acres per resident that the Town is required to have. She emphasized that we are in deficit.

Deputy Town Attorney Cobiella explained that the Comprehensive Plan needs to be revisited, and he stated that an expert on that subject matter will review our Comprehensive Plan and our parks so we can develop an ordinance, so that for future projects, we can capture those expenses or require the donation land. But at this point, he mentioned that we do not have that ordinance in place.

Vice Mayor Morera asked if the Applicant proposed anything in terms of a mitigating plan. Principal Town Planner Alonso mentioned that Par 3 needs to be discussed but Deputy Town Attorney Cobiella noted that the Par 3 discussion should not take place during the discussion of Item 7B. Vice Mayor Morera understood and then asked the Principal Town Planner if in her professional opinion, the development is consistent with the surrounding neighborhood and it fits the overall mode and Principal Town Planner Alonso responded in the affirmative. However, she also stated that mitigation needs to be taken over including traffic, pedestrian improvements and parks.

Mayor Dieguez then made a motion to approve Item 7B and the motion was seconded by Councilmember Fernandez.

During discussion, Vice Mayor Morera incorporated into the record all the things he said earlier during the discussion of Item 7A. He stated that at this stage, he will vote in favor just to see it move forward and then he will have a discussion with the Applicant and Town Staff regarding all the questions he has.

Councilmember Herzberg mentioned that he will be moving Item 7B forward, but he has concerns regarding RM30 and mitigation and he will ask questions to the Town Attorney and Town Staff later.

The Town Clerk called the roll and the motion to approve Item 7B, ordinance in first reading, passed 5-1; Councilmember Garcia voted in opposition and Councilmember Cuadra Garcia was absent.

8. NEW BUSINESS ITEMS

a. Changes to Recording of Covenants (Dieguez)

Mayor Dieguez presented his item and moved to change the Town's policy with respect to covenants required to be recorded so that the Town is the party required to record any covenant moving forward at the cost of the applicant. Mayor Dieguez stated that this is mandating the Town to be the party responsible for recording. Vice Mayor Morera seconded the motion.

There being no further discussion, the motion passed unanimously.

During the discussion of item 8B, Vice Mayor Morera requested a point of order to reopen item 8A and directed Town Staff to come back with a resolution for this item. Councilmember Garcia seconded the motion, and all were in favor. Vice Mayor Morera further clarified his direction for Staff is to come back to Town Council either at the April 21, 2026, Regular Council Meeting or at a future Council meeting with a proposed resolution on item 8A.

b. Public Art Land Development Code Requirement (Dieguez)

Mayor Dieguez explained the genesis of his item and moved to add a public art requirement in our Land Development Code for future multifamily projects, as well as substantial renovations to town-owned or operated regional parks, new town construction or substantial renovations involving town-owned buildings. He also attached some examples of what public art can look like ranging from everything to medallions on sidewalks and actual structures like a sculpture of some kind. He stated that the point is to have something else that will beautify our town and live up to our motto of “Growing Beautifully”. Vice Mayor Morera seconded the motion.

Vice Mayor Morera clarified that this motion is directing Town Staff to come back to Town Council with a resolution or an ordinance to this effect. Mayor Dieguez confirmed and stated that this would be a change or addition to the Land Development Code ordinance, so it would have to come back for first and second reading. Vice Mayor Morera asked if that also applies to Item 8A. Town Manager Pidermann responded that it applies to Item 8A and that he believes it would be via resolution.

There being no further discussion and the motion passed unanimously.

During the discussion of Item 8B, Vice Mayor Morera requested a point of order to reopen Item 8A and to direct Staff to come back with a resolution for this item. Councilmember Garcia seconded the motion, and all were in favor.

Vice Mayor Morera further clarified his direction for Staff is to come back to Town Council either at the April 21, 2026, Regular Council Meeting or at a future Council meeting with a proposed resolution on item 8A. He explained that he wants something in writing, creating an affirmative duty on our Staff, to make sure that these covenants are executed and recorded.

c. Autism Awareness Month (Dieguez)

Mayor Dieguez presented his item and welcomed County Commissioner Raquel Regalado to the meeting via Zoom who gave a presentation on Autism

Acceptance Month, the launch of her Florida Neuroinclusion Toolkit, a request for the Town to consider displaying the Autism Acceptance Flag and participate in having a statewide conversation about what Miami-Dade and its different municipalities are doing in terms of neurodiversity. She also answered questions posed by the Town Council and provided the origin of the Autism Acceptance Flag.

Mayor Dieguez provided legal points as to why he views the request to fly the Autism Awareness Flag as different compared to previous flag controversies and moved that for the month of April, to go ahead and fly the Autism Acceptance Flag. Councilmember Garcia seconded the motion for discussion.

After brief discussion Councilmember Cuadra Garcia motioned to reopen public comments. Councilmember Garcia seconded the motion. The motion passed unanimously.

Mr. Abel Fernandez came before the Town Council to provide public comments. He spoke about flag exceptions, DEI (Diversity, Equity and Inclusion) and his support for the Autism flag but not separating one flag over the other.

Dr. David Bennett came before the Town Council to provide public comments. He spoke about selective DEI (Diversity, Equity and Inclusion) and his opposition for the Town to fly the Autism Acceptance Flag.

Ms. Hilda Fernandez came before the Town Council to provide public comments. She spoke about the recognition of DEI (Diversity, Equity and Inclusion) as part of the conversation being had regarding this item.

Ms. Maribel Balbin came before the Town Council to provide public comments. She spoke about being in favor of the item and that we should all recognize the needs of this sector in our community.

Mayor Dieguez provided clarity in regard to certain public comments and Deputy Town Attorney Cobiella gave legal perspective on the item. He stated there is nothing he could find in our code, there may be a resolution passed at some point, but there is nothing in our code that restricts what you can fly as far as any flagpole. This is a policy decision for Town Council to make and decide how they want to treat this matter. Right now, there is a state statute on point that says what flags are permissible or not, the Autism Acceptance Flag seems to fall within what that state statute says. Deputy Town Attorney Cobiella clarified by the mayor's request that the state statute authorizes a flag of this nature.

Vice Mayor Morera stated the longstanding position of the Town has been that the 3 flags that go outside are the American Flag, the State Flag and the Town of Miami Lakes Flag; that those three flagpoles are official government flags, and that he does not think they should be sharing the space with anything else. He

then mentioned that if what is under consideration is what we do with the Florida Panthers flag -to at the window in the lobby of Town Hall, that is a different story and that he would be ok with that. After further discussion, Mayor Dieguez stated there has been a profit amendment that would get us where we need to be and moved Vice Mayor Morera's suggested change and do away with the Florida Panthers flag and have the Autism Acceptance Flag in the lobby. Vice Mayor Morera seconded the motion.


After closing remarks, the Town Clerk called the roll on the amendment. The amendment passed 4-3. Councilmember Cuadra Garcia, Councilmember Garcia and Councilmember Herzberg voted in opposition.

The Town Clerk called the roll on the main motion as amended. The motion passed 5-2. Councilmember Cuadra Garcia and Councilmember Herzberg voted in opposition.

9. ADJOURNMENT:

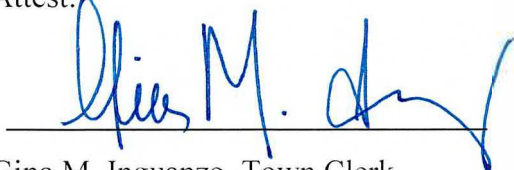
There being no further business to come before the Town Council, the meeting was adjourned at 9:27 pm.

Approved this 21st of April 2026.



Joshua Dieguez, Mayor

Attest:



Gina M. Inguanzo, Town Clerk