

**ORDINANCE NO. 26-352**

**AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE TOWN COMPREHENSIVE PLAN; REDESIGNATING 12.75 +/--ACRE PROPERTIES WITH FOLIO NUMBERS 32-2022-070-0010, 32-2022-068-0020 AND 32-2022-068-0030 LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146<sup>TH</sup> STREET, AS MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE INDUSTRIAL AND OFFICE CATEGORY, TO THE MEDIUM DENSITY RESIDENTIAL CATEGORY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR DIRECTION TO THE ADMINISTRATIVE OFFICIAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 13-307 of the Code of the Town of Miami Lakes ("Town Code"), The Graham Companies (the "Applicant") has applied for an amendment to the Future Land Use Map of the Town Comprehensive Plan from the Industrial and Office category to the Medium Density Residential category on three properties with folio numbers 32-2022-070-0010, 32-2022-068-0020 and 32-2022-068-0030 and with total area of 12.75 +/- acres located on the west side of Commerce Way and N.W. 146<sup>th</sup> Street, Miami Lakes, Florida (the "Property") described in Attachment "A", attached hereto and incorporated herein by reference; and

**WHEREAS**, a map depicting the Properties to be re-designated on the Future Land Use Map is attached as Attachment "B", attached hereto and incorporated herein by reference; and

**WHEREAS**, Subsection 13-307(b) provides that proposed amendments to the Comprehensive Plan be evaluated by the Administrative Official, the Local Planning Agency and the Town Council; and

**WHEREAS**, the Administrative Official has reviewed the proposed amendment to the Comprehensive Plan Future Land Use Map and recommends approval, as set forth in the Staff

Analysis and Recommendation dated April 1<sup>st</sup>, 2026, incorporated into this Ordinance by reference; and

**WHEREAS**, the Town Council appointed the Planning and Zoning Board as the Local Planning Agency (LPA) for the Town pursuant to Section 163.3174, Florida Statutes; and

**WHEREAS**, on April 14, 2026, the Planning and Zoning Board, acting in its capacity as the Local Planning Agency, acted in accordance with state law, and in specific compliance with Section 163.3174, Florida Statutes and reviewed and recommended approval of the Future Land Use Map amendment; and

**WHEREAS**, the conditions in the Staff Recommendation and Analysis report address all of the conditions identified by Planning and Zoning Board; and

**WHEREAS**, concurrently with the review of the rezoning application, the Town is reviewing a rezoning of the Properties to amend the Official Zoning Map from IU-C, Industrial Use - Conditional to RM-30, Medium Density Residential, which adoption is consistent with the FLUM amendment; and

**WHEREAS**, The Town Council finds that the proposed amendment to the FLUM is consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Official Zoning Map found in Subsection 13-307(b) of the Town Code; and

**WHEREAS**, on April 21, 2026, 2026, after conducting a properly noticed public hearing and considering the recommendations of the public, the Local Planning Agency and the Administrative Official, the Town Council finds it in the public interest to adopt the proposed amendment to the Future Land Use Map.

**NOW, THEREFORE, BE IT ORDAINED 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.** After considering Staff's report, both submitted in writing and presented orally, testimony of the Applicant, the public and all other experts that testified, the Town Council finds that the proposed amendment to the FLUM is conditionally consistent with the Town of Miami Lakes Comprehensive Plan and the criteria for evaluation of an amendment to the Future Land Use Map found in Subsection 13-307(b) of the Town Code as provided for in the Staff Recommendation and Analysis report.

**Section 3. Approval of Future Land Use Map Amendment.** The Town Council hereby adopts the amendment to the FLUM for the Properties with folio numbers 32-2022-070-0010, 32-2022-068-0020 and 32-2022-068-0030 described in Exhibit "A" and depicted in Exhibit "B", from the IU-C, Industrial Use, Conditional District, to the RM-36, Medium Density Residential District with the following conditions:

1. The completion and finding of acceptability by the Miami-Dade Public School Board of the application for school concurrency for this project; and
2. That the FLUM amendment shall only become effective unless and until the following Zoning Hearing companion items are approved:
  - a. The rezoning Application of the four properties described at Attachment "A" of the staff report; and
  - b. Site plan approval for 541 residential units
3. In the event that any of the companion applications fails to obtain approval from the Town Council, both the FLUM amendment and the Rezoning shall be null and void. In that case, the property with Folio Number 32-2022-068-0010 shall revert back to Future Land Use of Residential Multi Family, Medium High Density, and RM-36

zoning, and properties with Folio Numbers 32-2022-070-0010, 32-2022-068-0030 and 32-2022-068-0020 shall revert back to Future Land Use of Industrial Office and IU-C Zoning.

4. The applicant shall proffer a covenant, to be recorded in the Public Records of Miami-Dade County, Florida, that shall run with the land, binding the Applicant, its successors, heirs, and assigns, restricting the development of the four (4) subject properties described herein to no more than five hundred forty-one (541) residential units in the aggregate.
5. An effective date 31 days after approval on second reading upon approval of the State of Florida's Department of Economic Opportunity approving the underlying FLUM amendment.

**Section 4. Direction to the Administrative Official.** Pursuant to Subsection 13-307(d), the Town Council hereby directs the Administrative Official to prepare and transmit the information necessary for the amendment to be reviewed pursuant to the requirements of the Section 163.3184 et seq., Florida Statutes, and when effective to make the appropriate changes to the Future Land Use Map to implement the terms of this Ordinance.

**Section 5. Repeal of Conflicting Provisions.** All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

**Section 6. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 7. Exclusion from the Town Code.** It is the intention of the Town Council,

and it is hereby ordained that the provisions of this Ordinance shall be excluded from the Town Code.

**Section 8. Effective date.** This Ordinance shall be effective upon thirty-one (31) days after adoption at second reading, or if timely challenged, the amendment becomes effective when the state Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

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**FIRST READING**

The foregoing ordinance was offered by Councilmember Herzberg who moved its adoption on first reading. The motion was seconded by Mayor Dieguez and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	No
Councilmember Ray Garcia	No
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

Passed on first reading this 1st day of April 2026.

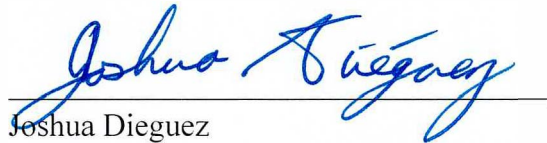
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**SECOND READING**

The foregoing ordinance was offered by Mayor Dieguez who moved its adoption on second reading. The motion was seconded by Councilmember Herzberg and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	No
Councilmember Ray Garcia	No
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

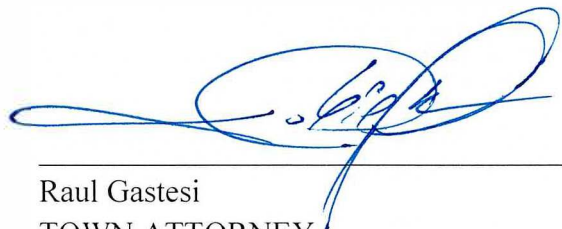
Passed and adopted on second reading this 21<sup>st</sup> day of April 2026.

  
\_\_\_\_\_  
Joshua Dieguez  
MAYOR

Attest:

Approved as to Form and Legal Sufficiency

  
\_\_\_\_\_  
Gina M. Inguanzo  
TOWN CLERK

  
\_\_\_\_\_  
Raul Gastesi  
TOWN ATTORNEY  
*Coastesi Lopez Mestre & Cobella, PLLC*

**ATTACHMENT A**

**LEGAL  
DESCRIPTION**

BOB GRAHAM BUILDING
PB 174-026 T-23874
TR A
LOT SIZE 317727 SQ FT M/L
FAU 32 2022 008 0015
GOVERNORS SQUARE SENIOR
COMMUNITY
PB 173-015 T-23877
TR B (COMMUNITY CENTER)
LOT SIZE 56495 SQ FT M/L
FAU 32 2022 001 0220 & 0230
GOVERNORS SQUARE SENIOR
COMMUNITY
PB 173-015 T-23877
TR C
LOT SIZE 181373 SQ FT M/L
FAU 32 2022 001 0750 & 0830-0840

