

ORDINANCE NO.26-353

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA; AMENDING THE OFFICIAL ZONING MAP TO REZONE A 22.2 +/--ACRE PROPERTY LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, WITH FOLIO NUMBERS 32-2022-070-0010, 32-2022-068-0020, 32-2022-068-0030 AND 32-2022-068-0010 AND MORE PARTICULARLY DESCRIBED AT ATTACHMENT "A", FROM THE IU-C, INDUSTRIAL DISTRICT, CONDITIONAL, AND FROM THE RM-36, RESIDENTIAL MULTIFAMILY 36 UNITS TO THE ACRE, TO THE RM-30, MEDIUM DENSITY RESIDENTIAL DISTRICT, 30 UNITS TO THE ACRE; 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 13-306 of the Code of the Town of Miami Lakes ("Town Code"), The Graham Companies (the "Applicant") applied for an amendment to the Official Zoning Map from the IU - C , Industrial District, Conditional, to the RM-30, Medium Density Residential District on a group of four properties adding up to 22.2 +/- acres located on the west side of Commerce Way and N.W. 146th Street, Miami Lakes, Florida (the "Properties") with folio numbers 32-2022-070-0010, 32-2022-068-0020, 32-2022-068-0030 and 32-2022-068-0010, as described at Attachment "A", attached hereto and incorporated herein by reference; and

WHEREAS, a map depicting the Properties to be rezoned is attached as Attachment "B", attached hereto and incorporated herein by reference; and

WHEREAS, Subsection 13-306(b) provides that proposed amendments to the Official Zoning Map be evaluated by the Administrative Official, the Local Planning Agency and the Town Council; and

WHEREAS, the Administrative Official reviewed the proposed amendment to the

Recommendation dated April 1st, 2026, and 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 14th 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 has reviewed and recommends approval with conditions of the rezoning; 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 comprehensive plan amendment to three of the Properties with folio numbers 32-2022-070-0010, 32-2022-068-0020 and 32-2022-068-0030 to amend the Future Land Use Map from Industrial and Office to Medium-High Density Residential, which adoption is necessary for the proposed rezoning to take effect in those properties; and

WHEREAS, The Town Council finds that the proposed amendment to the Official Zoning Map 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 13-306(b) of the Town Code; and

WHEREAS, on April 21st, 2026, after conducting a properly noticed quasi-judicial 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 Official Zoning Map.

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. After considering Staff's report, both submitted in writing and presented orally, which is accepted as substantial competent evidence, testimony of the applicant, the public and all other experts that testified, the Town Council finds, pursuant to Subsection 13-306(b) of the Town Code, that the proposed amendment to the Official Zoning Map is conditionally 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 13-306(b) of the Town Code as provided for in the Staff Recommendation and Analysis report.

Section 3. Approval of Rezoning. The Town Council hereby adopts the amendment to the Official Zoning Map for the Properties with folio numbers 32-2022-070-0010, 32-2022-068-0020, 32-2022-068-0030 and 32-2022-068-0010, as described at Attachment "A" and depicted in Attachment "B", from the IU-C, Industrial District, Conditional District, to the RM-30, 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
 - a. That the FLUM amendment shall only become effective unless and until the following Zoning Hearing companion items are approved:
 - b. The rezoning Application of the four properties described at Attachment "A" of the staff report; and
2. 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. Within sixty (60) calendar days of adoption of this item and its companion items, 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, recordation of covenant described in condition 4, above, or approval of the State of Florida's Department of Economic Opportunity of the underlying FLUM amendment, whichever occurs last.

Section 4. Direction to the Administrative Official. Pursuant to Subsection 13-306(d), the Town Council hereby directs the Administrative Official to make the appropriate changes to the Official Zoning 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. Final Order

This is a Final Order.

Section 9. Effective date. This Ordinance shall become effective after second reading and immediately upon the effective date of Ordinance 26-352, amending the Future Land Use Map from Industrial/Office to Medium Density Residential.

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FIRST READING

The foregoing ordinance was offered by Mayor Dieguez who moved its adoption on first reading. The motion was seconded by Councilmember Fernandez 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	Absent
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 Vice Mayor Morera 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 21st day of April 2026.




Joshua Dieguez
MAYOR

Attest:

Approved as to Form and Legal Sufficiency:



Gina M. Inguanzo
TOWN CLERK



Raul Gastesi
TOWN ATTORNEY
Coastal, Lopez, Mestre & Co. LLC

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 A
LOT SIZE 411434 SQ FT M/L
FAU 32 2022 008 0013 & 001 0220
0230
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

