

RESOLUTION NO. 26-2172

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 PROPERTY LOCATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, AS MORE PARTICULARLY DESCRIBED AT EXHIBIT "B", BEARING FOLIO NOS. 32-2022-070-0010, 32-2022-068-0010, 32-2022-068-0020 AND 32-2022-068-0030; 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"), The Graham Companies (the "Applicant") applied to the Town for approval of a Site Plan, entitled "Lakeside" as prepared by Roger Fry and Associates, consisting of 29 pages, dated December 18, 2025, a copy of the Site Plan (the "Site Plan") being attached hereto as Exhibit "A"; for property located on the west of side Commerce Way and NW 146th Street, bearing Miami-Dade Tax Folio Nos. 32-2022-070-0010, 32-2022-068-0010, 32-2022-068-0020 and 32-2022-068-0030, as more particularly described on the survey at Exhibit "B" ("Property"), and containing approximately 22.5 +/- 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, April 21, 2026 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 April 21, 2026, 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 June 6, 2017 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.

- f. 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.
 - g. Design of the site shall ensure adequate access for emergency vehicles and personnel.
 - h. 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 "Lakeside" as prepared by Roger Fry and Associates, consisting of 29 pages, dated stamped received July 31, 2024, a copy of the Site Plan (the "Site Plan") being attached hereto as Exhibit "A"; for property located on the west of side Commerce Way and NW 146th Street, bearing Miami-Dade Tax Folio Nos. 32-2022-008-0013, 32-2022-001-0220, and 32-2022-001-0230, as more particularly described on the survey at Exhibit "B" ("Property"), and containing approximately 22.2 +/- acres of land, is hereby Approved with the following conditions:

1. The project shall be developed in substantial compliance with the approved Site Plan.
2. All required permits shall be issued prior to the expiration of the existing transportation concurrency vested rights. Should existing transportation concurrency vesting expire, any permitting for this property shall be subject to the mobility fee schedule.
3. Prior to permitting, the project shall secure all approvals for water and sewer and shall receive approval from the Miami-Dade Fire Rescue Department.
4. Prior to permitting, the applicant shall obtain concurrency approval from MDCPS.
5. The Applicant shall obtain a Certificate of Use (CU), upon compliance with all the terms and conditions of this approval, the same subject to cancellation by the Town upon violation of any of the conditions. Business tax receipt shall be obtained if applicable.
6. The Applicant shall make best efforts to obtain all required building permits, within one (1) year of the date of this approval. If the applicant is unable to obtain all required building permits within a one (1) year period, the Town shall automatically extend the applicant an additional one (1) year. If all required building permits are not obtained within the prescribed two (2) year period or if an extension is not granted within the prescribed time limit, this approval shall become null and void.
7. Compliance with all other applicable laws not specifically identified herein.
8. All fees associated with this request are owed to the Town be paid in full prior to issuance of development order.
9. The Applicant shall tender the amount of One Million Five Hundred Sixty Thousand and 00/100 (\$1,560,000.00) to the Gastesi Lopez Mestre & Cobiella, PLLC Trust Account within fifteen (15) days of the execution of this resolution (the "Trust Funds"). After the expiration of all applicable appeal periods, the Gastesi Lopez Mestre & Cobiella, PLLC law firm shall remit the Trust Funds to the Town of Miami Lakes. The Trust Funds may be then used by the Town to achieve any municipal purpose. After the expiration of the fifteen (15) days, the Trust Funds are non-refundable.

10. In accordance with the Town of Miami Lakes' Code of Ordinances, the Town Manager shall have the authority to accept and execute any necessary documents necessary to receive the Trust Funds on behalf of the Town of Miami Lakes.
11. The Applicant voluntarily proffers to provide the Town with a Covenant, that shall be delivered to the Town within 30 days of the Site Plan execution, and that will bind the development to a maximum of 541 units for a period of ten (10) years following the rendering of this resolution.

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.


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

FINAL VOTE AT ADOPTION

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 this 21ST day of April 2026



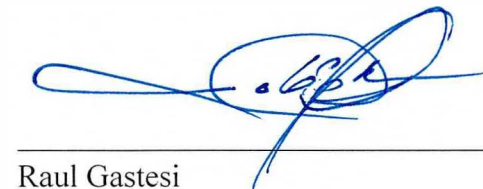
Joshua Dieguez
MAYOR

Attest:

Approved as to Form and Legal Sufficiency:



Gina M. Inguanzo
TOWN CLERK



Raul Gastesi
TOWN ATTORNEY
Gastesi Lopez Mestre & Cobiella, PLLC

EXHIBIT A
SITE PLAN

EXHIBIT B

SURVEY