

RESOLUTION NO. 17-_____

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 "GOVERNORS SQUARE SENIOR COMMUNITY", AS ATTACHED AT EXHIBIT "A", SUBMITTED FOR THE PROPERTY LCOATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146TH STREET, AS MORE PARTICULARLY DESCRIBED AT EXHIBIT "B", BEARING FOLIO NOS. 32-2022-008-0013, 32-2022-001-0220, AND 32-2022-001-0230, MIAMI LAKES, FLORIDA, IN THE IU-C ZONING DISTRICT; 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"), The Graham Companies (the "Applicant") has applied to the Town for approval of a Final Plat, a copy of the Plat being attached here to as **Exhibit "A"** and incorporated herein by reference ("Final Plat"), 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 19.45 +/- 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 Final Plat; and

WHEREAS, on December 6, 2016, the Town Council adopted Resolution No. 16-1416 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 6th, 2017 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 Final Plat Approval, 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 Application 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)(3), has considered the criteria for adoption of a Final Plat; and

WHEREAS, the Town Council has considered written recommendations from staff and other reviewing agencies, as well as testimony 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 which is incorporated herein by reference.

Section 3. Approval of Final Plat. The Final Plat, as attached hereto at Exhibit A, entitled “Governors Square Senior Community” as prepared by Schwebke-Shiskin and Associates, Inc. consisting of five (5) sheets and signed by Mark Steven Johnson, State of Florida Professional Surveyor and Mapper No. 4775 May 23rd, 2017, 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 must comply with all other applicable requirements of the Town LDC before it may commence operation, and 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 or any affected party may seek review of development orders of the Town Council by the filing of an action in the appropriate court as prescribed by Florida law.

Section 7. Final Order

This is a Final Order

Section 8. Effective date. This Resolution shall become effective immediately upon adoption hereof.

PASSED AND ADOPTED this _____ day of June, 2017.

Motion to adopt by _____, second by _____.

FINAL VOTE AT ADOPTION

Mayor Manny Cid	_____
Vice Mayor Tony Lama	_____
Councilmember Luis Collazo	_____
Councilmember Tim Daubert	_____
Councilmember Ceasar Mestre	_____
Councilmember Frank Mingo	_____
Councilmember Nelson Rodriguez	_____

Manny Cid
MAYOR

Attest:

Approved as to Form and Legal Sufficiency

Gina Inguanzo
TOWN CLERK

Raul Gastesi, Jr.
TOWN ATTORNEY

This Resolution was filed in the Office of the Town Clerk on this ____ day of _____, 2017.

Gina Inguanzo
Town Clerk

Exhibit A

Final Plat

Exhibit B
Legal Description

A PORTION OF TRACT "A", ACCORDING TO THE PLAT OF "MIAMI LAKES OFFICE PARK SECTION ONE", AS RECORDED IN PLAT BOOK 125 AT PAGE 56 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; TOGETHER WITH A PORTION OF TRACTS 20, 21, 22 AND 23 IN THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 52 SOUTH, RANGE 40 EAST; ALSO TOGETHER WITH A PORTION OF TRACTS 10, 11, 12 AND 13 IN THE SOUTHEAST 1/4 OF SECTION 22 TOWNSHIP 52 SOUTH, RANGE 40 EAST; AND ALSO TOGETHER WITH THAT PORTION OF THAT CERTAIN UNNAMED RIGHT-OF-WAY LYING WITHIN THE FOLLOWING DESCRIBED PARCEL, ACCORDING TO 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, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST EASTERLY CORNER OF SAID TRACT "A", AS SHOWN ON THE SAID PLAT OF "MIAMI LAKES OFFICE PARK SECTION ONE"; THENCE SOUTH 00 DEGREES 07 MINUTES 01 SECONDS WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF INDUSTRIAL WAY (COMMERCE WAY), AS SHOWN ON THE PLAT OF "MIAMI LAKES INDUSTRIAL PARK SECTION NINE", AS RECORDED IN PLAT BOOK 117 AT PAGE 76 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR 194.26 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL; THENCE CONTINUE SOUTH 00 DEGREES 07 MINUTES 01 SECONDS WEST, ALONG THE LAST DESCRIBED COURSE, FOR 104.67 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 752.64 FEET AND A CENTRAL ANGLE OF 47 DEGREES 23 MINUTES 42 SECONDS FOR AN ARC DISTANCE OF 622.58 FEET TO A POINT OF TANGENCY; THENCE SOUTH 47 DEGREES 30 MINUTES 43 SECONDS WEST FOR 121.45 FEET; SAID LAST DESCRIBED TWO COURSES BEING ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF SAID INDUSTRIAL WAY (COMMERCE WAY) AS SHOWN ON THE SAID PLAT OF "MIAMI LAKES INDUSTRIAL PARK SECTION NINE" AND AS SHOWN ON THE PLAT OF "MIAMI LAKES INDUSTRIAL PARK SECTION TEN", AS RECORDED IN PLAT BOOK 118 AT PAGE 33, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 42 DEGREES 29 MINUTES 17 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF TRACT "A", AS SHOWN ON THE PLAT OF "MIAMI LAKES LAKESIDE CORPORATE CENTER", AS RECORDED IN PLAT BOOK 150 AT PAGE 96, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR 339.77 FEET; THENCE NORTH 44 DEGREES 42 MINUTES 10 SECONDS WEST FOR 62.17 FEET; THENCE NORTH 66 DEGREES 08 MINUTES 36 SECONDS WEST FOR

598.70 FEET; SAID LAST DESCRIBED TWO COURSES BEING ALONG THE NORTHEASTERLY LINES OF TRACT "C", AS SHOWN ON THE SAID PLAT OF "MIAMI LAKES LAKESIDE CORPORATE CENTER" ; THENCE NORTH 36 DEGREES 37 MINUTES 31 SECONDS EAST FOR 234.16 FEET; THENCE SOUTH 63 DEGREES 22 MINUTES 29 SECONDS EAST FOR 381.15 FEET; THENCE NORTH 60 DEGREES 34 MINUTES 32 SECONDS EAST FOR 120.55 FEET; SAID LAST DESCRIBED THREE COURSES BEING COINCIDENT WITH THE SOUTHEASTERLY, SOUTHWESTERLY AND EASTERLY LINES, RESPECTIVELY, OF TRACT "B", AS SHOWN ON THE SAID PLAT OF "MIAMI LAKES OFFICE PARK SECTION ONE"; THENCE NORTH 63 DEGREES 22 MINUTES 29 SECONDS WEST FOR 532.38 FEET; THENCE SOUTH 36 DEGREES 37 MINUTES 31 SECONDS WEST FOR 248.05 FEET; THENCE NORTH 73 DEGREES 22 MINUTES 29 SECONDS WEST FOR 319.75 FEET; THENCE NORTH 11 DEGREES 52 MINUTES 29 SECONDS WEST FOR 455.41 FEET; SAID LAST DESCRIBED FOUR COURSES BEING COINCIDENT WITH THE SOUTHWESTERLY, SOUTHEASTERLY, SOUTHERLY AND WESTERLY LINES OF SAID TRACT "A", AS SHOWN ON THE SAID PLAT OF "MIAMI LAKES OFFICE PARK SECTION ONE"; THENCE SOUTH 89 DEGREES 52 MINUTES 59 SECONDS EAST FOR 496.51 FEET TO A POINT ON THE NEXT DESCRIBED CIRCULAR CURVE, SAID POINT BEARS NORTH 82 DEGREES 33 MINUTES 49 SECONDS WEST FROM THE RADIUS POINT OF FOLLOWING DESCRIBED CIRCULAR CURVE; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 57.00 FEET AND A CENTRAL ANGLE OF 33 DEGREES 40 MINUTES 48 SECONDS FOR AN ARC DISTANCE OF 33.51 FEET TO A POINT OF TANGENCY; THENCE NORTH 41 DEGREES 07 MINUTES 01 SECONDS EAST FOR 5.05 FEET TO A POINT ON THE NEXT DESCRIBED CIRCULAR CURVE; SAID POINT BEARS SOUTH 62 DEGREES 55 MINUTES 31 SECONDS WEST FROM THE RADIUS POINT OF THE FOLLOWING DESCRIBED CIRCULAR CURVE; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 243.00 FEET AND A CENTRAL ANGLE OF 62 DEGREES 48 MINUTES 30 SECONDS FOR AN ARC DISTANCE OF 266.38 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 52 MINUTES 59 SECONDS EAST FOR 90.90 FEET; SAID LAST DESCRIBED TWO COURSES BEING ALONG THE SOUTHERLY LIMITS OF A 58.00 FOOT WIDE INGRESS-EGRESS EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 13809 AT PAGE 3459, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 07 MINUTES 01 SECONDS WEST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, FOR 118.53 FEET; THENCE SOUTH 63 DEGREES 22 MINUTES 29 SECONDS EAST FOR 158.04 FEET; THENCE SOUTH 26 DEGREES 37 MINUTES 31 SECONDS WEST, AT RIGHT ANGLES TO THE LAST AND NEXT DESCRIBED COURSES, FOR 18.00 FEET; THENCE SOUTH 63 DEGREES 22 MINUTES

29 SECONDS EAST FOR 355.60 FEET; THENCE EAST FOR 307.37 FEET TO A POINT OF CURVATURE; THENCE EASTERLY AND NORTHEASTERLY, ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 89 DEGREES 52 MINUTES 59 SECONDS FOR AN ARC DISTANCE OF 23.53 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN PORTIONS OF THE NORTHEAST 1/4, THE NORTHWEST 1/4, AND THE SOUTHEAST 1/4 OF SECTION 22 TOWNSHIP 52 SOUTH, RANGE 40 EAST, TOWN OF MIAMI LAKES, MIAMI-DADE COUNTY, FLORIDA.