

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 LAND DEVELOPMENT CODE FOR A FINAL PLAT ENTITLED “BOB GRAHAM BUILDING”, SUBMITTED FOR PROPERTY LOCATED WEST OF OAK LANE AND SOUTH OF GOVERNOR’S SQUARE BOULEVARD, 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”), TGC Governor’s Square, LLC (the “Applicant”) has applied to the Town for approval of a Final Plat, a copy of the Plat being attached hereto as **Exhibit “A”** and incorporated herein by reference (“Final Plat”), for property generally located on the west side of Oak Lane and south of Governor’s Square Boulevard, which includes a portion of Miami-Dade Tax Folio No. 32-2022-008-0013 (“Property”), as legally described in **Exhibit “B”**, and containing approximately 7.29 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. 16-1415 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, May 2nd, 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 considered the written recommendations of staff, other reviewing agencies, and 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 “BOB GRAHAM BUILDING,” as prepared by Schwebke-Shiskin and Associates, Inc., consisting of two (2) sheets and signed by Mark Steven Johnson, State of Florida Professional Surveyor and Mapper No. 4775, on January 24th, 2017, is hereby approved subject to the following conditions:

1. The Applicant shall comply, prior to recordation of Final Plat approval, 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 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. 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.

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PASSED AND ADOPTED this _____ day of May, 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 TRACTS 10, 11, AND 12 IN SECTION 22, TOWNSHIP 52 SOUTH, RANGE 40 EAST, "CHAMBERS LAND COMPANY SUBDIVISION" AS RECORDED IN PLAT BOOK 2 AT PAGE 68 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST EASTERLY CORNER OF TRACT "A", "MIAMI LAKES LAKESIDE CORPORATE CENTER", AS RECORDED IN PLAT BOOK 150 AT PAGE 96 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 42 DEGREES 29 MINUTES 17 SECONDS WEST ALONG THE NORTHEASTERLY BOUNDARY SAID TRACT A FOR 339.77 FEET; THENCE NORTH 44 DEGREES 42 MINUTES 10 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF TRACT "C" OF THE SAID PLAT OF "MIAMI LAKES LAKESIDE CORPORATE CENTER" FOR 62.17 FEET; THENCE NORTH 6 DEGREES 46 MINUTES 44 SECONDS EAST FOR 181.82 FEET; THENCE EAST FOR 568.02 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COMMERCE WAY (INDUSTRIAL WAY) 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, SAID POINT BEARS SOUTH 77 DEGREES 35 MINUTES 24 SECONDS EAST FROM THE FOLLOWING DESCRIBED CIRCULAR CURVE; THENCE SOUTHWESTERLY ALONG A CIRCULAR CURVE TO THE RIGHT, HAVING FOR ITS ELEMENTS A RADIUS OF 752.64 FEET AND A CENTRAL ANGLE OF 35 DEGREES 06 MINUTES 07 SECONDS FOR AN ARC DISTANCE OF 461.10 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 47 DEGREES 30 MINUTES 43 SECONDS WEST FOR 121.45 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 4.164 ACRES MORE OR LESS. (THE LAST TWO COURSES BEING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF COMMERCE WAY (INDUSTRIAL WAY) AS SHOWN ON THE AFORESAID PLAT OF "MIAMI LAKES INDUSTRIAL PARK SECTION TEN").