

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, August 20, 2019
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman, Councilman Elmo Urra Councilman Jorge Merida, Mayor Yioiset De La Cruz and City Attorney Charles Citrin. Councilman Jorge Gutierrez was absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Citrin led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** There were none.
- 6. Review of Minutes: August 6, 2019:** Chairman Garcia made a motion to approve the minutes of **August 6, 2019**, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Second Reading / Public Hearing for consideration and final adoption of the following ordinances:

Tabled 08/08/2019

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR CANCICAN 142-143 CONCERNING PROPERTY LEGALLY DESCRIBED: THE SOUTH ONE HALF (S 1/2) OF TRACK 62, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLICS RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS THE EAST 35 FEET AND LESS THE WEST 40 FEET OF THE SOUTH ONE HALF (S 1/2) OF SAID TRACT 62 IN RIGHT-OF-WAY DEED TO CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, RECORDED IN OFFICIAL RECORD BOOK 27592 PAGES(S) 3786-3789. APPROXIMATE LOCATION: BETWEEN N.W. 109TH AVENUE AND N.W 112TH AVENUE AND BETWEEN NORTH OF THEORETICAL N.W. 143RD STREET AND APPROVED TEBA SUBDIVISION, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0690. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin swore in those individuals who would be providing testimony on items for public hearing. Chairman Garcia made a motion to remove the item from the table, seconded by Councilman Merida. The motion was unanimously approved. Mr. Citrin proceeded to read the short title of the ordinance into the record. Mr. Jorge Szauer was present for the applicant and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read her recommendation for approval of the tentative plat into the record. Chairman Garcia opened the public hearing at 7:35p.m.; no comments were offered and he closed the public hearing closed at 7:35 p.m. Chairman Garcia proceeded to make a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

Tabled 08/08/2019

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR CANCICAN WAREHOUSE 142-143, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE SOUTH ONE HALF (S 1/2) OF TRACK

62, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLICS RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE EAST 35 FEET AND LESS THE WEST 40 FEET OF THE SOUTH ONE HALF (S 1/2) OF SAID TRACT 62 IN RIGHT-OF-WAY DEED TO CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, RECORDED IN OFFICIAL RECORD BOOK 27592 PAGES(S) 3786-3789. APPROXIMATE LOCATION: BETWEEN N.W. 109TH AVENUE AND N.W 112TH AVENUE AND BETWEEN NORTH OF THEORETICAL N.W. 143RD STREET AND APPROVED TEBA SUBDIVISION, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0690, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Chairman Garcia made a motion to remove the item from the table, seconded by Councilman Merida. The motion was unanimously approved. Mr. Citrin proceeded to read the short title of the ordinance into the record. Mr. Jorge Szauer was present for the applicant and remained at the podium. Mrs. Mirtha Gonzalez, Chief Zoning Official, read her recommendation for approval of the site plan to develop two buildings for warehouse use. Both conditions of TRC had been addressed (property was platted and a guardrail was provided around the lake). Chairman Garcia opened the public hearing at 7:38 p.m.; no comments were offered and he closed the public hearing closed at 7:38 p.m. Chairman Garcia proceeded to make a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

Tabled 08/08/2019

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN TO DEVELOP A SHOPPING CENTER / RESTAURANT AND VARIANCES FOR A MONUMENT / POLE SIGN FOR PLAZA DE LA ALHAMBRA SHOPPING CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PORTION OF FLORIDA FRUIT LAND COMPANY SUBDIVISION ACCORDING TO THE PLAT THEREOF, FILED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE FOLLOWING DESCRIBED LAND SITUATED, LYING AND BEING IN THE COUNTY OF MIAMI-DADE AND STATE OF

FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL 1: A PORTION OF TRACT 4, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF TRACT 5 OF SAID PLAT, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF SECTION 3 AND RUN NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 5 FOR 734.59 FEET; THENCE RUN NORTH 00 DEGREES 05 MINUTES 16 SECONDS EAST ALONG A LINE PARALLEL TO THE EAST LINE OF THE AFOREDESCRIBED TRACTS 5 AND 4, RESPECTIVELY FOR 336.93 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 258.08 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF NORTHWEST 103RD STREET AS SHOWN ON STATE ROAD RIGHT WAY MAP NUMBER 8759-151 AS RECORDED IN PLAT BOOK 60, AT PAGE 53 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID POINT BEARING SOUTH 22 DEGREES 03 MINUTES 10 SECONDS WEST FROM THE CENTER POINT OF THE NEXT DESCRIBED CURVE; THENCE RUN SOUTHEASTERLY ALONG THE AFOREDESCRIBED SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORTHWEST 103RD STREET BEING A CURVE TO THE LEFT HAVING A RADIUS OF 1942.83 FEET AND A CENTRAL ANGLE OF 05 DEGREES 09 MINUTES 39 SECONDS FOR AN ARC DISTANCE OF 175.00 FEET; THENCE RUN SOUTH 02 DEGREES 47 MINUTES 18 SECONDS EAST FOR 204.69 FEET; THENCE RUN NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG A LINE PARALLEL TO THE AFOREDESCRIBED SOUTH LINE OF TRACT 5 FOR 175.35 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. AND PARCEL 2: BEING A PORTION OF TRACTS 4 AND 5 OF THAT CERTAIN PLAT OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF SECTION 3 TOWNSHIP 53 SOUTH, RANGE 40 EAST AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF TRACT 5 OF THE

AFORESAID PLAT OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF SECTION 3, AND RUN NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 5 FOR 559.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG THE LAST DESCRIBED COURSE FOR 175.35 FEET; THENCE RUN NORTH 00 DEGREES 05 MINUTES 16 SECONDS EAST ALONG A LINE WEST OF AND PARALLEL TO THE EAST LINE OF THE AFORESAID TRACTS 5 AND 4 RESPECTIVELY FOR 336.93 FEET; THENCE RUN SOUTH 88 DEGREES 28 MINUTES 15 SECONDS EAST ALONG A LINE NORTH OF AND PARALLEL TO THE AFORESAID SOUTH LINE OF TRACT 5 FOR 175.35 FEET; THENCE RUN SOUTH 00 DEGREES 05 MINUTES 16 SECONDS WEST ALONG A LINE WEST OF AND PARALLEL TO THE AFORESAID EAST LINE OF TRACTS 4 AND 5 RESPECTIVELY FOR 336.93 FEET TO THE POINT OF BEGINNING LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. EXISTING ADDRESS: 7802 NW 103 STREET, HIALEAH GARDENS, FLORIDA, FOLIO: 27-3003-001-0050, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0 Site Plan, 6-0 Sign Variance; P&Z Vote: 4-0 Site Plan, 4-0 Sign Variance)

Chairman Garcia made a motion to remove the item from the table, seconded by Councilman Merida. The motion was unanimously approved. Mr. Citrin proceeded to read the short title of the ordinance into the record. Mr. Chris Collins, civil engineer with Urban Design, came forward on behalf of the applicant, Palmetto on 49. Mrs. Mirtha Gonzalez, Chief Zoning Official, read her recommendation for approval of the site plan to develop a one-story shopping center with retail and restaurant space with 27,750 sq. ft. and variances for the area and height of the monument sign. Mrs. Gonzalez stated that the existing sign will be demolished and one of a similar size will be relocated as the site has limited frontage on NW 103 Street due to oak trees and existing FDOT signal poles in front of the property. The property will be re-platted. Chairman Garcia made the approval contingent on the one existing sign being removed and this action was further clarified by Mr. Citrin. Chairman Garcia opened the public hearing at 7:42 p.m.; there were no further comments offered and he closed the public hearing at 7:43 p.m.

- 9. City Attorney's Report:** Mr. Citrin humorously mentioned that he was not finishing his 19th year with the City, but rather starting his 20th year.
- 10. Mayor's Report:** No comments.
- 11. Council Members Concerns / Reports:** No comments.

12. Adjournment: Chairman Garcia adjourned the meeting at 7:50 p.m.

Respectfully submitted by:

Maria L. Joffee
City Clerk

Any person desiring to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

SCHEDULE OF MEETINGS

CITY COUNCIL

Tuesday, September 17, 2019, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 9, 2019, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 5, 2019, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, September 1, 2019, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 5, 2019, 5:30 P.M.