

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, OCTOBER 07, 2014  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:34 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge A. Merida, Councilman Jorge Gutierrez, Councilman Elmo L. Urra, and Mr. Charles A. Citrin, City Attorney. Councilman Rolando Piña and Mayor Yioset De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Charles A. Citrin led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes: September 23, 2014.** Chairman Garcia made a motion to approve the minutes of September 23, 2014 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.
- 8. Proposed Resolution:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA ESTABLISHING THE HIALEAH GARDENS EDUCATIONAL CENTER PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE

Mr. Citrin read the full title of the resolution into the record. At this time Joe Lopez, Public Works Director came forward. Mr. Lopez stated that this item is to tie together all the existing educational programs under one umbrella with the primary intent to disburse state grants or federal grants for educational purposes. At this time no one came forward to comment on the item. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**9. Second Reading / Public Hearing for consideration and final adoption of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND VARIANCE FOR ACO INVESTMENT LLC TO PERMIT CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 5, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27845, PAGE 3507, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.\_THE EAST ½ OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27845, PAGE 3511, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.\_THE EAST ½ OF THE WEST ½ OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE

COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4355, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THE EAST ½ OF THE WEST ½ OF THE WEST ½ OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4351, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THE WEST ¼ OF THE WEST ½ OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4347, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TRACT 7, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4359, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 109<sup>TH</sup> AVENUE AND NW 107<sup>TH</sup> AVENUE AND BETWEEN THEORETICAL NW 147<sup>TH</sup> STREET AND THEORETICAL NW 150<sup>TH</sup> STREET, HIALEAH GARDENS, FL FOLIOS: 27-2019-001-0050, 27-2019-001-0063, 27-2019-001-0062, 27-2019-001-0061, 27-2019-001-0060 AND 27-2019-001-0070., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin swore in all those who would be providing testimony on items for Second Reading / Public Hearing. Mr. Citrin read the full title of the ordinance into the record. The applicant Mr. Mike Troxell with Thomas Engineering Group came forward for the record. Mr. Troxell introduced Bryan Lara with Bridge Development and Nathan Griffis with RLC Architects. At this time Joe Lopez, Public Works Director came forward on behalf of Mirtha Gonzalez, Chief Zoning Official. Mr Lopez stated that the site analysis land use is Industrial and the location is between NW 109<sup>th</sup> Avenue and NW 107<sup>th</sup> Avenue and between Theoretical NW 147<sup>th</sup> street and Theoretical NW 150<sup>th</sup> street. The folio numbers were just read into the record. The owner is ACO Investments LLC and the contract purchaser is Bridge Development Partners, LLC. The applicant is requesting a site plan review of a warehouse complex of 420,373 square feet of building and a height variance to allow 42 feet where 40 feet is permitted. Chairman Garcia asked if the height variance is 42 feet or 44 feet. At this time Bryan Lara with Bridge Development came forward and stated that the top of the parapet is 42 but there is a mass where it goes up to 44. The highest point on the structure is 44 feet but the majority of the parapet across the front is at 42 feet. Mr. Lopez mentioned that it is a height variance to allow from 42 to 44 feet where the code permits 40 feet. On 03-06-14, TRC recommended the approvals (5-0) of the site plan and variance with some comments. The landscaping buffer must be 8 feet instead of 7 feet, NW 148 Street depicted on the site plan should be marked as a driveway, and land must be re platted or provide a unity of title. All the conditions were addressed and in addition to that this site plan is combined with a road closing petition which has been reviewed by TRC and recommended for approval. The intent is to provide the retention within the proposed lake that is on the site plan. On 04-14-14 Planning & Zoning recommended the approvals (3-0) of the site plan and variance as presented. Chairman Garcia mentioned that even though the road closing petition was discussed, that is a separate item which will come back before Council at a different date. Chairman Garcia stated that tonight is strictly on the variance and the site plan so the road closure is a separate item which means that it will be a separate vote. Chairman Garcia then opened the public hearing at 7:47. No one came forward. He then closed at 7:47. He then made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously. **(4-0)**

**10. City Attorney's Report:** No comments.

**11. Mayor's Report – Miscellaneous –** No comments.

**12. Council Members Concerns / Reports / Board Appointments:**

**Water & Sewer Board:** Councilman Merida and Councilman Gutierrez

**Police Pension Board:** Terms Expired September 30, 2014 for

Margarita de la Salas and Jorge A. Gutierrez – Councilman Gutierrez would like to nominate for reappointment Margarita de la Salas and Jorge Gutierrez Sr. to the Police Pension Board. Both nonimees were reappointed.

**13. Adjournment –** The meeting was adjourned at 7:49 p.m.

Respectfully submitted by:

---

Maria L. Joffe  
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, November 18, 2014, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, November 10, 2014, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, November 6, 2014, 11:30 A.M.

**WATER AND SEWER BOARD**

T.B.A.

**POLICE PENSION BOARD**

Tuesday, November 4, 2014, 5:30 P.M.