

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, December 20, 2011
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Councilman Piña will be serving as Chairman for tonight's meeting in the absence of Councilman Luciano Garcia. The meeting was called to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Rolando Piña, Councilman Jorge A. Merida, Councilman Elmo L. Urra and Councilman Jorge Gutierrez. Also present were Mr. Charles A. Citrin, City Attorney and Mayor Yiozet De La Cruz.
- 3. Invocation:** Chairman Piña gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes:** December 6, 2011. Chairman Piña made a motion to approve the minutes of December 6, 2011, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Requesting approval of vendors and expenditures for R.F.P. PW-11-100, North West District Infrastructure Improvements-Roadways: Mr. Joe Lopez, Public Works Director.

Mr. Joe Lopez, Public Works Director came forward and gave details of the cost estimate for the construction activities for the North West District Roadway Improvement Project (PW-11-100). All estimates are based on actual quotes provided by proposed vendors and include a 10 % contingency. Mr. Lopez requested that the City Council waive competitive bidding and enter into contract with listed vendors. Mr. Lopez answered Mr. Citrin's and Council members' questions regarding vendor pricing and informed that all the work would be done by the city's Public Works department. Based on staff's review and recommendation, Chairman Piña made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR RO-MA HOLDINGS, LLC FOR A FAMILY DOLLAR STORE, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A, OF LONDON ESTATES COMMERCIAL CENTER, ACCORDING TO THE MAP PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, AT PAGE 80 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.; FOLIO: 27-2033-009-0010, APPROXIMATE LOCATION: NW CORNER OF NW 112TH STREET AND NW 87TH COURT., HIALEAH GARDENS, FL, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Daniel Abreu the applicant was present. Chairman Piña stated that this was a first reading and as such an opportunity for public input will be provided upon second reading. He then made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR LAKE GARDEN CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARENT TRACT. TRACT "M" AND THE SOUTHEASTERLY 144.00' OF TRACT "N" OF "SHOMA COMMERCIAL" ACORDING TO THE PLAT THEREOF AS

RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. PARCEL # 1. COMMENCE AT THE MOST WESTERLY CORNER OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 A.K.A. OKEECHOBEE RD., THENCE RUN S50°59'15"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 25 FOR A DISTANCE OF 482.09 FEET, TO THE POINT OF BEGINNING (POB), THENCE RUN N39°00'45"E FOR A DISTANCE OF 332.60 FEET TO A POINT BEING ON THE NORTHERLY LINE OF SAID TRACT "N" OF AFOREMENTIONED SUBDIVISION, THENCE RUN S50°46'28"E ALONG THE DIVIDING LINE OF TRACTS "N" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 144.00 FEET, THIS POINT BEING THE NORTHERLY CORNER OF TRACT "M", THENCE RUN S50°46'28"E ALONG THE DIVIDING LINE OF TRACTS "M" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 106.00 FEET, THENCE RUN S39°00'45"W TO A POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO.25 A.K.A. OKEECHOBEE RD. FOR A DISTANCE OF 331.68 FEET, THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT OF WAY LINE OF AFOREMENTIONED STATE ROAD NO.25 A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING (P.O.B.) PROPERTY CONTAINS 83,035 SQUARE FEET MORE OR LESS OR 1.910 ACRES MORE OR LESS. PARCEL # 2. COMMENCE AT THE MOST WESTERLY CORNER OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH TO A POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO.25 A.K.A. OKEECHOBEE RD. FOR A DISTANCE OF 328.71 FEET, THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT OF WA LINE OF AFOREMENTIONED STATE ROAD NO.25 A DISTANCE OF 179.16 FEET TO THE POINT OF BEGINNING (P.O.B.) OF SAID PARCEL #3 PROPERTY CONTAINS 59,034 SQUARE FEET MORE OR LESS OR 1.360 ACRES MORE OR LESS. PARCEL # 4 COMMENCE AT THE MOST SOUTHERLY CORNER OF TRACT "M" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS

RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 A.K.A. OKEECHOBEE RD., THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 25 FOR A DISTANCE OF 176.18 FEET TO THE POINT OF BEGINNING, THENCE RUN N39°00'45"E FOR A DISTANCE OF 328.71 FEET TO A POINT BEING ON THE NORTHERLY LINE OF SAID TRACT "M" OF AFOREMENTIONED SUBDIVISION, THENCE RUN S50°29'02"E ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 11.84 FEET, THENCE RUN S02°37'33"E ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 40.46 FEET, THENCE RUN S50°29'02"E THENCE RUN ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 32.38 FEET, THENCE RUN N85°00'07"E ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 18.96 FEET, THENCE RUN S83°55'34"E ALONG THE DIVIDING LINES OF TRACT "L" AND TRACT "M" OF AFOREMENTIONED SUBDIVISION A DISTANCE OF 109.13 FEET, TO THE MOST EASTERLY CORNER OF SAID TRACT "M" , THENCE RUN S39°02'03"W ALONG THE DIVIDING LINES OF SAID TRACT "M" AND TRACT "7" OF PLAT BOOK 2 AT PAGE 68 A.K.A. FOLIO # 27-2030-001-0011 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA, FOR A DISTANCE OF 370.60 FEET TO THE POINT OF COMMENCEMENT (P.O.C.), THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO.25 A DISTANCE OF 176.18 FEET TO THE POINT OF BEGINNING (P.O.B.) PROPERTY CONTAINS 57,327 SQUARE FEET MORE OR LESS OR 1.32 ACRES MORE OR LESS; FOLIO: 27-2030-014-0135, APPROXIMATE LOCATION: NW WEST OKEECHOBEE ROAD AND N.W. 107TH AVENUE, HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Ms. Rosa Ramos Bolta, with Cabrera Ramos Architects, was present for the applicant. Chairman Piña stated that this was a first reading and as such an opportunity for public input will be provided upon second reading. He then made a motion to approve,

seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND VARIANCES FOR LIEBHERR CRANES, INC. D/B/A LIEBHERR NENZING CRANE TO PERMIT CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL 1: THE WEST ½ OF TRACT 13, FLORIDA FRUIT LAND CO. SUBDIVISION, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: PARCEL 2: TRACT 14, LESS THE EAST ½ AND LESS THAT PART COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19; THENCE RUN SOUTH 2°33'57" EAST (BEARINGS ARE BASED ON THE FLORIDA STATE SYSTEM OF PLANE COORDINATES), 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14, OF SAID SUBDIVISION, THENCE NORTH 89°29'39" EAST, 35.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LINE OF DADE COUNTY RIGHT OF WAY AND THE POINT OF BEGINNING; CONTINUE THENCE NORTH 89°29'39" EAST, 97.00 FEET ALONG SAID NORTH BOUNDARY TO A POINT; THENCE SOUTH 18°10'26" EAST, 273.74 FEET TO A POINT OF INTERSECTION WITH SAID EXISTING EAST RIGHT OF WAY LINE; THENCE NORTH 2°33'57" WEST, 259.49 FEET ALONG SAID EXISTING EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; FLORIDA FRUIT LAND CO. SUBDIVISION, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: PARCEL 3: THAT PART OF: THE WESTERLY 35.00 FEET OF TRACT 14, FLORIDA FRUIT LANDS COMPANY SUBDIVISION, NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, PUBLIC

RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING ALSO AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTH WEST CORNER OF SAID TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°10'26" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET; THENCE NORTH 24°14'53" EAST, 77.58 FEET TO THE POINT OF BEGINNING. TOGETHER WITH: PARCEL 4: THAT PART OF: TRACT 20, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, MIAMI-DADE COUNTY, FLORIDA, BEING ALSO A POINT OF PARCEL 125.1R AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003._COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°29'39" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26"

WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°33'57" EAST, 329.99 FEET; THENCE SOUTH 89°29'48" WEST ALONG THE SOUTH LINE OF SAID TRACT 20, 114.69 FEET; THENCE NORTH 16°48'45" EAST, 345.43 FEET TO THE POINT OF BEGINNING. APPROXIMATE LOCATION: HOMESTEAD EXTENSION OF FLORIDA TURNPIKE (HEFT) AND THEORETICAL NW 110 AVENUE, AND NORTH OF THEORETICAL NW 150TH STREET AND SOUTH OF THEORETICAL NW 152ND STREET, HIALEAH GARDENS, FL. FOLIOS: 27-2019-001-0220, 27-2019-001-0150 and 27-2019-001-0160, PROVIDING FOR CONDITIONS; EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin stated that the legal description for this ordinance is the same as that of the ordinance for Item 10C and that he would be reading into the record at this time for both items. Mr. Javier Vazquez was present for the applicant. Chairman Piña stated that this was a first reading and as such an opportunity for public input will be provided upon second reading. He then made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT CHANGING THE LAND USE FROM MER (MEDIUM DENSITY RESIDENTIAL) TO BU (GENERAL BUSINESS) ZONING: B-2, FOR THE APPROXIMATELY 3.8 ACRES PARCEL. PROPOSED COMMERCIAL SITE LEGAL DESCRIPTION: TRACT "C", OF VICENZA AT HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, AT PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOLIO #:27-2033-001-0330 APPROXIMATE LOCATION: BETWEEN NW 92 – 97TH AVENUE HIALEAH GARDENS CONNECTOR AND NW 93RD PLACE AND BETWEEN NW 121 STREET AND NW 119 TERRACE, HIALEAH GARDENS, FL., PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Shahin Eteessam was present for the applicant. Chairman Piña stated that this was a first reading and as such an opportunity for public input will be provided upon second reading. He

then made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING VARIANCES FOR WEST GARDEN PLAZA LLC TO PERMIT TWO (2) PYLONS SIGNS AT NW 95TH STREET (NORTH ENTRANCE) AND AT W. OKEECHOBEE RD. (SOUTH ENTRANCE). LOCATION: 8040 N.W. 95 STREET, HIALEAH GARDENS, FL., FOLIO #: 27-2030-014-0131, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present. Based on this being a first reading and as such an opportunity for public input will be provided upon second reading, Councilman Merida made a motion to approve, seconded by Councilman Gutierrez. The motion was approved by individualized voice vote **(3-1)** with Chairman Piña voting against.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR VICENZA AT HIALEAH GARDENS RESIDENTIAL SITE CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT "B", OF VICENZA AT HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, AT PAGE 13, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO: 27-2030-014-0131, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin swore in all those who would be testifying on items for second reading / public hearing. He then read the full title of the ordinance into the record. Mr. Shahin Etesam was present for the applicant and came forward to give a brief description of the 216 unit residential rental project. Mr. Mirtha Gonzalez Chief Zoning Official came forward and gave staff recommendations. Chairman Piña opened the public hearing at 8:13 p.m. No one came forward therefore he closed the public hearing at 8:13 p.m. and made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR BLUE BELL CREAMERIES LP, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS M AND N, "SHOMA COMMERCIAL", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE MOST WESTERLY CORNER OF SAID TRACT N; THENCE SOUTH 50 DEGREES 59 MINUTES 15 SECONDS EAST, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 25 AS SHOWN ON THE RIGHT-OF-WAY MAP SECTION 87090-2518, STATE ROAD 25, FOR 482.09 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE NORTH 39 DEGREES 00 MINUTES 45 SECONDS EAST FOR 332.60 FEET; THENCE SOUTH 50 DEGREES 46 MINUTES 28 SECONDS EAST FOR 250.00 FEET; THENCE SOUTH 39 DEGREES 00 MINUTES 45 SECONDS WEST FOR 331.67 FEET; THENCE NORTH 50 DEGREES 59 MINUTES 15 SECONDS WEST, ALONG THE ABOVE MENTIONED RIGHT-OF-WAY LINE, FOR 250.00 FEET TO THE POINT OF BEGINNING. FOLIO: 27-2030-014-0131, LOCATION: 13295 WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Bradley Miller, with Miller Land Planning Consultants was present for the applicant and came forward to give a brief description of the project which will serve as a distribution center for Blue Bell Creameries. Mr. Bradley answered Council questions regarding the operations of the facility. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Piña opened the public hearing at 8:20 p.m. No one came forward therefore he closed the public hearing at 8:20 p.m. and made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR LIEBHERR TRACT CONCERNING PROPERTY LEGALLY DESCRIBED AS: LEGAL DESCRIPTION: PARCEL 1: THE WEST ½ OF TRACT 13, FLORIDA FRUIT LAND CO. SUBDIVISION, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF,

AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: PARCEL 2: TRACT 14, LESS THE EAST $\frac{1}{2}$ AND LESS THAT PART COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH $89^{\circ}29'43''$ WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19; THENCE RUN SOUTH $2^{\circ}33'57''$ EAST (BEARINGS ARE BASED ON THE FLORIDA STATE SYSTEM OF PLANE COORDINATES), 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14, OF SAID SUBDIVISION, THENCE NORTH $89^{\circ}29'39''$ EAST, 35.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LINE OF DADE COUNTY RIGHT OF WAY AND THE POINT OF BEGINNING; CONTINUE THENCE NORTH $89^{\circ}29'39''$ EAST, 97.00 FEET ALONG SAID NORTH BOUNDARY TO A POINT; THENCE SOUTH $18^{\circ}10'26''$ EAST, 273.74 FEET TO A POINT OF INTERSECTION WITH SAID EXISTING EAST RIGHT OF WAY LINE; THENCE NORTH $2^{\circ}33'57''$ WEST, 259.49 FEET ALONG SAID EXISTING EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; FLORIDA FRUIT LAND CO. SUBDIVISION, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: PARCEL 3: THAT PART OF: THE WESTERLY 35.00 FEET OF TRACT 14, FLORIDA FRUIT LANDS COMPANY SUBDIVISION, NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING ALSO AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH $89^{\circ}29'43''$ WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH $2^{\circ}33'57''$ EAST, 659.98 FEET ALONG THE EAST LINE OF SAID

QUARTER SECTION TO THE NORTH WEST CORNER OF SAID TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°10'26" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET; THENCE NORTH 24°14'53" EAST, 77.58 FEET TO THE POINT OF BEGINNING. TOGETHER WITH: PARCEL 4: THAT PART OF: TRACT 20, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, MIAMI-DADE COUNTY, FLORIDA, BEING ALSO A POINT OF PARCEL 125.1R AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7 SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°29'39" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°33'57" EAST, 329.99 FEET; THENCE SOUTH 89°29'48" WEST ALONG THE SOUTH LINE OF SAID TRACT 20, 114.69 FEET; THENCE NORTH 16°48'45" EAST, 345.43 FEET TO THE POINT OF BEGINNING. APPROXIMATE LOCATION: BETWEEN HOMESTEAD EXTENSION OF FLORIDA TURNPIKE (HEFT) AND THEORETICAL NW 110 AVENUE, AND NORTH OF THEORETICAL NW 150TH STREET AND SOUTH OF THEORETICAL NW 152ND STREET, HIALEAH

GARDENS, FL.; PROVIDING FOR CONDITIONS;
 PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote:
 3-0)

Mr. Citrin reminded that the legal description for this ordinance is the same as the one read into the record previously for Item 9C on first reading. He asked Mrs. Gonzalez, Chief Zoning Official and Mr. Javier Vazquez, who represents the applicant, for confirmation of this statement. He also asked if anyone in the audience had not heard the first reading and would like to have it repeated. At this time Mr. Javier Vazquez, for the applicant came forward and acknowledged Mr. Steven Sosa, Mr. Omar Armenteros and Mr. Carlos Martinez who were present to answer any questions on the project. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Piña opened the public hearing at 8:24 p.m. No one came forward therefore he closed the public hearing at 8:24 p.m. Chairman Piña inquired as to the start date for construction on the project to which the applicant answered March 2012. He then made a motion to approve, seconded by Councilman Merida. The motion was approved individualized voice vote. **(4-0)**

- 11. City Attorney's Report:** Mr. Citrin acknowledged students from Mater Academy who were present at tonight's meeting as part of a school project. He also wished everyone a Merry Christmas, Happy Hannakuh and a happy, peaceful and healthy new year.
- 12. Mayor's Report – Miscellaneous:** No Comments
- 13. Council Members Concerns / Reports/ Board Appointments:** Chairman Piña thanked the students for coming to meeting.
- 14. Adjournment:** The meeting was adjourned at 8:27 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, January 17, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 9, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 5, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, January 25, 2012, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.