

**Mayor**

Yioiset De La Cruz

**City Council Members**

Chairman Luciano "Lucky" García  
Vice Chairman Rolando "Roly" Piña  
Council member Jorge A. Merida  
Council member Jorge Gutierrez  
Council member Elmo L. Urrea

**PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL.**

**AGENDA: CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
TUESDAY, January 17, 2023– 7:30 P.M.**

**NOTE:** In compliance with Robert's Rules of Order, all speakers will be heard only on items which are on the agenda and opened by the Chairperson for discussion by the public. Speakers will be limited to five minutes, unless the Chairperson allows more time for presentation.

**ATTENTION ALL LOBBYISTS:** Chapter 2, Section 2-308 of the City Code of Hialeah Gardens entitled "Lobbying" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyist's laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

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- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Deletions/Emergency Additions**
- 6. Review of Minutes:** December 20, 2022
- 7. Public Comments**
- 8. Proposed Resolution:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE ENTERING INTO AN AGREEMENT FOR THE RE-ROOFING OF THE WESTLAND GARDENS PARK RECREATION BUILDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BRAZOS URETHANE, INC., IN THE AMOUNT OF \$55,864.00; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**9. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR ZOE'S TRACT, LEGAL DESCRIPTION: THE WEST 264 FEET OF TRACT 16, LESS THE NORTH 65 FEET AND ALSO LESS THE WEST 15 FEET THEREOF FOR STREET PURPOSES, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS CONTAINING 1.514 ACRES, MORE OR LESS. FOLIO #: 27-2029-001-0172. APPROXIMATE LOCATION: S.E. INTERSECTION OF N.W 138 STREET AND N.W 102ND AVENUE, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING AND TRANSMITTING TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) THE APPLICATION REQUESTING AN AMENDMENT P2210-0003 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM PARKS AND OPEN SPACE AND WATER DISTRICT (POS) TO INDUSTRIAL LAND USE (IN). LEGAL DESCRIPTION: PARCEL 1: THAT PORTION OF SECTION 18, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LYING EASTERLY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD NO. 821) AND BEING IN MIAMI-DADE COUNTY, FLORIDA. PARCEL 2: TRACTS 1 TO 4 INCLUSIVE, THE EAST 1/2 OF TRACTS 13 AND 14 LESS THE WEST 35 FEET THEREOF, AND THAT PORTION OF TRACTS 15 AND 16 LYING EASTERLY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD NO. 821), IN THE NORTH ONE-QUARTER (N 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND HAVING AN AREA OF 9,093.661 SQUARE FEET / 208.762 ACRES MORE OR LESS. APPROXIMATE LOCATION: BETWEEN NORTH SIDE OF THEORETICAL N.W. 151 STREET AND N.W. 170 STREET AND BETWEEN N.W. 107 AVENUE AND FLORIDA'S TURNPIKE. FOLIO: 27-2018-001-0013; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 5-0)
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ABANDONMENT OF A DEDICATED ROAD PORTION OF EXISTING RIGHT OF WAY KNOWN AS ROYAL PALM ROAD IN HIALEAH GARDENS, FL. LEGALLY DESCRIBED AS: A PORTION OF TRACTS 15 AND 16, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN 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, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE S 00°03'22" W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3 FOR 200.06 FEET, THE FOLLOWING THREE (3) COURSES BEING ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 103RD STREET; 1) THENCE S 88°35'16" E FOR 40.29

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FEET TO A POINT OF CURVATURE; 2) THENCE SOUTHEASTERLY ALONG A 1875.08 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 01°54'20" FOR AN ARC DISTANCE 62.36 FEET TO THE POINT OF BEGINNING; 3) THENCE CONTINUE SOUTHEASTERLY ALONG SAID 1875.08 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°55'03" FOR AN ARC DISTANCE 30.03 FEET TO A POINT ON A NON-TANGENT LINE; THENCE S 01°30'05" W ALONG THE WEST LINE OF PARCEL I, OF THE CORRECTIVE QUIT CLAIM DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 16245, PAGE 843, OF SAID PUBLIC RECORDS, FOR 186.35 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND WHOSE RADIUS POINT BEARS S 79°51'55" W; THENCE NORTHWESTERLY ALONG A 127.43 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF 30°17'27" FOR AN ARC DISTANCE 67.37 FEET TO A POINT ON A NON-TANGENT LINE; THENCE N 01°30'05" E ALONG THE EAST LINE OF PARCEL II, OF THE CORRECTIVE QUIT CLAIM DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 16245, PAGE 843, OF SAID PUBLIC RECORDS, FOR 128.09 FEET TO THE POINT OF BEGINNING; FOLIO #: 27-3003-001-0117; PROVIDING FOR CONDITIONS, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ACCEPTING THE ROADWAY DEDICATION BY LER INVESTMENT CORP TO THE CITY OF HIALEAH GARDENS, MORE PARTICULARLY DESCRIBED AS: A PORTION OF TRACTS 15, 16 AND 17, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN 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, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE S 00°03'22" W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3 FOR 200.06 FEET TO THE POINT OF BEGINNING; THENCE S 88°35'16" E ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. 103RD STREET FOR 40.29 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST AND WHOSE RADIUS POINT BEARS S 06°54'05" E; THENCE SOUTHWESTERLY ALONG A 20.58 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF 85°25'24" FOR AN ARC

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DISTANCE 30.68 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG A 102.10 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF 49°23'25" FOR AN ARC DISTANCE 88.01 FEET TO A POINT OF TANGENCY; THENCE S 51°42'54" E FOR 25.77 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A 127.43 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 11°17'22" FOR AN ARC DISTANCE 25.11 FEET TO A POINT ON A NON-TANGENT LINE; THENCE S 01°30'05" W ALONG THE EAST LINE OF PARCEL II, OF THE CORRECTIVE QUIT CLAIM DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 16245, PAGE 843, OF SAID PUBLIC RECORDS, FOR 150.41 FEET; THENCE N 88°34'00" W FOR 3.38 FEET; THENCE N 01°30'05" E FOR 65.23 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A 91.43 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF 54°22'36" FOR AN ARC DISTANCE 86.77 FEET TO A POINT OF TANGENCY; THENCE N 52°52'31" W FOR 42.01 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A 120.93 FOOT RADIUS CURVE LEADING TO THE RIGHT THROUGH A CENTRAL ANGLE OF 50°31'57" FOR AN ARC DISTANCE 106.66 FEET TO POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG A 31.87 FOOT RADIUS CURVE LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF 54°58'13" FOR AN ARC DISTANCE 30.58 FEET TO A POINT ON A NON-TANGENT LINE; THENCE S 88°34'00" E ALONG SAID SOUTH RIGHT OF WAY LINE OF N.W. 103RD STREET FOR 38.58 FEET TO THE POINT OF BEGINNING., BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

(TRC Vote: 4-0; P&Z Vote: n/a)

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR NAVARRO PHARMACY TO DEVELOP A NEW BUILDING FOR RETAIL/PHARMACY. CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL 1: PORTION OF TRACTS 15 AND 16 OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN 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, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID

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SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE SOUTH 0°03'22" WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 3 FOR 200.06' TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET, AS SHOWN AN THE RIGHT-OF-WAY MAP, RECORDED IN PLAT BOCK 60, AT PAGE 53, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 88°35'16" EAST ALONG SAID RIGHT-OF-WAY LINE FAR 40.29 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1875.08 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE FOR 92.39 FEET THROUGH A CENTRAL ANGLE OF 2°49'23" TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER BEING DESCRIBED, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET; THENCE SOUTH 1°30'05" WEST FOR 297.77 FEET; THENCE SOUTH 88°34'00" EAST FOR 177.51 FEET; THENCE NORTH 1°30'05" EAST FOR 280.59 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET, SAID POINT LYING ON A CIRCULAR CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1875.08 FEET AND FROM WHICH A RADIAL LINE BEARS SOUTH 9°41'10" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE FOR 178.39' THROUGH A CENTRAL ANGLE OF 5°27'03" TO THE POINT OF BEGINNING. SAID LAND LYING AND BEING IN THE TOWN OF HIALEAH GARDENS, DADE COUNTY, FLORIDA. PARCEL 2: PORTIONS OF THE NORTHEAST 1/4 AND OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 3 AND RUN SOUTH 00°03'22" WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3, FOR 200.06' TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 88°35'16" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET FOR 40.29' TO A POINT OF CURVE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1875.08' AND A CENTRAL ANGLE OF 1°54'20" FOR AN ARC DISTANCE OF 62.36'; THEN SOUTH 1°30'05" WEST FOR 278.50'; THENCE NORTH 88°34'00" WEST PARALLEL TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3, FOR 297.00'; THENCE SOUTH 01°30'05" WEST FOR 20.50'; THENCE NORTH 88°34'00" WEST FOR 108.08'; THENCE NORTH

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01 "26'00" EAST AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3, FOR 300.00' TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET; THENCE SOUTH 88°34'00" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET FOR 302.79 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND LYING IN THE TOWN OF HIALEAH GARDENS, DADE COUNTY, FLORIDA. FOLIOS #: 27-3003-001-0105 AND 27-3003-001-0117; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 5-0)

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION 2APS (BEER AND WINE FOR SALE IN SEALED CONTAINERS AND FOR CONSUMPTION OFF PREMISES ONLY) FOR NAVARRO PHARMACY, CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL 1: PORTION OF TRACTS 15 AND 16 OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, IN 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, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE SOUTH 0°03'22" WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 3 FOR 200.06' TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET, AS SHOWN ON THE RIGHT-OF-WAY MAP, RECORDED IN PLAT BOOK 60, AT PAGE 53, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 88°35'16" EAST ALONG SAID RIGHT-OF-WAY LINE FOR 40.29 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1875.08 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE FOR 92.39 FEET THROUGH A CENTRAL ANGLE OF 2°49'23" TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER BEING DESCRIBED, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET; THENCE SOUTH 1°30'05" WEST FOR 297.77 FEET; THENCE SOUTH 88°34'00" EAST FOR 177.51 FEET; THENCE NORTH 1°30'05" EAST FOR 280.59 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET, SAID POINT LYING ON A CIRCULAR CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1875.08 FEET AND FROM WHICH A RADIAL LINE BEARS SOUTH 9°41'10" WEST; THENCE WESTERLY ALONG

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THE ARC OF SAID CURVE FOR 178.39' THROUGH A CENTRAL ANGLE OF 5°27'03" TO THE POINT OF BEGINNING. SAID LAND LYING AND BEING IN THE TOWN OF HIALEAH GARDENS, DADE COUNTY, FLORIDA. PARCEL 2: PORTIONS OF THE NORTHEAST 1/4 AND OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 3 AND RUN SOUTH 00°03'22" WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3, FOR 200.06' TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 88°35'16" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET FOR 40.29' TO A POINT OF CURVE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1875.08' AND A CENTRAL ANGLE OF 1°54'20" FOR AN ARC DISTANCE OF 62.36'; THEN SOUTH 1°30'05" WEST FOR 278.50'; THENCE NORTH 88°34'00" WEST PARALLEL TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3, FOR 297.00'; THENCE SOUTH 01°30'05" WEST FOR 20.50'; THENCE NORTH 88°34'00" WEST FOR 108.08'; THENCE NORTH 01 "26'00" EAST AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3, FOR 300.00' TO A POINT CM THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET; THENCE SOUTH 88°34'00" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF N.W. 103RD STREET FOR 302.79 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND LYING IN THE TOWN OF HIALEAH GARDENS, DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: CORNER OF S.E. INTERSECTION OF N.W. 103RD STREET AND ROYAL PALM ROAD, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-3003-001-0105 AND 27-3003-001-0117, TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES 2APS BEER AND WINE FOR SALE IN SEALED CONTAINERS AND FOR CONSUMPTION OFF PREMISES ONLY; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 5-0)

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR AERO TIRES CO. TO DEVELOP A NEW BUILDING FOR A PRE-ENGINEERED 6600 SF BUILDING FOR OFFICE AND VEHICLE AND TRUCK MAINTENANCE SPACES. CONCERNING PROPERTY LEGALLY DESCRIBED AS: LEGAL DESCRIPTION: A PORTION OF TRACT



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40N IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT 40, THENCE NORTH 165.01 FEET, THENCE WEST 495.84 FEET, THENCE SOUTH 164.98 FEET, THENCE EAST 496.79 FEET TO THE POINT OF BEGINNING, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. LESS: THAT PART OF: THE SOUTH HALF OF TRACT 40 AND TRACT 41 LESS THE NORTH 44.50 FEET IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST WHICH IS BOUNDED ON THE SOUTHWESTERLY BY THE TURNPIKE EXTENSION AND BOUNDED ON THE NORTHEASTERLY BY A LINE 160.50 FEET NORTHEASTERLY AND PARALLEL WITH THE CENTERLINE OF CONSTRUCTION FOR SECTION 97090-2518, STATE ROAD 25, TOGETHER WITH ALL RIPARIAN RIGHTS APPORTIONING THERETO. A PORTION OF SAID CENTERLINE OF CONSTRUCTION MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 2, 3, 10 AND 11, ALL IN TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 89°39'44" WEST A DISTANCE OF 501.31 FEET; THENCE RUN NORTH 50°54'44" WEST A DISTANCE OF 1132.75 FEET; THENCE RUN NORTH 39°00'45" EAST A DISTANCE OF 31.50 FEET TO THE BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE RUN NORTH 50°59'15" WEST A DISTANCE OF 42971.08 FEET TO THE END OF SAID DESCRIBED LINE; THENCE CONTINUE NORTH 02°38'59" WEST A DISTANCE OF 998.92 FEET; THENCE RUN NORTH 02°38'59" WEST A DISTANCE OF 410.79 FEET TO A POINT ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 10, TOWNSHIP 52 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°58'42" WEST A DISTANCE OF 14.43 FEET TO THE CENTER OF SAID SECTION 10. CONTAINING 1,800 SQUARE FEET, MORE OR LESS. APPROXIMATE LOCATION: CORNER OF N.W. INTERSECTION OF N.W. 112TH AVENUE AND THEORETICAL N.W. 138TH STREET, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0430.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)

**AGENDA –January 17, 2023– 7:30 P.M. -COUNCIL CHAMBERS****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 FINAL PLAT FOR NABISTA SUBDIVISION, LEGAL DESCRIPTION: PARCEL ID 27-2019-001-0574 THE WEST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LANDS COMPANY’S, SUBDIVISION NO1, 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, (APPOX. 1.2 ACRES). LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 27592, PAGE 3782-85. PUBLIC RECORDS OF MIAMI-DADE COUNTY. PARCEL ID 27-2019-001-0576 THE EAST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LANDS COMPANY’S, SUBDIVISION NO1, 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, (APPOX. 1.2 ACRES). LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 27993, PAGE 2678-81. PUBLIC RECORDS OF MIAMI-DADE COUNTY. FOLIOS #: 27-2019-001-0574 AND 27-2019-001-0576. APPROXIMATE LOCATION: N.E. CORNER OF INTERSECTION OF N.W. 109TH AVENUE AND N.W. 144 STREET, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

(TRC Vote: 5-0; P&Z Vote: n/a)

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR POINCIANA PALMS, LEGAL DESCRIPTION: A PORTION OF TRACT 40 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT 40, THENCE NORTH 165.01 FEET, THENCE WEST 495.84 FEET, THENCE SOUTH 164.98 FEET, THENCE EAST 496.79 FEET TO THE POINT OF BEGINNING, OF FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. LESS: THAT PART OF: THE SOUTH HALF OF TRACT 40 AND TRACT

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41 LESS THE NORTH 44.50 FEET IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST WHICH IS BOUNDED ON THE SOUTHWESTERLY BY THE TURNPIKE EXTENSION AND BOUNDED ON THE NORTHEASTERLY BY A LINE 160.50 FEET NORTHEASTERLY AND PARALLEL WITH THE CENTERLINE OF CONSTRUCTION FOR SECTION 97090-2518, STATE ROAD 25, TOGETHER WITH ALL RIPARIAN RIGHTS APPORTIONING THERETO. A PORTION OF SAID CENTERLINE OF CONSTRUCTION MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SECTION CORNER COMMON TO SECTION 2, 3, 10 AND 11, ALL IN TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 89°39'44" WEST A DISTANCE OF 501.31 FEET; THENCE RUN NORTH 50°54'44" WEST A DISTANCE OF 1132.75 FEET; THENCE RUN NORTH 39°00'45" EAST A DISTANCE OF 31.50 FEET TO THE BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE RUN NORTH 50°59'15" WEST A DISTANCE OF 42971.08 FEET TO THE END OF SAID DESCRIBED LINE; THENCE CONTINUE NORTH 02°38'59" WEST TO A POINT ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 10, TOWNSHIP 52 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°58'42" WEST A DISTANCE OF 14.43 FEET TO THE CENTER OF SAID SECTION 10. CONTAINING 1,800 SQUARE FEET, MORE OR LESS. FOLIO #: 27-2019-001-0430. APPROXIMATE LOCATION: S.E INTERSECTION ON N.W. 119TH STREET AND N.W. 88TH AVENUE, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.  
(TRC Vote: 5-0; P&Z Vote: 5-0)

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR IDMJI, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PARCEL OF LAND LYING IN A PORTION OF TRACTS 7 AND 8 RECORDED IN PLAT OF CHAMBERS LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 68, OF THE PUBLIC RECORDS MIAMI-DADE COUNTY, FLORIDA, ALSO LYING IN THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 30; THENCE N02°37'35"W ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 OF SECTION 30 FOR 100.42 FEET; THENCE N50°58'25"W FOR A DISTANCE OF 53.53 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED

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PARCEL OF LAND; THENCE RUN S70°04'16"W FOR A DISTANCE OF 82.29 FEET; THENCE N50°59'15"W FOR A DISTANCE OF 401.33 FEET; (LAST TWO MENTION COURSES BEING COINCIDENT WITH THE RIGHT-OF-WAY LINE OF STATE ROAD #25); THENCE N39°02'03"E FOR 370.60 FEET; THENCE S50°57'57"E FOR 176.91 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF NW 107TH/ AVENUE; THENCE RUN S02°37'35"E ALONG SAID RIGHT OF WAY LINE OF NW 107TH/ AVENUE FOR A DISTANCE OF 401.45 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. EXISTING ADDRESS: 13090 NW 107TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2030-001-0011. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR IGLESIA DE DIOS MINISTERIAL DE JESUCRISTO INTERNACIONAL TO DEVELOP A NEW BUILDING FOR A HOUSE OF WORSHIP. CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL ONE: A PORTION OF TRACTS 7 AND 8 IN THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS SHOWN ON THE PLAT OF CHAMBERS LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 68, PUBLIC RECORDS MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 30; THENCE NORTH 0 DEGREES 00'58" EAST ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 OF SECTION 30 FOR 100.42 FEET; THENCE NORTH 48 DEGREES 20'17" WEST FOR 53.53 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE SOUTH 72 DEGREES 46'24" WEST FOR 82.28 FEET; THENCE NORTH 48 DEGREES 21'35" WEST FOR 401.33 FEET; (LAST TWO MENTION COURSES BEING COINCIDENT WITH THE RIGHT-OF-WAY LINE OF STATE ROAD #25); THENCE NORTH 41DEGREES 39'43" EAST FOR 70.60 FEET; THENCE SOUTH 48 DEGREES 20'17" EAST FOR 443.84 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA; AND PARCEL TWO: A PORTION OF TRACTS 7 AND 8, SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS RECORDED IN PLAT BOOK 2, PAGE 68 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT

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THE NORTHEAST CORNER OF SAID SECTION 30; THENCE RUN SOUTH ALONG THE EAST SECTION LINE 2138.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG THE EAST SECTION LINE 401.45 FEET TO A POINT; THENCE RUN NORTH 48 DEGREES 21'03" WEST, ALONG A LINE PARALLEL TO STATE ROAD NO. 25 FOR 497.37 FEET TO A POINT; THENCE RUN NORTH 41 DEGREES 38'57" EAST 300.00 FEET TO A POINT; THENCE RUN SOUTH 48 DEGREES 21'03" EAST ALONG A LINE PARALLEL TO STATE ROAD NO. 25, FOR 230.58 FEET TO A POINT OF BEGINNING. LESS THAT PORTION DEDICATED FOR ROAD PURPOSES IN DEED RECORDED IN OFFICIAL RECORDS BOOK 9434, PAGE 425, KNOWN AS PARCEL 238. IR AND SHOWN ON THE RIGHT OF WAY MAP PREPARED BY STATE OF FLORIDA, STATE ROAD DEPARTMENT, SECTION 87090-2518, SHEET 6 OF 9. - FOLIO #: 27-2030-001-0011; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, DONATING PARCEL 106 CONSISTING OF 2,813 SQUARE FEET OF CITY OF HIALEAH GARDENS PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO BE UTILIZED FOR PLANNED ROADWAY RECONSTRUCTION ON SR 25/OKEECHOBEE ROAD FROM EAST OF NW 116 WAY TO EAST OF NW 87 AVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
  
- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78 ENTITLED LAND USE REGULATIONS ARTICLE III, ZONING DISTRICT TYPE AND USE REGULATIONS SPECIFICALLY SECTION 78-47 COMMERCIAL BUSINESS DISTRICT B-3 USES, TO ADD LANGUAGE TO AMEND USE (x) TRUCK STORAGE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
  
- G) ORDINANCE AMENDING CHAPTER 78, LAND DEVELOPMENT REGULATIONS, ARTICLE V DEVELOPMENT AND DESIGN STANDARDS, DIVISION 6 ADDITIONAL REQUIREMENTS FOR SPECIAL USES; SECTION 78-130 SPECIFIC USE REQUIREMENTS OF THE HIALEAH GARDENS CODE OF ORDINANCES AMENDING AUTOMATIC CAR WASH SECTION D

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AND REMOVING SECTION E ALLOWING FOR MULTI CAR TUNNEL CAR WASH FACILITIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.

**11. First reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, FOR EL CAR WASH APPROVING A SITE PLAN REVIEW AND SPECIAL EXCEPTION USE TO DEVELOP AN AUTOMATIC CAR WASH FACILITY AND RETAIL (DONUT SHOP), CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT B OF HOME DEPOT – HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 166, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: CORNER OF S.E. INTERSECTION OF THEORETICAL N.W. 109TH AVENUE AND FRONTAGE ROAD, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2030-024-0020, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)

**12. City Attorney’s Report**

**13. Mayor’s Report – Miscellaneous**

**14. Council Members Concerns / Reports / Board Appointments**

Police Pension Board Appointment – Pending

Water & Sewer Board Appointment (J. Merida, E. Urra) - Pending

**15. Adjournment**

Agenda certified by:

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Maria L. Joffe, City Clerk

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk’s office no later than four days prior to the proceeding. For assistance, the City’s telephone number is (305) 558-4114; if hearing impaired the telephone for the Florida Relay Service is (800) 955-8771 (TDD) or (800) 955-8770 (VOICE).

Pursuant to Section 286.0105 Florida Statutes, 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.

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**SCHEDULE OF MEETINGS**

**CITY COUNCIL**

Tuesday, February 7, 2023, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, February 6, 2023, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, February 2, 2023, 11:00 A.M.

**WATER AND SEWER BOARD**

T.B.D.

**POLICE PENSION BOARD**

Tuesday, February 7, 2023, 5:30 P.M.