

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, February 7, 2023
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:33 p.m.
- 2. Roll Call:** Present were Councilman Elmo L. Urra, Councilman Jorge Gutierrez, Councilman Jorge A. Merida, Councilman Rolando Piña, Chairman Luciano Garcia, and Ms. Aida Martinez-Ruiz, Deputy City Attorney. Mr. Charles A. Citrin, City Attorney, and Mayor De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Ms. Martinez-Ruiz led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: January 17, 2023** Chairman Garcia made a motion to approve the minutes of January 17, 2023. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE RENEWAL OF THE AGREEMENT WITH SYNOVOUS BANK FOR A LINE OF CREDIT IN THE AMOUNT OF \$2,000,000 TO BE UTILIZED AS NECESSARY; AUTHORIZING THE RENEWAL OF THE AGREEMENT BETWEEN THE CITY AND SYNOVOUS BANK; APPROVING AGREEMENTS RELATED TO SAID SERVICES PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Mr. Juan Rivera, OMB Director, came forward. He explained that this is a two-year renewal of the City's \$2 million line of credit with Synovous Bank. The interest rate will be 2.6% which is .32% less than the current rate. There is a commitment fee of \$10,000 and a legal fee of \$2,500. Chairman Garcia added that the City has renewed this line of credit for a number of years for contingency purposes. There were no further comments and Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF THREE (3) 2022 CHEVROLET SILVERADO VEHICLES TO BE USED BY THE POLICE DEPARTMENT; WAIVING COMPETITIVE BIDDING; PURCHASING THE VEHICLES FROM BOMNIN CHEVROLET WHICH IS PROVIDING THE VEHICLES FOR LESS THAN THE EXISTING GOVERNMENT CONTRACT UTILIZED BY THE CITY; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BOMNIN CHEVROLET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Captain Lopez and Chief Diaz were out of town and unable to attend the meeting and had asked Ms. Martinez-Ruiz to cover this item. She explained that the Police Department is in dire need of vehicles because several vehicles have had transmission recalls/changes. Due to a huge shortage of cars, there are no vehicles available through the Sheriff's Bid. After an extensive search, City staff located three 2022 Silverado trucks (to be used by the Detective bureau). They are slightly less at \$48,200 than the Sherriff's Bid (\$52,000), which would not come in for more than a year. This purchase has been budgeted for in the General Fund. No further comments or questions. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

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

Ms. Martinez-Ruiz swore in those in attendance intending to give testimony on any of the following items.

- 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. Ms. Jane Storms with Pulice Land Surveyors came forward for the applicant and stated her name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for approval into the record. The land use is NR, neighborhood retail. Zoning district is neighborhood business district. This is a final plat. The proposed lot is in compliance with the land development regulations. The approved use is to develop a 7/11 gas station with a convenience store without repair facility and without design for truck service. Chairman Garcia opened a public hearing at 7:40 p.m. No one came forward. Public hearing closed at 7:40 p.m. No comments or questions from Council. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved. **(5-0)**

- 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, RAGE 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. Ms. Kerri Barsh came forward representing the applicant, White Rock East Development LLC, and stated her name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for approval into the record. The land use is POS, Parks and Open Space and Water district. The zoning district is POS. The applicant is requesting a land use amendment to the comprehensive plan [to change the specified area] from POS to industrial land use. This amendment will extend the existing land use category for the Northwest District. One of the objectives of the future land use comprehensive plan is to enhance the City's tax base and achieve economic development goals. The application also seeks to amend industrial use to include neighborhood retail and commercial use. The change in land use will be compatible with the surrounding areas and the City's vision of the Northwest district. Chairman Garcia added that the area was originally designated as POS when the City first annexed the land. Those were preliminary designations and does not prevent a change in land use. Most of the land in this area is already industrial.

Chairman Garcia opened a public hearing at 7:44 p.m. No one came forward. Public hearing closed at 7:44 p.m. Councilman Pina asked what was currently on this land. Ms. Barsh replied, stating that the area is a former quarry with two existing lakes; White Rock acquired the land. No further comments or questions. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved. **(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 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. Mr. Eduardo Carcache, CKE Group, came forward representing the applicant and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for approval into the record. The land use category is general business and the zoning district is B-2.

This is authorizing the abandonment of a dedicated road portion of existing right of way known as Royal Palm Road; there is no need or plan for that right-of-way in the future. There are no existing underground lines/infrastructure for utilities in this portion. Chairman Garcia opened a public hearing at 7:48 p.m. No one came forward. Public hearing closed at 7:48 p.m. Councilman Gutierrez asked if this item was linked to Item D. Mrs. Gonzalez confirmed that it was. No further comments or questions. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved. **(5-0)**

- 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 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. Mr. Eduardo Carcache, CKE Group, came forward once again and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for approval into the record. Same approximate location as previous item; this is accepting the roadway dedication by LER investment Corp to the City of Hialeah Gardens. Chairman Garcia added that this is merely to ensure that there is a proper right-of-way dedication. Chairman Garcia opened a public hearing at 7:51 p.m. No one came forward. Public hearing closed at 7:51 p.m. No further questions or comments. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved. **(5-0)**

- 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 SAIDSECTION 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 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. 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. Mr. Eduardo Carcache, CKE Group, came forward once again and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for approval into the record. The applicant is requesting to develop a building for a retail pharmacy, Navarro Pharmacy. All conditions stipulated by TRC have been addressed by applicant. Chairman Garcia asked if there were any variances; Mrs. Gonzalez confirmed that there were none necessary because they resolved the impervious area issue.

Chairman Garcia opened a public hearing at 7:54 p.m. No one came forward. Public hearing closed at 7:54 p.m. No further questions or comments. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved. **(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 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 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. Mr. Eduardo Carcache, CKE Group, came forward once again and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for approval into the record. The applicant is requesting the approval as a special exception to permit the sale of beer and wine in sealed containers for off-premise consumption (2COP). Mrs. Gonzalez listed the existing businesses, schools, and places of worship within the referenced radius. Chairman Garcia asked if the City had received any complaints from any of the aforementioned businesses, churches or schools; she confirmed that there had been none.

Chairman Garcia opened a public hearing at 8:00 p.m. No one came forward. Public hearing closed at 8:00 p.m. No further questions or comments. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved. **(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 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)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the full legal description into the record in order to ensure accuracy. The applicant was not present. The Chair made a motion to table the item, seconded by Councilman Merida. The item was unanimously tabled.

(5-0)

- 10. City Attorney's Report:** Nothing to report.
- 11. Mayor's Report – Miscellaneous:** N/A
- 12. Council Members Concerns / Reports / Board Appointments:** N/A
 - Police Pension Board Appointment – Pending
 - Water & Sewer Board Appointment (J. Merida, E. Urra) - Pending
- 13. Adjournment:** The meeting was adjourned at 8:02 p.m.

Respectfully submitted by:

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.

SCHEDULE OF MEETINGS

CITY COUNCIL

Tuesday, March 21, 2023, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, April 10, 2023, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, April 6, 2023, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Tuesday, May 2, 2023, 5:30 P.M.