

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, April 4, 2023  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:31 p.m.
- 2. Roll Call:** Present were Councilman Elmo L. Urra, Councilman Jorge Gutierrez Councilman Jorge A. Merida, Councilman Rolando Piña, Chairman Luciano Garcia, Mayor Yioiset De La Cruz, and Mr. Charles A. Citrin, City Attorney.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: March 21, 2023** Chairman Garcia made a motion to approve the minutes of March 21, 2023. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

At this time, Mr. Citrin pointed out that an item (8) was missing from the agenda presented before the Council members. The meeting was paused in order to distribute the correct agenda to the Council and members of the public. The missing item (8) which had been correctly noticed and advertised, was read into the record.

**8. Request for approval of a 3PS alcohol beverage license for Clark 9 / Clark Nine LLC, 13750 NW 107 Avenue #110, Hialeah Gardens, FL. Owner: Ms. Katusca Moreno.**

Ms. Katusca Moreno came forward and stated her name and address for the record. Mr. Robert Lorenzo, License Director, came forward and read the recommendation for approval into the record. This is a new 3PS liquor license for Clark Nine LLC. Staff encourages owner to review the City Code of Ordinances Chapter 10 and all of the restrictions of the 3PS license. No comments or questions were offered.

The Chair made a motion to approve the request, seconded by Councilman Merida. The 3PS alcohol beverage license was approved unanimously. **(5-0)**

**9. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF SWEETWATER, FLORIDA REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Citrin explained that this is a routine agreement that the City enters with a sister City. The City of Sweetwater will now be led by Mr. Pepe Diaz who is running unopposed as Mayor. No further comments or questions. The Chair made a motion to approve the resolution as amended, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY FIREWORKS ENTERTAINMENT TO EXCELLENT ENTERTAINMENT, INC. D/B/A ADD FIRE ("ADD FIRE") FOR THE CITY'S INDEPENDENCE DAY CELEBRATION; RENEWING THE CITY'S CONTRACT WITH ADD FIRE; WAIVING

COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AGREEMENT WITH ADD FIRE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Walter Dubon, Director of Parks & Recreation, came forward and stated his name and address for the record. Mr. Dubon explained that the item before the Council is for the City's annual Independence Day fireworks display. This will be the City's 19<sup>th</sup> year doing business with Add Fire.

No further comments or questions. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

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

Mr. Citrin swore in those in attendance intending to give testimony on any of the following items.

- 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, 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)**

Mr. Citrin read the item into the record. He asked that the City Clerk enter the complete legal description into the record as written on the ordinance in order to assure accuracy. Ms. Tracy Slavens, attorney with LSN Law, came forward on behalf of the applicant and stated her name and address for the record.

Mr. Joe Lopez, Public Works Director, came forward to read on behalf of Mirtha Gonzalez, Chief Zoning Official, who was unable to attend this meeting. Mr. Lopez read the recommendation for approval into the record. The applicant is requesting a site plan review and special exception use to develop an automatic car wash

facility with retail [space]. The Technical Review Committee recommended approval with several conditions, including corrections to the setback as displayed on the site plan, the depiction of dimensions, specification of the radius of all turns, and the providing of a reciprocal easement agreement with Home Depot. All conditions have since been addressed. The Zoning Department agrees with the TRC recommendation. Chairman Garcia asked about the special exception; Mr. Lopez explained that the change in the Code stipulates that a stand-alone car wash facility can be allowed.

Ms. Slavens came forward; she reiterated that this is a special exception and site plan approval for El Car Wash that will be located on the outparcel next to Home Depot on 112<sup>th</sup>. Ms. Slavens brought a rendering of the site plan so that the Council could see the access points and design of the building. They have created as much stacking capacity as possible to avoid any traffic issues. Parking will not be an issue. Ms. Slavens thanked Mrs. Gonzalez and Staff and offered to answer any questions that the Council may have. Chairman Garcia opened a public hearing at 7:48 p.m. No one came forward. Public hearing closed at 7:48 p.m.

Councilman Piña asked Ms. Slavens to demonstrate where Frontage Road was depicted on the site plan, and how traffic would access the car wash. Ms. Slavens explained that they made the driveways internal to the site in order to avoid issues with FDOT, which has jurisdiction over Frontage. The applicant has also secured approval from Home Depot for these driveway locations. Chairman Garcia asked if Home Depot is in agreement with their site plan, stacking, etc.; Ms. Slavens answered that they filed an official approval of the site plan [with the City]. Councilman Pina asked Ms. Slavens to describe her position with respect to this project; Ms. Slavens answered that she is the zoning attorney for El Car Wash, who have been her client for a number of years. Chairman Garcia asked how many facilities the corporation currently has; Ms. Slavens answered that they currently have 30 locations across South Florida. Mojo Donuts is one of their partners and several sites have also included the retail space for a donut shop.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote.

**(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR LEONOR PEREZ, LEGAL DESCRIPTION: THE EAST 1/2 OF THE EAST 1/2 OF EAST 1/2 OF TRACT 13, LESS THE NORTH 30 FEET AND LESS THE EAST 30 FEET FOR RIGHT-OF-WAY, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", IN SECTION 29, 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.  
APPROXIMATE LOCATION: S.W. INTERSECTION OF N.W  
135TH STREET AND THEORETICAL N.W 99TH AVENUE,  
HIALEAH GARDENS, FLORIDA. PROVIDING FOR  
CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-  
0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. He asked that the City Clerk enter the complete legal description into the record as written on the ordinance in order to assure accuracy. Ms. Leonor Perez, owner, came forward and stated her name and address for the record.

Mr. Joe Lopez came forward once again. Mr. Lopez read the recommendation for approval into the record. The applicant is requesting a waiver of plat within the Estates residential district. A waiver of plat is in compliance with the land development regulations. TRC recommended approval subject to several conditions, including Public Works approval, a permit for an existing chain-link fence, and the removal of a temporary fence within the right-of-way [which is not enforced until after a permit is applied for]. Mr. Luis Camejo, translator for the applicant, stated his name and address for the record. Chairman Garcia asked for this information to be conveyed to the applicant. The applicant stated that they are in agreement with these conditions.

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 comments or questions from Councilmembers. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR 10581 W OKEECHOBEE ROAD V1 LLC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: BEGIN AT A POINT 695.0 FEET WEST OF THE NORTHEAST COMER OF SECTION 4, TOWNSHIP53, SOUTH, RANGE 40 EAST: THENCE WEST ALONG THE NORTH LINE OF THAT SECTION TO THE INTERSECTION WITH THE CENTER LINE OF THE MIAMI CANAL; THENCE SOUTHEASTERLY A TONG THE CENTER LINE OF THE CANAL A DISTANCE OF 707.6 FEET; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING; LESS THAT PART OF THE SAID DESCRIBED PARCEL PLATTED IN PLAT BOOK 9, AT PAGE 65, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. AND A PORTION OF THE WEST 1/2 OF TRACT 56, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2.

OF PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING AT THE NORTHWESTERLY CORNER OF SAID LOT 10, HARTFORDSHIRE GARDENS, PLAT BOOK 9, PAGE 65: THENCE NORTH 50°36'00" WEST ALONG THE NORTHEASTERLY BOUNDARY OF SAID HARTFORDSHIRE GARDENS FOR 98.59 FEET; TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED: THENCE NORTH 39°24,00" EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE FOR 110.00 FEET; THENCE EAST ALONG A LINE PARALLEL WITH AND 85.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 4 FOR 470.71 FEET; THENCE SOUTH 2°16'10" EAST FOR 85.07 FEET, THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 4 FOR 543.90 FEET TO THE POINT OF BEGINNING: LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: S.W. INTERSECTION OF THEORETICAL N.W 106TH TERRACE AND THEORETICAL N.W 88TH AVENUE AND ON THE SOUTH FRONTAGE ROAD / WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-3004-000-0020, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. He asked that the City Clerk enter the complete legal description into the record as written on the ordinance in order to assure accuracy.

Mr. Luis Gutierrez, surveyor [representing the platting company], came forward and stated his name and address for the record. Mr. Joe Lopez came forward once again on behalf of Mrs. Mirtha Gonzalez. Mr. Lopez read the recommendation for approval into the record. The applicant is requesting a subdivision review. The size of the proposed lot is in compliance with the land development regulations. The proposed use is truck storage. TRC recommended approval subject to several conditions, including: usage of county section sheet [as location map], depiction of existing right-of-ways, naming of tract A and inclusion of square footage and acreage, the specification of all nonconforming improvements, description of an existing CBS wall, statement of existing right-of-way on NW 106<sup>th</sup> Street, inclusion of a road-closing petition, and specification of the zoning designation on the West side of the T-Plat. The Zoning Department agrees with the TRC recommendation. Mr. Lopez explained that most conditions have been met, but they do not release the tentative plat to the County until all are met. This recommendation is only for Council action. Mr. Gutierrez stated that he was in agreement with the recommendation.

Chairman Garcia opened a public hearing at 7:59 p.m. No one came forward. Public hearing closed at 7:59 p.m. No further comments or questions from Councilmembers. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR HG SUBDIVISION, LEGAL DESCRIPTION: TRACT "A" WEST 1/2 OF THE WEST 1/2 OF TRACT 58 OF FLORIDA FRUIT LANDS COMPANY'S NO. 1, 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; LESS AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS BY RIGHT-OF-WAY DEED RECORDED DECEMBER 23, 2011 IN OFFICIAL RECORDS BOOK 27940, PAGE 122 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TRACT "B" THE EAST 165 FEET OF THE WEST ONE-HALF (W 1/2) OF TRACT 58, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S NO. 1, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTH 35 FEET FOR HIGHWAY PURPOSED AS PER RIGHT-OF-WAY DEED OF CITY OF HIALEAH GARDENS RECORDED OCTOBER 18, 2012 IN OFFICIAL RECORDS BOOK 28318 PAGE 2940, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS #:27-2019-001-0651 AND 27-2019-001-0652. APPROXIMATE LOCATION: TRACT "A": S.E INTERSECTION ON N.W. 112TH AVENUE AND N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA AND TRACT "B": BETWEEN N.W. 109TH AVENUE AND N.W. 112TH AVENUE AND SOUTH OF N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. He asked that the City Clerk enter the complete legal description into the record as written on the ordinance in order to assure accuracy.

Mr. Angel Lopez, land surveyor, came forward representing the applicant and stated his name and address for the record. Mr. Joe Lopez came forward once again on behalf of Mrs. Mirtha Gonzalez. Mr. Lopez read the recommendation for approval into the record. This is a final plat for HG subdivision. The applicant is requesting a final plat approval where the size of the proposed lots are in

compliance with the land development regulations. The proposed use is to develop new buildings with offices and warehouses on each parcel. TRC recommended approval subject to a name correction on the second page and payment of licensing and permit violation fees. The conditions were both addressed. The Zoning Department agrees with TRC recommendation. No major changes between the tentative plat and the final plat.

Chairman Garcia opened a public hearing at 8:01 p.m. No one came forward. Public hearing closed at 8:01 p.m. No further comments or questions from Councilmembers. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR FLIGHTWAY 17 TO DEVELOP A STREET LEVEL MULTI-TENANT WAREHOUSES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT E, "B.J.'S PLAT", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 155, PAGE 58, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT: A PORTION OF TRACT E, "B.J.'S PLAT", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 155, PAGE 58, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SE 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND THE EXISTING NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 25 (US 27 / OKEECHOBEE ROAD) AS SHOWN ON SAID "B.J.'S PLAT"; THENCE ALONG SAID WEST LINE OF THE SE 1/4 OF SECTION 3, FOR THE FOLLOWING TWO (2) COURSES 1) THENCE N 01°44'24" W FOR A DISTANCE OF 23.10 FEET TO THE POINT OF INTERSECTION WITH THE EXISTING NORTHERLY RIGHT OF WAY LINE OF ACCESS ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; 2) THENCE N 01°44'24" W FOR A DISTANCE OF 175.89 FEET TO A POINT ON A CURVE, SAID POINT BEARS N 17°13'21" E FROM THE CENTER OF SAID CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 671.00 FEET AND A CENTRAL ANGLE OF 48°54'13" FOR AN ARC DISTANCE OF 572.72 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE CONTINUE SOUTHEASTERLY



ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 366.00 FEET AND A CENTRAL ANGLE OF 11°00'47" FOR AN ARC DISTANCE OF 70.35 FEET TO A POINT ON SAID CURVE; THENCE S 46°48'19" W FOR A DISTANCE OF 1.23 FEET TO A POINT ON SAID EXISTING NORTHERLY RIGHT OF WAY LINE OF ACCESS ROAD AND A POINT ON A CURVE CONCAVE TO THE SOUTHWEST, SAID POINT BEARS N 46°34'11" E FROM THE CENTER OF SAID CURVE; THENCE CONTINUE ALONG PREVIOUSLY DESCRIBED RIGHT OF WAY LINE, FOR THE FOLLOWING FOUR (4) COURSES; 1) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 292.00 FEET AND A CENTRAL ANGLE OF 07°21'58" FOR AN ARC DISTANCE OF 37.54 FEET TO A POINT OF TANGENCY; 2) THENCE N 50°59'16" W FOR A DISTANCE OF 251.15 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; 3) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 292.00 FEET AND A CENTRAL ANGLE OF 36°56'45" FOR AN ARC DISTANCE OF 188.29 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; 4) THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 208.00 FEET AND A CENTRAL ANGLE OF 13°15'36" FOR AN ARC DISTANCE OF 48.14 FEET TO THE POINT OF BEGINNING. FOLIO #: 27-3003-037-0050; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 3-0)

Mr. Citrin read the item into the record. He asked that the City Clerk enter the complete legal description into the record as written on the ordinance in order to assure accuracy.

Mr. Nicholas Rodriguez, general contractor with Ralph Merritt Construction, came forward representing the applicant, Flightway 17, and stated his name and address for the record. Mr. Joe Lopez came forward once again. Mr. Lopez read the recommendation for approval into the record. This is a site plan review. The applicant is requesting a site plan approval to develop street-level multi-tenant warehouses. TRC recommended approval subject to several conditions. These include corrections to an interrupted public sidewalk on Frontage Road and corrections to a driveway partially overlapping a landscape easement on the West side. The dimensions of all radius (driveways) must be provided. Stall details required. Dimensions required for building, sidewalks, and greenbelts on the site plan. Wheel path for garbage truck required. Lastly, dimensions and curbing for the landscape island is required. Mr. Lopez stated that all conditions had been

addressed except for the 24' driveway dimension on the West side...reduced to a 20' driveway which is acceptable. P&Z recommended approval, suggesting 24' driveway. Mr. Lopez explained that 20' is fine in this circumstance. All corrections were made.

Chairman Garcia opened a public hearing at 8:05 p.m. No one came forward. Public hearing closed at 8:05 p.m. No further comments or questions from Councilmembers. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

### **Tabled 03/07/2023**

The Chair made a motion to remove the item from table, seconded by Councilman Merida. The motion was unanimously passed via individualized voice vote and the item was re-opened. The item was re-noticed for Public Hearing for tonight's meeting. The applicant paid the required re-advertisement fee.

- F) 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. Luisa Moreno, civil engineer, came forward representing the applicant and stated her name and address for the record.

Mr. Citrin read the item into the record. He asked that the City Clerk enter the complete legal description into the record as written on the ordinance in order to assure accuracy.

Mr. Joe Lopez came forward once again on behalf of Mrs. Mirtha Gonzalez. Mr. Lopez read the recommendation for approval into the record. This is a site plan review. The applicant is requesting to develop a pre-engineered 6,600 SF building for office and vehicle and truck maintenance spaces. TRC recommended approval with several comments regarding the gate on site plan, the landscape buffer on the West side, an 8-foot CBS wall, and handicap space access. The Zoning Department agrees with TRC recommendations.

Chairman Garcia opened a public hearing at 8:09 p.m. No one came forward. Public hearing closed at 8:09 p.m. No further comments or questions from Councilmembers. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- 11. City Attorney's Report:** Mr. Citrin thanked Mr. Lopez for his contributions to the meeting.

12. **Mayor's Report – Miscellaneous:** Mayor De La Cruz invited all to the Easter event on Saturday April 8<sup>th</sup> at Westland Gardens Park.
13. **Council Members Concerns / Reports:** N/A
14. **Adjournment:** The meeting was adjourned at 8:10 p.m.

Respectfully submitted by:

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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, May 16, 2023, 7:30 P.M.

**PLANNING AND ZONING BOARD**

T.B.D.

**TECHNICAL REVIEW COMMITTEE**

T.B.D.

**WATER AND SEWER BOARD**

T.B.D.

**POLICE PENSION BOARD**

Tuesday, August 1, 2023, 5:30 P.M.