

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
2023 LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN
February 22nd, 2023
Summary Agenda- Minutes

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

6:00 P.M.
HIALEAH

Call to order.

REPORT: Planning and Zoning Board Chairman, Diego Perez called the meeting to order at 6:05 P.M.

Invocation and pledge of allegiance.

REPORT: Planning and Zoning Board Chairman, Diego Perez led the invocation and pledge of allegiance.

MEETING GUIDELINES

The following guidelines apply to today's Planning and Zoning Board Meeting:

- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on any item on the agenda, may do so during the meeting.
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD

A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.

Roll Call.

Present: Mr. Gamon, Mr. D. Perez, Mr. Ulloa, Mr. Jimenez, Mrs. Henriquez & Mr. Casanova.

Absent: Mr. Iglesias

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, MARCH 14TH, 2023.

LU-1. Small Scale Map Amendment from Industrial to Transit Oriented Development District.
Property is located at **2691 East 11th Avenue**, Hialeah, zoned M-1 (Industrial District).
Applicant: Metro Station, LLC
Planner's recommendation: Approval

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Melissa Tapanes Llahues, Esq., 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, addressed the Planning and Zoning Board.

Motion to Approve: Mr. Casanova; Second: Mr. Jimenez
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

**CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING**

1. Approval of Planning and Zoning Board Summary Agenda of February 8th, 2023 as submitted.

Motion to Approve: Mr. Ulloa; Second: Mrs. Henriquez
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, CONTACT A MEMBER OF THE CITY CLERK'S OFFICE TO OBTAIN A COPY OF THE FINAL DECISION AND RESOLUTION. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, MARCH 14TH, 2023.

2. **Rezoning** property from M-1 (Industrial District) to TOD (Transit-Oriented Development District) and variance permit to allow front setback of 5 feet, where 0 feet is required along East 11th Avenue. Property is located at **2691 East 11th Avenue**, Hialeah, zoned M-1 (Industrial District).
Applicant: Metro Station, LLC
Planner's recommendation: Approval

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Melissa Tapanes Llahues, Esq., 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, addressed the Planning and Zoning Board.

Motion to Approve: Mr. Casanova; Second: Mr. Jimenez

Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

3. **Rezoning** properties from R-1 (One-Family District) to TOD (Transit-Oriented Development District). Variance permit to allow a single-use, multifamily residential building, where a vertical mix of uses is required. Properties are located at **901 East 26th Street, 911 East 26th Street, 921 East 26th Street, 931 East 26th Street, 941 East 26th Street, 951 East 26th Street, 961 East 26th Street, 971 East 26th Street, 983 East 26th Street, 906 East 27th Street, 910 East 27th Street, 912 East 27th Street, 922 East 27th Street, 932 East 27th Street, 950 East 27th Street, 962 East 27th Street, 984 East 27th Street, & 990 East 27th Street**, Hialeah, zoned R-1 (One-Family District).
Applicant: Metro Parc Hialeah II, LLC
Planner's recommendation: Approval

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Melissa Tapanes Llahues, Esq., 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, addressed the Planning and Zoning Board.

REPORT: David Milian, 861 East 27th Street, Hialeah, Florida 33013, addressed the Planning and Zoning Board in opposition to the approval of this item.

Motion to Approve: Mr. Jimenez; Second: Mr. Casanova

Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

4. **Rezoning** property from RO (Residential Office) to B-1 (Highly Restricted Retail District). Property is located at **3375 West 4th Avenue**, Hialeah, zoned RO (Residential Office).
Applicant: Ceasar Mestre, Esq.

Planner's recommendation: Approval

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Ceasar Mestre, Esq., 8105 NW 155th Street, Miami Lakes, Florida 33016, addressed the Planning and Zoning Board through zoom.

Motion to Approve: Mr. Jimenez; Second: Mr. Gamon & Mr. Casanova
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

- 5. Rezoning** property from R-1 (One-Family District) to P (Parking). Property is located at **374 West 34th Street**, Hialeah, zoned R-1 (One-Family District).
Applicant: Ceasar Mestre, Esq.
Planner's recommendation: Approval

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Ceasar Mestre, Esq., 8105 NW 155th Street, Miami Lakes, Florida 33016, addressed the Planning and Zoning Board through zoom.

Motion to Approve: Mr. Jimenez; Second: Mr. Gamon & Mr. Casanova
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

- 6. Rezoning** property from M-1 (Industrial District) to C-3 (Extended Liberal Commercial District); Variance permit to allow 27 parking spaces (20 off-street and 7 on-street), where 322 parking spaces are required (258 off-street and 64 on-street); allow a waiver of the minimum landscaping requirements allowing 8 trees, where 58 trees are required; allow a waiver of a landscape buffer along West 74th Street, where 7 feet landscape buffer is required, and allow 3.11% pervious area, where 30% is the minimum required. Property is located at **7445 West 4th Avenue**, Hialeah, zoned M-1 (Industrial District).
Applicant: Alejandro J. Arias, Esq., on behalf of Feuer Family 2 LLC
Planner's recommendation: Approve with conditions.

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Hugo P. Arza, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, addressed the Planning and Zoning Board.

Motion to Approve with Conditions: Mr. Gamon; Second: Mrs. Henriquez & Mr. Casanova
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved with the following conditions: Approve the application together with a DOR establishing maximum capacities in relation to available parking as it increases over time (e.g.: 200 persons for 84-parking spaces availability; 400 persons for 160-

parking spaces availability and full capacity for 322 parking spaces availability). The DOR shall also include the limitation of uses mentioned in the above report, the statements represented by the applicant in its LOI, and detailed safeguards to make sure that the public safety, morals, and welfare of the community are protected.

7. **Rezoning** property from M-1 (Industrial District) to C-3 (Extended Liberal Commercial District); Variance permit to allow rear setback of 3.6 feet, where 15 feet are required; allow 84 parking spaces, where 300 parking spaces are required; allow a waiver of the minimum landscaping requirements allowing 30 trees, where 58 trees are required; allow a reduced width landscape buffer along West 4th Avenue, where 7 feet landscape buffer is required allow 3% pervious area, where 30% pervious area is required, and grant a Special Use Permit (SUP) to allow the site to operate 24 hours a day, seven days a week in connection to planned entertainment events. Property is located at **7551 West 4th Avenue**, Hialeah, zoned M-1 (Industrial District).

Applicant: Alejandro J. Arias, Esq., on behalf of Prestige 7551, LLC

Planner's recommendation: Approve with conditions.

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Hugo P. Arza, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, addressed the Planning and Zoning Board.

Motion to Approve with Conditions: Mrs. Henriquez; Second: Mr. Gamon & Mr. Casanova

Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved with the following conditions: Approve the application together with a DOR establishing maximum capacities in relation to available parking as it increases over time e.g.: 200 persons for 84-parking spaces and 105 persons for 42 parking spaces). The DOR shall also include the limitation of uses mentioned in the above report, the statements represented by the applicant in its LOI, and detailed safeguards to make sure that the public safety, morals, and welfare of the community are protected.

8. **Variance** permit to allow 32 parking spaces, where 65 parking spaces are required. Property is located at **7963 West 28th Avenue**, Hialeah, zoned M-1 (Industrial District).

Applicant: Toptier, Christopher Gutierrez

Planner's recommendation: Denial

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Christopher Gutierrez, 7963 West 28th Avenue, Hialeah, Florida 33016, addressed the Planning and Zoning Board.

Motion to Approve with Conditions: Mr. Jimenez & Mr. Gamon; Second: Mr. Casanova

Motion Passed: 5-1-1 with board member Mr. Iglesias absent and Mr. Ulloa voting NO.

Item approved with the conditions to limit numbers of employees and single barber by appointment to be proffered in a DOR.

9. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District Overlay; variance permit to allow building height of 126 feet, where 95 feet is the maximum allowed; allow 11 stories, where 9 is the maximum allowed, and waive massing setback requirements for building tower and cap. Property is located at **1035 SE 5th Street**, Hialeah, zoned M-1 (Industrial District).
Applicant: Giovanni Molliner on behalf of Oliva's Home Corp.
Planner's recommendation: Approval

REPORT: Debora Storch, Planning and Zoning Director spoke on this item.

REPORT: Daniel Martinez, Architect, 655 West Flagler Street, Suite 205, Miami, Florida 33130, addressed the Planning and Zoning Board.

Motion to Approve: Mr. Casanova; Second: Mrs. Henriquez
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Item approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

10. Old Business. **None.**

11. New Business. **Planning and Zoning Director, Debora Storch asked the Planning and Zoning Board members to vote on scheduling all the Planning and Zoning Board meetings in conjunction with all the City Council meetings throughout the year.**

Motion to Reschedule Meetings: Mr. Jimenez; Second: Mrs. Henriquez
Motion Passed: 6-0-1 with board member Mr. Iglesias absent.

Motion approved

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 8:48 P.M.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.

If you decide to appeal any decision made by the board, with respect to any matter considered at the meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**NEXT PLANNING AND ZONING BOARD MEETING:
WEDNESDAY, MARCH 15TH, 2023 AT 6:00 P.M.**