

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
2022 LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN
March 23rd, 2022
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 6:16 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. Jimenez, Mr. D. Perez, Mr. Ulloa, Mr. Gamon, Mr. Casanova, Mrs. Henriquez & 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, APRIL 12TH, 2022.

LU-1. Small Scale Amendment from Low Density Residential to Commercial. Property located at **4526 & 4546 Palm Avenue**, Hialeah zoned C-1 (Restricted Retail Commercial District).

Applicant: 4526 Property Holding LLC
Planner's recommendation: Approval

Motion to Approve: Mr. Iglesias; Second: Mr. Casanova
Motion Approved: 7-0

Item approved

LU-2. Small Scale Amendment from Low Density Residential to Transit Oriented Development District. Property located at **991 East 26th Street**, Hialeah, zoned R-1 (One-Family District).

Applicant: Ceasar Mestre, Esq.
Planner's recommendation: Approval

Motion to Approve: Mr. Iglesias; Second: Mr. Gamon
Motion Approved: 7-0

Item approved

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

1. Approval of Planning and Zoning Board Summary Agenda of March 9th, 2022 as submitted.

Motion to Approve: Mr. Casanova; Second: Mr. Iglesias
Motion Approved: 7-0

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, APRIL 12TH, 2022.

2. **Rezoning** property from R-1 (One-family District) to P (Parking). Property located at **390 East 43rd Street**, Hialeah, zoned R-1 (One-Family District).
Applicant: Ricardo Largo
Planner's recommendation: Approval
TABLED ITEM FROM MARCH 9TH, 2022 MEETING

Motion to Remove Item from Tabled: Mr. Casanova; Second: Mr. Iglesias
Motion Approved: 7-0

Item removed from tabled

***REPORT: Teresa Mejides-Perez, 322 East 43rd Street, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Maria A. Mejides, 625 West 60th Street, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

Motion to Approve: Mr. Iglesias; Second: Mr. Gamon
Motion Approved: 4-3 with board members Mrs. Henriquez, Mr. Ulloa & Mr. Jimenez voting NO.

Item approved

3. **Rezoning** property from RO (Residential Office) to B-1 (Highly Restricted Retail District) and variance permit to allow 19 parking spaces, where 22 parking spaces are required. Property located at **301 East 49th Street**, Hialeah, zoned RO (Residential Office).
Applicant: Manny Reus
Planner's recommendation: Approval

Motion to Approve: Mr. Casanova; Second: Mr. Iglesias
Motion Approved: 7-0

Item approved

4. **Rezoning** property from R-1 (One-Family District) to R-3-3 (Multiple-Family District). Variance permit to-allow front setback of 10 feet, where 25 feet is the minimum

required; allow interior east and west side setback of 5 feet, where 10 feet is the minimum required; allow lot coverage of 51%, where 30% is the maximum allowed and allow pervious area of 24.2%, where 30% is the minimum required. Property located at **541 East 22nd Street**, Hialeah, zoned R-1 (One-Family District).

Applicant: Ricardo J. Hernandez and Maria Hernandez

Planner's recommendation: Approval

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

Motion Approved: 7-0

Item approved

5. **Variance** permit to allow 20 parking spaces, where 32 parking spaces are required; allow 15.8% pervious area, where 18% pervious is the minimum required; partially waive 7 feet landscape buffer adjacent to the parking spaces fronting Palm Avenue and allow 3 feet front setback for dumpster enclosure, where 10 feet is the minimum required. Property located at **4526 & 4546 Palm Avenue**, Hialeah, zoned C-1 (Restricted Retail Commercial District).

Applicant: 4526 Property Holding LLC

Planner's recommendation: Approval

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

Motion Approved: 7-0

Item approved

6. **Variance** permit to allow the expansion of a legal non-conforming use to allow the expansion of an existing behavioral health hospital; Conditional Use Permit (CUP) to allow the existing 36,950 square feet hospital with 72 beds and proposed 10,840 square feet and 20 beds addition and allow 73 parking spaces, where 115 parking spaces are required. Property located at **4225 West 20th Avenue**, Hialeah, zoned C-2 (Liberal Retail Commercial District).

Applicant: Javier L. Vazquez, Esq.

Planner's recommendation: Approval

***REPORT: Nancy Font, 4110 West 19th Avenue, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Gonzalo Vicente, 4211 West 18th Lane, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Juan Vega, 4280 West 19th Avenue, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Avelino Barcia, 4198 West 19th Avenue, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

***REPORT: Braulio Hernandez, 4220 West 18th Court, Hialeah, addressed the Planning and Zoning Board in opposition to the approval of this item.**

Motion to Approve with Conditions: Mr. Iglesias; Second: Mr. Ulloa
Motion Approved: 7-0

Item approved with the conditions that a drainage plan to address current flooding issues will be prepared and the window in the proposed addition, overlooking the residential properties will have frosted glass.

7. **Special Use Permit (SUP)** to allow an adult day training and care center for young people with disabilities ancillary to an existing church and school. Property located at **5800 Palm Avenue**, Hialeah, zoned R-1 (One-Family District).

Applicant: Mayra Sanabria

Planner's recommendation: Table the item.

POSTPONED UNTIL APRIL 13TH, 2022 MEETING.

8. ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AMENDING CHAPTER 98, ENTITLED "ZONING", ARTICLE V, ZONING DISTRICT REGULATIONS, DIVISION 20, ENTITLED "ASD AUTOMOTIVE SALES DISTRICT", CREATING A NEW SECTION, 98-1294, ENTITLED "EXCEPTIONS", ESTABLISHING AN EXCEPTION ALLOWING AUTOMOBILE RENTAL SATELLITE FACILITIES TO OPERATE OUTSIDE THE AUTOMOBILE SALES DISTRICT ("ASD"), AND AMENDING CHAPTER 98, ZONING, ARTICLE V, ZONING DISTRICT REGULATIONS, DIVISION 16, C-2 LIBERAL RETAIL COMMERCIAL DISTRICT, SECTION 98-1111, OF THE CITY OF HIALEAH CODE OF ORDINANCES ENTITLED "PERMITTED USES" TO INCLUDE AUTOMOBILE RENTAL SATELITE FACILITIES WHICH WOULD PROVIDE A CONVENIENT ALTERNATIVE TO VEHICLE OWNERSHIP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion Approved: 7-0

Item approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

9. **TENTATIVE PLAT OF PRIMA SITU**

Planner's recommendation: Approval

Motion to Approve: Mr. Ulloa; Second: Mr. Iglesias

Motion Approved: 7-0

Item approved

10. Old Business. **None.**

11. New Business. None.

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 8:26 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, APRIL 13TH, 2022 AT 6:00 P.M.**