

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
August 10th, 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 6:04 P.M.

Invocation and pledge of allegiance.

REPORT: Planning and Zoning Board Member, John Ulloa 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.

1. Roll Call.

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

Absent: Mr. Casanova

2. Approval of Planning and Zoning Board Summary Agenda of June 29th, 2022 as submitted.

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

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

Item approved

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

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, AUGUST 23RD, 2022.

3. **Conditional Use Permit (CUP)** to allow a K-1st grade elementary school with a maximum capacity of 20-students in conjunction with a 33-children daycare. Property located at **543 East 9th Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).
Applicant: Rich Enterprises USA, Inc.
Planner's recommendation: Approve with conditions

Motion to Approve with Conditions: Mr. Iglesias; Second: Mr. Gamon

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

Item approved with the condition that the old signs are replaced by two new state-of-the-art signs.

4. **Conditional Use Permit (CUP)** to allow a K-3rd grade elementary school with a maximum capacity of 33-students in conjunction with a 14-children daycare and a total of 5 staff members and variance permit to allow 6 parking spaces, where 9 parking spaces are required. Property located at **367 West 29th Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).
Applicant: Ceasar Mestre, Esq.
Planner's recommendation: Denial

Motion to Table Item: Mr. Ulloa; Second: Mr. Gamon

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

Item tabled until October 12th, 2022

5. **Conditional Use Permit (CUP)** to allow a K-4th grade elementary school with a maximum capacity of 100-students in conjunction with a 43-children daycare. Property located at **1905 West 35th Street**, Hialeah, zoned M-1 (Industrial District).
Applicant: Ceasar Mestre, Esq.
Planner's recommendation: Approve CUP to allow an elementary school including only Kindergarten with a maximum capacity of 15 students.

Motion to Table Item: Mr. Ulloa; Second: Mr. Gamon

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

Item tabled until October 12th, 2022

6. **Conditional Use Permit (CUP)** to allow a K-3rd grade elementary school with a maximum capacity of 30-students in conjunction with an existing 55-children daycare; variance permit to allow 9 parking spaces, where 16 parking spaces are required, and variance permit to allow all parking spaces to back out into the right-of-way, where backout parking is only allowed in low density residential properties. Property Located at **484-490 East 32nd Street**, Hialeah, zoned R-3 (Multiple-Family District).
Applicant: Ceasar Mestre, Esq.
Planner's recommendation: Denial

Motion to Table Item: Mr. Ulloa; Second: Mr. Iglesias

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

Item tabled until October 26th, 2022

7. **Repeal and rescind** Ordinance 08-88 and related Declaration of Restrictive Covenants and Indemnity and Hold Harmless Agreement that granted a Special Use Permit (SUP) to allow a 240-children daycare center on a proposed new 14,000 square feet building and adjacent parking lot that were never built. Rezoning from R-1 to R-3-1; Conditional Use Permit (CUP) to allow a 35-student elementary school in conjunction with a 36 children daycare; allow a 759 square feet modular building to be used as a school classroom, where prefabricated buildings are not allowed or for such use; and variance permit to allow no parking, where 12 parking spaces is the minimum required. Property located at **21 East 59th Street**, Hialeah, zoned R-1 (One-Family District).
Applicant: Ceasar Mestre, Esq.
Planner's recommendation: Repeal and Rescind Ordinance 08-88, deny rezoning, variances, and Conditional Use Permit to allow a school, and approve a Conditional Use Permit and Special Use Permit to allow a daycare on property zoned R-1.

Motion to Table Item: Mr. Jimenez; Second: Mr. Ulloa

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

Item tabled until November 9th, 2022

HIALEAH PLANNING AND ZONING BOARD MEETING- AUGUST 10TH, 2022

- 8. Conditional Use Permit (CUP)** to allow an 80-student K-6th grade school in conjunction with a 58-children daycare. Property located at **470 West 49th Street**, Hialeah, zoned C-2 (Liberal Retail Commercial District).

Applicant: Ceasar Mestre, Esq.

Planner's recommendation: Table the item and re-submit the application with an improvement plan and corresponding zoning tabulations and accurate calculations and a letter of intent as recommended.

Motion to Table Item: Mr. Ulloa; Second: Mrs. Henriquez

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

Item tabled until October 26th, 2022

- 9. Conditional Use Permit (CUP)** to allow a 25-student K-2nd grade school in conjunction with a 38-children daycare and variance permit to allow 14 parking spaces, where 20 parking spaces are required. Property located at **2400 West 80th Street**, Hialeah, zoned M-1 (Industrial District).

Applicant: Ceasar Mestre, Esq.

Planner's recommendation: Denial

Motion to Table Item: Mrs. Henriquez; Second: Mr. Iglesias

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

Item tabled until November 9th, 2022

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

- 10. Old Business. None.**

- 11. New Business. None.**

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 6:34 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, AUGUST 24TH, 2022 AT 6:00 P.M.**