

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
2023 LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN
August 23rd, 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 6:11 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. D. Perez, Mr. Ulloa, Mr. Iglesias, and Mr. Jimenez
Absent: Mr. Gamon, and Mr. Casanova
Late: Mrs. Henriquez arrived at 6:13 P.M.

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, SEPTEMBER 12TH 2023.

LU-1. Small Scale Map Amendment from Medium-Density Residential to Commercial. Property is located at the NW intersection of S.E 8th Court and Park Drive (Lot 8 and a portion of Lot 6, Block 3, of 36th STREET LAWNS, according to PB 24-38 of the Public Records of Miami-Dade County), Hialeah, zoned R-1 (One-Family District).
Applicant: Felix M. Lasarte, Esq.
Planner's recommendation: Approval

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

REPORT: Felix M. Lasarte, Esq. (Lobbyist), 3250 NE 1st Avenue, Suite 334, Miami, Florida 33137, addressed the Planning and Zoning Board.

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

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova absent.

Item approved

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 6:26 P.M.

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

REPORT: Planning and Zoning Board Chairman, Diego Perez called the meeting to order at 6:26 P.M.

1. Approval of Planning and Zoning Board Summary Agenda of August 9th, 2023 as submitted.

Motion to Approve: Mrs. Henriquez; Second: Mr. Ulloa and Mr. Iglesias

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova 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, SEPTEMBER 12TH, 2023.

2. **Rezoning** property from R-1 (One-Family District) to C-2 (Liberal Retail Commercial District). Property is located at **the NW intersection of S.E 8th Court and Park Drive (Lot 8 and a portion of Lot 6, Block 3, of 36th STREET LAWNS, according to PB 24-38 of the Public Records of Miami-Dade County), Hialeah, zoned R-1 (One-Family District).**

Applicant: Felix M. Lasarte, Esq.

Planner's recommendation: Approval

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

REPORT: Felix M. Lasarte, Esq. (Lobbyist), 3250 NE 1st Avenue, Suite 334, Miami, Florida 33137, addressed the Planning and Zoning Board.

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

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova absent.

Item approved

3. **Rezoning** properties from RO (Residential Office) and R-1 (One-Family District) to B-1 (Highly Restricted Retail District) and variance permit to allow 17% pervious area, where 18% is the minimum required. Properties are located at **218 East 49th Street and 226 East 49th Street, Hialeah, zoned RO (Residential Office District) and R-1 (One-Family District).**

Applicant: Ceasar Mestre, Esq.

Planner's recommendation: Approval

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

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

Motion to Approve: Mrs. Henriquez and Mr. Jimenez; Second: Mr. Iglesias

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova absent.

Item approved

4. ~~Variance permit to allow the expansion of a legal non-confirming use of an existing church, solely congregating on the weekend, with 28 parking spaces, where 76 parking spaces are required for the use of the church; Conditional Use Permit (CUP) to allow a K-5th grade elementary school at the church on weekdays with a maximum capacity of 79 students in conjunction with a daycare with a capacity of 41 children and in compliance with parking and stacking requirements. Property is located at 6491 West 2nd Avenue, Hialeah, zoned R-1 (One Family District).~~

~~Applicant: Ceasar Mestre, Esq.~~

~~Planner's recommendation: Withdraw to be re-advertised~~

~~WITHDRAWN~~

5. Variance permit to allow 200 parking spaces, where 378 parking spaces are required to incorporate the use of a sports and recreational instruction facility of 11,740 square feet in an existing nonconforming industrial building. Property is located at 213 SE 10th Avenue, Hialeah, zoned M-1 (Industrial District).

Applicant: Team Sosa Baseball on behalf of ASB Tenth Ave Holdings LLC

Planner's recommendation: Approve subject to alternate hours of operation

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

REPORT: Jordi Esteban (Architect), 7740 SW 104th Street, Suite 102, Pinecrest, Florida 33156, addressed the Planning and Zoning Board.

REPORT: Ricardo Sosa (Owner of business), 215 SE 10th Avenue, Hialeah, Florida 33010, addressed the Planning and Zoning Board.

REPORT: Nicolas Warren (City of Hialeah constituent), 210 SE 9th Court, Hialeah, 33010 addressed the Planning and Zoning Board with questions and concerns.

REPORT: Cinthia Sosa (Owner of business), 7960 West 6th Avenue, Hialeah, Florida 33014, addressed the Planning and Zoning Board through Zoom.

Motion to Approve with Conditions: Mr. Iglesias; Second: Mrs. Henriquez

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova absent.

Item approved with the condition that the baseball training facility and warehouse business hours do not coincide. Accordingly, a Declaration of Restrictive Covenants will be necessary to state the proposed business schedules to ensure parking availability and to avoid cars parking on the swale areas adjacent to the property or across the street fronting residential properties.

6. ~~Conditional Use Permit (CUP) to allow a K-5th grade elementary school, on a freestanding campus setting property, with a maximum capacity of 71 students in conjunction with a daycare with a capacity of 199 children. Property is located at 21 East 59th Street, Hialeah, zoned R-1 (One Family District).~~

~~Applicant: Ceasar Mestre, Esq.~~

~~Planner's recommendation: Withdraw to be re-advertised~~

~~WITHDRAWN~~

7. **Conditional Use Permit (CUP)** to allow a four-classroom seminary in an existing free-standing building with a maximum capacity of 25 students. Variance permit to allow 1 parking space, where 32 parking spaces are required, and allow 144 square feet of pervious area, where 1,350 square feet pervious area is required. Property is located at **25 East 4th Street**, Hialeah, zoned CBD (Central Business District).

Applicant: Lonnie Richardson

Planner's recommendation: Approval

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

REPORT: Lonnie Richardson (Owner of business), 25 East 4th Street, Hialeah, Florida 33010, addressed the Planning and Zoning Board.

Motion to Approve: Mr. Jimenez and Mrs. Henriquez; Second: Mr. Iglesias

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova absent.

Item approved

8. **Special Use Permit (SUP)** to allow the expansion of the Neighborhood Business District (NBD) Overlay. Variance permit to allow 50% of the units with an area of 705 square feet, where 850 square feet is the minimum area required, and only 10% of the units can have an area of 600 square feet; allow building height of 64 feet, where 55 feet is the maximum building height allowed; allow 26 parking spaces, where 28 parking spaces are required and variance to waive the building mass and building frontage development standards. Property is located at **20 West 40th Place**, Hialeah, zoned R-3-3 (Multiple-Family District).

Applicant: VGM Capital Holdings, LLC

Planner's recommendation: Approval

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

REPORT: Andres Guariguata (Owner of property), 3945 Adra Avenue, Doral, Florida 33178, addressed the Planning and Zoning Board.

REPORT: Valka Rodriguez (Owner of property), 175 SW 7th Street, Suite 2309, Miami, Florida 33130, addressed the Planning and Zoning Board.

REPORT: Juan Leon (City of Hialeah constituent), 30 West 41st Street, Hialeah, 33012 addressed the Planning and Zoning Board in favor of the project.

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

Motion Passed: 5-0-2 with board members Mr. Gamon, and Mr. Casanova absent.

Item approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

9. Old Business. **None.**

10. New Business. None.

REPORT: Planning and Zoning Board Chairman, Diego Perez adjourned the meeting at 7:15 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, SEPTEMBER 6TH, 2023 AT 6:00 P.M.**