

**CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
November 18th, 2015**

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

7:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

**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.
2. Approval of Planning and Zoning Board Summary Agenda of October 28th, 2015 as submitted.

**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, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. 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 NOVEMBER 24, 2015:**

3. **Variance** permit to allow a rear setback of 10.8' (15' required). Property located at 445 East 25 Street, Hialeah, zoned C-2 (Liberal Retail Commercial).
Applicant: Melissa Tapanes Llahues on behalf of Leon Medical Centers, Inc.
Tabled Item from October 28th

HIALEAH PLANNING AND ZONING BOARD MEETING November 18th, 2015

- 4. Variance** permit to allow south side setback of 1.40' (minimum of 5.1' required), for additions and allow 6 parking spaces (7 required) all backing-out into the street (only allowed in low density residential districts). Property located at 4798 East 10 Lane, Hialeah, zoned M-1 (Industrial District).

Applicant: Rogelio De La Rosa & Aurora
Tabled Item from October 28th

- 5. Rezoning** from M-1 (Industrial District) to R-3-5 (Multiple Family District) and consider granting a variance permit to allow 180 parking spaces, where 185 are required. Property located at 295 West 79 Place, Hialeah.

Applicant: Alejandro Vilarello, P.A.

- 6. Variance** permit to allow a total of 35 parking spaces (52 parking spaces required); waive a portion of the City of Hialeah Landscape Manual requirements, which include a 7-foot landscaped area between off-street parking and the right-of-way, facing Palm Avenue, allow the landscaped area of 8.8% (minimum of 18% required), front setback of 19.5' (20' required), corner side setback of 0' (10' required). Property located at 3368 Palm Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial).

Applicant: 3368 Palm Avenue LLC

- 7. Variance** permit to allow 22 on-site parking spaces, 17 backing-out into the street, where 86 are required, provided that a minimum of 58 improved parking spaces will be provided off-site, for a total of 80 parking spaces; and waive a portion of The City of Hialeah Landscaped Manual requirements. Property located at 7345 West 19 Court, Hialeah, zoned M-1 (Industrial District).

Applicant: Ceasar Mestre

- 8. Conditional Use Permit (CUP)** to allow the expansion of the Palmetto General Hospital. Property located at 2001 West 68 Street, Hialeah, zoned Dade-County Hospital Variance, Res. Z-31-68.

Applicant: Ana Mederos, CEO

- 9. Conditional Use Permit (CUP)** to allow the construction of an educational facility, college. Property located at 530 West 49 Street, Hialeah, zoned C-2 (Liberal Retail Commercial).

Applicant: Palm Springs Mile Associates, LTD

- 10. 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 33. NBD NEIGHBORHOOD BUSINESS DISTRICT, OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, FLORIDA, AND IN PARTICULAR AMENDING HIALEAH CODE § 98-1627 ADDING THE INDUSTRIAL LAND USE CLASSIFICATION AS PART OF THE CRITERIA; AMENDING HIALEAH CODE § 98-1628 TO INCLUDE THE DEFINITION OF WORK/LIVE UNIT; AMENDING HIALEAH CODE § 98-1630.1 TO INCLUDE WORK/LIVE UNITS AS A PERMITTED USE; AMENDING HIALEAH CODE § 98-1630.2 TO INCLUDE PROFESSIONAL USES AS A PERMITTED USE ON THE GROUND LEVEL OF A MIXED-USE BUILDING; AMENDING § 98-1630.8 TO ALLOW THE EXPANSION OF NBD OVERLAY DISTRICT REGULATIONS TO PROPERTIES ABUTTING A FRONTAGE ROAD ALONG EXPRESSWAYS AND HIGHWAY IN THE CITY AND PROPERTIES HAVING AN INDUSTRIAL LAND USE CLASSIFICATION; FURTHER AMENDING ARTICLE VI. SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 10 PARKING, AND IN PARTICULAR, REVISING HIALEAH CODE § 98-2189 ENTITLED “MINIMUM REQUIRED OFF-STREET PARKING SPACES” TO INCLUDE PARKING REQUIREMENTS FOR WORK/LIVE UNITS WITHIN THE NBD NEIGHBORHOOD BUSINESS DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

- 11. 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 35. ALWOD ARTIST LIVE/WORK OVERLAY DISTRICT OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, FLORIDA, AND IN PARTICULAR, ADDING A NEW SECTION 98-1630.22 ENTITLED “ALCOHOLIC BEVERAGE REGULATIONS”, CREATING AN EXEMPTION FROM DISTANCE SEPARATION REQUIREMENTS FOR ESTABLISHMENTS SELLING, SERVING OR PERMITTING CONSUMPTION OF ALCOHOLIC BEVERAGES ON THE PREMISES; ALLOWING THE SALE OF ALCOHOLIC BEVERAGES FROM 8:00 A.M. TO 3:00 A.M.; REQUIRING A CONDITIONAL USE PERMIT, PROVIDING APPLICATION REQUIREMENTS AND STANDARDS OF REVIEW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

12. PROPOSED ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT BY AND AMONG ATLAS HIALEAH HEIGHTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY (THE "OWNER"), AND THE CITY OF HIALEAH, FLORIDA (THE "CITY"), A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1". PROPERTY COMPRISING APPROXIMATELY 112 ACRES WITHIN AN AREA BOUNDED ON THE WEST BY NW 97 AVENUE, ON THE NORTH BY NW 170 STREET, ON THE EAST BY INTERSTATE 75/FLORIDA STATE ROAD 93, AND ON THE SOUTH BY NW 162 STREET; ALL LOCATED IN HIALEAH, FLORIDA. PROPERTY BEING VACANT AND UNDEVELOPED AND WHEREBY THE OWNER AND CITY MUTUALLY DESIRE THAT THE PROPERTY BE DEVELOPED AS A "LOW-MEDIUM DENSITY RESIDENTIAL COMMUNITY" WITHIN THE PARAMETERS OF THE "RESIDENTIAL DEVELOPMENT DISTRICT (RDD)", HIALEAH CODE §98-1605. REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.
13. PROPOSED ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT BY AND AMONG ALBERTO MICHA, AS TRUSTEE OF HIALEAH GARDENS IRREVOCABLE TRUST DATED DECEMBER 6, 2010 (THE "OWNER"), AND THE CITY OF HIALEAH, FLORIDA (THE "CITY"), A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1". PROPERTY COMPRISING APPROXIMATELY 77 ACRES WITHIN AND AREA BOUNDED ON THE WEST BY NW 102 AVENUE, ON THE NORTH BY NW 142 STREET, IN THE EAST BY NW 97 AVENUE, AND ON THE SOUTH BY THEORETICAL NW 138 STREET; ALL LOCATED IN HIALEAH, FLORIDA. PROPERTY BEING VACANT AND UNDEVELOPED AND WHEREBY THE OWNER AND CITY MUTUALLY DESIRE THAT THE PROPERTY BE DEVELOPED AS A 'MIXED USE COMMERCIAL DEVELOPMENT' WITHIN THE PARAMETERS OF THE "HIALEAH HEIGHTS COMMERCIAL" ZONING DISTRICT. REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING PENALTIES FOR VIOLATION HEREOF, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

14. Old Business.
15. New Business.

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.