

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
January 15th, 2020
Summary Agenda- Minutes

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.

Present: Mr. D. Perez, Mr. Rodriguez, Mr. O. Perez, Mr. Horgan, Mr. Casanova, & Mr. Banegas

Absent: Mr. Iglesias

2. Approval of Planning and Zoning Board Summary Agenda of December 11th, 2019 as submitted.

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

Motion Approved: 6-0-1

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, JANUARY 28TH, 2020:

3. 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 26 “TOD TRANSIT ORIENTED DEVELOPMENT DISTRICT”, SECTION 98-1561 ENTITLED “FACTORY TOWN ENTERTAINMENT SUBDISTRICT PILOT PROGRAM”, SUBSECTION 98-1561(a) OF THE CODE OF ORDINANCES OF THE CITY OF HIALEAH TO PROVIDE FOR AN EXTENSION FOR ANOTHER SIX MONTHS TO THE FACTORY TOWN ENTERTAINMENT SUBDISTRICT PILOT PROGRAM FOLLOWING APPROVAL OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve: Mr. Rodriguez; Second: Mr. O. Perez

Motion Approved: 5-1-1 with Mr. Horgan voting NO.

Item approved

4. **Rezoning** from M-1 (Industrial District) to TOD (Transit Oriented Development District); consideration of a parking plan to permit a variance to allow 114 on-site parking spaces, where 524 spaces are required provided that the remaining spaces identified in the parking study will be provided off-site or by payment into the parking improvement trust fund as established in a parking covenant; consideration of a master sign plan; and Conditional Use permit to allow distilleries, entertainment establishments, festivals, live music venues, nightclubs, banquet halls, dance halls, bars, special events, exhibits, and similar outdoor uses, such as retail, dining (including food trucks and food carts), including other entertainment, music and art festivals. Property located at 4800 NW 37th Avenue located within the Factory Town Entertainment Sub-district Pilot Program, Hialeah, zoned M-1 (Industrial District).

Applicant: Jorge L. Navarro, Esq. on behalf of 4700 NW 37th Investments, LLC
Tabled item from December 11th, 2019 meeting

Planner’s recommendation: Approval, so long as a complete application for site plan review for each of the phase of development is submitted for each phase in substantial compliance with the conceptual site plan.

***REPORT: Jose Azze 788 SE Park Drive, Hialeah in opposition**

***REPORT: Jairo Talavera 770 West 72nd Place, Hialeah in opposition**

***REPORT: Milagros Herrera 4341 east 8th Lane, Hialeah in opposition**

***REPORT: Juan Santana 5601 West 10th Avenue, Hialeah in opposition**

Motion to Remove from Tabled: Mr. Casanova; Second: Mr. O. Perez

Motion Approved: 6-0-1

Motion approved

Motion to Approve with Conditions: Mr. O. Perez; Second: Mr. Casanova
Motion Denied: 2-4-1 with Mr. Horgan, Mr. Banegas, Mr. D. Perez & Mr. Rodriguez voting NO.

Item denied

5. **Rezoning** from R-1 (One-Family District) to R-3-3 (Multiple-Family District) and variance permit to allow 17.66 feet front setback, where 25 feet are required; allow 5 feet street side setback, where 15 feet are required and allow 10.5 feet rear setback, where 20 feet are required. Property located at 811 East 52nd Street, Hialeah, zoned R-1 (One-Family District).

Applicant: Ceasar Mestre, Esq. on behalf of ARB Homes, LLC

Tabled item from December 11th, 2019 meeting

Planner's recommendation: Approval

Motion to Remove from Tabled: Mr. Casanova; Second: Mr. O. Perez

Motion Approved: 6-0-1

Motion approved

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

Motion Approved: 6-0-1

Item approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

6. Old Business. **None.**
7. New Business. **Planning and Zoning, Chairman Mr. D. Perez welcomed Mr. Horgan to the Planning and Zoning Board.**

Planning and Zoning Official, Debora Storch announced that she will be proposing a new meeting date either for the first or second meeting of February, 2020 in the upcoming meeting of January 29th, 2020.

**CITY OF HIALEAH
PLANNING AND ZONING BOARD SPECIAL MEETING
2020 LAND USE AMENDMENTS TO THE COMPREHENSIVE PLAN**

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, JANUARY 28TH, 2020:

LU.1 RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXPRESSING ITS INTENT TO APPROVE AND ADOPT A MAP AMENDMENT OF A PARCEL OF LAND HAVING APPROXIMATELY A TOTAL OF 28.31 ACRES AS FOLLOWS: PARCEL I HAVING 22.55 ACRES FROM KENNELS TO HIGH DENSITY RESIDENTIAL LIMITED TO 27.66 UNITS/ACRE AND PARCEL II HAVING 5.76 ACRES FROM KENNELS TO MEDIUM DENSITY RESIDENTIAL LIMITED TO 15.65 UNITS/ACRE. PROPERTY LOCATED AT 7218 WEST 4TH AVENUE, ZONED K (KENNEL DISTRICT).

Applicant: Melissa Tapanes Llahues, Esq. on behalf of Florida Kennels, Inc.

Planner's recommendation: Approve land use change from Kennels to High Density on Parcel I and from Kennels to Low Density Residential on Parcel II.

***REPORT: Julio Beltran 7063 West 5th Court, Hialeah in opposition**

***REPORT: Al de la Paz 620 West 72nd Place, Hialeah in opposition**

***REPORT: Juan Santana 5601 West 10th Avenue, Hialeah in opposition**

***REPORT: Hilda Perez 7094 West 4th Way, Hialeah in opposition**

***REPORT: Juan Jacome 660 West 70th Place, Hialeah in opposition**

***REPORT: Maida Blanco 620 West 73rd Place, Hialeah in opposition**

Motion to Deny Application as Requested: Mr. O. Perez; Second: Mr. Rodriguez

Motion Approved: 6-0-1

Motion approved

Motion to Recommend Approving Low Density Residential on Both Parcels: Mr.

Rodriguez; Second: Mr. O. Perez

Motion Approved: 5-1-1 with Mr. Casanova voting NO.

Motion approved

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