

RESOLUTION NO. 2017-035

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXPRESSING ITS INTENT TO APPROVE AND ADOPT A TEXT AMENDMENT TO THE COMMERCIAL RECREATION LAND USE CLASSIFICATION IN THE FUTURE LAND USE ELEMENT OF THE CITY OF HIALEAH COMPREHENSIVE PLAN TO INCORPORATE RESIDENTIAL USES AND CORRESPONDING POLICIES AND OBJECTIVES IN CONNECTION WITH THE PROPOSED REDEVELOPMENT OF HIALEAH PARK RACE TRACK.

**WHEREAS**, the applicant, Bal Bay Realty LTD, and Bal Bay Management, LLC, initiated the request for text amendments to the Future Land Use Element of the City of Hialeah Comprehensive Plan, that was recommended for approval by the Planning and Zoning Board, sitting as the local land planning agency at a public meeting on March 22, 2017; and

**WHEREAS**, the City intends to adopt and implement text amendments to the Future Land Use Element of its Comprehensive Plan to expand the scope of the uses in the Hialeah Race Track to ensure that the Hialeah Race Track will be developed as mixed use, that is further enriched by preserving historic features; and

**WHEREAS**, the applicant has proffered and shall make, declare and impose a Declaration of Restrictive Covenants to be a covenant running with the title to the land, attached as Exhibit "A".

**WHEREAS**, the proposed text amendments to the City of Hialeah Comprehensive Plan are hereby approved for transmittal by the City Council, and shall be subject to comments through the expedited state review process by the Florida Department of Economic Opportunity or as otherwise provided in section 163.3184, Florida Statutes.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** It is the intent of the City Council that the text amendments to the Future Land Use Element of the Hialeah, Fla., Comprehensive Plan, after appropriate comment and

public hearing, shall be considered for approval. The proposed amendments are identified in Exhibit "B" and shall be on file in the Office of the City Clerk.

**Section 3: Effective Date.** This Resolution shall become effective until 31 days after approval of the Florida Department of Economic Opportunity, the state planning agency, pursuant to Chapter 163, Part II, Florida Statutes, or as otherwise provided in section 163.3184, Florida Statutes.

PASSED AND ADOPTED this 11 day of April, 2017.

  
Katharine E. Cue-Fuente  
Council Vice President

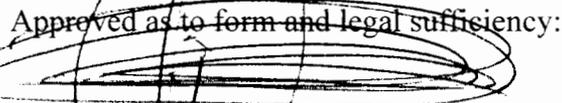
Attest:

Approved on this 20 day of April, 2017.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena E. Bravo, City Attorney

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Resolution was adopted by a (5-0-2) vote with Councilmembers, Caragol, Lozano, Hernandez, Cue-Fuente, and Garcia-Matinez voting "Yes". Council President Gonzalez absent and Councilwoman Casáls-Muñoz having abstained from voting.