

**RESOLUTION NO. 2018-040**

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 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 THE MIXED USE HIALEAH HEIGHTS LAND USE CLASSIFICATION

**WHEREAS**, the applicant, Atlas Fam II, 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 April 11, 2018; 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 Mixed Use Hialeah Heights Land Use Classification to ensure residential development; and

**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.

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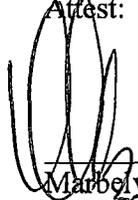
**Section 2:** It is the intent of the City Council that the text amendments to the Future Land Use Element of the Hialeah, Fla., Comprehensive Plan, after appropriate comment and public hearing, shall be considered for approval. The proposed amendments are identified in Exhibit "A" and shall be on file 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 24 day of April, 2018.

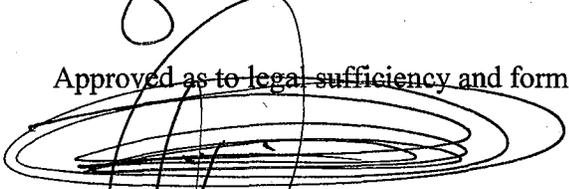
  
Vivian Casals-Muñoz  
Council President

Approved on this 1 day of May, 2018.

Attest:  
  
for  
Marbelys Fatjo, City Clerk

  
Carlos Hernandez, Mayor

Approved as to legal sufficiency and form:

  
Lorena E. Bravo, City Attorney

Resolution was adopted by a 5-0-2 vote with Councilmembers, Caragol, Zogby, Lozano, Casals-Munoz, Garcia-Martinez voting "Yes", Hernandez not present and Cue-Fuente absent.

**EXHIBIT "A"**

**APPLICATION N° 1  
CITY OF HIALEAH COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT  
TEXT AMENDMENT**

The following lists the Policies which shall be included in the City's adopted Comprehensive Plan.

The following revisions to this Element are recommended. Recommended additions are denoted by underline; deletions by ~~strikethrough~~.

1. Amend Policy 1.1.1, *Land Use Categories*, of the Future Land Use Element as follows:

**Policy 1.1.1: Land Use Categories:** The City shall maintain regulations for land use categories and a Future Land Use Map to ensure the coordination of future land uses with existing and adjacent land uses. The adopted Future Land Use Map shall contain and identify appropriate locations for the following land use categories, as defined in the date and analysis of this element.

LAND USE CATEGORIES	INTENSITY STANDARDS
* * *	
Mixed Use Hialeah Heights	Approximately 63% to 68% Retail Approximately 15% Office Approximately 5% to 10% Hotel Approximately 12% <u>Residential Affordable Housing</u> (40 units/gross acre)
* * *	

**Exhibit "B"**

**Disclosure of Information**

Atlas Fam II, LLC



Alberto Micha, as Trustee of Hialeah Gardens Irrevocable Trust dated  
December 6, 2010 (100% Sole Member)



- Moises Micha (20%)
- Samuel Micha (20%)
- Elias Micha (20%)
- Alfredo Micha (20%)
- David Micha (20%)

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* * *	

EXHIBIT A

LEGAL DESCRIPTION

Lots 5 to 8 and Lots 17 to 24 in the SE ¼ of Section 20, Township 52 South, Range 40 East, of Chambers Land Company Subdivision, according to the Plat thereof, as recorded in Plat Book 2, Page 68, of the Public Records of Miami-Dade County, Florida.

LESS:

North 35 feet of West ½ of Tract 17 and less Ext area of curve in NW corner for right of way, and less West 43 feet of the South ½ of SE ¼ of Section; and less East 40 feet of South ½ of SE ¼ of Section 20, Township 52 South, Range 40 East, Miami-Dade County, Florida.

LESS:

That portion of Tracts 17, 18, 19 and 20 in Section 20, Township 52 South, Range 40 East, of Chambers Land Company Subdivision, according to the Plat thereof, recorded in Plat Book 2, Page 68, of the Public Records of Miami-Dade County, Florida, that lies within the West 43 feet of the SE ¼ of said Section 20.

LESS:

The East 30 feet of Lots 5, 6, 7 and 8, in the SE ¼ of Section 20, Township 52 South, Range 40 East, of Chambers Land Company Subdivision, according to the Plat thereof, recorded in Plat Book 2, Page 68, of the Public Records of Miami-Dade County, Florida.

More particularly described as follows:

Commence at the SW corner of SE ¼ of Section 20, Township 52 South, Range 40 East, of Miami-Dade County, Florida; thence North 89 degrees 40 minutes 13 seconds East along the South line of said Section 20, a distance of 43.03 feet; thence North 02 degrees 36 minutes 37 seconds West along a line 43.00 feet East and parallel to the West line SE ¼ of said Section 20, a distance of 10.01 feet to the Point of Beginning; thence North 89 degrees 40 minutes 13 seconds East along a line 10.00 feet North, and parallel to the South line of said Section 20, a distance of 2,557.97 feet to a point 40.00 feet West of the East line of said Section 20, thence North 02 degrees 37 minutes 55 seconds West along a line 40.00 feet West of the East line of said Section 20, a distance of 1,320.50 feet to a point on the North line of SE ¼ of said Section 20; thence South 89 degrees 40 minutes 10 seconds West along the North line of SE ¼ of said Section 20, a distance of 2,270.43 feet; thence South 00 degrees 21 minutes 01 seconds East, a distance of 35.03 feet; thence South 89 degrees 40 minutes 10 seconds West along a line 35.00 feet South and parallel to the North line of the SE ¼ of said Section 20, a distance of 261.02 feet to the point of curvature of a circular curve concave to the Southeast; thence Southwesterly along the arc of said curve having for its elements a radius of 25.00 feet, a central angle of 92 degrees 16 minutes 47 seconds, and an arc distance of 40.26 feet to the Point of Tangency; thence South 02 degrees 36 minutes 37 seconds East along a line 43.00 feet East and parallel to the West line of SE ¼ of said Section 20, a distance of 1,259.39 feet to the Point of Beginning.

AND LESS AND EXCEPT the lands conveyed by Right-of-Way Deed to City of Hialeah, Florida for Public Right-of-Way recorded in Official Records Book 26644, Page 4450; and Right-of-Way Deed to Miami-Dade County Conveys the Title for Highway and/or Canal Purposes recorded in Official Records Book 26946, Page 505, and re-recorded in Official Records Book 26998, Page 3946, and as described in Partial Release of Mortgage to Miami-Dade County recorded in Official Records Book 26946, Page 516, all of the Public Records of Miami-Dade County, Florida.