

ORDINANCE NO. _____

(17-DPVZ-21)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, WAIVING THE 10 ACRE MINIMUM ACREAGE REQUIREMENT FOR A PLANNED DEVELOPMENT DISTRICT PURSUANT TO SECTION 4.15.E.1 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS; CHANGING THE ZONING DESIGNATION OF THE PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF STATE ROAD 7 AND GRIFFIN ROAD FROM SR 7 CCD-RC (STATE ROAD 7 COMMERCIAL CORRIDOR RESORT COMMERCIAL SUB-AREA) TO PD (PLANNED DEVELOPMENT) DISTRICT; APPROVING THE PLANNED DEVELOPMENT MASTER PLAN FOR THE SUBJECT PROPERTY (HEREINAFTER KNOWN AS "441 ROC MASTER DEVELOPMENT PLAN"); AND AMENDING THE CITY'S ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION.

WHEREAS, the Zoning and Land Development Regulations provide that an application for a change of zone may be filed; and

WHEREAS, an application (17-DPVZ-21) was filed with the Planning Division including a request for a change of zoning designation from SR 7 CCD-RC (State Road 7 Commercial Corridor Resort Commercial Sub-Area) to PD (Planned Development) District for property generally located on the northeast corner of State Road 7 and Griffin Road, consisting of approximately six (6) net acres (approximately 266,000 square feet) as more particularly described in Exhibit "A" (subject parcel) attached hereto and incorporated herein by reference; and

WHEREAS, the Applicant is proposing to develop the site as a mixed-use project consisting of 180 residential units, an approximate 2,600 square foot restaurant with drive-thru, a gas station with 16 fuel dispensers including an approximate 6,200 square foot convenience store, an approximate 27,000 square foot storage building and associated surface parking; and

WHEREAS, the PD ordinance requires a minimum size of 10 acres for a Planned Development District which may be waived by the City Commission upon the recommendation of the Planning and Development Board; and

WHEREAS, the existing property has a current City zoning designation of SR 7 CCD-RC (State Road 7 Commercial Corridor Resort Commercial Sub-Area) and an existing Land Use Designation of TOC (Transit Oriented Corridor); and

WHEREAS, the subject property is adjacent to SR 7 CCD-RC (State Road 7 Commercial Corridor Resort Commercial Sub-Area) and City of Dania on the North, South, and East, and the Town of Davie on the West; and

WHEREAS, the PD ordinance requires that a Master Development Plan be submitted by the Applicant for review by City Staff and the Planning and Development Board; and

WHEREAS, such Master Development Plan shall include (1) a boundary survey; (2) schematic representation of the land uses; (3) delineation of internal circulation; (4) points of connection of the local streets to the trafficways; (5) general location and size of any community facility to be included in the PD; (6) an indication of existing vegetation and other natural features with plans for conservation and mitigation; (7) schematic depiction of existing and proposed surface water management elements; and (8) schematic depiction of the water distribution and wastewater collection facilities and drainage system; and

WHEREAS, Staff, following analysis of the application and its associated documents, have determined that the proposed change of zoning district is consistent with the Zoning and Land Development Regulations, is consistent with the City of Hollywood Comprehensive Plan and the City-Wide Master Plan, and have therefore recommended that it be approved; and

WHEREAS, the Planning Manager and the Planning Administrator (the "Staff"), following analysis of the proposed Master Development Plan and its associated documents, have determined that the proposed Plan is consistent with the Zoning and Land Development Regulations, is consistent with the City of Hollywood Comprehensive Plan, and have therefore recommended that the Master Development Plan be approved; and

WHEREAS, on October 19, 2017, the Planning and Development Board met and reviewed the above noted request for waiver of the 10 acre minimum acreage requirement, a change of zoning designation to PD (Planned Development) District, and approval of the proposed Master Development Plan and have forwarded a recommendation of approval to the City Commission; and

WHEREAS, the City Commission finds that the waiving of the 10 acre minimum acreage requirement for a Planned Development, the rezoning request to PD (Planned Development) District along with the approval of the Master Development Plan are consistent with the Zoning and Land Development Regulations, are consistent with the

City of Hollywood's Comprehensive Plan, and are in the best interest of the citizens of the City of Hollywood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the Applicant has presented competent substantial evidence that the requested rezoning request to PD is consistent with the Zoning and Land Development Regulations, is consistent with the City of Hollywood's Comprehensive Plan, and there is no legitimate public purpose in maintaining the existing zoning.

Section 2: That the minimum acreage requirement of 10 acres for a Planned Development District is hereby waived for the subject property.

Section 3: That the subject property as more particularly described in Exhibit "A" is hereby rezoned from the zoning designation of SR 7 CCD-RC (State Road 7 Commercial Corridor Resort Commercial Sub-Area) to PD (Planned Development) District.

Section 4: That the 441 ROC Master Development Plan as more specifically described in Exhibit "B" attached hereto and incorporated herein by reference, is hereby approved.

Section 5: That the Official Zoning Map of the City of Hollywood is hereby amended to incorporate the above described change in zoning designation for the subject parcel.

Section 6: That all sections or parts of sections of the Zoning and Land Development Regulations, Code of Ordinances, and all ordinances or parts thereof and all resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

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Section 8: That this Ordinance shall be in full force and effect immediately upon recordation of the plat and shall remain effective for so long as the Site Plan, approved by Resolution No. R-2017-____, remains in effect. Should no Building Permit for a principal structure be issued pursuant to the Site Plan or an extension obtained pursuant to City Codes prior to the expiration, the zoning shall revert to SR 7 CCD-RC or other such Zoning District that is in place at the time.

Advertised _____, 2017.

PASSED on first reading this _____ day of _____, 2017.

PASSED AND ADOPTED on second reading this _____ day of _____, 2017.

RENDERED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY