

ORDINANCE NO. _____

(13-L-99)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ORDINANCE NO. O-2007-28 RELATING TO THE SHERIDAN STATIONSIDE VILLAGE TRANSIT ORIENTED DEVELOPMENT (TOD) IN ORDER TO AMEND EXHIBIT "B" TO REVISE THE DEVELOPMENT STANDARDS FOR THE TOD.

WHEREAS, the City of Hollywood, pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been approved by the State of Florida Department of Community Affairs and certified by the Broward County Planning Council; and

WHEREAS, on October 17, 2007, the City Commission passed and adopted Ordinance No. O-2007-28 which amended the City's Comprehensive Plan to change the land use designation for the property now known as Sheridan Stationside Village to a Transit Oriented Development which was a joint private/public/public venture, initiated by the Florida Department of Transportation (FDOT) and included a 99 year lease relating to the property, as more specifically describe in Exhibit "A" attached hereto; and

WHEREAS, in accordance with Ordinance No. O-2007-28, the Transit Oriented Development for the property was required to develop the property pursuant to the development standards set forth in Exhibit "B" of the Ordinance; and

WHEREAS, the Zoning and Land Development Regulations provide that an application for a Land Use Plan Amendment may be filed; and

WHEREAS, a valid application was filed (13-L-99) by Okomo Associates, LLC and FDOT to amend the development standards for the project as Okomo and FDOT have decided to terminate the lease agreement so that the development rights of both ownership interests are clarified; and

WHEREAS, given the current ownership interests, the development of the property will now be a two phase project as follows: (1) Phase 1 is now proposed to be up to 500 residential units on the Okomo Property; and (2) Phase 2 will be developed on the FDOT property and includes up to 299,000 sq. ft. office, 300,000 sq. ft. commercial, 150 room hotel, 280,000 sq. ft. (793 space) parking garage for Tri-rail and the remaining 550 residential units as more specifically set forth in Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the Department of Planning and Development Services reviewed the proposed request and following analysis of the application, recommended it be approved with the recommendation that: (1) the Applicant work with staff to further define the minimum commercial square footage requirements for the balance of the project prior to second reading of this Ordinance; and (2) the Applicant work with staff to identify and develop recommended solutions to address potential impacts the proposed Text Amendment may have on previously approved development orders; and

WHEREAS, on November 14, 2013, the Planning and Zoning Board, acting as the City's Local Planning Agency, recommended that the City Commission approve the applicant's land use text amendment request (13-L-99) with staff's recommendation; and

WHEREAS, on December 18, 2013, the City Commission, passed Ordinance No. PO-2013-27 on first reading, which amended Note number four on Exhibit "B", with proposed a reduction of commercial (retail and/or office) square footage from 100,000 square feet to 75,000 square feet; and

WHEREAS, subsequent to first reading, the proposed text amendment was reviewed by external agencies, as required by state statute, which approval included the reinsertion of the commercial square footage, in note number four, back to the original 100,000 square feet and deleted the proposed 75,000 square feet; and

WHEREAS, City Staff, including the Department of Community and Economic Development and the Department of Planning find that the reinsertion of the commercial square footage back to 100,000 square feet complies with Staff's recommendations on First Reading; and

WHEREAS, the City Commission of the City of Hollywood has conducted all duly advertised hearings for the proposed land use text amendment and has considered all comments received concerning the proposed land use text amendment as required by state law and local ordinances; and

WHEREAS, the City Commission finds that the proposed land use text amendment is consistent with the goals, policies, and objectives of the City's Comprehensive Plan;

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

Section 1: That Ordinance O-2007-28 is hereby amended as it relates to the Sheridan Stationside Village Transit Oriented Development, as more specifically set forth in Exhibit "B" attached hereto and incorporated herein by reference.

Section 2: That the Transit Oriented Development for the subject property shall be developed as more specifically set forth in Exhibit "B" attached hereto and incorporated herein by reference.

Section 3: 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 4: 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.

Section 5: That this Ordinance shall become effective 31 days after the State Land Planning Agency notifies the City that the plan is complete in accordance with Section 163.3184(3)(c), Florida Statutes.

Advertised this _____ day of _____, 2013.

Advertised this _____ day of _____, 2014.

PASSED on first reading this _____ day of _____, 2013.

PASSED AND ADOPTED on second reading this _____ day of _____, 2014.

PETER BOBER, 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.

JEFFREY P. SHEFFEL, CITY ATTORNEY