

ORDINANCE NO. _____

(13-DJPVZ-79)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, CHANGING THE ZONING DESIGNATION OF THE PROPERTY LOCATED AT 2025 MCKINLEY STREET FROM IM-1 (LOW INTENSITY INDUSTRIAL AND MANUFACTURING DISTRICT) TO PD (PLANNED DEVELOPMENT DISTRICT); AND APPROVING THE MASTER DEVELOPMENT PLAN FOR THE SUBJECT PROPERTY (HEREINAFTER KNOWN AS "HOLLYWOOD CHARTER ACADEMY 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 (13-DJPSVZ-79) was filed with the Department of Planning and Development Services including a request for a change of zoning designation from IM-1 (Low Intensity Industrial and Manufacturing District) to PD (Planned Development District), for property located at 2025 McKinley Street, with approximately 10.52 net acres (approximately 458,260 square feet) as more particularly described in Exhibit "A" (subject parcel) attached hereto and incorporated herein by reference and approval of a Master Development Plan; and

WHEREAS, the purpose of this request for change in zoning designation is to allow the development of the site for an approximate 125,000 square-foot charter school; and

WHEREAS, the existing property has a current City zoning designation of IM-1 (Low Intensity Industrial and Manufacturing District) and an Existing Land Use Designation of Regional Activity Center; and

WHEREAS, the subject property is adjacent to Low Intensity Industrial and Manufacturing District (IM-1) on the North, South, and West, and Medium Density Multiple Family District (RM-12) on the East; 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, the Director, Assistant Director, and the Planning Manager (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, 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, on February 13, 2014, the Planning and Zoning Board met and reviewed the above noted request for a change of zoning 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 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 is in the best interest of the citizens of the City of Hollywood; and

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 subject property as more particularly described in Exhibit "A" is hereby rezoned from the zoning designation of IM-1 (Low Intensity Industrial and Manufacturing District) to PD (Planned Development District).

Section 3: That the Hollywood Charter Academy Master Development Plan as more specifically described in Exhibit "B" attached hereto and incorporated herein by reference, is hereby approved.

Section 4: 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.

ORDINANCE REZONING 2025 McKinley Street (13-DJPSVZ-79) to Planned Development District (Hollywood Charter Academy).

Section 5: 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 6: 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 7: That this Ordinance shall be in full force and effect immediately upon its passage and adoption and shall remain effective for so long as the Site Plan, approved by Resolution No. R-2013- , 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 IM-1 or other such Zoning District that is in place at the time.

Advertised _____, 2014.

PASSED on first reading this _____ day of _____, 2014.

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

RENDERED 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