

RESOLUTION NO. _____

(P15-04&05)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AMENDMENTS TO THE PLAT NOTATIONS ON THE "INDIGO BEACH RESORT" PLAT, LOCATED AT 4000 SOUTH OCEAN DRIVE, REVISING THE NON-VEHICULAR ACCESS LINE ALONG THE WEST SIDE OF SOUTH OCEAN DRIVE; APPROVING THE RELOCATION OF THE BUS SHELTER AND LANDSCAPE BUFFER EASEMENTS; APPROVING THE RELEASE OF THE TRAFFIC CONTROL EASEMENT; AMENDING THE CONCURRENCY NOTE TO CLARIFY AND LIMIT THE USE OF THE PLATTED PROPERTY.

WHEREAS, on November 15, 2006, the City Commission passed and adopted Ordinance No. O-2006-36 which approved the rezoning of property generally located at 4000 South Ocean Drive to Planned Development and approved the Sian Master Development Plan which proposed to develop the site in three phases which would consist of 660 condo-hotel rooms, 49 condominiums, 30 pool cabanas, 21,438 sq. ft. of meeting space, 10, 433 sq. ft. for a restaurant, 6,000 sq. ft. of retail space and a parking garage; and

WHEREAS, PRH 4000 South Ocean Drive, LLC (PRH) has submitted a request to the Department of Planning to amend the master development plan which will require amendments to the Plat Notation on the "Indigo Beach Resort" plat; and

WHEREAS, the amendments will include revisions to the access and concurrency notes as well as modifications to certain platted easement interests are necessary to accommodate the new site design for the development; and

WHEREAS, PRH 4000 South Ocean Drive, LLC is acting together with MHI/Carlye Sian Owner I, LLC as co-petitioners to accomplish the necessary plat revisions outlined in the plat application; and

WHEREAS, the site design proposes to provide a new 30' right-in only access opening 130' north of the existing 50' southerly access opening together with a right deceleration turn lane serving the property, and in order to accommodate this access change, revisions to the non-vehicular access line along the west side of South Ocean Drive are required, as more specifically described in Exhibit "A" attached hereto and incorporated by reference; and

WHEREAS, South Ocean Drive is under the jurisdictional responsibility of the Florida Department of Transportation (FDOT), and the FDOT has conceptually

approved the requested driveway access revisions; and

WHEREAS, the Petitioners are required to provide for the dedication of the right of way for the deceleration turn lane on South Ocean Drive to the FDOT, as more specifically identified in Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the new driveway configuration will require the relocation of the existing bus shelter easement 60 feet to the north, as more specifically identified in Exhibit "C" attached hereto and incorporated by reference, whereby PRH shall construct a bus shelter pursuant to the City's design standards prior to issuance of a certificate of occupancy for the proposed hotel/condominium; and

WHEREAS, the new driveway configuration and deceleration lane will also require the relocation of the existing 10' wide landscape buffer easement, as more specifically identified in Exhibit "D" attached hereto and incorporated by reference; and

WHEREAS, the new driveway configuration will require the release of an unutilized existing traffic control easement, as more specifically identified in Exhibit "E" attached hereto and incorporated by reference, and the City has no objection to such release; and

WHEREAS, the Petitioners also desire to amend the concurrency notation on the Plat, as follows:

From: This plat is restricted to Tract A having development of 100,000 square feet of commercial use and a 1,056-room condo-hotel (326 existing rooms and 730 proposed). Tracts B and C are restricted to no development. Bank uses are not permitted without the approval of the Broward County Commissioners, who shall review and address these uses for increased impacts.

To: Tract A is restricted to 100,000 square feet of commercial use, 591 condo-hotel rooms (326 rooms existing and 265 rooms proposed), 77 high rise units and 17 boat slips. Tract B is restricted to parking lot, landscaping and boat slip use. Tract C is restricted to parking lot and landscaping. Free standing banks or banks with drive-thru facilities are not permitted without the approval of the Broward County Commissioners, who shall review and address these uses for increased impacts.
; and

WHEREAS, staff has reviewed the request and finds the proposed development remains consistent with the concurrency standards established for the Plat, and therefore recommends approval of the amendments; and

WHEREAS, the Petitioners intend to file the plat amendment application with Broward County, and City Commission approval is necessary for the plat amendment to proceed at the County level;

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

Section 1: That it hereby approves the revision of the Non-Vehicular Access Line along the west line of South Ocean Drive and adjacent to Tract A and C of the "Indigo Beach Resort" Plat, as more specifically set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2: That it hereby approves the relocation of the existing bus shelter easement as more specifically set forth in Exhibit "C" attached hereto and incorporated by reference.

Section 3: That it hereby approves the relocation of the existing landscape buffer easement as more specifically set forth in Exhibit "D" attached hereto and incorporated by reference.

Section 4: That it hereby approves the release of the traffic control easement within the "Indigo Beach Resort" Plat, as more specifically identified in Exhibit "E" attached hereto.

Section 5: That it hereby approves the amendment of the concurrency note within the "Indigo Beach Resort" Plat as described above.

Section 6: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2015.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

JEFFREY P. SHEFFEL, CITY ATTORNEY