

ORDINANCE NO. \_\_\_\_\_

(15-JPZ-44c)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ORDINANCE NO. O-76-25, THE HILLCREST PUD ORDINANCE, AS AMENDED BY RESOLUTION R-81-56, ORDINANCES O-81-80, O-84-54, O-87-39, O-93-75, O-99-09, O-2000-05, O-2002-34, O-2009-38, O-2013-11, O-2016-10, O-2016-14 AND O-2017-09, BY AMENDING EXHIBIT "A" OF O-2017-09 TO MODIFY CERTAIN CONDITIONS RELATING TO AN EXISTING FPL EASEMENT; FURTHER AMENDING EXHIBIT "B", THE HILLCREST PUD-R MODIFIED SITE PLAN (PREVIOUSLY AMENDED BY ORDINANCE NO. O-2016-10) RELATING TO THE 645 RESIDENTIAL UNITS AND AMENITIES, INCLUDING BUT NOT LIMITED TO THE GOLF COURSE.

WHEREAS, the previously existing development has already established the character and nature of the Hillcrest PUD-R project; and

WHEREAS, on May 18, 2016, the City Commission adopted Ordinance No. O-2016-09, which approved a land use amendment to change the designations of the Hillcrest property from the land use designation of Open Space and Recreation (18 hole golf course) to Irregular Residential within a portion of the dash line area (11.5 units per acre); and

WHEREAS, on May 18, 2016, the City Commission also adopted Ordinance No. O-2016-10, which amended the Hillcrest PUD-R by specifically amending Subsection (3)(B) to modify the final site plan to redistribute the previously approved 645 residential units and amenities, including but not limited to portions of the 9-hole and 18-hole golf courses, and to modify certain development standards within the residential portion of the project; the approved Ordinance included conditions for both Phase 1 and Phase 2; and

WHEREAS, on July 3, 2017, the City Commission adopted Ordinance No. O-2017-09, which specifically amended Subsection (3)(B) of the previously approved Ordinance, to modify those conditions related to Phase 2 of the Hillcrest PUD project to allow the issuance, prior to plat recordation, of building permits to facilitate certain site work for the project that was inclusive of but not limited to earthwork, utilities, paving and drainage, and off-site improvements; and

WHEREAS, the Applicant has submitted a request to amend certain aspects of Exhibit "B", the Site Plan, as well as the Phase 2 conditions set forth in Exhibit "A" of Ordinance No. O-2017-09 as follows:

- (1) To reconfigure certain lots within Phases 1 and 2 to allow for an undesirable townhome model to be replaced with a more popular townhome model that will require ~~37~~ 38 lots to be replatted as set forth in Exhibit "B"; and
- (2) That the Phase 2 conditions set forth in Exhibit "A" of Ordinance No. O-2017-09 be amended to allow the relocation of townhomes that are in conflict with an existing 6' wide FPL easement; and
- (3) To modify the Site Plan to reflect and document the land areas swapped with 1100 Hillcrest Drive, LLC. Within Phase 1, a 0.31-acre square parcel located at the far end of the Hillcrest Tennis Center parcel was deeded. A small rectangular parcel at the west end, just west of the cul de sac, of Phase 1 was also deeded. This parcel is approximately .09 acres. In Phase 2, a 1-acre land swap with the Charter School, located in the rear / west of the property was also deeded to 1100 Hillcrest Drive, LLC as set forth in Exhibit "C". This land will be separated from the Hillcrest Passive Open space area by constructing a forty (40) foot landscape buffer with a six (6) foot berm and fence, which effectively amends Ordinance O-2013-11 and O-2016-14; and
- (4) To relocate the tot lot as set forth in Exhibit "B"; and

WHEREAS, the Department of Development Services, Division of Planning and Urban Design, and staff, following review and analysis of the application and its associated documents, have determined that the proposed amendment/modifications to the conditions set forth in Exhibit "A" of Ordinance No. O-2017-09 for Phase 2 of the Final Site Plan as well as the request for the modification of the Site Plan are consistent with the Zoning and Land Development Regulations, are consistent with the City's Hollywood Comprehensive Plan and the City-Wide Master Plan, and have therefore forwarded a recommendation of approval of the amendments/modifications to the conditions as more specifically set forth on the attached Exhibit "A", and approval of the modifications to the Site Plan as set forth in the attached Exhibit "B"; and

WHEREAS, the City Commission has conducted duly advertised hearings on the proposed ordinance through the above referenced petition and has considered all comments received concerning the proposed amendment/modifications as required by state law and local ordinances and resolutions; and

WHEREAS, the City Commission finds that the request to amend/modify the conditions to the Hillcrest PUD-R modified Final Site Plan for Phase 2 (specifically Subsection 3(B) of Ordinance No. O-2017-09), and the modifications to the Site Plan previously approved by Ordinance No. O-2016-10, 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 foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Section 3(B) of Ordinance No. O-76-25, commonly known as the “Hillcrest PUD,” as amended by Resolution R-81-56, Ordinance Nos. O-81-80, O-84-54, O-87-39, O-93-75, O-99-09, O-2000-5, O-2002-34, O-2009-38, O-2013-11, O-2016-10, O-2016-14 and O-2017-09, shall be further amended/modified only as to Phase 2 conditions established Exhibit “A” of O-2017-09, Exhibit “A”, as more specifically set forth in the amended Exhibit “A” attached to this Ordinance, and the attached Exhibit “A” will replace and supersede the Exhibit “A” approved under Ordinance No. O-2017-09.

Section 3: That Subsection 3(B) of Ordinance No. O-76-25, commonly known as the “Hillcrest PUD,” as amended by Resolution R-81-56, Ordinance Nos. O-81-80, O-84-54, O-87-39, O-93-75, O-99-09, O-2000-5, O-2002-34, O-2009-38, O-2013-11, O-2016-10, O-2016-14 and O-2017-09, as it relates the Modified Final Site Plan, shall be further amended as set forth in the attached Exhibit “B”.

Section 4: That all other conditions and provisions of Ordinance No. O-76-25, as amended by Resolution R-81-56, Ordinance Nos. O-81-80, O-84-54, O-87-39, O-93-75, O-99-09, O-2000-05, O-2002-30, O-2009-38, O-2016-10, O-2016-14 and O-2017-09, not amended by this Ordinance shall remain in full force and effect.

Section 5: That all sections or parts of sections of the Code of Ordinances, the Zoning and Land Development Regulations, and all ordinances or parts of ordinances and all resolutions, or parts of resolutions in conflict are repealed to the extent of such conflict.

ORDINANCE HILLCREST PUD-R AMENDMENT TO CONDITIONS PREVIOUSLY APPROVED IN ORDINANCE NO. O-2016-10.

Section 6: That this Ordinance shall be in full force and affect upon its passage and adoption.

Advertised \_\_\_\_\_, 2019.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

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

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DOUGLAS R. GONZALES  
CITY ATTORNEY