

ORDINANCE NO. _____

(22-Z-57)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, CHANGING THE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 2609 N. 26 AVENUE AND ADJACENT PARCELS TO THE NORTH AND WEST, LOCATED AT 200 & 300 OAKWOOD BOULEVARD, AND ADJACENT PARCELS TO THE SOUTH LOCATED AT 2800, 2900, 2906, 2908-2914, 2940, 3000, 3120, 3215, 3350, 3401, 3501-3881, 3901-3921, 4001-4101, 4150 OAKWOOD BOULEVARD, 2700 STIRLING ROAD AND OAKWOOD BOULEVARD, HOLLYWOOD, FLORIDA, GENERALLY LOCATED SOUTH OF STIRLING ROAD AND EAST OF INTERSTATE 95, FROM LOW INTENSITY INDUSTRIAL AND MANUFACTURING (IM-1) TO THE PLANNED DEVELOPMENT (PD) DISTRICT; APPROVING THE PLANNED DEVELOPMENT (PD) MASTER DEVELOPMENT PLAN FOR THE SUBJECT PROPERTY; APPROVING LANDSCAPE AND PARKING MODIFICATIONS; AMENDING THE CITY'S ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION.

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

WHEREAS, an application (22-Z-57) was filed by SFA Atlantis Associates LP/Oakwood Plaza LP and Oakwood Business Center LP with the Department of Development Services, Planning and Urban Design Division, requesting a change of zoning from Low Intensity Industrial and Manufacturing (IM-1) to the Planned Development (PD) District, for property located at 2609 N. 26 Avenue and adjacent parcels to the north and west, located at 200 & 300 Oakwood Boulevard, and adjacent parcels to the south located at 2800, 2900, 2906, 2908-2914, 2940, 3000, 3120, 3215, 3350, 3401, 3501-3881, 3901-3921, 4001-4101, 4150 Oakwood Boulevard, 2700 Stirling Road and Oakwood Boulevard, Hollywood, Florida, generally located south of Stirling Road and east of Interstate 95, that contains approximately 112.5 gross acres/111.8 net acres, as more particularly described in the attached Exhibit "A" ("Subject Property"); and

WHEREAS, the purpose of the request for change in zoning designation is to facilitate redevelopment, augment use of the property from only commercial use to a higher density mixed-use, increase the City's housing stock, expand the existing commercial footprint of the City and spur economic growth; and

WHEREAS, the Subject Property has a current City zoning designation of IM-1 and an existing Land Use Designation of Activity Center (Oakwood Activity Center); and

WHEREAS, the Subject Property is adjacent to Medium Intensity Commercial (C-3), Medium Intensity Industrial and Manufacturing (IM-3), Planned Mixed Use Development (PMUD) - Dania Beach and Commercial (C-2) Dania Beach on the North; Single Family (RS-3) and Open Space (OS) on the south; Low Intensity Industrial and Manufacturing (IM-1), Medium Intensity Industrial and Manufacturing (IM-3), Single Family (RS-6), Single Family (RS-1), Planned Development (PD), Government Use (GU) and Open Space (OS), on the east, and Interstate 95 on the west; and

WHEREAS, staff, following analysis of the application and its associated documents, has 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 therefore recommends that it be approved; and

WHEREAS, the PD (Planned Development District) ordinance requires that a Master Development Plan be submitted by the applicant for review by City staff and the Planning and Zoning Board; and

WHEREAS, the Master Development Plan, as described in the attached Exhibit "B" 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 proposed Master Development Plan and its associated documents, has determined that the proposed Plan is consistent with the Zoning and Land Development Regulations, is consistent with the City of Hollywood Comprehensive Plan, and therefore recommends that the Master Development Plan be approved with the following conditions:

1. Prior to the rezoning becoming effective, Land Use Plan Amendment 20-L-32 shall be recertified by the Broward County Planning Council as required by Ordinance No. O-2022-04, adopted by the City Commission on April 6, 2022.
2. At the time of submittal of the first site plan application for the first phase of development on the Subject Property, and with each site plan application submittal for subsequent phases of development, the Applicant shall submit an updated Master Development Plan for all land within the Planned Development District. The updated Master Development Plan shall address: all

requirements for Master Development Plans as enumerated in Section 4.15.F.3 of the City of Hollywood Zoning and Land Development Regulations; pedestrian and vehicular mobility; signage; and include revisions to the Design Guidelines that may result from changes to the Master Development Plan. The updates shall be processed administratively by the Director of Development Services, provided the changes comply with the requirements for “minor changes” in Section 4.15.G of the City of Hollywood Zoning and Land Development Regulations.

3. At the time submittal of the first site plan application for the first phase of development on the Subject Property, and with each site plan application submittal for subsequent phases of development, the Applicant shall submit documentation demonstrating each phase of development’s compliance with all requirements of Section 4.15 “PD Planned Development District” of the City of Hollywood Zoning and Land Development Regulations.
4. At the time submittal of the first site plan application for the first phase of development on the Subject Property, and with each site plan application submittal for subsequent phases of development, the Applicant shall submit evidence documenting the allocation of approved, proposed and remaining development entitlements on the Subject Property consistent with the allocations for the Oakwood Activity Center. This shall include any existing development as well as any required allocations of affordable housing.
5. At the time of submittal of the first site plan application for the first phase of development, the Applicant shall submit legal documents to constitute evidence of the unified control of the entire area within the proposed Planned Development, which shall be reviewed and certified by the City Attorney and Director of Development Services.

; and

WHEREAS, the Applicant is also requesting parking and landscape modifications within the Master Development Plan, as described in the attached Exhibit “C”, Appendix B and Appendix D; and

WHEREAS, staff, following analysis of the modification requests, recommends approval; and

WHEREAS, on May 9, 2023, the Planning and Zoning Board, acting as the Local Planning Agency, met and reviewed the above noted request for approval of the proposed Master Development Plan, and forwarded a recommendation of approval to the City Commission with staff conditions and the following condition:

1. No freestanding self-storage businesses unassociated with the residents and business with the Oakwood Activity Center/PD be permitted.

; and

WHEREAS, on May 9, 2023, the Planning and Zoning Board, acting as the Local Planning Agency, met and reviewed the above noted request for a change of zoning to the Planned Development (PD) District for approval of the proposed Master Development Plan, with approval of the parking and landscape modifications, and forwarded a recommendation of approval to the City Commission.

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 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 3: That the Subject Property as more particularly described in the attached Exhibit "A" **is/is not** rezoned from the zoning designation of IM-1 to PD.

Section 4: That the Planned Development Master Plan, as more specifically described in the attached Exhibit “B” **is/is not** approved with the following conditions:

1. Prior to the rezoning becoming effective, Land Use Plan Amendment 20-L-32 shall be recertified by the Broward County Planning Council as required by Ordinance No. O-2022-04, adopted by the City Commission on April 6, 2022.
2. At the time of submittal of the first site plan application for the first phase of development on the Subject Property, and with each site plan application submittal for subsequent phases of development, the Applicant shall submit an updated Master Development Plan for all land within the Planned Development District. The updated Master Development Plan shall address: all requirements for Master Development Plans as enumerated in Section 4.15.F.3 of the City of Hollywood Zoning and Land Development Regulations; pedestrian and vehicular mobility; signage; and include revisions to the Design Guidelines that may result from changes to the Master Development Plan. The updates shall be processed administratively by the Director of Development Services, provided the changes comply with the requirements for “minor changes” in Section 4.15.G of the City of Hollywood Zoning and Land Development Regulations.
3. At the time submittal of the first site plan application for the first phase of development on the Subject Property, and with each site plan application submittal for subsequent phases of development, the Applicant shall submit

documentation demonstrating each phase of development's compliance with all requirements of Section 4.15 "PD Planned Development District" of the City of Hollywood Zoning and Land Development Regulations.

4. At the time submittal of the first site plan application for the first phase of development on the Subject Property, and with each site plan application submittal for subsequent phases of development, the Applicant shall submit evidence documenting the allocation of approved, proposed and remaining development entitlements on the Subject Property consistent with the allocations for the Oakwood Activity Center. This shall include any existing development as well as any required allocations of affordable housing.
5. At the time of submittal of the first site plan application for the first phase of development, the Applicant shall submit legal documents to constitute evidence of the unified control of the entire area within the proposed Planned Development, which shall be reviewed and certified by the City Attorney and Director of Development Services.
6. No freestanding self-storage businesses unassociated with the residents and business with the Oakwood Activity Center/PD be permitted.

Section 5: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, and all submitted written and oral testimony received during the public hearing, and the City Commission's consideration thereof, the requested modifications described in Exhibit "C", Appendix B and Appendix D from parking and landscaping regulations set forth in Article 7 and Article 9 of the City's Zoning and Land Development Regulations, the City Commission **approves, approves with conditions/denies** the requested modifications; and

Section 6: That the City Commission, pursuant to Section 166.041(3)(c), Florida Statutes, elects by a majority plus one vote to conduct the second reading prior to 5:00 p.m. at a regularly scheduled City Commission public hearing.

Section 7: That the Official Zoning Map of the City of Hollywood **is/is not** amended to incorporate the above-described change in zoning designation for the Subject Property.

Section 8: 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 are repealed to the extent of such conflict.

Section 9: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

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Section 10: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised _____, 2023.

PASSED on first reading this _____ day of _____, 2023.

PASSED AND ADOPTED on second reading this _____ day of _____, 2023.

RENDERED this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY