

RESOLUTION NO. _____

(13-P-99)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE SITE PLAN AND DESIGN FOR PHASE I OF THE SHERIDAN STATIONSIDE VILLAGE PLANNED DEVELOPMENT (PREVIOUSLY APPROVED BY RESOLUTION NO. R-2008-401), GENERALLY LOCATED NORTH OF TAFT STREET, SOUTH OF SHERIDAN STREET, EAST OF CSX RAILWAY AND WEST OF I-95 AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hollywood Zoning and Land Development Regulations requires that all development projects which are located in a Planned Development District (PD) must receive site plan approval from the City Commission prior to the issuance of any building permits; and

WHEREAS, on December 19, 2007, Ordinance No. O-2007-35 was passed and adopted by the City Commission, which approved the rezoning and Master Development Plan for the property generally located at north of Taft Street, south of Sheridan Street, east of the CSX railway and west of I-95, with approximately 38.32 net acres/40.37 gross acres, to PD (for the project known as "Sheridan Stationside Village"; and

WHEREAS, on December 17, 2008, Ordinance No. O-2008-35 was passed and adopted by the City Commission, which approved the rezoning and an amendment to the Master Development Plan to include the property generally located north of Taft Street, south of Sheridan Street, east of CSX railway and west of I-95 (portion of Sheridan Stationside Village, south of the City of Hollywood water tower) into the PD; and

WHEREAS, on February __, 2015, PO-2014-24 (Ordinance No. _____) was adopted by the City Commission, which approved an amendment to the Master Development Plan to reflect the change in ownership, whereby Parcels A and C owned by FDOT, are intended to be developed in the future and Parcels B and D, will be developed by Okomo Associates, LLC; and

WHEREAS, an application (File Number 13-DVP-99), was filed by FDOT and Okomo Associates, LLC (the "Applicant") with the Department of Planning requesting to an amendment to the design and site plan previous approved by Resolution No. R-2008-401, for the construction of Phase I as a mixed use development consisting of Residential (Residential Quarter) on Parcel D and an improved Public Park (Park Quarter) on Parcel B for property generally located north of Taft Street, south of Sheridan Street, east of the CSX railway and west of I-95, Hollywood, Florida, for the project known as Sheridan Stationside Village, as more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Residential Quarter shall consist of 336 garden style residential units, as more specifically described in Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the public park shall consist of the dedication of a 6 (six) acre public park (4 acres net usable + up to 2 acres drainage = 6 acres) with retention and detention areas to be maintained by the Developer or successor and assignees as more specifically described in Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the Department of Planning Staff, reviewed the Applicant's request for design review in accordance with the criteria set forth in Article 5 of the Zoning and Land Development Regulations and determined that the request does meet the criteria set forth in Article 5 and have therefore recommended that the City Commission approve the design; and

WHEREAS, in accordance with Article 6 of the Zoning and Land Development Regulations, the Technical Advisory Committee reviewed the Applicant's request for an amendment to the previously approved Site Plan and have determined that the proposed request does meet the review standards set forth in Article 6 and have therefore recommended approval of the proposed amended Site Plan with the following conditions:

- 1) Prior to the issuance of building permit for a principal structure for Phase I, the Developer will contribute \$100,000 or post a letter of credit to the City as its contribution to the City's construction of a reuse water line from an agreed upon point of connection at the project to the corner of North Park Road and Taft Street, pursuant to the following terms:

- a) In the event the City has not completed construction of the reuse line extension at the time the project is eligible for its first Certificate of Occupancy for a principal residential structure ("CO Date"), the Developer will utilize an alternative source of irrigation, as follows: (1) If the City certifies to Developer that the reuse line will be available within thirty (30) days following the CO Date, Developer will provide temporary

irrigation by use of water trucks, and the full cost thereof shall be borne by the City; (2) If the City does not certify to Developer that the reuse line will be available within thirty (30) days following the CO Date, Developer shall have the option to install a temporary connection to City water for the purpose of irrigation. In such event, the Developer's costs associated with this City water line connection (extra piping, meters, etc.), not to exceed \$100,000, and the cost of water will be borne by the City until such time as the reuse line is available;

b) In the event the City has completed construction of the reuse line at any time prior to the date that the project is eligible for its first Certificate of Occupancy, for a principal residential structure, and if the Developer has posted a letter of credit, then the City will advise the Developer that it has 30 days to pay the City \$100,000 or the City will draw down and apply the letter of credit; and

2) In full satisfaction of the requirements of Article 6, Section 6.7(G) of the Zoning and Land Development Regulations for the 1,050 residential units permitted pursuant to the approved PD, prior to the issuance of the first Residential Temporary or Permanent Certificate of Occupancy, the Developer shall:

a) Comply with and perform the Developer's obligations as set forth in the Park Dedication & Escrow Agreement, which agreement requires conveyance of the Park Property (as defined in the Park Dedication & Escrow Agreement) and the Coral Rock house located thereon. The conveyance of the Coral Rock house shall be in its "as is" condition; and

b) Contribute \$50,000 to the City for its use in renovating and maintaining the Coral Rock house; and

3) Prior to the issuance of building permits for a principal structure for Phase I, the Developer will post a letter of credit, or other form of security acceptable to the City Attorney, as security for the completion of any required off-site improvements for which security has not already been posted in connection with the construction of such improvement. In no event is this requirement for security for the completion of offsite improvements to be construed as requiring any duplicate security and appropriate releases of security will be provided by the City at the request of the Developer; and

4) Any and all requirements, including but not limited to park improvements, conveyance of park property, easements and maintenance, set forth in Resolution R-2015-__ shall be completed in accordance with the Park Dedication and Escrow Agreement; and

- 5) The Residential Quarter shall have primary vehicular ingress and egress, for residents and guests, from the north via Sheridan Street and secondary vehicular ingress and egress from the south via Taft Street, which shall be limited and restricted to residents only, with access hours limited as identified in the Park Dedication and Escrow Agreement; and
- 6) The Park Quarter shall have a gate, installed and operated in accordance with the Park Dedication and Escrow Agreement; and
- 7) Prior to the issuance of a building permit for a principal structure, the Developer will submit a Declaration of Restrictions in Lieu of Unity of Title in a form acceptable to the City Attorney, which provides for the project to be developed and operated pursuant to a unified plan of development as reflected on the site plan attached hereto as Exhibit "B" and the City shall record such Declaration in the Public Records of Broward County; and
- 8) Phase I site plan approval includes two Parcels, B and D, as described in Exhibit "A", as such the portion of the Site Plan for either of these Parcels can be amended without the consent of the owner or owners of the respective Parcels. Nothing in this condition is intended to limit the effect of the City's authority to review and approved site plans or modifications to site plans; and
- 9) All amenities identified in Exhibit "B", including but not limited to the club house, swimming pool and playground, relative to the Residential Quarter in Phase I (the "Amenities") must receive a Certificate of Occupancy or Certification of Completion prior to any temporary or permanent Certificate of Occupancy for any residential units; provided, however, when the Amenities are substantially constructed such that the only incomplete items required for the Amenities to receive Certificates of Occupancy or Completion are "punch list" items or final inspections, Developer may provide a bond, in a form acceptable to the City, for an amount of 150 percent of the value of the remaining Amenities punch list items, and Certificates of Occupancy for residential units shall not thereafter be withheld based upon this condition; and
- 10) Prior to issuance of any building permits the Applicant/Developer shall obtain approval from the City's Wildlife Officer relative to appropriate implementation and compliance of the Wildlife Study in Exhibit "C"; and
- 11) Prior to the issuance of any permits, the Developer and the City will enter into a Tree Mitigation Agreement which addresses a fair and equivalent replacement program with the development of the site which includes the improvements to the six (6) acre park as set forth on the park plans attached hereto and incorporated by reference as Exhibit "B" and as set forth in Resolution R-2015-____. The Developer and City agree such

improvements contribute to long term viability and public enjoyment of the existing and relocated tree canopy, its understory and related amenities, which creditable improvements may include, but not be limited to, costs associated with removal of existing concrete pads and septic tanks, hardscape and softscape improvements, site grading, access and lighting as set forth in Exhibit "B" attached hereto and Resolution R-2015-__.

; and

WHEREAS, the City Commission has reviewed the proposed amendment to Design for the Project in accordance with the criteria set forth In Article 5 of the City's Zoning and Land Development Regulations, along with the Staff's recommendations and have determined that the criteria have been met; and

WHEREAS, the City Commission has reviewed the proposed amendment to the Site Plan for the Sheridan Stationside Village Phase I Planned Development Site Plan, in accordance with the review standards set forth in Article 6 of the Zoning and Land Development Regulations, along with the Technical Advisory Committee's conditions and have determined that the criteria have been met;

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

Section 1: That following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted written and oral testimony received during the public hearing from all parties and speakers and the consideration of the Design criteria set forth in Article 5 of the City's Zoning and Land Development Regulations, the City Commission finds that the necessary criteria have/have not been met, and the amended Design attached hereto and incorporated herein by reference as Exhibit "B", is hereby **approved/approved with the following conditions/denied:**

Section 2: 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 from all parties and speakers and consideration of the Site Plan review standards set forth in Article 6 of the Zoning and Land Development Regulations, the City Commission finds that the necessary review standards have/have not been met, and the Site Plan amendment attached hereto and incorporated herein by reference as Exhibit "B", is hereby **approved/approved with the following conditions/denied:**

RESOLUTION FOR SHERIDAN STATIONSIDE PHASE I AMENDED DESIGN AND SITE PLAN

Section 3: That the Applicant shall have up to 24 months from the date of Design approval to apply for all necessary building permits required to proceed with construction. Failure to submit an application within the required time period shall render all approvals null and void.

Section 4: That the Applicant shall have up to 24 months from the date of the Site Plan approval to apply for a valid construction permit. Failure to submit an application within the requested time period shall render all approvals null and void.

Section 5: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2015.

RENDERED THIS _____ day of _____, 2015.

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