

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: May 9, 2023 **FILE:** 23-L-19

TO: Planning and Development Board

VIA: Andria Wingett, Deputy Director of Development and Planning Manager

FROM: Mawusi Khadija Watson, Planning Administrator

SUBJECT: City of Hollywood requests an amendment to the City's Comprehensive Plan to change the Land Use designation from Community Facility (COMFAC) and Open Space and Recreation (OSR) to Medium-High (25) Residential (MHRES) and; amending the City's Land Use Map to reflect the change generally located at 1301 South Ocean Drive and including City-owned properties and adjacent rights-of-way for the area generally located east of State Road A1A, north of Bougainvillea Terrace, south of Jefferson Street and west of the Broadwalk. Excluding Harry Berry Park and the Summit Tower Hollywood. A detailed legal description and survey are on file with the City. This petition and project location is only associated with the land use change and does not reflect the buildable area. (Hollywood Arts)

REQUEST:

Amend the City's Comprehensive Plan to change the Land Use from Community Facility (COMFAC) and Open Space and Recreation (OSR) to Medium-High (25) Residential (MHRES) and; amending the City's Land Use Map to reflect the change. (Hollywood Arts)

RECOMMENDATION:

Staff finds the proposed land use change to be consistent with Article 1 of the Broward County Administrative Rules Document, Broward County Land Use Plan, the City-Wide Master Plan and the City's Comprehensive Plan. Staff recommends the Planning and Development Board, acting as the Local Planning Agency, forward this petition to the City Commission with a ***recommendation of*** approval, subject to the following conditions:

Should the City Commission vote to adopt the proposed land use change:

1. Prior to recertification of the City's Comprehensive Plan by the Broward County Planning Council, as a result of the proposed land use change, the Applicant shall:
 - a. Record in the Public Records of Broward County, in substantial form, the attached Declaration of Restrictive Covenants providing for the preservation of certain city owned property and rights-of-way outside the P3 project site for open and recreational purposes. The declaration will also address the preservation of natural resources, open space, and beach access.

2. During the Site Plan approval process the Applicant shall identify all required transportation network improvements resulting from proposed development of the subject property improvements as identified in the LUPA's traffic study.

BACKGROUND

The Hollywood Arts project includes several enhancements to existing public facilities at 1301 S. Ocean Drive, including (at minimum) the replacement of the existing Hollywood Beach Culture and Community Center, enhancement and modification of the existing Harry Berry Park and public parking. The project also includes a new residential condominium building with associated parking and amenities under a long term 99-year lease with the City (Attachment B). At this time the project is anticipated to be approximately 26-30 stories in height and contain approximately 146 total units.

Although enhancements/improvements will be made to Harry Berry Park as a part of this project's scope, its boundaries are to remain unaffected. Furthermore, the park will remain as community, open and recreation space for posterity. Restrictive covenants and other legal instruments will be used to codify the preservation of the park.

REQUEST

The current request is to amend the City's Comprehensive Plan to change the Future Land Use (FLU) designation from Community Facility (COMFAC) and Open Space and Recreation (OSR) to Medium-High (25) Residential (MHRES). The proposed amendment is summarized as follows:

Parcel	City of Hollywood Existing Future Land Use Plan Designation	Proposed Future Land Use Designation	Acreage
Southerly Half of Parcel "B" + Right-of-Way Parcel ID: 514224020010	Open Space and Recreation (OSR)	Medium-High (25) Residential (MHRES)	0.333
Right-of-Way South of Parcel "C" Parcel ID: 514213030020	Open Space and Recreation (OSR)	Medium-High (25) Residential (MHRES)	.316
Parcel "D" + Right-of-Way Parcel ID: 514224010011	Community Facility (COMFAC)	Medium-High (25) Residential (MHRES)	1.968
Parcel "E" + Right-of-Way Parcel ID: 514224020013	Community Facility (COMFAC)	Medium-High (25) Residential (MHRES)	1.081
Portion of East Broadwalk	Open Space and Recreation (OSR)	Medium-High (25) Residential (MHRES)	.292
Total:			3.990 Acres

The proposed amendment promotes a distribution of land uses that will enhance and improve the residential, open space and surrounding communities, as suggested in the Goals of the City's Comprehensive Plan. The proposed amendment also supports the City-Wide Master Plan guiding principle to *"promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community"*.

The proposed land use amendment will aid the project to come to fruition, augmenting the use of the property to provide additional housing inventory, while enhancing the public's experience.

SITE INFORMATION

Owner/Applicant:	City of Hollywood
Address/Location:	1301 South Ocean Drive and including City City-owned properties and adjacent rights-of-way for the area generally located east of State Road A1A, north of Bougainvillea Terrace, south of Jefferson Street and west of the Broadwalk. Excluding Harry Berry Park and the Summit Tower Hollywood. A detailed legal description and survey are on file with the City. This petition and project location is only associated with the land use change and does not reflect the buildable area.
Net Size of Property	3.990 acres
Gross Size of Property:	7.064 acres
Land Use:	Community Facility (COMFAC) & Open Space and Recreation (OSR)
Zoning:	Government Use (GU)
Existing Use of Land:	Community Facility
Year Built:	1970 (Broward County Property Appraiser)
Proposed Land Use:	Medium-High (25) Residential (MHRES)

ADJACENT LAND USE

	Adjacent Municipal Land Use Designations
North:	Medium-High (25) Residential (MHRES) & Open Space and Recreation (OSR)
South:	Medium-High (25) Residential (MHRES)
East:	Community Facility (COMFAC)
West:	Roadway

ADJACENT ZONING

	Adjacent Municipal Zoning Designations
North:	Beach Community Redevelopment District (BRT-25-R) & Government Use (GU)
South:	South Central Beach Residential Multifamily (RM-25-SCB)
East:	Government Use (GU)
West:	Roadway

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The intent of the Land Use Element of the Comprehensive Plan is to lay out a broad physical plan for the future development of the city. This is the only element describing appropriate locations for future Land

Use and declares the policies regulating their location and development. The Land Use Element takes into consideration factors affecting current development trends. The proposed amendment is consistent with the following policies of the Comprehensive Plan:

Land Use Element:

Goal: *Promote a distribution of Land Uses that will enhance and improve the residential, business, resort and natural communities while allowing landowners to maximize the use of their property.*

Policy 1.3: *Maintain the City Code or Zoning and Development regulations to require that all new and existing unsewered development, where practical and financially feasible, including new residential units, be connected to the sewer system.*

Policy 6.3: *Maintain the Zoning and Development Regulations that implement standards for different intensities of land use and residential densities as stated in the Future Land Use Categories of the Land Use Element.*

Policy 6.4: *Maintain those regulations that promote increased pedestrian access between neighborhoods and commercial uses. (CWMP Policy CW.14)*

Policy 4.9: *Place a priority on protecting, preserving and enhancing residential neighborhoods while incorporating the unique characteristics of redevelopment areas. (CWMP Policy CW.15 and CW.19)*

Policy 7.4: *Maintain the level of service for the City's park and open space standard of 3 acres per 1000 population to assess adequacy of service.*

Policy 7.14: *Continue to provide enough potable water for a year-round water supply without mining the aquifer and encouraging more saltwater intrusion.*

Policy 7.38: *Prioritize shoreline land uses based on water use and tourism.*

Policy 7.41: *Coordinate traffic circulation with future Land Use designations as specified by the City's Land Use Plan by reviewing traffic impacts during the development review process and by coordinating with County and State Governments.*

Policy 7.7: *Adequate public access to public beaches will continue to be provided and upgraded in the City of Hollywood in accordance with recommendations set forth by the Beach Redevelopment Plan.*

Policy 8.12: *The compatibility of existing and future Land Uses shall be a primary consideration in the review and approval of amendments to the Broward County and City Land Use plans.*

Transportation Element

Goal: *It shall be the goal of the City of Hollywood to provide and maintain a sustainable and integrated transportation system which provides modal choices for its residents and visitors and the efficient movement of goods and freight for its existing and future businesses.*

Policy 1.1.2: *For all other County and State roads the city shall adopt the area-wide Transit Level of Service as adopted per the Broward County Transportation Element. Within transit-oriented concurrency districts, the transportation LOS standards, for the purpose of issuing development orders and permits, are to achieve and maintain the following by FY 2009.*

Policy 1.1.4: *The City shall develop a methodology to allow for the issuance of development orders or permits for projects which have impacts on roadways which exceed the respective roadway LOS standard per Broward County Transportation Element Policy 3.4.3 (incorporated by reference). Mitigation measures and amendments to the City's Land Development code will be processes as needed.*

Housing Element

Goal: *To provide an adequate supply of decent, safe, and sanitary housing that is affordable to present and future residents of Hollywood.*

Policy 2.7: Emphasize programs which increase housing values. (CWMP Policy CW.91).

Policy 7.4: Determine the potential for additional residential development, where appropriate. (CWMP Policy CW.82)

Costal Element

Goal: *To provide an adequate supply of decent, safe, and sanitary housing that is affordable to present and future residents of Hollywood.*

Policy 5.1: *Maintain a concurrency management system that ensures infrastructure will be available to meet the demands generated by a new development or redevelopment*

Policy 9.12: *Continue to review the specific and cumulative impacts of development proposals on coastal natural resources as part of the Site Plan Review and Concurrency Review Process.*

Conservation Element

Goal: *To maintain, and if possible, encourage better natural environmental quality.*

Policy 1.6: Encourage the use of native instead of exotic plants in landscaping.

Policy 2.7: Maintain the City Code or the Zoning and Development Regulations to require that all new development including new residential units be connected to the sewer system.

Policy 2.9: Determine the greatest impact on water supply (ground and surface waters), whether point or non-point source pollution, and work to eliminate cause(s). (CWMP Policy CW.130)

Policy 2.10: Identify areas that frequently flood and determine preventative methods. (CWMP Policy CW.131)

Policy 4.3: Work with Federal, State and County agencies to develop and implement strategies to restore and maintain Hollywood's beaches. (CWMP Policy CW.115).

Policy 16.3: Maintain existing natural areas through signs on boardwalks, paths, benches, or dunes.

Recreation and Open Space Element

Goal: *Provide and maintain a complete range of recreational facilities and services as well as open space sites to fulfill the recreation needs of residents and visitors of all ages, including special groups such as the elderly, the developmentally impaired, and preschool age children to be consistent with environmental resources.*

Policy 1.5: Continue to require the provision of recreation and open space sufficient to meet established level of service requirement through the development review process by the enforcement of land dedication or impact fee requirements set out in the platting regulations.

Policy 1.6: The level of service for the City's Parks and Open Space standard of 3 acres per 1,000 population shall be maintained and utilized to assess adequacy of service.

Policy 4.1: Adequate public access to public beaches will continue to be provided and upgraded in the City of Hollywood in accordance with recommendations set forth by the Beach Redevelopment Plan.

Policy 5.5: Use native natural resources for purchase and replacement of recreational facilities where appropriate, consistent with the City's environmental concerns.

Utilities Element

Goal: *To optimize the utilization of water resources through provision of stormwater management for the City of Hollywood which reduces damage and inconvenience from flooding, promotes recharge to the Biscayne Aquifer, minimizes degradation of water quality in surface and ground waters, and protects the functions of wetlands in urban areas.*

Policy 1.1: *The City of Hollywood and other appropriate drainage districts shall continue to implement land development regulations which implement the minimum design criteria for stormwater management identified in the level of service standard to assess adequacy of service and concurrency during the development review process where jurisdictionally appropriate.*

Policy 1.4: *The impact of the construction and operation of stormwater management facilities and support services on adjacent natural resources shall be considered during the siting of new stormwater management facilities and the expansion of, or increase in capacity of, stormwater management facilities.*

Policy 1.5: *Identify road improvements projects that can incorporate local drainage into construction plans. (CWMP Policy CW.39)*

Policy 4.9: *All new drainage facilities shall be designed to provide pollution control sufficient to meet criteria of all local, state and federal regulatory requirements, including but not limited to the following when applicable:*

- a. Retention of stormwater*
- b. Flow of stormwater over grassed and vegetated areas*
- c. Sumps*
- d. Grease separation baffles*
- e. Mosquito control*
- f. Infiltration and percolation prior to overflow or outfall discharge*

Intergovernmental Coordination Element

Goal: *To enhance existing intergovernmental coordination mechanisms, and to create new opportunities for cooperation among state, regional, and local government entities in the provision of services and the management of future development.*

Policy 1.1: *Through the development of the Comprehensive Plan and the plan review process, the City will ensure that its goals, objectives, and policies are consistent with those of Broward County and the South Florida Regional Planning Council.*

Policy 3.1: *The City shall coordinate roadway level of service standards with the Florida Department of Transportation, Broward County, and the Southeast Florida Transportation Council.*

Policy 3.2: *The City will meet or exceed Broward County's established service standard for parks and open space. Policy 3.3: Through the platting and site plan review processes, the City will ensure that public facilities and services are available at acceptable standards to support future development.*

Capital Improvement Element

Goal: *To undertake actions necessary to adequately provide needed public facilities to all residents within the jurisdiction of the City of Hollywood in a manner which protects investments in existing facilities and promotes orderly compact urban growth.*

Policy 5.3: *Proposed plan amendments and requests for new development or redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:*

- a. Be consistent with the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Recharge Element; and Coastal Management Element and not contribute to a condition of public hazard.*
- b. Be consistent with the Transportation Element; Sanitary Sewer, solid Waste, Drainage, Potable Water, and Natural Groundwater Recharge Element; and Recreation and Open Space Element and not exacerbate any existing condition of public facility capacity deficits.*
- c. Generate public facility demands that may be accommodated by planned capacity increases.*
- d. Conform with future land uses as shown on the future land use map of the Future Land Use Element, and service areas as described in the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Recharge Element.*
- e. Accommodate public facility demands based upon LOS standards by provision of facilities by the developer or by the City consistent with this element.*
- f. Be consistent with state agencies' and water management districts' facilities plans.*

Policy 2.2: *The City shall continue to provide or require provision of recreational facilities within high hazard coastal areas as needed, consistent with this Comprehensive Plan.*

Historic Preservation Element

Goal: *The City shall preserve and conserve properties of historical, architectural, and archeological merit in the City.*

Policy 3.1: *To enforce existing zoning and land development regulations to ensure compliance with the Historic Preservation Board review procedures.*

Policy 3.2: *To maintain guidelines for restoration of historic buildings.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:

The project is located in Sub-Area 4, Hollywood Beach, is defined by the Atlantic Ocean to the east, the Intracoastal Waterway to the west, Hallandale Beach Boulevard to the south and Dania Beach Boulevard to the north. The Beach is comprised of three very distinct areas, North Beach, Central Beach and South Beach, which could be broken down further into sub-sectors of activity. The proposed project is consistent with the City-Wide Master Plan, based upon the following Guiding Principles and Policies.

Guiding Principle: *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

Guiding Principle: *Promote development that will preserve and enhance natural resources.*

Guiding Principle: *Preserve, protect and enhance existing open spaces and recreation facilities both public and private.*

Policy CW.15: *Place a priority on protecting, preserving and enhancing residential neighborhoods.*

SUMMARY OF FINDINGS:

1. Pursuant to the City's Comprehensive Plan as identified, Staff finds the proposed Land Use change from Community Facility (COMFAC) and Open Space and Recreation (OSR) to Medium-High (25) Residential (MHRES), referred to as Hollywood Arts, to be consistent with the City's Comprehensive Plan.
2. Pursuant to the City-Wide Master Plan Guiding Principles as identified, Staff finds the proposed Land Use change from Community Facility (COMFAC) and Open Space and Recreation (OSR) to Medium-High (25) Residential (MHRES), referred to as Hollywood Arts, to be consistent with the City-Wide Master Plan.

Additional review will be required during the Rezoning and Site Plan approval process to ensure consistency with the Zoning and Land Development Regulations and the City's vision.

ATTACHMENTS

- ATTACHMENT A: Application Package
ATTACHMENT B: Commission Approval, March 16, 2023
ATTACHMENT C: BCPC Comment Letter
ATTACHMENT D: Declaration of Restrictive Covenants