

RESOLUTION NO. _____

(24-DP-31c)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING A REQUEST FOR DESIGN AND SITE PLAN APPROVAL FOR A NEW 2,187 SQ. FT. RESTAURANT (TACO BELL) LOCATED IN A PLANNED DEVELOPMENT (PD) ZONING DISTRICT WITHIN THE OAKWOOD ACTIVITY CENTER.

WHEREAS, on July 5, 2023, the City Commission approved the rezoning of the subject property from Low Intensity Industrial and Manufacturing to the Planned Development District (“PD”) through Ordinance O-2023-09; and

WHEREAS, the requested Design and Site Plan request before the City Commission constitutes the first site plan application for the first phase of development within the PD; and

WHEREAS, the City’s Zoning and Land Development Regulations require that all development projects located in a PD must receive approval from the City Commission prior to the issuance of any building permits for Modifications, Design, and Site Plan; and

WHEREAS, the Planning and Development Board (“Board”) is charged with, among other things, the responsibility of considering requests for Modification, Variances, Design Review, and Site Plan approval, forwarding its recommendation to the City Commission; and

WHEREAS, Oakwood Plaza LP (“Applicant”), has applied for Design, and Site Plan approval for a development project known as Taco Bell, consisting of a double lane drive-thru facility that will merge into one lane, a walk-up window order option for pedestrian customers and a covered outdoor seating area at the front of the building, as more particularly described in the attached Exhibit “A”; and

WHEREAS, the Planning and Urban Design Division (“Staff”) reviewed the Applicant’s request for Design in accordance with the criteria set forth in Section 5.3.1.4.a.(1) through (4) of the Zoning and Land Development Regulations, and recommended that the Board forward a recommendation of approval for the requested Design to the City Commission; and

WHEREAS, in accordance with the conditions included within the previously approved Master Development Plan Ordinance O-2023-09, Site Plans within the PD District are to meet the following conditions:

1. Pursuant to Section 4.15(E), the City shall be allowed access on privately owned roads, easements and common open space to ensure police and fire protection of the area, to meet emergency needs, to conduct City services and to generally ensure the health, safety and welfare of the residents of the PD.
2. The Oakwood Plaza will be maintained up to the minimum standards, included within a declaration of covenants restrictions and easements as administered by the Master Developer.
3. Master Developer approval is required to be submitted prior to the submittal of the building permit application.
4. Any permit, building or similar, submitted by a third-party applicant requires approval in writing by the PD Master Developer prior to submittal to the City; and

WHEREAS, on December 10, 2024, the Board met and held an advertised public hearing to consider the Applicant's requests and have forwarded its recommendations to the City Commission as follows:

1. That the Design meets the criteria set forth in Section 5.3.1.4.a (1) through (4) of the City's Zoning and Land Development Regulations and should be **approved** with the condition that the Applicant shall continue to work with Staff prior to the approval of any building permit with regards to improving the architectural treatment of the north and west building facades; and
2. That the Final Site Plan meets the Review Standards set forth in Article 6 of the Zoning and Land Development Regulations and should be **approved** with the condition that the applicant work with the Staff to provide bicycle parking spaces; and

WHEREAS, the City Commission has reviewed the Applicant's request for Design in accordance with the criteria set forth in Section 5.3.1.4.a (1) through (4) of the City's Zoning and Land Development Regulations, along with Staff's and the Board's recommendations, and has determined that the Design should be approved with conditions; and

WHEREAS, the City Commission has reviewed the proposed Site Plan in accordance with the review standards set forth in Article 6 of the City's Zoning and Land Development Regulations along with the Technical Advisory Committee's and the Board's recommendations and has determined that the Site Plan should be approved with conditions, as set forth herein.

NOW, THEREFORE, BE IT RESOLVED 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 Resolution.

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, the Board’s recommendation, and the consideration of the Design criteria set forth in Section 5.3.4.1.a.(1) through (4) of the City’s Zoning and Land Development Regulations, the City Commission finds the necessary criteria have been met, and the Design attached as Exhibit “B” is approved with the conditions set for herein.

Section 3: 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, the Board’s recommendation with conditions, 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 been met, and the Site Plan attached as Exhibit “B” is approved with the conditions set for herein.

Section 4: 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, and failure to submit an application within the required time period shall render all approvals null and void.

Section 5: That the Applicant shall have up to 24 months from the date of Site Plan approval to apply for all necessary building permits required to proceed with construction, and failure to submit an application within the required time period shall render all approvals null and void.

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

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PASSED AND ADOPTED this _____ day of _____, 2025.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DAMARIS HENLON
INTERIM CITY ATTORNEY