

RESOLUTION NO.: _____

(13-DFJPV-103)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING THE REQUEST FOR MODIFICATION FROM THE PARKING REQUIREMENTS, DESIGN APPROVAL, AND APPROVAL OF THE AMENDED SITE PLAN (PREVIOUSLY APPROVED BY RESOLUTION NO. R-2008-327) FOR THE CONSTRUCTION OF A MIXED-USE PROJECT KNOWN AS "HYDE BEACH RESORT" LOCATED AT 4111 SOUTH OCEAN DRIVE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Hollywood's Zoning and Land Development Regulations require that all development projects which are located in a PD (Planned Development District) must receive Modification, Design, and Site Plan approval from the City Commission prior to the issuance of any building permits; and

Whereas, on September 24, 2008, the Development Review Board passed and adopted Resolution No. 05-DV-21 which approved a Variance and Design, and on October 15, 2008, the City Commission passed and adopted Resolution No. R-2008-327 which approved a Site Plan and modifications from the off-street parking and loading requirements for the project known as Beach One Resort; and

WHEREAS, due to the economic environment and fluctuation in market conditions, there has been a change in ownership of the subject property; and

WHEREAS, 4111 South Ocean Drive, LLC (the "Applicant"), in File Number 13-DFJPV-103, applied for design, site plan approval, and modifications to the parking requirements for the construction of a mixed-use project comprised of 40 condominium units, 367 condo-hotel rooms and accessory uses ("Hyde Beach Resort") located at 4111 South Ocean Drive, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Department of Planning Staff, after review of the Applicant's request for a Modification from the parking stall requirements set forth in Article 7 of the Zoning and Land Development Regulations to reduce the required parking space depth from 19 feet to 18 feet, have recommended that the City Commission approve the requested modification; and

WHEREAS, the Department of Planning Staff, after review of the Applicant's request for a Modification from the parking requirements set forth in Article 7 of the Zoning and Land Development Regulations to allow tandem and car lift parking spaces to count towards fulfilling the parking requirement, have recommended that the City Commission approve the requested Modification; and

WHEREAS, the Department of Planning Staff, after review of the Applicant's request for Design review in accordance with the criteria set forth in Section 5.3.I.4.a.(1) through (4) of the Zoning and Land Development Regulations recommended that the Commission approve the Design; and

WHEREAS, the Technical Advisory Committee in accordance with Article 6 of the Zoning and Land Development Regulations reviewed the Applicant's request for Site Plan and recommended approval of the Site Plan with the following conditions:

- a. That prior to issuance of a Certificate of Occupancy, the Applicant shall submit to the City, the Condominium Documents approved by the State, which include notification to perspective property owners that: the parking garage shall be fully operated by valet services at all times; and
- b. That the Applicant shall continue to work with the City's Landscape Architect on components associated with the "Living Wall" (vertical vegetation), such as but not limited to, vegetation species; materials; irrigation and drainage; maintenance; and
- c. That the amended site plan and master plan shall demonstrate adequate and safe public beach access (approx. nine-foot) consistent with the previously approved plan.

; and

WHEREAS, the City Commission has reviewed the proposed Modification from the parking stall requirements set forth in Article 7 of the Zoning and Land Development Regulations to reduce the required parking space depth from 19 feet to 18 feet, along with Staff's recommendation and have determined that the Modification should be approved/approved with conditions/denied; and

WHEREAS, the City Commission has reviewed the proposed Modification from the parking requirements set forth in Article 7 of the Zoning and Land Development Regulations to allow tandem and car lift parking spaces to count towards fulfilling the parking requirement, along with Staff's recommendation and have determined that the Modification should be approved/approved with conditions/denied; and

WHEREAS, the City Commission has reviewed the proposed Design for the Hyde Beach Resort in accordance with the criteria set forth in Section 5.3.I.4. A. (1) through (4) of the City's Zoning and Land Development Regulations, as indicated below, along with Staff's recommendation, and have determined that the Design should be approved/approved with conditions/denied; and

WHEREAS, the City Commission has reviewed the proposed Site Plan for Hyde Beach Resort in accordance with the review standards set forth in Article 6 of the

Zoning and Land Development Regulations, along with Technical Advisory Committee's recommendation and conditions, and have determined that the Site Plan should be approved/approved with the conditions/denied as set forth herein;

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, the City Commission finds that the necessary criteria have been met, and the Modification from the parking stall requirements set forth in Article 7 of the Zoning and Land Development Regulations to reduce the required parking space depth from 19 feet to 18 feet, is hereby **approved/approved with conditions/denied:**

Section 2: 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, the City Commission finds that the necessary criteria have been met, and the Modification from the parking requirements set forth in Article 7 of the Zoning and Land Development Regulations to allow tandem and car lift parking spaces to count towards fulfilling the parking requirement, is hereby **approved/approved with conditions/denied:**

Section 3: 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 Section 5.3.4I.a. (1) through (4) of the City's Zoning and Land Development Regulations, the City Commission finds that the necessary criteria have been met, and the Design is hereby **approved/approved with conditions/denied:**

RESOLUTION HYDE BEACH RESORT MODIFICATION TO PARKING REQUIREMENTS, DESIGN, AND SITE PLAN

Section 4: 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 been met, and the Site Plan attached hereto and incorporated herein by reference as Exhibit "B", is hereby **approved/approved with the following conditions/denied:**

Section 5: That the Applicant shall have up to 24 months from the date of the Site Plan effective date 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 6: That this resolution shall not become effective unless and until Broward County approves the plat amendment for this project.

PASSED AND ADOPTED this _____ day of _____, 2014.

RENDERED THIS _____ day of _____, 2014.

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