

### ORDINANCE NO. 0-2006-32

(04-ZJ-79)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, WAIVING THE 2 ACRE MINIMUM ACREAGE REQUIREMENT FOR A PLANNED DEVELOPMENT WITHIN THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO SECTION 4.15 E.1. OF THE ZONING AND LAND DEVELOPMENT REGULATIONS; CHANGING THE ZONING DESIGNATION OF THE PROPERTY GENERALLY LOCATED AT 410 NORTH FEDERAL HIGHWAY, AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A", FROM RMCRA-76 (HIGH FAMILY) TO PD (PLANNED MULTIPLE DENSITY DEVELOPMENT DISTRICT); APPROVING THE PLANNED DEVELOPMENT (PD) MASTER DEVELOPMENT PLAN FOR THE SUBJECT PROPERTY (HEREINAFTER KNOWN TAYLOR CONDOMINIUM AND DEVELOPMENT MASTER PLAN"); AND AMENDING THE CITY'S ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION.

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

WHEREAS, an application (04-ZJ-79) was filed with the Office of Planning of the City of Hollywood including a request for a change of zoning from RMCRA-76 (High Density Multiple Family) to PD (Planned Development District), for property generally located at 410 North Federal Highway, with approximately 0.81 net acres/1.16 gross acres as more particularly described in Exhibit "A" (subject parcel) attached hereto and incorporated herein by reference; and

WHEREAS, the purpose of this request for change in zoning designation is to allow the development of the site which is currently comprised of single family and motel buildings with approximately 0.81 net acres in size to proceed in accordance with the PD (Planned Development District) Ordinance, in order to construct a mixed use planned development consisting of 85 condominium units, 4 lofts, approximately 4,336 square feet of retail space, and a parking garage consisting of 180 spaces (142 residential, 18 guest, 18 retail and 2 loading area/loading zone spaces); and

WHEREAS, the PD ordinance requires a minimum size of 2 acres within the Community Redevelopment Area for any Planned Development District which may be waived by the City Commission upon the recommendation of the Planning and Zoning Board and the Executive Director of the Community Redevelopment Agency; and

WHEREAS, the existing property is located at 410 North Federal Highway and has a current City zoning designation of RMCRA-76 (High Density Multiple Family) and a Future Land Use Designation of RAC (Regional Activity Center); and

WHEREAS, the subject property is adjacent to RMCRA-76 on the north, east and west, and GU on the South; and

WHEREAS, the PD 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, such Master Development Plan 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, the proposed Master Development Plan is subject to the applicant obtaining a variance relating to the 25' landscape setback from all surrounding rights-of-way (north, east and south) from the Development Review Board; and

WHEREAS, the Director of the Office of Planning and City staff, following analysis of the proposed Master Development Plan and its associated documents, have determined that the proposed Plan is consistent with the Zoning and Land Development Regulations, is consistent with the City of Hollywood Comprehensive Plan, and has therefore recommended that the Master Development Plan be approved with the following condition:

Applicant is to provide a minimum internal side setback (west) of 7.5' maintaining the same building heights;

and

WHEREAS, the Director of the Office of Planning, 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 has therefore recommended that it be approved with the aforementioned condition; and

WHEREAS, on March 27, 2006, the Planning and Zoning Board met and reviewed the above noted request for a change of zoning to PD (Planned Development District) and approval of the proposed Master Development Plan and forwarded a recommendation of approval to the City Commission; and

WHEREAS, on July 13, 2006, the Development Review Board considered the Developer's application for a variance relating to the 25' landscape setback from all surrounding rights-of-way (north, east and south) and the Board granted said variance; and

WHEREAS, after review and consideration of the Master Development Plan condition proposed by both staff and the Planning and Zoning Board, the Developer has revised its Master Development Plan to comply with the internal side setback (west) 7.5' condition which will maintain the building heights; and

WHEREAS, the City Commission finds that the waiving of the 2 acre minimum acreage requirement for a Planned Development, the rezoning request to PD (Planned Development District), along with approval of the Master Development Plan, are consistent with the Zoning and Land Development Regulations, are consistent with the City of Hollywood's Comprehensive Plan, and is in the best interest of the citizens of the City of Hollywood;

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

- Section 1: That the applicant has presented competent substantial evidence that the 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 2: That the minimum size requirement of 2 acres for a Planned Development District is hereby waived for the subject property.
- Section 3: That the subject property as more particularly described in Exhibit "A" is hereby rezoned from the zoning designation of RMCRA-76 (High Density Multiple Family) to PD (Planned Development District).
- Section 4: That the 1 and Taylor Condominium Master Development Plan as more specifically described in Exhibit "B" attached hereto and incorporated herein by reference, is hereby approved.
- Section 5: That the Official Zoning Map of the City of Hollywood is hereby amended to incorporate the above described change in zoning designation for the subject parcel.

## ORDINANCE FOR 04-ZJ-79 REZONING OF 410 NORTH FEDERAL HIGHWAY TO PD (1 AND TAYLOR CONDOMINIUM PROJECT)

Section 6: 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 herewith are hereby repealed to the extent of such conflict.

Section 7: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 8: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised Aug 25, 2006.
PASSED on first reading this
Sep+, 2006.
RENDERED this $8$ day of $9$ ,2006.

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PATRICIA A. CERNY, MMC

CITY CLERK

ATTEST:

APPROVED AS TO FORM & LEGALITY

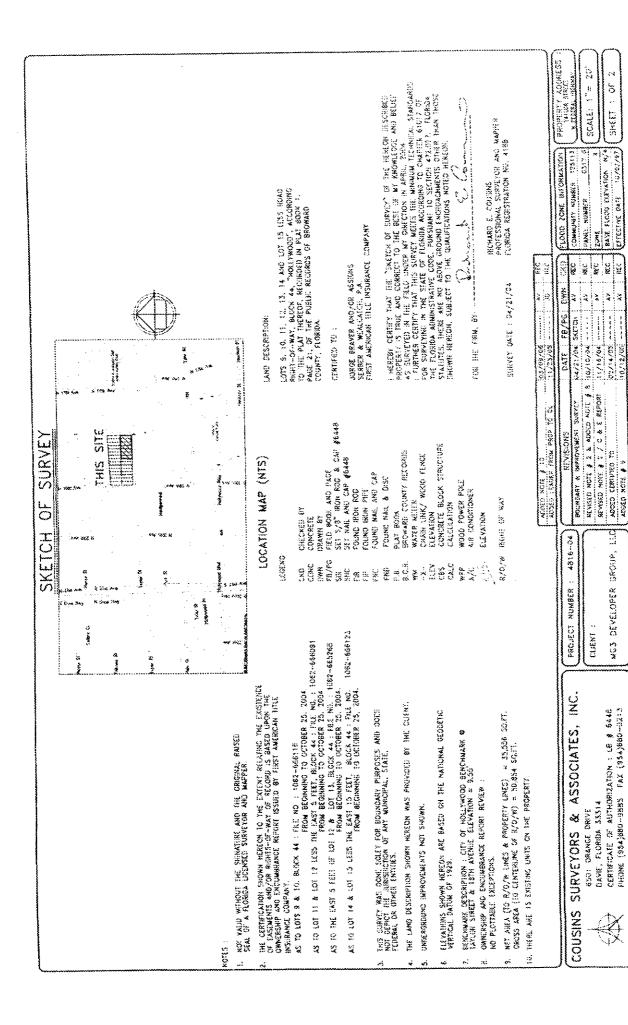
for the use and reliance of the City of Hollywood, Florida, only

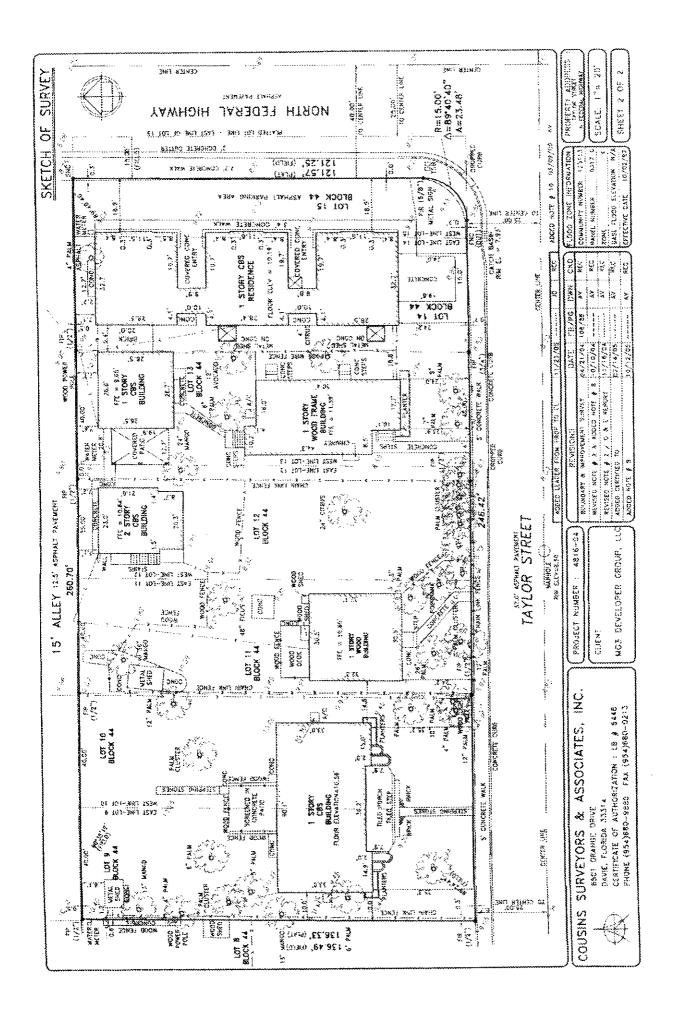
DANIEL L. ABBOTT, CITY ATTORNEY

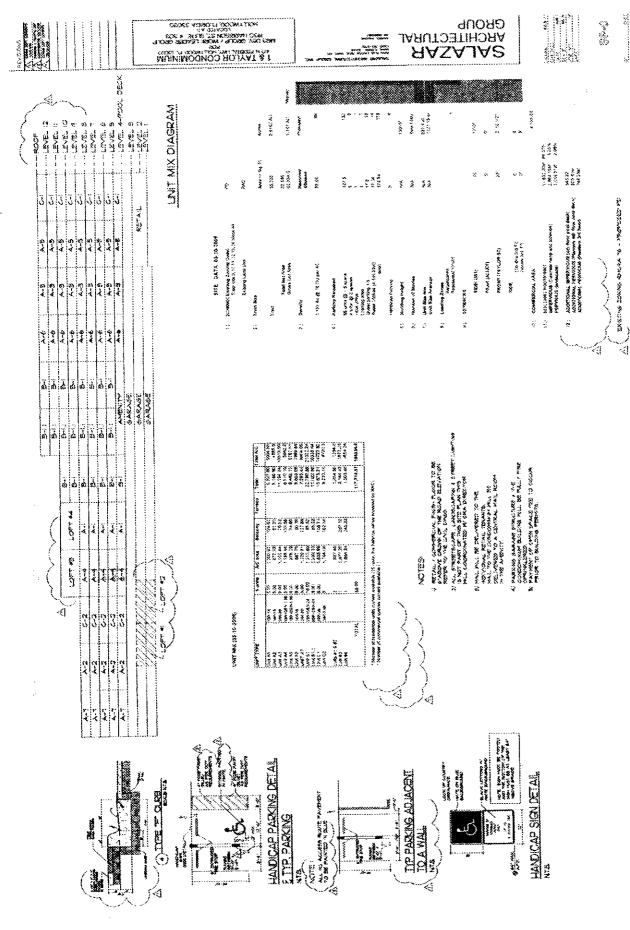
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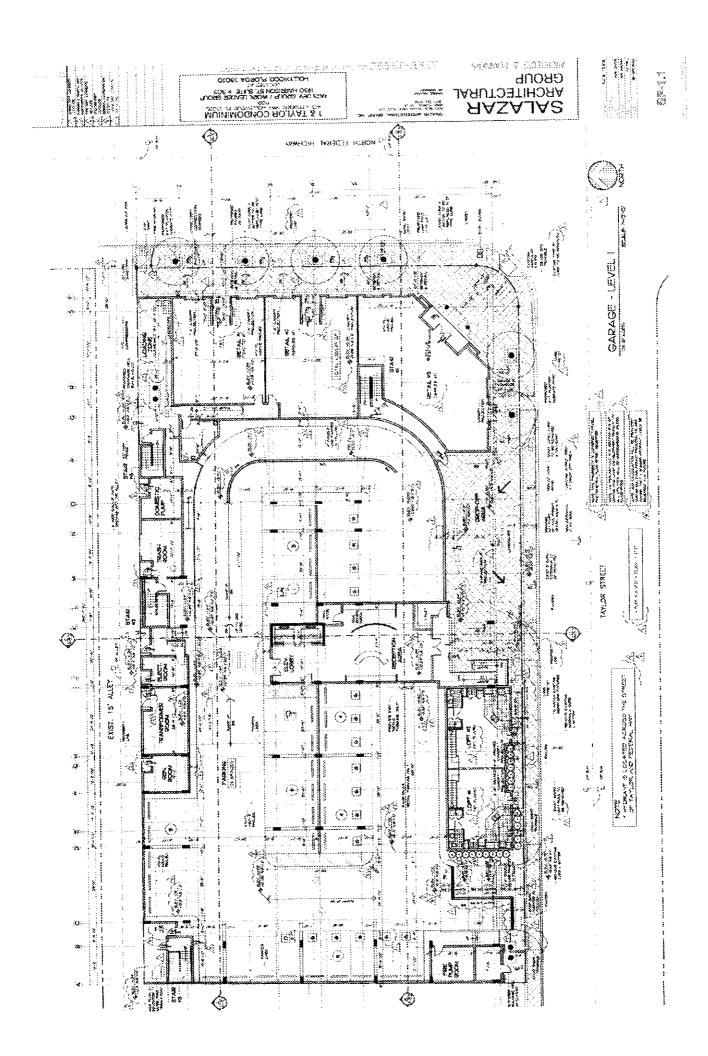
#### **EXHIBIT A**

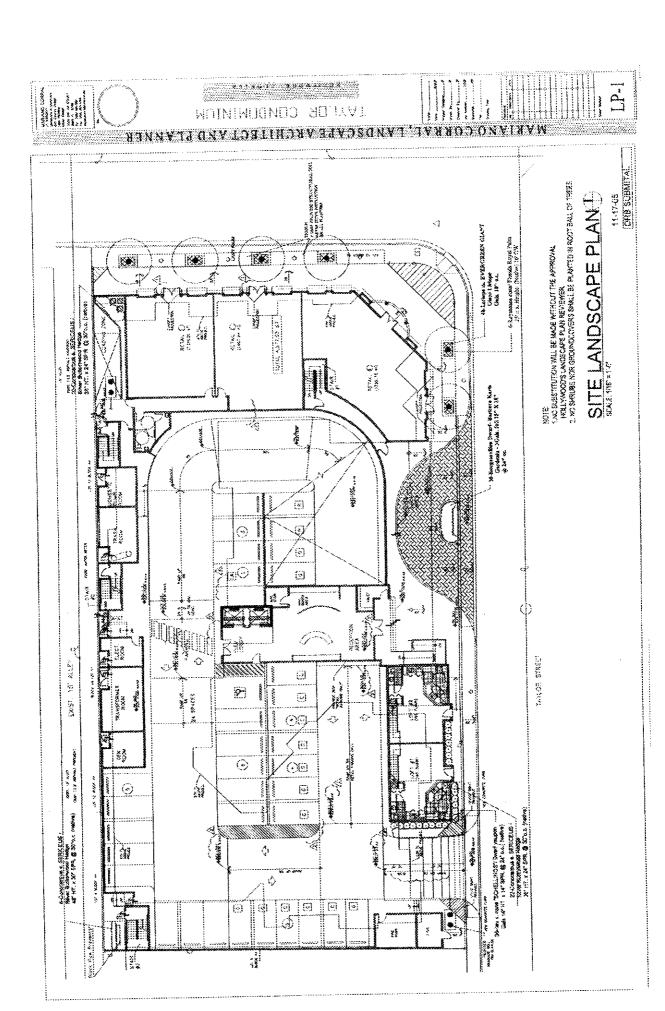
LOTS 9, 10, 11, 12, 13, 14 AND LOT 15 LESS ROAD RIGHT-OF-WAY, BLOCK 44, "HOLLYWOOD", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

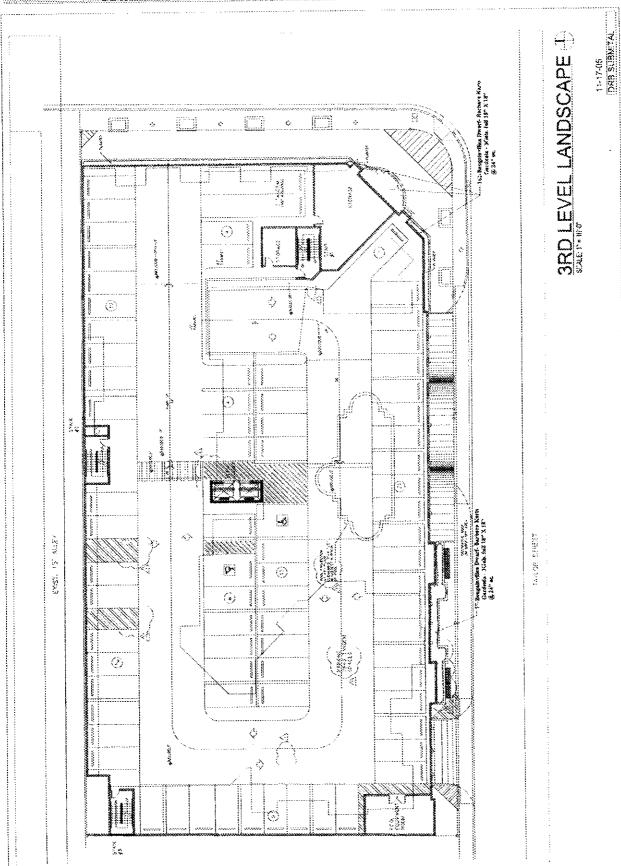






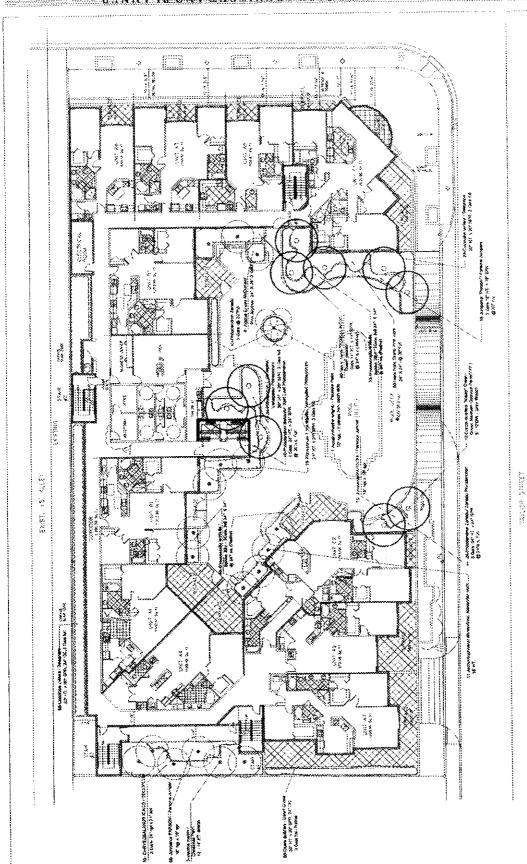












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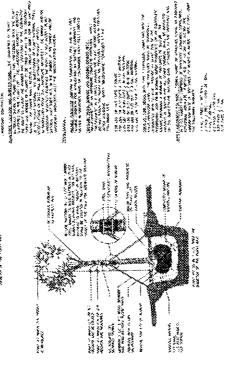
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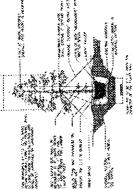
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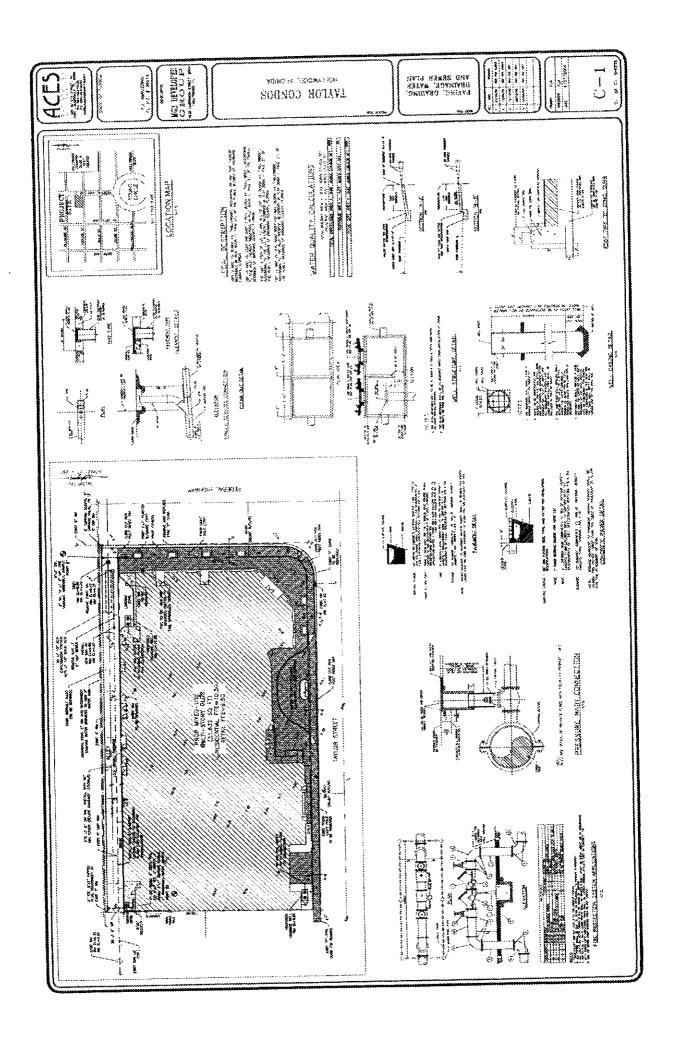
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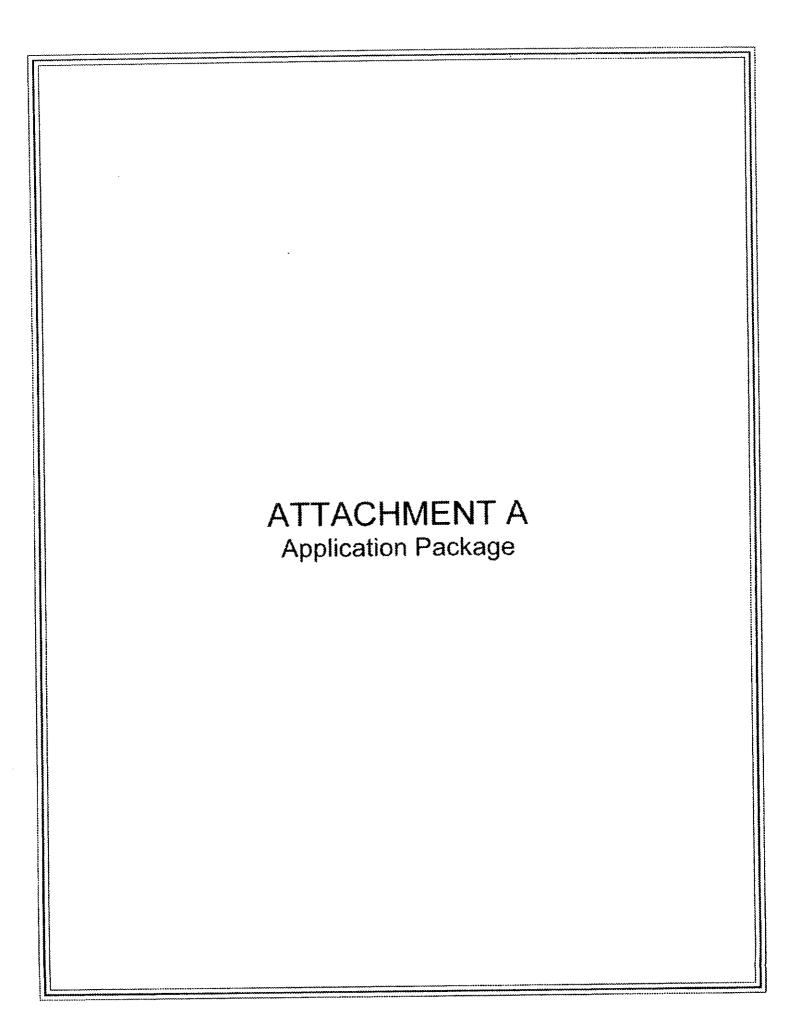
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· Marie Hall

PERMIT SET 05-30-04







#### OFFICE OF PLANNING HOLLYWOOD, FLORIDA GENERAL APPLICATION

This application must be completed in its entirety and submitted along with all necessary documents in order for it to be processed. THIS APPLICATION WILL NOT BE PLACED ON A BOARD OR COMMITTEE'S AGENDA UNTIL. IT IS COMPLETE. Refer to the checklist for the appropriate Board/Committee to determine the supplemental documentation required with each application. Staff will provide the appropriate checklist for each type of application. Plans submitted shall be signed and sealed by an architect or engineer registered in the State of Florida. The applicant of record or their authorized legal agent shall present projects to the pertinent Board/Committee.

For after the fact applications the responsible contractor/agent/architect or engineer of record should be present at the Board/Committee hearing. Their failure to attend may impact upon the disposition of your application. Once placed on an acenda, the applicant or their authorized legal agent must be present at all meetings.

APPLICATION TYPE (CHECK ONE):	
Jevelopment Review Board	☐ Historic Preservation Board
Planning and Zoning Board	, achnical Advisory Committee
Concurrency Review Committee	☐ City Commission
Location Address: 410 N. FEDER	4L Hahway zip Code: 33020 344 Subdivision:
Lot(s): 9-14 Block	Subdivision:
Folio Number(s): SEE CHACACO	
Zoning Classification: <u>PHORQ 16</u>	Land Use Classification: <u>LOC</u>
1. Explanation of Request: <u>R(PZO)に アから</u>	<u> </u>
Value of improvement:	Estimated Date of Project Completion:
3. Will Project be Phased?: NO If Phased, Es	stimated Completion of Each Phase:
4. Name of Current Property Owner: TOWK	Hilluwood UC
Address of Property Owner: 1930 Ha	<u> 1/1889 9C # 303</u>
Business Telephone: 929 5229	Home: Fauc 929 5226
Email Address: Wutter amount	Velocer con
5. Name of Consultant/Representative/Tenant (cin	
Address of Consultant/Representative/Tenant;	
	Home: Fax: 76/-18/8
Fmail Address	

		FILE NUMBER: (14-25-
<b>3</b> .	Date of Purchase:	Is there an option to purchase the Property Yes ( ) No ( )
	If Yes, Attach Copy of the Contract to This	Application.
7.	Name/Address of Anyone Else Who Sho	uld Receive Notice of the Hearing:
		Zíp Code:
	Email Address:	
8.	is the Request the Result of A Violation N	chice? If yes, attach a copy of the violation.
9.	Existing Property Use: KESTALW	14 7 WOTER
10	Proposed Use: (CIS) Clata	City before?
11	Has This Property Been Presented to th	e City before?
•	Check All That Apply and Provide File N	i/ tumborio) & Resolution(s):
		Historic Preservation Board
	Development Review Board	☐ Technical Advisory Committee
	Planning and Zoning Board	City Commission
	Concurrency Review Committee  Economic Roundtable (Attach copy	•
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		COMPLIANCE WITH APPLICABLE REGULATIONS
	and guidelines applicable to the re- at the library located within City applicable law, including but not ill will post the site with a sign provid the day of posting and submit ph Failure to post the sign will result in	ertifies that he/she has been made aware of the criteria, regulations quest. This information can be obtained in Room 315 of City Hall or Hall Circle. The owner(s) further certifies that when required by mitted to the City's Zoning and Land Development Regulation, they ed by the Office of Planning. The owner(s) will photograph the sign otographs to the Office of Planning as required by applicable law. It is a violation of State and Municipal Notification Statutes.
	Development Regulations, Design Review Plan as they apply to this project. (I)(We)	Id will comply with the provisions and regulations of the Zöning and Land Guidelines, Design Guidelines for Historic Properties and Comprehensive lyrither certify that the above statements and drawings made on any paper or best of (my)(our) knowledge. (I)(We) understand that the application and blic records of the City and are not returnable.
	14	Date:
	Signature of Current Owner.	22/22/2016 Mai = 14/10/10/10
	PRINT NAME: UNIT LAU	
	Signature of Consultant/Representative:	0000: 1/10/06
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	Signature of Tenant:	Date:
	PRINT NAME:	Oate:

NOTE: APPLICATION MUST BE SIGNED BY ALL APPLICABLE PARTIES AND NAMES MUST BE PRINTED.

#### CURRENT OWNER POWER OF ATTORNEY

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Sworn to and subscribed before me				<del>/</del>		<b></b>
this 11 day of April 2006		Aus	TURE OF	BAGOMO	ier Vini	
Notary Public  State of Florida  My Commission Expires:  My Commission Expires:	a 68, 1000 - 🐧	PRINT	NAME			
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#### Statement of Justification for Rezoning to Planned Development (PD)

- A. That the petition for a change of zoning does not meet any one of the following criteria whereby the request would be considered contract or spot zoning:
- (1) The proposed rezoning would give privileges <u>not</u> generally extended to property similarly situated in the area.

The proposed rezoning will not give privileges not generally extended to property which are similarly situated. The proposed PD zoning district is intended to accommodate mixed use projects in the CRA and other areas of the City while promoting the goals and objectives of redevelopment within the CRA. Other properties within the CRA and City are capable of requesting a rezoning to PD, which creates a Master Plan to which the zoning is linked. Furthermore, the proposed plan meets the intent of the Zyscovich.

(2) The proposal will result in similarly situated property being treated differently.

Similarly situated property will not be treated differently. Every request for rezoning to PD is reviewed on its own merits because a necessary element of the PD zoning designation is the Master Plan. The Master Plan in this case follows the recommendations of the City's Planning Consultant and has been conceptually approved by the City's Economic Roundtable and TAC. Other projects within the CRA are also planned for rezoning to PD and have followed a similar course of development, which means that this property is being treated exactly the same as other similarly situated property.

(3) The proposed rezoning request does not fall within the existing land use designation(s) for the subject property.

The proposed rezoning is consistent with the RAC land use designation, which specifically permits mixed-use developments. The current zoning does not permit mixed-use developments, and thus the proposed rezoning is more consistent with the land use plan designation for the property than the current zoning designation.

(4) The proposed change will result in an isolated district unrelated to adjacent or nearby districts.

The proposed zoning district will not result in an isolated district. The PD zoning designation which has been requested will enable this project to more closely resemble and be integrated into other developments which have been approved in the Downtown CRA.

- B. That the petition for a change in zoning is consistent with six or more of the following criteria:
- (1) The proposed change in consistent with and in furtherance of the Goals, Objectives and Policies of the Comprehensive Plan.

The proposed zoning district, PD, is consistent with and in furtherance of the Goals, Objectives and Policies of the Comprehensive Plan. The proposed zoning change allows a mixed use development on the subject property, which is a permitted and encouraged use in the RAC future land use element. The proposed zoning district will also promote redevelopment and a resort feel to the property while promoting growth along major travel corridors, all of which are goals of the Comprehensive Plan and the Downtown CRA.

(2) The rezoning will result in uses permitted under the proposed district classification which would be in the general public interest and/or would not be merely in the interest if an individual of small group.

The rezoning will allow a mixed use rather than a purely residential use, which is in the general public interest. The mixed use concept in the CRA will help reduce traffic congestion, aide in the redevelopment of the City's Downtown Area and will promote the design and use concepts expressed by the City's Planning Consultant. Furthermore, the proposed rezoning assists traffic flow along the commercial corridors, a goal which is in the City's interest. In addition, the commercial element of the mixed use component will help create a vibrant downtown area and will also serve current projects already approved by the City, such as the ArtsPark and the redevelopment of the golf course.

(3) The proposed change will result in development that is consistent in scale (building height, mass, siting) with other buildings in the neighborhood.

The proposed change will result in development that is consistent with the neighborhood. The City Commission will be able to ensure this because the proposed zoning district is linked to an approved Master Plan which ensures that the development will be consistent with the surrounding neighborhood. In addition, the proposed Master Plan has incorporated many of the design guidelines expressed in the vision for the Downtown CRA by the City's planning consultant.

(4) Conditions have substantially changed from the date the present zoning district was placed on the property which make the passage of the proposed change necessary.

Conditions have substantially changed from the date on which the present zoning district was placed on the property. Since the zoning district has changed the subject property has been incorporated into the Downtown CRA and several new development projects in the CRA have either been approved or received conceptual approval. In addition, an overall design plan for the Downtown area has been authored by the City's planning consultant. This also changes the area and proposed development for the area. When combined all of these factors show that the area

where the property is located has changed.

(5) The proposed change will not adversely influence living conditions in the neighborhood.

The proposed change in zoning will not adversely influence living conditions but will instead positively influence living conditions in the neighborhood. The proposed zoning will enable to the project to meet the development criteria suggested by the City's planning consultant. In addition, the mixed use concept will help create an urban environment in the downtown area which will alleviate traffic problems and aid the development of the commercial corridors. Finally, the proposed development (incorporated as part of the PD zoning designation) preserves the character of the neighboring residential property by substantially reducing the height of the proposed development in those areas which are adjacent to the existing residential uses.

(6) The proposed change is consistent with public safety concerns and will not create traffic hazards.

The proposed change is consistent with public safety and will not create traffic hazards. The proposed development satisfies all City required parking. Furthermore, the proposed PD development creates internal roadways and pedestrian thoroughfares which enhance both traffic and pedestrian movement and help spur development along the commercial corridors of the City. The requested zoning designation also allows a mixed use development to occur on the property, which will lead to more pedestrian movement and less traffic on the roadway as more of the residents in the downtown area both work and live in downtown.

(7) The proposed change will not adversely affect property values in the adjacent area.

The proposed change will not adversely affect property values. The proposed zoning designation, PD, is linked to a Master Plan which shows amenities and other advantageous benefits to property owners of the development. This will, in turn, add to the value of the units which helps add to the property values of the surrounding areas. In addition, by virtue of the common ownership of the common areas it is ensured that the common areas will be well maintained thus helping to ensure that property values remain high. Furthermore, rezoning to PD will allow the redevelopment of the property with a modern development, thus raising property values in the area.

(8) It is impossible to find other adequate sites in the City for the proposed use on property presently zoned for such use.

It is impossible to find other sites in the City for the proposed use. The requested rezoning is to PD, which is site specific and linked to an approved Master Plan. Thus, there is no other area in the City in which the proposed development could be placed because of the nature of the requested rezoning to PD.



NUMBER OF ACTOR

DIRECTOR FACARS

salazar chitectural group

1 & TAYLOR CONDOMINIUM 410 N FEDERAL MAY HOLLYWOOD, SL

97N SMEDIE CRADICONDO

BENLIAMIN MOORE / PANTONE

CONDOMINIUM 1 & TAYLOR

410 N. FEDERAL HWY, HOLLYWOOD FL. 33020

LOCATION MAP

MG3 DEV. GROUP / WORK LEADER GROUP 1930 HARRISON ST, SUITE # 303

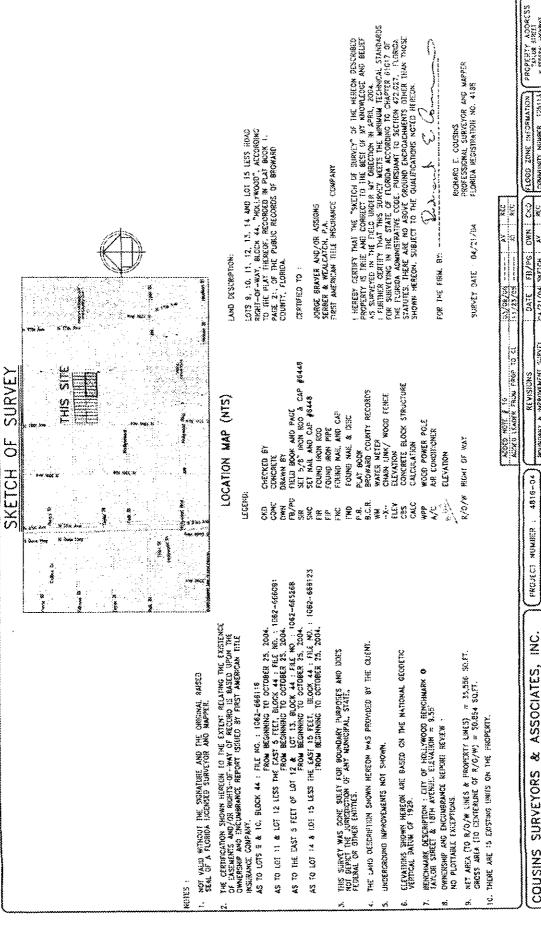
HOLLYWOOD, FLORIDA

# SALAZAR ARCHITECTURAL GROUP

ARCHITECTS & PLANKINS SLOOD BUILD LAGOON DRIVE, BUITE 428 NIAMI, PL 98186 (ROS) 262-8160 AR 4247

LANDSCAPE ARCHITECT:
MARJANO CORRA., \$ 45800. IN:
BOO! SH IST CORR.
HANT R. 18589
(808) 991.2-62 FAX (809) 899-2089

# NUMX OF UKANINGO



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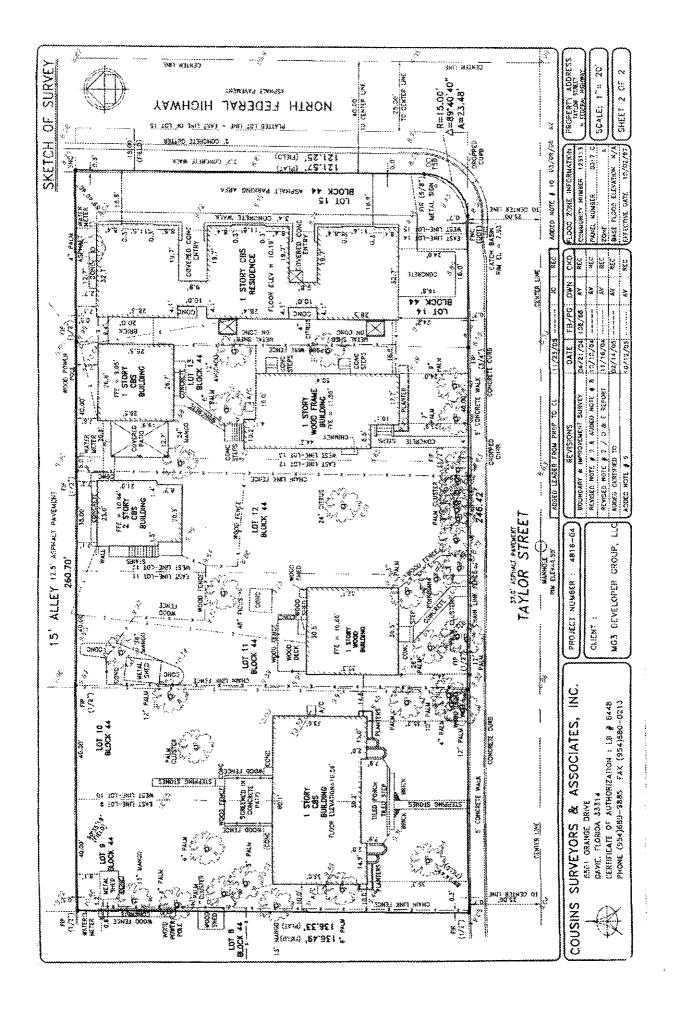
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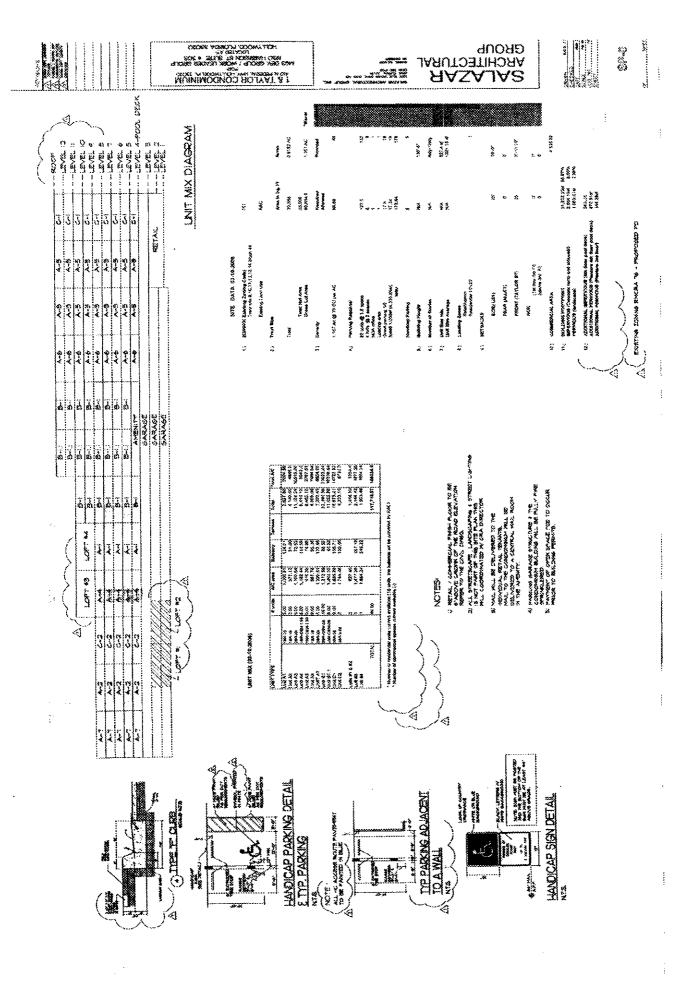
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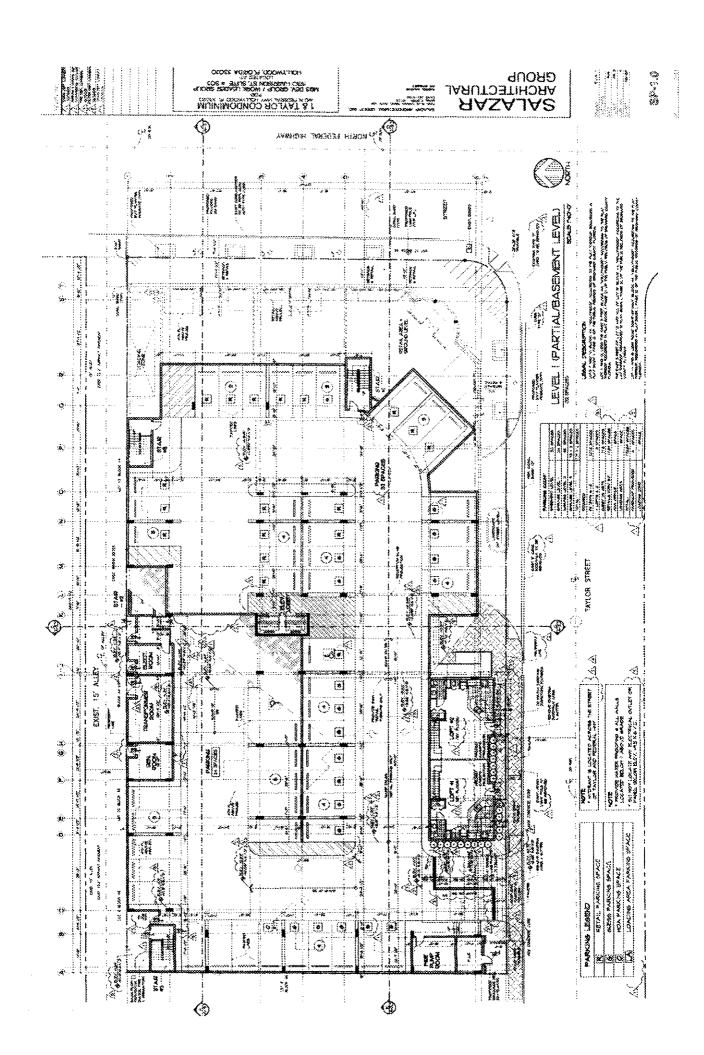
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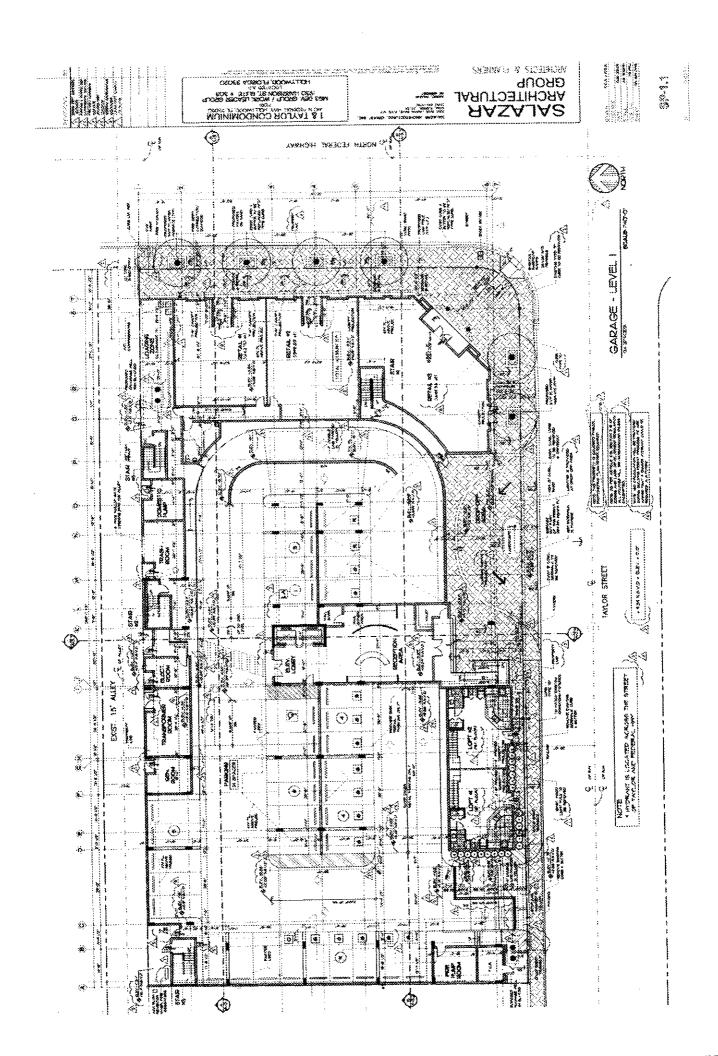
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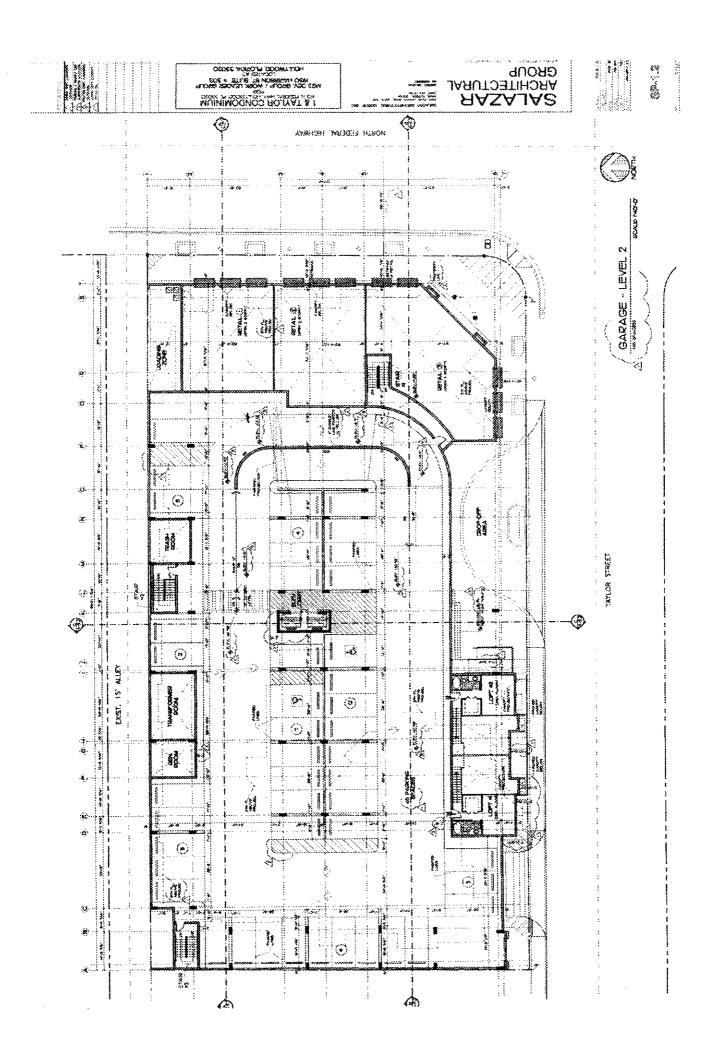
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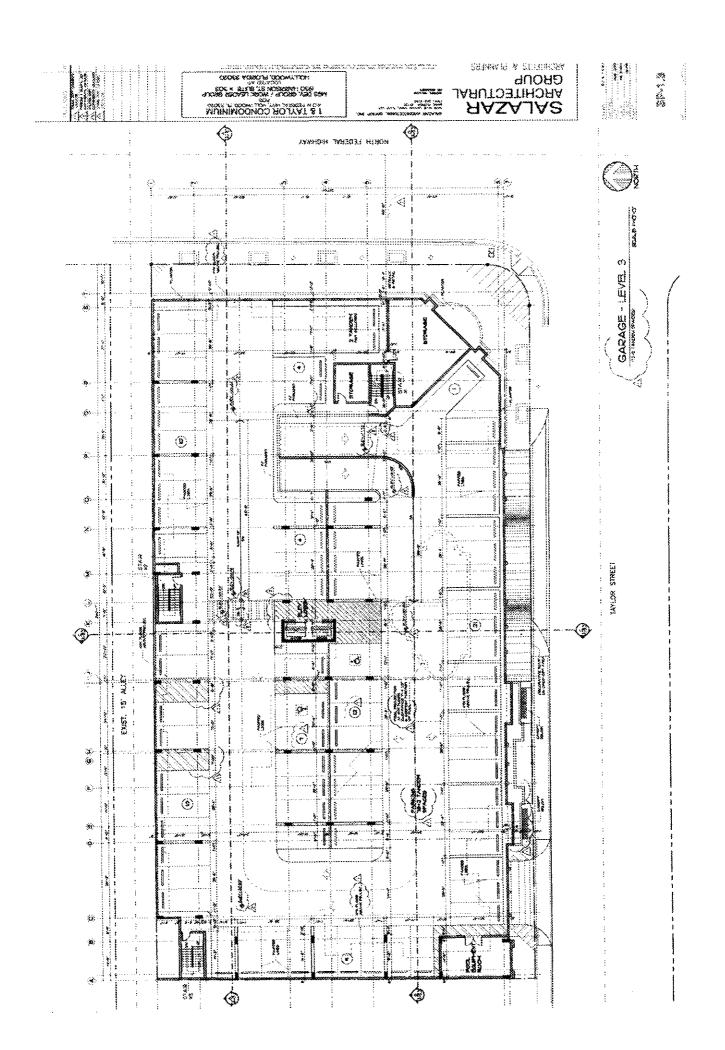


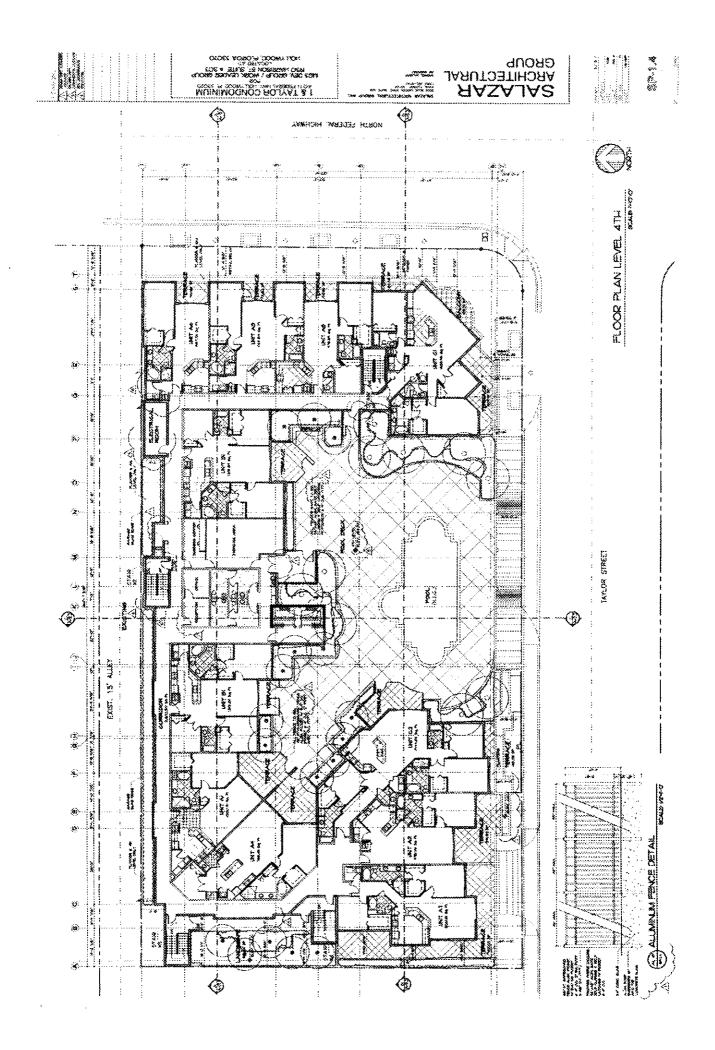


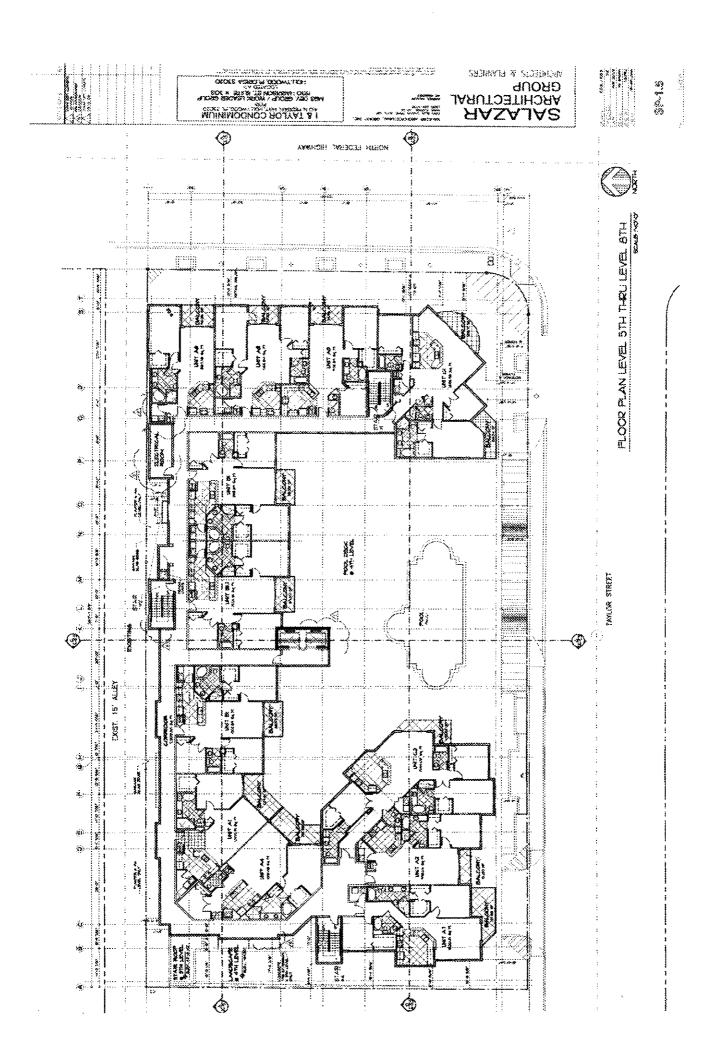


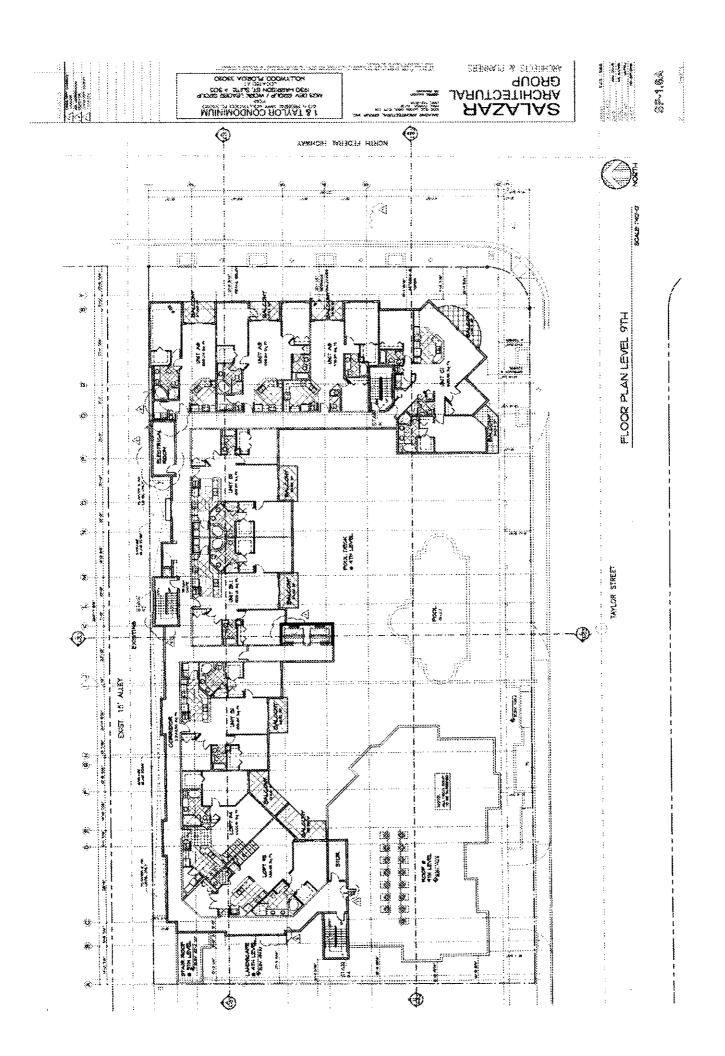


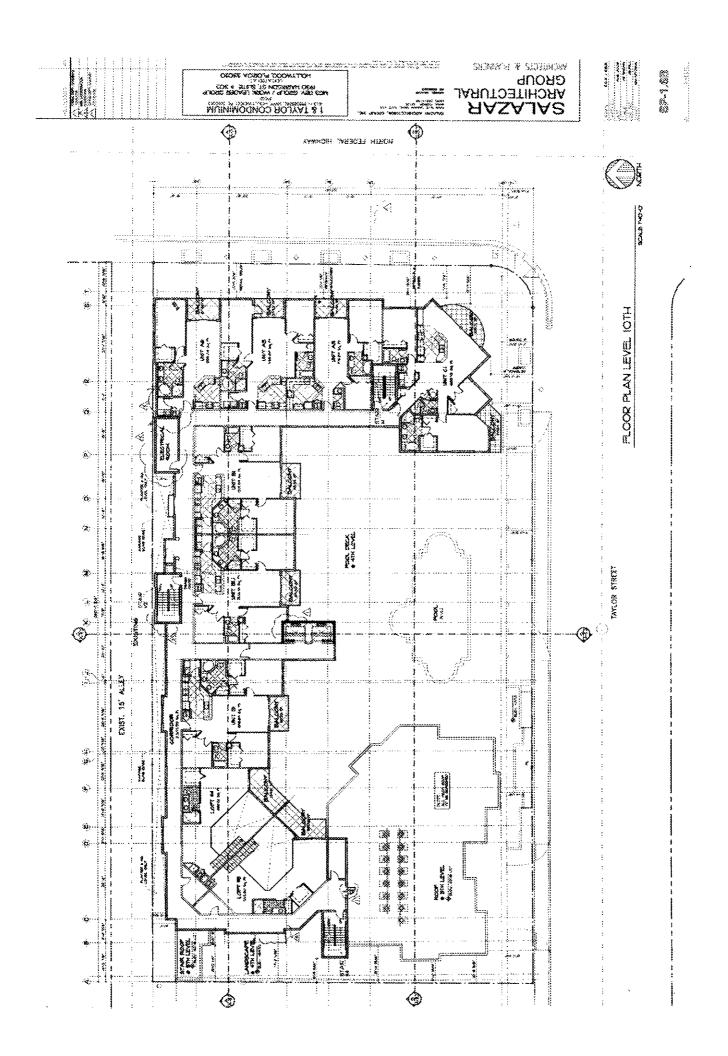


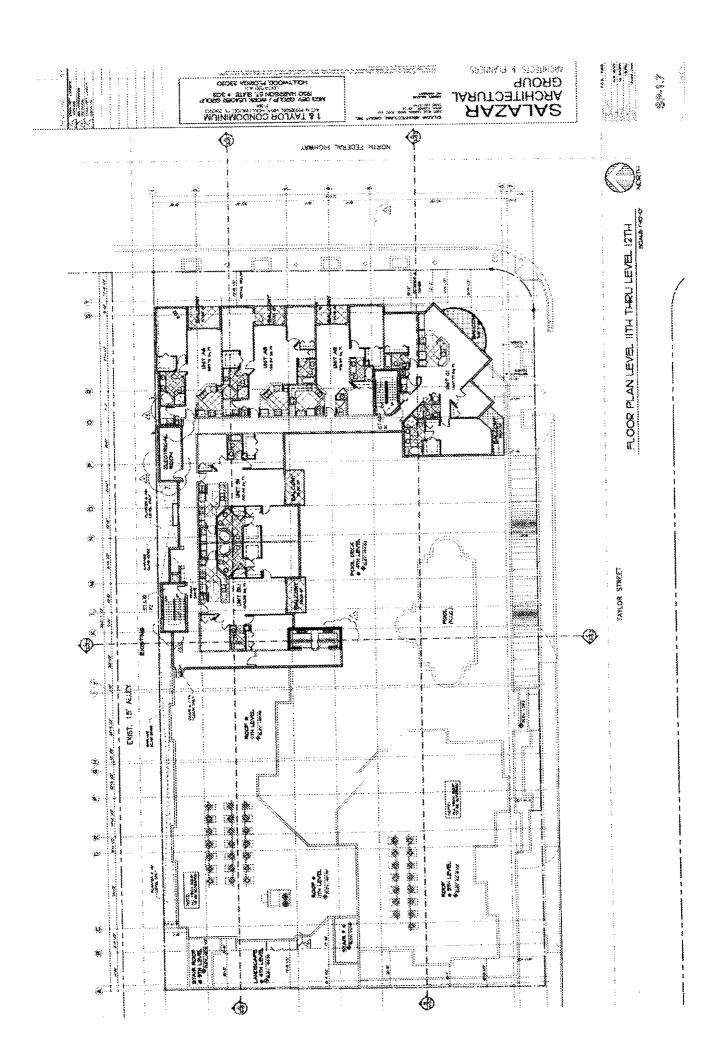


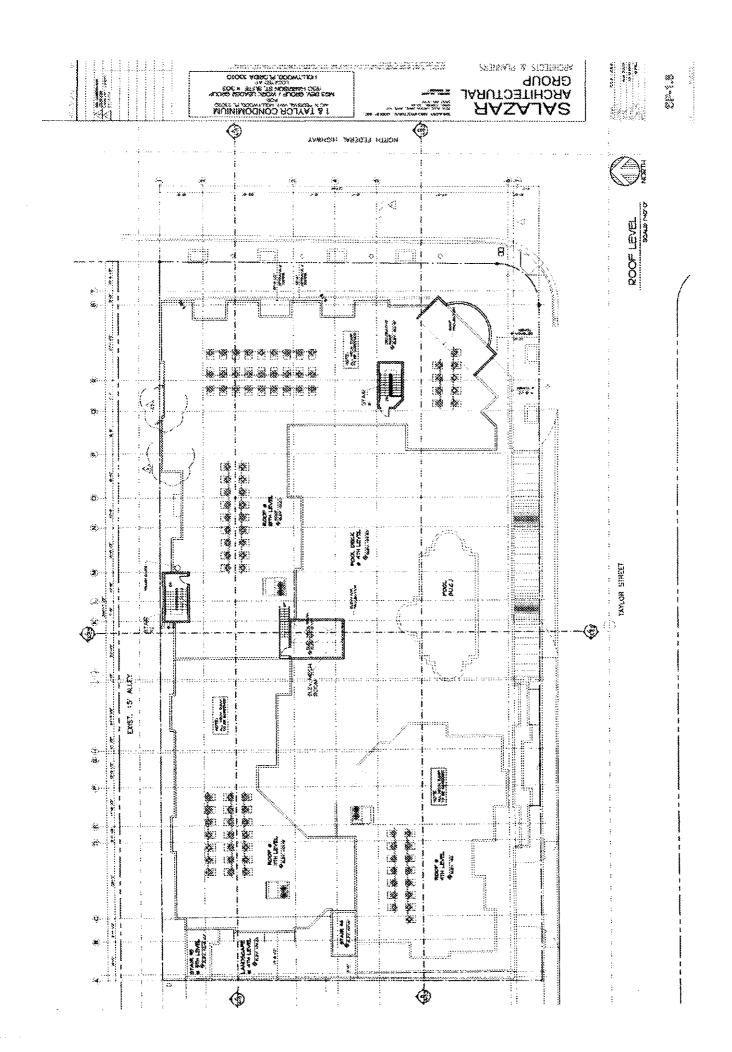








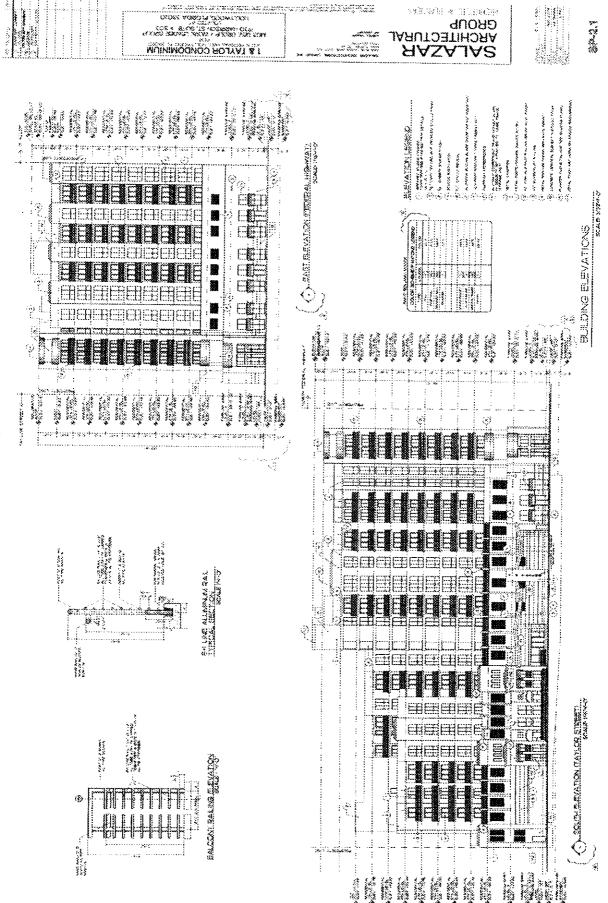


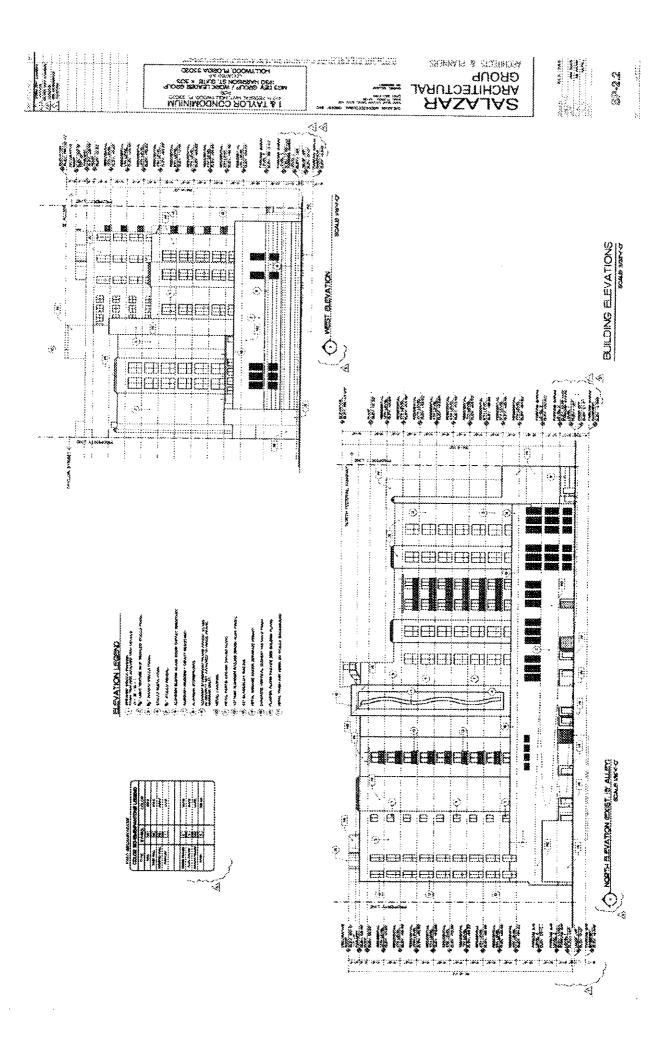


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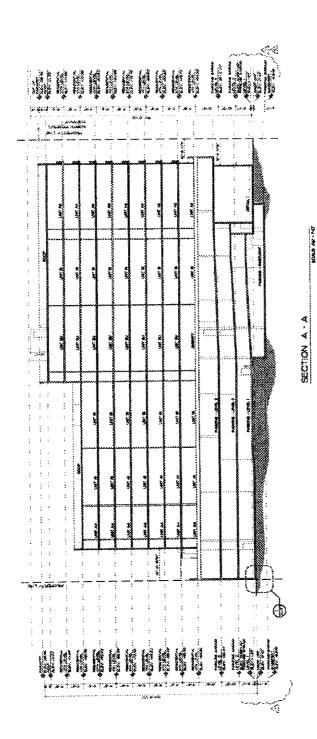
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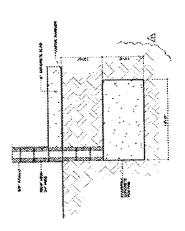
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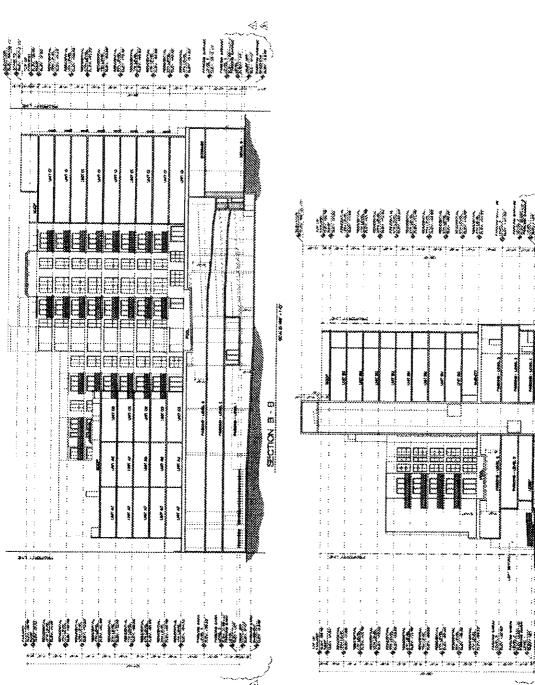
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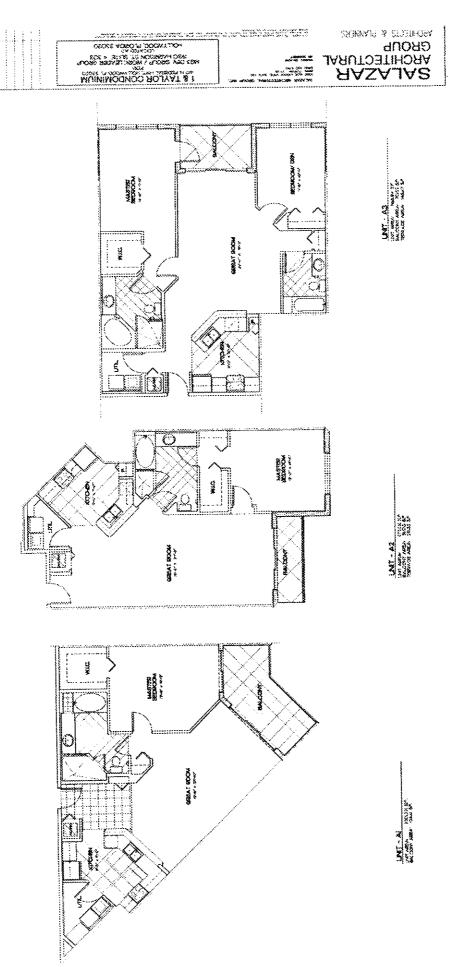
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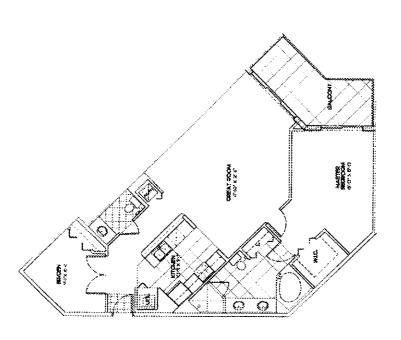
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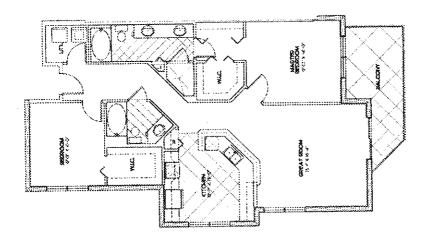


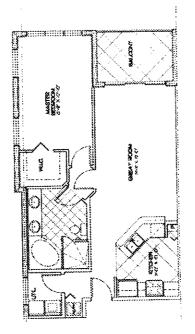
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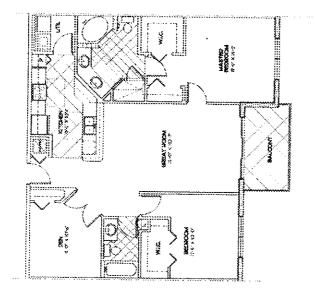
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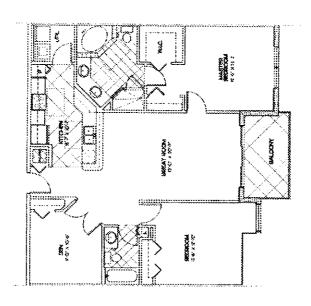
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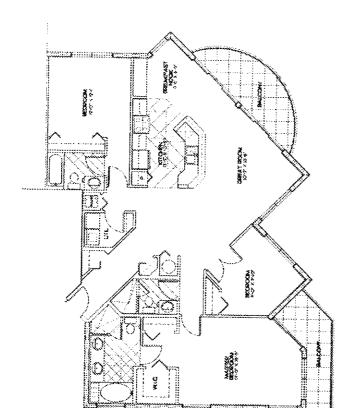


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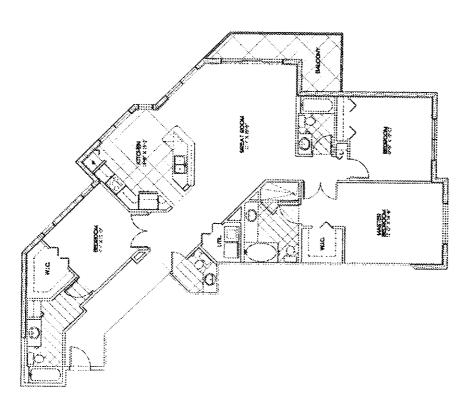
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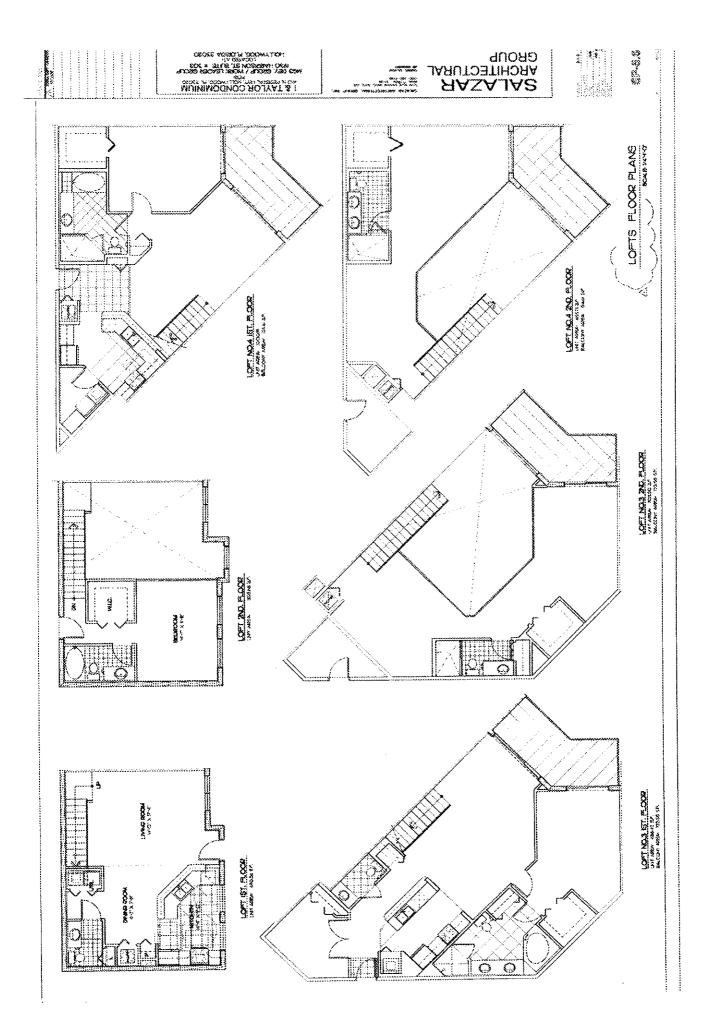


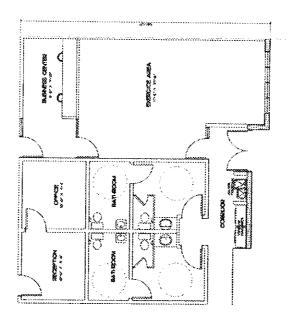
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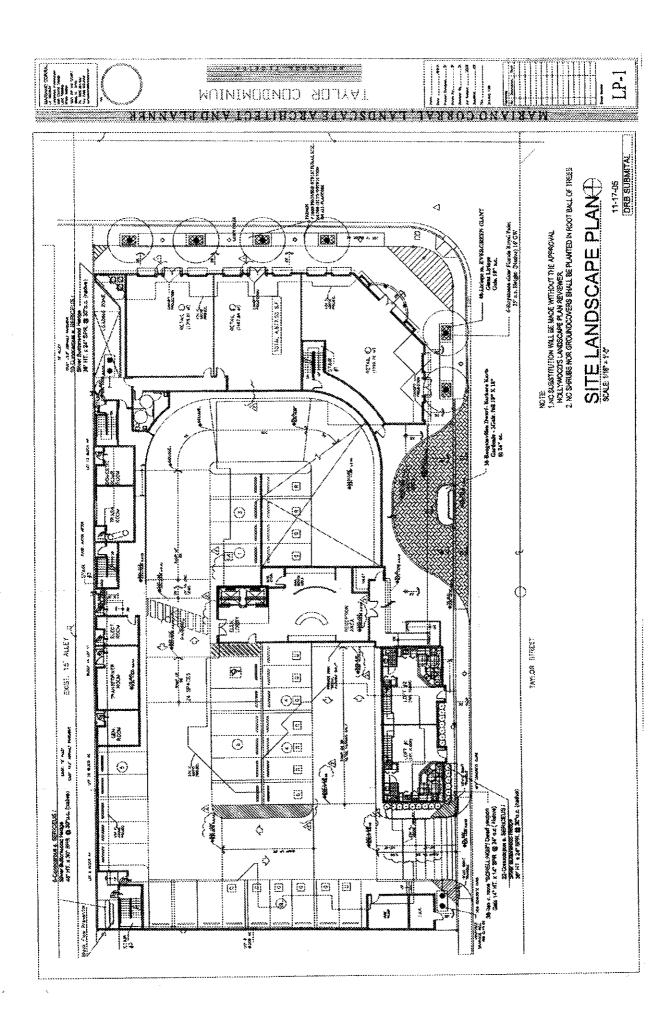


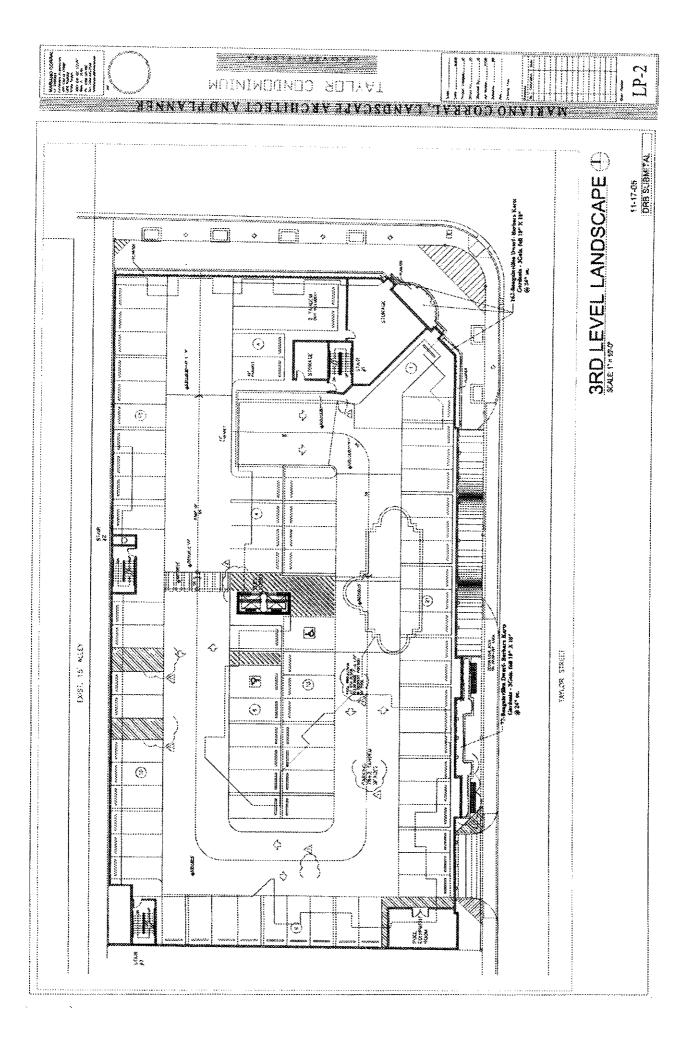
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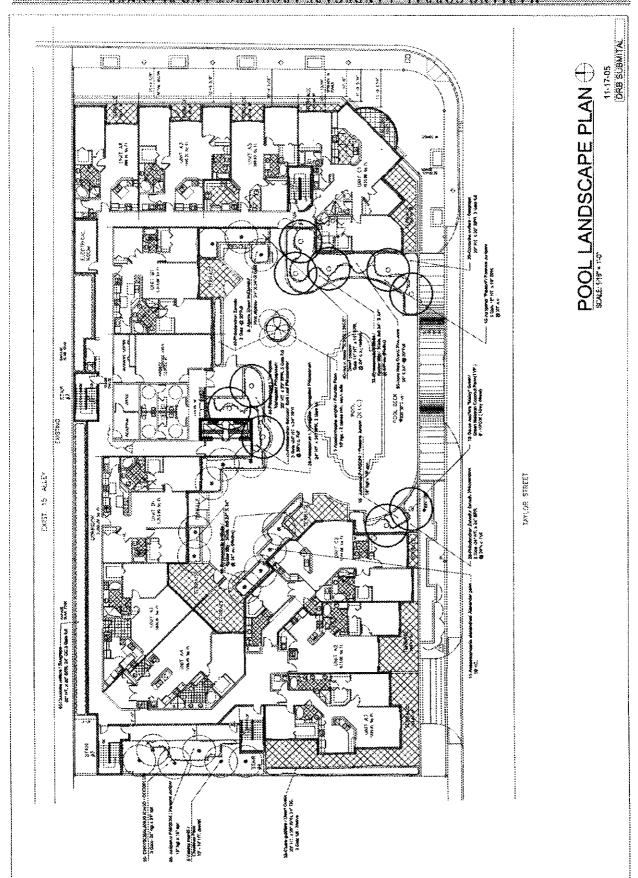




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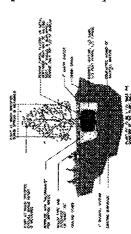
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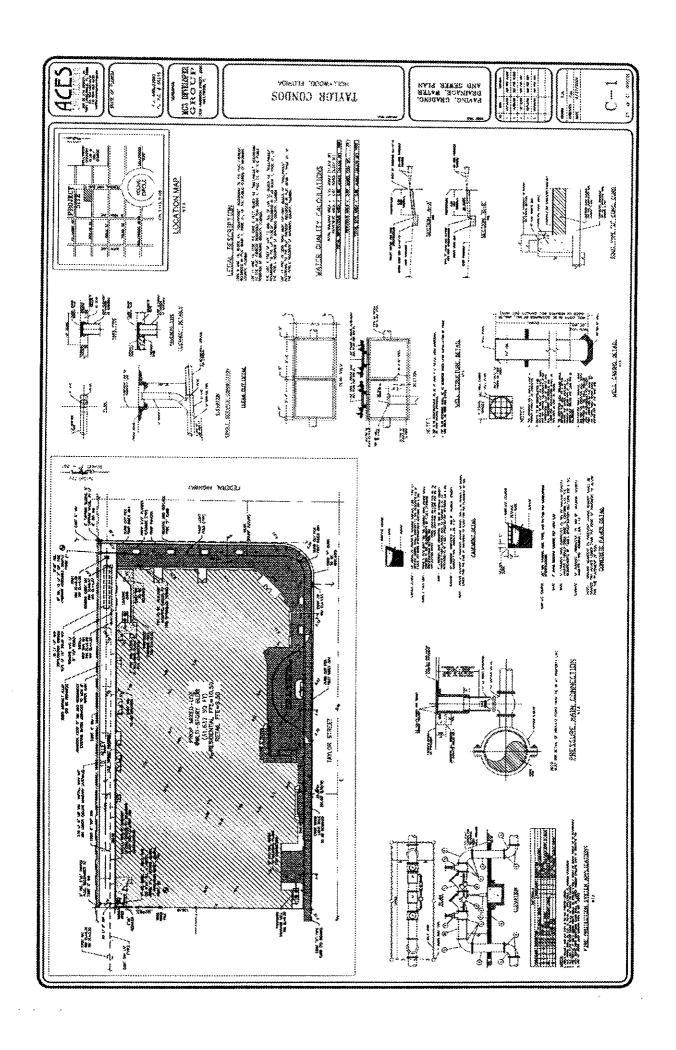
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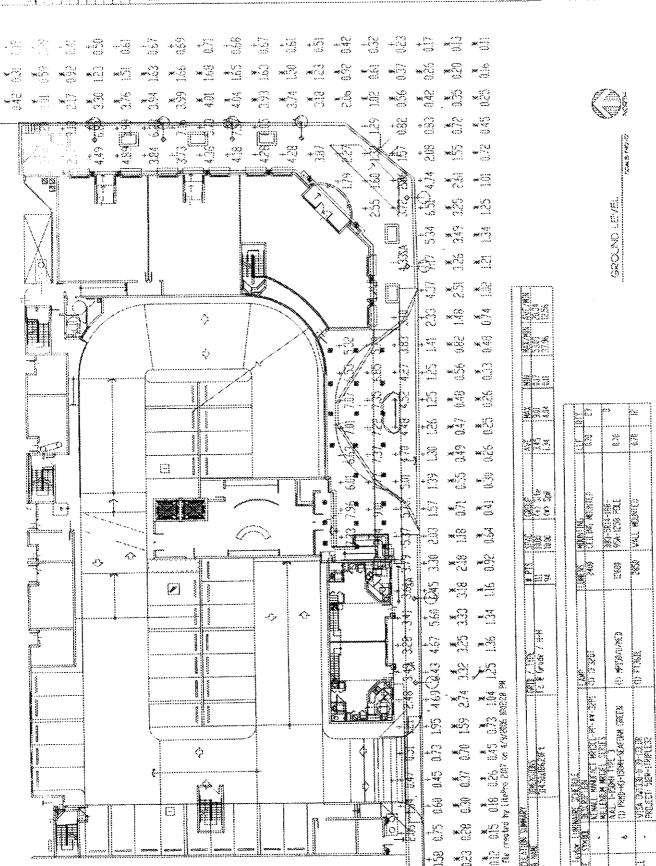
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## LEGAL AD CITY OF HOLLYWOOD

NOTICE IS HEREBY GIVEN in accordance with Section 166.041 Florida Statutes that the City Commission of the City of Hollywood, Florida, at a Regular City Commission Meeting, on WEDNESDAY, September 6, 2006, in the City Commission Chambers, Room 219, General Joseph W. Watson Circle, Hollywood, Florida, proposes to consider on second and final reading the following proposed ordinance(s):

Proposed Ordinance - PO-2006-33 beginning at: 1:15 PM, or as soon thereafter as same can be heard:

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING SECTION 113.01 OF THE CODE OF ORDINANCES TO ADD A DEFINITION OF "PRIVATE PARTY"; AMENDING SECTION 113.25 & SECTION 113.26 TO DELETE PROVISIONS FOR BARS MORE THAN 2 MILES FROM ANY AREA ZONED RESIDENTIAL; AMENDING SECTION 113.25 AND SECTION 113.26 TO REQUIRE ADDITIONAL NOTICE WHEN A VENDOR OR AN EXTENDED HOURS LICENSEE REQUESTS A HEARING ON RECEIVING NOTICE OF A SUSPENSION OR REVOCATION; PROVIDING FOR THE OCTOBER 1, 2007 REPEAL OF SECTION 113.26, WHICH ESTABLISHES AND REGULATES EXTENDED HOURS LICENSES.

Proposed Ordinance - PO-2006-23 beginning at: 3:30 PM, or as soon thereafter as

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, WAIVING THE 2 ACRE MINIMUM ACREAGE REQUIREMENT FOR A PLANNED DEVELOPMENT WITHIN THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO SECTION 4.15 E.1. OF THE ZONING AND LAND DEVELOPMENT REGULATIONS; CHANGING THE ZONING DESIGNATION OF THE PROPERTY GENERALLY LOCATED AT 410 NORTH FEDERAL HIGHWAY, AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A", FROM RMCRA-76 (HIGH DENSITY MULTIPLE FAMILY) TO PD (PLANNED DEVELOPMENT DISTRICT); APPROVING THE PLANNED DEVELOPMENT (PD) MASTER DEVELOPMENT PLAN FOR THE SUBJECT PROPERTY (HEREINAFTER KNOWN AS "1 AND TAYLOR CONDOMINIUM PLANNED DEVELOPMENT MASTER PLAN"); AND AMENDING THE CITY'S ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION. (04-ZJ-79)

The proposed ordinance(s) may be inspected by the public in the Office of the City Clerk, Room 221, General Joseph W. Watson Circle, Hollywood, Florida, between the hours of 8:00 AM and 4:45 PM on any regular working day. Interested parties may appear at the aforesaid time and place and be heard with respect to the proposed ordinance(s).

NOTE: Any person who decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the

appeal is to be based. Please call 954-921-3211 for any questions regarding the above matter.

Persons with disabilities who require reasonable accommodation to participate in City programs and/or services may call the Office of the City Manager three business days in advance at 954-921-3201 (voice). If an individual is hearing or speech impaired, please call 800-955-8771 (V-TDD).

Dated this 25<sup>th</sup> day of August, 2006.

Patricia A. Cerny, MMC City Clerk Hollywood, FL

THE SUN SENTINEL/LEGAL AD PUBLISH: Friday, August 25, 2006 FURNISH PROOF OF PUBLICATION

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RESOLUTION NO.: <u>R-2004</u>-283

(04-RESO-79)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING THE SITE PLAN FOR "1 AND TAYLOR CONDOMINIUM" A PLANNED DEVELOPMENT (APPROVED BY ORDINANCE NO. O-2006-32) GENERALLY LOCATED AT 410 NORTH FEDERAL HIGHWAY, AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" PURSUANT TO SECTION 4.15G.1. OF THE ZONING AND LAND DEVELOPMENT REGULATIONS AND CHAPTER 162 OF THE CODE OF ORDINANCES; 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 September 6, 2006, O-2006-32 was passed and adopted by the City Commission which approved the rezoning for the property generally located at 410 North Federal Highway, with approximately 0.81 net acres/1.16 gross acres to PD, and the Master Development Plan for the project known as "1 and Taylor Condominium"; and

WHEREAS, the approved Master Development Plan included a condition that the Developer provide a minimum internal side setback (west) of 7.5' which will maintain the same building heights; and

WHEREAS, an application was filed with the Office of Planning requesting site plan approval for the construction of a mixed use development consisting of 85 condominium units, 4 lofts, 4,336 square feet of commercial space, 12 stories (122 feet), 180 parking spaces (142 residential, 18 guest, 18 retail and 2 loading area/loading zone spaces), for property generally located at 410 North Federal highway, Hollywood, Florida, for the project known as 1 and Taylor Condominium Planned Development Master Plan, as more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

#### RESOLUTION APPROVING THE 1 AND TAYLOR CONDOMINIUM SITE PLAN

WHEREAS, the final site plan submitted by the Applicant was reviewed by the Technical Advisory Committee ("TAC") on August 22, 2005, and the TAC found the final site plan to be substantially compliant with all regulations as set forth in Chapter 162 of the Hollywood Code of Ordinances and recommended approval of the final site plan with the following condition:

The Developer shall submit to the City documentation providing either a unity of title or other legal binding recorded document expressly stating that: "The parties hereby agree that the properties are being developed as a planned development which is under unified control and no land within the planned development may be transferred in ownership or in any other way removed from unified control without a written agreement between the City and the parties to which such transfer is made stipulating their understanding and agreement to a condition that such transferred land shall continue, under the full terms and provisions of the planned development approval and site plan. Such documentation shall be provided prior to a Building Permit being issued; and

WHEREAS, the Office of Planning has reviewed the proposed site plan for the 1 and Taylor Condominium Planned Development and is recommending approval with the aforementioned condition; and

WHEREAS, the City Commission has reviewed the proposed site plan for the project and has determined that the site plan should be approved with the aforementioned condition;

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

#### RESOLUTION APPROVING THE 1 AND TAYLOR CONDOMINIUM SITE PLAN

Section 1: That it hereby approves The 1 and Taylor Condominium Site Plan attached hereto and incorporated herein by reference as Exhibit "B" with the following condition:

The Developer shall submit to the City documentation providing either a unity of title or other legal binding recorded document expressly stating that: "The parties hereby agree that the properties are being developed as a planned development which is under unified control and no land within the planned development may be transferred in ownership or in any other way removed from unified control without a written agreement between the City and the parties to which such transfer is made stipulating their understanding and agreement to a condition that such transferred land shall continue, under the full terms and provisions of the planned development approval and site plan. Such documentation shall be provided prior to a Building Permit being issued.

<u>Section 2</u>: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 6 day of Sept

of <u>Sept</u>, 200

MARA GIII IANTI MAYOR

PATRICIA A. CERNY. MMC

CITY CLERK

APPROVED AS TO FORM & LEGALITY

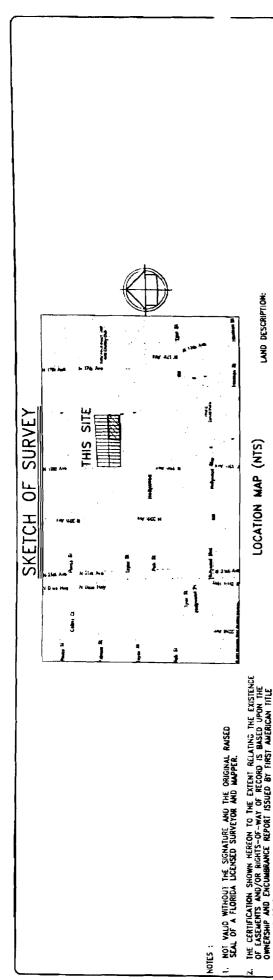
for the use and reliance of the

City of Hollywood, Florida only

DANIEL L. ABBOTT, CITY ATTORNEY

#### **EXHIBIT A**

LOTS 9, 10, 11, 12, 13, 14 AND LOT 15 LESS ROAD RIGHT-OF-WAY, BLOCK 44, "HOLLYWOOD", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



LOCATION MAP (NTS)

INSURANCE COMPANY.

LAND DESCRIPTION:

LOTS 9, 10, 11, 12, 15, 14 AND LOT 15 LESS ROAD RIGHT—OF—WAY, BLOCK 44, "HOLLYWOOD", ACCORNING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 21, OF THE PUBLIC RECORDS OF SROWARD COUNTY, FLORIDA.

JORGE BRAYER AND/OR ASSIGNS SERBER & WEALCATCH, P.A. FIRST AMERICAN TITE INSURANCE COMPANY

CERTIFIED TO :

SET 5/8" IRON ROD & CAP #6448 SET NAIL AND CAP #6448 CONCRETE BLOCK STRUCTURE PLAT BOOK BROWARD COUNTY RECORDS CHAIN LINK/ WOOD FENCE ELEVATION FOUND IRON ROD FOUND IRON PIPE FOUND NAIL AND CAP FIELD BOOK AND PAGE FOUND MAIL & DISC WOOD POWER POLE ALR CONDITIONER RIGHT OF WAY WATER METER CALCULATION CHECKED BY DRAWN BY CONCRETE **ELEVATION** GCEND: CALC GBS 킇 AS TO LOTS 9 & 10, BLOCK 44: FILE NO.: 1062-566116

AS TO LOTS 9 & 10, BLOCK 44: FILE NO.: 1062-566116

AS TO LOT 11 & LOT 12 LESS THE EAST 5 FEET, BLOCK 44: FILE NO.: 1062-666091

FROM BEGINNING TO OCTOBER 25, 2004.

AS TO LOT 14 & LOT 12 & LOT 13, BLOCK 44: FILE NO.: 1062-665269

FROM BEGINNING TO OCTOBER 25, 2004.

AS TO LOT 14 & LOT 15 LESS THE EAST 15 FEET, BLOCK 44: FILE NO.: 1062-666123

FROM BEGINNING TO OCTOBER 25, 2004.

THE LAND DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT This sukvey was done soley for boundary purposes and does not depict the Jurisdiction of any municipal, state, federal or other entities.

UNDERGROUND IMPROVEMENTS NOT SHOWN.

ELEVATIONS SHOWN HERCON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.

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BENCHMARK DESCRIPTION: CITY OF HOLLYWOOD BENCHMARK & TAYLOR STREET & 18TH AVENUE. ELEVATION = 9.55'

OWNERSHIP AND ENCUMBRANCE REPORT REVIEW :

NO PLOTTABLE EXCEPTIONS.

NET AREA (TO R/O/W LINES & PROPERIT LINES) = 35,556 SQ.FT. GROSS AREA (TO CENTERLINE OF R/O/W) = 50,854 SQ.FT.

THERE ARE 15 EXISTING UNITS ON THE PROPERTY

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I HEREBY CERTIFY THAT THE "SKETCH OF SURVEY" OF THE HEREON DESCHIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEGGE AND BELLEF AS SURVEYING IN THE FIELD UNGE MY DIRECTION IN APRIL, 2004.

FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TICHNICAL STANDANDS FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAFTER 61G17 OF THE FLORIDA ADMINISTRATIVE CODE. PRESLAMM TO SCHOWLYS 17 FLORIDA STANDALS ARE NO ADMOST GROUND ENCROLABENTS OTHER THAM THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS MOTED MEREON. Den

OR THE FIRM, BY:

SURVEY DATE : 04/21/04

11/23/05

ADDED NOTE # 10
ADDED LEADER FROM PROP TO CL

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 4188 RICHARD E. COUSINS

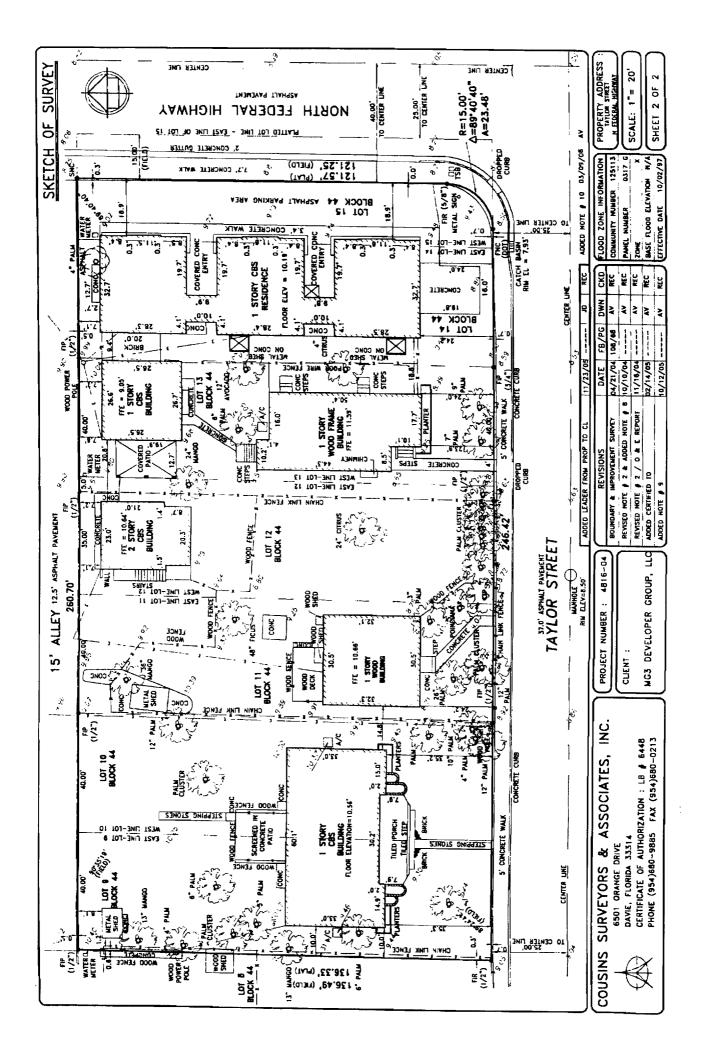
> PROJECT NUMBER : 4816-04 CLENT SURVEYORS & ASSOCIATES, INC. DAVIE, FLORIDA 33314 CERTIFICATE OF AUTHORIZATION : LB # 6448 6501 ORANGE DRIVE COUSINS

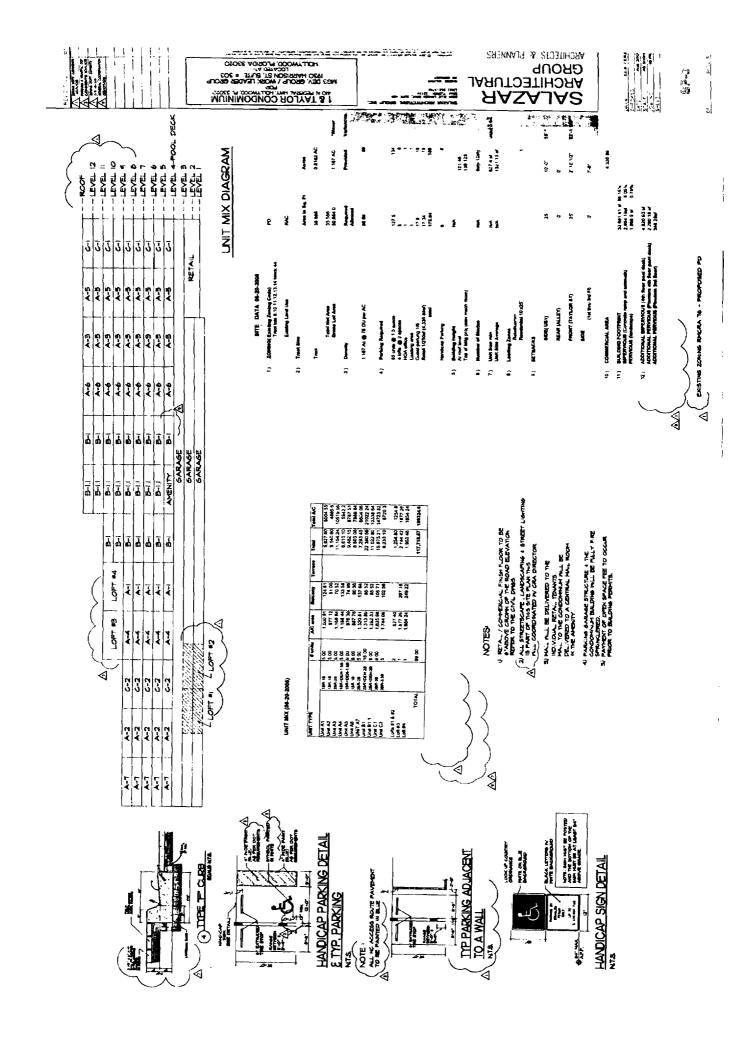
PHONE (954)680-9885 FAX (954)680-0213

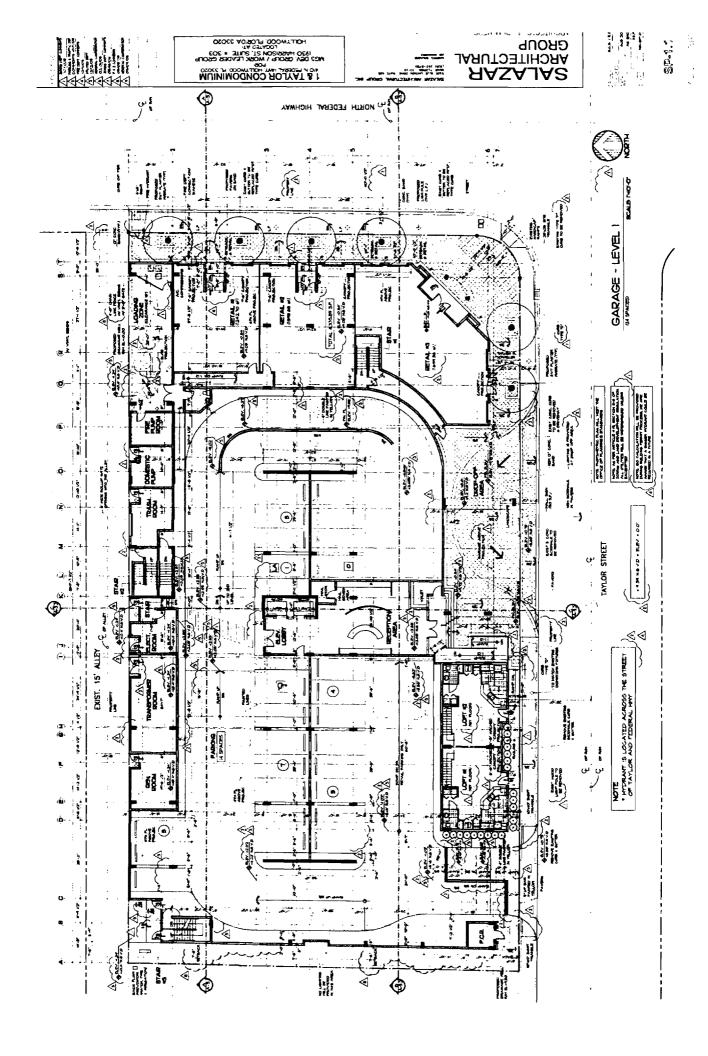
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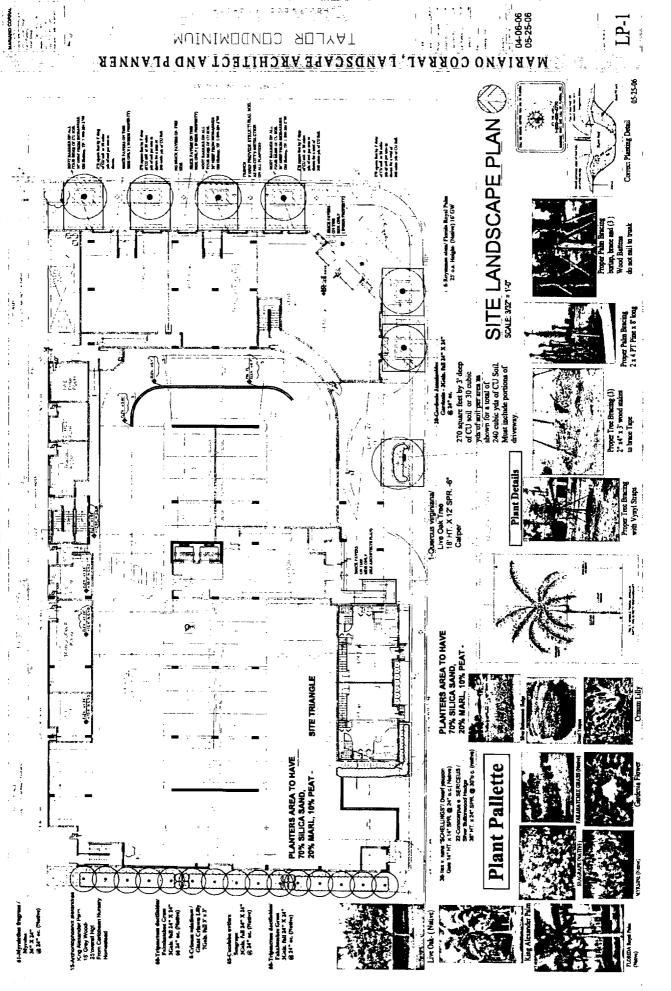
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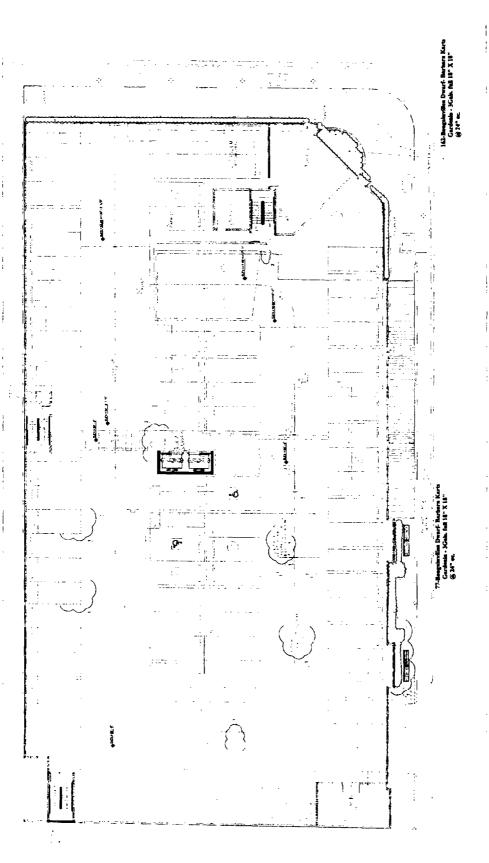








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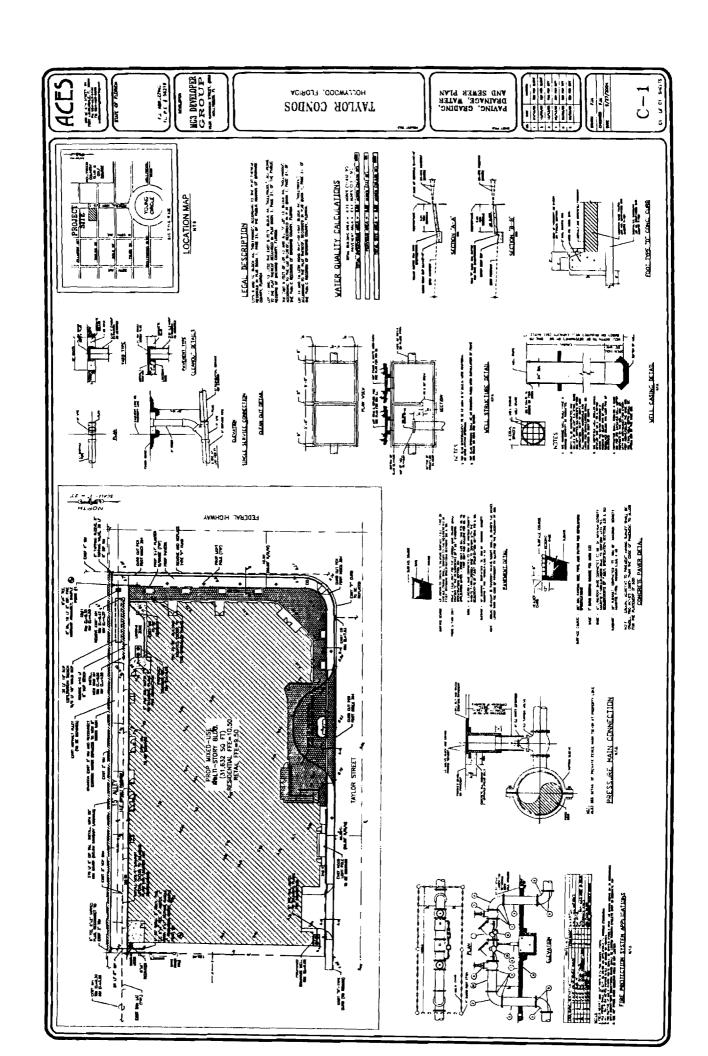
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## CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD

RESOLUTION NO. 04-DV-79

A RESOLUTION OF THE CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD APPROVING THE REQUEST FOR A VARIANCE AND GRANTING DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF MIXED USE DEVELOPMENT CONSISTING OF 89 CONDOMINIUMS AND APPROXIMATELY 4,400 SQUARE FEET OF COMMERCIAL SPACE TO BE LOCATED AT 410 NORTH FEDERAL HIGHWAY, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, the Development Review Board (the "Board") is charged with, among other things, the responsibility of considering requests for variances and design review approval; and

WHEREAS, the Board is duly empowered to grant variances and design review approval in accordance with the guidelines and procedures found in Section 5.3 of the City's Zoning and Land Development Regulations; and

WHEREAS, Taylor Hollywood, LLC (the "Applicant"), in File Number 04-DV-79, applied for a variance and design review approval for the construction of 89 condominium units and 4,400 square feet of commercial space to be located at 410 North Federal Highway, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Development Review Board reviews and considers all applications/petitions for variances and design review approval, excluding certain exceptions not applicable herein; and

WHEREAS, the Board met and held an advertised public hearing to consider the Applicant's requests on July 13, 2006; and

WHEREAS, the Board reviewed the application for the variance and design review approval for the construction of a 89 condominiums and commercial space, reviewed the evidence submitted and testimony received at the public hearing, and the Board applied the criteria for granting the variances and design review approval as set forth in the City of Hollywood Zoning and Land Development Regulations at Section 5.3, 4.3(F)(1), and made the following findings:

1 Return to: Office of Planning City of Hollywood 2600 Hollywood Blvd, Room 315

- 1. As to the variance to waive the required twenty-five (25) foot landscape set back from all external/internal streets, the Board makes the following findings based on the criteria listed in Section 5.3 F of the Zoning and Land Development Regulations:
  - a) That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the City.
  - b) That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.
  - c) That the requested variance is consistent with and in furtherance of the Goals, Objectives and Policies of the adopted Comprehensive Plan, as amended from time to time, the applicable Neighborhood Plan and all other similar plans adopted by the City.
  - d) That the requested variance is the minimum variance reasonably necessary.
- 2. As to the design review approval, the Board makes the following findings based on the criteria set forth in Section 5.3 I. 6. of the Zoning and Land Development Regulations:
  - a) The design of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, landscaping structures, signs and lighting and screening devices is consistent with the City's Design Review Manual.
  - b) The dimensions of all buildings, structures, setbacks, parking spaces, height, lot coverage and any other information is consistent with the City's Design Review Manual.
  - c) The color, design, selection of landscape materials and architectural elements of exterior building surfaces are consistent with the City's Design Review Manual.
  - d) The design of the proposed development indicates a sensitivity to and is compatible with the natural environment. Particular attention must be paid to conserving clusters or groupings of naturally occurring trees and vegetation.
  - e) The design and layout of the site provide an efficient arrangement of buildings. Particular attention shall be given to safety, crime prevention, pedestrian sight lines and view corridors.

- f) The design of pedestrian improvements within the site ensure that all parking spaces are conveniently arranged in terms of their relationship to the proposed structure, entrances, and exits.
- g) The design of all lighting fixtures ensures safe movement of persons, vehicles and reflection on public property for security purposes and minimizes glare and reflection of adjacent properties.
- h) Landscape and paving materials ensure that a complimentary relationship with the overall project will result from these improvements.
- i) Buffering materials ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view and pedestrian areas.
- j) The overall project complies with the architectural design standards listed in duly adopted Neighborhood Plans that apply to or affect the subject property or in the Comprehensive Plan should they exist.
- k) The design reduces crime and the fear of crime through the use of Crime Prevention through Environmental Design Guidelines and Strategies.

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW BOARD 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 criteria listed herein for granting variances, the variance to waive the required twenty-five (25) foot landscape setback from all external/internal streets is hereby granted.

(This space intentionally left blank.)

#### (DEVELOPMENT REVIEW BOARD RESOLUTION NO. 04-DV-79)

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, and the consideration of the design review criteria, the design review approval is hereby granted based on the plans submitted by the Applicants and reviewed by the Board with the following conditions: i) Design Review is subject to any changes the City Commission may deem necessary; and ii) The Applicant will work with Staff to reduce lighting levels along the north property line to provide a maximum of 0.5 foot –candles; and iii) The Applicant will work with the CRA regarding the lighting on the eastern portion of the property (Federal Highway) to provide for a consistent development plan.

Section 3: That the Office of Planning is hereby directed to forward a copy of this resolution to the applicant and the owner of the property with respect to which the request was made. This Resolution granting the variance will be delivered to the City Clerk to be recorded in the public records of Broward County, as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations. A copy shall be furnished to any enforcement official.

PASSED AND ADOPTED THIS 13th DAY OF JULY, 2006.

RENDERED THIS

DAY OF

. 2006.

PETER HERNANDEZ

**CHAIR** 

ROBERT IŠHMAN

**SECRETARY** 

APPROVED AS TO FORM & LEGALITY

for the use and reliance of the Development

Review Board of the City of Hollywood, Florida only

DENISE MANOS

BOARD ATTORNEY

#### (DEVELOPMENT REVIEW BOARD RESOLUTION NO. 04-DV-79)

#### **LEGAL DESCRIPTION**

Lots 9, 10, 11, 12, 13, 14, and 15 less road right-of-way, Block 44, "Hollywood", according to the Plat thereof, as recorded in Plat Book 1, Page 21, of the Public Records of Broward County, Florida.

Exhibit "A"