

RESOLUTION NO. \_\_\_\_\_

(14-DJPV-90)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING THE REQUEST FOR MODIFICATION FROM THE PARKING REQUIREMENTS, VARIANCE, DESIGN, AND SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A MIXED-USE DEVELOPMENT PROJECT, CONSISTING OF 134 UNITS, KNOWN AS "JED TOWER;" LOCATED AT 1817 TAYLOR STREET; 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 Modifications, Variance, Design, and Site Plan approval from the City Commission prior to the issuance of any building permits; and

WHEREAS, on July 13, 2006, the Development Review Board passed and adopted Resolution No. 04-DV-79 which approved a Variance and Design, and on September 6, 2006, the City Commission passed and adopted Resolution No. R-2006-283 which approved a Site Plan for the project then known as "1 and Taylor Condominium Planned Development Master Plan;" and

WHEREAS, the Variance, Design and Site Plan approvals have all expired; 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, JED Equities, LLC. (the "Applicant"), in File Number 14-DJPV-90, applied for Design, and Site Plan approval for the construction of a mixed-use development project consisting of 134 units, now known as "JED Tower Planned Development Master Plan," located at 1817 Taylor Street, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Applicant also applied for a Variance to waive the required 25 foot peripheral landscaped setback from all external streets; and

WHEREAS, the Applicant also applied for Modifications from the parking requirements to reduce the parking requirement for studio units to provide one space/unit; to reduce the required parking stall length to provide 18 feet; to allow tandem spaces to count towards fulfilling the parking requirement; to reduce the required driveway width to provide 22 feet; and to reduce the loading space requirement from three spaces to two spaces; and

WHEREAS, the Department of Planning Staff, reviewed 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 and have recommended that the City 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;
- b. A Unity of Title or Unity of Control, in a form acceptable to the City Attorney, be submitted prior to the issuance of permits and recorded in the Broward County Public Records, by the City of Hollywood, prior to the issuance of Certificate of Occupancy (C/O) or Certificate of Completion (C/C); and

WHEREAS, the Department of Planning Staff, reviewed the Applicant's request for a Variance to waive the required 25 foot peripheral landscaped setback from all external streets in accordance with the criteria set forth in Section 5.3.F.1. a. through e. of the Zoning and Land Development Regulations and have recommended that the City Commission approve the Variance; and

WHEREAS, the Department of Planning Staff, after review of the Applicant's request for Modifications from the parking requirements set forth in Article 7 of the Zoning and Land Development Regulations to reduce the parking requirement for studio units to provide one space/unit; to reduce the required parking stall length to provide 18 feet; to allow tandem spaces to count towards fulfilling the parking requirement; to reduce the required driveway width to provide 22 feet; and to reduce the loading space requirement from three spaces to two spaces; and have recommended that the City Commission approve the requested Modifications; and

WHEREAS, the City Commission has reviewed the proposed Design for JED Towers 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, along with the 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 the JED Towers 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 have determined that the Site Plan should be approved/approved with the conditions/denied as set forth herein; and

WHEREAS, the City Commission has reviewed the proposed Variance of the 25 foot landscape setbacks for JED Towers in accordance with the criteria set forth in Section 5.3.F.1.a. through e. of the City's Zoning and Land Development Regulations, along with the Staff's recommendation and have determined that the Variance should be approved/approved with conditions/denied; and

WHEREAS, the City Commission has reviewed the proposed Modifications from the parking requirements set forth in Article 7 of the Zoning and Land Development Regulations, along with Staff's recommendation and have determined that the Modifications should be approved/approved with conditions/denied;

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, and 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 5.3.4.1.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 is hereby approved/approved with the following conditions/denied:

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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, along with Staff's recommendation, 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:

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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, and consideration of the Variance criteria set forth in Section 5.3.F.1.a through e. of the City's Zoning and Land Development Regulations, to eliminate the 25 foot peripheral landscaped setback from all external streets, the City Commission finds the necessary

criteria have been met, and the Variance is hereby approved/approved with the following conditions/denied:

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Section 4: 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 City Commission finds 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, is hereby approved/approved with conditions/denied:

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Section 5: 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 6: 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. Failure to submit an application within the required time period shall render all approvals null and void.

Section 7: That the Applicant shall have up to 24 months from the date of the Variance 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.

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

Advertised \_\_\_\_\_, 2015.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

RENDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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PETER BOBER, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida, only.

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JEFFREY P. SHEFFEL, CITY ATTORNEY