

RESOLUTION NO. _____

(15-AP-72a)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING THE REQUEST FOR AN AMENDMENT TO THE DESIGN AND SITE PLAN (PREVIOUSLY APPROVED BY PLANNING AND DEVELOPMENT BOARD RESOLUTION 15-DPV-72) FOR THE CONSTRUCTION OF A 62 UNIT RESIDENTIAL DEVELOPMENT LOCATED AT 2000 VAN BUREN STREET (SOL VAN BUREN) AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, the Planning and Development Board (the "Board") is charged with, among other things, the responsibility of considering requests for Special Exceptions, Variances, Design and Site Plan approval; and

WHEREAS, the Board is duly empowered to grant Special Exceptions, Variances, and Design approvals in accordance with the guidelines and procedures found in Section 5.3 of the City's Zoning and Land Development Regulations and Site Plan approval pursuant to Article 6 of the City's Zoning and Land Development Regulations; and

WHEREAS, on April 14, 2016, the Board approved Sol Van Buren, LLC's (the "Applicant") request for five (5) Variances (in accordance with Regional Activity Center Regulations), Design approval, and Site Plan approval with conditions for construction of a 42 unit residential development pursuant to the Board's Resolution No. 15-DPV-72 for the property located at 2000 Van Buren Street as more specifically described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, on October 19, 2016, the Regional Activity Center was rezoned, thus changing the zoning from RMCRA-76 to PS-3 and DH-3, which prompted changes to development regulations such as density, height, setbacks, and open space requirements; and

WHEREAS, due to the RAC rezoning, all variances approved pursuant to the Board Resolution 15-DPV-72 are no longer necessary and the proposed setbacks, balcony encroachment, reduction in parking spaces, height and landscape reduction are in compliance with the current code; and

WHEREAS, the Applicant applied for a Variance and amendment to the Design and Site Plan (previously approved by Board Resolution No. 15-DPV-72) for the construction of a 62 unit residential development; and

WHEREAS, on May 11, 2017, the Board met and held an advertised public hearing to consider the Applicant's requests; and

WHEREAS, the Board passed and adopted Resolution No. 15-DPV-72a, which approved the Variance to reduce the required loading space dimensions from a minimum of 10 feet by 25 feet to allow for a loading space dimension of 10 feet by 20 feet; and

WHEREAS, in accordance with the Board's Resolution No. 15-DPV-72a, the Board approved the amendment to the Design with the following conditions:

- a) The Applicant shall work with the owner to prohibit satellite dishes and restrict permanently affixed fixtures of décor on the exterior of the building; and
- b) The Applicant shall enhance/thicken the reveals as it relates to the decorative wood portions on the ground level; and
- c) The Applicant shall return the balcony design back to the previous design (attached to Resolution No. 15-DPV-72) for the corner units, specifically wrapping the two main prominent corner units, and the south elevation; and
- d) The Applicant shall add the eyebrow back to the south elevation over the returning balconies; and
- e) The Applicant shall work with Staff on the garage façade design/material to go back to something more similar to the original approved design.

WHEREAS, in accordance with the Board's Resolution No. 15-DPV-72a, the Board approved the amendment to the Site Plan with the following conditions:

- a) The Applicant shall submit a Unity of Title or Unity of Control, in a form acceptable to the City Attorney, prior to the issuance of building permits, which shall be recorded by the City in the Broward County Public Records prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C).

- b) The Applicant shall work with the City's Engineering Division to provide secure parking and provide vehicle access via a gate control system and review the perimeter of the building to determine the need for pedestrian gates;

WHEREAS, on May 18, 2017, in accordance with Article 5, Section 5.7 of the City's Zoning and Land Development Regulations, the Applicant filed its appeal of the Board's approval of the amended Design and Site Plan due to the conditions imposed by the Board; and

WHEREAS, on July 3, 2017, the City Commission met and held a duly noticed advertised public de novo hearing to consider the Applicant's request for an amendment to the Design and Site Plan (previously approved by Board Resolution No. 15-DPV-72) for the construction of a 62 unit residential development; and

WHEREAS, at the duly noticed hearing the City Commission considered the Applicant's request for an amendment to the Design which is reflected in Composite Exhibit "B" attached hereto and incorporated by reference, along with Staff's report, and considered the following criteria set forth in Section 5.3.I.4.(a).(1) through (4) of the City's Zoning and Land Development Regulations:

- (1) The Architectural and Design components. Architecture refers to the architectural elements of exterior building surfaces. Architectural details should be commensurate with the building mass. The use of traditional materials for new architectural details is recommended. Design of the building(s) shall consider aesthetics and functionality, including the relationship of the pedestrian with the built environment.
- (2) Compatibility. The relationship between existing architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding neighborhood.
- (3) Scale/Massing. Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage, and setting of the structure in context with adjacent buildings. Architectural details include, but are not limited to, banding, molding, and fenestration.

- (4) Landscaping. Landscaped areas should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved

WHEREAS, at the duly noticed public hearing, the City Commission considered the Applicant's request for an amendment to the Site Plan which is reflected in Composite Exhibit "B", along with Staff's report and the Technical Advisory Committee's recommendation with conditions and considered the Site Plan review standards set forth in Article 6 of Zoning and Land Developments;

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

Section 1: That the above recitals are true and correct and are incorporated herein as if set forth in full herein.

Section 2: That, following review of the Staff Summary Report, the Applicant's application and supporting documents and materials, all submitted and written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the criteria listed herein for approving/denying the requested amendment to the Design, the City Commission finds that the necessary criteria have/have not been met, and the amendment to the Design as more specifically set forth in Composite Exhibit "B" attached hereto and incorporated by reference, 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 and written and oral testimony received during the public hearing from all parties and speakers, and the consideration of the Site Plan review standards set forth in Article 6 of the Zoning and Land Development Regulations for approving/denying the requested amendment to the Site Plan, the City Commission finds that the necessary review standards have/have not been met, and the amendment to the Site Plan as more specifically depicted on Composite Exhibit "B" attached hereto and incorporated herein by reference, is hereby approved/approved with conditions/denied

Section 4: That the Applicant shall have up to 24 months from the date of approval of the amendment to the Design to apply for all necessary building permits required to proceed with construction. Failure to submit an application within the require time period shall render all approvals null and void.

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

Section 6: That the Variance approved by the City's Planning and Development Board Resolution No. 15-DPV-72a attached hereto and incorporated by reference as Exhibit "C" shall remain in full force and effect as set forth in said Resolution. The Amendment to the Design and Site Plan are approved as set forth above and pursuant to this Resolution No. R-2017-_____.

Section 7: That the Planning Division of the Department of Development Services is hereby directed to forward a copy of this Resolution to the Applicant/Owner of the property with respect to which the request was made and the City Clerk shall record this Resolution in the Public Records of Broward County, Florida.

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

PASSED AND ADOPTED this _____ day of _____ 2017.

RENDERED this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

ALAN FALLIK, ACTING CITY ATTORNEY