

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

(13-P-25a)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING THE REQUEST FOR AN AMENDMENT TO A SITE PLAN CONDITION, (PREVIOUSLY APPROVED BY CITY COMMISSION RESOLUTION NO. R-2013-321), RELATED TO THE TEMPLE SINAI JEWISH COMMUNITY CENTER OF HOLLYWOOD, INC., 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 October 10, 2013, the Board approved a Special Exception, Variances, Design, and Site Plan for the construction of an approximate 18,000 square foot addition to expand the existing preschool and add a new K-8<sup>th</sup> grade charter school at 1400 N. 46<sup>th</sup> Ave, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, at the October 16, 2013, City Commission meeting, in accordance with Article 5, Section 5.6 of the City's Zoning and Land Development Regulations, Commissioner Biederman along with Commissioner Hernandez and Commissioner Callari requested a review of the application relating to the Special Exception, Variances, Design, and Site Plan requested by the Applicant and approved by the Planning and Development Board; and

WHEREAS, on November 6, 2013, the City Commission passed and adopted Resolution No. R-2013-321, which approved a Special Exception, Variances, Design, and Site Plan with conditions for the construction of an approximate 18,000 square foot addition to expand the existing preschool and add a new K-8<sup>th</sup> grade charter school at 1400 N. 46<sup>th</sup> Ave, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, Temple Sinai of Hollywood, (the "Applicant"), applied for an amendment to Site Plan condition d. as set forth in to Section 7 of Resolution No. R-2013-31, which stated that: "Prior to exceeding 300 students at the Charter School, the Arthur Street and N. 46<sup>th</sup> Avenue intersection shall be modified to accommodate a separate north bound left turn lane on N. 46<sup>th</sup> Avenue" and the Applicant is requesting that condition d. be amended as follows: Prior to exceeding 300 students at the Charter School, the Applicant shall the Arthur Street and N. 46<sup>th</sup> Avenue intersection shall be modified to accommodate a separate north bound left turn lane on N. 46<sup>th</sup> Avenue install traffic controls on N. 46<sup>th</sup> Avenue, between Johnson Street and Taft Street, in both directions to warn drivers of an upcoming intersection where left-turns occur from the left lane and marking the left lane for both left-turns and thru movements use. This includes all applicable reviews and approvals as required from Broward County Traffic Engineering; and

WHEREAS, the Planning Manager and the Principal Planner ("Staff"), following an analysis of the application and its associated documents have determined that the proposed request to amend condition d. as set forth in Section 7 of Resolution R-2013-321, does meet the criteria set forth in Article 5 and 6 of the Zoning and Land Development Regulations and have therefore recommended approval with the following additional condition: The Applicant shall work with the City's Engineering Division to implement speed control devices, specifically speed tables, on Arthur Street west of the Charter School between 46<sup>th</sup> Avenue and 56<sup>th</sup> Avenue; and

WHEREAS, on August 30, 2017, the City Commission met and held an advertised public hearing to consider the Applicant's request; and

WHEREAS, the City Commission finds that the request to amend condition d. set forth in Section 7 of Resolution No. R-2013-321 and Staff's recommendation to include an additional condition, are consistent with the Zoning and Land Development Regulations, are consistent with the City's Comprehensive Plan, and is in the best interest of the citizens of the City of Hollywood;

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

Section 1: That Section 7 of Resolution No. R-2013-321 is hereby amended as follows:

d. Prior to exceeding 300 students at the Charter School, the Applicant shall Arthur Street and N. 46<sup>th</sup> Avenue intersection shall be modified to accommodate a separate north bound left turn lane on N. 46<sup>th</sup> Avenue install traffic controls on N. 46<sup>th</sup> Avenue, between Johnson Street and Taft Street, in both directions to warn drivers of an upcoming intersection where left-turns occur from the left lane and marking the left lane for both left-turns and thru movements use. This includes all applicable reviews and approvals as required from Broward County Traffic Engineering.

\* \* \*

f. The Applicant shall work with the City's Engineering Division to implement speed control devices, specifically speed tables, on Arthur Street west of the Charter School between 46<sup>th</sup> Avenue and 56<sup>th</sup> Avenue.

Section 2: That all other provisions and conditions of Resolution No. R-2013-321 recorded as Instrument No. 112051383 in the Public Records of Broward County, Florida shall remain in full force and effect.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

Section 4: That the Planning Division of the Dept. of Development Services 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

RENDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
JOSH LEVY, 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.

\_\_\_\_\_  
ALAN FALLIK, ACTING CITY ATTORNEY