

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING PAYMENT IN LIEU OF PARKING FOR HOLLYWOOD BEACHFRONT TOWNHOMES, LLC, ALSO KNOWN AS "RIPTIDE HOTEL", LOCATED AT 2300 AND 2325 NORTH SURF ROAD, AS MORE SPECIFICALLY DESCRIBED IN THE ATTACHED DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 7.4 of the City of Hollywood's Zoning and Land Development Regulations provides for a "payment in lieu of providing parking program" ("PIL Program") for certain regions of the City where a property may not be able to provide adequate parking spaces and the City therefore assesses a fee in lieu of the property owner's providing the number of parking spaces that would otherwise be required; and

WHEREAS, affected property owners that elect to pay the "in lieu" fee over time "versus one time up front" are required to record a written "Declaration of Covenants Conditions and Restrictions" ("Covenant") in the Public Records of Broward County, and the conditions and restrictions of the covenant are imposed upon the subject property and bind the owner and all successors; and

WHEREAS, Hollywood Beachfront Townhomes, LLC ("Applicant") is requesting to participate in the PIL Program for the property located at 2300 and 2325 North Surf Road, as more specifically described in the attached Covenant; and

WHEREAS, the Applicant is requesting the PIL Program to facilitate construction of a 31 room hotel with accessory uses known as the "Riptide Hotel" requiring a total of 31 parking spaces as depicted in the proposed Site Plan shown in the attached Covenant; and

WHEREAS, the Covenant, including Exhibits, shall be recorded in the Public Records of Broward County, and the conditions and restrictions of the Covenant are imposed upon the subject property and shall bind the owner and all successors; and

WHEREAS, to participate in the PIL Program, an annual fee of \$1,000.00 per space for five parking spaces, totaling an initial annual payment of \$5,000.00 prior to issuance of any building permits for said hotel, shall be made; and

WHEREAS, a per annum additional 3% Consumer Price Index ("CPI") escalation each year thereafter shall be incorporated into said payment; and

WHEREAS, annual payments are due each year on the anniversary date of the initial payment and will be payable without demand; and

WHEREAS, at any future point after the execution of the covenant, the property owner will have the option to provide either (i) a one-time payment, in the amount of \$20,000 per parking space, or (ii) five parking spaces that meet the parking requirement for the property.

WHEREAS, if an affected property owner fails to pay the payment in lieu of parking fee to the City within three months of the due date as required in the Zoning and Land Development Regulations, the owner shall be considered withdrawn from the program and shall be required to provide all parking spaces required or be subject to the City's code enforcement procedures;

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution:

Section 2: That it hereby approves the Applicant's request to participate in the PIL Program in accordance with the terms and conditions described above.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
for the use and reliance of the City of Hollywood, Florida only:

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DOUGLAS R. GONZALES  
CITY ATTORNEY