

RESOLUTION NO. _____

(17-DJPV-04)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, CONSIDERING DESIGN AND SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A MULTI-PHASED MIXED-USE DEVELOPMENT PROJECT, VILLAGE-B OF THE ARTS PARK MASTER DEVELOPMENT PLAN, CONSISTING OF 433 RESIDENTIAL UNITS, APPROXIMATELY 21,000 SQUARE FEET OF RETAIL SPACE AND ASSOCIATED PARKING INCLUDING 786 PARKING SPACES, NOW KNOWN AS "PARC PLACE"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Zoning and Land Development Regulations require that all development projects located in a Planned Development District ("PD") shall receive Modifications, Variance, Design, and Site Plan approval from the City Commission prior to the issuance of any building permits; and

WHEREAS, on July 22, 2008, Ordinance No. O-2008-18 was passed and adopted by the City Commission approving the Artspark Village Master Development Plan ("Plan"), which identified the subject property, Block 58, as more particularly described in the attached Exhibit "A", for future development; and

WHEREAS, due to the economic environment and fluctuation in market conditions, the project was stagnant for a period of time; and

WHEREAS, MG3 Hollywood, LLC. ("Applicant") applied for Design and Site Plan approval for the construction of a multi-phased mixed-use development project consisting of 433 residential units, approximately 21,000 square feet of retail space and associated parking, including 786 parking spaces; and

WHEREAS, on October 3, 2018, the City Commission passed and adopted Ordinance No. _____, amending the revised Artspark Village Master Development Plan as it relates to Artspark Village-B, now known as "Parc Place"; and

WHEREAS, Planning Division staff reviewed the Applicant's request for Design review in accordance with the criteria set forth in Section 5.3.1.4.a (1) through (4) of the Zoning and Land Development Regulations, and have recommended that the City Commission approve the design; and

WHEREAS, in accordance with Article 6 of the Zoning and Land Development Regulations, the Technical Advisory Committee reviewed the Applicant's request for Site Plan and recommended approval of the Site Plan with the following conditions:

- (1) That the permit plans shall show all road and streetscape features being replaced, including those areas in front of Home Tower. The full width of the areas adjacent to the site within all rights-of-way shall be replaced with items such as pavement, pavers, curbs, pavement markings, street light poles and signage.
- (2) All streetscape shall follow the City/CRA hardscapes, landscapes and lighting details and the Applicant shall coordinate with the CRA regarding such elements.
- (3) The Applicant shall execute a Maintenance Agreement with the City for the streetscape improvements within the rights-of-way.
- (4) High head lights shall be provided under the building overhang along the US1 pedestrian corridor.
- (5) Continuous coordination with City staff shall be required for construction, staging and operation of the project. FDOT approval will be required for the staging area along US1 as shown on the plans for Phases 2 and 3.
- (6) Along the east side of 17 Avenue between Harrison Street and Van Buren Street, new landscape island(s) shall be provided between the on-street parking (similar to the west side of the street), curbing and sidewalks.
- (7) At the intersection of 17 Avenue and Harrison Street, a new paver crosswalk on 17 Avenue shall be provided as well as a curb ramp and landscape island at the southeast corner.
- (8) The Applicant shall work with the Engineering Division to assess if a Southbound right-turn lane at the proposed Phase 1 garage access is necessary.
- (9) The Applicant shall work with the Engineering Division relating to the existing garage conditions to ensure that the existing garage layout is dimensioned adequately; and
- (10) The Applicant shall provide a covenant running with the land, in a form acceptable to the City Attorney, holding the City harmless against any and all claims arising from accidents as a result of the existing conditions of the garage (parking stall length, drive aisle width, column clearance, ramp transitions, etc.). The covenant shall be submitted prior to the issuance of any permits and shall be recorded in the Broward County Public Records by the City prior to the issuance of a Certificate of Occupancy (C/O) or Certificate of Completion (C/C); and

WHEREAS, the City Commission has reviewed the proposed Design for Parc Place in accordance with the criteria set forth in Section 5.3.1.4.a (1) through (4) of the Zoning and Land Development Regulations, along with 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 Parc Place in accordance with the review standards set forth in Article 6 of the Zoning and Land Development Regulations, along with the Technical Advisory Committee's and Staff's recommendation with conditions, and have determined that the Site Plan 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 the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

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 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/have not been met, and the Design is approved/approved with the following conditions/denied:

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 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/have not been met, and the Site Plan attached as Exhibit "B" is approved/approved with the following conditions/denied:

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

Section 5: That the Applicant shall have up to 24 months from the date of the Site Plan approval to apply for all necessary building permits required to proceed with

construction, and failure to submit an application within the required time period shall render all approvals null and void.

Section 6: That all other conditions and provisions of Ordinance O-2008-18; Ordinance O-2011-12; Resolution R-2008-253; Resolution R-2009-211; and Resolution No. 07-DV-37 shall remain in full force and effect.

Section 7: 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.

DOUGLAS R. GONZALES, CITY ATTORNEY