



Legislation Details (With Text)

File #: R-2023-360 **Version:** 1 **Name:** FDOT MMOA #15, Pinnacle 441 Landscape Agreement
Type: Resolution **Status:** Passed
File created: 10/19/2023 **In control:** Engineering Division
On agenda: 11/15/2023 **Final action:** 11/15/2023

Title: A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute Amendment No. 15 To The Landscape Inclusive Memorandum Agreement With The Florida Department of Transportation To Include The Pinnacle 441, LLC Landscape Improvements; Approving And Authorizing The Appropriate City Officials To Execute A Maintenance Agreement With Pinnacle 441, LLC To Maintain The Landscape Improvements within State Road 7 Rights-Of-Way Associated With The Pinnacle 441 Phase One Mixed-Use Development Located At The Southwest Corner Of State Road 7 And Johnson Street.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Maintenance Agreement - Pinnacle 441-27100712.pdf, 3. City and FDOT SR7 Amend#15_2022-L-491-00020.pdf, 4. City and FDOT last MOA R-2013-027.pdf, 5. Phase I Site Plan Resolution.pdf, 6. Phase II Site Plan Resolution.pdf

Date	Ver.	Action By	Action	Result
11/15/2023	1	Regular City Commission Meeting	adopt	Pass

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute Amendment No. 15 To The Landscape Inclusive Memorandum Agreement With The Florida Department of Transportation To Include The Pinnacle 441, LLC Landscape Improvements; Approving And Authorizing The Appropriate City Officials To Execute A Maintenance Agreement With Pinnacle 441, LLC To Maintain The Landscape Improvements within State Road 7 Rights-Of-Way Associated With The Pinnacle 441 Phase One Mixed-Use Development Located At The Southwest Corner Of State Road 7 And Johnson Street.

Infrastructure & Facilities

Staff Recommends: Approval of the attached Resolution.

Explanation:

Pinnacle 441, LLC and Pinnacle 441 Phase 2, LLC respectively are affiliates of Pinnacle Communities, LLC, the owner and developer of a two-phased mixed-use development project located at the southwest corner of State Road 7 and Johnson Street called "Pinnacle 441." Both phases of this project total 213 units (210 affordable rental units & 3 market rate units)

with 6,780 square feet of commercial space. Within Phase 1 there are 113 rental units (110 affordable plus 3 market rate units), including one live/workspace with commercial/office space facing Johnson Street, plus the commercial uses bordering State Road 7. Phase 2 consists of 100 units, all of which are affordable, with one unit a designated live/workspace.

Both phases are under construction and Phase 1 is anticipated to be available for occupancy by the end of January 2024. Phase 2 will open for occupancy in early 2025. Leasing information will be available soon at: www.pinnaclehousing.com/properties/pinnacle-441-phase-1/.

The City's development approval required the installation of landscape, irrigation, and specialty concrete paths to enhance the project's frontage along State Road 7. State Road 7 right-of-way, including the asphalt, adjacent hardscape and softscape areas fall within the jurisdiction of the Florida Department of Transportation ("FDOT").

FDOT limits its ability to enter into agreements with only public agencies, and therefore has Memorandums of Agreement ("MOA") with most municipalities. When appropriate, municipalities then pass maintenance and liability responsibility along to adjacent property owners.

As such, this project's improvements will be added, through amendment, to the City's existing Landscape Inclusive MOA with FDOT.

The City's current MOA with FDOT was last amended in 2013 by Resolution No. R-2013-027.

The attached MOA between the City and the Owner establishes maintenance responsibilities and understanding for the improvements. In the agreement, the Owner is required to maintain the improvements at no cost to the City.

Fiscal Impact:

Approval of this resolution will not fiscally impact the City as the maintenance responsibilities for the improvements covered by the proposed agreements will be the responsibility of the Developer at no cost to the City.

Recommended for inclusion on the agenda by:

Azita Behmardi, P.E. Deputy Director of Development Services

Andria Wingett, Director of Development Services

Gus Zambrano, AICP, Assistant City Manager/Sustainable Development