



Legislation Details (With Text)

File #: R-2019-290 **Version:** 1 **Name:** ICON BUILDING DECLARATION OF RESTRICTIVE COVENANT
Type: Resolution **Status:** Passed
File created: 9/9/2019 **In control:** Engineering Division
On agenda: 10/2/2019 **Final action:** 10/2/2019

Title: A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing A Declaration Of Restrictive Covenant With The Florida Department Of Environmental Protection For A Portion Of Right Of Way Of N. 19th Avenue, Being The East Half Of The Right Of Way Bound By The North And South Line Of Lot 1, Block 42, Extended To The Centerline Of The Right Of Way, "Hollywood", According To The Plat Thereof, As Recorded In Plat Book 1, Page 21 Of The Public Records Of Broward County, Florida, And Authorizing The Appropriate City Officials To Execute The Declaration Of Restrictive Covenant.

Sponsors:

Indexes:

Code sections:

Attachments: 1. EN19-110 Resolution Approving Declaration of Restrictive Covenant on portion of 19th ave ROW.pdf, 2. EXHIBIT A.pdf, 3. EN19-110 Revised - Declaration of Restrictive Covenant (Icon Building) - City ofpdf

Date	Ver.	Action By	Action	Result
10/2/2019	1	Regular City Commission Meeting	adopt	Pass

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing A Declaration Of Restrictive Covenant With The Florida Department Of Environmental Protection For A Portion Of Right Of Way Of N. 19th Avenue, Being The East Half Of The Right Of Way Bound By The North And South Line Of Lot 1, Block 42, Extended To The Centerline Of The Right Of Way, "Hollywood", According To The Plat Thereof, As Recorded In Plat Book 1, Page 21 Of The Public Records Of Broward County, Florida, And Authorizing The Appropriate City Officials To Execute The Declaration Of Restrictive Covenant.

Staff Recommends: Approval of the Attached Resolution.

Explanation:

In October of 2018, the City of Hollywood and Hollywood CRA settled a litigation with the Developer of the Icon Office Building located at 1847 Tyler Street. As part of the settlement, the Developer is required to Obtain Site Rehabilitation Completion Order with Conditions from the Florida Department of Environmental Protection (FDEP) for their property in order to close out a complaint and receive State and County environmental approvals for

construction.

This requires the execution of a Declaration of Restrictive Covenants with the Florida Department of Environmental Protection each from the property owner and the City of Hollywood as the owner of the North 19th avenue right-of-way adjacent to the Icon Office Building.

The Declaration of Restrictive Covenant restricts the use of groundwater by not allowing any wells, other than monitoring wells, and conditions and limits drainage facilities by requiring approval of modifications and additions of such from FDEP, and is to be recorded in the public records and shall run in perpetuity until released by FDEP.

Per the settlement agreement, the City and CRA agreed to facilitate the development of the Icon Office Building.

Recommended for inclusion on the agenda by:

Luis Lopez, P.E. City Engineer

Shiv Newaldass, Director, Development Services

Gus Zambrano, Assistant City Manager for Sustainable Development