

## Legislation Text

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**File #:** R-CRA-2018-49, **Version:** 1

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A Resolution Of The Hollywood, Florida, Community Redevelopment Agency ("CRA"), Considering A Consent Decree Settlement With Greenbriar Apartment/Motel, Inc.

Staff Recommends: Consideration of the settlement.

### Explanation:

Greenbriar Apartment/Motel, Inc. ("Greenbriar") owns properties located east and west of South Surf Road between Hyacinth Terrace and Greenbriar Terrace ("Greenbriar Property"). Dupont Hollywood Partnership, Inc. ("Dupont") owns the properties located east of South Surf Road between Crocus Terrace and Bougainvillea Terrace ("Casa la Playa Property").

On or about April 10, 2006, Dupont filed a five count complaint against the City and the Hollywood Community Redevelopment Agency ("CRA") asserting among other things that the City's Ordinance No. 2002-20 that limited the height, setback and other controls for property in the RM-25 Zoning District caused a diminution of property value, and as a result, the impacted property owners were required to be compensated in accordance with The Bert J. Harris, Jr. Private Property Rights Protection Act ("Litigation"). On or about January 7, 2007, Greenbriar intervened in the Litigation alleging the same damages. In or around 2012, Dupont entered into a Settlement Agreement with the City and CRA, but Greenbriar did not.

In hopes of settling this matter, Greenbriar informally presented a development plan to the City and CRA. In addition, and to avoid future legal action, Greenbriar and other related owners presented to the City and CRA plans to re-develop the Casa La Playa Property. Greenbriar has proposed the attached Consent Decree Settlement for consideration by the City Commission.

On November 7, 2018, the City Commission considered Resolution No. R-2018-\_\_\_\_\_, in which City staff recommended that the City Commission deny the negotiated settlement, and the City Commission approved/denied said Resolution.

As the CRA was named as a Defendant in the lawsuit, it is necessary for the CRA Board to consider the attached Consent Decree, of which CRA staff is recommending denial.

Recommended for inclusion on the agenda by:

Jorge Camejo, Executive Director