

ATTACHMENT D

Land Use Plan Amendment
Staff Report, City File No.
22-L-80

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: May 8, 2023 **FILE:** 22-L-80

TO: Planning and Development Board

VIA: Andria Wingett, Assistant Director

FROM: Mawusi Khadija Watson, Planning Administrator

SUBJECT: First Eagle Management, LLC request an amendment to the City's Comprehensive Plan to change the Land Use designation from Open Space and Recreation (OSR) to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES) and; amending the City's Land Use Map to reflect the change at 4100 N. Hills Drive, 2900 N. 40th Avenue, Keyser Avenue and Greens Road, generally located south of North Hills Drive, north of Sheridan Street, east of N. 56th Avenue and west of N. Park Road (Emerald Hills LUPA).

REQUEST:

Amend the City's Comprehensive Plan to change the Land Use designation from Open Space and Recreation (OSR) to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES) and; amending the City's Land Use Map to reflect the change (Emerald Hills LUPA).

RECOMMENDATION:

Staff finds the proposed land use change to be consistent with Article 1 of the Broward County Administrative Rules Document, Broward County Land Use Plan, the City Wide Master Plan and the City's Comprehensive Plan. Staff recommends the Planning and Development Board, acting as the Local Planning Agency, forward this petition to the City Commission with a ***recommendation of*** approval, with the following conditions:

1. Prior to recertification of the City's Comprehensive Plan by the Broward County Planning Council, as a result of the proposed land use change, the Applicant shall:
 - a. Record in the Public Records of Broward County a Deed Restriction restricting Parcel 6 to two (2) single family dwelling units.
 - b. The Clubhouse shall remain tied to the operation of the golf course and shall remain available to golfers during course hours.

BACKGROUND

The subject site comprises approximately 36.8 gross acres, and is currently used as a golf course and clubhouse, known as The Club at Emerald Hills. The site is generally located south of North Hills Drive, north of Sheridan Street, east of N. 56th Avenue and west of N. Park Road, and is surrounded primarily by residential neighborhoods. The subject site consists of six (6) different parcels located throughout the golf course property.

REQUEST

The request is to amend the City's Comprehensive Plan to change the Future Land Use (FLU) designation from Open Space and Recreation (OSR) to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES). The proposed amendment is summarized as follows:

Parcel No.	Proposed Future Land Use Designation	Proposed Use	Gross Acres
1	Low-Medium (10) Residential (LMRES)	34 townhomes	3.4
2	Low-Medium (10) Residential (LMRES)	54 multiple-family units	5.4
3	Low-Medium (10) Residential (LMRES)	79 multiple-family units	7.9
4	Low-Medium (10) Residential (LMRES)	80 multiple-family units	8.0
5	Low-Medium (10) Residential (LMRES)	111 multiple-family units	11.1
6	Low (5) Residential (LRES)	2 single-family detached units (deed restricted)	1.0
Total:		360 dwelling units	36.8

The Applicant states the intent of the proposed amendment is *“to bring The Club at Emerald Hills back to its glory days by providing a dedicated source of revenue that will enable the ownership to redevelop the clubhouse with new amenities such as a state of the art fitness facility, an indoor basketball court, tennis courts, and a redeveloped championship golf course designed by Nicklaus Designs. The project is designed to maintain the integrity of the golf course by developing compact residential “nodes” at points along the course’s periphery. The amendment will enable The Club of Emerald Hills to maintain itself long into the future, and will ensure via deed restriction of the golf course that the residents will always be surrounded by open space.”*

The proposed amendment promotes a distribution of land uses that will enhance and improve the residential and surrounding communities while allowing the land owners to maximize the use of their property, as suggested in the Goals of the City's Comprehensive Plan. The proposed amendment also supports the City-Wide Master Plan guiding principle to *“promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community”*.

The Applicant intends to seek approval for 360 dwelling units on the amendment parcels, which will need to be achieved by future rezoning and site plan approvals. The proposed land use designations will assist the proposed project to come into fruition, augmenting the use of the property to provide additional housing inventory and choice within the City, whilst retaining the remainder of the golf course for ongoing use.

SITE INFORMATION

Owner/Applicant: First Eagle Management, LLC
Address/Location: 4100 N. Hills Drive, 2900 N. 40th Avenue, Keyser Avenue and Greens Road, generally located south of North Hills Drive, north of Sheridan Street, east of N. 56th Avenue and west of N. Park Road
Net Size of Property: 33.0 acres
Gross Size of Property: 36.8 acres
Land Use: Open Space and Recreation (OSR)
Zoning: Country Club (CC)
Existing Use of Land: Golf course and clubhouse
Year Built: 1968 – 1970 (Broward County Property Appraiser)
Proposed Land Use: Parcels 1 - 5: Low-Medium (10) Residential (LMRES)
Parcel 6: Low (5) Residential (LRES)

ADJACENT LAND USE

	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Parcel 6
North:	OSR	LRES OSR	LRES	OSR	LRES OSR	OSR
South:	LMRES	HRES OSR	MRES	OSR	LRES LMRES OSR	LRES
East:	OSR	LRES OSR	OSR	LRES LMRES	HRES OSR	LRES
West:	OSR	OSR	HRES	OSR	LRES LMRES OSR	OSR

Abbreviations:

LRES = Low (5) Residential

LMRES = Low Medium (10) Residential

MRES = Medium (16) Residential

HRES = High (50) Residential

OSR = Open Space and Recreation

ADJACENT ZONING

	Parcel 1	Parcel 2	Parcel 3	Parcel 4	Parcel 5	Parcel 6
North:	CC	RS-7 CC	RS-7	CC	RS-7 CC	CC
South:	CC	RM-25 CC	RM-9	CC	RS-7 RM-25 CC	RS-7
East:	CC	RS-7 CC	CC	RM-12 RM-18	RM-25 CC	RS-7
West:	GU	CC	RM-25	CC	RS-7 RM-25 CC	CC

Abbreviations:

RS-7 = Single Family District
RM-9 = Low-Medium Multiple Family District
RM-12 = Medium Multiple Family District
RM-18 = Medium-High Multiple Family District
RM-25 = High Multiple Family District
CC = County Club District

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The intent of the Land Use Element of the Comprehensive Plan is to lay out a broad physical plan for the future development of the city. This is the only element describing appropriate locations for future Land Use and declares the policies regulating their location and development. The Land Use Element takes into consideration factors affecting current development trends. The proposed amendment is consistent with the following policies of the Comprehensive Plan:

Land Use Element:

***Goal:** Promote a distribution of Land Uses that will enhance and improve the residential, business, resort and natural communities while allowing land owners to maximize the use of their property.*

***Policy 1.3:** Maintain the City Code or Zoning and Development regulations to require that all new and existing unsewered development, where practical and financially feasible, including new residential units, be connected to the sewer system.*

***Policy 4.9:** Place a priority on protecting, preserving and enhancing residential neighborhoods while incorporating the unique characteristics of redevelopment areas. (CWMP Policy CW.15 and CW.19)*

***Policy 7.4:** Maintain the level of service for the City's park and open space standard of 3 acres per 1000 population to assess adequacy of service.*

***Policy 7.14:** Continue to provide enough potable water for a year-round water supply without mining the aquifer and encouraging more salt water intrusion.*

***Policy 7.41:** Coordinate traffic circulation with future Land Use designations as specified by the City's Land Use Plan by reviewing traffic impacts during the development review process and by coordinating with County and State Governments.*

***Policy 8.12:** The compatibility of existing and future Land Uses shall be a primary consideration in the review and approval of amendments to the Broward County and City Land Use plans.*

Transportation Element:

***Policy 1.1.2:** For all other County and State roads the city shall adopt the area-wide Transit Level of Service as adopted per the Broward County Transportation Element. Within transit-oriented concurrency districts, the transportation LOS standards, for the purpose of issuing development orders and permits, are to achieve and maintain the following by FY 2009.*

Policy 1.1.4: *The City shall develop a methodology to allow for the issuance of development orders or permits for projects which have impacts on roadways which exceed the respective roadway LOS standard per Broward County Transportation Element Policy 3.4.3 (incorporated by reference). Mitigation measures and amendments to the City's Land Development code will be processes as needed.*

Housing Element

Goal: *To provide an adequate supply of decent, safe, and sanitary housing that is affordable to present and future residents of Hollywood.*

Policy 2.7: Emphasize programs which increase housing values. (CWMP Policy CW.91).

Policy 7.4: Determine the potential for additional residential development, where appropriate. (CWMP Policy CW.82)

Costal Element

Goal: *To provide an adequate supply of decent, safe, and sanitary housing that is affordable to present and future residents of Hollywood.*

Policy 9.12: *Continue to review the specific and cumulative impacts of development proposals on coastal natural resources as part of the Site Plan Review and Concurrency Review Process.*

Conservation Element

Goal: *To maintain, and if possible, encourage better natural environmental quality.*

Policy 1.6: Encourage the use of native instead of exotic plants in landscaping.

Policy 2.7: Maintain the City Code or the Zoning and Development Regulations to require that all new development including new residential units be connected to the sewer system.

Policy 2.9: Determine the greatest impact on water supply (ground and surface waters), whether point or non-point source pollution, and work to eliminate cause(s). (CWMP Policy CW.130)

Policy 2.10: Identify areas that frequently flood and determine preventative methods. (CWMP Policy CW.131)

Policy 4.3: Work with Federal, State and County agencies to develop and implement strategies to restore and maintain Hollywood's beaches. (CWMP Policy CW.115).

Policy 16.3: Maintain existing natural areas through signs on boardwalks, paths, benches, or dunes.

Recreation and Open Space Element

Goal: *Provide and maintain a complete range of recreational facilities and services as well as open space sites to fulfill the recreation needs of residents and visitors of all ages, including special groups such as the elderly, the developmentally impaired, and preschool age children to be consistent with environmental resources.*

Policy 1.5: Continue to require the provision of recreation and open space sufficient to meet established level of service requirement through the development review process by the enforcement of land dedication or impact fee requirements set out in the platting regulations.

Policy 1.6: The level of service for the City's Parks and Open Space standard of 3 acres per 1,000 population shall be maintained and utilized to assess adequacy of service.

Policy 4.1: Adequate public access to public beaches will continue to be provided and upgraded in the City of Hollywood in accordance with recommendations set forth by the Beach Redevelopment Plan.

Policy 5.5: Use native natural resources for purchase and replacement of recreational facilities where appropriate, consistent with the City's environmental concerns.

Utilities Element

Goal: *To optimize the utilization of water resources through provision of stormwater management for the City of Hollywood which reduces damage and inconvenience from flooding, promotes recharge to the Biscayne Aquifer, minimizes degradation of water quality in surface and ground waters, and protects the functions of wetlands in urban areas.*

Policy 1.1: *The City of Hollywood and other appropriate drainage districts shall continue to implement land development regulations which implement the minimum design criteria for stormwater management identified in the level of service standard to assess adequacy of service and concurrency during the development review process where jurisdictionally appropriate.*

Policy 1.4: *The impact of the construction and operation of stormwater management facilities and support services on adjacent natural resources shall be considered during the siting of new stormwater management facilities and the expansion of, or increase in capacity of, stormwater management facilities.*

Policy 1.5: *Identify road improvements projects that can incorporate local drainage into construction plans. (CWMP Policy CW.39)*

Policy 4.9: *All new drainage facilities shall be designed to provide pollution control sufficient to meet criteria of all local, state and federal regulatory requirements, including but not limited to the following when applicable:*

- a. Retention of stormwater*
- b. Flow of stormwater over grassed and vegetated areas*
- c. Sumps*
- d. Grease separation baffles*
- e. Mosquito control*
- f. Infiltration and percolation prior to overflow or outfall discharge*

Intergovernmental Coordination Element

Goal: *To enhance existing intergovernmental coordination mechanisms, and to create new opportunities for cooperation among state, regional, and local government entities in the provision of services and the management of future development.*

Policy 1.1: *Through the development of the Comprehensive Plan and the plan review process, the City will ensure that its goals, objectives, and policies are consistent with those of Broward County and the South Florida Regional Planning Council.*

Policy 3.1: *The City shall coordinate roadway level of service standards with the Florida Department of Transportation, Broward County, and the Southeast Florida Transportation Council.*

Policy 3.2: *The City will meet or exceed Broward County's established service standard for parks and open space. Policy 3.3: Through the platting and site plan review processes, the City will ensure that public facilities and services are available at acceptable standards to support future development.*

Capital Improvement Element

Goal: *To undertake actions necessary to adequately provide needed public facilities to all residents within the jurisdiction of the City of Hollywood in a manner which protects investments in existing facilities and promotes orderly compact urban growth.*

Policy 5.3: *Proposed plan amendments and requests for new development or redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:*

- a. Be consistent with the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Recharge Element; and Coastal Management Element and not contribute to a condition of public hazard.*
- b. Be consistent with the Transportation Element; Sanitary Sewer, solid Waste, Drainage, Potable Water, and Natural Groundwater Recharge Element; and Recreation and Open Space Element and not exacerbate any existing condition of public facility capacity deficits.*
- c. Generate public facility demands that may be accommodated by planned capacity increases.*
- d. Conform with future land uses as shown on the future land use map of the Future Land Use Element, and service areas as described in the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Recharge Element.*
- e. Accommodate public facility demands based upon LOS standards by provision of facilities by the developer or by the City consistent with this element.*
- f. Be consistent with state agencies' and water management districts' facilities plans.*

Policy 2.2: *The City shall continue to provide or require provision of recreational facilities within high hazard coastal areas as needed, consistent with this Comprehensive Plan.*

Historic Preservation Element

Goal: *The City shall preserve and conserve properties of historical, architectural, and archeological merit in the City.*

Policy 3.1: *To enforce existing zoning and land development regulations to ensure compliance with the Historic Preservation Board review procedures.*

Policy 3.2: *To maintain guidelines for restoration of historic buildings.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN:

The project is located in Sub-Area 7, North Hollywood, defined by 56th Avenue to the west, 1-95 to the east, Sheridan Street to the south and SR854 and Broward County Unincorporated areas to the north. This area includes the residential areas of Emerald Hills, Oakridge and the industrial/office area of Port 95 Commerce Park. The proposed project is consistent with the City-Wide Master Plan, based upon the following Guiding Principles and Policies.

Guiding Principle: *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

Guiding Principle: *Preserve stable single-family neighborhoods while providing alternative housing options that will meet the needs of all residents in the City of Hollywood.*

Guiding Principle: *Preserve, protect and enhance existing open spaces and recreation facilities both public and private.*

Policy CW.15: *Place a priority on protecting, preserving and enhancing residential neighborhoods.*

SUMMARY OF FINDINGS:

1. Pursuant to the City's Comprehensive Plan as identified, Staff finds the proposed Land Use change from to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES), referred to as Emerald Hills LUPA, to be consistent with the City's Comprehensive Plan.
2. Pursuant to the City-Wide Master Plan Guiding Principles as identified, Staff finds the proposed Land Use change from to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES), referred to as Emerald Hills LUPA, to be consistent with the City-Wide Master Plan.

Additional review will be required during the Rezoning and Site Plan approval process to ensure consistency with the Zoning and Land Development Regulations and the City's vision.

ATTACHMENTS

ATTACHMENT A: Application Package