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RESOLUTION NO. 2018-097

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF HALLANDALE BEACH, FLORIDA, ACCEPTING A PLAT NOTE AMENDMENT TO THE 601 OLD FEDERAL HIGHWAY PLAT WITHIN THE CITY OF HALLANDALE BEACH LOCATED AT 601 OLD FEDERAL HIGHWAY IN ACCORDANCE WITH CHAPTER 32, ARTICLE II, DIVISION 2 OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES, ZONING AND LAND DEVELOPMENT CODE; PROVIDING FOR TRANSMITTAL TO BROWARD COUNTY FOR APPROVAL IN ACCORDANCE WITH CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hallandale Beach, Florida, is requesting approval of a plat note amendment (Exhibit "2") to the 601 Old Federal Highway Plat, as more clearly depicted in the location map (Exhibit "3"); and

WHEREAS, on February 27, 2003, the City Commission approved Resolution No. 2003-20 for the platting of vacant property located at 601 Old Federal Highway known as the "601 Old Federal Highway Plat"; and

WHEREAS, the plat, as approved by the City and Broward County, restricts development on the plat to 147 high-rise residential units. However, the 147 high-rise residential unit development has never been built; and

WHEREAS, in 2007, the City purchased the properties located at 600 Old Federal Highway and 601 Old Federal Highway for future public space and parks improvements; and

WHEREAS, on May 2, 2012, pursuant to Ordinance No. 2012-04, the City Commission rezoned the two parcels to be within the Recreation and Open Space District in preparation for the redevelopment and expansion of the park; and

WHEREAS, on July 28, 2015, the Broward County Planning Council informed City Administration by letter that re-platting for the proposed Bluesten Park expansion, including the parcel known as 601 Old Federal Highway Plat, is not required by the Broward County Land Use Plan; and

WHEREAS, on May 17, 2017, pursuant to Resolution No. 2017-061, the City

40 Commission approved Major Development Application #16-03057-DB for the construction of the
41 Bluesten Park Project; and

42
43 **WHEREAS**, recently upon submitting an application for a building permit for the
44 Bluesten Park concession stand to the Broward County Development Management Division,
45 City Administration was informed that while re-platting still is not required, the existing plat note
46 for the 601 Old Federal Highway Plat must be amended to reflect the proposed change in use
47 from residential to a park; and

48
49 **WHEREAS**, notice has been published pursuant to the procedures set forth in Section
50 32-1003 of the City Code; and

51
52 **WHEREAS**, the City is required to transmit resolutions for plat note amendments to
53 Broward County for approval in accordance with Chapter 5, Article IX of the Broward County
54 Code of Ordinances; and

55
56 **WHEREAS**, the Mayor and City Commission have determined that approval of the
57 proposed plat note amendment for the 601 Old Federal Highway Plat is in the best interest of
58 the City and will not adversely affect the public health, safety and welfare.

59
60 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION**
61 **OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

62
63 **SECTION 1.** The foregoing “whereas” clauses are incorporated herein.

64
65 **SECTION 2. Approval of Plat Note Amendment.** The Mayor and City Commission of
66 the City of Hallandale Beach, Florida, hereby approve a plat note amendment for the 601 Old
67 Federal Highway Plat located at 601 Old Federal Highway, Hallandale Beach, Tract A, Plat
68 Book 174, Page 133, Broward County Records, 2.9425 AC, as more particularly described in
69 Exhibit “2”.

70
71 **SECTION 3. Authorization to Transmit Plat Note Amendment.** The Mayor and City
72 Commission of the City of Hallandale Beach, Florida, hereby authorize the City Manager to

73 transmit the resolution to Broward County for approval in accordance with Chapter 5, Article IX
74 of the Broward County Code of Ordinances.

75
76 **SECTION 4. Conditions of Approval.** This approval is subject to all existing
77 application procedures and ordinances of the City, and approval by Broward County. The plat
78 note for the 601 Old Federal Highway Plat located at 601 Old Federal Highway is hereby
79 amended to read:

80 “This plat is restricted to a 2.53 AC park. This note is required by Chapter 5, Article IX,
81 Broward County Board of County Commissioners. The notations and any amendments thereto
82 are solely indicating the approved development level for the property located within the plat and
83 do not operate as a restriction in favor of any property owner including an owner or owners of
84 property within the plat who took title the property with reference to this plat.”

85 **SECTION 5. Effective Date.** This Resolution shall take effect immediately upon its
86 passage and adoption.

87
88 APPROVED and ADOPTED this 17th day of September 2018.

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92 _____
93 KEITH S. LONDON
94 MAYOR

94 SPONSORED BY: CITY ADMINISTRATION

95
96 ATTEST:

97
98
99 _____
100 JENORGEN GUILLEN
101 CITY CLERK

102
103
104 APPROVED AS TO LEGAL SUFFICIENCY
105 AND FORM

106
107
108 _____
109 JENNIFER MERINO
110 CITY ATTORNEY