

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL IV BEACH DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A PROJECT KNOWN AS THE LAS OLAS MARINA, TO INCLUDE RESTAURANTS, ANCILLARY RETAIL USES AND HOSPITALITY SERVICES, BOAT AND BOATER FACILITIES, AND A SHIP STORE, LOCATED AT 151 LAS OLAS CIRCLE, FORT LAUDERDALE, FLORIDA, IN THE PLANNED RESORT DEVELOPMENT ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR") provides that no development of property in the City of Fort Lauderdale (hereinafter "City") shall be permitted without first obtaining a development permit from the City in accordance with the provisions and requirements of the ULDR; and

WHEREAS, development within the Planned Resort Development District ("PRD") is required to meet the criteria in Section 47-12.5 of the ULDR; and

WHEREAS, Section 47-12.6 of the ULDR provides that no development of property in the central beach area shall be permitted without first obtaining a beach development permit from the City in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Las Olas SMI, LLC submitted an application for a beach development permit to construct a project located at 151 Las Olas Circle, Fort Lauderdale, Florida, and located in a PRD zoning district; and

WHEREAS, the development project located at 151 Las Olas Circle will consist of a 68-slip marina located on the Intracoastal Waterway, an 11,231 square-foot building containing a restaurant, and a 24,401 square-foot marina services building and ancillary buildings totaling 2,266 square feet; and

WHEREAS, the Development Review Committee (PZ Case No. R18018) at its meeting of April 10, 2018, recommended approval of the proposed development permit to the

City Commission; and

WHEREAS, the Marine Advisory Board reviewed the application on June 6, 2019 and indicated general support for the project; and

WHEREAS, the Planning and Zoning Board, at its meeting of June 19, 2019, recommended approval of the proposed development permit to the City Commission; and

WHEREAS, the City Commission reviewed the beach development permit application submitted by the applicant, as required by the ULDR, and finds that the proposed development is consistent with the development standards for the PRD zoning district; the adequacy requirements criteria provided in Section 47-25.2 of the ULDR; the neighborhood compatibility criteria provided in Section 47-25.3 of the ULDR, the criteria in Section 47-12.5 of the ULDR; and the criteria for a Site Plan Level IV development within the PRD zoning district.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the Site Plan Level IV beach development permit application submitted to construct a project located at 151 Las Olas Circle, Fort Lauderdale, Florida, consisting of a 68-slip marina located on the Intracoastal Waterway, an 11,231 square-foot building containing a restaurant, a 24,401 square-foot marina services building and ancillary buildings totaling 2,266 square feet and located in a PRD zoning district, is hereby approved, subject to the modifications and conditions imposed by the Development Review Committee, Planning and Zoning Board and City Commission; and including but not limited to the conditions imposed at the July 9, 2019 City Commission meeting.

SECTION 3. That pursuant to the provisions of the ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits.

SECTION 4. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 6. That if any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 7. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 8. That this Resolution shall be in full force and effect upon final adoption.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Mayor  
DEAN J. TRANTALIS

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI