

RESOLUTION NO. 25-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR AN ALTERNATIVE DESIGN THAT MEETS THE OVERALL INTENT OF THE DOWNTOWN MASTER PLAN FOR THE DEVELOPMENT OF A 26-STORY, MIXED-USE BUILDING CONSISTING OF 265 RESIDENTIAL UNITS INCLUDING THE ALLOCATION OF 43 BONUS AFFORDABLE HOUSING UNITS, 4,687 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT 500 SOUTHWEST 2<sup>ND</sup> AVENUE, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER – SOUTHWEST MIXED-USE ZONING DISTRICT.

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

WHEREAS, the applicants, 501 Urban Warehouse LLC and 510-514 Urban Warehouse LLC, submitted an application for a Site Plan Level II development permit to develop a 26-story, mixed-use building with 265 residential units, inclusive of the allocation of 43 bonus affordable housing units, and 4,687 square feet of commercial space with design deviation requests for minimum building tower setbacks and encroachments into tower setback, building setback and tower separation area located at 500 Southwest 2<sup>nd</sup> Avenue, Fort Lauderdale, Florida, in the Downtown Regional Activity Center – Southwest Mixed-Use Zoning District, with an underlying Future Land Use Designation of Downtown Regional Activity Center (DRAC); and

WHEREAS, Section 47-13.20.J.3 of the ULDR provides that in the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B., the developer may submit the design of the proposed development for review and approval by the City Commission, if the alternative design meets the overall intent of the Downtown Master Plan; and

WHEREAS, Section 47-23.16.B.2.L. of the ULDR provides for Affordable Housing Incentives consistent with Broward County Land Use Plan permitted density bonus, which permits bonus residential density when affordable housing is provided on parcels within the DRAC. The applicants intend to include 43 affordable residential dwelling units for households at 120% of the area median income; and

WHEREAS, the Development Review Committee (DRC), at Case No. UDP-S24025, approved the Site Plan Level II development permit on April 9, 2024; and

WHEREAS, the City Commission has reviewed the application for alternative design for a Site Plan Level II development permit submitted by the applicants as required by the ULDR, and finds that such application conforms with the provisions of the ULDR as provided herein;

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

SECTION 1. That the recitals set forth above are true and correct and are incorporated in this resolution.

SECTION 2. The City Commission finds that the application for an alternative design for a Site Plan Level II development permit submitted to construct a proposed 26-story, mixed-use building with 265 residential units, inclusive of the allocation of 43 bonus affordable housing units, and 4,687 square feet of commercial space located at 500 Southwest 2<sup>nd</sup> Avenue, Fort Lauderdale, Florida, in the Downtown Regional Activity Center – Southwest Mixed-Use Zoning District, with an underlying Future Land Use Designation of Downtown Regional Activity Center (DRAC) meets the criteria of Section 47-24 and Section 47-13 of the ULDR as enunciated and memorialized in the minutes of its meeting of September 16, 2025.

SECTION 3. That the City Commission finds the alternative design submitted in accordance with ULDR Section 47-13.20 meets the overall intent of the Downtown Master Plan.

SECTION 4. That the Site Plan Level II development permit is hereby approved, subject to the conditions imposed by the DRC and City Commission, more fully set forth on Exhibit “A” attached hereto.

SECTION 5. That pursuant to the provisions of the ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the DRC and City Commission.

SECTION 6. The conditions contained herein are intended to memorialize the conditions expressed in the record of the hearings at which the application for the development permit was reviewed. In the event that the record of the proceedings contradicts or contains additional conditions not reflected in this instrument, the conditions expressed on the record of the proceedings shall prevail and are incorporated herein.

SECTION 7. 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 8. This approval is conditioned upon the applicants obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE

Dean J. Trantalis \_\_\_\_\_  
John C. Herbst \_\_\_\_\_  
Steven Glassman \_\_\_\_\_  
Pamela Beasley-Pittman \_\_\_\_\_  
Ben Sorensen \_\_\_\_\_

## **CONDITIONS OF APPROVAL**

1. At the time of the issuance of building permits, the applicant will be required to pay a Park Impact Fee for the proposed residential units in accordance with ULDR Sec. 47-38A.
2. Prior to the issuance of a building permit, the applicant shall provide a final School Capacity Availability Determination (SCAD) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied.
3. Applicant shall record an Affordable Housing Development Agreement and deed restriction in the public records of Broward County prior to building permit issuance.
4. Prior to Final DRC, the applicant shall execute a Parking Reduction Order and record the order at its own expense in the Broward County Public Records and provide a copy of the recorded order to the City's Development Services Department.
5. Prior to issuance of Building Permit, applicant shall:
  - a. Revise civil plans to demonstrate the results of coordination with Florida Power & Light (FP&L) to relocate power poles and overhead power lines along the adjacent SW 5<sup>th</sup> Street, and existing overhead power lines to be undergrounded along the adjacent SW 2<sup>nd</sup> Avenue.
  - b. Revise civil plans to demonstrate an acceptable range of proposed street cross-slopes (as close to 2% as possible) adjacent to the proposed concrete curb & gutter and valley gutters along SW 3<sup>rd</sup> Avenue, SW 5<sup>th</sup> Street, and SW 2<sup>nd</sup> Avenue, as part of finalizing the proposed longitudinal drainage design within existing City right-of-way.
  - c. Revise civil plan driveway 'Section E-E' to be adjacent to SW 2<sup>nd</sup> Avenue (instead of adjacent to SW 3<sup>rd</sup> Avenue as depicted on Sheet C2).
6. In accordance with the letter of October 1, 2024, Water and Wastewater Capacity Availability issued by the City's Public Works Department for this project, the existing sewer infrastructure does not have the capacity to support the proposed development. Prior to certificate of occupancy (C.O.) issuance for this project, all necessary improvements stated in the Water and Wastewater Capacity Availability letter (i.e. approximately 347 linear feet (LF) of existing 10-Inch gravity sewer shall be upsized to at least a 15-Inch pipe along SW 3<sup>rd</sup> Avenue by the applicant, to meet the proposed sewer flow demand for this development) shall be constructed, certified, and in operation for this development to meet adequacy requirements per ULDR Section 47-25.2.

7. Prior to issuance of Final Certificate of Occupancy (C.O.), applicant shall:

- a. Record a 5-foot permanent right-of-way easement along south side of the adjacent SW 5th Street, to complete half of 50-foot Right-of-Way section as approved by the City Engineer.
- b. Record a 5-foot permanent right-of-way easement along west side of the adjacent SW 2nd Avenue, to complete half of 50-foot right-of-way section as approved by the City Engineer.
- c. Record a permanent sidewalk easement along east side of the adjacent SW 3rd Avenue to accommodate a portion of pedestrian clear path located within the proposed development and beyond public right-of-way, to facilitate public pedestrian access as approved by the City Engineer.
- d. Record a permanent sidewalk easement along south side of the adjacent SW 5th Street to accommodate a portion of pedestrian clear path located within the proposed development, beyond existing public right-of-way and the proposed permanent right-of-way easement, to facilitate public pedestrian access as approved by the City Engineer.
- e. Record a permanent sidewalk easement along west side of the adjacent SW 2nd Avenue to accommodate a portion of pedestrian clear path located within the proposed development, beyond existing public Right-of-Way and the proposed permanent right-of-way easement, to facilitate public pedestrian access as approved by the City Engineer.
- f. Record a permanent 10-foot by 15-foot (minimum) water easement for proposed 4-inch water meter located within the proposed development and beyond the adjacent SW 3rd Avenue public right-of-way, to facilitate City maintenance access as approved by the City Engineer.
- g. Coordinate maintenance agreement with the City for property frontage along SW 3rd Avenue, SW 5th Street, and SW 2nd Avenue. Proposed improvements within adjacent City right-of-way include asphalt on-street parallel parking stall paving, specialty and concrete sidewalk paving, concrete driveway paving, concrete curb and gutter, curb, and valley gutters, landscaping including addapave, structural soil, root barriers, and irrigation, and pedestrian lighting. Please be advised that applicant will be responsible for maintenance of proposed storm drain infrastructure improvements located within adjacent City Right-of-Way during a one (1)-year warranty period, until accepted by the City's Public Works Department.