

RESOLUTION NO. 13-65

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL IV DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A MULTI-FAMILY RESIDENTIAL CONDOMINIUM AND PARKING GARAGE LOCATED AT 321 NORTH BIRCH ROAD, FORT LAUDERDALE, FLORIDA IN AN IOA ZONING DISTRICT.

WHEREAS, Section 47-24.1 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida 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, Grand Birch, LLC submitted a development application and plan for a multi-family residential development and parking garage located at 321 North Birch Road, Fort Lauderdale, Florida and located in an IOA zoning district associated with the development known as Grand Birch Condominium; and

WHEREAS, the Development Review Committee (PZ Case No. 53-R-12) at its meeting of July 24, 2012 recommended approval of the proposed development plan to the City Commission; and

WHEREAS, the Planning and Zoning Board at its meeting of November 28, 2012 recommended approval of the proposed development plan to the City Commission; and

WHEREAS, the City Commission reviewed the development application and plan submitted by the applicant, as required by the ULDR of the City of Fort Lauderdale, and finds that the proposed development or use meets the standards and requirements of the ULDR and criteria for a Site Plan Level IV development;

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 development plan submitted for a multi-family residential development and parking garage located at 321 North Birch Road, Fort Lauderdale, Florida, located in an IOA zoning district is hereby approved, subject to the conditions imposed by the Development Review Committee, Planning and Zoning Board and City Commission.

SECTION 3. The following are additional conditions of approval imposed by the City Commission and shall not affect the applicability of other conditions imposed during the review process:

- 1) Air-conditioning units shall not be located within any required side yards or setbacks but shall be located on the roof of the building or within the building in a manner that does not impact the property to the south or visibility and transparency to the waterway.
- 2) Seventy percent of the building's elevation at ground level shall preserve visibility and transparency to the waterway.
- 3) Developer shall construct streetscape improvements to Granada Street and Birch Road as depicted on Sheet 9 of the EDSA Fort Lauderdale Beach Streetscape Plan (2004 Edition) at Developer's sole cost and expense.
- 4) Developer shall construct the following improvements after approval of site plan is final and non-appealable and at its sole cost and expense:
 - a) Three stamped crosswalks.
 - b) Four ADA curb cuts as depicted on EDSA Plan, which will require milling the underlying pavement and creation of ramps to create ADA compliant slopes.
 - c) Bulb Outs of Granada Street at its intersection with Birch Road.
- 5) Developer shall submit a conceptual off-site plan for construction of the improvements prior to final Development Review Committee site plan sign-off.
- 6) Substantially complete construction of the improvements prior to and as a condition of the issuance of a certificate of occupancy for the project.

SECTION 4. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the Development Review Committee, Planning and Zoning Board and City Commission.

ADOPTED this the 16th day of April, 2013.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH

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