

RESOLUTION NO. 15-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF SITE PLAN DEVELOPMENT AND CONDITIONAL USE PERMITS FOR THE DEVELOPMENT OF A SOCIAL SERVICE RESIDENTIAL FACILITY LOCATED AT 325 S.W. 28TH STREET, FORT LAUDERDALE, FLORIDA IN A PROPOSED CF -COMMUNITY FACILITY 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, Section 47-18.32 of the ULDR provides that a social service residential facility Level V be approved as a conditional use when proposed in a CF zoning district; and

WHEREAS, the Broward County Board of County Commissioners submitted an application for site plan development and conditional use permits for a social service residential facility located at 325 S.W. 28th Street, Fort Lauderdale, Florida, contingent upon the rezoning of the property from B-3 Heavy Commercial/Light Industrial district to CF - Community Facility district, associated with the development known as the Broward Addiction Recovery Center (BARC); and

WHEREAS, the Development Review Committee (PZ Case No. R14051) at its meeting December 18, 2014 reviewed the application and site plan resulting in site plan approval, subject to City Commission request for review; and

WHEREAS, the Planning and Zoning Board, at its meeting of January 20, 2015, did recommend to the City Commission approval of the conditional use subject to certain conditions; and

WHEREAS, a Motion was adopted on February 17, 2015, setting a public hearing for March 3, 2015 at 6:00 p.m. to conduct a de novo review of the development permit application; and

WHEREAS, pursuant to Section 47-26A.2., City Commission request for review, the City Commission conducted the de novo hearing on March 3, 2015 and found that the proposed development or use meets the standards and requirements of the ULDR and criteria for a Site Plan Level III development permit in a CF 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 development application submitted for the development of a social service residential facility as a conditional use located at 325 S.W. 28th Street, Fort Lauderdale, Florida, located in a B-3 zoning district is hereby approved, contingent upon the rezoning of the property to CF – Community Facility district, subject to the modifications and conditions imposed by the Development Review Committee, Planning and Zoning Board and City Commission; including and not limited to the following conditions imposed at the March 3, 2015 Commission meeting:


- That Broward County installs a traffic signal at the intersection of S.W. 28th Street and S.W. 4th Avenue; or alternatively, a traffic study is done to mitigate traffic into the neighborhood.

SECTION 3. 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 and City Commission.

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.

ADOPTED this the 3rd day of March, 2015.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH

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