

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO A SITE PLAN LEVEL II DEVELOPMENT PERMIT AND AN ALTERNATIVE DESIGN THAT MEETS THE OVERALL INTENT OF THE DOWNTOWN MASTER PLAN FOR THE MIXED-USE PROJECT KNOWN AS “FLAGLER FIFTH NORTH”, LOCATED AT 689 NORTH FEDERAL HIGHWAY, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER – URBAN VILLAGE (RAC-UV) ZONING DISTRICT.

WHEREAS, on November 16, 2022, the City’s Development Review Committee (“DRC”) approved a Site Plan Level II development permit to the Applicant, Flagler Sixth, LLC, for the project known as “Flagler North” for a proposed 30-floor building comprised of 241 residential units with 72,508 square feet of commercial use for a grocery store and retail space located at 689 North Federal Highway, Fort Lauderdale, Florida, in the Downtown Regional Activity Center – Urban Village (RAC-UV) zoning district within the Fort Lauderdale Downtown Regional Activity Center (DRAC) Land Use Designation; and

WHEREAS, the Applicant has submitted an application to amend the site plan pursuant to Section 47-24.2.A.5 of the Unified Land Development Regulations (“ULDR”); and

WHEREAS, Section 47-24.2.A.5.a of the ULDR provides that “[i]f the applicant wishes to change the development from that approved in accordance with this section, the amendment will be required to be reviewed as a new development in accordance with the procedure for such development, except for administrative approval of an amendment in accordance with subsection A.5.b.”; and

WHEREAS, the Applicant’s application for an amendment to a Site Plan Level II development permit increases residential units from 241 to 301, and requests design deviations from Section 47-13.20.B., of the ULDR for building height, tower floorplate size and tower setback; 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, the Administrative Review Committee (Case No. UDP-A24011) approved the Site Plan Level II development permit on March 11, 2024, subject to conditions; and

WHEREAS, the City Commission has reviewed the application for an amendment to the approved site plan and the alternative design submitted by the applicant, 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 each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the City Commission finds that the amended Site Plan Level II application submitted meets the criteria of Sections 47-24 of the ULDR, as enunciated and memorialized in the minutes of its meeting of October 15, 2024.

SECTION 3. That the City Commission finds that application for an alternative design for a Site Plan Level II development permit submitted to construct a project to be known as “Flagler Sixth North” located at 689 North Federal Highway, Fort Lauderdale, Florida, consisting of a 31-story tower with 301 residential units and 75,265 square feet of commercial space with an associated parking reduction in the Downtown Regional Activity Center-Urban Village (RAC-UV) zoning district within the Fort Lauderdale Downtown Regional Activity Center (Downtown RAC) Land Use Designation meets the criteria of Section 47-24 of the ULDR, as enunciated and memorialized in the minutes of its meeting of October 15, 2024, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 4. 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 5. That pursuant to Section 47-24.2.A.5, Amendments to site plan, of the ULDR, the amendment to the site plan for the Flagler Fifth South located at 689 North Federal Highway, Fort Lauderdale, Florida, located in the Downtown RAC-UV zoning district as depicted on the site plan included in Exhibit 4 of Commission Agenda Memorandum No. 24-0752 is

hereby approved, subject to the conditions imposed by the City Commission at its October 15, 2024 Commission meeting.

SECTION 6. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the City Commission.

SECTION 7. That issuance of a development permit or amendment to 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 applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this ____ day of _____, 2024.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

City Attorney
THOMAS J. ANSBRO

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

Pamela Beasley-Pittman _____

Warren Sturman _____