

RESOLUTION NO. 26-

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 55-STORY, MIXED-USE BUILDING CONSISTING OF 607 RESIDENTIAL UNITS, 3,726 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT 401 NORTHEAST 2ND STREET, FORT LAUDERDALE, FLORIDA, IN THE REGIONAL ACTIVITY CENTER – CITY CENTER (RAC-CC) ZONING DISTRICT, HAVING AN UNDERLYING LAND USE DESIGNATION OF DOWNTOWN REGIONAL ACTIVITY CENTER, PROVIDING FOR SEVERABILITY AND PROVIDING FOR CONFLICTS.

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 applicant, Arosa Developers LLC, submitted an application for a Site Plan Level II development permit with alternative design to develop a 55-story, mixed-use building with 607 residential units, and 3,726 square feet of commercial space with design deviation requests for minimum building tower stepbacks, encroachments into tower setback, and to exceed the maximum podium height located at 401 Northeast 2nd Street, Fort Lauderdale, Florida, in the Regional Activity Center – City Center Zoning District (RAC-CC), with an underlying Future Land Use Designation of Downtown Regional Activity Center (D-RAC); 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.c. 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; and

WHEREAS, The applicant has opted to provide an in-lieu payment to the Broward County Affordable Housing Trust Fund County and fifty (50) percent of in-lieu fees payment into the City of Fort Lauderdale Affordable Housing Trust Fund, pursuant to Section 47-23.16.D.8. of the ULDR to satisfy the County "affordable unit" requirements, per Section 47-23.16.B.2.c. of the ULDR; and

WHEREAS, the Development Review Committee (DRC), at Case No. UDP-S24073, approved the Site Plan Level II development permit application for an alternative design on January 14, 2025; and

WHEREAS, the City Commission has reviewed the application for a Site Plan Level II development permit application for an 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 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 a Site Plan Level II development permit for an alternative design submitted to construct a proposed 55-story, mixed-use building with 607 residential units, and 3,726 square feet of commercial space with design deviation requests for minimum building tower stepbacks, encroachments into tower setback, and to exceed the maximum podium height located at 401 Northeast 2nd Street, Fort Lauderdale, Florida, in the Regional Activity Center – City Center Zoning District (RAC-CC), with an underlying Future Land Use Designation of Downtown Regional Activity Center (D-RAC) 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 January 20, 2026.

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.

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 applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this _____ day of _____, 2026.

ATTEST:

Dean J. Trantalis _____

City Clerk _____

DAVID R. SOLOMAN _____

John C. Herbst _____

APPROVED AS TO FORM
AND CORRECTNESS:

Steven Glassman _____

Pamela Beasley-Pittman _____

Ben Sorensen _____

City Attorney

SHARI L. McCARTNEY