

RESOLUTION NO. 22-

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 AND HEIGHT BONUS FOR THE DEVELOPMENT OF AN 85-FOOT, 8-STORY, 480 DWELLING UNIT, 15,235 SQUARE FEET OF COMMERCIAL SPACE, MIXED-USE, MIXED-INCOME PROJECT KNOWN AS "THE ARCADIAN", LOCATED AT 640 N.W. 7TH AVENUE, FORT LAUDERDALE, FLORIDA, IN THE NORTHWEST REGIONAL ACTIVITY CENTER-MIXED USE EAST (NWRAC-MUe) ZONING DISTRICT.

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, Sunshine Shipyard, LLC submitted an application for a Site Plan Level II development permit to develop an 85-foot, 8-story, 480 dwelling unit, 15,235 square feet of commercial space, mixed-use, mixed-income project known as "The Arcadian" located at 640 N.W. 7th Avenue, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) zoning district; and

WHEREAS, in addition to the criteria applicable to the Site Plan Level II approval, the development has been reviewed to determine whether its alternative design achieves the underlying intent of the standards as provided in the NWRAC-MU Illustration of Design Standards; and

WHEREAS, the development is proposed to exceed the maximum height of 45 feet in the NWRAC-MU zoning district through the use of height bonus pursuant to Note B of Section 47-13.31, Table of Dimensional Requirements, the development has been reviewed to determine whether it meets the performance standards and criteria of Section 47-13.52.B, NWRAC-MU Performance Standards and Criteria for Additional Height Bonus; and

WHEREAS, the DRC (Case No. UDP-S21043) approved the Site Plan Level II development permit on October 21, 2021; and

WHEREAS, the DRC approval is contingent on the City Commission approval of the alternative design and height bonus pursuant to Sections 47-13.31 and 47-13.52.B of the ULDR; and

WHEREAS, the City Commission has reviewed the application for a Site Plan Level II development permit with an alternative design submitted by the applicant for compliance with the performance standards and criteria for additional height bonus 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 submitted to construct a project to be known as "The Arcadian" located at 640 N.W. 7th Avenue, Fort Lauderdale, Florida, consisting of an 85-foot, 8-story, 480 dwelling unit, 15,235 square feet of commercial space, mixed-use, mixed-income project located in the Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) zoning district, 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 July 5, 2022.

SECTION 3. That the City Commission finds the alternative design submitted in accordance with ULDR Section 47-13.31 achieves the underlying intent of the standards as provided in the NWRAC-MU Illustration of Design Standards.

SECTION 4. That the City Commission finds the request for additional height bonus pursuant to Sections 47-13.31 and 47-13.52.B of the ULDR meets the performance standards and criteria of Section 47-13.52.B, NWRAC-MU Performance Standards and Criteria for Additional Height Bonus.

SECTION 5. That the Site Plan Level II development permit is hereby approved, subject to the conditions imposed by the DRC and City Commission.

SECTION 6. 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 7. 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 8. 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 9. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis _____

Heather Moraitis _____

Steven Glassman _____

APPROVED AS TO FORM:

Robert L. McKinzie _____

City Attorney
ALAIN E. BOILEAU

Ben Sorensen _____