

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AMENDMENTS TO THE SITE PLAN LEVEL IV BEACH DEVELOPMENT PERMIT FOR A MULTI-FAMILY RESIDENTIAL PROJECT PROPOSED AT 2851/2901 NORTHEAST 9TH COURT, FORT LAUDERDALE, FLORIDA, HAVING A LAND USE DESIGNATION OF CENTRAL BEACH REGIONAL ACTIVITY CENTER IN THE SUNRISE LANE AREA ZONING DISTRICT, TO ADD 22 MULTI-FAMILY RESIDENTIAL UNITS, 3 ADDITIONAL FLOORS FOR A TOTAL OF 14 STORIES, ELIMINATING THE HOTEL AND UNDERGROUND GARAGE PREVIOUSLY APPROVED, AND REPLACING IT WITH A 5-STORY ABOVE-GROUND PARKING GARAGE, A ROOFTOP POOL AMENITY DECK, A ROOFTOP AMENITY DECK ABOVE THE PARKING GARAGE CONTAINING A PICKLEBALL COURT AND ADDITIONAL RESIDENT AMENITY SPACE, AND A REQUEST FOR YARD MODIFICATIONS, A BUILDING HEIGHT EXCEEDING 120 FEET, AND MODIFICATIONS FOR TOWER STEPBACK AND TOWER SEPARATION.

WHEREAS, in accordance with Section 47-12.6 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (“ULDR”), no person shall carry out any development nor shall any person use any parcel of land for any purpose in the Central Beach Area without first obtaining a beach development permit from the city in accordance with the provisions and requirements of the ULDR; and

WHEREAS, on June 7, 2022, the City Commission adopted Resolution No. 22-119 approving the issuance of a Site Plan Level IV beach development permit for the development of an 12-story, 100-room hotel, retail, and restaurant project with 54 multi-family residential units and underground parking garage, proposed for 2851/2901 Northeast 9th Court, Fort Lauderdale, Florida, and located in the Sunrise Lane Area (“SLA”) zoning district with a land use designation of Central Beach Regional Activity Center; and

WHEREAS, Section 47-24.2.A.5.c. of the ULDR, provides that if the applicant wishes to change the development to an extent which exceeds the authority of the department to approve amendments as provided in subsection 47-24.2.A.5.b. i or ii, the proposed amendment to the Site Plan Level III or Level IV permit will be required to be reviewed by the department and forwarded to the body which gave final approval to the original development permit; and

WHEREAS, the applicant, Sunrise FTL Ventures, LLLP, is requesting that the City Commission approve amendments to the Site Plan Level IV beach development permit to add 22 multi-family residential units, 3 additional floors for a total of 14 stories, eliminating the hotel and underground garage previously approved, and replacing it with a 5-story above-ground parking garage, a rooftop pool amenity deck, a rooftop amenity deck above the parking garage which will contain a pickleball court and additional resident amenity space; and a request for yard modifications, building height exceeding 120 feet, and for tower stepback and tower separation modifications; and

WHEREAS, Section 47-12.6.C.1, of the ULDR requires requests to approve a development plan with modifications to the dimensional requirements for building length and width, tower stepback, floorplate size, tower separation, and yards as specified in the Table of Dimensional Regulations within the Central Beach zoning districts to be approved by the Planning and Zoning Board; and

WHEREAS, the Planning and Zoning Board at its October 16, 2024 meeting, reviewed and recommended the development plan for approval; and

WHEREAS, Section 47-12.5.F, ULDR provides that a beach development permit may be issued for a development with a height that exceeds the maximum structure height as provided in Section 47-12.4.1 by up to twenty (20) percent but not exceeding a height of one hundred forty-four (144) feet, provided that the structure has a maximum floorplate of sixteen thousand (16,000) square feet and the development permit is approved by city commission; and

WHEREAS, the City Commission has reviewed the application to amend the site plan submitted by the applicant, as required by the ULDR, and finds that such amended plan conforms with the provisions of such laws;

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 amendments to a Site Plan Level IV beach development permit application submitted to construct a residential project including parking located at 2851/2901 Northeast 9th Court, Fort Lauderdale, Florida, approved for the issuance of a beach

development permit by Resolution No. 22-119, as described in City Commission Agenda Memorandum No. 24-1058 and associated exhibits is hereby approved, subject to the modifications and conditions imposed at the November 19, 2024 City Commission meeting.

SECTION 3. That the findings, provisions, and conditions of Resolution No. 22-119 that do not conflict with or are not expressly superseded by the effect of the provisions of this resolution are hereby reaffirmed.

SECTION 4. 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 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 6. That this Resolution shall be in full force and effect immediately upon adoption.

ADOPTED this ____ day of _____, 2024.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____

John C. Herbst _____

Steven Glassman _____

Pamela Beasley-Pittman _____

Warren Sturman _____