

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AMENDMENTS TO THE DEVELOPMENT PLAN ASSOCIATED WITH THE APPROVED PLANNED DEVELOPMENT DISTRICT (“PDD”) PROJECT FORMERLY KNOWN AS “3000 ALHAMBRA”, NOW KNOWN AS “SELENE”, LOCATED AT 3000 ALHAMBRA STREET, FORT LAUDERDALE, FLORIDA.

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 October 6, 2020, the City Commission adopted Ordinance No. C-20-33 rezoning the parcel to Planned Development District (“PDD”) and approving a development plan for the project formerly known as “3000 Alhambra” to develop a mixed-use development to be located at 3000 Alhambra Street, Fort Lauderdale, Florida; and

WHEREAS, in accordance with Sections 47-12.6.F.1 and 47-12.8.D.1.a of the ULDR, the allocatable capacity trips will continue to be reserved as long as the finding of adequacy and beach development permit are valid; and

WHEREAS, Section 47-37A.5 of the ULDR provides that if the applicant wishes to amend a site plan or design narrative or any other aspect of a PDD, such amendment shall be done in accordance with the provisions for amending Site Plan Level IV as provided in Section 47-24.2.A.5.; and

WHEREAS, Section 47-24.2.A.5.c. of 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, KT Seabreeze Atlantic, LLC, is requesting that the City Commission approve an amendment to the Site Plan Level IV permit to reduce the number of residential units, increase the square footage for retail and restaurant use, reduce parking

spaces, reduce side and rear yard setbacks, increase building length and reduce tower separation in the Central Beach Regional Activity Center to an extent that exceeds the authority of the department; and

WHEREAS, the City Commission has reviewed the application to amend the development 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 application for amendments to a development plan associated with the PDD approved in Ordinance No. C-20-33 to construct a project including parking located at 3000 Alhambra Street, Fort Lauderdale, Florida, is hereby approved, subject to the modifications and conditions imposed at the July 5, 2022 City Commission meeting.

SECTION 3. That the findings, provisions, and conditions of Ordinance No. C-20-33 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 _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis _____

Heather Moraitis _____

Steven Glassman _____

APPROVED AS TO FORM:

City Attorney
ALAIN E. BOILEAU

Robert L. McKinzie _____

Ben Sorensen _____