

RESOLUTION NO. 23-

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 43-STORY, 388-UNIT, MIXED-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT LOCATED AT 200 NORTHEAST 3<sup>RD</sup> STREET, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER – CITY CENTER (RAC-CC) ZONING DISTRICT.

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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, 200 Third, LLC submitted an application for a Site Plan Level II development permit to develop a 43-story mixed-use project consisting of 388 residential units, 2,682 square feet of commercial space and 7,372 square feet of leasing/lobby area located at 200 Northeast 3<sup>rd</sup> Street, Fort Lauderdale, Florida, within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district having an underlying land use designation of Downtown Regional Activity Center (DRAC); 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 Development Review Committee (DRC), at Case No. UDP-S21048, approved the Site Plan Level II development permit on December 14, 2021; and

WHEREAS, the City Commission has reviewed the application for an alternative design for a Site Plan Level II development permit 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 an alternative design for a Site Plan Level II development permit submitted to construct a project located at 200 Northeast 3<sup>rd</sup> Street, Fort Lauderdale, Florida, consisting of a 43-story mixed-use project consisting of 388 residential units, 2,682 square feet of commercial space and 7,372 square feet of leasing/lobby area within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district with an underlying land use designation of Downtown Regional Activity Center (DRAC) 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 February 21, 2023.

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 \_\_\_\_\_, 2023.

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Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis \_\_\_\_\_

John C. Herbst \_\_\_\_\_

APPROVED AS TO FORM:

Steven Glassman \_\_\_\_\_

Pamela Beasley-Pittman \_\_\_\_\_

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Interim City Attorney  
D'WAYNE M. SPENCE

Warren Sturman \_\_\_\_\_