

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR AN ALTERNATIVE DESIGN FOR FAILURE TO MEET THE OVERALL INTENT OF THE DOWNTOWN MASTER PLAN FOR THE DEVELOPMENT OF A 47-STORY MIXED USE PROJECT CONSISTING OF 479 RESIDENTIAL FLEX UNITS, 45 RESIDENTIAL UNITS FROM THE DOWNTOWN RAC 2006 UNIT POOL, 306 RESIDENTIAL UNITS FROM THE DOWNTOWN RAC 2016 UNIT POOL, AND 12,798 SQUARE FEET OF COMMERCIAL USE, LOCATED AT 633 SOUTHEAST 3RD AVENUE, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER – CITY CENTER (RAC-CC) ZONING DISTRICT, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

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, an application was submitted on behalf of the property owners, South of River Associates, LLC, for a Site Plan Level II development permit to develop a 47-story mixed use project that consists of 479 residential flex units, 45 Residential Units from the Downtown RAC 2006 Unit Pool, 306 Residential Units from the Downtown RAC 2016 Unit Pool, and 12,798 square feet of commercial use for the property located at 633 Southeast 3rd Avenue, 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 (Downtown 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, on September 13, 2022, the Development Review Committee (DRC), reviewed the Site Plan Level II development permit application, Case No. UDP-S22042 and issued a report; 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 does not meet the requirements of the Sections 47-13.20, 47-13.21., 47-20.2., 47-24.1., 47-25.2. in 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 47-story mixed use project located at 633 Southeast 3rd Avenue, Fort Lauderdale, Florida, consisting of 479 residential flex units, 45 units from the Downtown RAC 2006 Unit Pool, 306 Units from the Downtown RAC 2016 Unit Pool, and 12,798 square feet of commercial use located within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district with an underlying land use designation of Downtown Regional Activity Center (Downtown RAC) fails to meet the overall intent of the Downtown Master Plan and is hereby denied in accordance with Section 47-13.20.J.3. of the ULDR.

SECTION 3. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all resolutions or parts of resolutions in conflict herewith, are hereby repealed, to the extent of such conflict.

SECTION 5. That this Resolution shall be in full force and effect on the date of final passage and adoption.

ADOPTED this ____ day of _____, 2023.

Mayor

DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Warren Sturman _____