

RESOLUTION NO. 16-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PERMIT AND THE ALLOCATION OF POST 2003 DWELLING UNITS FOR A RESIDENTIAL DEVELOPMENT AND PARKING GARAGE LOCATED AT 400 N.E. THIRD AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

WHEREAS, an application for a development permit has been submitted to develop a project consisting of a residential development and parking garage which requires the allocation of 225 "post 2003 dwelling units" and 125 flexibility units, for a total of 350 dwelling units, at 400 N.E. Third Avenue, Fort Lauderdale, Florida and located in the Downtown RAC-CC zoning district; and

WHEREAS, in addition to the criteria applicable to the Site Plan Level II approval, the development has been reviewed for consistency with the design guidelines or has proposed an alternative design which meets the intent of the design guidelines provided in the Consolidated Downtown Master Plan approved by the City Commission; and

WHEREAS, the Development Review Committee (Case No. R15034) gave preliminary approval on January 22, 2016, subject to certain conditions; and

WHEREAS, the City Commission has reviewed the application for a development permit submitted by the applicant, as required by the ULDR of the City of Fort Lauderdale, 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 application for a development permit submitted to develop a residential development and parking garage and the allocation of 225 "post 2003 dwelling units" and an additional 125 flexibility units from Flex Zone 49 at 400 N.E. Third Avenue, Fort Lauderdale, Florida and located in the Downtown RAC-CC zoning district is hereby approved, subject to the conditions imposed by the Development Review Committee and City Commission.

SECTION 2. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the Development Review Committee and City Commission.

SECTION 3. 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 4. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the 16th day of February, 2016.


Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI