

RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PERMIT AND THE ALLOCATION OF 32 POST 2003 DWELLING UNITS AND 158 DOWNTOWN DWELLING UNITS FOR A MIXED-USE RESIDENTIAL DEVELOPMENT KNOWN AS THE "NEW RIVER YACHT CLUB PHASE III" LOCATED AT 416 SOUTHWEST FIRST AVENUE, FORT LAUDERDALE, FLORIDA, IN A RAC-CC ZONING DISTRICT.

WHEREAS, an application for a Site Plan Level II development permit has been submitted to develop a mixed-use residential development and parking garage which requires the allocation of 32 "post 2003 dwelling units" and 158 downtown dwelling units from the new 5,000 downtown unit pool, for a total of 190 units for the project known as "New River Yacht Club Phase III", located at 416 Southwest First Avenue, Fort Lauderdale, Florida, 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. R160416) gave preliminary approval on January 26, 2016, subject to certain conditions; and

WHEREAS, the City Commission has reviewed the application for a Site Plan Level II development permit submitted by the applicant, as required by the City of Fort Lauderdale, Florida Unified Land Development Regulations ("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 application for a Site Plan Level II development permit submitted to develop a mixed-use residential development and parking garage and includes the allocation of 32 "post 2003 dwelling units" and 158 downtown dwelling units from the new 5,000 downtown

unit pool, for a project known as "New River Yacht Club Phase III", located at 416 Southwest First Avenue, Fort Lauderdale, Florida 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, 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. 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 4. 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 5. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this the ____ day of _____, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI