

RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL IV DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A MIXED-USE PROJECT KNOWN AS BAHIA MAR, TO INCLUDE A HOTEL, RESIDENTIAL UNITS, AND COMMERCIAL AND RETAIL SPACE, LOCATED AT 801 SEABREEZE BOULEVARD, FORT LAUDERDALE, FLORIDA IN A SOUTH BEACH MARINA AND HOTEL AREA ("SBMHA") ZONING DISTRICT.

WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR") provides that no development of property in the City of Fort Lauderdale (hereinafter "City") shall be permitted without first obtaining a development permit from the City in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Section 47-12.6 of the ULDR provides that no development of property in the central beach area shall be permitted without first obtaining a beach development permit from the City in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Rahn Bahia Mar, LLC submitted an application for a development permit for a mixed-use development project located at 801 Seabreeze Boulevard, Fort Lauderdale, Florida, and located in an SBMHA zoning district.

WHEREAS, the mixed-use development project located at 801 Seabreeze Boulevard will be constructed in five (5) phases consisting of a new 256-room hotel to replace the existing Bahia Mar Hotel, with 118,815 square feet of commercial and retail space, 26,000 square feet of restaurant space, a 6,000 square foot marina village with amenities and dockmaster facilities, and seven (7) residential buildings containing 651 units; and

WHEREAS, the Development Review Committee (PZ Case No. R17040) at its meeting of July 25, 2017, recommended approval of the proposed development permit to the City Commission; and

WHEREAS, the Planning and Zoning Board at its meeting of October 18, 2017, recommended approval of the proposed development permit to the City Commission; and

WHEREAS, the City Commission reviewed the beach development permit application submitted by the applicant, as required by the ULDR, and finds that the proposed development is consistent with the development standards for the proposed development under the provisions of the SBMHA zoning district; the neighborhood compatibility criteria provided in Section 47-25.3 of the ULDR; and the criteria for a Site Plan Level IV development within the central beach area;

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 Site Plan Level IV development permit application submitted to construct a mixed-use project including a hotel, residential buildings, and commercial and retail space, known as Bahia Mar, located at 801 Seabreeze Boulevard, Fort Lauderdale, Florida, in a South Beach Marina and Hotel Area "SBMHA" zoning district is hereby approved, subject to the modifications and conditions imposed by the Development Review Committee, Planning and Zoning Board and City Commission; and including but not limited to the conditions imposed at the December 5, 2017 Commission meeting.

SECTION 3. That pursuant to the provisions of the ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits.

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