

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO A SITE PLAN LEVEL IV DEVELOPMENT PERMIT FOR THE BROWARD COUNTY COURTHOUSE PARKING GARAGE LOCATED AT THE NORTHEAST CORNER OF ANDREWS AVENUE AND SOUTHWEST 7<sup>TH</sup> STREET, FORT LAUDERDALE, FLORIDA, IN AN RAC-CC ZONING DISTRICT, TO REMOVE THE PUBLIC PARKING CONDITION.

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WHEREAS, on September 3, 2013, the City Commission adopted Resolution No. 13-152 approving a site plan level IV development permit for purposes of developing the Broward County Courthouse parking garage located on the northeast corner of Andrews Avenue and S.W. 7<sup>th</sup> Street, Fort Lauderdale, Florida, and located in an RAC-CC zoning district; and

WHEREAS, Section 47-24.2.A.5.c. of the City of Fort Lauderdale's Unified Land Development Regulations (ULDR), provides that if the applicant wishes to change the development to an extent which exceeds the authority of the department to approve amendments as provided in subsection A.5.b. i or ii, the proposed amendment to the site plan level III or level IV permit will be required to be reviewed by the department and forwarded to the body which gave final approval to the original development permit; and

WHEREAS, one of the conditions imposed at the September 3, 2013 Commission meeting consisted of the following:

"The parking garage located on the northeast corner of Andrews Avenue and S.W. 7<sup>th</sup> Street must be available for public use after business hours of the Broward County Courthouse. The applicant may charge a reasonable fee to the public for such use"; and

WHEREAS, the applicant, Broward County, is requesting that the City Commission approve its request to remove of the above-stated condition as its review of security requirements for the 500-car garage precludes its use for after-hours parking by the public; and

WHEREAS, the City Commission has reviewed the application to amend the site plan submitted by the applicant, as required by the ULDR, and finds that such amended plan conforms with the provisions of such laws;

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 amendment to the site plan for Broward County Courthouse parking garage located at the northeast corner of Andrews Avenue and S.W. 7<sup>th</sup> Street, Fort Lauderdale, Florida, to remove the condition that the parking garage be available for after-hours parking for public use is hereby approved, subject to the modifications and conditions imposed at the March 20, 2018 Commission meeting.

SECTION 3. Issuance of a development permit or amendment to 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.

SECTION 5. That this Resolution shall be in full force and effect immediately upon adoption.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI