

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT, INCLUDING THE ALLOCATION OF 151 POST 2003 DWELLING UNITS FOR A RESIDENTIAL DEVELOPMENT KNOWN AS "ALEXAN-TARPON RIVER", LOCATED AT 501 S.E. 6th AVENUE, FORT LAUDERDALE, FLORIDA, IN THE REGIONAL ACTIVITY CENTER-CITY CENTER (RAC-CC) ZONING DISTRICT, PROVIDING FOR SEVERABILITY AND PROVIDING FOR CONFLICTS.

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 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, the applicant has submitted a development application and plan for a residential development known as "Alexan-Tarpon River" located at 501 S.E. 6th Avenue, Fort Lauderdale, Florida which is located in the RAC-CC zoning district; and

WHEREAS, in addition to the Site Plan Level II criteria in the ULDR, the development has been reviewed for consistency with design guidelines or has proposed an alternative design which meets the intent of the design guidelines provided in the Downtown Master Plan and the Downtown New River Master Plan; and

WHEREAS, the Development Review Committee (Case No. R17055), at its meeting on September 26, 2017, reviewed the proposed site plan, that requires the allocation of 151 post 2003 dwelling units in accordance with Section 47-13.20B.3. of the ULDR; and

WHEREAS, on March 6, 2018, the Development Review Committee gave preliminary approval for the Site Plan Level II, subject to certain conditions; and

WHEREAS, the Historic Preservation Board (HPB Case No. H17031), at its meeting on November 6, 2017, reviewed the proposed site plan and recommended conditions of approval in their minutes and memorandum attached as Exhibits 3 and 4 to Commission Agenda Memorandum No. 18-0433; and

WHEREAS, the City Commission reviewed the application for a Site Plan Level II development permit submitted by the applicant and finds that the application meets the standards and requirements of the ULDR;

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 II development permit application submitted to construct a residential development proposed to be located at 501 S.E. 6th Avenue, Fort Lauderdale, Florida, located in the RAC-CC zoning district is hereby approved, subject to conditions imposed by the Development Review Committee, Historic Preservation Board and the City Commission; including and not limited to the conditions imposed at the May 15, 2018 City Commission meeting.

SECTION 3. 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, Historic Preservation Board, and the City Commission.

SECTION 4. The conditions contained herein are intended to memorialize the conditions expressed in the record at the hearing 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 5. 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 6. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 7. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall

be considered eliminated and will in no way affect the validity or other provisions of this Resolution.

SECTION 8. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED this the ____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI