

RESOLUTION NO. 19-119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A HEIGHT BONUS FOR A SITE PLAN LEVEL II DEVELOPMENT KNOWN AS THE "909 SISTRUNK DEVELOPMENT PROJECT" PURSUANT TO SECTION 47-13.52.B. OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS, LOCATED AT 909 N.W. 6<sup>th</sup> STREET, FORT LAUDERDALE, FLORIDA, IN THE NORTHWEST REGIONAL ACTIVITY CENTER-MIXED USE WEST (NWRAC-MUw) ZONING DISTRICT.

WHEREAS, an application for a Site Plan Level II development permit has been submitted to develop a 65-foot high building containing 3,335 square feet of restaurant, 7,660 square feet of retail space, 18,442 square feet of office space, and 85 parking spaces for the project known as "909 Sistrunk Development Project" located at 909 S.W. 6<sup>th</sup> Street, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Mixed Use West (NWRAC-MUw) zoning district; and

WHEREAS, the project's proposed height of 65 feet requires the approval of the City Commission of the City of Fort Lauderdale ("City Commission") as a height bonus pursuant to the provisions of Section 47-13.31, Table of Dimensional Requirements for the NWRAC-MU District, Note B and Section 47-13.52.B. of the City of Fort Lauderdale, Florida Unified Land Development Regulations (ULDR); and

WHEREAS, the Development Review Committee ("DRC") (Case No. R19028) approved the Site Plan Level II Development permit on April 23, 2019; and

WHEREAS, the DRC approval is contingent on the City Commission approval of the height bonus pursuant to Sections 47-13.31 and 47-13.52.B of the ULDR, and

WHEREAS, the City Commission has reviewed the application for a Site Plan Level II development permit submitted by the applicant for compliance with the performance standards and criteria for additional height bonus as required by the City of Fort Lauderdale, Florida 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 request for additional height bonus for a Site Plan Level II development permit to develop a 65-foot high building containing 3,335 square feet of restaurant, 7,660 square feet of retail space, 18,442 square feet of office space, and 85 parking spaces for the

19-119

project known as "909 Sistrunk Development Project" located at 909 S.W. 6<sup>th</sup> Street, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Mixed Use West (NWRAC-MUw) zoning district is hereby approved, subject to the conditions imposed by the DRC and City Commission.

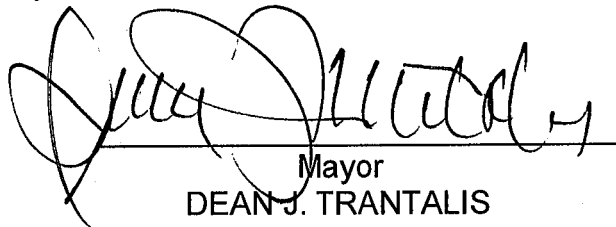
SECTION 2. That pursuant to the provisions of the ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the DRC and City Commission.

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 18th day of June, 2019.

  
\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:



\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI