

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A 65-FOOT HIGH MIXED-USE DEVELOPMENT KNOWN AS "THE ADDERLEY" THROUGH THE APPLICATION OF THE AFFORDABLE HOUSING HEIGHT BONUS PURSUANT TO SECTION 47-13.52.B. OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS, LOCATED AT 501 N.W. 7<sup>TH</sup> AVENUE, FORT LAUDERDALE, FLORIDA, IN THE NORTHWEST REGIONAL ACTIVITY CENTER - MIXED USE WEST (NWRAC-MUw) ZONING DISTRICT.

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WHEREAS, an application for a Site Plan Level II development permit, including a proposed affordable housing development plan, has been submitted to develop a mixed-use development consisting of a 65-foot high mixed use development consisting of 455 units (46 Affordable Housing Units and 409 Market Rate Units) and 17,752 square feet of commercial space for the project known as "The Adderley", located at 501 N.W. 7<sup>th</sup> Avenue, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Mixed Use West (NWRAC-MUw) zoning district; and

WHEREAS, the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR") Section 47-13.52.B, outlines performance standards by which an applicant may request additional height above 45 feet up to a maximum height of 65-feet in the NWRAC-MUw Zoning District, when a project qualifies as an affordable housing development; and

WHEREAS, in addition to the criteria applicable to the Site Plan Level II approval, the development has been reviewed for consistency with the performance standards and criteria for affordable housing height bonus within the NWRAC-MUw zoning district; and

WHEREAS, the Development Review Committee ("DRC") (Case No. Z19001) gave approval on April 9, 2019, 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 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. The City Commission finds that the application for a Site Plan Level II development permit meets the criteria of Section 47-13.52.B of the ULDR as enunciated and memorialized in the minutes of its meeting of October 15, 2019, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 2. That the application for a Site Plan Level II development permit for development of a mixed-use residential development consisting of a 65-foot high mixed use development consisting of 455 units (46 Affordable Housing Units and 409 Market Rate Units) and 17,752 square feet of commercial space for the project known as “The Adderley”, located at 501 N.W. 7<sup>th</sup> Avenue, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Mixed Use West (NWRAC-MUw) zoning district and the incorporated affordable housing development plan is hereby approved, subject to the conditions imposed by the DRC and City Commission.

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 subject to the conditions imposed by the DRC and City Commission.

SECTION 4. 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 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.

ADOPTED this the \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

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Mayor  
DEAN J. TRANTALIS

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City Clerk  
JEFFREY A. MODARELLI