

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 1801 SW 1ST AVENUE, FORT LAUDERDALE, FL 33315, FOLIO NUMBER 504215110020, AS A GREEN REUSE AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY OF FORT LAUDERDALE TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida has provided, in § 97-277, Laws of Florida, which is codified at § 376.77 – § 376.86, Florida Statutes, for designation of certain areas by resolution at the request of the person who owns or controls the real estate parcel, to provide for their environmental remediation and redevelopment and promote economic development and revitalization generally; and

WHEREAS, Poinciana Crossing, Ltd. ("Poinciana Crossing"), controls the identified property located at 1801 SW 1st Avenue, Fort Lauderdale, FL 33315, Folio Number 504215110020 (the "Subject Property"), as depicted in Exhibit A and more particularly described in Exhibit B, and is developing it as an affordable housing community; and

WHEREAS, Poinciana Crossing has requested that the City Commission of the City of Fort Lauderdale, Florida designate the Subject Property as a Green Reuse Area pursuant to § 376.80(2)(c), Florida Statutes; and

WHEREAS the City has reviewed the relevant criteria that apply in designating a Green Reuse Area as specified in § 376.80(2)(c), Florida Statutes, and has determined and finds that the Subject Property qualifies for designation as a Green Reuse Area because the following requirements have been satisfied:

1. Poinciana Crossing controls the Subject Property which is proposed for designation and has agreed to rehabilitate and redevelop it; and
2. The rehabilitation and redevelopment of the Subject Property will result in economic productivity in the area and will also provide affordable housing as defined in § 420.0004, Florida Statutes; and

3. The redevelopment of the Subject Property is consistent with the City's Comprehensive Plan and is a permissible use under the City's Code of Ordinances; and
4. Proper notice of the proposed rehabilitation of the Subject Property has been provided to neighbors and nearby residents, and Poinciana Crossing has provided those receiving notice the opportunity to provide comments and suggestions regarding the rehabilitation; and
5. Poinciana Crossing has provided reasonable assurance that it has sufficient financial resources to implement and complete a rehabilitation agreement and redevelopment plan; and

WHEREAS, the City desires to notify the Florida Department of Environmental Protection of its resolution designating the Subject Property a Green Reuse Area to further its rehabilitation and redevelopment for purposes of § 376.77 – § 376.86, Florida Statutes; and

WHEREAS, the applicable procedures set forth in § 376.80 and § 166.041, Florida Statutes, have been followed and proper notice has been provided in accordance with § 376.80(1) and § 166.041(3)(c)2, Florida Statutes; and

WHEREAS, such designation shall not render the City liable for costs or site remediation, rehabilitation and economic development or source removal, as those terms are defined in Section 376.79(17) and (18), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, that:

SECTION 1. That the recitals and findings set forth in the Preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

SECTION 2. The City Commission of the City of Fort Lauderdale, Florida finds that Poinciana Crossing has satisfied the criteria set forth in § 376.80(2)(c), Florida Statutes.

SECTION 3. The City Commission of the City of Fort Lauderdale, Florida designates the area depicted on Exhibit A and described on Exhibit B, attached hereto and incorporated herein by

reference, as the "Poinciana Crossing Green Reuse Area" for purposes of § 376.77 – § 376.86, Florida Statutes.

SECTION 4. The City Clerk is hereby authorized to notify the Florida Department of Environmental Protection of the City Commission's resolution designating the Subject Property as a Green Reuse Area for purposes of § 376.77 – § 376.86, Florida Statutes.

SECTION 5. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the _____ day of _____, 2019.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

****Please see map disclaimer**



Legal Description

A PORTION OF PARCEL "A", "A RESUBDIVISION OF PART OF BLOCKS 47 AND 48, CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 78°51'44" EAST, ALONG THE NORTH LINE OF SAID PARCEL "A" AND THE SOUTH RIGHT OF WAY LINE OF SOUTHWEST 17TH STREET, A DISTANCE OF 125.00 FEET; THENCE SOUTH 11°08'16" EAST, ALONG AN EAST LINE OF SAID PARCEL "A", A DISTANCE OF 100.00 FEET; THENCE NORTH 78°51'44" EAST, ALONG A NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 54.78 FEET; THENCE SOUTH 11°08'16" EAST, ALONG THE EAST LINE OF SAID PARCEL "A" AND THE WEST RIGHT OF WAY LINE OF SOUTHWEST 1ST AVENUE, A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 11°08'16" EAST, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 480.00 FEET; THENCE SOUTH 78°51'44" WEST, ALONG A SOUTH LINE OF SAID PARCEL "A", A DISTANCE OF 79.78 FEET; THENCE SOUTH 11°08'16" EAST, ALONG AN EAST LINE OF SAID PARCEL "A", A DISTANCE OF 125.00 FEET; THENCE SOUTH 78°51'44" WEST, ALONG THE SOUTH LINE OF SAID PARCEL "A" AND THE NORTH RIGHT OF WAY LINE OF SOUTHWEST 18TH COURT, A DISTANCE OF 100.00 FEET; THENCE NORTH 11°08'16" WEST, ALONG THE WEST LINE OF SAID PARCEL "A" AND THE EAST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD, A DISTANCE OF 605.00 FEET; THENCE NORTH 78°51'44" EAST, ALONG A LINE PARALLEL WITH, AND 275.00 FEET SOUTH OF, WHEN MEASURED AT RIGHT ANGLES TO SAID NORTH LINE, A DISTANCE OF 179.78 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

PARCEL "A", A RESUBDIVISION OF PART OF BLOCKS 47 AND 48, CROISSANT PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 36, PAGE 18, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE 15.28 FEET BY 25.00 FEET AREA SHOWN AT THE NORTHWEST CORNER OF THE NOT INCLUDED PARCEL AT THE SOUTHEAST CORNER OF SAID PARCEL "A", PER OFFICIAL RECORDS BOOK 20751, PAGE 955, BROWARD COUNTY RECORDS, AND LESS THE NORTH 275.00 FEET THEREOF.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

TOGETHER WITH PORTION OF VAC SW 18 COURT LYING S AND ADJ TO SAID PAR AS DESCRIBED IN O.R. BOOK 32245, PAGE 101, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

EXHIBIT "B"