

ORDINANCE NO. C-20-

AN ORDINANCE AMENDING SECTION 47-1.6.B OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF THE CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM A-1-A BEACHFRONT AREA DISTRICT ("ABA") TO PLANNED DEVELOPMENT DISTRICT ("PDD"), ALL OF LOTS 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20 AND A PORTION OF LOTS 1, 2, 3, 4, 6, 14 AND 15, BLOCK 5, "LAUDERDALE MAR", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SEABREEZE BOULEVARD (SR A-1-A), NORTH OF SEBASTIAN STREET, EAST OF NORTH BIRCH ROAD AND SOUTH OF ALHAMBRA STREET, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, in accordance with Sections 47-37A, 47-24.4, 47-25.2 and 47-25.3 of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), rezoning to a Planned Development District ("PDD") zoning district requires the approval of a development plan which meets the criteria provided in the above sections of the ULDR; and

WHEREAS, applicant, KT Seabreeze Atlantic, LP, has submitted a development plan known as "3000 Alhambra", located at 3000 Alhambra Street, Fort Lauderdale, Florida, as part of the zoning application to develop a residential development consisting of 215 residential units, 5,150 square feet of ground floor retail and restaurant space, and public parking, to be rezoned as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of July 15, 2020 (Case No. PDD19001) recommended to the City Commission of the City of Fort Lauderdale ("City Commission") that the rezoning application be approved and that the lands herein described should be rezoned from A-1-A Beachfront Area District ("ABA") to Planned Development District ("PDD") based on the development plan as reviewed and approved as described herein and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of public hearings to be held on Tuesday, September 15, 2020, and Tuesday, October 6, 2020, at 6:00 P.M., or as soon thereafter as possible, in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice was given as required by law, and the City Commission determined that the applicant demonstrated by competent, substantial evidence in the record that the requested rezoning met the criteria for the PDD zoning district.

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

SECTION 1. That the above recitals are true and correct and incorporated into this ordinance by reference.

SECTION 2. The City Commission finds that the application for rezoning of lands described in Section 3 of this ordinance meets the criteria of Sections 47-37A, 47-24.4, 47-25.2 and 47-25.3 of the ULDR, subject to the conditions imposed by the Development Review Committee and the Planning and Zoning Board, as enunciated and memorialized in the minutes of its meetings of September 15, 2020 and October 6, 2020, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 3. That the City of Fort Lauderdale, Florida ULDR, together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, be amended by rezoning from A-1-A Beachfront Area District ("ABA") to Planned Development District ("PDD"), the following lands situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF LOTS 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20 AND A
PORTION OF LOTS 1, 2, 3, 4, 6, 14 AND 15, BLOCK 5,
"LAUDERDALE MAR", ACCORDING TO THE PLAT THEREOF,
RECORDED IN PLAT BOOK 7, PAGE 30, OF THE PUBLIC
RECORDS OF BROWARD COUNTY, FLORIDA

Location: West of Seabreeze Boulevard (SR A-1-A), north of Sebastian Street, east of North Birch Road and south of Alhambra Street

being more particularly described in Exhibit "B" attached hereto and made a part hereof.

SECTION 4. That in accordance with Section 47-37A. Planned Development District ("PDD") zoning district of the ULDR, the development plan attached hereto as Exhibit "A" (the "Development Plan") is hereby approved, subject to the conditions imposed by the department and City Commission set forth in the attached Exhibit "C", and by reference made a part of this Ordinance as the specific zoning regulations and standards for the development of the property identified in Section 3 hereof (the "Property").

SECTION 5. All provisions of Section 47-37A of the ULDR shall apply to this PDD, including but not limited to, regulations regarding amendments of the PDD and expiration and extension of the PDD development plan.

SECTION 6. If there is a conflict between any of the documents comprising the approved Development Plan, the more restrictive interpretation by the City's Zoning Administrator shall govern the development of the Property.

SECTION 7. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance, the date of passage, and a notation that the zoning may revert to the ABA zoning district if the PDD approval expires pursuant to Section 47-37A.16 of the ULDR.

SECTION 8. 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 that conform with this Ordinance upon recording of this Ordinance and fulfilling all conditions imposed by the department and the City Commission.

SECTION 9. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 10. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 11. That this Ordinance shall be in full force and effect on the date it is recorded in the Public Records of Broward County, Florida.

SECTION 12. 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 13. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

PASSED FIRST READING this _____ day of _____, 2020.

PASSED SECOND READING this _____ day of _____, 2020.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

EXHIBIT “A”

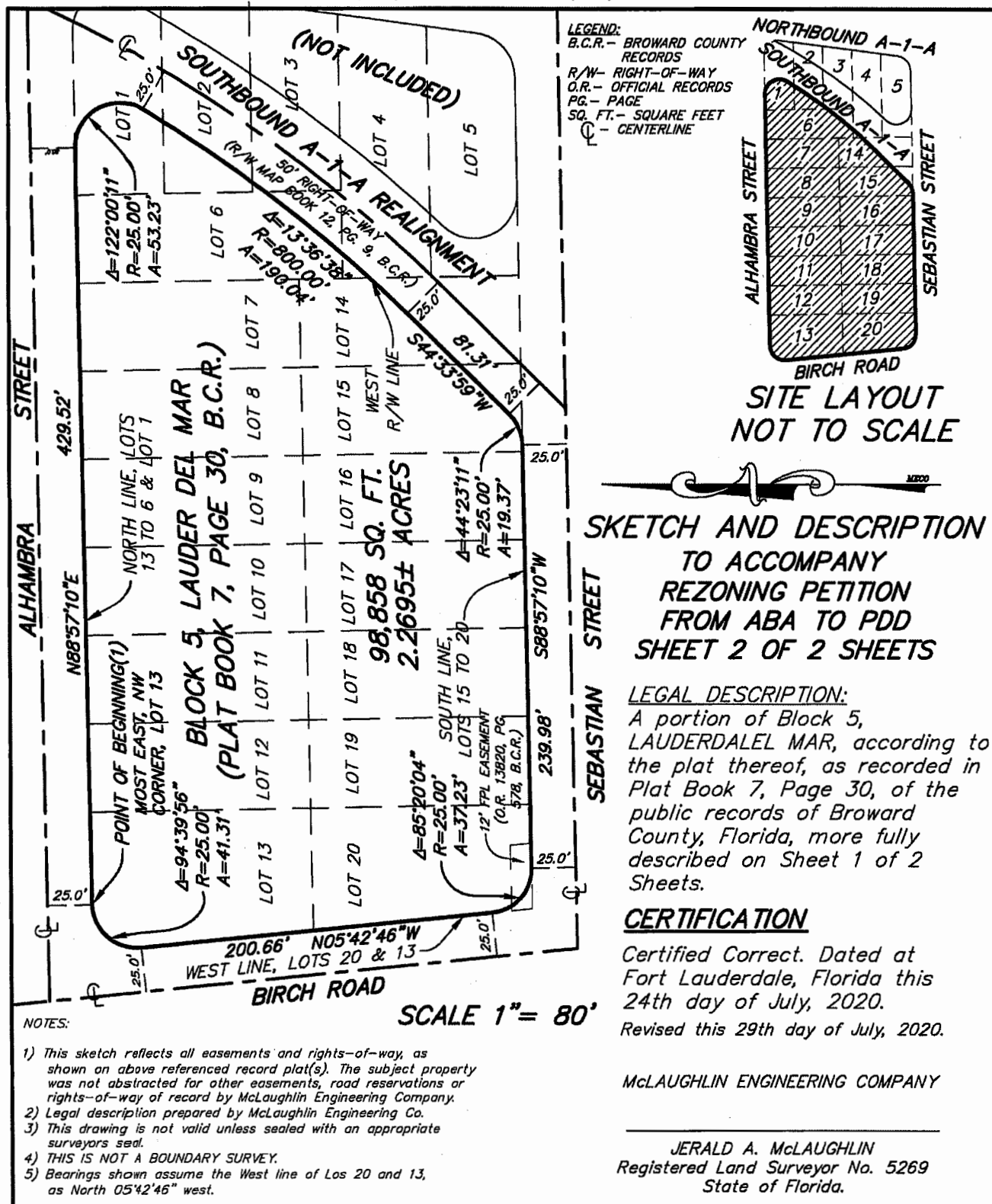
***PLACEHOLDER FOR DEVELOPMENT PLAN AS PART OF
EXHIBIT 3 TO COMMISSION AGENDA MEMORANDUM NO. 20-0586.
FULL DOCUMENT WILL BE ATTACHED AFTER FINAL ADOPTION.***



McLAUGHLIN ENGINEERING COMPANY

LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-5383

CHECKED BY: _____

REF. DWG.: 17-3-037

C: JMMjr/2020/V5383(REZONE)
CAM #20-0586

Exhibit "B"

Exhibit 6
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McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615

Michael Donaldson Digitally signed by Michael Donaldson
Date: 2020.07.30 08:41:03 -04'00'

**SKETCH AND DESCRIPTION
TO ACCOMPANY REZONING PETITION
FROM ABA TO PDD
SHEET 1 OF 2 SHEETS**

LEGAL DESCRIPTION:

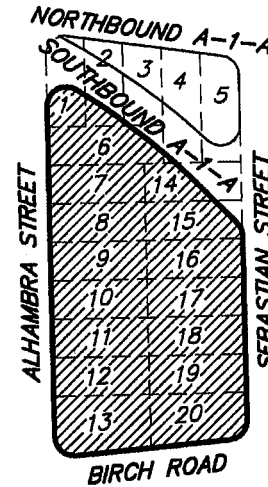
All of Lots 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20 and a portion of Lots 1, 2, 3, 4, 6, 14 and 15, Block 5, LAUDERDALE MAR, according to the plat thereof, as recorded in Plat Book 7, Page 30, of the public records of Broward County, Florida, more fully described as follows:

Beginning at the most East Northwest corner of said Lot 13; thence North $88^{\circ}57'10''$ East, on the North line of said Lots 13 to 6 and Lot 1, a distance of 429.52 feet to a point of curve; thence Easterly and Southerly on said curve to the right, with a radius 25.00 feet a central angle of $122^{\circ}00'11''$, an arc distance of 53.23 feet to a point of compound curve; thence Southwesterly on the West right-of-way line of Southbound A-1-A Alignment (50 foot right-of-way, per Right-of-Way Map Book 12, Page 9, of the public records of Broward County, Florida and on said curve to the right, with a radius of 800.00 feet, a central angle of $13^{\circ}36'38''$, an arc distance of 190.04 feet to a point of compound curve; thence Southwesterly and Westerly on said curve to the right, with a radius of 25.00 feet, a central angle of $44^{\circ}23'11''$, an arc distance of 19.37 feet to a point of tangency; thence South $88^{\circ}57'10''$ West, on the South line of said Lots 15 to 20, a distance of 239.98 feet to a point of curve; thence Westerly and Northerly on said curve to the right, with a radius of 25.00 feet, a central angle of $85^{\circ}20'04''$, an arc distance of 37.23 feet to a point of tangency; thence North $05^{\circ}42'46''$ West, on the West line of said Lots 20 and 13, a distance of 200.66 feet to a point of curve; thence Northerly and Easterly on said curve to the right, with a radius of 25.00 feet, a central angle of $94^{\circ}39'56''$, an arc distance of 41.31 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 98,858 square feet or 2.2695 acres more or less.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an appropriate surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of Los 20 and 13, as North $05^{\circ}42'46''$ west.



**SITE LAYOUT
NOT TO SCALE**

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 24th day of July, 2020.

Revised this 29th day of July, 2020.

McLAUGHLIN ENGINEERING COMPANY

[Signature]
JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-5383

CHECKED BY: _____

REF. DWG.: 17-3-037

C: \JMMjr\2020\V5383(REZONE)
CAM #20-0586

Exhibit 6

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EXHIBIT “C”

CONDITIONS OF APPROVAL CASE NO. PDD19901

1. Prior to Final DRC, the applicant shall update the architectural elevation drawings with detailed drawings of the rooftop screening material and if necessary, provide additional sheets in the plan set to ensure rooftop screening material is adequate.
2. Prior to Final DRC, the applicant shall execute a parking reduction order and a valet parking agreement and record such in public records.
3. Prior to Final DRC, the applicant shall execute a development agreement consistent with ULDR, Section 47-37A.13, Agreements, which shall be recorded in public records and provided to the City post recordation.
4. Prior to final DRC, applicant shall provide the final School Capacity Availability Determination (SCADS) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied.
5. Pursuant to ULDR Section 47-38A, Park Impact Fees, applicant will be required to pay Park Impact Fee for the proposed residential units prior to issuance of building permit.