RESOLUTION NO. 17-209

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PERMIT AND THE ALLOCATION OF 297 DOWNTOWN DWELLING UNITS FOR A MIXED-USE RESIDENTIAL DEVELOPMENT KNOWN AS "RIVERWALK RESIDENCES OF LAS OLAS" LOCATED AT 333 NORTH NEW RIVER DRIVE EAST, FORT LAUDERDALE, FLORIDA, IN A RAC-CC ZONING DISTRICT.

WHEREAS, an application for a Site Plan Level III development has been submitted to develop a mixed-use residential development which requires the allocation of 297 downtown dwelling units for the project known as "Riverwalk Residences of Las Olas", located at 333 North New River Drive East, Fort Lauderdale, Florida, in the Downtown RAC-CC zoning district within the Fort Lauderdale Downtown Regional Activity Center Land Use Designation; and

WHEREAS, in addition to the criteria applicable to the Site Plan Level III approval, the development has been reviewed for consistency with the design guidelines or has proposed an alternative design which meets the intent of the design guidelines provided in the Consolidated Downtown Master Plan approved by the City Commission; and

WHEREAS, the Development Review Committee (Case No. R16066) approved the Site Plan Level III development permit including the allocation of 297 downtown dwelling units on March 28, 2017, subject to conditions; and

WHEREAS, the Planning and Zoning Board approved the development permit on August 16, 2017; and

WHEREAS, pursuant to Section 47-13.20.B.4 of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), the approval of the development permit including the allocation of downtown dwelling units shall not take effect until the application is reviewed and approved by the City Commission; and

WHEREAS, the City Commission at its meeting of September 19, 2017, reviewed the application for a Site Plan Level III development permit, including the allocation of 297 downtown dwelling units, 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. That the application for a Site Plan Level III development permit including the allocation of 297 downtown dwelling units submitted to develop a mixed-use residential development of a 43-story tower consisting of 297 downtown dwelling units, retail/restaurant space, and a parking garage for the project known as "Riverwalk Residences of Las Olas", located at 333 North New River Drive East, Fort Lauderdale, Florida in the Downtown RAC-CC zoning district within the Fort Lauderdale Downtown Regional Activity Center Land Use Designation is hereby approved, subject to the conditions imposed by the Development Review Committee 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 Development Review Committee 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 19th day of September, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

17-209