

RESOLUTION NO. 21-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL IV PERMIT AND ALTERNATIVE DESIGN FOR THE DEVELOPMENT OF AN EIGHT-STORY, MIXED-USE PROJECT FOR 96 RESIDENTIAL UNITS AND 7,969 SQUARE FEET OF COMMERCIAL USE TO BE KNOWN AS "AVIVA ON THE RIVER", LOCATED AT 501 SOUTHEAST 6TH AVENUE, FORT LAUDERDALE, FLORIDA, IN THE REGIONAL ACTIVITY CENTER – CITY CENTER (RAC-CC) ZONING DISTRICT.

WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (hereinafter "ULDR") provides that no development of property in the City shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Edgewater House Condominium, Inc., submitted an application for a Site Plan Level IV development permit consisting of an alternative design for an eight-story mixed-use building with 96 residential units and 7,969 square feet of commercial use to be known as "Aviva on the River" located at 501 Southeast 6th Avenue, Fort Lauderdale, Florida, in the Regional Activity Center – City Center (RAC-CC) zoning district in the Downtown Regional Activity Center; and

WHEREAS, in addition to the criteria applicable to the Site Plan Level IV 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 and New River Master Plan approved by the City Commission; and

WHEREAS, the Development Review Committee (Case No. UDP-S21005) approved the Site Plan Level IV development permit at its meeting of April 13, 2021, subject to conditions; and

WHEREAS, Section 47-13.20.I of the ULDR, entitled "New River Waterfront Corridor" provides that except in the RAC-TMU zoning district, development on parcels located within one hundred (100) feet of the New River shall be reviewed pursuant to the process for a

Site Plan Level IV development permit without planning and zoning board review subject to meeting certain regulations; and

WHEREAS, pursuant to Section 47-13.20.D.6 of the ULDR, the approval of the development permit shall not take effect until the application is reviewed and approved by the City Commission; and

WHEREAS, the City Commission reviewed the development permit application submitted by the applicant, as required by the ULDR, and finds that the proposed development is consistent with the development standards for the proposed development under the provisions of the RAC-CC zoning district; the adequacy requirements criteria provided in Section 47-25.2 of the ULDR; the neighborhood compatibility criteria provided in Section 47-25.3 of the ULDR; and the criteria for a Site Plan Level IV development within the RAC-CC zoning district;

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the City Commission finds that the Site Plan Level IV development permit application submitted to construct a project to be known as “Aviva on the River” located at 501 Southeast 6th Avenue, Fort Lauderdale, Florida, consisting of an eight-story, 96-unit residential building with 7,969 square feet of commercial use, located in the RAC-CC zoning district in the Downtown Regional Activity Center, meets the criteria of Sections 47-24 and 47-13 the ULDR, as enunciated and memorialized in the minutes of its meeting of June 15, 2021, a portion of those findings expressly listed as follows:

[SPACE RESERVED FOR FINDINGS OF FACT]

SECTION 3. That the City Commission finds the alternative design submitted in accordance with ULDR Section 47-13.20.J.3, meets the overall intent of the Downtown Master Plan.

SECTION 4. That the Site Plan Level IV development permit is hereby approved, subject to the modifications and conditions imposed by the Development Review Committee and City Commission at its meeting of June 15, 2021.

SECTION 5. That pursuant to the provisions of the ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits.

SECTION 6. 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 7. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this ____ day of _____, 2021.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI