

RESOLUTION NO. 21-205

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN ALTERNATIVE DESIGN ASSOCIATED WITH A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A MIXED-USE PROJECT TO BE KNOWN AS "THE GALLERY AT FLAGLER VILLAGE", PURSUANT TO SECTION 47-13.20.J.3 OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS, LOCATED AT 600 NORTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER-URBAN VILLAGE (RAC-UV) ZONING DISTRICT.

WHEREAS, an application for a site plan level II development permit has been submitted to develop a 12-story mixed-use and mixed-income residential and retail development for the project known as "The Gallery at Flagler Village", located at 600 North Andrews Avenue, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Urban Village (NWRAC-UV) zoning district; and

WHEREAS, the proposed development is subject to site plan level II review by the Development Review Committee ("DRC") pursuant to Table 1 of Section 47-24.1 of the ULDR; and

WHEREAS, the DRC approved the site plan level II development permit (Case No. UDP-S21013) on May 25, 2021; and

WHEREAS, the proposed development is located within the Urban Neighborhood Character Area as defined in the Downtown Master Plan; and

WHEREAS, the design of the tentatively approved development deviates from the requirements of Section 47-13.20.B, Downtown Master Plan Standards, regarding the building stepback requirements and building floorplate square footage, as more specifically set forth in Commission Agenda Memorandum No. 21-0877; and

WHEREAS, Section 47-13.20.J.3 of the ULDR, provides that in the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B., the developer may submit the design of the proposed development for review and approval by the City Commission, if the alternative design meets the overall intent of the Downtown Master Plan; and

WHEREAS, the City Commission has reviewed the alternative design presented with the application for a site plan level II development permit submitted by the applicant and finds that such alternative design conforms with the overall intent of the Downtown Master Plan;

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. The City Commission finds that the requested deviation from the Downtown Master Plan Standards regarding the building setback requirements and building floorplate square footage for the project known as "The Gallery at Flagler Village" located at 600 North Andrews Avenue, Fort Lauderdale, Florida, in the Northwest Regional Activity Center-Urban Village (NWRAC-UV) zoning district meets the overall intent of the Downtown Master Plan and 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 21st day of September, 2021.



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Mayor  
DEAN J. TRANTALIS

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI