

RESOLUTION NO. 26-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR A SITE REDEVELOPMENT WITH AN ALTERNATIVE DESIGN THAT MEETS THE OVERALL INTENT OF THE DOWNTOWN MASTER PLAN FOR THE IMPROVEMENTS AND ADDITION TO THE EXISTING RETAIL BUILDING, NAMED "SHADER RETAIL" CONSISTING OF 2,944 SQUARE FEET OF EXISTING RETAIL SPACE USE, PROPOSING TO CONSTRUCT AN ADDITIONAL 1,824 SQUARE FEET OF RETAIL USE, LOCATED AT 801 NORTH FEDERAL HIGHWAY, FORT LAUDERDALE, FLORIDA, IN THE REGIONAL ACTIVITY CENTER – URBAN VILLAGE (RAC-UV) ZONING DISTRICT, HAVING AN UNDERLYING LAND USE DESIGNATION OF DOWNTOWN REGIONAL ACTIVITY CENTER (DRAC), PROVIDING FOR SEVERABILITY AND PROVIDING FOR CONFLICTS.

WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Florida, Unified Land Development Regulations (herein "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, the applicant, ACS Flagler, LLC, submitted amendments to a Site Plan Level II development permit for an alternative design, to construct a 1,824 square-foot addition to the existing building and associated site improvements, with design deviations for the landscape, streetscape, and right-of-way dedication, located at 801 North Federal Highway, Fort Lauderdale, Florida, in the Regional Activity Center – Urban Village Zoning District (RAC-UV), with an underlying Future Land Use Designation of Downtown Regional Activity Center (Downtown RAC); and

WHEREAS, the existing building is a legally nonconforming structure; and

WHEREAS, the Board of Adjustment (BOA), issued a Final Order on Case No. PLN-BOA-25060004 on August 13, 2025, approving variances from Sections 47-3.8.A.1 and 47-3.8.A.2 of the ULDR allowing the building to be renovated and retain its legal nonconforming status; and

WHEREAS, Section 47-25.2 of the ULDR provides the adequacy requirements for development permits; 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 application for amendments to a Site Plan Level II development permit application for an alternative design, submitted by the applicant as required by the ULDR, and finds that such development permit application conforms with the criteria of the ULDR;

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 application for amendments to a Site Plan Level II development permit for an alternative design submitted to construct a 1,824 square foot addition to the existing building and associated site improvements, with design deviations for the landscape, streetscape, and right-of-way dedication, located at 801 North Federal Highway, Fort Lauderdale, Florida, in the Regional Activity Center – Urban Village Zoning District (RAC-UV), with an underlying Future Land Use Designation of Downtown Regional Activity Center (Downtown RAC), meets the criteria of Section 47-24, Section 47-13, and Section 47-25, as enunciated and memorialized in the minutes of its meeting of August 18, 2026.

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

SECTION 4. That the Site Plan Level II development permit for an alternative design is hereby approved, subject to the modifications and conditions imposed by the City Commission, including and not limited to Staff conditions in the CAM and any conditions imposed at the City Commission meeting.

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 subject to the conditions imposed by City Commission.

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 _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

City Attorney
SHARI L. McCARTNEY

Dean J. Trantalis	_____
John C. Herbst	_____
Steven Glassman	_____
Pamela Beasley-Pittman	_____
Ben Sorensen	_____