

RESOLUTION NO. 20R-06-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO BRIGHTSTAR CREDIT UNION, SUBJECT TO CONDITIONS, TO ALLOW IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT A FINANCIAL INSTITUTION USE WITH A DRIVE-THROUGH ON A 0.594 ± ACRE SITE LEGALLY DESCRIBED AS LOT 1 OF "LAUDERHILL MALL SOUTH PARCELS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AT BOOK 183 PAGE 374; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this property is zoned Community Commercial (CC) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the Community Commercial zoning district by Special Exception approval only; and

WHEREAS City Staff recommends that the City Commission vote IN FAVOR OF of this Special Exception Use Development Order request, subject to the following conditions;

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

Section 1. The Special Exception Use Order of Brightstar Credit Union, to allow in the Community Commercial (CG) Zoning District a Financial Institution Use with a drive-through on a 0.594 ± acre site legally described as Lot 1 of "Lauderhill Mall South Parcels" according to the Plat thereof, as recorded in the Official Public Records of Broward County, Florida, at Book 183, Page 374, is hereby approved subject to the following conditions:

1. This Special Exception Use development order for Financial Institution Use with a Drive-through shall be specifically granted to Brightstar Credit Union and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Brightstar Credit Union the use.
2. All business operations associated with this Financial Institution Use with a Drive-through must be maintained within the confines of the building. All vehicular queuing shall remain within the site.

3. Within 45 days of the effective date of this development order, the Applicant shall file a site plan application for all site plan related modifications.
4. Complaints to Code Enforcement or the Police department may cause the SEU approval to be reviewed by the City Commission for possible revocation.
5. If the City's Code Enforcement Board assesses a lien for landscaping, trash or other unsightly or unsafe conditions, this special exception use development order may be brought before the City Commission to be reconsidered, at which time the development order or the conditions of approval may be subject to modification, suspension or revocation.
6. If the City's Police Department or Code Department records more than three instances regarding noise, loitering, parking or criminal activity, either from observation by police officers or verified from complaints by three or more unrelated individuals, within any ninety (90) day period, the special exception use may be brought before the City Commission to be reconsidered, at which time the development order or the conditions of approval may be subject to modification, suspension or revocation.
7. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this special exception use development order or its conditions or both. Further, consistent with LDR Article IV, Part 1.0., Section 1.8, this development order may be revoked, suspended or modified based on the grounds stated herein. In addition, this development order is subject to post-approval review consistent with LDR Article IV, Part 4.0., Section 4.11.

Section 2. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, is incorporated herein and is hereby adopted as the findings of fact as to this special exception.

Section 3. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2020.

PASSED AND ADOPTED on first reading this _____ day of _____, 2020.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION _____
SECOND _____

M. BATES _____
H. BERGER _____
R. CAMPBELL _____
D. GRANT _____
K. THURSTON _____

Approved as to Form

W. Earl Hall
City Attorney