



# City of Lauderhill

City Commission  
Chambers at City Hall  
5581 W. Oakland Park  
Blvd.  
Lauderhill, FL, 33313  
www.lauderhill-fl.gov

## File Details

**File Number: 24R-5767**

**File ID:** 24R-5767

**Type:** Resolution

**Status:** Agenda Ready

**Version:** 1

**Reference:**

**In Control:** City Commission  
Meeting

**File Created:** 08/12/2024

**File Name:** Resolution - Special Exception for Play, Learn and  
Grow of Tamarac, LLC

**Final Action:**

**Title:** RESOLUTION NO. 24R-08-174: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO PLAY, LEARN, AND GROW OF TAMARAC, LLC., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A CHILDCARE, DAY USE WITH BEFORE AND AFTER CARE ON AN APPROXIMATE 14.02 ± ACRE SITE AS LEGALLY DESCRIBED HEREIN LOCATED AT 7342 - 7562 W. COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** RES-24R-08-174-Special X - Childcare - Play Learn  
Grow.pdf, Attachment A - SEU Application,  
Attachment B - DRR Report (24-SE-009),  
Attachment C - Public Notice Affidavit, Attachment D  
- UNSIGNED - SEU Conditions Affidavit

**Enactment Number:**

**Contact:**

**Hearing Date:**

\* **Drafter:** dkeester@Lauderhill-fl.gov

**Effective Date:**

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File 24R-5767

RESOLUTION NO. 24R-08-174: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO PLAY, LEARN, AND GROW OF TAMARAC, LLC., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A CHILDCARE, DAY USE WITH BEFORE AND AFTER CARE ON AN

**APPROXIMATE 14.02 ± ACRE SITE AS LEGALLY DESCRIBED HEREIN LOCATED AT 7342 - 7562 W. COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**Request Action:**

Consider a Special Exception Use with conditions for a childcare use as requested by Play, Learn and Grow of Tamarac, LLC, in a 3,500 square feet unit with 1,890 square feet of outdoor space within the shopping center at the subject property on the southeast corner of North University Drive and Commercial Blvd, commonly known as 7342-7562 W Commercial Blvd.

**Need:**

Applicant is requesting approval of a special exception use with conditions.

**Summary Explanation/ Background:**

The Applicant (Play, Learn and Grow of Tamarac, LLC) is requesting special exception approval to allow a child care use with before and after care at the subject property (7356 W Commercial Blvd, Lauderhill, FL). If approved by the City Commission, the proposed tenant will occupy approximately 3,500 square feet within the building with an additional 1,890 square feet of outdoor space.

The property is located within the CG (Commercial, General) zoning district, and this use "Childcare" is not listed as a permitted use; however, the subject property has continuously included a childcare facility. The previous childcare facility (Alpha Preschool Academy) began operating on the subject property in 2014, and have maintained their Certificate of Use. Prior to the childcare uses, a preschool operated at this location from 2000 - 2011 (FAMILY MONTESSORI CENTER CORP). In 2013, the City Commission adopted changes to the Land Development Regulations (LDR's) that created a new use "Childcare" and made distinction between those operating during the day and those operating nights and weekends. Childcare uses were not listed as permitted in this zoning district; however, pursuant to Schedule H "Non-conforming land uses," since there has not been a period of more than a year between businesses it is a legally existing nonconforming use.

The Planning and Zoning Department recommends the City Commission approve a resolution granting Play, Learn, and Grow of Tamarac, LLC to operate a daytime child care use on the subject site.

1. This special exception use development order for a child care use with before and after care services is specifically granted to Play, Learn, and Grow of Tamarac, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another person. Further, this special exception use development order shall automatically expire and become null and void if any person other than Play, Learn, and Grow of Tamarac, LLC operates the use. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision. This special exception use development order shall automatically expire and become null and void if the use shall cease to operate. Moreover, this special exception use development order shall automatically expire and become null and void if Play, Learn, and Grow of Tamarac, LLC is sold, assigned, transferred or otherwise conveyed to another person.

2. The child care use is restricted to a total of 3,500 square feet (sq. ft.) within the building & 1,890 sq. ft. of outdoor play area. Consistent with Land Development Regulations Article IV.,

Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use is prohibited and shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement or removal to another location. Notwithstanding the above, through the site plan modification process, the City Commission delegates to the Development Review Committee (DRC) the authority to allow the floor plan to be altered; however, the DRC is without authority to allow the expansion, enlargement, reduction or removal of the use to another location.

3. The general days and hours of operation are Monday through Friday from 7:00 am to 6:00 pm Any increase in either the days or hours of operation or both is prohibited and shall be unlawful unless the City Commission amends this development order to allow such increase.

4. The maximum child capacity of the child care use is limited to the maximum child capacity set on the Broward County DCF childcare license and allowable by State Fire Code. It shall be unlawful to serve more than the specified maximum capacity unless the City Commission, sitting as the Board of Adjustment, amends the special exception use development order to allow such revisions.

5. If there are any code enforcement violations or liens, 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 and/or revocation.

6. 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.

7. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a Certificate of Use (COU) is submitted and subsequently approved within the one hundred eighty-day period.

8. If a use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire.

9. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

**Attachments:**

Attachment A: SEU Application

Attachment B: Development Review Report (DRR)

Attachment C: Public Notice Affidavit

Attachment D: SEU Conditions Affidavit

**Cost Summary/ Fiscal Impact:**

The Planning & Zoning Department finds that the implementation of this resolution/ordinance will not require a budget allocation or expenditure of city funds and concludes it does not have any direct fiscal impact on the city's budget.

**Estimated Time for Presentation:**

5 minutes



# City of Lauderdale

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