



# 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-5939**

**File ID:** 24R-5939

**Type:** Resolution

**Status:** Agenda Ready

**Version:** 1

**Reference:**

**In Control:** City Commission Meeting

**File Created:** 10/16/2024

**File Name:** Special Exception- Lauderhill Mall Investments Mixed Use

**Final Action:**

**Title:** RESOLUTION NO. 24R-10-259: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING LAUDERHILL MALL INVESTMENTS, LLC. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A MIXED-USE DEVELOPMENT INCLUSIVE OF 233 DWELLING UNITS AND 14,186 SQ. FT. OF COMMERCIAL USES ON A 3.23± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF THE "LAUDERHILL MALL SOUTH OUT PARCELS" PLAT AS RECORDED IN PLAT BOOK 183, PAGE 374, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1267 N.W. 40TH AVENUE, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

### Notes:

### Sponsors:

**Enactment Date:**

**Attachments:** RES-24R-10-259-Special X - Lauderhill Mall.pdf, Attachment A - SEU Application, Attachment B - Applicant Narrative, Attachment C - 24-SE-011 - DRR (1267 NW 40 Avenue) Lauderhill Village, Attachment D - Public Notice Affidavit, Attachment E - SEU Conditions (UNSIGNED)

**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:

### Text of Legislative File 24R-5939

**RESOLUTION NO. 24R-10-259: A RESOLUTION OF THE CITY COMMISSION OF**

**LAUDERHILL, FLORIDA GRANTING LAUDERHILL MALL INVESTMENTS, LLC. A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A MIXED-USE DEVELOPMENT INCLUSIVE OF 233 DWELLING UNITS AND 14,186 SQ. FT. OF COMMERCIAL USES ON A 3.23± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF THE "LAUDERHILL MALL SOUTH OUT PARCELS" PLAT AS RECORDED IN PLAT BOOK 183, PAGE 374, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1267 N.W. 40TH AVENUE, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**Request Action:**

Consider a Special Exception Use with conditions for a mixed-use development, as requested by Lauderhill Mall Investments, LLC, on a site approximately 3.23 acres in size on the north side of NW 12 Street and west of NW 40th Avenue (AKA: North State Road 7 and US-441), located at the south side of the property commonly known as the Lauderhill Mall.

**Need:**

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

**Summary Explanation/ Background:**

The applicant (URBN Design Group) is representing the landowner, Yoram Izhaki (Lauderhill Mall Investments, LLC), and has filed a special exception application. Figure 1, below, provides an aerial of the subject site located on the NW corner of NW 12 Street and NW 40th Avenue (AKA: North State Road 7). If approved by the City Commission, the applicant will proceed with the site plan review for the proposed development.

As outlined more fully in the Development Review Report (DRR), the Planning and Zoning Department recommends the City Commission approve this application subject to the following conditions:

1. This special exception use development order for a mixed-use development with 233 dwelling units and 14,186 square feet of commercial use shall be granted to Lauderhill Mall Investments, LLC and such development order cannot be conveyed to another person or entity. 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. Notwithstanding, the service station and convenience stores may be operated by other business entities so long as there is no change in ownership as specified herein.
2. The mixed-use development, as proposed in the City's site plan application (23-SP-001), is restricted to the south portion of the property. 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 or grants a new 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, or removal of the use to another location.
3. 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.

4. 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.
  
5. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, a site plan application consistent with the request is submitted and subsequently approved within the one hundred eighty-day period.
  
6. The site plan application (23-SP-001) must demonstrate substantial conformance with the city's Land Development Regulations (LDR), and all applicable Code of Ordinances, prior to the issuance of any development order.
  
7. 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.
  
8. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

**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.

**Attachments:**

- Attachment A: SEU Application
- Attachment B: Applicant Narrative
- Attachment C: Development Review Report (DRR)
- Attachment D: Public Notice Affidavit
- Attachment E: SEU Conditions Affidavit

**Budget Code Number(s):** \_\_\_\_\_

**Procurement Information: [check all that apply]**

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|--|--|--------------------------------|
| <input type="checkbox"/> RFP/Bid                   | <input type="checkbox"/> Emergency Purchase  | <input type="checkbox"/> SBE   |
| <input type="checkbox"/> Proposal/Quote Preference | <input type="checkbox"/> State Grant Funds   | <input type="checkbox"/> Local |
| <input type="checkbox"/> Piggyback Contract        | <input type="checkbox"/> Federal Grant Funds |                                |
| <input type="checkbox"/> Sole Source               | <input type="checkbox"/> Matching Required   |                                |