

RESOLUTION NO. 24R-08-175

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO LIQUID PARADISE, LLC A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE COMMERCIAL WAREHOUSE (CW) ZONING DISTRICT AND THE ARTS & ENTERTAINMENT OVERLAY DISTRICT (A&E) A HOOKAH LOUNGE USE AS AN ACCESSORY USE TO AN EXISTING RESTAURANT BAR USE WITH ACCESSORY LIVE ENTERTAINMENT, INDOOR USE IN A 3,000± SQUARE FOOT UNIT ON A 2.62± ACRE SITE LEGALLY DESCRIBED AS INDUSTRIAL 100 UNIT 1 85-3 B PORTION OF TRS A & B OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, FOLIO NUMBERS 4942 31 25 0040 AND 4942 31 25 0028, MORE COMMONLY KNOWN AS 3910 N.W. 19 STREET, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this property is zoned Commercial Warehouse (CW) and the Arts & Entertainment Overlay District (A&E) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this hookah lounge use may be allowed as an accessory use by Special Exception Use Development Order approval only; and

WHEREAS City Staff recommends that the City Commission **VOTE IN FAVOR OF** this Special Exception Use Development Order subject to conditions;

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

Section 1. The Special Exception Use Order of Liquid Paradise, LLC. to allow in the Commercial Warehouse (CW) and the Arts & Entertainment Overlay (A&E) Zoning Districts a Hookah Lounge use as an Accessory Use to an Existing Restaurant Bar Use with Accessory Live Entertainment, indoor use on an approximate 3,000 ± square foot unit on a 2.62± acre site legally described as Industrial 100 Unit 1 85-3 B Portion of TRS A&B of the Public Records of Broward County, Florida, Folio Numbers 4942 31 25 0040 and 4942 31 25 0028; more commonly known as 3910 N.W. 19th Street, Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This special exception use development order to allow a Hookah Lounge as an accessory use to the existing Restaurant Bar is specifically granted to Liquid Paradise, 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.

2. The accessory Hookah Lounge Use is restricted to 3,000 square feet of space located at 3910 NW 19 ST Lauderhill, Florida. 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. The hours of operation of the accessory Hookah Lounge are limited to the hours of operation approved on the Certificate of Use (COU) for the principal use (Restaurant Bar).

4. Liquid Paradise, LLC shall submit permits demonstrating compliance with the applicable requirements contained in the Florida Building Code related to mechanical ventilation for smoking lounges, prior to approval of an amended COU.

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 development permit or site plan approval is applied for 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. 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 _____, 2024.

PASSED AND ADOPTED on first reading this _____ day of _____, 2024.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

Approved as to Form

Angel Petti Rosenberg
City Attorney