

RESOLUTION NO. 25R-07-126

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA, GRANTING ICON RESTAURANT AND LOUNGE A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN INDOOR LIVE ENTERTAINMENT AS AN ACCESSORY USE FOR A PERMITTED RESTAURANT BAR WITHIN A 8,118 SQUARE FOOT ± SITE LOCATED AT 5428 N. UNIVERSITY DRIVE, LAUDERHILL, FLORIDA; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owners, ABC Development, Inc. and S17TPA Corp., on behalf of Icon Restaurant and Lounge, is requesting a special exception development use order to allow indoor live entertainment as an accessory use for a permitted restaurant bar within the General Commercial (“CG”) zoning district on a 8,118 square feet site located at 5248 N. University Drive; and

WHEREAS, the subject property is also legally described as BOULEVARD SHOPPES NO 1 106-45 B LOT 1,2,3,4 & 5 BLK 3 THEREOF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; and

WHEREAS, City Staff has analyzed the application and the City’s Code of Ordinances and finds that the request meets the criteria as set forth in the code of ordinances.

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

Section 1. The above recitations are true and incorporated herein.

Section 2. The City Commission, having considered all testimony and evidence presented at the Commission meeting, including the staff report, and pursuant to the City’s Code of Ordinances, hereby finds that the request meets the criteria as set forth in section Article IV, Section 4.6 of the City’s Code of Ordinances.

Section 3. The Special Exception Use Development Order for property located at 5248 N. University Drive is hereby approved, subject to the following conditions:

1. This special exception use development order to allow the restaurant bar with accessory live entertainment is specifically granted to ABC Development Inc. and S17TPA, Corp., on behalf of Icon Restaurant and Lounge. The property owner may also delegate authority of the approval to tenants to operate a live entertainment establishment, subject to these conditions, pursuant to 1.3.11, Transfer of Development Orders or Approvals, should the property be sold, transferred or otherwise re-assigned the new

owner shall notify the Development Services Department of the City updated contact information within five (5) days of change of ownership.

2. The Accessory indoor live entertainment is restricted to a total of 8,118 square feet site located at 5248 N. University Drive, consistent with the Land Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement or removal to another location.
3. A dance floor and elevated stage shall be prohibited.
4. A cover charge, entrance or similar fee shall not be charged for admittance.
5. Prohibited Uses include; Principle Live Entertainment Uses (Nightclub) as well as Event Hall Uses and Banquet Hall Uses. Sexually Oriented Live Entertainment and/or Adult Entertainment Uses shall be strictly prohibited.
6. The general days and hours of operation are five (5) days a week, Wednesday through Sunday 5 p.m. to 2 a.m.
7. 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.
8. 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.
9. 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.
10. 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.
11. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
12. The Co-Applicant, Icon Restaurant and Lounge, shall submit to the staff of the City a letter or email clarifying that the property owner listed in the application has not rescinded its consent to the application, and such a clarifying email or letter shall be submitted within 180 days from the date of approval of this Resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this _____ day of _____, 2025.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC
CITY CLERK

MOTION _____
SECOND _____

Approved as to Form

R. CAMPBELL _____
M. DUNN _____
D. GRANT _____
J. HODGSON _____
S. MARTIN _____

Hans Ottinot
City Attorney