

RESOLUTION NO. 24R-06-114

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL GRANTING TO EARLEY ROYSE, LLC D/B/A COCO FLOW RESTAURANT A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE CONVEYANCE OF A RESTAURANT, FAST FOOD, WITH DRIVE THROUGH USE, WITH DOUBLE LANES AND A WALK UP WINDOW ON A 0.83± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF "INDUSTRIAL "100" UNIT TWO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN OFFICIAL RECORDS BOOK 85, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1550 N. STATE ROAD 7, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

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

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the General Commercial (CG) 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 Earley Royse, LLC d/b/a Coco Flow Restaurant to allow in the General Commercial (CG) Zoning District the conveyance of a Restaurant, Fast Food, with Drive Through Use, with Double Lanes and a Walk Up Window on a 0.83+/- acre site legally described as a portion of "Industrial "100" Unit Two" according to the Plat thereof as recorded in Official Records Book 85, Page 2, of the Public Records of Broward County, Florida more commonly known as 1550 N. State Road 7, Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This Special Exception Use (SEU) development order for a double drive through lane and walk up window connection with a Restaurant, Fast Food Use, with Drive Through and Outdoor Cooking and Seating shall be specifically granted to Earley Royse, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Earley Royse, LLC operates the use.

2. The double drive through lane is limited to the location and configuration as depicted on an approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception use development order from the City Commission.
3. Within 90 days of the date of this approval a Site Plan Modification (SPM) application must be filed to address: outdoor seating, landscaping, lighting, outdoor cooking structure, modified chickee hut and any additional exterior improvements identified at the site, as required by the City of Lauderhill Development Review Committee. The associated permitting must be filed and work completed within 180 days of this approval. Failure to obtain SPM approval and complete required work will result in the revocation of this SEU approval.
4. Outdoor cooking may not be operated until the outdoor cooking area has been approved as an accessory use through the Certificate of Use (COU) process.
5. City Manager approval of DRC approved Outdoor seating configuration is required at time of Certificate of Use (COU) review.
6. Drive Through hours of operation are limited to the following: Sunday from 7:00 am to 12:00 am and Monday through Saturday from 7:00 a.m. to 2:00 a.m.. Based on the hours of operation alcohol sales would not be permitted (should the Applicant wish to seek alcohol sales, service, or consumption then the hours of operation must be revised to comply with the Land Development Regulations Article III Section 5.3 – Alcoholic beverage uses).
7. Walk-up window hours of operation are limited to: Sunday from 7:00 am to 12:00 am and Monday through Saturday from 7:00 a.m. to 12:00 a.m., until such time as a Site Plan Modification application is approved allowing for the CPTED (Crime Prevention Through Environmental Design) review of the walk-up window configuration from the DRC to include the Lauderhill Police Department. Should the DRC approve the proposed configuration, the walk-up window hours of operation may be extended until up to 2:00am to be consistent with that of the drive-through. Should the DRC oppose, hours of operation for the walk up window shall be restricted to the above.
8. A trash receptacle shall be located between the service windows where food is dispensed and the end of the drive through driveways for each drive through lane.
9. 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.

10. 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.

11. 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

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

13. The owner shall coordinate with the City of Lauderhill police department to install security cameras and license plate readers. The security cameras shall be compatible with and provide access to Broward Sheriff's Office (BSO) Real Time Crime Center.

14. The use is limited to a restaurant with drive-thru service and walk-up window. Any live entertainment must be approved through a promotional event permit.

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