

ORDINANCE NO. 200-07-120

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, GRANTING A DEVELOPMENT ORDER TO THREE AMIGOS LAUDERHILL, LLC, SUBJECT TO CONDITIONS, TO AMEND THE ZONING DISTRICT MAP IDENTIFIED IN LAND DEVELOPMENT REGULATIONS (LDR) ARTICLE III., ZONING DISTRICTS, PART 2.0., DISTRICT REGULATIONS, SUBSECTION 2.2.1., ADOPTION OF ZONING DISTRICT MAP; CHANGING FROM GENERAL COMMERCIAL (CG) TO RESIDENTIAL MULTIFAMILY (RM-40) THE ZONING DISTRICT OF A ± 13.73 ACRE PARCEL WITH THE LEGAL DESCRIPTION AS PROVIDED HEREIN; MORE COMMONLY KNOWN AS 7730 W. COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)

WHEREAS, the City Commission has adopted a Comprehensive Plan as is required by the Local Government Comprehensive Planning and Land Development Regulation Act (Act), which Comprehensive Plan was subsequently determined to be in-compliance with said Act; and

WHEREAS, Section 163.3202, Florida Statutes, requires each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, on June 11th, 1990, the City Commission implement its adopted Comprehensive Plan as is required by Section 163.3202, Florida Statutes, by adopting the City of Lauderhill Land Development Regulations; and

WHEREAS, on June 24th, 2019, the Applicant's Legal Representative, Hope Calhoun, LLC filed a Zoning District Map amendment on behalf of the Applicant, Three Amigos Lauderhill, LLC to change ± 13.73 acres of land generally located on the northwest corner of West Commercial Boulevard and North University Drive from a General Commercial (CG) To Residential Multifamily (RM-40) Zoning Designation; and

WHEREAS, the Future Land Use Map Series shows that the property subject to the Zoning District Map amendment is designated Commercial; and

WHEREAS, the Residential Multifamily (RM-40) Zoning Designation zoning district is not consistent with the Commercial Future Land Use designation; and

WHEREAS, the Applicant has voluntarily filed a restrictive covenant to limit the actual dwelling units to 501, the maximum permitted in the land use to be adopted; and

WHEREAS, based on the actual number dwelling units proposed by the Applicant, a more suitable Future Land Use designation is Irregular (35.3 du/acre); and

WHEREAS, the subject property will require a Land Use Plan Amendment from Commercial to an Irregular Residential (35.3 du/acre) Future Land Use Designation before the Zoning District Map Amendment can be granted; and

WHEREAS, this Zoning District Map Amendment is a companion item to a Land Use Plan Amendment Application filed by the Applicant's Legal Representative; and

WHEREAS, at their duly noticed meeting and public hearing of January 28, 2020 the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report on the proposed Ordinance into the record, adopted the findings and conclusions denying the Ordinance's adoption, and recommended the City Commission deny the Ordinance; and

WHEREAS, The Applicant has since worked with City Staff and provided three (3) conceptual development plans to address both Staff and the Community's concerns; and

WHEREAS, Staff recommends that the City Commission Adopt an Ordinance of the Commission of the City of Lauderhill, Florida granting to Three Amigos Lauderhill, LLC, a Zoning District Map Amendment; and

WHEREAS, at their duly noticed meeting and public hearing of July 13, 2020 the City Commission on first reading entered the Development Review Report on the proposed Ordinance into the record, and adopted findings and conclusions; and

WHEREAS, at their duly noticed meeting and public hearing of August 31, 2020, the City Commission on second reading adopted the Ordinance to

grant the Zoning District Map Amendment;

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

SECTION 1. Property Description. The property subject to this Land Use Plan Amendment is a \pm 13.73 acre parcel legally described as Universal Plaza 100-9 B PT OF PAR A DESC AS COMM NE COR OF SAID PAR A;W 40,S 203.50 TO POB CONT S 154.25,W 162.63, S 499.49,W 617.37 TO SW COR PAR A;N 1120.40 TO NW COR SAID PAR A,E 36.45,S 221.67,E 189,N 218.04,E 20,S 40.41,E 119.50,S 128.22,E 164.93,S 98.89,W 15.30, S 203.50,E 265.30 TO POB AKA: Target Tract; More Commonly Known AS 7730 W Commercial Blvd, Lauderhill, Broward County, Florida, and more fully described in Exhibit 1, a copy of which is attached hereto and incorporated herein.

SECTION 2. Zoning District Map Amendment. The zoning district for the real property located on a \pm 13.73 acre parcel with the Legal Description provided in Section 1 is hereby changed from General Commercial (CG) to Residential Multifamily (RM-40) zoning district. The change in the base or underlying zoning district is shown in Exhibit 2, a copy of which is attached hereto and incorporated herein. The Planning and Zoning staff is hereby directed to amend the official Zoning District Map identified in Land Development Regulations Article III., Zoning Districts, Part 2.0., District Regulations, Subsection 2.2.1., Adoption of Zoning District Map, consistent with this Ordinance, subject to the following conditions:

1. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.
2. The Site Plan shall be reviewed by the Development Review Committee and forwarded to the City Commission for Final Approval.
3. This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill's City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.

SECTION 3. Findings and Conclusions. The Development Review

Report prepared by the Planning and Zoning staff is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending the City of Lauderhill's Comprehensive Plan's Future Land Use Map

SECTION 4. Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and adoption.

DATED this _____ day of _____, 2020.

PASSED on first reading this _____ day of _____, 2020.

PASSED AND ADOPTED on second reading this _____ day of _____, 2020.

PRESIDING OFFICER

ATTEST:

CITY CLERK

	FIRST READING		SECOND READING
MOTION	_____	MOTION	_____
SECOND	_____	SECOND	_____
M. BATES	_____	M. DUNN	_____
H. BERGER	_____	D. GRANT	_____
R. CAMPBELL	_____	L. MARTIN	_____
D. GRANT	_____	R. MARTIN	_____
K. THURSTON	_____	K. THURSTON	_____