



Development Review Report (DRR)

To: City Commission
Via: Daniel T. Keester-O’Mills, AICP, *Development Services Director*
From: Molly Howson, *City Planner*
RE: Special Exception Application No. 26-SE-004 (3831 NW 13 ST)
Date: City Commission Hearing date June 29, 2026

The applicant (Stephanie Toothaker, Esq) has filed a Special Exception Use application on behalf of Mauricio Girault, (Authorized Agent) for Le Parc at Lauderhill, LLC (property owner), an approved Residential Multi Family Development. The property is located on the west side of N. ST Road 7 (NW 40 Avenue) Park Blvd., north of NW 13 ST and south of NW 16 ST. The following table includes relevant information on the property and application request:

Property Address:	3831 NW 13 Street
Tax Folio ID(s):	4941 22 26 0021
Property Owner:	Le Parc at Lauderhill, LLC
Applicant Name:	Stephanie Toothaker, Esq. on behalf of Mauricio Girault
Zoning District(s):	RM-40 (Residential Multi-Family at 40 dwelling units per acre)
Land Use Designation(s):	Residential Multi-Family (more than 10 units per acre)

Legal Description:

A T & T NO. 1 127-18 B TRACT 1 LESS E 60' THEREOF, BOOK 127 PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Applicant Request:

The Petitioner requests the Special Exception Use which proposed to amend a previously granted special exception use (Resolution NO. 19R-12-275) to increase the proposed unit count for a Residential Multi Family Development from 358 and 385 dwelling units and inclusive of a Day Care Center of no larger than 3,300 square feet. Figure 1, below, provides an aerial of the subject site located at 3831 NW 13 ST. The site is located on the east side of NW 40th AVE (AKA: North State Road 7/ US 441) and north of NW 13 ST and the Central Broward Regional Park (CBPR).

Application Type: Special Exception

Special Exception uses which are essential or desirable for the orderly development of the City and for the public convenience or welfare but which, because of their particular characteristics or area requirements, should be given individual consideration with respect to adjacent property, under conditions as specified in these regulations because of public welfare, health or safety.

Approval from the City Commission is required before any building permit can be issued by the City of Lauderhill for the construction and/or development of land for those uses which have been classified pursuant to these regulations, and amendments thereto, as special exception uses. **Approval of any special exception use application shall require four (4) votes by the City Commission. In the event that there shall be a quorum of fewer than four (4) Commissioners, approval must then be unanimous.**

There are seven conditions for approval. All conditions must be addressed in order to grant a special exception.

I. AERIAL & ADJACENT PROPERTIES



Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	Shipping and Distribution (UPS- United Parcel Service)	Transit Oriented Corridor (TOC)	Light Industrial (IL)
South	Residential Multi-Family followed by, Central Broward Regional Park CBRP	Transit Oriented Corridor (TOC)	Residential Townhome at 16 dwelling units per acre (RT-16) followed by Regional Park (PR)
East	AT&T Lot and Corporate facility	Transit Oriented Corridor (TOC)	Light Industrial (IL)
West	Restaurant Bar (Lallo's Roti) and Self Service Storage Facility	Transit Oriented Corridor (TOC)	Commercial Entertainment (CE) and General Commercial (CG)

II. APPLICABLE LAND DEVELOPMENT REGULATIONS

LDR Article IV., Part 1.0., Subsection 1.3.1., addresses the pre-application conference

LDR Article IV., Part 1.0., Subsection 1.3.2., provides for the Department to review any land development order application

LDR Article IV., Part 1.0., Subsection 1.4.4., provides that within 45 days from the acceptance of the application for development subject to major review

LDR Article IV., Part 4.0., subsection 4.5.A. requires the application set forth in detail the proposed use

LDR Article IV., Part 4.0., Subsection 4.5.B. provides the Department shall not accept a special exception use application if the property is subject to unpaid city liens, fines or fees

LDR Article III, Section 2.2., addresses assignment of zoning districts

LDR Article III, Sections 2.3 and 2.4., and Schedule B. respectively address permitted and special exception uses

Article IV, Part 4.0., Section 4.6., Standards for approval, provides the City Commission, in reviewing any application for a special exception use, shall consider seven (7) specific standards

Article IV, Section 4.10 “Conveyance of Uses that are subject to Special Exception Approval”

LDR Schedule B, Uses allowed in non-residential districts

III. *PROPERTY HISTORY*

Special Exceptions and Development Agreements

2019

Resolution NO. 19R-02-29

February 25, 2019 - The City Commission granted Resolution NO. 19R-02-29 to Le Parc at Lauderhill, LLC approving incentives to assist with the development of 182 garden apartments, 215 midrise apartments and a 3,500 square feet day care facility at the subject site.

Resolution NO. 19R-04-67

April 8, 2019 - The City Commission granted Resolution NO. 19R-04-67 to Le Parc at Lauderhill, LLC approving the development agreement between the City of Lauderhill and Le Parc at Lauderhill, LLC regarding the development of 182 garden apartments, 215 midrise apartments and a 3,500 square feet day care facility at the subject site.

Resolution NO. 19R-12-275

December 9, 2019 - The City Commission granted Resolution NO. 19R-12-275 to Le Parc at Lauderhill, LLC approving, with conditions, a special exception use (SEU) development order to allow within the multi-family (RM-40) zoning district a multi-family development inclusive of 330 dwelling units at the subject site.

2024

Resolution NO. 24R-10-260

November 25, 2024 - The City Commission granted Resolution NO. 24R-10-260 to Le Parc at Lauderhill, LLC approving, with conditions, a special exception use (SEU) development order to allow within the multi-family (RM-40) zoning district a multi-family development inclusive of 358 dwelling units at the subject site.

Code Violations

- None

Variances

- None

Development History

2019 19R-12-275 - SEU Resolution for 330 multi-family dwelling units and 3,500 square feet day care

2019 19R-04-67 182 - Development Agreement Resolution

2024 24R-10-260 SEU Resolution to increase from 330 to 358 multi-family dwelling units

2025 Plat note amendment

2025 Site Plan Major Modification was applied for and approval with conditions was granted by the Development Review Committee to modify the site to include 3 midrise buildings with a total of 385 dwelling units and an approximate 3,500 square feet day care.

2026 SEU application submitted for the approval to add 27 units to the previously approved ZVR and to add back the day care use to the project, consistent with the conditionally approved modified site plan and on which the conditionally approved modified site plan is contingent.

IV. PLANNING ANALYSIS

As stipulated in the Land Development Regulations, Article IV, Section 4.6, Standards for Approval, The Planning and Development Division has reviewed the proposed request pursuant to the following special exception considerations:

1. The effect of such use on surrounding properties.
2. The suitability of the use in regard to its location, site characteristics, and intended purpose.
3. Access, traffic generation and road capacities.
4. Economic benefits or liabilities.
5. Demands on utilities, community facilities, and public services.
6. Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill.
7. Factors relating to safety, health, and general public welfare.

Based upon its review, staff finds the proposed use to be generally consistent with the above considerations. As such, staff recommends approval of the special exception request.

1. **The effect of such use on surrounding properties:** The subject property and all of the surrounding properties area designated Transit Oriented Corridor (TOC) in the Future Land Use Map Series. The property is zoned Residential Multi-Family at 40 dwelling units per acre (RM-40) on the City of Lauderhill Zoning Map and is located on the east side of NW 40 AVE (AKA: North State Road 7/ US 441) and is north of the Central Broward Regional Park (CBPR). The proposed Multifamily Use is part of a Conceptual Master Plan initiated by the City (**Attachment G**) connecting the 38th Avenue Arts and Entertainment district to a Proposed Mixed Use Master Plan (Commonly known as the Market Place Site or more recently "The Hill"). The Applicant agreed to deed over land for a public road to the City of Lauderhill for the purposes of facilitating both vehicular and pedestrian traffic for the proposed 38th Avenue Concept Master Plan in order to assist the City with developing the immediate area.

2. **The suitability of the use in regards to its location, site characteristics, and intended purpose and access:** The property is zoned Residential Multi-Family (RM-40) and is bordered to the North and East by Light Industrial (IL) Zoning District, to the South is Residential Multi-Family (RT-16) Zoning District, and to the West are both Commercial Entertainment (CE) Zoning District and General Commercial (CG) Zoning District.

Pursuant to Article III, Section 3.1.15.A, the purpose and intent of the residential multi-family at forty (40) dwelling units per gross acre (RM-40) zoning district is to:

- Allow vacant commercial and light industrial lands and underutilized or obsolete commercial and light industrial uses to be developed or redeveloped with residential multi-family uses;
- Provide for market rate housing;
- Allow limited commercial uses as accessory to the residential uses;
- Encourage the most appropriate use and re-use of land and water by providing a zoning district with flexible development standards; and
- Implement the recommendations of the Strategic Redevelopment Plan for SR-7 and the Citizen's Master Plan (Charrette) for SR-7 which call for the development and redevelopment of some areas zoned commercial and light industrial district with residential uses.
- The RM-40 zoning district corresponds to the transit oriented corridor future land use designation in the future land use element of the Comprehensive Plan.

The suitability of the proposed Multifamily Dwelling Units Use meets the overall intent of the RM-40 zoning district as the property (currently vacant) was originally rezoned from Light Industrial to RM-40 by the City Commission on February 24, 2014 to be developed with residential multi-family uses.

3. **Access, traffic generation and road capacities:** Access to the property will be provided from NW 13 Street and NW 40th Avenue. A sixty (60) foot wide area of land will be deeded over to the City of Lauderhill in order to accommodate pedestrian and vehicular traffic circulation as a part of the 38th Avenue concept master plan (Ordinance No. 24O-08-126). The applicant has provided a traffic study as a part of the original site plan approval process.
4. **Economic benefits or liabilities:** The economic benefits of the Project are created by constructing a multifamily development consisting of 385 dwelling units and including a day care center on vacant property as shown in the proposed set of plans. The new construction will generate significantly more in property tax revenue than has been would otherwise be collected for undeveloped land. The construction of the Project will provide opportunities for local contractors, as well as individuals of other construction trades. Upon completion, the applicant intends on employing at least five positions to maintain the development including, but not limited to: property manager(s), leasing agent(s), receptionist(s), and maintenance personnel. Additionally the on site Day care center will provide local job opportunities.

5. **Demands on utilities, community facilities, and public services:** The applicant worked with staff through the site plan approval process to address concerns regarding demands on utilities, community facilities, and public services.
6. **Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill:**
 - Element Policy 1.1.12, which addresses Transit Oriented Corridor (TOC) Uses, in the most applicable including sub-policy 1.2.12.1
The Applicant will deed a 60 foot wide area of land which will help to facilitate pedestrian and vehicular circulation as part of the 38th Avenue Concept Master Plan and also provide ample internal and external walking paths in order to meet the intent of SUBPOLICY 1.1.12.1.e.
7. **Factors relating to safety, health, and general public welfare:** The Project will improve the general health, safety, and welfare of the area. Specifically, a vacant lot that can accumulate trash, encourage loitering, and decrease adjacent property values will be revitalized through the construction of a new use. The construction of a vibrant use on the Property will serve as a crime deterrent. The aesthetically pleasing Project will turn an underutilized, vacant parcel into a thriving economic development and help to support commercial development within the immediate surrounding areas.

V. **RECOMMENDATION/ACTION**

Staff recommends approval of this special exception request to allow an approved multi-family development to increase their dwelling unit count from the approved 358 units to 385 units and to reinstate the formerly approved on-site Day care center.

In order to ensure potential effects on the surrounding area is minimized, staff recommends the following conditions be imposed:

1. This Special Exception Use development order for a Multifamily Dwelling Units, Attached Use shall be specifically granted to Le Parc at Lauderhill, LLC
2. A Site Plan Modification Approval is required from the Planning & Zoning Board (P&ZB), and subsequently the City Commission, for the proposed Multifamily Development in order to increase the number of dwelling units from 358 to 385.
3. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
4. The property management office will operate Monday through Friday from 9:00 a.m. to 6:00 p.m. and 9:00 a.m. to 3:00 p.m. on Saturdays.

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 site plan modification is submitted and subsequently approved within the one hundred eighty-day period.

VI. ATTACHMENTS

1 - Resolution No. 24R-10-260

RESOLUTION NO. 24R-10-260

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING LE PARC AT LAUDERHILL, LLC. AN AMENDMENT TO SPECIAL EXCEPTION USE ORDER (RESOLUTION NO. 19R-12-275), SUBJECT TO CONDITIONS, TO ALLOW IN THE RESIDENTIAL MULTI-FAMILY (RM-40) ZONING DISTRICT A MULTI-FAMILY DEVELOPMENT WITH AN INCREASE IN THE MAXIMUM NUMBER OF DWELLING UNITS FROM 330 TO 358 DWELLING UNITS ON A 9.93± ACRE SITE LEGALLY DESCRIBED AS TRACT 1 OF "AT&T NO. 1" AS RECORDED IN PLAT BOOK 127, PAGE 18, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 3831 N.W. 13TH STREET, 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 Use Development Order approval only; and

WHEREAS, a Special Exception Use (SEU) Development Order was previously approved via Resolution No. 19R-12-275 which approved a multi-family development of 330 dwelling units on the subject parcel within the Transit Oriented Corridor (TOC); and

WHEREAS, the applicant is requesting to increase the maximum number of dwelling units from 330 to 358 within the Residential Multi-Family at 40 dwelling units per acre (RM-40); and

WHEREAS, if approved, the applicant will proceed with the site plan review for the proposed development; and

WHEREAS City Staff recommends that the City Commission **VOTE IN FAVOR OF** this Special Exception Use Development Order request to amend the Special Exception to increase the maximum number of dwelling units from 330 to 358, 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 Le Parc at Lauderhill, LLC. Resolution No. 19R-12-275 is hereby amended to allow in the Residential Multi-family (RM-40) Zoning District a Multi-family Development with an increase in the maximum number of dwelling units from 330 to 358 dwelling units on a 9.93+/- acre site legally described as Tract 1 of "AT&T No. 1" as recorded in Plat Book 127, Page 18, of the Official Public Records of Broward County, Florida; more commonly known as 3831 N.W. 13th Street, Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This Special Exception Use development order for a Multifamily Dwelling Units, Attached Use shall be specifically granted to Le Parc at Lauderhill, 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 Le Parc at Lauderhill, LLC operates the use.

2. A Site Plan Modification Approval is required from the Planning & Zoning Board (P&ZB), and subsequently the City Commission, for the proposed Multifamily Development in order to increase the height of two buildings from 7 to 8 stories and for the increase in number of dwelling units from 330 to 358.

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

4. The property management office will operate Monday through Friday from 9:00 a.m. to 6:00 p.m. and 9:00 a.m. to 3:00 p.m. on Saturdays.

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 site plan modification is submitted and subsequently approved 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. Pursuant to Article IV Section 4.8. of the Land Development Regulations, a discontinuance of operations for a period of one year would forfeit any legal nonconformities related to the proximity of residential zoning districts.

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 25 day of November, 2024.

PASSED AND ADOPTED on first reading this 25 day of November, 2024.



PRESIDING OFFICER

ATTEST:



CITY CLERK

MOTION M. Dunn
SECOND S. Martin

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

Approved as to Form



Angel Petti Rosenberg
City Attorney