RESOLUTION NO. 24R-12-296

A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE APPROVAL OF A WAIVER AND ASSOCIATED SITE PLAN APPLICATION FILED BY APPLICANT, FLORIDA INVESTMENTS 7, LLC, SUBJECT TO CONDITIONS, TO ALLOW WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE REHABILITATION OF THE EXISTING 2,375 SQUARE FEET STRUCTURE PREVIOUSLY UTILIZED AS A RESTAURANT WITH A DRIVE-THROUGH TO A SIT DOWN/HIGH TURNOVER RESTAURANT AND MAINTAINING THE DRIVE-THROUGH USE ON FOLIO #494115140050 ON A 1.33 ± ACRE SITE LEGALLY DESCRIBED AS LOTS 4-5, COMMERCIAL BOULEVARD SHOPPES NO.2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 107, PAGE 43, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 7240 W. COMMERCIAL BLVD A/K/A N.W. 56TH STREET, LAUDERHILL, FLORIDA; AS WELL AS THE DEVELOPMENT OF A 7,000 SQUARE FOOT FIVE-UNIT RETAIL BUILDING ON FOLIO #494115140040; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the applicant was previously granted a Special Exception Use Resolution No. 24R-08-173 for the rehabilitation of a previously utilized restaurant with drive-through use; and

WHEREAS, the applicant is requesting a waiver pursuant to Land Development Regulations, Article IV, Section 3.2.5, to reduce the 200 foot distance requirement for or the placement of the menu board and the abutting residentially zoned property; and

WHEREAS, the applicant is seeking approval of the Site Plan application for both the rehabilitation of the existing restaurant with drive-through and the development of a 7,000 square foot five-unit retail building on the site; and

WHEREAS, City Staff and the Planning and Zoning Board recommend the approval of the Waiver and the the Site Plan application, subject to the conditions listed below; and

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

Section 1. The Waiver of the distance requirement for the location of the menu board and the associated Site Plan Development application submitted by applicant, Florida Investments 7, LLC., for the rehabilitation of the existing 2,375 square feet structure previously used for a restaurant and maintaining the drive-through on Folio # 494115140050 on a 1.33 ± acre site legally described as Lots 4-5, Commercial Boulevard Shoppes No. 2, according to the Plat thereof, as recorded in Plat Book 107, Page 43, of the Official Public Records OF Broward County, Florida, more commonly known as 7240 W. Commercial Blvd. A/K/A N.W. 56TH Street, Lauderhill, Florida; as well

as the development of a 7,000 square foot five-unit retail building on folio #49411514004, are both hereby approved, subject to the following conditions:

1. The property owner shall abide by any pre-existing dedications, restrictions, covenants, and easements that run with the land.

2. Prior to building and engineering permit approval, all outstanding comments issued by the Development Review Committee (DRC) must be addressed.

3. Within 180 days of an approved site plan development order, the property owner shall file for Building permits with the City of Lauderhill building department.

4. The single drive-through lane and associated menu/order board must be in substantial conformance to the approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require additional site plan approval from the DRC and special exception use development order from the City Commission.

5. The property owner shall provide for adequate maintenance of the landscaping, right-of-way areas, and swale areas.

6. The property owner shall maintain the CPTED related site elements approved as a part of the DRC site plan approval.

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 site development plan approval.

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	_____	
R. CAMPBELL	_____	Approved as to Form
M. DUNN	_____	
J. HODGSON	_____	
S. MARTIN	_____	_____
D. GRANT	_____	Angel Petti Rosenberg
		City Attorney