

City of Lauderhill

City Commission Chambers at City Hall 5581 W. Oakland Park Blvd. Lauderhill, FL, 33313 www.lauderhill-fl.gov

File Details

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Meeting

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File Name: Final Action:

Title: RESOLUTION NO. 25R-01-16: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FL GRANTING "4 AM LOUNGE BAR AND GRILL" A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, WITH CONDITIONS, TO ALLOW AN EXISTING RESTAURANT BAR WITH ACCESSORY LIVE ENTERTAINMENT AN ADDITIONAL ACCESSORY USE "HOOKAH LOUNGE" IN A COMMERCIAL SPACE APPROXIMATELY 4,200 SQUARE FEET WITHIN THE COMMERCIAL WAREHOUSE (CW) ZONING DISTRICT AND WITHIN THE ARTS AND ENTERTAINMENT (A&E) OVERLAY DISTRICT ON A 2.62 ACRE SITE LEGALLY DESCRIBED AS A PORTION OF INDUSTRIAL 100 UNIT 1 TRACTS A & B FULLY DESCRIBED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FL PLAT BOOK 85 PAGE 3, MORE COMMONLY KNOWN AS: 3974 NW 19 STREET, LAUDERHILL, FL; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Notes:

Sponsors: Enactment Date:

Attachments: RES 25R-01-16 Resolution special exception use Enactment Number:

hookah lounge.docx, Attachment A - Application, Attachment B - Development Review Report, Attachment C - Public Notice Affidavit, Attachment D - Conditions of Approval (UNSIGNED), Attachment E

- Public Comments

Contact: Hearing Date:

* Drafter: dkeester@Lauderhill-fl.gov Effective Date:

History of Legislative File

 Ver Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
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 Result:

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 Date:

Text of Legislative File 25R-6042

RESOLUTION NO. 25R-01-16: A RESOLUTION OF THE CITY COMMISSION OF

LAUDERHILL, FL GRANTING "4 AM LOUNGE BAR AND GRILL" A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, WITH CONDITIONS, TO ALLOW AN EXISTING RESTAURANT BAR WITH ACCESSORY LIVE ENTERTAINMENT AN ADDITIONAL ACCESSORY USE "HOOKAH LOUNGE" IN A COMMERCIAL SPACE APPROXIMATELY 4,200 SQUARE FEET WITHIN THE COMMERCIAL WAREHOUSE (CW) ZONING DISTRICT AND WITHIN THE ARTS AND ENTERTAINMENT (A&E) OVERLAY DISTRICT ON A 2.62 ACRE SITE LEGALLY DESCRIBED AS A PORTION OF INDUSTRIAL 100 UNIT 1 TRACTS A & B FULLY DESCRIBED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FL PLAT BOOK 85 PAGE 3, MORE COMMONLY KNOWN AS: 3974 NW 19 STREET, LAUDERHILL, FL; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Request Action:

Seeking consideration for the approval of a special exception use to add "Hookah" to an existing restaurant. The petitioner operates a restaurant bar with accessory live entertainment within the Commercial Warehouse (CW) zoning district and within the Arts and Entertainment Overlay (A&E).

Need:

Action is needed to approve with conditions or deny a special exception use.

Summary Explanation/ Background:

The Petitioner, Vernon Burroughs, Owner and Operator of 4 AM Lounge Bar and Grill, has filed a Special Exception Use application. The subject site is an existing shopping plaza within the Commercial Warehouse zoning district and Arts & Entertainment Overlay (CW/A&E). The shopping plaza is occupied by several commercial uses, including: bars, professional offices, restaurant bars, and another restaurant bar with accessory hookah lounge (approved last year Liquid Paradise - applicant still seeking building permits).

Staff has prepared a report that outlines the city's requirements, relevant applications, adjacent uses, and a list of conditions (if approved by the City Commission). The Planning and Zoning Department has reviewed the information submitted by the Applicant and determined that they have satisfied the conditions of approval, subject to the additional conditions (below), for granting a special exception. As such, Staff recommends the City Commission approve this application subject to the following conditions:

- 1. This special exception use development order to allow a Hookah Lounge as an accessory use to the existing Restaurant Bar is specifically granted to 4 AM Lounge Bar and Grill and such development order cannot be conveyed to another person or entity. Any change of corporate ownership affecting 51% percent or more of the interest of the business or any of its assets in any manner shall trigger this provision.
- 2. The accessory Hookah Lounge Use is restricted to 4,200 square feet of space located at 3974 NW 19 ST Lauderhill, Florida. Consistent with Land Development Regulations Article IV., Part 4.0., Section 4.3., the expansion, alteration, enlargement or removal to another location of this use is prohibited and shall be unlawful unless the City Commission amends this development order or grants a new development order to allow such expansion, alteration, enlargement or removal to another location. Notwithstanding the above, through the site plan modification process, the City Commission delegates to the Development Review Committee (DRC) the authority to allow the floor plan to be altered; however, the DRC is without authority to allow the expansion, enlargement, or removal of the use to another location.

- 3. The hours of operation of the accessory Hookah Lounge are limited to the hours of operation approved on the Certificate of Use (COU) for the principal use (Restaurant Bar): Sunday 12 PM - 2 AM, Closed Mondays, Tuesday - Saturday: 2 PM - 2 AM.
- 4 AM Lounge Bar and Grill shall submit permits demonstrating compliance with the applicable requirements contained in the Florida Building Code related to mechanical ventilation for smoking lounges, prior to approval of an amended COU.
- 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.
- 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 development permit or site plan approval is applied for within the one hundred eighty-day period.
- 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.
- 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.

Cost Summary/ Fiscal Impact	Cos	Summar	v/ Fiscal	Impact:
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N/A Attachments: Attachment A: Application Attachment B: Development Review Report (DRR) Attachment C: Public Notice Affidavit Attachment D: Conditions of Approval (UNSIGNED) Attachment E: Public Comments Budget Code Number(s): Procurement Information: [check all that apply] [] RFP/Bid [] Emergency Purchase []SBE [] State Grant Funds [] Proposal/Quote [] Local Preference [] Piggyback Contract [] Federal Grant Funds [] Sole Source [] Matching Required