



Development Review Report (DRR)

To: Daniel T. Keester-O’Mills, AICP, *Planning & Zoning Director*
From: Dominic Lindsay, *Planning & Zoning Analyst*
RE: Special Exception Application No. 24-SE-020 (3974 NW 19 Street)
Date: December 10, 2024

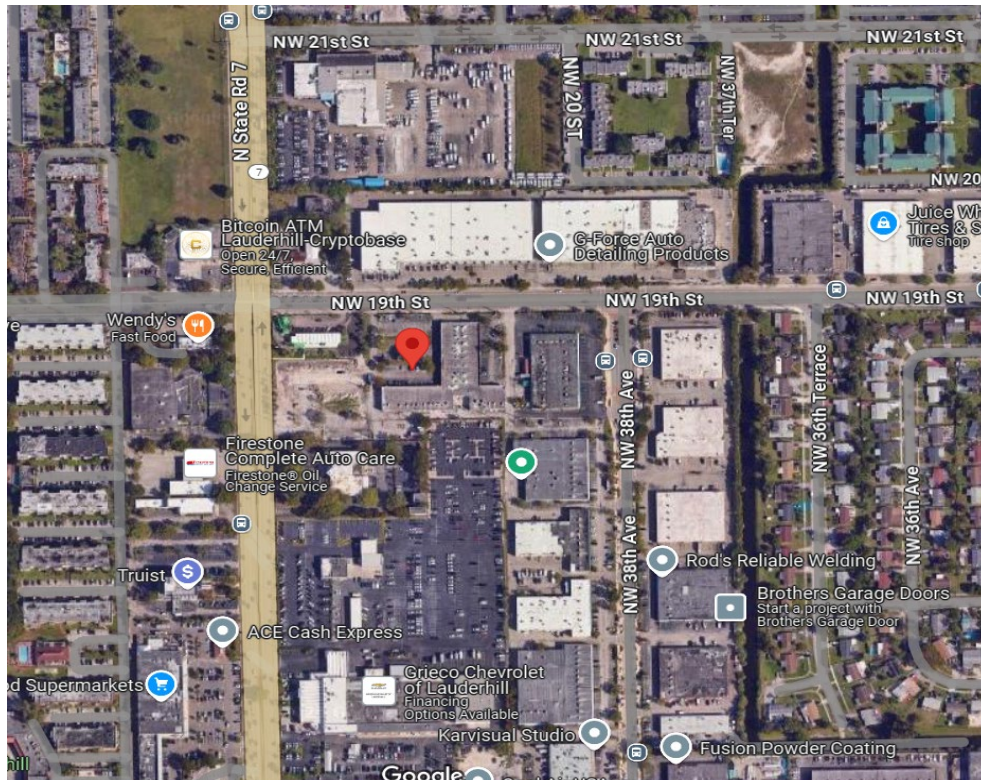
The Petitioner, Vernon Burroughs, Owner and Operator of 4 AM Lounge Bar and Grill, has filed a Special Exception Use application. Figure 1, below, provides an aerial of the subject site located on the south side of NW 19 Street & east of NW 40 Avenue. The following information has been prepared for your consideration.

I. BACKGROUND INFORMATION

Requested Action

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). They are seeking approval of a Special Exception Use to add “Hookah lounge” in their commercial space approximately 4,200 square feet at the subject property (3974 NW 19 Street, Lauderhill, Florida) on a 2.62 acre site.

Figure 1



Applicable Land Development Regulations

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

LDR Article III., Section 5.51., Standards for a “Hookah lounge/ bar”

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

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

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

LDR Article IV., Section 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 IV., 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

II. SITE INFORMATION

Legal Description

INDUSTRIAL 100 UNIT 1 85-3 B PORTION OF TRS A & B DESC AS: COMM MOST NLY NW COR SAID TR A, S 193 TO POB, CONT S 132.01, E 157.88, N 25, E 210, N 1, W 10, N 102.01, W 368.09 TO POB, AS RECORDED IN PLAT BOOK 85, PAGE 3 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. Folio #4942 31 25 0028, MORE COMMONLY KNOWN AS 3974 NW 19 ST.

Address:

3974 NW 19 ST

Tax Folio Number(s):

494231250028

Land Use/Zoning:

Existing Use(s)	Commercial/ Retail – Shopping Center
Future Land Use Designation	Transit Oriented Corridor
Zoning Designation	(CW) Commercial, Warehouse and Arts & Entertainment Overlay District

Adjacent Designations:

	Existing Use(s)	Land Use Designation	Zoning
North	Warehouses	City of Lauderdale Lakes - Commercial	City of Lauderdale Lakes – B-4
South	Automotive Car Dealership	Transit Oriented Corridor	CG (Commercial, General)
East	Commercial – Retail, Place of Worship	Transit Oriented Corridor	CW (Commercial, Warehouse)
West	Automotive – Car Wash	Transit Oriented Corridor	CG (Commercial, General)

III. ZONING HISTORY

Existing Special Exceptions

None.

Violations

None

Existing Variances

None

IV. PLANNING ANALYSIS

As stipulated in the Land Development Regulations, Article IV, Section 4.6 Standards for Approval, the Planning and Zoning Department 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 Lauderdale.
7. Factors relating to safety, health, and general public welfare.

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 a bar, restaurant bars, with an accessory hookah lounge and professional offices.

4 AM Lounge Bar and Grill is an existing "Restaurant Bar with accessory Live Entertainment," which is seeking approval to expand their services to add a Hookah Lounge. Records show that 4 AM Lounge Bar and Grill opened for business on August 27, 2024 and has been responsibly operating within the scope of their approvals since this time.

In 2023, the City Commission adopted an ordinance (23O-10-136), which amended the Land Development Regulations adding "Hookah Lounge/Bar" as a Use permitted by Special Exception in 3 zoning districts (CC, CW & CE). In addition to defining the use, standards were adopted to ensure that the appropriate ventilation was installed in accordance with the Florida Building Code (Article III Section 5.51).

V. RECOMMENDATION/ACTION

The Planning and Zoning Department recommends the City Commission approve this "Hookah Lounge" as accessory to the Restaurant Bar 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. 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.
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 development permit or site plan approval is applied for 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.
9. 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.

VI. ATTACHMENTS

1. N/A