

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 _____ day of _____, 2024.

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

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

Approved as to Form

Angel Petti Rosenberg
City Attorney