



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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In Control: City Commission
Meeting

File Created: 05/28/2024

File Name: Special Exception Coco Flow Restaurant

Final Action:

Title: **RESOLUTION NO. 24R-06-114: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL GRANTING TO EARLEY ROYSE, LLC D/B/A COCO FLOW RESTAURANT A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE CONVEYANCE OF A RESTAURANT, FAST FOOD, WITH DRIVE THROUGH USE, WITH DOUBLE LANES AND A WALK UP WINDOW ON A 0.83± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF "INDUSTRIAL "100" UNIT TWO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN OFFICIAL RECORDS BOOK 85, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1550 N. STATE ROAD 7, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

Notes:

Sponsors:

Enactment Date:

Attachments: RES-24R-06-114-Special X - Coco Flow Restaurant.pdf, Attachment A - SEU Application, Attachment B - Development Review Report (DRR), Attachment C - Public Notice Affidavit, Coco Flow SEU Affidavit - revised - signed

Enactment Number:

Contact:

Hearing Date:

* **Drafter:** apetti@lauderhill-fl.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 24R-5669

RESOLUTION NO. 24R-06-114: A RESOLUTION OF THE CITY COMMISSION OF

THE CITY OF LAUDERHILL GRANTING TO EARLEY ROYSE, LLC D/B/A COCO FLOW RESTAURANT A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT THE CONVEYANCE OF A RESTAURANT, FAST FOOD, WITH DRIVE THROUGH USE, WITH DOUBLE LANES AND A WALK UP WINDOW ON A 0.83± ACRE SITE LEGALLY DESCRIBED AS A PORTION OF “INDUSTRIAL “100” UNIT TWO” ACCORDING TO THE PLAT THEREOF AS RECORDED IN OFFICIAL RECORDS BOOK 85, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1550 N. STATE ROAD 7, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Request Action:

Consideration for a Special Exception Use to allow the continuation of an existing Restaurant, Fast Food, with drive through Use with double lane drive through with Walk Up window within the General Commercial (CG) Zoning District.

Need:

To approve a special exception use with conditions.

Summary Explanation/ Background:

The Applicant (John Rapp on behalf of Karl Gordon for Earley Rosye, LLC. D/B/A Coco Flow Caribbean Restaurant) is requesting special exception approval to utilize an existing building for a new Fast Food Restaurant with double lane drive-through and walk-up window within the General Commercial (CG) Zoning District at the subject property (1550 N State Road 7 (AKA: US 441)).

The building was built in 1990 as a Fast Food restaurant with dual drive through lanes use. The first operator of the site was Hot N' Now Hamburgers, which remained open for 5 years. The subject site has direct access to the west from North State Road 7 (AKA: US 441). Following “Hot N' Now Hamburgers,” subsequent operators have maintained the property as various fast food restaurants included but not limited to: Monster Burger, Dolphin Fish and Chicken, Captain Shrimp, La Granja, and Father and Sons Smoke til u Choke BBQ.

The Applicant intends to make improvements to the exterior of the site to accommodate outdoor seating; however, the plans submitted have not been reviewed by the Development Review Committee (DRC) for approval. Staff has included in their recommendation a Site Plan Modification application be submitted to the Planning and Zoning Department to address all exterior improvements, existing and proposed. This may include but not be limited to; the outdoor cooking structure, the outdoor seating area, landscaping, lighting.

Based on our review, Staff finds that the Applicant has demonstrated compliance with all applicable special exception considerations and recommends approval of the request subject to the following conditions:

1. This Special Exception Use (SEU) development order for a double drive through lane and walk up window connection with a Restaurant, Fast Food Use, with Drive Through and Outdoor Cooking and Seating shall be specifically granted to Earley Royse, 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 Earley Royse, LLC operates the use.

2. The double drive through lane is limited to the location and configuration as depicted on an approved site plan. Any expansion, alteration, enlargement or removal to another location of this use shall require an additional special exception use development order from the City Commission.

3. Within 90 days of the date of this approval a Site Plan Modification (SPM) application must be filed to address: outdoor seating, landscaping, lighting, outdoor cooking structure, modified chickee hut and any additional exterior improvements identified at the site, as required by the City of Lauderhill Development Review Committee. The associated permitting must be filed and work completed within 180 days of this approval. Failure to obtain SPM approval and complete required work will result in the revocation of this SEU approval.

4. Outdoor cooking may not be operated until the outdoor cooking area has been approved as an accessory use through the Certificate of Use (COU) process.

5. City Manager approval of DRC approved Outdoor seating configuration is required at time of Certificate of Use (COU) review.

6. Drive Through hours of operation are limited to the following: Drive through lanes: Sunday from 7:00 a.m. to 12:00 am and Monday through Saturday from 7:00 a.m. to 2:00 a.m.

7. Walk-up window hours of operation are limited to: Sunday from 7:00 a.m. to 12:00 a.m. and Monday through Saturday from 7:00 a.m. to 12:00 a.m., until such time as a Site Plan Modification application is approved allowing for the CPTED (Crime Prevention Through Environmental Design) review of the walk-up window configuration from the DRC to include the Lauderhill Police Department. Should the DRC approve the proposed configuration, the walk-up window hours of operation may be extended until up to 2:00am to be consistent with that of the drive-through. Should the DRC oppose, hours of operation for the walk up window shall be restricted to the above.

8. A trash receptacle shall be located between the service windows where food is dispensed and the end of the drive through driveways for each drive through lane.

9. 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.

10. 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.

11. 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

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

13. The owner shall coordinate with the City of Lauderhill police department to install security cameras and license plate readers. The security cameras shall be compatible with and provide access to Broward Sheriff's Office (BSO) Real Time Crime Center.

As stated at the city commission meeting, this special exception does not grant the sale, use, service, possession, or consumption of alcohol on premises nor is any live entertainment permitted. A special event permitted would be required for any special event on premises.

Attachments:

Attachment A: SEU Application

Attachment B: Development Review Report (DRR)

Attachment C: Public Notice Affidavit

Attachment D: SEU Conditions Affidavit

Cost Summary/ Fiscal Impact:

The Planning & Zoning Department finds that the implementation of this resolution/ordinance will not require a budget allocation or expenditure of city funds and concludes it does not have any direct fiscal impact on the city's budget.

Estimated Time for Presentation:

5 minutes