



City of Lauderhill

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

File Details

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In Control: City Commission
Meeting

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File Name: Special Exception Petroleum Consolidators

Final Action:

Title: RESOLUTION NO. 24R-07-144: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO FLORIDA GRANTING PETROLEUM CONSOLIDATORS, INC., SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG), ZONING DISTRICT THE CONVEYANCE OF AN EXISTING SERVICE STATION WITH CONVENIENCE STORE USE ON A 0.68± ACRE SITE LEGALLY DESCRIBED AS PHILLIPS LAUDERHILL 67-12 B PARCEL A LESS THAT PORTION AS SHOWN ON MMB 9-64 B OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; MORE COMMONLY KNOWN AS 2099 N. STATE ROAD 7, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Notes:

Sponsors:

Enactment Date:

Attachments: RES-24R-07-144-Special X -Petroleum Consolidators.pdf, Attachment A - SEU Application, Attachment B - Development Review Report (DRR) 24-SE-004, Attachment C - Public Notice Affidavit, Attachment D - SEU Conditions Affidavit

Enactment Number:

Contact:

Hearing Date:

* **Drafter:** dkeester@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-5699

RESOLUTION NO. 24R-07-144: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING A SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO FLORIDA GRANTING PETROLEUM

CONSOLIDATORS, INC., SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG), ZONING DISTRICT THE CONVEYANCE OF AN EXISTING SERVICE STATION WITH CONVENIENCE STORE USE ON A 0.68± ACRE SITE LEGALLY DESCRIBED AS PHILLIPS LAUDERHILL 67-12 B PARCEL A LESS THAT PORTION AS SHOWN ON MMB 9-64 B OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; MORE COMMONLY KNOWN AS 2099 N. STATE ROAD 7, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Request Action:

Consider a Special Exception Use with conditions for a service station with convenience store use by Petroleum Consolidators, Inc. to allow continued use within the Commercial General (CG) zoning district of an Existing Service Station with Convenience Store on an approximately 0.68± acre site located at 2099 N State Road 7, Lauderhill, Florida.

Need:

The applicant is seeking approval of a special exception to continue the operation of a service station and convenience store use.

Summary Explanation/ Background:

The applicant is requesting a conveyance of an existing service station with convenience store located at 2099 N State Road 7. Pursuant article IV sec 4.10, a special exception is required for conveyances of service stations with convenience store uses. The City Commission approved a special exception for the previous owner (M.C. Energy LLC) via Resolution (02R-04-72); however, the property was recently acquired by a new entity (Sunshine Real Estate Holdings LLLP). The Land Development Regulations (LDR's) does not allow the conveyance of special exceptions to new owners for certain uses (including service stations and convenience stores) - Article IV Section 4.10 - Conveyance of uses that are subject to special exception approval. The proposed service station with convenience store will operate in the same capacity as the existing operator and will employ 12 employees. Hours of operation will be 24 hours Sunday through Saturday. The Planning and Zoning Department has reviewed the proposed request pursuant to the 7 special exception considerations. Staff finds the proposed use to be generally consistent with the considerations. The Development Review Report (DRR) outlines in greater detail the considerations and staff's findings. Based on our review, staff recommends approval of the special exception request subject to conditions.

In order to ensure potential effects on the surrounding area is minimized, staff recommends the following conditions be imposed:

1. This special exception use development order to allow the Service Station with Convenience Store is specifically granted to Petroleum Consolidators Inc. d/b/a 441 Marathon 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. Notwithstanding, the service station and convenience stores may be operated by other business entities so long as there is no change in ownership as specified herein.
2. The Service Station with Convenience Store use is restricted to 2,626 square feet of leasable space located at 2099 N State Road 7 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 Service Station with Convenience Store days and hours of operation are Sunday through Saturday 24 Hours. Alcoholic beverage sales will be limited to beer and wine on the days and hours imposed by Land Development Regulations Article III., Part 5.0., Subsection 5.3.1.A.

4. Petroleum Consolidators Inc. shall comply with all of the requirements of Section 812.173, Florida Statutes regarding security at convenience stores as well as comply with all provisions required in Article VII Section 12-106- Convenience Stores of the Code of Ordinances and Article III Sec 5.15.A of the Land Development Code. Such conditions must be met and required at time of Certificate of Use.

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 Certificate of Use (COU) 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.

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

10. Property Owner or Operator must provide a security plan that demonstrates how they will prevent and reduce the amount of police calls associated with trespassing or the presence of other loitering. In addition to said security plan the property owner or operator shall also provide a property maintenance plan that demonstrates how they will maintain cleanliness in compliance with the Code of Ordinances.

Attachments:

Attachment A: SEU Application

Attachment B: Development Review Report (DRR) 24-SE-004

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