

City of Lauderhill

Special Exception Application No. 20-SE-05

Carom Billiards, Inc.

I. APPLICANT INFORMATION

PETITIONER

Jairo Lenis

STATUS OF PETITIONER

Owner representative

II. BACKGROUND INFORMATION

Requested Action

Adopt a resolution granting to the petitioner Carom Billiards, Inc approval of a Special Exception Use Development Order to allow within the General Commercial (CG) zoning district a Billiard or Pool Hall Use in a 1,622 square feet bay in a 33,879 square foot shopping plaza on a 3.12± acre site located on an approximately 2 acre site within the (CG) General Commercial zoning district. Legally described as Boulevard Shoppes No 1 106-45, 1 B Lot 2, 3, 4, and 5, Block 4, According to the Plat thereof, as recorded in Official Records Book 106 Page 45, of the Public Records of Broward County, Florida and more commonly known as 5141 N. University Drive Lauderhill, Florida.

Applicable Land Development Regulations & City Codes:

Article IV, Part 4, Section 4.4. Approval for Special Exception Uses.

Article III, Section 2.3. Allowable land uses.

Article IV, 4.3 B. Existing zoning provisions and uses.

III. SITE INFORMATION

Location/Legal Description

Legally described as Boulevard Shoppes No 1 106-45, 1 B Lot 2, 3, 4, and 5, Block 4, According to the Plat thereof, as recorded in Official Records Book 106 Page 45, of the Public Records of Broward County, Florida and more commonly known as 5141 N. University Drive Lauderhill, Florida.



Land Use/Zoning:

| | |
|-----------------------------|--------------------|
| Existing Land Use | Commercial |
| Future Land Use Designation | Commercial |
| Zoning Designation | General Commercial |

Adjacent Designations:

| | Existing Use | Future Designation | Zoning |
|-------|---|---------------------|--|
| North | Commercial Uses, Vacant Target and Retail and Restaurant Outparcels | Commercial | (CG) General Commercial |
| South | Commercial, Thrift Store | Commercial | (CG) General Commercial |
| East | N. University Dr. R.O.W. then Commercial Plaza | Commercial | N. University Dr. R.O.W. then (CG) General Commercial |
| West | Canal then Single Family Residential Homes | Low (5) Residential | (PO) Parks and Open space, canal then (RS-5) Residential Multi-Family at 5 dwelling units per acre |

IV. ZONING HISTORY

Existing Special Exceptions

None.

Violations

None.

Existing Variances

None

V. PLANNING ANALYSIS

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

The subject location is a 1,622 square foot commercial unit within a 33,879 square foot shopping center located on a 3.12± acre site within the General Commercial (CG), zoning district. The plaza is generally located on the west side of N. University Drive, north of NW 50th Street and South of W. Commercial Blvd. The plaza is a U shaped building with parking inside the U between the building and the street. Figure 1 is an aerial photograph highlighting in blue the subject property and showing the general location of the property in relation to the surrounding roadways and uses.

According to Broward County Property Appraiser, the building was erected in 1988. Based on City of Lauderhill records the units within the plaza are occupied by a retail thrift store use, a training use that includes martial arts and indoor soccer training, and a retail mattress store use.

Carom Billiards also called French Billiards a form of billiards that is played with three balls, two white and one red, on a billiards table without pockets. The floor plan proposes 6 carom billiards tables, 10 tables, 40 chairs or stools, two bathrooms, and a service counter.

The applicant is proposing to operate a Billiard or Pool Hall use with light food service, and with the possibility of adding beer and wine service in the future. Carom Billiards also called French Billiards a form of billiards that is played with three balls, two white and one red, on a billiards table without pockets. The floor plan proposes 6 carom billiards tables, 10 tables, 40 chairs or stools, two bathrooms, and a service counter. The proposed hours of operation are from 11:00 a.m. to 11:00 p.m. Sunday through Thursday and 11:00 a.m. through 2:00 a.m. Fridays and Saturdays.

The use of Billiard or Pool Hall does not provide for an accessory alcoholic beverage use. Therefore, alcoholic beverage sales and consumption are prohibited at his location, unless and until a full restaurant license is issued by the State of Florida Department of Business and Professional Regulation at which time the sales of beer and/or wine would be allowed as a permitted accessory use to the restaurant through the Certificate of Use review process, without the need for Special Exception Use approval.

The site has been home to a variety of uses since it was erected. Staff finds that the use of a Billiards or Pool Hall should create generally the same amount of impacts on traffic, utilities, and community facilities as a restaurant use would. Staff finds that this commercial corridor is a suitable location for the subject use.

Based upon its review, staff finds the proposed use of a Billiard or Pool Hall to be consistent with the above considerations. As such, staff recommends approval of the special exception request subject to the recommended conditions.

VI. RECOMMENDATION/ACTION

Division recommendation. The Planning and Zoning Division recommends the City Commission adopt a resolution granting to Carom Billiards, Inc. a Special Exception Use development order to allow a Billiard or Pool Hall use on a 0.77± acre site zoned General Commercial (CG) district and legally described as Boulevard Shoppes No 1 B Lots 2, 3, 4 & 5 Block as recorded in in Plat Book 106, Page 45 of the Public Records of Broward County, Florida and more commonly known as 5141 N. University Drive W. Oakland Park Blvd, Lauderhill, Florida, subject to the following conditions:

1. This special exception use development order for a Billiard or Pool Hall use is specifically granted to Carom Billiards, Inc. and such development order cannot be assigned, leased, subleased, transferred, or otherwise conveyed to another person or entity. Further, this special exception use development order shall automatically expire and become null and void if any person or entity other than Carom Billiards, Inc. operates the land use.
2. The Billiard or pool Hall use is restricted to 1,622 square feet of leasable space as shown on the floor plan, the street address being 5141 N. University Drive, Lauderhill, Florida. Consistent with Land Development Regulation Article IV., Part 4.0, Section 4.3., the expansion, alteration, enlargement, or removal to another location of these uses is prohibited and shall be unlawful unless the City Commission amends this development order to allow such expansion, alteration, enlargement, or removal to another location.
3. The hours of operation are limited to Sunday through Thursday from 11:00A.M. until 11:00P.M. and Fridays and Saturdays from 11:00A.M. until 2:00A.M.

4. Alcoholic beverage sales and consumption are prohibited, unless and until a full restaurant license is issued by the State of Florida Department of Business and Professional Regulation at which time the sales of beer and/or wine would be allowed as a permitted use through the Certificate of Use review process, without the need for Special Exception Use approval.
5. If the City's Police Department or Code Department records more than three instances regarding noise, loitering, parking or criminal activity, either from observation by police officers or verified from complaints by three or more unrelated individuals, within any ninety (90) day period, the special exception use 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 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, if appropriate, is applied for within the one hundred eighty-day period.
8. If the use which has been granted a Special Exception shall cease to operate for a period of one (1) year, the Special Exception Use approval shall expire

VII. ATTACHMENTS

- A. SEU Application
- B. Site Plan
- C. Floor plan
- D. Applicant ID
- E. Property owner authorization
- F. SEU Conditions Affidavit

Prepared by: Molly Howson, Associate City Planner

Date: May 14, 2020