

City of Lauderhill

Special Exception Application No.20-SE-0016

Three Amigos Lauderhill, LLC

I. APPLICANT INFORMATION

PETITIONER

Three Amigos LLC/ Robert Suris

STATUS OF PETITIONER

Managing Member

II. BACKGROUND INFORMATION

Requested Action

Request for a Special Exception Use development order to allow within the Residential Multi-family (RM-40) Zoning District a Special Exception Use approval for a Multi-Family Dwelling Units, Attached Use.

Applicable Land Development Regulations

- Article III, Section 2.3- Allowable land uses.
- Article III, Section 3.1.15- Residential multi-family at forty (40) dwelling units per gross acre (RM-40) zoning district.
- Article IV, Section 4.3 B- Existing zoning provisions and uses
- Article IV, Section 4.4- Approval for Special Exception Uses
- Article IV, Section 4.6- Standards for approval
- Schedule B- Allowable Uses

III. SITE INFORMATION

Address

7730 W Commercial Blvd

Lauderhill Florida 33351

Legal Description

UNIVERSAL PLAZA 100-9 B PT OF PAR A DESC AS COMM NE COR OF SAID PAR A;W 40,S 203.50 TO POB CONT S 154.25,W 162.63, S 499.49,W 617.37 TO SW COR PAR A;N 1120.40 TO NW COR SAID PAR A,E 36.45,S 221.67,E 189,N 218.04,E 20,S 40.41,E 119.50,S 128.22,E 164.93,S 98.89,W 15.30, S 203.50,E 265.30 TO POB AKA: TARGET TRACTof the public records of Broward County, Florida

Folio

4941 16 03 0020

Figure 1- Aerial of Property Outlined in Red



Land Use/Zoning:

Existing Land Use	Commercial
Future Land Use	Commercial Pending a Land Use Plan Amendment to High (50) Residential
Zoning Designation	(CG) Commercial General Pending a Rezoning Application to Residential Multi-Family (40)

Adjacent Designations:

	Existing Use	Future Designation	Zoning
North	City of Tamarac/ Commercial	City of Tamarac/ Commercial	City of Tamarac/ CG
South	Single Family Homes/ Commercial Plaza	Low (5) Residential/ Commercial	RS-5/CG
East	Commercial	Commercial	CG
West	Single Family Homes/ Commercial Plaza	Low (5) Residential/ Commercial	CG

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 Lauderdale.
7. Factors relating to safety, health, and general public welfare.

1. The effect of such use on surrounding properties:

The subject site is bounded to the North by the both Commercial Outparcels and the City of Tamarac, to the East by Commercial Outparcels, to the West by both Commercial properties and Single Family Residences, and to the South by both Commercial properties and Single Family Residences.

The proposed Multi-Family Development will provide for less impactful traffic in comparison to the pre-existing Commercial Use as confirmed by the City's Traffic Consultant.

The project is also proposed to be setback more than 94 feet from both the South and West property lines (including a lush landscape buffer) and an additional 90-98 feet from the existing single family homes South and West of the proposed multifamily buildings in order to provide a less impact line of vision as compared to the existing structure which is approximately 40-66 feet from the South and West property lines.

The proposed project will additionally provide patrons to the abutting commercial outparcels and provide for shared access and parking.

Staff concludes that as it pertains to the effect of the use on surrounding properties, this application is **in conformance** with LDR ART IV, 4.0 Section 4.6.A, standards for approval of a special exception use as the proposed Use will reduce the existing impact to the Single-Family Neighborhood located to the South and West of the Subject Site and help to economically stimulate the abutting commercial outparcels.

2. The suitability of the use in regard to its location, site characteristics, and intended purpose:

Pursuant Article III Sec 3.1.15- *The purposes of the residential multi-family at forty (40) dwelling units per gross acre (RM-40) zoning district is to:*

1.Allow vacant commercial and light industrial lands and underutilized or obsolete commercial and light industrial uses to be developed or redeveloped with residential multi-family uses;

2.Provide for market rate housing;

3.Allow limited commercial uses as accessory to the residential uses;

4.Encourage the most appropriate use and re-use of land and water by providing a zoning district with flexible development standards; and

5. Implement the recommendations of the Strategic Redevelopment Plan for SR-7 and the Citizen's Master Plan (Charette) for SR-7 which call for the development and redevelopment of some areas zoned commercial and light industrial district with residential uses.

Staff concludes that the overall intent of the RM-40 zoning district is met through the proposed Multifamily Dwelling Units, Attached Use as the project will provide for Market Rate Housing that will replaced the vacant commercial building existing on site.

In the Spring of 2019, the City of Lauderhill invited the Urban Land Institute Southeast Florida/Caribbean District Council to conduct a comprehensive analysis regarding its overall future development while examining three specific key sites within the City. This subject site (known as the Target site within the report) was encouraged to contain Residential uses that can support onsite commercial uses in order to have true mixed use project that keeps the character of the Commercial Corridor and also adapts to the City's need for Market Rate Housing.

Staff also concludes that the project **complies** with the suitability of the use in regards to the location and site characteristics.

3. Access, traffic generation and road capacities:

The proposed Site Plan provides for adequate external and internal circulation. A traffic study was provided by the Applicant and analyzed by the City's Traffic Consultant in which it was determined that the proposed Multifamily Use would reduce the impact of Traffic rendered by the existing Commercial Use.

Staff concludes that the application **is in conformance** with LDR ART IV, 4.0 Section 4.6.C, standards for approval of a special exception use.

4. Economic benefits or liabilities:

The proposed Multifamily project will bring 501 new dwelling units to the City's Tax Role and will aid to increase the services provided to the public.

Staff concludes that as it pertains to economic benefits and liabilities, this application is in **conformance** with LDR ART IV, 4.0 Section 4.6.D, standards for approval of a special exception use.

5. Demands on utilities, community facilities, and public services:

The new construction of the building will create a demand on the City of Lauderhill's fire, police, and utilities services as the site is improved with a vacant commercial building.

The developer will be required to pay all applicable impact fees at time of building permit in order to be in **conformance** with LDR ART IV, 4.0 Section 4.6.E.

6. Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill:

The subject site is currently designated Commercial on the City's Future Land Use Map Series (FLUMS) and the Future Broward County Land Use Plan Map which does not allow for residential uses.

The Applicant submitted a Land Use Plan Amendment (LUPA) application to change to the Future Land Use Category from Commercial to High (50) Residential and a Zoning Map Amendment Application to change the Zoning District from General Commercial (CG) to Residential Multifamily (RM-40).

The Applicant will **comply** with the comprehensive land use plans for Broward County and/or the City of Lauderhill LDR ART IV, 4.0 Section 4.6.F, as once the LUPA and Rezoning are approved by the City of Lauderhill.

This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill's City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.

7. Factors relating to safety, health, and general public welfare:

Staff concludes that as it pertains to factors relating to the general public welfare, this application is **in conformance** with LDR ART IV, 4.0 Section 4.6.G, standards for approval of a special exception use as there are pending materials to be submitted to the City of Lauderhill.

The project will need to conform to all safety, health, and general public welfare standard as stipulated within the Comprehensive Plan, Code of Ordinance, and Land Development Code.

Based upon its review, staff finds the proposed use to be consistent with the above considerations and recommends the following conditions should the City Commission decide to move forward with a recommendation of approval:

1. This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill's City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.

2. A Maintenance agreement shall be provided before the issuance of any Development Order.
3. A recorded Shared Access/ Shared Parking agreement shall be provided before the issuance of any Development Order.
4. 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.
5. 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.
6. 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.
7. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

VI. ATTACHMENTS

- A. Application submission for SEU
- B. Site Plan
- C. Floor Plans
- D. Affidavit

Prepared by: Chris Torres
City Planner

Date: December 9, 2020