Development Review Report (DRR)

To: Daniel T. Keester-O'Mills, AICP, *Planning & Zoning Director*
From: Nadine Fearon, *Associate Planner*
RE: Special Exception Application No. 24-SE-019 (3550 NW 16 Street)
Date: November 20, 2024

The applicant Greenspoon Marder, LLP (Matthew H. Scott, ESQ.) is representing the Petitioner, Carlos Arruza (Owner of SSI Lubricants, LLC), and has filed a special exception application. Figure 1, below, provides an aerial of the subject site located on NW 16 Street between NW 38 Avenue and NW 34 Terrace. The following information has been prepared for your consideration:

I. BACKGROUND INFORMATION

Requested Action

The Petitioner requests a Special Exception Use to allow Carlos Arruza (Owner of SSI Lubricants, LLC) an outdoor storage/bulk storage of gas, oil and other fuels, within the Light Industrial (IL) zoning district on an approximate 0.91± acre site for the storage of commercial vehicles and equipment in a fully enclosed screened area, located at 3550 NW 16 Street, Lauderhill, Florida 33311.

Figure 1

Applicable Land Development Regulations

LDR Article IV., Part 1.0., Subsection 1.3.1., addresses the pre-application conference

Article IV, Section 1.3.2 – Completeness of Application, provides for the Department to review any land development order application

Article IV, Section 1.4.4 – Major Review, provides that within 45 days from the acceptance of the application for development subject to major review

Article III, Sections 2.3 and 2.4., and Schedule B – Allowable Land Uses; Additional requirements for Specific Uses; Allowable Uses

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

Article IV, Section 4.4 - Approval for Special Exception Uses

Article IV, Section 4.5.B – Application for Approval, provides the Department shall not accept a special exception use application if the property is subject to unpaid city liens, fines or fees

Article IV, Section 4.6 - Standards for approval, provides the City Commission, in reviewing any application for a special exception use, shall consider seven (7) specific standards

II. SITE INFORMATION

Legal Description:

INDUSTRIAL 100 UNIT 2 85-2 B TR E,POR DESC AS COMM AT SE COR OF SAID TR,N 329.65,W 1080.33, N 203.95 TO POB,CONT N 204.17, E 97.53,S 204.06,W 97.61 TO POB DESC IN OR 17866/376 TOG WITH A POR OF TR E DESC AS COM AT SE COR SAID TR E,THEN N 329.65,W 982.63,N 203.95 TO POB,THEN CONT N 204.06,E 97.71,S 203.94,W 97.71 TO POB

Address:

3550 NW 16 Street, Lauderhill, Florida 33311

Tax Folio Number(s):

4942 31 24 0042

Land Use/Zoning:

Existing Use(s):	Commercial – Vacant Land
Future Land Use Designation:	Industrial
Zoning Designation:	Light Industrial (IL)

Adjacent Designations:

	Existing Use	**Future Designation**	**Zoning**
North	Industrial – Automotive, Wholesale	Industrial	Light Industrial (IL)
South	Industrial – Moving Company	Industrial	Light Industrial (IL)
East	Industrial – Warehouse/ Offices	Industrial	Light Industrial (IL)
West	Industrial – Warehouse/ Offices	Industrial	Light Industrial (IL)

III. ZONING HISTORY

Existing Special Exceptions

- The City Commission granted a resolution (24R-06-113) authorizing the storage of commercial vehicles and equipment in a fully enclosed screened area to the existing owner Boye's Inc. on June 10, 2024.

Violations

None

Existing Variances

None

Development History

- The approximately 0.91± acre vacant parcel located within the Light Industrial (IL) zoning district is currently owned by Boye's Inc. who applied for special exception use January 22, 2024 to allow storage of commercial vehicles and equipment in a fully screened area. The City Commission granted the special exception (resolution 24R-06-113) on June 10, 2024. Boye's Inc. is now in contract to sell said parcel to SSI Lubricant, LLC whom proposes outdoor storage/bulk storage of gas, oil and other fuels. City of Lauderhill's Land Development Regulation does not allow transfer of special exception approvals; therefore, SSI Lubricant, LLC is requesting outdoor storage/bulk storage of gas, oil and other fuels storage of commercial vehicles and equipment in a fully screened area.

- The Land Development Regulations Schedule A, Land Use Classifications, Uses provides that Outdoor Storage uses be allowed through Special Exception Use approval on sites within the Light Industrial (IL) designation and within a fully enclosed screened area designed and maintained so as not to be visible at street level from abutting property or rights of way. Therefore, should approval be granted, a Site Plan application would be required to install the required fencing and screening as well as to address landscape, paving, lighting and drainage improvements.

IV. 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.

Based upon its review, staff finds the proposed use to be generally consistent with the above considerations. As such, staff recommends **approval with conditions** of the special exception request.

1. **The effect of such use on surrounding properties:** The subject property and all of the surrounding properties are designated Industrial in the existing and Future Land Use Map Series. The property is zoned IL (Light, Industrial) on the City of Lauderhill Zoning Map and located along NW 16 Street between NW 38 Avenue and NW 34 Terrace. The Applicant is proposing operations of outdoor storage/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment in a fully enclosed screened area. SSI Lubricants, LLC is a fuel and lubricants distributor, operating since 1964. The products they distribute are sourced in Port Everglades, Florida and from their warehouse in Belle Glade, Florida. The proposed use of this site will not be for distribution purposes but to store their empty commercial vehicles (trucks). Occasionally, the trucks will be preloaded in the afternoon and delivered to their customers the next morning. The trucks will contain ultra-low sulfur or biodiesel. The site will be equipped with Fire extinguishers, secured fencing, security cameras a key FOB to access site. The general public will not have access. As such, Staff concludes that this is an appropriate location for the proposed use as it pertains to the use's effect on the surrounding properties.

2. **The suitability of the use in regards to its location, site characteristics, and intended purpose and access:** The subject site is a vacant parcel in the Light Industrial (IL) zoning district. This parcel is surrounded on all sides by properties zoned Light Industrial and Manufacturing Land Uses. The property is located along NW 16 Street between NW 38 Avenue and NW 34 Terrace. The applicant is intending to storage approximately 15 – 20 commercial vehicles (trucks). The site will be equipped with Fire extinguishers (meets DOT requirements), secured fencing, security cameras a key FOB to access site. No excess noise or vibration is expended onsite. Staff finds that the use is suitable in regard to location, characteristics and purpose.

3. **Access, traffic generation and road capacities:** Staff finds that this proposed site lies more than 500 feet from residential zoned property at its closest point. The site's relatively far distance from General Commercial and Residentially zoned property will help mitigate any noise created by commercial vehicle traffic to and from the site. Traffic is not expected to be significantly impacted based on the proposed use as storage/long term parking with no loading or delivery taking place. As such, Staff determines conformity to these criteria as the intensity of the use will remain the same in regards to access, traffic generation and road capacities.

4. **Economic benefits or liabilities**: Staff concludes that the proposed outdoor storage/bulk storage of gas, oil and other fuels use will provides both direct and indirect economic benefits. The applicant advised that approximately 15-20 employees with estimated salaries: superintendent $45.00/hour and truck drivers $30-$35/hour. An additional benefit is the collected sales tax and local business receipt tax. The indirect economic benefits could include sales taxes collected due to employee expenditures within the City. The economic liabilities would include the continued use of public services and support of other neighboring businesses.

5. **Demands on utilities, community facilities, and public services:** Staff finds that the proposed outdoor storage/bulk storage of gas, oil and other fuels operation of the use should not generate a greater demand on utilities and community facilities.

6. **Compliance with the Comprehensive Land Use Plans for Broward County and/or the City of Lauderhill**: Staff finds that the proposed outdoor storage/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment in a fully enclosed screened area is a commercial use. Both the City and the County plans allow for outdoor storage/bulk storage of gas, oil and other fuels within a commercial corridor. Staff finds that the proposed use is in conformance with the City and County Comprehensive plans.

8. **Factors relating to safety, health, and general public welfare:**
Staff acknowledges that the outdoor storage/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment in a fully enclosed screened area can adversely impact the public safety, health, and general welfare unless such adverse impacts are substantially mitigated. The applicant advised the site will be equipped with Fire extinguishers (meets DOT requirements), secured fencing, security cameras, a key FOB to access site to ensure the safety of community. No excess noise or vibration is expended onsite and the general public will not have access. Staff concludes that through Special Exception Use conditions the adverse impacts of such can be substantially mitigated and that this application is in conformance with LDR Article IV, Part 4.0, Section 4.6.

V. RECOMMENDATION/ACTION

Staff recommends **approval with conditions** of this special exception request for outdoor storage/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment in a fully enclosed screened area. 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 is granted to SSI Lubricants, LLC, and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity. Further, this special exception use (SEU) development order shall automatically become null and void if any entity other than SSI Lubricants, LLC operates this use. All tenants, employees, agents, and independent contractors are subject to, and covered by, the express terms and conditions of this Special Exception Development Order.

2. Within 180 days of the date of the development order SSI Lubricants, LLC will obtain Site Plan approval and associated permits for required site improvements to include but not be limited to: fencing, screening, landscaping, lighting, and drainage.

3. SSI Lubricants, LLC will obtain the associated permits, consistent with the approved site plan, for all improvements associated with the outdoor storage/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment use within one (1) year from the date of approval.

4. A site plan layout shall be provided at the time of application of the updated Certificate of Use required for outdoor storage/bulk storage of gas, oil and other fuels, for the storage of commercial vehicles and equipment use permissions. This floorplan shall be reviewed by the Planning and Zoning division as well as Fire Department for safety of exterior layout.

5. All areas used for outdoor storage shall be constructed with a hard and bonded surface that avoids dust and safeguard groundwater, subject to approval of the Planning & Zoning Director and City Engineer.

6. The use approval for Outdoor Storage shall allow for the storage of commercial vehicles for a period greater than 24 hours. The storage of vehicles as accessory to a new or used vehicle dealer is prohibited. The use of Automotive, wrecking or junkyard is prohibited.

7. Complaints to Code Enforcement or may cause the SEU approval to be reviewed by the City Commission for possible revocation.

8. 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., Section1.8, 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.

VI. ATTACHMENTS

1. N/A