

November 10, 2020

**SUN RECYCLING, CITY OF POMPANO BEACH, SPECIAL EXCEPTION**

**Project No: PZ 20-12000009**

**Reviewer: Jae Eun Kim (954) 545-7778: [JaeEunKim@copbf.com](mailto:JaeEunKim@copbf.com)**

**Special Exception Application: to Section 155.4226.D, Junkyard or Salvage Yard**

The owner (LGL Realty, LTD and Prime Realty Capital, LLC) of the Sun 1 facility is requesting a Special Exception for the expansion of the existing metals processing facility located at 2241 NW 15<sup>th</sup> Court in the City of Pompano Beach. The facility is currently used for the processing of metals to allow for recycling of that material, reducing the need for virgin material. The proposed expansion will be used for further processing of the ferrous metals. The existing metals processing facility was originally approved by the Zoning Board of Appeals in November 2011. The proposed expansion of the facility is consistent with the existing facility.

*a. Is consistent with the comprehensive plan.*

**Response:** The Special Exception requested for the expansion of an existing metals processing facility is consistent with the Comprehensive Plan as it relates solely to the use of a Junkyard within the Industrial Land Use. The Industrial Land Use Element addresses manufacturing, assembly, processing and storage. The use of this proposed request is consistent with the elements of processing within the Industrial Land Use.

*b. Complies with all applicable zoning district standards.*

**Response:** The Special Exception is consistent with the Zoning District Standards for the I-1X, Special Industrial Standards set forth in Section 155.3403.C regarding, lot size, density, coverage, pervious area, height, and all setbacks, as applicable to this parcel of land.

*c. Complies with all applicable use-specific standards in Article 4: Use Standards.*

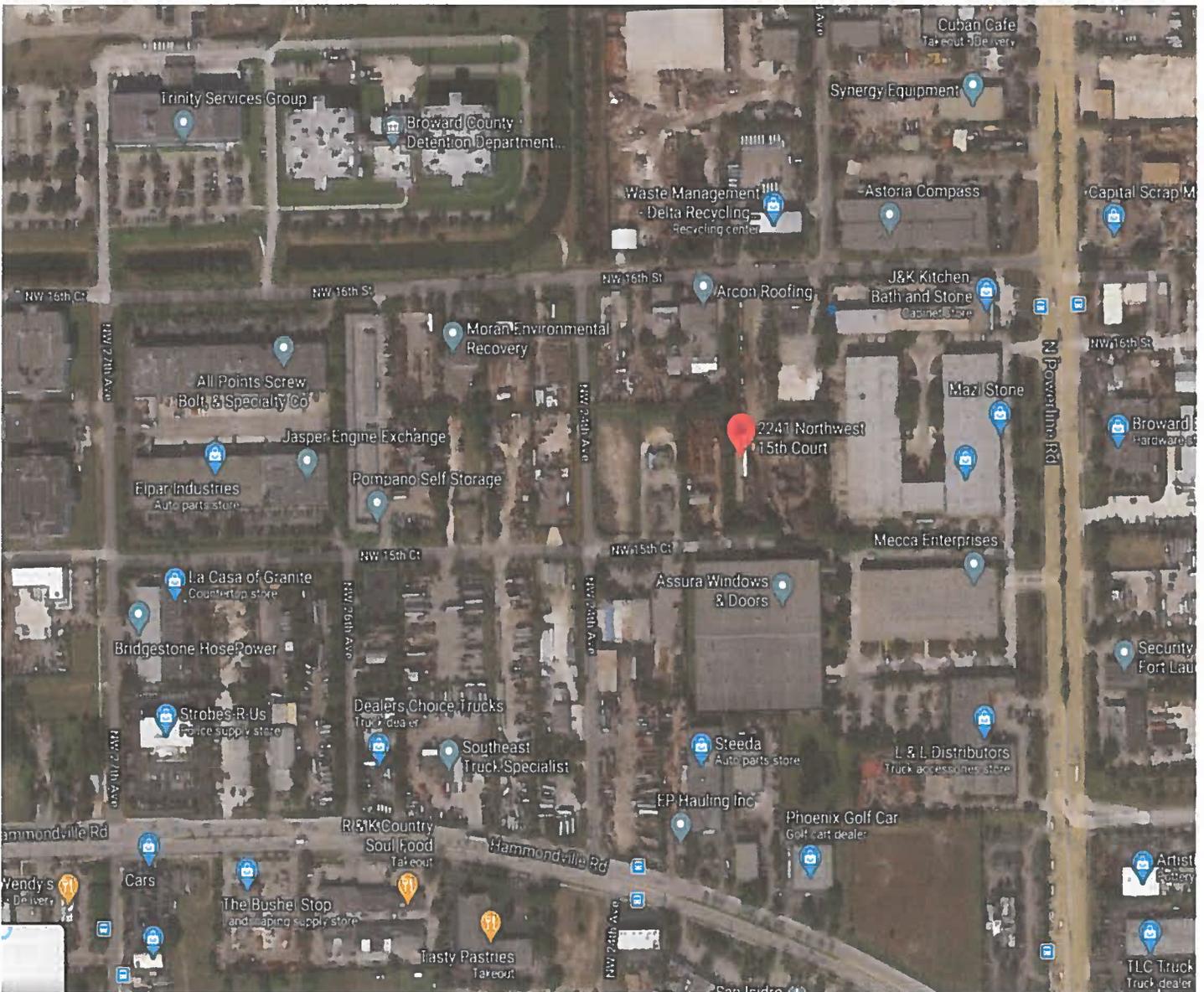
**Response:** The requested Special Exception is consistent with the Article 4: Use Standards for the I-1X, Special Industrial Standards set forth in Section 155.4226.D as an expansion of an existing parcel, regarding, acreage size, Type C perimeter buffers, distance to another similar facility, right-of-way and controlled access to the proposed Project.

*d. Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection.*

**Response:** The Special Exception Use requested will not overburden existing capacity in that there is no new potable water or sewer service required. The stormwater from the 25-year, 3-day storm will be managed through on-site retention. The permit application is currently under review by Broward County. Police and Fire should not be overburdened as this is an expansion of an existing industrial use which is already being serviced, and has been as such for over 10 years.

*e. Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district of neighboring lands. Evidence for this standard shall include, but not be limited to, population, density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood.*

**Response:** The location is compatible and in character with the surrounding vicinity and uses (within 500 feet to a half-mile radius from the site). First off, this proposal is for an expansion of an existing facility which is compatible with itself, which was determined to be appropriate for its location. The facility has a low parking requirement. As for the surrounding vicinity, the Land Use and Zoning are all Industrial, as is this facility. As depicted in the aerial image below, there is no residential and few if any commercial neighborhood uses within the vicinity limits from north of NW 16th, south to Hammondville Road, east to Powerline and west to NW 26th.



*f. Avoids significant adverse odor, noise, glare and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs lighting, and other site elements.*

**Response:** The Special Exception requested is for a Junkyard Use, and while the name of this use seems to be a 'negative' label, the use is for recycling of metals which is a rather odorless and 'clean' recycling process which has little noise, glare and vibration impacts. For this type of use, service delivery and refuse collection are minimal. Additionally, impacts are further mitigated by the structural concrete, screening and the security and compliance methods employed by the facility's Petitioner.

*g. Adequately screens, buffers, or otherwise minimizes adverse visual impacts on neighboring lands.*

**Response:** There are eight (8) 'C' buffers labelled and enumerated on the Landscape Plan, Sheet LP-1 and LP-3 respectively for this Special Exception Use. The Type 'C' buffers employed are the most restrictive buffer type in the City's code and will more than adequately screen and minimize impacts to the neighboring lands. These buffers include, an 8-foot high wall and upper, middle and lower canopy and hedging planting materials for screening.

*h. Avoids significant deterioration of water and air resources, scenic resources, and other natural resources.*

**Response:** Rather than deteriorating the resources, this use is expansion of a facility that processes metal by recycling, thereby creating 'new' resources from existing. Further, the process does not generate odors and all the surface water from the 25-year, 3-day storm will be retained on-site, water and sewer are existing, so the impact will be quite minimal, while providing a sustainable natural by-product resource for the use of others.

*i. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood.*

**Response:** The expansion of the recycling facility which is the Special Exception use requested, will not require modifications to the existing and fully functioning ingress and egress access points and conditions of the site as it is today. The property use since 2012 and traffic flow will remain intact, with the same access and controlled gated access. A sidewalk will be added along NW 16th Street to allow for safer pedestrian access along with and a bicycle rack, for those utilizing bicycles as a means of transport.

*j. Allow for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district.*

**Response:** The code was prepared to protect and enhance property values within the neighborhoods they are in and to minimize impacts to adjacent uses and neighboring lands. The expansion of the facility will not hinder any adjacent uses or property values in that the requirements of the code and the Type 'C' screening described above will both provide for appropriate screening, setbacks of uses and overall efficiency of the use of the land. Additionally, to meeting the standards and requirements of the district, the continued use and expansion of an existing facility to provide a sustainable solution for recycling will also be an overall benefit.

*k. Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses.*

**Response:** The Special Exception use, an expansion of a recycling facility, in fact provides for convenience and servicing of the neighborhood population. The Petitioner would not be expanding their business of recycling were it not for the demand and need of this use.

*l. Complies with all other relevant city, state and federal laws and regulations.*

**Response:** As noted earlier, the relevant City requirements have been met. As a facility that processes metal, there is no State of Florida or Federal Government permitting required. The facility has been designed to meet or exceed design requirements for surface water management.

*m. For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the area affected by the requested special exception, which is typically an area of 500 ft to a one-half mile radius from the subject site.*

**Response:** Impacts on neighboring properties will be minimal, if any, as the expansion of the recycling facility is in character with the surrounding vicinity and uses, as well as, the existing site use of which this will be an extension of. As for the surrounding neighborhood, the Land Use and Zoning are all Industrial, as is this facility. As depicted in the aerial image on Page 2, there is no residential and few if any commercial neighborhood uses within the neighboring areas from north of NW 16th, south to Hammondville Road, east to Powerline and west to NW 26th.

Thank you for your attention to this request and feel free to call me with any questions at 954-802-6292 or email me at [jill@jbcplanning.com](mailto:jill@jbcplanning.com).



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Jill B. Cohen, PLA, AICP  
President, JBC Planning & Design