

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A 200,000 BARREL CAPACITY FUEL STORAGE TANK AS A CONDITIONAL USE AT PORT EVERGLADES AND GRANTING A DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF SUCH USE, LOCATED AT 909 S.E. 24TH STREET, FORT LAUDERDALE, FLORIDA IN THE PEDD ZONING DISTRICT.

WHEREAS, Section 47-15 of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida provides that no development of property in the City shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, Section 47-15, Port Everglades Development District, of the ULDR of the City of Fort Lauderdale, Florida provides the uses, standards and process for approval of development of property in the PEDD zoning district; and

WHEREAS, Section 47-15.20, Limitations on permitted and conditional uses, of the ULDR provides requirements for City Commission review and approval of certain permitted and conditional uses within the PEDD zoning district; and

WHEREAS, an application for approval of a 200,000 barrel capacity fuel storage tank addition has been submitted by Marathon Petroleum Corporation, LP located at 909 S. E. 24th Street, Fort Lauderdale, Florida and located in the PEDD zoning district associated with the development known as Marathon Spangler Terminal; and

WHEREAS, the application has been reviewed in accordance with the requirements for this use pursuant to Section 47-15 and based on the information provided in Commission Agenda Memorandum 15-1298 ("Memorandum") it is recommended to the City Commission that the proposed development plan be approved; and

WHEREAS, the City Commission has consider the compatibility of the proposed use with other uses in the vicinity and the potentially harmful or dangerous effects of such use on persons and property as required by the ULDR; and

WHEREAS, the City Commission of the City of Fort Lauderdale finds:

1. That the land upon which the use is proposed is not necessary for future industrial uses,
2. That the proposal will not adversely affect the future use of surrounding industrially designated lands for industry,
3. That the proposal is designed in such a manner as to preserve, perpetuate and improve the natural environmental character of the proposed site and surrounding area, and
4. That the regional transportation system will have capacity to serve the proposed development at or above service level "D."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the above recitals are true and correct and incorporated into this Resolution by this reference.

SECTION 2. The conditional use and development plan for a 200,000 barrel capacity fuel storage tank addition to an existing petroleum storage facility submitted by Marathon Petroleum Corporation, LP and located at 909 S. E. 24th Street, Fort Lauderdale, Florida within the PEDD zoning district is hereby approved, subject to the conditions imposed by the Department and City Commission.

SECTION 3. That pursuant to the provisions of the ULDR of the City of Fort Lauderdale, Florida, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the Department and City Commission.

SECTION 4. That the issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 5. That this approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 6. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the ____ day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI