

June 27, 2023

Zoning Board of Appeals
City of Pompano Beach
100 West Atlantic Blvd.
Pompano Beach, FL 33060

**Re: 777 Isle of Capri Circle
Temporary Retention Basin /Major Temporary Use Permit**

Dear Members of the Zoning Board of Appeals:

On behalf of the property owner (Pompano Park JV Land Holdings, LLC), KEITH (Agent) is requesting approval of a Major Temporary Use for the construction of a Temporary Retention Basin for the project located at 777 Isle of Capri Circle. The proposed Temporary Retention Basin is intended to be constructed over a portion of an existing parking lot that was utilized as parking for the Harrah's Pompano Beach Casino. With the construction of the new parking garage (BP# 20-00006543), this existing lot is being used as excess parking for the construction crews and as storage for materials being used for the construction sites related to the Pompano LIVE! Development.

Currently, construction of the TopGolf site is underway. This major temporary use approval is needed for TopGolf to open. Construction of the final retention lake will not be completed in time for Top Golf to receive its certificate of occupancy. Granting the temporary use will allow the developer to construct a temporary retention basin to meet the Broward County Surface Water Management criteria per the master plan and allow Top Golf to close out its construction permit and open to the public.

This letter serves as a narrative to address the Review Standards with respect to the request for a Temporary Use Permit (Major) for the referenced property. Please consider the following:

a. Is on its face temporary in nature;

Response: The request is, in fact, temporary in nature. The proposed temporary retention area will be used to meet the Broward County Surface Water Management criteria for stormwater storage/quality until the actual lake is built on the LIVE! project. It is anticipated that the TopGolf site will be complete prior to final construction of the lake. The temporary retention area is needed for TopGolf to open while the lake is completed. It is anticipated that the proposed temporary retention area will be needed for approximately 12 months.

b. Is in harmony with the spirit and intent of this Code;

Response: The proposed temporary retention area will be in harmony with the spirit and intent of the Zoning Code. The temporary retention area is designed to meet all applicable sections of the Florida Building Code and Broward County Surface Water Management criteria. There will continue to be excess parking accommodate construction and customer parking.

- c. *Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;*

Response: The proposed temporary retention basin will not be detrimental to property or improvements in the surrounding area, nor will it be detrimental to the public health, safety, or general welfare.

- d. *Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;*

Response: The proposed temporary retention basin is not intended to pose adverse effects nor impose noise impacts on any adjoining properties, including residential neighborhoods. The nearest residential building is more than 400 feet away on the other side of Powerline Road.

- e. *Is compatible with any principal uses on the site;*

Response: The proposed temporary retention basin is compatible and complimentary to the planned principal use on the existing parking lot. The existing parking lot is being reconfigured and partially demolished, however the majority of the parking lot will still be usable.

- f. *Is located on a site containing sufficient land area to allow the temporary use and associated structures, and accommodate any associated parking and traffic movements, without disturbing environmentally sensitive lands;*

Response: The proposed temporary retention basin is within the land area with no existing building or structures. All parking spaces being removed are excess space and traffic circulation and remaining parking will continue to function with the proposed temporary condition. The temporary use project limit is not located in environmentally sensitive lands.

- g. *Complies with all applicable use-specific standards in Section 155.4403;*

Response: The proposed temporary retention basin will comply with all applicable use-specific standards in Section 155.4403 of the Zoning Code of the City of Pompano Beach.

Our office looks forward to discussing and presenting the Major Temporary Use application with the Zoning Board of Appeals.

Respectfully Submitted,

Michael Amodio

Michael Amodio, AICP

CC: Corey Long, The Cordish Group
Jamila Glapion, The Cordish Group
Chris Andreoni, KEITH

