

November 14, 2022

City of Pompano Beach

100 West Atlantic Blvd

Pompano Beach, FL 33060

**Re: Phoenix Golf Cart 140-160 NW 31st Avenue
Special Exception Review Standard Letter**

The purpose of this letter is to show that the proposed project meets the Special Exception Review Standards. The proposed project is located at 140-160 NW 31st Ave in Pompano Beach, FL. This is a B-3 zoning. The proposed project is a Golf Cart Sales and Maintenance facility, which falls under the Motor Vehicle and Service Uses category as denoted in Section 155.4219.A of the City Code. And as denoted in Section 155.4219.E an Automotive Repair and Maintenance Facility is allowed in B-3 zoning with a Special Exception. The following is a response to each of the Special Exception Review Standards to denote that this proposed project meets the review standards:

a. Is consistent with the comprehensive plan;

The Property is designated as Commercial on the City's Future Land Use map. The commercial land use permits a variety of activities associated with the sale, rental and distribution of products or the provision of services which support the resident and tourist population of the surrounding areas. The sale and maintenance of golf carts is a service that supports residents of the City and is an allowable use within the commercial land use category. In addition, the proposed use furthers the following goals, objectives and policies of the City's Comprehensive Plan:

- Policy 01.01.12 – The City's Future Land Use Map will be in conformance with the County's Land Use Plan and will implement the County's regional vision including provision of essential public services and facilities, enhanced sustainability and livability and give priority to protecting public beach access sites. The proposed use is consistent with both the City and County Commerce land use designation.
- Policy 01.07.17 – The proposed commercial building conform to the requirements of the 60% max lot coverage and max building height of 105ft.
- Policy 01.07.21 – Amend the Land Development Code to require special exception uses on major corridors including the city's gateway streets (Atlantic Boulevard, Dr. Martin Luther King, Jr. Boulevard and NW 31st Avenue) to provide landscaping and beautification in excess of standard code requirements along all major street frontages. Phase 1 of this project already installed additional landscaping within the NW31st Ave frontage, and additional landscaping is proposed near the 31st Ave frontage as part of this phase of the project.

b. Complies with all applicable zoning district standards;

By review of the standards, this proposed project is in compliance with all applicable zoning district standards to the best of our knowledge and belief.

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

By review of the Article 4 Use Standards, this proposed project is in compliance with all applicable use-specific standards stated in Section 155.4219.A regarding Motor Vehicle Sales and Service Uses. The proposed use is discernible from most uses that would fall into this category, and more specifically the Automotive Repair and Maintenance Facility, such as auto repair garages and oil change and lubrication shops. The proposed facility is for golf cart sales and maintenance, so the work that will be taking place inside the facility will not be as work and chemical intensive as the aforementioned examples of businesses typically falling into this category.

- 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;*

The proposed use is consistent with the allowable uses for this location per the City Code. As such, it is not expected to overburden the available capacity of existing public facilities and services. NW 31st Ave is not fully developed, as there many vacant parcels along the east and west side of the avenue, so the addition of the proposed facility will not overburden the existing roadway traffic. The facility will not require excessive water use, sewage disposal, or storm water management, above what is typical for a commercial building. The use will have no impact on school facilities, and is not expected to have any impact on police or fire protection services. The facility will be an active site, equipped with a fire protection system and security, which will deter undesirable activities which can frequently occur in vacant lots.

- e. *Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district(s) 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;*

The proposed use is appropriate for the location of the Property and is compatible with the character of the neighboring lands. The parcels to the north, south, and west are all designated B-3 (General Business) on the City's zoning map. Further, NW 31st Ave, from Atlantic Blvd to NW 7th St, is all commercial zoning. The nearby existing developments include Gasoline filling station, restaurant, automotive parts sale without installation, and strip retail uses. Five blocks north of the proposed site there are existing auto repair and tire service shops. Since this facility is for golf carts, the intensity of work and chemical usage will be minimal compared the existing auto repair and tire service facilities.

- 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;*

As discussed above, unlike these more impactful uses within the vehicle repair and maintenance facility category that deal with the messy discharge of automotive fluids and use of loud equipment for vehicle repairs, the maintenance for golf carts is not so intense in terms of odors, noise, vibration impacts and excessive refuse collection. The lighting for the site will meet the standard criteria for site lighting, no excess lighting is required for operation of the proposed facility. The proposed use will be operating within general business hours, similar to the other nearby commercial uses along NW 31st Ave.

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

There is a 10' buffer, from the property line, leading to a 6' high fence on the north and east side of the building to provide adequate screening from the neighboring properties.

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

The proposed use will not cause deterioration of water and air resources, scenic resources or other natural resources. Unlike other uses within the automotive repair and maintenance category that include the use of harsh chemicals and discharge of automotive fluids, the proposed facility will not have such discharge and waste. As such, it will not have an impact on water and air resources, or other natural resources.

- 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;*

The proposed project design 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. Phase 1 of this project, which was completed in April 2022, was the construction of the NW 31st Ave entrance providing access to the proposed facility and existing Popeye's restaurant, which was approved and final construction signed off by the City of Pompano Beach and FDOT. The entrance is also being modified as part of this proposed project to provide better ingress/egress convenience for both vehicles and pedestrians.

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

As previously described, this proposed facility falls within the accepted uses per the zoning map and City Code. Further, NW 31st Ave, from Atlantic Blvd to NW 7th St, is all commercial zoning. As this facility will have a focus on sales, the facility is a modern building design and will be meticulously maintained to provide an attractive appearance as to draw in new customers. As a result, the proposed project will positively impact property values and the ability of neighboring lands to develop uses permitted in the zoning district.

- 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;*

Florida is home to over 1,200 golf courses, making it the most active golfing state in the country. There are a number of golf courses located in Pompano Beach alone. And With year round golfing and the rising Florida population, there is a need for new golf carts and servicing of used golf carts. Also, golf carts are frequently used by residents in retirement communities, which creates a higher demand for golf carts and servicing. The proposed use will create jobs for the local population. The new development will replace vacant, unlit, unsecure area which will inhibit undesirable activities to take place.

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

This proposed project will comply with all relevant city, state and federal laws and regulations.

- 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 feet to a one-half mile radius from the subject site.*

As discussed above, the proposed use does not expect to have an adverse impacts on neighboring properties and/or the neighborhood, including all properties within 500 feet of the subject site.

Should you have any questions, please do not hesitate to contact me at 954-202-7000. Thank you for your time and kind consideration with regards to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Youngman", with a stylized flourish extending to the right.

Frank Youngman, P.E.

THOMAS ENGINEERING GROUP