



CITY OF POMPANO BEACH

SPECIAL EXCEPTION

Project:

4791 US-1, POMPANO BEACH, FL, 33064

Prepared for:

Take 5 Oil Change

440 S. Church Street

Charlotte, NC, 28202

Preface:

It is understood by the applicant that the project may be further limited in design while undergoing this Special Exception Permit and through the Development Process. The final binding agreement shall be subject to the preparation, negotiation, and execution of any definitive legal documents.



Project: Take 5 Oil Change @ Pompano Beach

Special Exception Permit Request

Introduction

The Applicant plans to redevelop the property with an automobile service station for minor automobile service. The proposed special exception permit request will bring back commercial activities to this site which was once home to a used car dealership. The subject site is at a commercial node near the intersection of US-1 (Federal Highway) and NE 48th Street.

Development Code 36-363.10 Consistency Statement

- A. Consistency - The Special Exception Permit Request is consistent with the projected goals objectives and policies for the Comprehensive Plan of the City of Pompano Beach. The Special Exception Permit request for an oil change facility will be compatible with the surrounding land use in the area and the properties which abut the site in question. Any mitigation required will be provided such as landscape buffers, sensitive site design, lighting arrangement, drainage protection, etc.
- B. Compatibility - This proposed amendment will meet compatibility requirements in the surrounding area. This proposal will not result in any incompatible land use classification for the adjacent parcels.
 1. The subject site has adequate and available Water, Sewer, Electricity, and will comply with all Stormwater and Environmental regulations. All applicable development impacts will be properly addressed and mitigated through the concurrency review process. The impacts will be beneficial and revenue will be generated to the City.
 2. Any subsequent development located on this parcel will comply fully with the City of Pompano Beach.



3. The subject property does not appear to have any negative effects on environmental resources. If any arise, they will be properly addressed and mitigated.

REVIEW STANDARDS (A-M)

- A. Is consistent with the comprehensive plan;

Applicant's Narrative: The subject property falls under a commercial future land use designation of Commercial per the Future Land Use Map dated 08/11/2021. The proposed use is consistent with the future land map designation and the comprehensive plan.

- B. Complies with all applicable zoning district standards;

Applicant's Narrative: The applicant is requesting one variance from the use-specific standards for automotive repair uses. The applicant is requesting that these items be heard in connection with each other. Historically, this site was used as a used car dealership which would also fall under a special exception use for this designation.

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

Applicant's Narrative: Please refer to the following section USE STANDARDS (A-H) for detailed narrative related to use-specific standards.

- 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;

Applicant's Narrative: (Transportation) Regarding traffic/transportation, please refer to the attached trip generation estimate for the proposed development.

(Water/Sewer) This estimate shows the estimated daily trip generation is 120 trips per day. This is a low trip generator for commercial based uses. Regarding water/sewer, the proposed development will only have one bathroom. The business model for this oil change is that customers remain in their vehicle.

Based on this the typical utility demand for this type of development is 1 ERU.

(School System) Because this is a commercial development, there will be no impact to school concurrency. (Stormwater) The existing condition of the site is entirely impervious area. In the proposed condition, there will be a reduction in impervious surface which will generate less runoff and reduce the amount of flow into the storm sewer system. (Police) The proposed property is a vacant building and poses the potential risk for vandalism and vagrancy. The redevelopment of this property will enhance the property and surrounding



community. (Fire) The proposed building will comply with all fire prevention and safety codes.

- 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;

Applicant's Narrative: Most of the N Federal Highway corridor carries the zoning designation of B-3. Along this corridor, there are several automotive intense uses including automotive sales, repairs, and service stations. The N Federal Highway corridor is abutted by high density residential. The sector of the city north of E Sample Road has a high ratio of residential to commercial with commercial being restricted to N Federal Highway corridor. The proposed development is consistent with the commercial intensity and uses in the neighboring lands and will not overburden the transportation infrastructure while providing a valuable commercial service to the adjacent, high-density residential areas.

- 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;

Applicant's Narrative: The proposed use is for minor automotive servicing. The applicant will be performing oil change services to customers. Based on these services there will be no significant adverse odor, noise, glare or vibratory impacts on the surrounding lands.

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

Applicant's Narrative: The proposed development meets all requirements for screening and buffering.

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

Applicant's Narrative: The proposed oil change facility will be compliant with all environmental regulations. An oil/water separator will be used to ensure no discharge of oil into the sanitary sewer system. Oil will be stored in environmentally safe containers and disposed of using standard environmental practices. The site is currently in an environmental remediation program with FDEP and Broward County. The applicant has met with FDEP and Broward County and the site will remain under monitoring post-development.



- I. Maintains safe and convenient ingress and egress of traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood;

Applicant's Narrative: The existing site has a full access onto NE 48th street. The applicant is proposing a cross access connection with the property to the south. The applicant has met with FDOT who has given conceptual approval.

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

Applicant's Narrative: The existing site is currently vacant. The proposed development will improve property values by adding a convenient business service to the community. The proposed use will not impact or limit the development of any of the adjacent parcels.

- K. Fulfils 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;

Applicant's Narrative: The proposed development provides a specific automotive service centered entirely on convenience. While there are other auto related uses in the area, there are none specifically focused solely on quick lube service. Given the ratio of residential density to available automotive uses, this use will provide a valued convenience to the community.

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

Applicant's Narrative: The proposed development will comply with all other relevant regulations.

- M. For purposes of determining impacts on the neighborhood 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' up to one-half mile radius from the subject site.

Applicant's Narrative: Acknowledged.

USE STANDARDS (A-H)

- A. In all Zoning Districts, no service, repair, installation, and/or maintenance shall be made except within garages or other buildings designed for these purposes.

Applicant's Narrative: The proposed development will comply. All service will take place within the proposed building.

- B. A type B perimeter buffer shall be provided along all perimeters of the site except where a type C perimeter buffer is required by Section [155.5203.F](#), Perimeter Buffers;



Applicant's Narrative: Type B buffers are provided around the perimeter of the site.

- C. The use shall be designed so that the front façade is in compliance with Section [155.5602.C.7](#), Fenestration/Transparency.

Applicant's Narrative: The applicant is requesting a variance from this use-specific standards for automotive repair uses. The applicant is requesting that these items be heard in connection with each other. Please refer to the variance request package.

- D. The use shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation, and turning movements.

Applicant's Narrative: The proposed development will comply. The provided conceptual plan meets all stacking requirements and provides for safe traffic circulation and turning movements.

- E. No operation associated with the use shall occur in a manner that impedes the normal free flow of vehicular or pedestrian traffic on adjacent right-of-ways.

Applicant's Narrative: The proposed development will comply. The site does not directly connect to any public ROW. There is additional stacking available within the private drive aisles which allows for safe ingress/egress to the adjacent driveway connections.

- F. All vehicles, trucks, and trailers shall be maintained in a condition that they may be moved under their own power at any time except when the boat is under repair in garages, body shops, or other buildings.

Applicant's Narrative: The proposed development will comply. No vehicles will be stored onsite.

- G. Vehicles, trucks, and trailers shall not be stored as a source of parts.

Applicant's Narrative: The proposed development will comply. No vehicles will be stored onsite.

- H. Vehicles, trucks, and trailers that are repaired and awaiting removal shall be stored for no more than 30 consecutive days. Vehicles, trucks, and trailers abandoned by its lawful owner before or during the repair process may remain on site after the 30 day period, provided the owner or operator of the establishment demonstrates steps have been taken to remove the vehicle, truck, and trailer from the premises using the appropriate legal means.

Applicant's Narrative: The proposed development will comply. No vehicles will be stored onsite.



Conclusion

The proposed application demonstrates that the development will comply with the special conditions and standards as allowable per uncontrollable site constraints and required per the code. The applicant requests this special exception be heard simultaneous to the accompanying variance request for the specific use standards. Thank you for your consideration in this matter.

Sincerely,

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