

US GATEWAY INVESTMENTS LLC

2022 W. ATLANTIC BLVD.
POMPANO BEACH, FL 33069
TEL: 954-977-4876

December 21, 2018

Mr. David Recor
Development Services Director
City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, Florida 33060

Re: Proposed Retail Use Hurok Plat

Dear Mr. Recor,

US Gateway Investments, LLC, the property owner, respectfully requests that the property subject to this request ("Site") be platted for a retail commercial building. Staff has suggested that the owner's intended use may not be an approved use in the B-3 zoning district. Even though the final specific user and site plan are technically not part of the plat application requirements, and although not the intent, the owner could sell or lease it to another entity. The plat is only one step in site development and not a final approval of an end user.

Regardless, per our last meeting and previous discussions with CRA and City Staff over a two year period, the owner would like to continue to cooperate with staff and offers the following pertinent information that the intended use is in fact a Retail Establishment permitted in the B-3 District as defined by the Zoning Code..

Staff has questioned that the proposed use of the property is more of an industrial or warehouse use rather than retail. As you are well aware the development, retail environment and the way products are made available to the customers has changed dramatically in the past 40 years. Today's consumer picking out tile and stone is no different from buying appliances, furniture or a vehicle. The property and new building will be used to for a showroom and display of marble and stone in bulk quantities for selection and purchase. There is no outdoor storage. Therefore, we offer the following in response to the criteria:

1. Actual or projected characteristics of each activity likely to occur at the unlisted use;

The owner, US Gateway Investments, LLC, (hereafter "Developer") intends to construct a retail building which will operate similar to a furniture store or appliance store and new car franchise. All permitted and existing in B-3 locations in Pompano Beach and surrounding cities. Just as Brandsmart, City Furniture, Ikea and Carl's Furniture, or for that matter a new car franchise. The Marble and Stone business services an ever increasingly competitive market and more selective clientele. The customer will arrive in the front of the building, greeted by a receptionist/salesperson and introduced to view the products in the retail showroom setting. The building will house slabs of marble and stone crates of tile and pavers. The customer looks at samples on boards and displays. Marble and stone is a natural product and comes in many different shades and veining. Cut stone and marble cannot be stored outdoors subject to sunlight and temperature changes. Much like at a car dealership where the customer chooses model from

the showroom floor, the customer chooses the type of stone or marble, they are then taken to the bulk slab and stone display to pick the particular shade, vein and grain in a hands on fashion. Once final payment is made on the selected stock, the product is readied for pickup. Once the product is picked up by the purchaser, it is theirs.

2. *The type, size, orientation, and nature of buildings, and structures devoted to each activity;*

The Developer will be designing the site to meet the demands of the retail marble and stone industry. Inventory display and storage requirements of product for customer selection with a 60,000 square foot climate controlled building.

3. *The number and density of employees and customers per unit area of site in relation to business hours and employment shifts;*

The business expects to employ 25 individuals and operating from 8:30am to 5:30pm, six days a week. The site will operate with 24 hour security which may or may not include a guard depending on the system to be utilized.

4. *Vehicles used and their parking requirements, including the ratio of the number of spaces required per unit area or activity;*

The Developer has already confirmed with staff they have met the parking requirements and documented they will meet the requirements with 120 spaces.

5. *Transportation requirements, including the model split for people and freight, by volume type, and characteristics of traffic generation to and from the site;*

The site is expected to be a very low trip generator for a retail establishment. Deliveries will total about 12 per week on 40 foot trucks, considerably smaller than a car carrier or Publix truck. In all, a conservative estimate of employees and customers would not exceed 200 trips per day.

6. *Relative amounts of sales from each activity;*

Sales will take place in the office location near the front of the building. Please note that one customer may buy several different products at one time. For example a good customer remodeling a house will buy one color marble slab for the kitchen, another for the master bath and another for the guest bath. They may also buy the flooring materials for each room at the same time, or on several visits. But we hope to have steady traffic and regular flow of retail customers.

7. *The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside or outside the principal building, and the predominant types of items stored;*

As previously stated there is no outdoor storage or display.

8. *Customer type for each activity;*

Customers will be private individual home owners, designers, architects and contractors. The same people who shop at Home Depot, Lowes, Brandsmart and Bloomingdales!

9. *How each use is advertised, including signage;*

The business uses design media and internet. Exterior signage will meet code requirements and aesthetics will be addressed.

10. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes;

None of the above are anticipated. There is no noise as there is no stone cutting, fabricating or finishing on site. Deliveries are unloaded in minutes.

11. Any special public utility requirements for serving the proposed use type, including but not limited to water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities; and

Not Applicable

12. The impact on adjacent lands created by the proposed use type, which should not be greater than that of other use types allowed in the zoning district;

The use of the site is for retail sale of inventory within a Totally and Permanently enclosed building per the City zoning code. Inventory storage should have zero impact on adjacent lands. Definitely will not have any greater impact than the surrounding uses.

Early discussions took into account the definitions in Attachment A as an integral part of purchasing the property. Because the main sales showroom is separated, does not mean the entire building is not accessible to customers. In this way it operates like a car lot but the customers are taken to the product completely indoors..

13. Although not a specific requirement, you did ask me to address: What distinguishes this as not a Showroom Wholesale listed in the use table?

Mr. Recor, respectively please see the definition for the City of Pompano Beach Zoning Code in the Attachment A. We were presented with these almost 2 years ago prior to purchasing the property. Referencing what has been stated above, we do not sell to other stores or operate a distribution business. All our product is sold to the end user who must make arrangements to pick up the product. Much like Home Depot, Lowes and Brandsmart, we do have contractor pricing, however over 70% of our sales are home owners at residential pricing with full state sales tax.

Thank you for your consideration. We graciously wish to proceed with the plat to the January Planning and Zoning Board meeting. Please feel free to contact our office with any questions or concerns.

Sincerely,

Ozzie Gomez
General Manager

Attachment

Attachment A

PART 5 TERMS AND USES DEFINED

Other Retail Sales Establishment

Any establishment primarily engaged in the sale, rental, and incidental servicing of goods or commodities that are generally delivered or provided on the premises to a consumer, and that is not specifically listed in the principal use tables. Examples include, but are not limited to, furniture stores, floor covering stores, window treatment stores, computer and electronics stores, camera stores, optical goods stores, clothing stores, shoe stores, luggage stores, jewelry stores, sporting goods stores, piece goods stores, department stores, florists, office supply stores, gift stores, and pet supply stores.

Other Wholesale Use

Any establishment primarily engaged in selling goods, generally in large quantities, to other businesses for subsequent resale, and that is not specifically listed in the use tables. Such use generally includes facilities for storage and distribution of goods, and may include display areas.

Retail Sales (as accessory uses)

The Retail sales of any products of or associated with a principal use being offered for retail sale to the general public.

Retail Sales Establishment, Large

Any retail sales establishment constituting a single business engaged in retail sales activities and located in a stand-alone single tenant building with a gross floor area of 60,000 square feet or more.

Showroom, Wholesale

An establishment that combines office and showroom uses with warehouse uses for the primary purpose of wholesale trade, display, and distribution of products.

Please also see definition of Wholesale from Merrim-Websters Dictionary

Wholesale noun whole·sale | \hōl-,sāl \ Definition of *wholesale*

: the sale of commodities in quantity usually for resale (as by a retail merchant)