

Special Exception Narrative
Atlantic Liquors/Unit 279
Property Owner: Pompano Realty USA, LLC c/o Colliers
Palm Aire Marketplace 279 SW 26th Ave, Pompano Beach Fl. 33069
June 3, 2022

Pompano Realty USA, LLC c/o Colliers (Applicant) on behalf of their lessee Atlantic Liquors is seeking a Special Exception approval for a business to engage in the sale of liquor as defined in the City of Pompano Beach Land Development Code as a local liquor store (Sale of liquor under 7,500 SF) for the commercial property located at 181 SW 26th Ave, Pompano Beach, Florida.

The Applicant, entered in a lease with the owner of Atlantic Liquors, Tiny's Liquor, Inc. for the use of Unite 279 at the Palm Air Shopping Plaza, for the use of a Local Liquor Store with the sale of Alcohol (for offsite consumption) and Tobacco products. The unit, 279, is 1,880 SF in size which meets the definition of a Local Liquor Store in the City of Pompano Beach Land Development Regulations, code 155.4222 K. As this meets the size of a Local Liquor Store and not a Regional Store (7,500 SF), the use within this existing shopping center will be less impactful to the overall shopping Plaza and provides a smaller scale experience for the patrons of this commercial plaza and the surrounding residential neighborhoods.

As this existing shopping plaza, in the B-2 Zoning District, meets all the requirements of the land development regulations and the applicant has met all the requirements including the distance requirements as indicated in code section 155.4501, from schools, churches, and other liquor stores (see attached Exhibit B) a Special Exception Use approval is requested by this application and narrative.

General Information: The proposed business, Atlantic Liquors, will be located in unit 279 of the Palm Aire Marketplace. This Marketplace is an existing commercial shopping center providing commercial goods, grocery, restaurants and personal services to the surrounding residential and commercial uses. Over the years there has been the development of single family and multi-family residential projects both north and south of this shopping center. Access to the Palm Aire Marketplace is from SW 26th Street, West Atlantic Boulevard and N. Course Drive. As this commercial center provides services and goods to the general public, the proposed "Local Liquor" store, which is 1,880 SF. in size, will not impact commercial or residential properties surrounding the Palm Aire Marketplace. It will be located on the far south side of the commercial center between a larger grocery store and unit 281 which is currently leased to LaVie Restaurant at the time of this application.

In observation of the proposed location within this commercial marketplace, the liquor store is fronting an internal drive isle and parking lot as well as existing out parcels of the entire Palm Aire Marketplace development. This location provides substantial visual screening to the general public using the adjacent roads while still allowing ample visibility to the users of the center and the observation of both police and other emergency responders. This location will have no impact on the surrounding residential neighborhoods and will have little impact on traffic in the area.

Zoning Code Criteria: §155.4225 C (1) of the zoning code sets out the following review standards for Special Exceptions:

a. Is consistent with the Comprehensive Plan;

The use is compatible with the Comprehensive Plan of the City of Pompano Beach. The use is a permitted use and/or special exception use for the sale of alcoholic beverages in the some of the commercial zoning districts of the city. As the zoning districts are mandated to be consistent with the Comprehensive Plan, the use as requested is consistent with the Comprehensive Plan. The use, based on its small size is defined as a local liquor store, which is a special exception use in the B-2 Community Business Zoning District.

b. Complies with all applicable zoning district standards;

The Palm Aire Marketplace is totally in the B-2 Community Business zoning district. The unit to be used for the local liquor store is within the marketplace which meets the district standards as well as the special exception use of a local liquor store meets all the district standards.

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

The use requested is within an existing commercial shopping center which has had recent applications approved for other uses to be developed within bays of the building. The Center meets all the use standards for a commercial center including access, parking, drainage, utilities, landscape and other standards found in Article 4. The applicant had a recent review in an attempt to acquire a Zoning Use Certificate and map (attached) that shows the special exception use complies with all the separation requirements from 300' and 1,000' for the size and use of unit 279 in the Palm Aire Marketplace. There were no schools, churches or other liquor stores within these designated areas. There will also be no outdoor storage and the site is well buffered due to its location between two other commercial use, a grocery store and a restaurant. The rear door is screened by a green open space with landscape and the front faces the commercial center parking lot.

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 requested local liquor store is located in an existing bay of the Palm Aire Marketplace. This center is a large commercial shopping center that has been permitted in the past by the City of Pompano Beach. The 1,880 SF bay to be used for this use was previously used as a retail space. The entire facility has existing public

facilities and utilities, parking capacity for the use, waste management services and is currently serviced by emergency services to the site. There will be no overburden to these items as the services were provided previously and continue to be provided today. The liquor store will not increase the capacities of all these services as was required for the commercial center and the previous retail use in this site.

- e. Is appropriate for its location and is compatible with the general character of the surrounding lands and the uses permitted in the zoning districts of surrounding 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 for special exception uses in the neighborhood;*

This use, as mentioned previously, is located within an existing commercial shopping center with several other uses that provide goods and services to the general public. This small store will provide their services and goods to the same general public coming to the center as well as specific patrons from the surrounding neighborhoods that will shop in this store. The Palm Aire Marketplace has ample parking, ingress and egress to surrounding roads for this use and the use will not place a burden on other special exception uses in the area.

- 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;*

The use will not have odors, noise, glare or vibration impacts as they will be just selling there produce like other uses in the shopping center. There is no cooking, manufacturing or outdoor uses that would impact the other tenants or surrounding commercial and residential areas. The center provides for refuse collection for their tenants, there is service and delivery areas on site and there will be no additional lighting needed in the parking area as it is already serviced by lighting.

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

The use will be within an existing commercial building and adequately screens and buffers the surrounding lands.

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

The proposed use, which just sells packaged products will not deteriorate the water and air resources, scenic resources or natural resources of the surrounding lands or the City of Pompano Beach.

- i. Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrian and safe road conditions around the site;*

The proposed local liquor store, as mentioned previously is within an existing shopping center and has existing, convenient ingress, egress and traffic flow. There are walkways throughout the center for pedestrians to circulate to this store as well as all the other commercial spaces on site.

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

This use is consistent with other uses in the Palm Aire Marketplace and will not impact the property values of the commercial center or the other commercial and residential uses in the surrounding lands.

- 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;*

As there are no other specific local liquor stores in the general area, this use fulfills a service and need for the local neighborhoods and the patrons of the Palm Aire Marketplace. This location will minimize local traffic by the fact it is in a location with other services and goods being offered to the general public in a one-stop shopping center.

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

The Palm Aire Marketplace and the commercial uses within the center all comply with relevant City, State of Florida and Federal laws and regulations. The proposed local liquor store, will meet all the city requirements, including location and separation requirements that have already been shown, State requirements for their use and other federal guidelines. The liquor store will need to have several additional licenses issued by the City and State agencies as well as having a number of inspections on site before this special exception use can open. This will provide adequate protection to the neighborhood and surrounding commercial uses.

- 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 ft. to a one-half mile radius from the subject area.*

The proposed use meets the Comprehensive Plan, the Zoning Code and other land development regulations of the City of Pompano Beach. This local liquor store is a mom-and-pop store that will provide services and goods to the patrons of the Palm

Aire Marketplace, the surrounding residential neighborhoods and the general public that come into this area. This 1,880 SF liquor store will be within an existing 143,819 SF shopping center and have no impact on the neighboring properties. Furthermore, the location has been reviewed for separation requirements to schools, churches and other local liquor stores has been found to meet all the separation requirements necessary to be approved in this area and this shopping center. The location, within a larger shopping center affords the surrounding area additional goods and services is a cohesive location, where patrons can do their shopping in one location and reduce impacts to surrounding roads or other commercial uses in the area. This request is good for the area, the continued viability to the existing shopping center and their other tenants and has little or no impact to the residential neighborhoods in the surrounding lands.