



Staff Report

**File #:** LN-479

Zoning Board of Appeals  
Meeting Date: July 20, 2023

**MAJOR TEMPORARY USE PERMIT - Pompano Park JV Land Holdings, LLC**

**Request:** Major Temporary Use Permit  
**P&Z#** 23-15000007  
**Owner:** Pompano Park JV Land Holdings LLC  
**Project Location:** 777 Isle of Capri Circle  
**Folio Number:** 494203410010  
**Land Use Designation:** RAC- Regional Activity Center  
**Zoning District:** Planned Commercial/Industrial Development (PCD)  
**Agent:** Mike Amodio  
**Project Planner:** Scott Reale

**Summary:**

The Applicant Landowner is requesting a Major Temporary Permit from the provisions of Chapter 155: Article 4 [Use Standards] and Article 5 [Development Standards] of the City of Pompano Beach Zoning Code in order to allow for a temporary retention basin over a portion of an existing parking lot, without complying with the applicable use and development standards as required by code.

The subject property is located on the east side of South Powerline Road (AKA: SW 26 Avenue), south of SW 3rd Street (AKA: Race Track Road).

**PROPERTY INFORMATION**

1. The subject property is a part of a 200 acre site, with an approved master plan currently being redeveloped. The property has been home to a Casino & other entertainment uses.
2. A Top Golf is currently under construction and the temporary retention basin is necessary to comply with the regulations of the Broward County Surface Water Management criteria associated with the Master Plan. Approval of the temporary retention basin will allow the Top Golf to open while construction continues/ is completed for the permanent site work.
3. There are several ongoing/active developments consistent with the Master Plan:
  - A Future Golf Facility (21-12000046) now known as Top Golf was approved on July 14, 2022 and is now under construction.
  - The NW Corner Retail Site Plan (21-12000045) was approved in June of 2022 and has building permits in for review.

- The Casino expansions are nearly complete (Smoking Terrace, Building Addition are complete) with a permit in review for the Rear Deck Enclosure. The Parking Garage (20-12000004) is also complete.
- There are three projects for the internal roadway improvements (Lucky Lane, Palm Aire Drive, Loop Road), which have approved Minor Development Orders and received building permits.
- An Industrial Site Plan development is currently under consideration (23-12000013) by the Planning & Zoning Board.

## **LAND USE PATTERNS**

Subject Property (Zoning | Existing Use): PCD | Live! Development

Surrounding Properties (Zoning | Existing Use):

- North: B-3/PCI & I-1/ PCI | Atlantic Business Center/ Walmart
- South: RM-45 | Condominium (Cypress Bend)
- East: I-1 | FEC Railroad & several industrial properties
- West: B-3 & RM-45 | Palm Aire Condominiums & Commercial Uses

## **TEMPORARY USE PERMIT REVIEW STANDARDS**

Temporary Use Permit shall be approved only on a finding that the temporary use as proposed:

1. Is on its face temporary in nature;
2. Is in harmony with the spirit and intent of this Code;
3. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;
4. Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;
5. Is compatible with any principal uses on the site;
6. Is located on a site containing sufficient land area to allow the temporary use and associated structures, and accommodate any associated parking and traffic movement, without disturbing environmentally sensitive lands; and
7. Complies with all applicable use-specific standards in Section 155.4403.

## **Staff Conditions:**

Should the Board determine the applicant has provided competent substantial evidence sufficient to satisfy the seven Major Temporary Use Permit review standards, staff request the Board include the following conditions as part of the Order:

1. Obtain all necessary governmental permits and approvals, including building and zoning compliance permits, and a business tax receipt for the sales center.
2. Substantial compliance with conceptual site plan submitted with this application.
3. If permits for the approved development are not obtained prior to the expiration of this Temporary Use Permit, applicant must reapply for a new Temporary Use Permit or remove temporary basin and replace affected area with drought resistant sod.

# CITY OF POMPANO BEACH AERIAL MAP



**Subject Site**

1 in = 667 ft

**777 Isle of Capri Circle**

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES