



Staff Report

File #: LN-661

ZONING BOARD OF APPEALS
Meeting Date: NOVEMBER 21, 2024

MAJOR TEMPORARY USE - AMKIN ATLANTIC SQUARE LLC

Request: Major Temporary Use
P&Z# 24-15000008
Owner: Amkin Atlantic Square LLC
Project Location: 2798 E Atlantic Blvd
Folio Number: 494306010040
Land Use Designation: ETOC (East Transit Oriented Corridor)
Zoning District: TO-EOD (Transit Oriented East Overlay District)
Agent: Philip Shipley
Project Planner: Scott Reale

Summary:

Applicant Landowner is requesting a Major Temporary Use Permit from the provisions of Chapter 155: Article 4 [Use Standards] and Article 5 [Development Standards] of the Pompano Beach Zoning Code to construct a temporary deck over existing asphalt for outdoor dining at a restaurant without complying with the applicable use and development standards as required by code.

The subject property is located in the East CRA, on the south side of E Atlantic Boulevard, and the west side of 28th Avenue.

PROPERTY INFORMATION

1. The property is situated on the site of a former gas station, which is part of the larger Atlantic Square Plaza. The Flamingo Seafood restaurant briefly operated at this location but has since closed. The applicant plans to redevelop the vacant restaurant space and propose the addition of a +/- 2,800 sq ft wooden deck to accommodate outdoor dining. A significant portion of the deck will be positioned beneath the existing canopy of the former gas station. While the applicant intends to pursue formal site plan approval through the Development Review Committee (DRC) process, they are seeking permission to begin construction of the deck in the interim. To ensure the safety of patrons, existing bollards and newly installed planters will create a physical barrier between the outdoor dining area and vehicular traffic.
2. The Community Redevelopment Agency (CRA) has issued a memo in support of the proposal, and Development Services staff believes the addition of the deck will help activate and enhance this section

of the Atlantic Boulevard corridor. Staff also agrees with the applicant's assertion that the deck will improve safety, as it will help discourage motorists from using the property as a "cut-through" and making illegal U-turns at the intersection of Atlantic Boulevard and SE 28th Avenue.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- TO-EOD | vacant restaurant / former gas station

Surrounding Properties (Zoning District | Existing Use):

- North: TO-EOD | Harbor Village (various retail/commercial uses)
- South: TO-EOD | multi-family dwellings
- East: TO-EOD | parking lot / former church
- West: TO-EOD | Atlantic Square Plaza (various retail/commercial uses)

TEMPORARY USE PERMIT REVIEW STANDARDS

A 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.

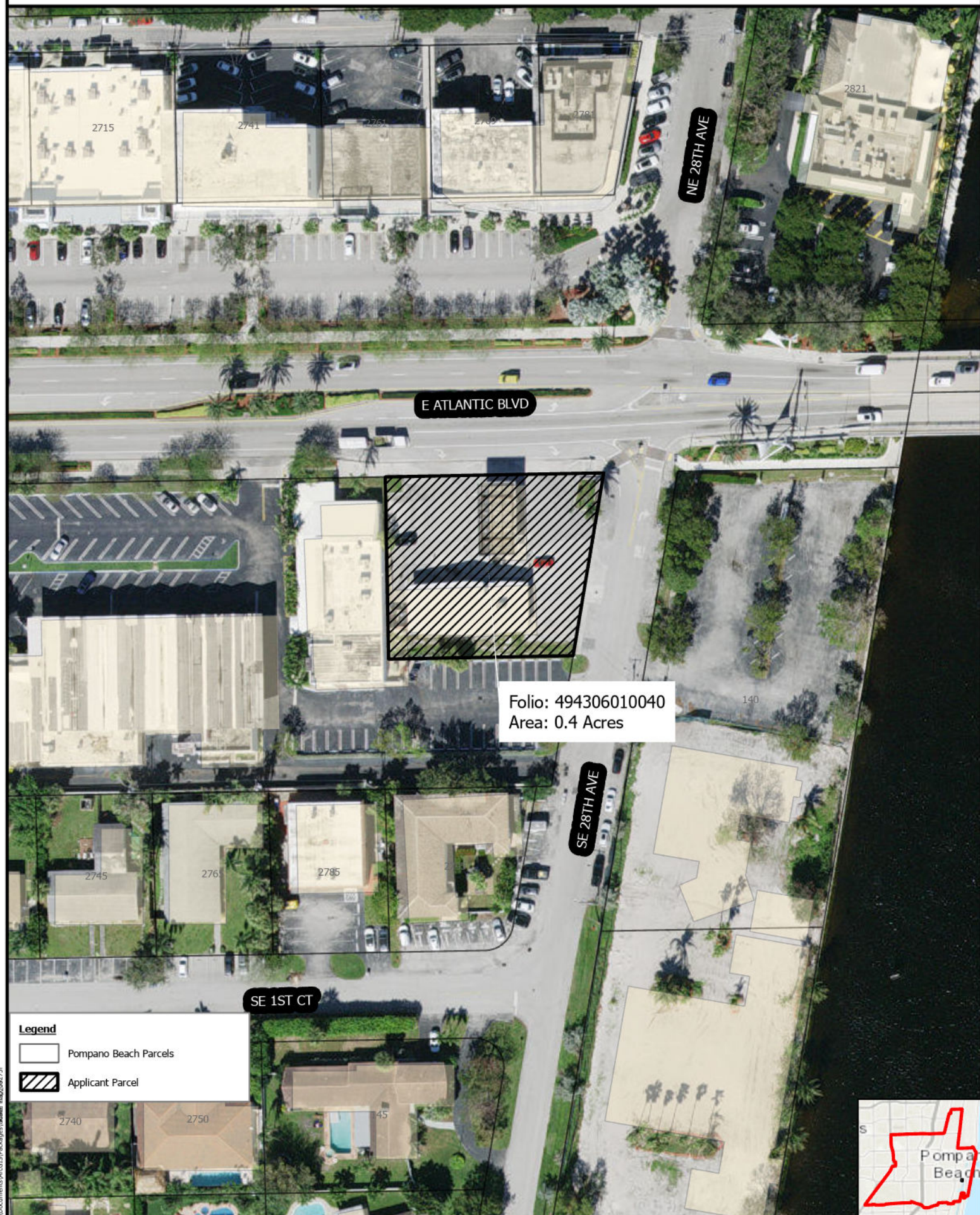
Staff Conditions:

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

1. Obtain all necessary governmental approvals and permits.
2. Submit a site plan application prior to the expiration of this approval.

CITY OF POMPANO BEACH

AERIAL MAP



Legend

-  Pompano Beach Parcels
-  Applicant Parcel

Scale:
1:1,000

Amkin Atlantic Square LLC

2798 E Atlantic Blvd

Major Temporary
Use

Created by:
Department of
Development Services

