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**Broward Wine & Liquor, Inc.
1551 N. Dixie Hwy.
Special Exception Justification Statement for Local Liquor Store**

Broward Wine & Liquor, Inc. (“Applicant”), with the consent from TMT Properties, Inc. (“Property Owner”), hereby requests approval to open a local liquor store to be located at 1551 N. Dixie Hwy. (“Property”) in the City of Pompano Beach (“City”). The Property has a zoning designation of B-3 (General Business) and Future Land Use designation of Commercial. Per the Consolidated Use Table in Appendix A of the City’s Zoning Code, a local liquor store is permitted within the B-3 zoning district with special exception approval. As such, the Applicant is requesting special exception approval to allow the local liquor store to be located on the Property.

The Applicant is a small business owner who desires to bring a local liquor store to the area that specializes in selling international wine, beer, and liquor, in addition to domestic offerings. The unique inventory will include typically hard to find spirits from around the world. The Applicant has a lease to occupy a 2,500 square foot space located in the southeast corner of the building (addressed at 1551 & 1553 N. Dixie Hwy.). No alterations to the building or the site are included with this request. Only minor renovations to the interior will be made to add the front register area and shelving to stock the inventory. The proposed hours of operation are 11:00 AM to Midnight, seven days per week.

Special Exception Criteria Analysis

Per Section 155.2406D, Applicant must demonstrate compliance with the following criteria to obtain special exception approval. Each of the criteria are listed below in **bold** with Applicant’s justification below each in *italics*.

1. Is consistent with the comprehensive plan;

The Applicant is proposing a retail liquor store in an existing retail plaza with a Land Use designation of Commercial. In general, the proposed use is consistent with the goals,

policies, and objectives of the City's Comprehensive Plan as to the applicable elements of Section 01 regarding Land Use. Specifically, the proposed use, a retail facility, is also consistent with Section 3 pertaining to Zoning as to Permitted Use for properties with a Future Land Use Map designation of Commercial.

2. Complies with all applicable zoning district standards;

The retail liquor store is proposed to be located within an existing retail plaza containing a Zoning designation of B-3. Retail uses are permitted by right within the B-3 district, and retail liquor stores are permitted by way of Special Exception. The Project is in compliance with the remaining standards (the non-use standards) of the B-3 zoning district as there are no modifications to the building or site included with this request.

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

The Use Standards for Alcoholic Beverage Establishments (ABE) are in Part 5 of Article 4. They address the required separation between a proposed ABE and other uses in the vicinity. Specifically, the Code requires a minimum separation of 1,000 feet from another ABE, a minimum separation of 1,000 feet from a sexually oriented business and a minimum separation of 500 feet by pedestrian route and 300 feet by airline route to a childcare facility, school or place of worship. The Alcoholic Beverage Distance Separation map provided with this submittal demonstrates that the Project meets all the distance separation requirements provided in Part 5 Article 4 of the City Code. Moreover, Applicant is not proposing a drive-thru component as it is specifically prohibited by Code.

4. 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 granting of this Special Exception will not adversely impact any public facilities or services. The space proposed for the use was previously used by another retail user, meaning it has existing connections to water and wastewater facilities with the capacity to service retail uses. The proposed retail liquor store use will not increase the demand for

these services. Additionally, the proposed retail liquor store will not have a negative impact on the surrounding roadways as the use will not generate more traffic than the previous retail use that was located in these tenant spaces.

- 5. 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;**

The proposed retail liquor store is compatible with the general character of the surrounding properties and the uses permitted in the B-3 zoning district. The B-3 district permits various retail, office, personal service and food service uses. The uses operating within the existing and surrounding retail plazas contain these types of commercial uses which are compatible with a retail liquor store use. The retail liquor store use will not generate more traffic than the surrounding retail uses and will not require any additional parking beyond what is required for other retail uses. The Property fronts on Dixie Highway, which is a heavy commercial corridor. Moreover, it is across the street from the train tracks and Pompano Beach Airpark. This is an ideal location for a liquor store. The proposed use requires 8-9 parking spaces, and the mini-shopping center has ample existing parking on the north and south sides of the building to accommodate the use.

- 6. 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 granting of this Special Exception will not create adverse impacts on the surrounding lands and neighborhood. All the business activities will take place within the building and will not cause any adverse noise or odor and all trash and recycling will be placed within the existing dumpsters and recycling bins provided on the Property. The proposed local liquor store will not have an adverse impact on parking, as the parking requirement for a local liquor store is the same as the requirement for the previous retail use, requiring one parking space for each 300 square feet. Lighting will not change with the use, nor will

overall signage. Rather, if approved, Applicant will change the existing wall sign for a new wall sign simply identifying the new business.

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

The proposed local liquor store is located within the southeast section of the existing building and at the corner of Dixie Hwy. and NW 15th Place. No screening is required as the building is fronting two streets with no adjacent properties in this area. Additionally, the Applicant is not proposing any modifications to the site or building with this request.

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

The granting of this Special Exception will not adversely impact any of the area's natural resources. As previously stated, the business operation will take place within the building and will not cause any odors or pollution. Additionally, the Applicant is not proposing any alterations to the site or the building with this request.

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

The Applicant will utilize the existing traffic flow pattern developed on the Property with parking located along NW 15th Place and sidewalks provided along the NW 15th Place and Dixie Hwy. frontages for pedestrian access. No modifications to the site or the traffic flow pattern are included with this request.

10. Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district;

The use proposed by the Applicant at this location will not have an adverse effect on neighboring property values. The Applicant is proposing a unique retail operation that will improve the appearance of the plaza's storefront and will provide the area residents with an additional option for a location where they can purchase a variety of unique,

international adult beverages. In addition, the project will take a vacant storefront and replace it with a clean, new use. Vacant storefronts hurt neighborhoods as they convey a message that the area is not thriving. Allowing for this use at this location will help continue to spur new development and will not inhibit other uses from developing.

11. 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;

The proposed use will provide a wide selection of unique and quality alcoholic beverages from around the world at a convenient location. Dixie Highway is a high traffic area where people are looking for convenient access to a variety of retail uses. Currently, there are no other liquor stores on Dixie Highway north of this location. If approved, this use will serve customers in this area of the city where there currently is no other liquor store.

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

The Applicant's proposal for the retail use at this location will comply with all other relevant city, state, and federal laws and regulations, including obtaining a proper state license.

13. 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 feet to a one-half mile radius from the subject site.

The surrounding area located within 1,000 feet has been included in determining the impacts on the surrounding properties. This is consistent with the distance separation requirements for an ABE.