

September 10, 2021

Development Review Committee  
City of Margate – Development Services Department  
901 NW 66<sup>th</sup> Avenue, Suite C  
Margate, FL 33063

**Project Name:** Chipotle Restaurant with Drive Thru  
**Application No.:** DRC 2021-312

Dear Development Review Committee,

We have received your comment letter dated August 10, 2021 and have revised the construction plans accordingly. In addition, we have provided the following responses to your comments.

**DEPARTMENTAL COMMENTS:**

**BUILDING:**

1. *Per FBC 206.2.1, The site design plans are required to show an accessible path from the sidewalk/public transportation to the entrance of the restaurant.*

**RESPONSE:** The curb ramp to the restaurant has been expanded to be 8 feet wide and connects to the southern right-of-way via a crosswalk and second curb ramp. The new configuration provides a clear and accessible path from the public sidewalk to the entrance of the restaurant. Please see sheet C-303 (Pedestrian Access Plan) for accessible paths from sidewalks to the restaurant.

**FIRE:**

1. *No Comments.*

**RESPONSE:** Noted.

**PUBLIC WORKS:**

1. *This is private property and the drainage on Atlantic Boulevard is the responsibility of FDOT. There should be a request or an agreement already in place to allow the drains from the private property to connect to the FDOT drains on Atlantic Boulevard.*

**RESPONSE:** The site does not drain onto Atlantic Boulevard and therefore does not require permitting with FDOT. Per existing Environmental Resource Permit (ERP) #06-03360-P through South Florida Water Management District (SFWMD), the site is part of a master stormwater system. The 0.91 AC site captures water through a series of catch basins and conveys it via underground pipes and exfiltration trenches in pre-development.

POLICE:

1. *No Comments.*

**RESPONSE: Noted.**

ENGINEERING:

Trafficways

1. *A Traffic Impact Analysis was performed by JFO Group Inc. The Analysis was signed and sealed by Florida Professional Engineer, Juan F. Ortega, P.E. License # 63422.*

**RESPONSE: Noted.**

2. *There is a possible line of sight issue with stop signs at the end of drive through lane and site exit to mall feeder road. Provide analysis to show that what is proposed will suffice or modify.*

**RESPONSE: The stop sign at the drive-thru exit lane has been shifted to 8' east of the curb in order to improve visibility. Additionally, the exist lane and corresponding striping has been reconfigured for an overall improved design. Please reference sheet C-301 for updated design.**

3. *Show how delivery vehicles will access the site and make deliveries.*

**RESPONSE: Please see sheet C-302 for truck turn plan.**

4. *Show garbage truck site ingress and egress with computer generated turning curves.*

**RESPONSE: Please see sheet C-302 for truck turn plan.**

Potable Water and Wastewater

1. *Provide details of the water and sewer easement that runs through the NW tip of the property.*

**RESPONSE: Easement documents have been downloaded from the county site and included with the submittal package.**

2. *Illustrate proposed connection points for water and sewer.*

**RESPONSE: Water and sewer connection points are shown in the utility plan on sheet C-501 and Broward County details are provided on sheet C-903. Per correspondence with Randy Daniel (Assistant Director – Engineering), City of Margate Utility details are still being drafted, therefore county details will be acceptable for this project.**

3. *Provide calculations to show potable water demand for the project.*

**RESPONSE: Potable water demand calculations have been provided on Sheet A100.**

## Drainage

1. *Provide a plan of the existing drainage system to illustrate underground pipes and show how this plan will be modified to accommodate the new development. An excerpt from the City's drainage GIS database is attached below.*

**RESPONSE:** Please see the demolition plan on sheet C-201 for a depiction of the existing drainage system. The existing pipes, exfiltration and structures will be demolished from the first on-site inlet to the point of connection. The off-site curb inlet to the east will remain as the tie-in point from the proposed system to the master Lakewood Mall system. Additionally, a weir has been added to the proposed control structure (manhole) to hold back runoff from the 25-year, 24-hour storm. Please refer to the grading & drainage plan on sheet C-401 for the proposed storm system and detail sheet C-901 for control structure details.

2. *Provide details of perimeter berm and control structure that is proposed to retain runoff on the property.*

**RESPONSE:** Detailed grading has been provided on sheet C-401 and a control structure detail has been provided on sheet C-901.

3. *Provide pollution control boxes at the point(s) of discharge from the site.*

**RESPONSE:** Notes have been added on sheet C-401 for proposed pollution retardant baffles at structures before and after exfiltration.

4. *Provide a copy of the SFWMD ERP for Lakewood Plaza.*

**RESPONSE:** The SFWMD ERP has been provided.

5. *Applicant claims a reduction in impervious area by 0.03 acres to support no additional stormwater treatment; providing detailed calculations of impervious areas. Shows existing 24" CM pipe that collects and discharges stormwater from the site.*

**RESPONSE:** Please see the area summary tables in section 1.A of the stormwater management report.

## Floodplain:

1. *The site is in a AH Flood Zone with BFE 11.00 Feet (NAVD). The City's Flood Plain Management Ordinance was recently amended to require one-foot additional freeboard above BFE, in the SFHA. Therefore, the FFL should be at 12.00 feet (NAVD).*

**RESPONSE:** The finished floor has been raised to 12.00' as shown on sheet C-401.

## Solid Waste

1. *The developer shall consult with the city's solid waste contractor to determine their requirements to service this development.*

**RESPONSE:** The truck turn plan has been sent to Waste Management for feedback on servicing the site. The truck turn plan has been sent to Waste Management for feedback on servicing the site. Bohler is awaiting approval and will forward to the City of Margate once it is received.

## Recreation

1. *Not Applicable*

**RESPONSE:** Noted.

## Landscaping

1. *No trees are allowed in the water and sewer easement.*

**RESPONSE:** Trees were removed from the landscaping plan. Please see updated plan.

## Parking Demand Analysis

1. *A Parking Demand Analysis was performed by JFO Group Inc. and digitally signed and sealed by Juan F. Ortega, P.E. Florida license # 64322. Provide a sample calculation for the "calculated parking demand" based on any of the average parking demand rates used from the ITE Parking Manual, 5<sup>th</sup> Edition.*

**RESPONSE:** Exhibit 3 of the parking analysis dated June 2, 2021, included in the original submittal to the city, incorporates all calculations summarized in Table 1 using the ITEParkGen Web-based App which is based on the ITE Parking Generation Manual, 5th Edition. See <https://www.iteparkgen.org/>

## Parking

1. *Provide a safe path for users of handicap spaces to access the restaurant.*

**RESPONSE** The curb ramp to the restaurant has been expanded to be 8 feet wide and shifted east. It connects to the southern right-of-way via a crosswalk and second curb ramp, providing a clear and accessible path from the ADA spaces to the entrance of the restaurant. Please see sheet C-303 (Pedestrian Access Plan) for accessible paths from sidewalks to the restaurant.

Sidewalk

1. *All work in the ROW will require an Engineering Permit.*

**RESPONSE: Noted. An engineering permit will be applied for.**

**DEVELOPMENT SERVICES – Special Exception:**

*After review of the above referenced DRC application, the Development Services Department has provided the following comments and advisory notes. Comments require a written response from the applicant and correction(s) to the application. Advisory notes are for information purposes only.*

*Advisory Note 1: This application is for a special exception and is therefore subject to the requirements of Chapter 31 of the Code of the City of Margate.*

*Sec. 31-35. - Determinations required prior to approval of a development permit.*

*A determination that adequate services will be available to serve the needs of the proposed development shall be made when the following conditions are met:*

1. *Director of development services. The director of development services determines:*
  - a. *That the proposed development is consistent with the Margate Comprehensive Plan.*
  - b. *That the proposed development is in conformity with the Margate Zoning Code.*
  - c. *In the case of site plans, that the proposed development is in conformity with the provisions of chapter 23 of this Code.*

*Based on the above Code section, Development Services staff must compare the application to the adequacy determinations described in Section 31-35 of the Code of the City of Margate.*

**Nature of TOC-C District:**

*Section 9.11 of the Margate Zoning Code provides that “Parcels designated as Corridor typically front a primary road. Street-fronting uses are encouraged and will be supported by a redesign of the streetscape to create a highly walkable zone. A wide range of uses, buildings, and frontage types oriented to public streets is encouraged.” Section 7.2 of the Margate Zoning Code provides a detailed statement of purpose and description of the TOC zoning districts.*

*Section 7.2. - Purpose and general description. The Transit Oriented Corridor districts are specifically created to implement and encourage the redevelopment of lands designated as Transit Oriented Corridor on the future land use plan map of the City of Margate Comprehensive Plan. The TOC districts generally include right-of-way and private properties abutting or proximate to the State Road 7/U.S. 441 corridor and comprising approximately one thousand one hundred eighty-four (1,184) acres. This area is designated on the City of Margate Future Land Use Map (FLUM) and the Broward County Land Use Plan Map (BCLUPM) as Transit Oriented Corridor (TOC).*

*This article provides general guidance and specific standards necessary to promote the goals, objectives and policies contained within the future land use element and is designed to maximize the development potential of the State Road 7/U.S. 441 corridor, foster a mix [of] land uses, promote shopfronts and*

*commercial uses at street level, accommodate wide pedestrian-friendly and multimodal sidewalks, encourage upper story office uses, and provide on-site parking facilities in the rear yard and accesses when possible through rear alleys or side streets.*

*The city encourages development and redevelopment projects that contribute to the following objectives:*

- 1. Promoting well-planned development and redevelopment;*
- 2. Encouraging the reduction of impacts on adjacent neighborhoods through building placement and sensitivity of building design and green building standards;*
- 3. Encouraging infill and redevelopment with an emphasis on pedestrian orientation, increased mobility and integration of transit and bicycle systems that provide alternatives to the automobile and promote a sustainable environment;*
- 4. Encouraging a closer relationship between primary building entrances, the public sidewalk, and pedestrians with entrances to building shopfronts, workplace and housing oriented directly to the public street;*
- 5. Providing opportunities for a range of housing types and price levels to accommodate diverse ages and incomes;*
- 6. Planning transportation corridors in coordination with land use and coordinating the intensity of development proximate to mass transit and encouraging a sustainable environment;*
- 7. Encouraging development that is pedestrian-oriented with a variety of uses including mixed-use development;*
- 8. Providing that ordinary activities of daily living may occur within walking distance of most dwellings, allowing independence to those who do not drive;*
- 9. Providing for interconnected networks of tree-lined or shaded roads to be designed and created incrementally to improve pedestrian access to transit and to disperse and reduce the length of automobile trips;*
- 10. Creating an interconnected rear alleyway system;*
- 11. Promoting the small scale of newly formed blocks with public open spaces to serve corridor residents, workers and visitors for increasing social gathering, active and passive recreation, and visual amenities;*
- 12. Promoting appropriate building densities and land uses be provided within walking distance of transit stops;*
- 13. Creating a range of open space including parks, squares, and playgrounds and positioning buildings to front streets and open spaces;*
- 14. Encouraging buildings, streetscapes and landscaping to contribute to creating community living spaces;*
- 15. Promoting a street environment and building orientation that emphasize comfort, safety, and distinctive identity, with the provision of urban greenways along major corridor roadways containing a variety of shopfronts that provide a high level of transparency at the sidewalk level;*
- 16. Maximizing the development potential for the TOC district;*
- 17. Providing form-based guidelines for change to promote a harmonious and orderly evolution of the TOC district redevelopment area;*
- 18. Encouraging energy efficiency through building design and site development.*

#### *Special Exception Standards:*

*Pursuant to Section 31-54 of the Code of the City of Margate, the purpose of this section is to establish standards and procedures to ensure the proposed use is compatible with other land uses permitted in a*

*zoning district, design, configuration and/or operation, within an appropriate location. Certain findings must be made in order for the Development Review Committee (DRC) to recommend approval to the City Commission for final approval.*

*Sec. 31-54. - Special exceptions. (a) Purpose. Special exceptions are generally compatible with other land uses permitted in a zoning district but, due to their unique characteristics or potential impacts on the surrounding neighborhood and the city as a whole, require individual review as to location, design, configuration, and/or operation for the particular use at the particular location proposed, as well as the imposition of individualized conditions in order to ensure that the use is compatible with the surrounding neighborhoods and appropriate at a particular location. (b) Application requirements. No use designated as a special exception shall be established until after such use has received approval under the provisions of this section and has received all permits required by this Code of Ordinances and the Florida Building Code. An application for special exception approval shall be filed with the development services department on forms provided. The application shall include:*

- 1. A preliminary site plan, meeting the technical requirements for a final site plan and containing all relevant information necessary for review, including, but not be limited to, the following:*
  - a. A survey meeting the technical standards of the Florida Department of Professional Regulation, Board of Land Surveyors.*
  - b. An accurate tree location plan, superimposed over the basic site plan, showing the species and size of all trees of three (3) inches or greater caliper, d.b.h.*
  - c. Site data, including floor areas, aggregate building coverage, green space, vehicular use areas, retention areas and parking ratio.*
  - d. Each site plan presented herewith shall be drawn to a scale of no less than one (1) inch equals fifty (50) feet, and shall include the complete dimensioning and location of:*
    - 1. Plot Lines*
    - 2. Existing and proposed buildings and all other proposed improvements.*
    - 3. Off-street parking, curbing, wheel stops and interior landscape area.*
    - 4. Street paving, drainage structures, sidewalks, driveways, intersections, medians, existing and proposed deceleration and turning lanes.*
    - 5. Setbacks.*
    - 6. Floor plans, and exterior sales, storage or service areas.*
    - 7. Internal walks and pedestrian ways.*
    - 8. Typical building exterior elevation view.*
    - 9. Signs and exterior lighting.*
    - 10. Water mains and fire hydrants; sewer laterals.*
    - 11. Buffering and fencing or decorative masonry walls.*
    - 12. Solid waste disposal containers and enclosures.*
    - 13. Proposed finished floor and pavement elevations.*
    - 14. Landscaping plan.*
    - 15. Any other architectural, engineering or other data as may be required to permit the necessary findings.*
- 2. The required application fee, as provided in section 31-39 of this Code.*
- 3. A written and graphic summary of the proposed project and its relationship to the general standards of review in section 31-54(c) of this Code.*
- 4. Ownership affidavit and owner's sworn to consent, if applicable.*



*(c) General standards of review. In addition to the standards set forth in this Code of Ordinances for the particular use, all proposed special exceptions shall meet each of the following standards:*

- 1. The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.*
- 2. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.*
- 3. The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.*
- 4. The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.*
- 5. Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.*
- 6. Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.*
- 7. There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.*
- 8. The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties;*
- 9. The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.*
- 10. The city commission finds that the granting of the application will be in the best interest of the city.*

*(d) Review by development review committee (DRC). A complete application which is submitted pursuant to a schedule prepared by the development services department shall be reviewed at the next available DRC meeting. The DRC shall review the proposed use based on the general standards of review, use regulations, development standards of this Code, and all other applicable development regulations. The DRC chairman shall submit a written report, incorporating the findings and recommendation of the DRC, to the planning and zoning board and city manager.*

*(e) Meeting of the planning and zoning board. The planning and zoning board shall conduct a public hearing in which they discuss the DRC report and the project proposal, prior to making a recommendation concerning the project to the city commission. If the planning and zoning board determines that the proposed use is in compliance with general standards of review, use regulations, and development standards of this Code, then they shall recommend approval of the special exception to the city commission, with or without conditions, as determined appropriate. If the planning and zoning board finds that the proposed special exception is not in compliance, they shall recommend denial of the application. The planning and zoning board may continue the matter until any additional information or studies requested have been completed and offered in testimony.*



*(f) Review by city commission. The city commission shall review all special exception applications. The director of development services shall transmit to the city manager a copy of the complete application and a written staff report summarizing the facts of the case including all relevant documents and the recommendations of the planning and zoning board, if applicable. The city manager shall schedule the proposed special exception application for the next available city commission meeting providing the required notice procedures are met.*

- 1. Public hearing. The city commission shall hold one (1) public hearing on the proposed special exception.*
- 2. Action by city commission. In considering a special exception request, the city commission shall review the proposed special exception, based on the general purpose and standards of review set forth in this section, the report of the administration and recommendation(s) of the planning and zoning board, and any oral and written comments received before or at the public hearing. Based upon the record developed at the public hearings, the city commission may:*
  - a. Adopt the proposed special exception by resolution, with or without conditions;*
  - b. Deny the proposed special exception by resolution;*
  - c. Refer the matter to the planning and zoning board or administration for further consideration.*

*(g) Conditions. The city commission may attach such conditions to the approval as it deems necessary to ensure the proposed use conforms to the standards set forth in section 31-54(c) general standards of review and to prevent or minimize adverse effects on other property in the neighborhood, including, but not limited to: architectural design guidelines; limitations on size, bulk and location; duration of construction period; requirements for landscaping, signage, outdoor lighting, and the provision or limitation of ingress and egress; duration of the approval; hours of operation; and the mitigation of environmental impacts.*

*(h) Effect of approval or denial.*

- 1. Eligibility to apply for building permit, etc. Approval of the application for special exception by the city commission authorizes the applicant to proceed with any necessary applications for final site plan approval, building permits, certificates of level of service, and other permits, which the city may require for the proposed development. No permit shall be issued for work, which does not comply with the terms of the special exception approval.*
- 2. Expiration of special exception approval. Unless otherwise provided in the approval, the approval of a special exception application shall be void if a building permit or engineering permit has not been issued for the proposed development within twelve (12) months after the date of the special exception approval. An applicant who has obtained special exception approval may request an extension of this time period by submitting within the twelve-month period a letter stating the reasons for the request. The city commission may, at a regular meeting, grant an extension of up to twelve (12) months, per chapter 31, section 31-38(c) of the Code of Ordinances.*
- 3. Rescission of approval by abandonment of use. Any discontinuation of an approved special exception for a period of one hundred eighty (180) consecutive days shall constitute abandonment and shall rescind the approval of the special exception. The abandonment period shall be presumed to have commenced upon the termination of electrical or water service for the user, whichever occurs first.*

*(.i) Amendments and alterations to approved special exceptions.*

1. *Except as provided under section 31-54(i)(2), any expansion to an approved special exception and any addition to or expansion of an existing special exception shall require the same application, review and approval as required under this section for the original approval of the special exception.*
2. *Minor changes in the site plan or design details of an approved special exception which are consistent with the standards and conditions applying to the special exception and which do not result in additional external impacts, such as a minor shift in the location of a building or structure, the realignment of parking spaces and aisles, the relocation of a driveway, etc. may be approved by the DRC administratively without obtaining additional approvals. No increase in the intensity or change in use shall be considered a minor change for the purposes of this section.*

**CONFORMITY WITH CODE:**

1. *In response to Section 31-54(c)(1), the applicant states that the proposed drive through facility is consistent with the Comprehensive Plan (Plan) Goal 1, however has not identified any objectives or policies within the Plan.*

**RESPONSE: The justification statement has been updated to include consistency with goals, objectives and policies of the City's Comprehensive Plan.**

2. *In response to Section 31-54(c)(2), the applicant has not provided a truck maneuvering plan showing a safe and accessible route to the dumpster enclosure. The proposed site plan indicates a "burrito pick up" on the east side of the parking lot. This means customers will have to traverse the drive thru lane to go inside the building to pick up the order. No safety measures are proposed for those customers who have the option to park and pick up inside. Please provide details that indicate how safe pedestrian access will be provided for customers who choose to park and pick up. In addition, the applicant did not address the operations of the restaurants delivery of merchandise to the establishment. Please provide details that indicate how the operations of the establishment will be convenient and conducive to safe operations of loading and unloading of merchandise to the establishment.*

**RESPONSE: Please see the truck turn plan on sheet C-302 and the pedestrian plan on sheet C-303. The response to criteria 2 has been revised to include details on pedestrian crosswalks at entry points with the drive-thru lane and delivery operations. See Sheet C-301 for details.**

3. *Applicant has lost focus of special exception criterion number three. The requested special exception use is for a drive-through lane. The ethnicity or style of the menu is not pertinent to the hearing. Consider re-focusing response on the uniqueness of this model of drive-through use.*

**RESPONSE: The response to criteria 3 in the justification statement has been revised to focus on the uniqueness of the drive thru facility.**

4. *In response to Section 31-54(c)(4), please clarify how or why the proposed use is compatible.*

**RESPONSE:** The response to criteria 4 in the justification statement has been revised to provide clarification on how the use is compatible with the surrounding neighborhood.

5. *In response to Section 31-54(c)(5), applicant did not provide any analysis to support claims that the proposed development will not significantly increase current demand on necessary public facilities.*

**RESPONSE:** The response to criteria 5 has been revised to reference the water and sewer analysis and traffic impact study to demonstrate compliance.

6. *In response to Section 31-54(c)(6), the applicant wrote, "Petitioner's traffic engineer has prepared a detailed trip generation statement which concluded that the proposed Chipotle with drive thru use will generate a de minimus impact to the transportation network."*

**RESPONSE:** Noted.

7. *In response to Section 31-54(c)(7), criterion 7 requires demonstration of adequate parking areas and off street loading spaces (if applicable) consistent with the parking requirements of the Code. Section 33.2(F), establishes the parking requirements which includes a Master Parking Plan (MPP) and a parking justification. The MPP did not include all truck turning movements and number of vehicle reservoir areas. Please include above requirements in the MPP and provide the analysis in the parking justification. Per section 9.12(D), parking facilities on adjoining lots are encouraged to share access points and driveways subject to a recorded covenant running with the affected uses. Will there be a cross access easement with the adjoining properties? If so, please provide such document.*

**RESPONSE:** The truck turning movements and number of vehicle reservoir areas has been added to the MPP. Applicant is in processing of revising the existing declaration to add the chipotle outparcel. We will provide a copy once it is completed.

8. *In response to Section 31-54(c)(8), applicant did not provide any competent substantial evidence as to the effect that the requested use may have on adjacent property values.*

**RESPONSE:** The response to criteria 8 has been revised to reference an attached letter from Craig Fetherton, a real estate broker and tenant representative for Chipotle, which provides competent, substantial evidence regarding the positive impact a new Chipotle will have on the area and property values based on his experience and expertise.

9. *In response to Section 31-54(c)(9), the applicant provides a general statement on the orientation of the building and new landscape. Consider re-focusing the response of the proposed design, orientation of the building, landscaping, and how the new concept has lessened the impacts unto adjacent properties, use graphics if needed.*

**RESPONSE:** The response to criteria 9 has been revised to address this comment. Please also refer to revised plans for more detail.

10. *In response to Section 31-54(c)(10), the applicant provides a summary of how this proposal will be in the best interest of the City by introducing a new, popular restaurant to the City that addresses the evolving needs of the consumer by embracing the technological advances of the modern society.*

**RESPONSE: Noted.**

## **CONSISTENCY WITH COMPREHENSIVE PLAN, ELEMENT 1**

*The Broward County Planning Council recertified a new comprehensive plan for the City of Margate in April 2021. This recertification occurred before the submittal of the special exception use application. The current proposal is evaluated for consistency with the new comprehensive plan, element I. The use of a restaurant is classified as a neighborhood, community, and regional retail use and is listed as a permitted use in the City of Margate Comprehensive Plan. Element I.*

*Policy 1.1.2 The permitted uses, densities and intensities contained in the land development regulations shall not exceed those listed below for each land use category found on the Future Land Use Map. The City's land development regulations with respect to uses, densities and intensities may be more restrictive than those shown in this section.*

- a) *Commercial*
  - 1. *Neighborhood, community, and regional retail uses.*
  - 2. *Office and business uses.*
  - 3. *Commercial uses, including wholesale, storage, light fabricating and warehousing.*
  - 4. *Hotels, motels, and other tourist accommodations.*
  - 5. *Parks, recreation, and commercial recreation uses.*
  - 6. *Community facilities.*
  - 7. *Medical facilities, specifically doctors' offices, clinics, surgery centers, and hospitals.*
  - 8. *Municipal buildings, parks, and playgrounds.*
- b) *Activity Center*
  - 1. *All uses listed in a-j above, in accordance with the Activity Center Master Plan.*
  - 2. *Existing and proposed residential development shall be designed to be integrated into the existing neighborhoods created through the implementation of the Activity Center. Compatibility and appropriate transitional design elements will be reviewed at time of site plan review, consistent with the land development regulations adopted to implement the Activity Center land use category.*

11. *At this time, staff cannot make a determination of compatibility until the petitioner provides additional information as requested for above 10 criteria.*

**GOAL 2: ENCOURAGE THE HIGHEST STANDARDS OF DEVELOPMENT DESIGN AND LANDSCAPING FOR THE CITY, AS A WHOLE, INCLUDING DISTRICTS WITHIN THE CITY, AND INDIVIDUAL SITE PLANS.**

*OBJECTIVE 2.1 Future development and redevelopment activities shall be directed to appropriate locations as designated on the Future Land Use Map, consistent with sound planning principles, natural limitations, and the goals, objectives, and policies contained within this plan, consistent with the requirements of S.163.3202 (1), Florida Statutes.*

*Policy 3.2.2 All proposed development shall be compatible with adjacent land uses. Compatibility determination shall include consideration of factors such as, but not limited to, operational characteristics and intensity of use (ex: hours of business, indoor vs outdoor activities, traffic generation, etc.), noise, glare, odor and other externalities, and adequacy of buffering.*

**RESPONSE: Noted.**

12. *The proposed restaurant with a drive through is proposed to be an outparcel with outdoor seating with pedestrian connectivity to West Atlantic Boulevard. This proposed site will be subject to an urban greenway which enhances the major roadway to allow a pedestrian friendly atmosphere to nearby transit stop and residential areas. Staff finds that the site design is almost consistent with goal 7 when appropriate improvements are made to the site.*

**GOAL 7: DESIGN AREAS ACCORDING TO A PLAN THAT SKILLFULLY ASSIGNS USES TO AREAS TO CREATE A SENSE OF IDENTITY AND APPEAL.**

*Policy 7.2.3 Additional or expanded stand-alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; "big box"/warehouse; and drive-through facilities should be designed to encourage pedestrian and transit usage.*

*Policy 7.2.4 The redevelopment and development within the Activity Center shall ensure that all parcels of land have pedestrian connections leading to transit stops. Such connections shall be required as part of the land development regulations adopted to implement the Activity Center land use category. Street connections and pedestrian connection locations shall, at a minimum, be consistent with the Activity Center Master Plan.*

*Policy 7.3.5 Consistent with the intent of the Activity Center land use category, land development regulations shall include design features that promotes and enhance pedestrian mobility, including connectivity to transit, and alternative modes of transportation*

**RESPONSE: Noted. Please see the revised site plan on sheet C-301.**

13. *Staff finds that the development proposal could use improvements to internal pedestrian connectivity to the restaurant and other amenities along the urban greenway in order to be consistent with Policy 7.2.6, below.*

*Policy 7.2.6 New development shall incorporate internal pedestrian and transit amenities to serve residents and employees within the area designated as an Activity Center (such as benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) or other amenities that could be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food refreshment vendor areas.) [BCLUP 2.4.16]*

**RESPONSE:** The internal pedestrian connectivity has been improved in the most recent plan revision. Namely, the internal pedestrian walk adjacent to the restaurant, curb ramps to the southern ROW and the corresponding crosswalk have been expanded to 8'. Additionally, a crosswalk has been added from the restaurant to the eastern parking area.

We believe the above responses and corresponding plan changes have adequately satisfied the comments. Should you have any questions or would like to discuss the project at any time during your review, please contact us at (561) 571-0280.

Sincerely,

**BOHLER ENGINEERING**

Chris Lall  
Assistant Project Manager

cc: File