

Land Development Regulations
Major Development Application
Major Development
Submittal Review Comments No. 3

Review Date: **FEBRUARY 12, 2024**

Applicant Name: **RHONDA PARNELL & LAURENCE BEALL**

Permit No.: **N/A**

Project Name: **PROPOSED COMMERCIAL DEVELOPMENT
PARCEL ID NO. 26231-010-010 – 6221 EAST HIGHWAY 98
PROPOSED CAFÉ (10 SEATS)
SUBMITTAL NO. 3 REVIEW**

APPROVAL STATUS:

- ☐ **APPROVED**
- ☒ **APPROVED AS NOTED (CONDITIONAL APPROVAL)**
- ☐ **RESUBMITTAL REQUIRED - REQUEST ADDITIONAL VERIFICATION/MODIFICATION**
- ☐ **NOT APPROVED – DOES NOT MEET LAND USE CODE**

PUBLIC WORKS REVIEW COMMENTS:

1. No Current Issues.

POLICE DEPARTMENT REVIEW COMMENTS:

1. Not Applicable.

FIRE DEPARTMENT REVIEW COMMENTS:

1. No comments.

PLANNING REVIEW COMMENTS:

1. Comments have been provided on the LDR analysis on Pages 2 to 17 of this review.
2. It is our understanding that City Clerk Rega has approved the parking as stated in the 02/06/2023 Applicant Comment. The Comment will remain as DOES NOT MEET LAND CODE as this review is to show discrepancies of an applicant's application to the Land Development Regulations. The Application can be presented to the City Planning Council and City Council for approval.

It should be noted that all communication regarding this development should flow through the City for distribution to the review team. Communication with the review team directly is strictly prohibited as the City maintains the master files for this development.

Should you have any questions, please do not hesitate to contact the City of Parker.

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PROJECT DESCRIPTION:

Applicant is requesting to renovate an existing structure into a new commercial development, a small restaurant with 10 seats and an upstairs office and restroom, located at **6221 Highway 98 East**, Parker, Florida.


PROPERTY DESCRIPTION:

1. Non-Conforming Status	NOTIFICATION ONLY: According to Article 6-3.1.6 (Protection of Landowner's Rights – Existing Non-Conforming Development): Because this parcel was demolished and is now a vacant lot, it will lose its non-conformance status and must be brought up to code.
2. Parcel ID:	26231-010-010 – 6221 EAST HIGHWAY 98
3. S/T/R:	25-4S-14W
4. Purpose of Application:	Applicant is requesting permission to renovate an existing structure into a small restaurant that seats 10 people (commercial development)
5. Area:	APPROVED AS NOTED 1/26/2024: Bay County GIS and Property Appraisers indicate that this parcel is 0.137 acres/5,967.72 square feet. The Topographical Survey did not provide the acreage of the site. When survey data is inputted into CAD and the area calculated, the area is indicated as 5,921.75 square feet or approximately 0.136 acres. 5/18/2023 CITY COMMENT: Applicant did not provide signed and sealed boundary survey confirming the area. Boundary Survey will be required to confirm total area of the parcel. 01/26/2024 CITY COMMENT: A Boundary and Topographic Survey were included signed and sealed by Dragon Land Survey. This comment has been addressed. Using 5,923 SF or 0.136 acres per Site Plan Data Table. <i>Accurate dimensions and/or areas of the impervious structures (buildings, driveway, etc.) are requested to ensure that the City has the most up-to-date records for all structures located on these parcels and to assist in the review of lot coverage and additional development orders submitted for the same development in the future.</i>
6. Current Use:	Vacant Commercial Lot
7. Proposed Use	Small 10-Seat Restaurant
8. FLU:	Mixed Use - 2
9. Maximum Density	APPROVED: As referenced in Article 4-5.3.5.a – Mixed Use 2 – Development Standards – Maximum Density is defined as 25 dwelling units per acre. However, because this is a commercial development, this requirement does not apply.
10. Building Height	APPROVED: As referenced in Article 4-5.3.5.b – Mixed Use 2 – Development Standards – Maximum Building Height is defined as Residential (120 ft/12 stories) and Non-Residential (25 ft/2 stories).


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	<p>Application indicates a structure height of 27'8". Elevations do not appear to provide a height. However, a measurement from the finished floor to the roof apex indicates 27'8".</p>
11. Setback – Front Yard - 15 feet	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 4-5.3.5.c.i – Mixed Use 2 – Development Standards – Front Yard Minimum Lot Setback is defined as 15 feet.</p> <p>5/18/2023 CITY COMMENT: Please dimension 15-foot front yard setbacks on the Site Plan. The setback line has been inserted but measurement not provided.</p> <p>1/26/24 CITY COMMENT: Plans indicate front yard to be running along U.S. Highway 98 with a 15-foot setback. <i>This comment has been addressed.</i></p>
12. Setback – Rear Yard - 15 feet	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 4-5.3.5.c.ii – Mixed Use 2 – Development Standards – Rear Yard Minimum Lot Setback is defined as 15 feet.</p> <p>5/18/2023 CITY COMMENT: Please dimension 15-foot rear yard setbacks on the Site Plan. The setback line has been inserted but measurement not provided.</p> <p>1/26/24 CITY COMMENT: Plans indicate rear yard setback is 15 feet. <i>This comment has been addressed.</i></p>
13. Setback – Side Yard - 7 feet	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 4-5.3.5.c.iii – Mixed Use 2 – Development Standards – Side Yard Minimum Lot Setback is defined as 7 feet.</p> <p>5/18/2023 CITY COMMENT: Please dimension 7-foot side yard setbacks on the Site Plan. The setback line has been inserted but measurement not provided.</p> <p>1/26/24 CITY COMMENT: Plans indicate side yard setback is 7 feet. <i>This comment has been addressed.</i></p>
14. Setback – Corner Lot – 10 feet	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 4-5.3.5.c.iv – Mixed Use 2 – Development Standards – Corner Yard Minimum Lot Setback is defined as 10 feet.</p> <p>5/18/2023 CITY COMMENT: Please dimension 10-foot corner yard setbacks on the Site Plan. This will be the front boundary corner where US. Highway 98 and Alma Avenue meet. The setback line has been inserted but measurement not provided.</p> <p>1/26/24 CITY COMMENT: Plans indicate side yard setback is 7 feet. <i>This comment has been addressed.</i></p>
15. Lot Coverage (≤80%)	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 4-5.3.5.d – Mixed Use 2 – Development Standards – Maximum Lot Coverage is defined as 80%.</p> <p>5/18/2023 CITY COMMENT: Lot coverage is calculated according to the lot size and structures on the parcel. Applicant is required to provide a Site Data Table which includes how they came up with 73% lot coverage. This should include the square footage of the following: Building 1 – Area/Square Footage Pavement/Parking Areas – Area/Square Footage Sidewalks – Area/Square Footage Decking – Area/Square Footage.</p>



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	<p>1/26/24 CITY COMMENT:</p> <table border="1"> <tr> <td>New Building</td><td>600 SF</td></tr> <tr> <td>Sidewalk/Paving</td><td>384 SF</td></tr> <tr> <td>New Stairs</td><td>101 SF</td></tr> <tr> <td>Existing Pavement</td><td>3,397 SF</td></tr> <tr> <td>Total Site Impervious</td><td>4,482 SF</td></tr> </table> <p>Lot Coverage = Impervious/Lot Size Lot Coverage = 4,482 SF/5,923 SF = 75.7%</p> <p>Applicant meets the LDR threshold for Lot Coverage. <i>This comment has been addressed.</i></p> <p><i>As stated above, accurate dimensions and/or areas of the impervious structures (buildings, driveway, etc.) are requested to ensure that the City has the most up-to-date records for all structures located on these parcels and to assist in the review of lot coverage and additional development orders submitted for the same development in the future.</i></p>	New Building	600 SF	Sidewalk/Paving	384 SF	New Stairs	101 SF	Existing Pavement	3,397 SF	Total Site Impervious	4,482 SF
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16. Minimum Lot Size (≥7,500)	<p>APPROVED: As referenced in Article 4-5.3.5.e – Minimum Lot Size is indicated as 5,000 square feet. The lot size is indicated as over 5,000 square feet in Comment No. 5 above which meets the requirement of greater than 5,000 square feet detailed in the LDR.</p>										
17. Distance between Buildings	<p>N/A: As referenced in Article 4-5.3.5.e – Distance Between Buildings, Applicant shall provide:</p> <ol style="list-style-type: none"> 1. The minimum distance between adjacent stand-alone buildings shall be a total of 10 feet. 2. Distance shall be measured at the narrowest space between structures, whether a main living unit, principal structure, allowable attachment, or an accessory use, and shall not include roof overhang (eave). <p>There appears to be only 1 building on site.</p>										
18. FIRM Panel No, Flood Zone and BFE (if applicable)	<p>APPROVED: Parcel is located within Flood Zone X in FIRM Panel No. 12005C0426H,</p>  <p>Source: http://maps.baycountyfl.gov FLOOD ZONE MAP</p> <p><small>This data is provided with understanding that the conclusions drawn from such information are solely the responsibilities of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Bay County GIS Division - 850.248.8071 - gis.division@baycountyfl.gov Printed: 5/1/2023</small></p>										


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<p>19. Wetlands:</p>	<p>NOTIFICATION ONLY: Parcel is NOT located adjacent to a wetland. <i>However, the parcel is located on East Highway 98 which is bordered by St. Andrew Bay and East Bay. Though, it is not anticipated that this parcel will have any direct impact on the wetlands, it should be noted that debris should be picked up during construction and all efforts should be made to ensure no debris enters either wetland area that are near the parcel.</i></p> <p><i>Per Parker Ordinance No. 2016-376, § 3, 8-16-16, any construction or building site shall be kept clean at all times. All debris or solid waste must be confined in a specific area of the construction or building site. It shall be the responsibility of the individual obtaining the building permit and the general contractor to properly dispose of construction debris and solid waste on at least a weekly basis. No construction debris shall be burned or buried. All efforts to keep debris away from the shoreline of the property should be adhered to.</i></p>
<p>20. Storm Surge Risk:</p>	<p>NOTIFICATION ONLY: The parcel is located on East Highway 98 between two bodies of water, where storm surge is possible for a Level 5 storm event. Minimal to no storm surge is expected with storms lower than a Level 5 storm event.</p>  <p>Source: http://maps.baycountyfl.gov STORM SURGE MAP</p> <p><small>This data is provided with understanding that the conclusions drawn from such information are solely the responsibility of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Bay County GIS Division - 850.248.8071 - gis.division@baycountyfl.gov Printed: 5/1/2023</small></p>
<p>21. Coastal High Hazard Area:</p>	<p>APPROVED: Parcel is located more inland and is not adjacent to a Coastal High Hazard Area.</p>
<p>22. Soils:</p>	<p>Site contains mostly Kureb Sand, 0 to 5 percent slopes, which is a very deep, excessively drained, gently sloping to moderately steep soils on Coastal Plain uplands and on side slopes along streams and bays. They have formed in marine, aeolian, or fluvial sands. Slopes range from 0 to 20 percent. Annual precipitation is about 50 inches and mean annual temperature is about 63°F.</p> <p>Taxonomic Class: Thermic, uncoated Spodic Quartzipsamments</p>
<p>23. Contour Elevations:</p>	<p>Parcel is sloping from 12 feet at the front yard boundary of the parcel (East Highway 98) to 13 feet at the border of the adjacent parcel</p>
<p>24. Easements:</p>	<p>A utility easement runs along the front boundary of the parcel to construct, alter, and maintain water, sewer, telephone, gas, electric, cable, and other utility lines and all necessary laterals along E. Highway 98.</p>

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	 <p>Source: http://maps.baycountyfl.gov</p> <p>UTILITY EASEMENT MAP</p> <p>This data is provided with understanding that the conclusions drawn from such information are solely the responsibilities of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Bay County GIS Division - 850.248.8071 - gis.division@baycountyfl.gov Printed: 5/1/2023</p>
25. Utilities:	<p>APPROVED AS NOTED 1/26/2024:</p> <p>Water Utilities:</p> <p>A 2-inch watermain runs along the north side of Alma Avenue which connects to the 8-inch watermain at East Highway 98. Currently, this parcel has one commercial water meter on the east corner of the property.</p>  <p>Source: http://maps.baycountyfl.gov</p> <p>WATER SYSTEM MAP</p> <p>This data is provided with understanding that the conclusions drawn from such information are solely the responsibilities of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Bay County GIS Division - 850.248.8071 - gis.division@baycountyfl.gov Printed: 5/1/2023</p>

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	<p>Wastewater Utilities: A 4-inch sewer lateral is located at the rear of Alma Avenue which connects to the City's 8-inch PVC cured-in-place sewer gravity main that runs along the shoreline of East Bay. It is unclear if this single sewer lateral is for all buildings along Alma Avenue.</p> <p>5/18/2023 CITY COMMENT: The City will need to provide more detail for this lateral for further determination.</p>  <p>Source: http://maps.baycountyfl.gov</p> <p>SEWER SYSTEM MAP</p> <p>This data is provided with understanding that the conclusions drawn from such information are solely the responsibilities of the user. The GIS data is not a legal representation of the features depicted, and any assumption of the legal status of this data is hereby disclaimed. Bay County GIS Division - 850.248.8071 - gis.division@baycountyfl.gov</p> <p>Printed: 5/1/2023</p> <p>01/26/24 CITY COMMENT: In a letter from Tony Parker, City of Parker, dated October 31, 2023, the City located the sewer lateral for this property which flows to the east and connects to the sewer main that runs along the shoreline going to Lift Station P-13. In addition, Applicant provided location of existing sewer line on drawings which was marked by the City during their inspection. <i>This comment has been addressed.</i></p>
<p>26. SubArea 2 – Mixed Use Parkway Overlay</p>	<p>APPROVED AS NOTED 01/26/2024: As referenced in Article 4-7.3 – Subarea 2 – Mixed Use Parkway (South portion of East Highway 98), Applicant shall show compliance with the overlay design standards and the City's vision for this area of Highway 98:</p> <ol style="list-style-type: none"> 1. Building Architectural Style – The use of a common set of colors and building materials should be maintained for building facades to create a consistent and traditional architectural identity. The high-rise buildings should be designed to step back the upper floors from the right-of-way to create an open ambiance at the street level. Significant separations from buildings should also be provided to allow for view corridors to the water. 2. Building Use Mix – A mix of low to high rise mixed use, buildings containing retail, restaurant, personal service, office, and residential uses are desired fronting Highway 98. 3. Pedestrian Mobility – All properties within the subarea are encouraged to provide sidewalks parallel to public rights-of-way across the entirety of the property frontage

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	<p>and connecting with and to existing sidewalks located on abutting properties. Internal sidewalks are also encouraged to provide linkages to building entrances.</p> <ol style="list-style-type: none"> 4. Parking – Parking standards will meet the requirements of Section 5-9 Traffic Circulation and Parking. Parking at the front of buildings should be limited to drop off areas in order to create a pedestrian-oriented development pattern. 5. Streetscape and Landscape – The streetscape is encouraged to be enhanced with wider sidewalks, street trees, median plantings, and landscape buffers of parking lots. 6. Stormwater – All stormwater management basins shall be designed to meet the City's and Water Management District's design requirements. Co-location shall be encouraged for larger regional systems and use as a site amenity. <p>5/18/2023 CITY COMMENT: Please provide landscape/streetscape plan that depicts street trees, median plantings, and landscape buffers of parking lots.</p> <p>1/26/2024 CITY COMMENT: Landscape Plan was provided by Applicant. Please ensure that the landscape beautification process is maintained as this site is located along Highway 98 in an overlay area of Parker. <i>This comment has been addressed.</i></p>
<p>27. AICUZ Overlay</p>	<p>APPROVED: According to the Generalized Existing Land use and AICUZ Planning Contours Map provided in the “Tyndall Air Force Base – Air Installations Compatible Use Zones (AICUZ) Final Study” (dated March 2016), this parcel lies within the AICUZ overlay area of Parker and could potentially experience noise levels between 65 and 70 dBA.</p> <div data-bbox="483 1119 1269 1585"> </div> <p>Furthermore, in Section 6.4.1 of this report, TAFB stated.</p> <p>6.4.1 Land Use Analysis</p> <p>For the purpose of this analysis, the DoD AICUZ compatibility guidelines (Tables 6-1) have been consolidated into the seven generalized land use classifications described in section 6.1. The generalized compatibility guidelines are shown in Table 6-3. Land use compatibility falls into one of four categories: (1) Compatible, (2) Compatible with Restrictions, (3) Not Compatible, and (4) Not Compatible with Exceptions. The conditionally compatible land use, i.e., categories 2 and 4, may require incorporation of noise attenuation measures into the design and construction of the structures and further evaluation to be considered “compatible” or density limitations for land in APZs.</p>

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	<p style="text-align: center;">Table 6-3. Generalized Land Use Categories and Noise/Safety Compatibility</p> <table><tr><th rowspan="2">Land Use Category</th><th colspan="5">Band of DNL (dB)</th><th rowspan="2">CZ</th><th rowspan="2">APZ I</th><th rowspan="2">APZ II</th></tr><tr><th>65-70</th><th>70-75</th><th>75-80</th><th>80-85</th><th>85+</th></tr><tr><td>Residential</td><td>No¹</td><td>No¹</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr><tr><td>Commercial</td><td>Yes</td><td>Yes²</td><td>Yes²</td><td>No</td><td>No</td><td>No</td><td>Yes²</td><td>Yes²</td></tr><tr><td>Industrial</td><td>Yes</td><td>Yes</td><td>Yes</td><td>Yes²</td><td>No</td><td>No</td><td>Yes²</td><td>Yes²</td></tr><tr><td>Public/Quasi-Public</td><td>Yes²</td><td>Yes²</td><td>Yes²</td><td>No</td><td>No</td><td>No</td><td>No</td><td>Yes²</td></tr><tr><td>Recreation</td><td>Yes²</td><td>Yes²</td><td>No</td><td>No</td><td>No</td><td>No</td><td>Yes²</td><td>Yes²</td></tr><tr><td>Open/Agriculture/Low Density</td><td>Yes²</td><td>Yes²</td><td>Yes²</td><td>Yes²</td><td>Yes²</td><td>No</td><td>Yes²</td><td>Yes²</td></tr><tr><td>Undesignated</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td><td>No</td></tr></table> <p>¹ Incompatible with exceptions - See Table 6-2</p> <p>² Compatible with restrictions - See Table 6-2</p> <p>As indicated, Commercial uses are allowed in the area where noise levels range from 65-70 dBa.</p>	Land Use Category	Band of DNL (dB)					CZ	APZ I	APZ II	65-70	70-75	75-80	80-85	85+	Residential	No ¹	No ¹	No	No	No	No	No	No	Commercial	Yes	Yes ²	Yes ²	No	No	No	Yes ²	Yes ²	Industrial	Yes	Yes	Yes	Yes ²	No	No	Yes ²	Yes ²	Public/Quasi-Public	Yes ²	Yes ²	Yes ²	No	No	No	No	Yes ²	Recreation	Yes ²	Yes ²	No	No	No	No	Yes ²	Yes ²	Open/Agriculture/Low Density	Yes ²	Yes ²	Yes ²	Yes ²	Yes ²	No	Yes ²	Yes ²	Undesignated	No	No	No	No	No	No	No	No
Land Use Category	Band of DNL (dB)					CZ	APZ I				APZ II																																																																			
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Residential	No ¹	No ¹	No	No	No	No	No	No																																																																						
Commercial	Yes	Yes ²	Yes ²	No	No	No	Yes ²	Yes ²																																																																						
Industrial	Yes	Yes	Yes	Yes ²	No	No	Yes ²	Yes ²																																																																						
Public/Quasi-Public	Yes ²	Yes ²	Yes ²	No	No	No	No	Yes ²																																																																						
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Open/Agriculture/Low Density	Yes ²	Yes ²	Yes ²	Yes ²	Yes ²	No	Yes ²	Yes ²																																																																						
Undesignated	No	No	No	No	No	No	No	No																																																																						
28. Accessory Structures:	N/A																																																																													
29. Trees	<p>APPROVED: It does not appear that there are trees currently onsite.</p> <p>As referenced in Article 5-7.11 – Trees:</p> <p>1. Generally</p> <p>Unless exempt under paragraph 18 of this subsection 5-7.11 or if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that a tree presents a danger to persons or property, <u>no person shall cut down, destroy, remove or move, or effectively damage any protected tree located on any public or private real property within the City, unless otherwise exempted, without first obtaining authorization from the City.</u></p> <p>2. Protected Trees</p> <p>Unless otherwise authorized by this subsection or exempt from a City permit, no person shall cause, suffer, permit The removal of a protected tree without first obtaining approval or authorization from the City to conduct the removal.</p> <p>3. Conditions for Protected Tree Removal Authorization</p> <p>It is the intent of this subsection to <u>minimize the number of protected trees subject to damage or removal.</u> No authorization shall be granted to remove a protected tree if the person has failed to take reasonable measures to design and locate proposed development so that the number of protected trees to be removed is minimized.</p> <p>4. Tree Permit Application Requirements</p> <p>Required tree survey. Each permit application shall be accompanied by a <u>tree survey, prepared by a professional surveyor, registered with and licensed by the State. The survey shall consist of field flagging, location and identification of all protected trees, and property boundaries and corners.</u></p>																																																																													

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30. Visual Buffers	<p>APPROVED 02/07/2024: As referenced in Article 5-6.3.1 – Performance Standards - Visual Buffers, Applicant is required to provide:</p> <p><u>A visual screen or barrier must be used to block from view all parking areas from adjacent residential property or developments.</u> Along the front of parking areas and from the front lot line to the twenty (20) foot front setback line, this barrier shall consist of at least fifty percent (50%) solid material with minimum height of three (3) feet. From the twenty (20) foot front setback line to the rear lot line, the barrier shall consist of at least seventy-five (75) percent solid material with a minimum height of six (6) feet.</p> <p><u>Shrubs, trees, fences, or any combination of landscape material may be used in the construction of the barrier.</u> There shall also be a five (5) foot buffer strip between residential use and non-residential use which may be comprised of native vegetation or landscaped vegetation. All visual buffers shall be properly maintained and kept in good repair and appearance by the property owner.</p> <p>5/18/2023 CITY COMMENT: Please provide how this will be accomplished for those residential units that border the parcel to the east.</p> <p>01/26/2024 CITY COMMENT: Applicant provided photo indicating where a wooden fence would be placed which would connect to the existing fencing along the eastern border of the parcel, shielding parking from the residential unit adjacent to the commercial development. <i>Per the LDR Article 5-5.5 – Fencing, please provide details of the wooden fence to ensure it meets the requirements of Article 5-5.5. Specifically, height should be confirmed.</i></p> <p>02/06/2024 APPLICANT COMMENT: - There will be a 6-foot wooden privacy fence along the property to stop light glaring into neighboring apartments. The fence will not extend to the road to allow for adequate visibility.</p> <p>02/07/2024 CITY COMMENT: Applicant has indicated wooden fence will be 6 feet in height which is within the LDR threshold for fencing on side and rear yards. Applicant has indicated that the fence will not extend to the road. <i>This comment has been addressed.</i></p>
31. Noise	<p>APPROVED: As referenced in Article 5-6.3.2 – Performance Standards – Noise, Applicant is required to provide:</p> <p>No non-residential development shall be allowed adjacent to residential properties which causes extended sound levels on such residential properties to exceed 60 dBA from 7:00 A.M. to 10:00 P.M., and 55 dBA from 10:00 P.M. to 7:00 A.M. Extended sound levels are those of a continuous or consistently repetitive nature.</p> <p>Applicant indicated on Application that noise levels will not be exceeded.</p>
32. Lighting and Glare	<p>APPROVED AS NOTED 1/26/2024:</p> <p>As referenced in Article 5-6.3.3 – Performance Standards – Lighting and Glare, Applicant is required to provide: No multi-family residential or non-residential development shall be allowed adjacent to any residential properties which causes excessive illumination or glare upon the residential properties. <u>All lighting or illumination proposed as part of any multi-family or non-residential development shall be located</u></p>

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	<p><u>and installed so that no direct or indirect light falls upon adjacent residential properties. All driveways, parking lots or other vehicular access associated with multi-family or non-residential development shall be designed and constructed so that no direct light from vehicle headlights is shown upon or into any adjacent residential dwelling.</u></p> <p>5/18/2023 CITY COMMENT: Please provide location of lighting on buildings and either a photometric plan or lighting details which show the impact of light illumination on adjacent properties.</p> <p>01/26/2024 CITY COMMENT: Applicant provided lighting details and also a lighting plan, it does not appear to indicate an issue with lighting to the adjacent residential property to the east. In addition, wooden fencing is being installed along the adjacent property line which will also help reduce lighting elements on the adjacent property. <i>This comment has been addressed.</i></p>
<p>33. Erosion Control</p>	<p>APPROVED AS NOTED 1/26/2024:</p> <p>As referenced in Article 5-7.7.2 – Soil – Protection Standards, Applicant is required to provide:</p> <p>As part of the development review process required pursuant to subsection 6-1.4 of these Land Development Regulations the developer shall include an "Erosion and Sediment Control Plan". Such plan shall include:</p> <ul style="list-style-type: none"> a. Calculations of maximum runoff based on the 100-year 1-percent critical duration storm event. b. A description of, and specifications for, sediment retention devices. c. A description of, and specifications for, surface runoff and erosion control devices. d. A description of vegetative measures. e. A map showing the location of all items listed in (a) through (d) in this paragraph. <p>A developer may propose the use of any erosion and sediment control techniques provided such techniques represent best management practices and are certified by a Florida registered professional engineer.</p> <p>Once development activity begins the developer shall maintain in good repair all erosion and sediment control measures specified in the Erosion and Sediment Control Plan regardless of whether the development project is completed or not.</p> <p>5/18/2023 CITY COMMENT: Please provide drainage report/Geotech report including stormwater calculations as listed above.</p> <p>02/02/2024 CITY COMMENT: With documentation provided from FDEP on exemption status of stormwater permitting, it is assumed that no more information is required. A review of FDOT permitting requirements appears to indicate an exemption.</p>
<p>34. Wildlife Habitat Protection</p>	<p>APPROVED: As referenced in Article 5-7.8.2 – Wildlife Habitat, Applicant is required to provide:</p> <p>2. Protection Standards</p> <p><u>The developer of any areas identified as containing habitat for endangered or threatened species shall be responsible for the conduct of an analysis to determine the value and extent of such habitat.</u> This habitat analysis shall form the basis of habitat conservation and preservation measures to be <u>established either as a</u></p>

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	<p><u>condition of development approval or in an enforceable development agreement.</u></p> <p>The USFWS preliminary review indicated no critical habitats directly exist at this site location; however, precaution should always be taken to ensure no adverse effects to any discovered endangered species (e.g., Eastern Black Rail bird, Alligator Snapping Turtles, and Eastern Indigo Snake, as well as a variety of flowering plants including Godfrey's Butterwort and White Birds-in-a-Nest) are present near or on the site, as this area does indicate endangered species could possibly be present. In addition, precaution should be taken for migratory birds, including the Magnificent Frigatebird, which may be nesting on or near the site.</p> <p>As this parcel is mainly concrete and building, it does not appear to the need for an analysis. However, USFWS should be consulted if any protected species of animal, bird, or fauna are encountered.</p>										
35. Access Control	<p>APPROVED AS NOTED 2/2/2024: Applicant will use existing access points to parcel from East Highway 98 and Alma Avenue.</p> <p>IF APPLICATION PLANS TO CHANGE THE ACCESS OFF HIGHWAY 98 IN ANY WAY, APPLICANT IS REQUIRED TO CONTACT FDOT AND SUBMIT AN ACCESS PERMIT. AS IT STANDS, THE PLANS DO NOT INDICATE THAT THIS IS THE CASE; HOWEVER, IT IS NOTED AS INFORMATION ONLY.</p>										
36. Parking and Loading	<p>DOES NOT MEET STANDARDS 02/07/2024: As referenced in Article 5-9.8.1 - Table, Applicant is required to provide 10 parking spaces per 1,000 square feet of gross floor area for restaurants.</p> <p>5/18/2023 CITY COMMENT:</p> <table border="0"> <tr> <td>First Floor – Café</td> <td>20 feet by 30 feet = 600 SF</td> </tr> <tr> <td>Second Floor – Office</td> <td>20 feet by 30 feet = 600 SF</td> </tr> </table> <p>Restaurants, lounges, or establishments for consumption of beverages on premises is 10 per 1,000 SF of Gross Floor Area. This would equate to 12 spaces for the café.</p> <p>Applicant is required to provide 12 parking spaces. Applicant indicated that they would use existing parking spaces which are 7.</p> <p>Because it is a very small café with an upstairs office, it does not necessarily fit into the restaurant category and because the upstairs will only be a single person office space, sink, restroom and storage, it does not specifically fit into office space at 4 per 1,000 SF of Gross Floor Area. This development does not fit perfectly into one specific parking category or combination of categories and the City should determine the number of spaces.</p> <p>01/26/2023 CITY COMMENT:</p> <p>Applicant provided First-Story and Second-Story Floor Plans showing the following:</p> <table border="0"> <tr> <td>First Floor – Café</td> <td>20 feet by 30 feet = 600 SF</td> </tr> <tr> <td>Second Floor – Office</td> <td>20 feet by 30 feet = 375 SF</td> </tr> <tr> <td></td> <td>975 SF</td> </tr> </table> <p>If the City approves the use of the bottom floor as restaurant parking, then 6 parking spaces would be required for the café and if the upper floor is considered an office, then 2 additional parking spaces would need to be provided, for a total of 8 parking spaces (as any increment of space would round to the next full space). As shown the proposed</p>	First Floor – Café	20 feet by 30 feet = 600 SF	Second Floor – Office	20 feet by 30 feet = 600 SF	First Floor – Café	20 feet by 30 feet = 600 SF	Second Floor – Office	20 feet by 30 feet = 375 SF		975 SF
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	<p>development does not meet the parking requirements unless the City were to consider a separate requirement for cafes.</p> <p>02/06/2023 APPLICANT COMMENT: Owners state they have 7 parking places and 1 additional parking spots for loading. Commercial Truck unloading/loading will not happen during regular business hours and that spot may be used as parking if needed, which would bring the total to 8 full spots. City Clerk Rega is in agreement with the use of the loading spot for a parking space. The upstairs will only be an office for the cafe or may be an efficiency type apartment in the future, the parking will be adequate for either use.</p> <p>02/07/2023 CITY COMMENT: It is our understanding that City Clerk Kim Rega has approved the parking as stated in the 02/06/2023 Applicant Response received. The Comment will remain unchanged as this review is to show discrepancies of an applicant's application to the Land Development Regulations.</p> <p><i>The application can be presented to the City Planning Council and City Council for approval.</i></p>
37. Parking Lot Requirements	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 5-9.8.4 – Off-Street Parking Lot Requirements, Applicant is required to provide:</p> <p>4. Off-street parking lot requirements.</p> <p>All parking areas shall be <u>surfaced with a hard, dustless material</u> approved by the City; properly drained; designed for pedestrian safety and shall provide direct access to a public roadway or alley. <u>Each off-street parking space shall have a minimum width of 9 feet and a minimum length of 20 feet.</u> Vehicular off-street turning and maneuvering space shall be provided for each lot containing five or more spaces so that no vehicle will be required to back into or from any public roadway or alley.</p> <p>5/18/2023 CITY COMMENT: Please indicate the dimensions of the existing parking spaces on the Site Plan.</p> <p>01/26/2023 CITY COMMENT: Applicant provided a parking space layout with dimensions including one ADA compliant space. Each space has enough room to back out in the café parking area without pulling out onto Alma Avenue. <i>This comment has been addressed.</i></p>
38. Off-Street Loading and Unloading	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 5-9.8.5 – Off-Street Parking Lot Requirements, Applicant is required to provide:</p> <p>There shall be provided on the same lot as that of the principal structures (<i>other than a one- or two-family dwelling</i>) adequate <u>space for vehicular off-street loading, unloading, and the maneuvering of commercial vehicles.</u> Vehicular off-street maneuvering spaces shall be provided so that no vehicular backing onto or from a public roadway is required. <u>All vehicular loading and maneuvering areas shall be surfaced with a hard, dustless material, and shall have direct access to a public roadway or alley.</u></p>

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	<p>A minimum of one such loading space shall be provided for all nonresidential buildings where six or more parking spaces are required, plus one additional space for each ten thousand (10,000) square feet (or fraction thereof).</p> <p>5/18/2023 CITY COMMENT: Please indicate a loading/unloading area for large commercial truck.</p> <p>01/26/2023 CITY COMMENT: Applicant provided a loading/unloading area for large commercial truck. The truck will pull into the space off of Alma Avenue and pull out off of Highway 98. Pavement Marking arrows showing the direction the commercial truck would be routed have been included. Please ensure that all commercial deliveries are aware when leaving that they must not pull onto Alma Avenue and follow the directional arrows to pull out onto Highway 98. <i>This comment has been addressed.</i></p>
39. Major Development Requirements:	<p>APPROVED AS NOTED 1/26/2024: As referenced in Article 6-1.3 – Development Review Process, Applicant is required to provide:</p> <ol style="list-style-type: none">1. APPROVED AS NOTED - Adequacy of public facilities and services available to serve the proposed development and bonding of all infrastructure by phase. See Comment 43 below.2. APPROVED AS NOTED 2/02/2024 - Suitability of site conditions including topography and soils, and the extent to which site modifications will be necessary to accommodate the proposed development. Please provide Geotechnical Report. <i>Following documentation that this site is exempt from FDEP/NWFWMD for stormwater permitting and review of FDOT's exemption of this site for permitting, no further action is needed.</i>3. APPROVED - Ingress and egress to roadways. See Comment 35 above.4. APPROVED AS NOTED 2/02/2024- Drainage or stormwater management. Please provide Geotechnical Report. Following FDEP's exemption of this site for permitting, no further action is needed. <i>Following documentation that this site is exempt from FDEP/NWFWMD for stormwater permitting and review of FDOT's exemption of this site for permitting, no further action is needed.</i>5. Water infiltration.6. DOES NOT MEET STANDARDS 02/02/2024: Vehicular traffic, including on-site parking. See Comments 36 to 38 above. If the City approves the use of the bottom floor as restaurant parking, then 6 parking spaces would be required for the café and if the upper floor is considered an office, then 2 additional parking spaces would need to be provided, for a total of 8 parking spaces (as any increment of space would round to the next full space). As shown the proposed development does not meet the parking requirements unless the City were to consider a separate requirement for cafes. <p>02/06/2023 APPLICANT COMMENT: Owners state they have 7 parking places and 1 additional parking spots for loading. Commercial Truck unloading/loading will not happen during regular business hours and that spot may be used as</p>

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	<p>parking if needed, which would bring the total to 8 full spots. City Clerk Rega is in agreement with the use of the loading spot for a parking space. The upstairs will only be an office for the cafe or may be an efficiency type apartment in the future, the parking will be adequate for either use.</p> <p>02/07/2023 CITY COMMENT: It is our understanding that City Clerk Rega has approved the parking as stated in the 02/06/2023 Applicant Comment. The Comment will remain unchanged as this review is to show discrepancies of an applicant's application to the Land Development Regulations. <i>The Land Development Application can be presented to the City Planning Council and City Council for Final Approval.</i></p> <p>7. APPROVED AS NOTED 1/26/2024: Required permits from other governmental agencies. Provide proof of submittal of all applicable permits referenced in this review (FDEP/NWFWMD ERP). <i>Following documentation that this site is exempt from FDEP/NWFWMD for stormwater permitting and review of FDOT's exemption of this site for permitting, no further action is needed.</i></p> <p>8. APPROVED 01/26/2024: Lighting. <i>Comment has been addressed.</i></p> <p>9. APPROVED 01/26/2024: Public safety and/or potential to create a public nuisance. Statement was provided. <i>Comment has been addressed.</i></p> <p>10. APPROVED - Impacts on natural resources. See Comment 19 and 34 above.</p>
40. Major Development Site Plan Requirements	<p>APPROVED AS NOTED 02/02/2024: As referenced in Article 6-1.4.b – Development Review Process, Applicant is required to provide:</p> <p>Detailed drawings which show the following.</p> <p>1. APPROVED 01/26/2024 - A vicinity sketch showing the relationship of the site in relation to surrounding roadways, land use districts, and flood zones, with base. <i>Comment has been addressed.</i></p> <p>2. APPROVED 01/26/2024 - A description of the land; the name, address, and telephone number of the owner, developer, and designer or architect, and the date of site plan preparation. Please provide telephone number of OWNER on Cover. Please submit Architectural Drawings with the name and contact information of the Architect. <i>Comment has been addressed.</i></p> <p>3. APPROVED 01/26/2024 - The boundary lines and dimensions of the area or lots included in the site plan, including angles, dimensions and references; a North directional arrow and map scale; and the proposed use of the land by areas. <i>Comment has been addressed.</i></p> <p>4. APPROVED 01/26/2024 -- The existing and proposed grades, the drainage plan, erosion control plan, and the proposed structures with appropriate topographic contour intervals or spot elevations. Please provide existing grading plan. <i>Site Drainage and Grading Plan was submitted. Comment has been addressed.</i></p>

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5. **APPROVED 01/26/2024** - The shape, size, and location of all structures, including the floor area and elevations thereof; the floor area and ground coverage ratios and the relative finished ground and basement floor grades. Please provide areas of all impervious structures as denoted in Comment 15 above. ***Comment has been addressed.***
6. **APPROVED 01/26/2024** - Natural features such as wetlands, shoreline, lakes or ponds, and protected trees, and man-made features such as existing roads, sidewalks, bicycle paths, walls, fences or other structures, indicating which are to be retained, removed or altered and the adjacent properties, their existing uses and land use designations. Please indicate the removal of any existing items on the parcel and the adjacent property with their land uses. ***Applicant indicated no existing structures on the site are to be removed. Comment has been addressed.***
7. **DOES NOT MEET STANDARDS 02/02/2024:** Proposed street, driveways, sidewalks, bicycle paths, and parking facilities; vehicular turnarounds, curb cutouts, and loading areas; the location of solid waste receptacles; the inside radii of all curves; the width of streets, driveways and sidewalks and the total number of available parking spaces specifying the type of construction and critical dimensions, and the ownership of the various facilities. See Comment 36 to 38 above. In addition, please provide location of dumpster. If the City approves the use of the bottom floor as restaurant parking, then 6 parking spaces would be required for the café and if the upper floor is considered an office, then 2 additional parking spaces would need to be provided, for a total of 8 parking spaces (as any increment of space would round to the next full space). As shown the proposed development does not meet the parking requirements unless the City were to consider a separate requirement for cafes.

02/06/2023 APPLICANT COMMENT: Owners state they have 7 parking places and 1 additional parking spots for loading. Commercial Truck unloading/loading will not happen during regular business hours and that spot may be used as parking if needed, which would bring the total to 8 full spots. City Clerk Rega is in agreement with the use of the loading spot for a parking space. The upstairs will only be an office for the cafe or may be an efficiency type apartment in the future, the parking will be adequate for either use.

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8. **APPROVED 01/26/2024** - The size and location of all existing and proposed public and private utilities or easements; water and sewer tap locations; sewer cleanouts and turns; and water meter types, sizes, and locations. See Comment 25 above. ***Sewer lateral has been marked by the City and added to the plans. See response to Comment 25 above. Comment has been addressed.***

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	9. APPROVED AS NOTED 01/26/2024 - All proposed landscaping and the dimensions and location of all proposed signs. Please provide landscaping plan. Landscape Plan was provided by Applicant. Please ensure that the landscape beautification process is maintained as this site is located along Highway 98 in an overlay area of Parker. Comment has been addressed.
41. Stormwater/ Drainage	<p>APPROVED AS NOTED 02/02/2024: As referenced in Article 9-3.4 – Levels of Service, Drainage Systems or Facilities, Applicant is required to provide:</p> <p>The City shall use the regulatory requirements of Chapter 62-25, Florida Administrative Code as the level of service to reduce stormwater pollution and the 100 year 1%, 24-hour storm event as the design standard to reduce the potential for flooding.</p> <p>Please inquire if an environmental resource permit or an exemption is required for this project. Please provide Drainage Report including stormwater calculations for the pre- and post-development scenarios for the design standard required. Provide flow arrows on Site Plan indicating where drainage will flow and if needed provide drainage structures on site to reduce flooding.</p> <p><i>Following documentation that this site is exempt from FDEP/NFWMD for stormwater permitting and review of FDOT's exemption of this site for permitting, no further action is needed.</i></p>
42. Concurrency Review	<p>APPROVED AS NOTED: As referenced in Article 9-3.2 – Concurrency Management Review – Levels of Service as well as detailed in the Parker 2025 Comprehensive Plan, Applicant is required to meet the capacity thresholds of all utilities within Parker.</p> <p>This review assumes that there is adequate infrastructure as it relates to traffic, recreation, and schools until further notified.</p>
43. Trash Ordinance:	<p>NOTIFICATION ONLY: All efforts should be made to protect the environment. The area should also be kept clean from all trash and debris from the construction zone that could otherwise pollute the ecosystem and environment. Per Parker Ordinance No. 2016-376, §3, 8-16-16, any construction or building site shall be kept clean at all times. All debris or solid waste must be confined in a specific area of the construction or building site. It shall be the responsibility of the individual obtaining the building permit and the general contractor to properly dispose of construction debris and solid waste on at least a weekly basis. No construction debris shall be burned or buried.</p>