



July 2, 2018

Mr. Michael W. Rumpf Director
Planning and Zoning City of Boynton Beach
100 E. Boynton Beach Boulevard
Boynton Beach, FL 33435

RE: STANDARDS FOR EVALUATING CONDITIONAL USES
McDonald's L/C 009-2650
SW CORNER OF WOOLBRIGHT ROAD & CONGRESS AVENUE
Boynton Beach, Florida
Parcel Control Number # 08-43-45-31-17-002-0020
Corporate Property Services Project Number: 1711-39

Dear Mr. Rumpf:

The subject site 1.294 acre site is located near the southwest corner of Woolbright Road and Congress Avenue. The purpose of the application is to request approval for the development of a McDonald's restaurant with a drive-thru. The property is zoned C-3, Community Commercial, and has a LRC -Local Retail Commercial Future Land Use Designation. Based on the current zoning district a restaurant with a drive-thru requires a conditional use approval. Therefore, a Conditional Use Application is hereby submitted, based on the following criteria:

1. Ingress and egress to the subject property and proposed structures thereon, with particular reference to automobile and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

Response: The subject site is located within the master planned Woolbright Plaza. The northern phase of the development is constructed along with the overall parking is constructed for the project. The Woolbright Plaza development has a recorded Declaration of Easements with Covenants, Conditions and Restrictions which permits, ingress and egress overall paved driveways and sidewalks. The McDonald's has access to Woolbright Road to the north through the Walgreen's portion of the development and also access to Congress Avenue just northeast of the proposed McDonald's building and south on the access frontage driveway which connects to office building south of south phase parcel. The McDonald's restaurant has (3) access points in case of fire or catastrophe. The McDonald's project is required to construct a south bound right turn lane at the existing driveway connection on Congress



Avenue. Based on the discussions and meeting with staff, the site plan has been prepared on this dialogue and will provide safe ingress and egress to the proposed use, for both vehicles and pedestrians.

2. Off-street parking and loading areas where required, with particular attention to the items in subsection C.1 above, and the economic, glare, noise, and odor effect the conditional use will have on adjacent and nearby properties, and the city as a whole;

Response: The proposed off-street parking layout will not have any adverse impact on economic, glare, noise and odor of the commercial and office uses to the north, east and west of the proposed McDonald's parcel. The proposed building far exceeds the Land Development code required for required front and rear setbacks. The property is currently developed without a building. The original approved building use was never constructed. There are no significant impacts to the adjacent and nearby properties and the City as a whole. The parking area adjacent to western property line is buffered by an existing 5' concrete panel wall and has mature trees and landscaping on the west side of the wall which provides a visual and noise buffer to existing multi-family residential units west across the existing lake. The McDonald's will not have a designated loading area. Deliveries will be made adjacent to the north side of the building in non-peak customer service times. A request to the City Engineer is being submitted to delete the loading zone requirement for this project.

3. Refuse and service areas, with particular reference to the items in subsection C.1 and C.2 above;

Response: The two (2) proposed dumpsters are located at the rear of the building and are not visible by the general public along Woolbright Road and S. Congress Avenue. The dumpster are designed to meet Land Development Code requirement for proper back-up service of 60 feet. The dumpster and service area for the proposed McDonald's is buffered along the western property line by a 5' concrete panel wall and mature trees and landscaping on the west side of the wall to provide a visual and noise buffer.

4. Utilities, with reference to locations, availability, and compatibility;



Response: Adequate infrastructure for water, sanitary sewer and drainage already in place within existing Woolbright Plaza development to serve the 4,490 square foot restaurant with a drive-thru. Underground electric and telephone service is available.

5. Screening, buffering and landscaping with reference to glare , traffic safety, economic effect, and compatibility and harmony with adjacent and nearby properties;

Response: The McDonald's parcel within the Woolbright Plaza development has an existing 5' concrete panel wall along the western boundary of the property. On the west side of the wall are mature ficus trees and landscape buffer. This provides an excellent buffer against noise and glare. Along the eastern boundary are mature oak trees along Congress Avenue and additional landscaping to buffer the McDonald's restaurant from Congress Avenue. The City of Boynton Beach Comprehensive Plan Future Land Use Map indicates this area for LRC - Local Retail Commercial. The proposed McDonald's restaurant meets the future land use goal to enhance the city's aesthetic appeal while supporting a vibrant economic tax base. The proposed conditional use request will be in harmony with the general character of the surrounding area. The site plan, landscape plan and architectural elevations will protect the neighboring property values by enhancing the aesthetic appeal of this area.

6. Signs, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with adjacent and nearby properties;

Response: The proposed McDonald's will have one monument sign along Congress Avenue and the building exterior lights will not impact glare or traffic safety. The parking lot lighting will provide a safe lighting level for the restaurant and will not spill light off the property. The project's signage and lighting will be in harmony with the adjacent and nearby properties.



7. Required setbacks and other open spaces;

Response: The proposed McDonald exceeds zoning code setback requirements:

<u>Setbacks</u>	<u>Required</u>	<u>Provided</u>
Front (build to line)	20'	170.8'
Rear	20'	152.8'
Side Interior (south)	0'	22.0'
Side Interior (north)	20'	51.5'

8. General compatibility with adjacent properties, and other property in the zoning district;

Response: The subject site is bounded on the north by a Walgreen's & retail use, on the south by two (4) story office buildings. On the east it is bounded by Congress Avenue which is a 6 lane divided arterial roadway with commercial retail uses east of the McDonald's site. The commercial uses are north and south of the McDonald's on the east side of S. Congress Avenue. The west the site is bounded by a large lake and multifamily residential development. The McDonald's parcel is buffered from the multifamily residential development by a 5' concrete panel wall along with mature ficus trees and the landscape buffer on the west side of the wall adjacent to a lake. The proposed commercial use is compatible with the existing, abutting commercial uses.

9. Height of buildings and structures, with reference to compatibility and harmony to adjacent and nearby properties, and the city as whole;

Response: The proposed McDonald's restaurant is just below 20' in height and is similar to the height of adjacent building surrounding the site. The color pattern of the building is also similar to the surrounding commercial buildings. The proposed McDonald's restaurant is compatible with its neighbors and general architect theme of south Florida and the City of Boynton Beach.

10. Economic effects on adjacent and nearby properties, and the city as a whole;

Response: The site is currently vacant parking lot without a building and is located between a Walgreen's Pharmacy and Multi-Story office building. This property invites illegal parking of vehicles and trash dumping. The



proposed McDonald's restaurant use will improve the property through the use of attractive architectural and environmental landscape designs. The proposed restaurant will meet the demands for residents as well as those who work in the area. The drive-thru provides an alternative to those consumers on the run. In addition, this establishment will provide employment opportunities, as well as added tax revenue to the City

11. Where applicable, the proposed use furthers the purpose and intent of a corresponding mixed use zoning district or redevelopment plan; **N/A**
12. Compliance with and abatement of nuisances and hazards in accordance with the operational performance standards as indicated in Chapter 3, Article IV, Section 1 and the Noise Control Ordinance and City code of Ordinances Part II, Chapter 15, Section 15-8; and

Response: The proposed McDonald's will not be a nuisance or hazard to persons, animals, vegetation or property located on adjacent or nearby properties or rights-of-way. It will not interfere with the reasonable use or enjoyment of adjacent or nearby property by reason of noise, vibration, smoke, dust or other particulate matter. Toxic or noxious matter; odors, glare, heat or humidity radiation, electromagnetic interference, fire or explosions hazard, liquid waste discharge or solid waste accumulation will not be generated by the proposed McDonald's fast food restaurant with drive-thru. Hazardous/Toxic Waste and substances are not produced or used by the proposed McDonald's restaurant.

13. Required sound study and analysis. All conditional use applications for bars, nightclubs and similar establishment shall include the following analysis performed by a certified acoustic engineer: **N/A**

The proposed change in this application provides for a use that is permitted within the existing zoning district, and is in compliance and within the scope of the uses and request(s) specified in the Zoning Hearing and the conditions imposed as listed in the Resolution. Also, this application complies with all requirements of the applicable restrictive covenant, as no covenants are requested to be modified or canceled. Based on the foregoing, the applicant



believes the proposed plans are in substantial compliance with the controlling plans approved at public hearing pursuant to Resolution No. 4ZAB-122-89. As such, the applicant respectfully requests your favorable consideration of this application. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Ploski", is written over a light blue horizontal line.

Edward P. Ploski,
Agent for McDonald's Corporation

Enclosure