



City of Pompano Beach
100 W. Atlantic Blvd
Pompano Beach, FL 3300

RE: 552 & 600-604 N Ocean Blvd - LaPlage
Project #: 25-92000002
KEITH Project No.: 15575.00

Dear City of Pompano Beach Reviewers:

Based on your Development Review Comments dated February 18, 2026, KEITH and the project team offer the following responses to your comments/questions:

BUILDING DIVISION

James DeMars | James.Demars@copbfl.com
Status: Info Only

1. Comment
No Structural Department review required for Land Use Amendment
APPLICANT RESPONSE: Comment Acknowledged.

ENGINEERING DEPARTMENT

David McGirr | David.Mcgirr@copbfl.com
Status: Info Only

2. Comment
No Comment

ZONING DEPARTMENT

Lauren Gratzner | Lauren.Gratzer@copbfl.com
Status: Info Only

3. Comment
Zoning Staff has no comments for this LUPA. Zoning comments will be provided at the time of the Rezoning and Site Plan application submittals.
APPLICANT RESPONSE: Comment Acknowledged.

BROWARD SHERIFFS OFFICE

David Cappellazo |
Status: Info Only

4. Comment
No comments for this LUPA. BSO comments will be provided when a Security Strengthening & CPTED plan is submitted for review.

APPLICANT RESPONSE: Comment Acknowledged.

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LANDSCAPE DEPARTMENT

Wade Collum | Wade.Collum@copbfl.com

Status: Unresolved

5. Comment

NOTE: No comment response sheet was offered Post Pre App comments for this submittal. Landscape comments will be rendered at time of site plan submittal. Provide landscape plans in accordance with 155.5203, 155.5204.H. (Dune), 155.3501

1. Comments based on Arquitectonica conceptual drawings

APPLICANT RESPONSE: Comment Acknowledged.

2. Landscape comments will be rendered at time of site plan submittal.

APPLICANT RESPONSE: Comment Acknowledged.

3. Provide landscape plans in accordance with 155.5203, 155.3204, and 155.3501 as required.

APPLICANT RESPONSE: Landscape plans will be provided with Rezoning and Site Plan Applications.

4. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 24 of landscape areas between a vehicular use area and an abutting building. Provide what is required vs. what is going to be proposed as to a superior landscape design.

APPLICANT RESPONSE: Landscape plans will be provided with Rezoning and Site Plan Applications.

5. As per 155.5203.D.5 VUA in part, the Development Services Director may grant modifications to the required landscaping between vehicular use areas and buildings for development that provide at least 50% of the required width, subject to providing superior landscape design that includes a minimum of trees or palms as follows within the subject area and must include one or more of the following elements:

- i. Palms must be provided in multiples (doubles or triples);
- ii. If palms and trees are combined, one row of shrubs can be provided;
- iii. If palms or trees are provided, shrubs must be included in layering or height tiering with a minimum of 2 layers or tiers;
- iv. If trees are provided, design must include a minimum of 2 species;
- v. Trees or palms must be a minimum of 14 feet in height;
- vi. Layered or height tiered shrubs are provided in variety with a minimum of two (2) species;
- vii. Suspended pavements systems are provided for the adjacent vehicular use area.

APPLICANT RESPONSE: Comment Acknowledged.

6. Show all suspended pavement on the Civil / PGD Plans.

APPLICANT RESPONSE: Comment Acknowledged. Will be shown at time of Site Plan Submittal.

7. Provide Street Trees at 1:40 as per 155.5203.G.2.c.

APPLICANT RESPONSE: Comment Acknowledged. Will be shown at time of Site Plan Submittal.

8. As per 155.5204.H., Provide an enhanced dune planting on East side.

APPLICANT RESPONSE: Landscape plans will be provided with Rezoning and Site Plan Applications



9. Provide evidence of compliance with all sections of 155.5204.H., Dunes
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APPLICANT RESPONSE: Landscape plans will be provided with Rezoning and Site Plan Applications
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10. As per 155.5204.H.2.e; all native species within the dune are to be protected.

APPLICANT RESPONSE: Landscape plans will be provided with Rezoning and Site Plan Applications

11. As per 155.5204.H.3., provide plans that meet all these conditions

APPLICANT RESPONSE: Landscape plans will be provided with Rezoning and Site Plan Applications

12. All proposed beach demolition and construction, landscaping and irrigation must first be approved by the Florida Department of Environmental Protection (FDEP). Approved, stamped plans and permit must be submitted with the building permit and prior to permit issuance by the City.

APPLICANT RESPONSE: Comment Acknowledged.

13. As per 155.9301. REAR PROPERTY LINE AS RELATED TO MEASUREMENTS

A. For properties which include area seaward of the historic dune vegetation line as defined herein, the historic dune vegetation line is considered the rear property line for the purposes of calculating lot area, lot coverage, and the pervious area.

APPLICANT RESPONSE: Comment Acknowledged.

14. Additional comments may be rendered a time of Site Plan submittal.

APPLICANT RESPONSE: Comment Acknowledged.

PLANNING DEPARTMENT

Jean Dolan | Jean.dolan@copbfl.com

Status: Unresolved

6. Comment

Write out the complete questions in the Broward County Land Use Plan Amendment Application. A list-like summary is not an acceptable format.

APPLICANT RESPONSE: Comment Acknowledged.

It's suggested you create a Table of Contents and a List of Exhibits. It's a good quality control exercise.

APPLICANT RESPONSE: Addressed on Page 2 and 3 of LUPA Narrative.

Note the latest City Land Use Map is on the P&Z page of the City's website and the most recent version of the County's ESL map is on the BCPC website. Both have recently been updated so anywhere you're showing these maps, you should use the most recent ones.

APPLICANT RESPONSE: The updated maps have been included with this resubmittal. See updated Exhibit L.

7. Changemark

Question I.D Notification – the County's public hearings will also be advertised. Please add these requirements.

APPLICANT RESPONSE: Addressed on Page 4 of LUPA Narrative.

8. Comment

We recommend you request a County land use category of "Irregular 46 du/ac". If not, you're going to have to do the impact analysis on both 59 and 64 units.



APPLICANT RESPONSE: Addressed on Page 8 of LUPA Narrative.

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9. Comment

Response to Question 4.E. – Remove reference to nonresidential uses unless you intend to specify the square footage of each nonresidential use and include those impacts in your impact analysis. We understand that the permitted uses in the High Residential Use Category allows 50% of the building floor area to be retail or office but you don't include that in your LUPA Application unless you intend to do the math. Note that 50% of "building floor area" is not the same thing as Floor Area Ratio (FAR). Since you're only analyzing the impact of 59 units, it's best to just remove any mention of nonresidential uses from your LUPA application.

APPLICANT RESPONSE: Addressed on Page 8 of LUPA Narrative.

10. Comment

Response to Question 5.A.3 – there is no way to tell if the water to this project comes from the east or the west wellfield. Remove reference to water coming from the eastern wellfield.

APPLICANT RESPONSE: Addressed on Page 9 LUPA Narrative.

11. Comment

6. Response to Question 5.A.4 and 5.B.3 – Please use 250 gallons per day per unit for wastewater and water demand calculations. For raw water withdrawal demand, increase potable water demand by 22% (305 gallons per unit per day) which will account for the higher water loss expectations with the PFAS removal treatment process that is in the planning stages.

APPLICANT RESPONSE: Addressed on Page 9 and 10 of LUPA Narrative. The LUPA utility impact analysis is based on the Level of Service (LOS) standards established in the certified local Comprehensive Plan. Consistent with staff guidance, the Applicant utilized the potable water and wastewater generation rates identified in the 2025 Broward County Guide for Consulting Engineers to evaluate development-level impacts. Neither the Comprehensive Plan nor the Broward County Guide for Consulting Engineers establishes a requirement to independently calculate or subjectively account for raw water loss as part of a land use amendment analysis. Accordingly, the Applicant's analysis appropriately relies on adopted LOS standards and published generation rates to demonstrate Comprehensive Plan consistency.

Note: the LOS of 161 gallons per capita per day is NOT a generation rate. It is the ratio of Total Water Use divided by Total Population. Total Water Use includes all nonresidential water use and thus is not a measure of how much water a typical person or residential unit uses and shouldn't be used as a generation rate.

The recommended 250 gpd/per MF unit comes from the following source and should be used for the preparation of LUPAs:

Broward County (October 2025)

Guide for Consulting Engineers

How to Apply for a Domestic Wastewater Collection/Transmission System

Construction License

APPLICANT RESPONSE: Addressed on Page 10 and 11 of LUPA Narrative.

12. Comment

Response to 5.C.2 – Coastal is just the City's hauler which is unrelated to solid waste disposal capacity. Waste Management is the one that provides landfill capacity and that's all that matters in regard to concurrency. Waste Management should give you updated capacity numbers since the calculations done for the Comp Plan are 6+ years old now. Waste Management is the one that needs to provide you a Service Provider Letter, not Coastal.

RESPONSE: An updated Concurrency Letter from Waste Management will be provided prior to



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13. Comment

Response to 5.C.3 – check your math. $32 \times 8.9 = 284.8$ and $59 \times 8.9 = 525.1$ –

The difference is +240.3 lbs per day.

APPLICANT RESPONSE: Addressed on Page 12 of LUPA Narrative. Adjusted for 54 proposed units.

14. Comment

Response to 5.C.4 – see note above. Service provider letter should be from Waste Management

RESPONSE: An updated Concurrency Letter from Waste Management will be provided prior to PZB.

15. Comment

Response to 5.D.5 and 6 – Service provider letter should be from City of Pompano Beach engineering department.

RESPONSE: An updated Concurrency Letter from City Engineering will be provided prior to PZB.

16. Comment

Response to 5.E – Parks and Recreation – use the 5-acre/1,000 standard to calculate demand for parks based on your increase in population. The 2020 Census has 2.39 as average household size so if you're going to use a different household size, please specify the source of your assumption.

APPLICANT RESPONSE: Calculations updated to be consistent with the 5-acre/1,000 standard and with the 2.39 average household size. Also updated to reflect 54 proposed units.

17. Comment

Response to 6.J – All PDs on the beach are expected to provide beach access since a public benefit is required of PDs. Specifically per “155.3602.A.2.e. Identification of community benefits and amenities that will be provided to compensate for the added development flexibility afforded by the PD district” must be shown in the PD Plan.

APPLICANT RESPONSE: The applicant will demonstrate with the PD application that the project provides significant public benefits, including a public beach access. More specifically, the project will deliver a meaningful and lasting public benefit to the residents of Pompano Beach through the creation of a brand-new, beautifully designed public beach access that will be enjoyed by the entire community for generations to come.

At the heart of this public benefit will be a generously proportioned, fully accessible pedestrian pathway (and public bike port) that begins directly on North Ocean Boulevard / A1A and leads seamlessly to the beach. The pathway will be paved with high-quality decorative walkway and thoughtfully landscaped to create an inviting, park-like entrance that enhances the public realm and celebrates Pompano's iconic beachfront character. This new access point will provide a unique, convenient, safe, and aesthetically pleasing beach connection in this corridor for residents citywide—encouraging walking, cycling, and daily enjoyment of the ocean without restriction.

As will be illustrated in the companion PD and Site Plan Applications, in addition to the beach access, and positioned prominently at the southwest corner of the building with a direct pedestrian connection to this new beautiful pathway entrance is a vibrant coffee, smoothie, and light-fare café. Designed as a true community gathering place, the café will be fully open and welcoming to all Pompano residents and visitors. Whether stopping for a morning coffee before heading to the beach, grabbing a refreshing smoothie after a day in the sun, or simply meeting friends in a shaded, ocean-breeze-filled space, this neighborhood hub will bring energy, convenience, and social connection to the beachfront experience. Its prime location will ensure maximum visibility and accessibility for pedestrians, cyclists, and passersby, turning what could have been a simple walkway into a lively and memorable public destination. Together, the public pathway and community café represent far more than code compliance—they represent a true community building element for Pompano Beach: an open, beautiful, and functional

enhancement to the city's beachfront corridor that fosters walkability, community interaction, and daily enjoyment of our greatest natural asset—the ocean. We believe this thoughtfully integrated public benefit will be a source of pride for Pompano and its residents for years to come.

18. Comment

Response to 13. Regional Issues and County Policies – There is no believable correlation between luxury housing on the barrier island and transit use given the suburban environment and the inefficiency of the County's transit system. The proposed LUPA also has nothing to do with multi-modal systems and has no positive impact on affordable housing.

County policy 2.1.1 – increasing density fronting the ocean in a hurricane evacuation zone does not increase sustainability.

County policy 2.1.2, 2.10.2, 2.10.3, 2.20.2 – this property could be redeveloped with new buildings without increasing the density which is typically what has happened with PDs on the barrier island. The idea that this is a “remnant” is not accurate as both of the MH areas noted have a logical shape extending from Riverside Drive to a parcel fronting the beach. The existence of other high density land use categories does not require the MH areas to be densified.

APPLICANT RESPONSE: Respectfully, the Applicant disagrees with Staff's conclusion that the proposed LUPA has “nothing to do with multi-modal systems” or that there is “no believable correlation” between additional residential density on the barrier island and transit use.

The Applicant recognizes that the proposed development is a luxury residential project and is not being presented as an affordable housing project. However, the fact that the units are luxury residences does not mean that the project has no relationship to transit, multi-modal mobility, or sustainability policies. Residential density placed directly along an existing transit corridor can support transit use not only by residents, but also by the broader group of individuals who access and serve the building, including employees, domestic workers, caregivers, maintenance personnel, delivery personnel, ride-share users, visitors, and other service providers, along with those using the public beach access and cafe. These users are a foreseeable and regular component of the transportation demand generated by a luxury multifamily building with a mixed use component.

The site is located on A1A and is already served by Broward County Transit Route 11, with stops within walking distance of the property. The LUPA narrative identifies BCT stops within one-quarter mile of the amendment area, including Stop #1139 at A1A and NE 7th Street and Stop #1145 at A1A and NE 5th Court. The narrative further notes that the northbound Route 11 stop is less than 100 feet from the southernmost corner of the amendment site, while the southbound Route 11 stop is approximately 350 feet away.

The application materials also identify the City's Community Shuttle Green Route as serving the A1A corridor, with connections to destinations including Lakeside Shoppes, Pompano City Center, and the Broward County Northeast Transit Center.

In addition, the property is within the service area for the Pompano Circuit, a free, on-demand, all-electric microtransit service in Pompano Beach designed to connect riders with key coastal, dining, shopping, beach, hotel, pier, and downtown destinations. The Pompano Circuit is directly relevant to the County's and City's multi-modal planning objectives because it provides first-mile/last-mile transportation, supplements fixed-route transit and offers an alternative to short single-occupancy vehicle trips. The project's location within the Pompano Circuit service area supports the conclusion that additional residential density at this location can further multi-modal mobility, particularly for workers, visitors, service providers, and residents making short local trips within the beach and downtown areas.

The property is also located near the City's existing Water Taxi service area. As reflected on the City's Water Taxi webpage, the City recognizes water-based transportation as part of Pompano Beach's local mobility and visitor-serving network. The proximity of the property to existing Water Taxi access further supports the conclusion that the site is located within a broader multi-modal coastal mobility environment, rather than in an isolated automobile-only setting. The Applicant is not asserting that the LUPA alone will transform regional travel behavior; rather, locating additional density in an area served by fixed-route bus service, City shuttle service, on-demand electric microtransit, nearby Water Taxi

access, pedestrian infrastructure, and the A1A corridor is materially different from locating the same density in an area without those mobility options.

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The Applicant also respectfully disagrees that the proposed amendment is inconsistent with sustainability principles merely because the site is located within a hurricane evacuation zone. The appropriate regulatory planning question is whether the proposed amendment creates an unacceptable evacuation impact. The Applicant's hurricane evacuation analysis concluded that the project trips are below the applicable thresholds under both the FAC-based analysis and the Broward MPO LOS D threshold analysis, indicating no evacuation-capacity concern should an evacuation order be issued. More specifically, using the average vehicle ownership rate in Pompano Beach of approximately two (2) vehicles per household, up to 108 vehicles may wish to evacuate. Being in evacuation Zone A, La Plage residents would be the first to be ordered to evacuate, often 24 to 36 hours before the anticipated onset of tropical storm-force winds. Given the limited size of the proposed development and the multi-day hurricane evacuation period, the project is expected to add only a minimal amount of traffic during the evacuation period.

The project also results in transportation impacts that are limited and manageable. The submitted traffic impact study concluded that, based on maximum allowable development intensities, the proposed amendment is expected to result in a ****net reduction**** of vehicular trips: 60 fewer daily trips, 13 fewer AM peak-hour trips, and 9 fewer PM peak-hour trips.

Further, the project enhances sustainability through infill redevelopment of aging buildings that were not built to current standards, dune enhancement, and compliance with the City's sustainability point system. The cost to bring the existing buildings into compliance with today's regulations is infeasibly high due to the low number of units and high cost for required upgrades among a small number of owners to share the costs. The current owners are strained to upgrade the buildings without the increase in density. The Applicant is also committed to enhancing the dunes adjacent to the property with addition of dune appropriate planting with details to be provided at the time of site plan approval. Additionally, the project will be designed to meet the City's sustainability requirements with the sustainability points to be identified at time of site plan approval.

With respect to County Policies 2.1.2, 2.10.2, 2.10.3, and 2.20.2, the Applicant acknowledges Staff's position that the existing Medium High areas have a logical shape and that surrounding High Residential designations do not, by themselves, compel densification of the subject property. However, the Applicant respectfully maintains that the requested amendment is appropriate because the subject property is directly adjacent to existing High Residential land use designations to the north and south and is located along the same A1A coastal corridor. The amendment would allow the site to redevelop in a manner that is compatible with that surrounding development pattern, while consolidating aging multifamily properties into a comprehensively planned residential project. The LUPA narrative identifies the existing surrounding land use pattern, including High Residential designations to the north and south of the site.

Accordingly, the Applicant maintains that the proposed LUPA supports the County's regional and multi-modal planning policies. The LUPA does support multi-modal and sustainability objectives by directing additional residential density to a location already served by multiple mobility options, including fixed-route transit, City shuttle service, the Pompano Circuit, nearby Water Taxi access, sidewalks, and the A1A corridor, while producing no significant transportation or hurricane evacuation impact.

19. Comment

Exhibit B is empty and Exhibits B1 and B2 are behind the Exhibit A cover sheet. Exhibit A has Exhibit XX in the title block

APPLICANT RESPONSE: The Exhibits and reference numbers have been corrected.

20. Comment

Exhibit D is empty and does not appear to be referenced in the text.

APPLICANT RESPONSE: Exhibit D is now used for the Traffic Study.

21. Comment

Exhibit T is empty and should be the BCT service provider letter



RESPONSE: The BCT Service Provider Letter has been received and is uploaded as Exhibit "T"
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26. Comment
Traffic Circulation and Hurricane Evacuation Analysis Comments

LUPA Application Section 5F – Traffic Circulation Analysis

1. Add Broward MPO Segments 989 (SR A1A - North of Pine Avenue), 913 (US 1 – North of McNab Road), 915 (US 1 – North of Atlantic Boulevard), 794 (Atlantic Boulevard – East of NE 18th Avenue, and 792 (Atlantic Boulevard – East of Dixie Highway) to the tables in Application Sections 5F.1 and 5F.2.

APPLICANT RESPONSE: Addressed on Page 16 of LUPA Narrative.

2. The application does not include Section 5F.4. Revise to include this section in the application and reference the amendment traffic impact analysis prepared by Via Planning that was provided in Exhibit K/Attachment 3 in response to Section 5F.4.

APPLICANT RESPONSE: Addressed on Page 17 of LUPA Narrative.

27. Comment

Exhibit K/Attachment 3 – La Plage Future Land Use Plan Amendment Traffic Impact Study

3. It is unclear why this is not a separate exhibit in the application as it primarily addresses Section 5F.3/5F.4 and secondarily supports the response to Section 9, Consider revising.

APPLICANT RESPONSE: Addressed on Page 17 of LUPA Narrative and added as a separate exhibit.

4. Review the appropriateness of utilizing trip generation rates/equations for Multifamily Housing (Low-Rise)/ITE Land Use 220 for the existing land use designation. The site is 1.29 acres and allows for 25 units per acre or 32 units. ITE Land Use 220 calls for a maximum of three (3) levels of residences. ITE Land Use 221 may be more appropriate. Revise the analysis accordingly.

APPLICANT RESPONSE: Based on the City of Pompano Beach's Multifamily Residential Design Standards, it is our belief that a low-rise multifamily residential building of fewer than four (4) stories can be accommodated on the site. However, a trip generation using the recommended LUC of 221 was included in the revised report. The PM peak hour net new trip is zero (0) and the analysis remains unchanged.

5. If the revised trip generation analysis results in increase in trip generation as a result of the land use plan amendment, provide a roadway segment significance test for the study segments identified in Section 5F.1 of the application and the additional segments requested in this review. Consistent with Broward County Planning Council impact methodologies, perform the analysis using Broward MPO's Capacity and Volume Data using a three (3) percent significance test.

APPLICANT RESPONSE: The revised trip generation analysis results in the PM peak hour net new trip of zero (0). No additional analysis is required.

28. Comment

LUPA Application Section 9 – Hurricane Evacuation Analysis

6. Section 9.A requests an evacuation analysis for the amendment that examines the availability of hurricane shelter spaces. No information on this item is provided in Appendix K. Revise as appropriate or provide correspondence from the appropriate agencies indicating that this information is not available, no longer appropriate, or incorporate it in the analysis.

APPLICANT RESPONSE: Broward County identifies Pompano Beach High School as a hurricane shelter with a capacity of 302 residents. This is according to the City of Pompano Beach's Hurricane Irma After Action Report. The shelter is approximately 3.1 miles directly west

of the development. This information has been included in the revised report.

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29. Comment

Exhibit K – La Plage Project – Hurricane Evacuation Analysis

7. Please include FAC Section 73C-40.0256(4)(c) as an attachment to this analysis.

APPLICANT RESPONSE: FAC Section 73C-40.0256 has been included as Attachment 1 to the revised report.

8. It is unclear if the analysis provided is consistent with the requirements of the Section 9.A in the application as the Section requires the analysis be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Division. Provide correspondence from that Division that the analysis approach is appropriate.

APPLICANT RESPONSE: For much larger developments, such as a development of regional impact (DRI), the Transportation Interface for Modeling Evacuations (TIME) model may be used to determine the systemwide impact. However, for developments like La Plage, TIME simply would not be sensitive enough to provide any meaningful results. As noted, the maximum allowable development is 54 dwelling units. Using the average vehicle ownership rate in Pompano Beach of approximately two (2) vehicles per household, up to 118 vehicles may wish to evacuate. Being in evacuation Zone A, La Plage residents would be the first to be ordered to evacuate, often 24 to 36 hours before the anticipated onset of tropical storm-force winds. Given the limited size of the proposed development and the multi-day hurricane evacuation period, the project is expected to add only a minimal amount of traffic during the evacuation period.

9. The analysis utilized an impact standard of twenty-five percent (25%) of the LOS threshold for the peak hour in the peak direction. Please provide the source for this threshold/impact standard from the appropriate public agency.

APPLICANT RESPONSE: The analysis threshold is based on FAC Section 73C-40.0256(4)(c), which has been included as Attachment 1 to the revised report.

10. Consider using Broward County MPO capacities from the application for this analysis for purposes of consistency.

APPLICANT RESPONSE: Per FAC Section 73C-40.0256 (4)(c), the proposed project's impact is evaluated by comparing the anticipated project traffic with the 25% of the LOS E threshold. Since Broward MPO did not publish LOS E service volume thresholds, it was determined based on the FDOT MMQLOS handbook. However, the analysis was also performed using Broward MPO's LOS D thresholds and included in the revised report. Under both approaches, the project does not result in a significant impact.

11. Add the following segments to the analysis: East Atlantic Boulevard between Dixie Highway and Interstate 95 and Copans Road from US 1 to Interstate 95.

APPLICANT RESPONSE: The above-referenced segments have been analyzed and added to the revised report.

30. Comment

Natural and Historical Resources Analysis Comments

LUPA Application Section 6A – Analysis of Natural and Historic Resources

12. Consider adding linear resources, however no effect anticipated.

Exhibit L – Threatened and Endangered Species Survey Summary Report

13. Historical aerial photographs (Appendix C) in the report contain a watermark and are of poor quality; Consider using arials from FDOT Aerial Photo Look Up System (APLUS).

a. Within Appendix C, consider revising Photo #7 photo label for spelling typographical error.



APPLICANT RESPONSE: The historical aerial photographs (Appendix C) have been revised using the FDOT APLUS System. The selected images most accurately represent the project site location; however, due to inconsistencies in aerial imagery capture locations across different years, some photographs depict a broader area than necessary while others show only a limited portion of the surrounding area. For clarity, the project property boundary has been outlined in red on each photograph.

14. Consider referencing "Appendix E, Site Photographs" in the report.

APPLICANT RESPONSE: Response: Appendix E is cited on Page 3 of the report.

15. Within Appendix E, Photo #6, italicize scientific name of the species.

APPLICANT RESPONSE: The species' scientific name has been italicized.

16. Consider including reference to the Bald Eagle and distance of recorded nests to the project site (According to the FWC's Eagle Nest locator and the Audubon Florida EagleWatch Nest website, there are no nests located within one mile of the study area. The proposed project will have no impact on the bald eagle since the proposed activities are well outside the 660-foot eagle nest protection buffer).

APPLICANT RESPONSE: No evidence of Bald Eagle presence was observed during the site visit, and the species was not identified within the consultation area during the review conducted through the IPaC system for this project. A reference to the Bald Eagle has been added on Page 6 of the report, along with the supporting information provided by Kimley-Horn.

31. Comment

17. Consider including reference to which USFWS Consultation Areas (CA) the project falls within. USFWS Consultation area for the West Indian manatee, piping plover, and Atlantic coast plants.

APPLICANT RESPONSE: The USFWS Consultation Areas (CA) was included for the West Indian Manatee, Piping Plover, and the Atlantic Coastal Plants. This information was included on Page 6 of the report. No exhibits were added.

18. The piping plover (Federally threatened) is not included in this report and should be referenced.

a. "The piping plover (*Charadrius melodus*) is federally and stated listed as threatened. The piping plover is a small, migratory shorebird that occurs along sandy beaches, sand flats, and tidal mudflats of coastal areas in North America and winters along the Atlantic and Gulf coasts, including coastal regions of Florida. Piping plovers rely on open, sparsely vegetated sandy shoreline habitats for foraging and resting during migration and winter, with critical habitat units mapped along Florida's Gulf and Atlantic shorelines where wintering birds concentrate. The project site is located within the USFWS Consultation Area for the piping plover, and marginal suitable habitat is present adjacent to the project site. However, there have been no documented occurrences of this species within the project area, and none were observed during the field observation. Precautions will be taken for this species due to the proximity of the beach to the project to ensure no effect on this species or habitat."

APPLICANT RESPONSE: Reference to the Piping Plover was added on Page 7 and included the information provided by Kimley Horn.

19. The report references "Spanish River Park" on the top of page 6, however Spanish River Park is in Boca Raton, Palm Beach County and not near the project site.

APPLICANT RESPONSE: "Spanish River Park" was removed from the report and was replaced with the correct site address.

20. Consider revising West Indian Manatee paragraph, currently states that "While the project site is found on a beach along the Atlantic Ocean, there is no direct access to water from the property."

Recommended update – the project is found on a beach that is subjected to tidal influence; however, the site does not provide suitable habitat or direct navigable access for manatees.

APPLICANT RESPONSE: The West Indian Manatee paragraph was revised with Kimley Horn's recommendation on Page 6.

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21. Green Sea Turtle (Hi) – Endangered – Federal/State
a. Consider revising status to – Threatened – Federal/State

APPLICANT RESPONSE: The Green Sea Turtle designation was changed to Threatened – Federal/State.

22. The report includes the potential presence of 5 sea turtle species, and should consider including discussion for:

- a. FWC Wildlife Sensitive Conventional Lighting (Sea Turtle)
- b. FWC Dark Sky Lighting Recommended Areas (Sea Turtle)
- c. “The project site is located within mapped FWC Wildlife-Sensitive Conventional Lighting and FWC Dark Sky Lighting Recommended Areas associated with sandy beach habitat used for sea turtle nesting. Exterior lighting should be designed and installed to minimize illumination visible from the beach, including the use of downward-directed, full cut-off fixtures, consistent with FWC and FDOT lighting criteria.

APPLICANT RESPONSE: All 5 Sea Turtle species IPAC findings were revised to include the attached text about the FWC Wildlife Sensitive Conventional Lighting and Dark Sky Lighting Recommended Areas.

UTILITIES DEPARTMENT

Nathaniel Watson | Nathaniel.watson@copbfl.com

Status: Unresolved

32. Comment

1. Additional comments may be forthcoming contingent upon future submittals to the PAM and/or DRC review process.

APPLICANT RESPONSE: Comment Acknowledged.

33. Comment

2. Please note that the development is subject to a Water and Wastewater Pre-Concurrency Determination that must be executed with the City Utilities Department. Water and Sewer Modelling (by the Utilities approved vendor) to review capacities and conditions of all water mains, reclaimed water mains, sanitary sewer gravity and force main lines, treatment plants, supply wells, and lift stations needed to serve said project.

APPLICANT RESPONSE: Comment Acknowledged. Will be provided prior to Site Plan Approval.

34. Comment

3. No guarantee of system capacity is established until the conditions of final concurrency are satisfied.

APPLICANT RESPONSE: Comment Acknowledged.

35. Comment

4. Please fully address Planning comments #5 and #6 regarding water and wastewater demand calculations.

APPLICANT RESPONSE: Comment Acknowledged.