



February 10, 2016

**VIA HAND DELIVERY**

Chevelle D. Nubin, MMC  
City Clerk  
City of Delray Beach  
100 NW 1st Avenue  
Delray Beach, FL 33444

Re: Appeal of Denial of Atlantic Crossing Class II Site Plan Amendment

Dear Ms. Nubin:

By this letter (and \$375 fee in accordance with Section 2.4.3(K) of the City of Delray Beach Land Development Regulations), our client, Edwards CDS, LLC ("Appellant"), hereby appeals the January 27, 2016 decision of the City's Site Plan Review and Appearance Board ("SPRAB") denying Appellant's application for a Class II Site Plan approval ("Amendment").

SPRAB based its decision on the recommendation of staff that the Amendment would create internal traffic conflicts and that the present configuration of the site was more appropriate than the Amendment. Although Appellant agrees that the current site plan that has been approved by the City of Delray Beach is the most appropriate, Appellant continues to try to work to resolve some of the concerns raised by some members of the City Commission and the public. Appellant believes that an approval with conditions would resolve the reason for the denial. To that end, Appellant appeals the SPRAB decision seeking approval of the Amendment, with conditions that will resolve the internal conflicts as follows:

- Reconfigure the "horseshoe" along 7th Avenue to a cul-d-sac with one ingress/ egress at NE 7th Avenue with the exit lane aligning with the exit drive running from NE 7th Avenue to Federal Highway and install uniform colored pavers or stamped concrete in the cul-d-sac.
- Include two Valet Only ingress drives to the cul-d-sac, with signage and striping to identify the valet parking lanes.

- Narrow the Valet entrance on NE 7th Avenue to one lane which will then transition to two lanes. Signage on NE 7th Avenue will indicate "Valet Only" and appropriate stripping will be provided.
- Visually distinguish the travel lane for the exit drive running from NE 7th Avenue to Federal Highway at the loading area south of the drive and adjacent to the west side of NE 7th Avenue. This will be accomplished by installing dark colored pavers or stamped concrete in front of the loading area, which will enhance and define the travel lane of the exit drive to Federal Highway.
- Relocate the raised crosswalk (currently located just north of the entry to the west parking garage on NE 7th Avenue) to the at grade crosswalk (currently designated north of the crosswalk at the entry to the parking garage).
- Update landscape plans associated with these changes.

The Appellant will submit revised plans consistent with these conditions to City staff so that they can review and make a recommendation to the City Commission on this appeal.

Appellant requests that this appeal be heard at the March 1, 2016 City Commission meeting. Please confirm the scheduling of this appeal as soon as possible.

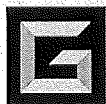
Sincerely,



for Brian M. Seymour

BMS/BMS

cc: Michael Covelli (via electronic mail only)  
Client (via electronic mail only)  
Noel Pfeffer, Esq. (via electronic mail only)



**GUNSTER**  
FLORIDA'S LAW FIRM FOR BUSINESS

777 South Flagler Drive  
Suite 500 East  
West Palm Beach, FL 33401

Feb 10, 2016

VOID AFTER 180 DAYS

60469

63-751

631

West Palm Beach Operating Account

PAY TO THE

ORDER OF

City of Delray Beach

\$ \*\*\*\*\*375.00

*Three hundred seventy-five and*

00/100

U.S. DOLLARS

WELLS  
FARGO

Deliver to: City of Delray Beach  
100 NW 1st Avenue  
Delray Beach, FL 33444



*[Signature]*  
Authorized Signature

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Chk# 60469

RUICAN

WWPBO OPERATING ACCOUNT

Description					Net Check Amount
RUICAN					\$375.00
Vendor ID	Our Ref. No.	Your Inv. No.	Invoice Date	Invoice Amount	Amount Paid
012488		20160210	2/10/2016	375.00	375.00
		Cost advanced for Appeal fee			
		Total		\$375.00	\$375.00