

KOCHMAN & ZISKA PLC

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RE: 2875 South Ocean Boulevard, Suites 101 & 103 – ZON-24-0047

We are pleased to submit the accompanying drawings to renovate Suite 101, which is presently used 100% for food and equipment storage, into a space where 50%, more or less, of it will remain food and equipment storage, while the other portion of it is converted to a “Carry-Out” Retail Sales Counter. There will be no disruption or changes made to the landscape and hardscape areas.

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161 N/A

B) ARCOM 18-205 N/A

B) ARCOM 18-206 N/A

C) SPECIAL EXCEPTION 134-229

Modification to existing Special Exception Z-18-00120 under Special Exception Section 134-1159(22): Restaurants, excluding formula restaurants, as defined in Section 134-2 and bars/lounges.

Request for Special Exception approval to allow an existing restaurant (Acqua Café) to expand into adjacent space on the first floor of the 2875 South Ocean Boulevard building to create a “take-out” counter.

1. The existing restaurant remains the same with 2200SF and 92 seats. The additional space will be approximately 800 SF and will not have any seats.
2. The hours for the take out counter will be 7 a.m. to 6 p.m., Monday through Friday. There are no exterior changes to the building and parking remains the same with an abundance of spaces in the building’s parking lot.

Section 134-229:

1. A restaurant and expansion to allow a takeout counter is a special exception use in the C-TS Zoning District.
2. The take-out counter will be operated in a way that the public health, safety, welfare and morals will be protected.
3. The take-out counter will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
4. The take-out counter will be compatible with adjoining development and intended purpose of the district in which it is to be located as there are other commercial enterprises in the area.
5. The take-out counter will comply with yard, other open space, and any other special requirements set out in Article VI for the particular use involved.
6. The take-out counter will comply with all elements of the comprehensive plan.

7. The take-out counter will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district as the space is small and will not have additional seating.
8. Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of first or catastrophe, all along within the building parking lot that has ample parking spaces.
9. Any proposed signage will meet the Town's guidelines.
10. Location, availability and compatibility of utility service for the takeout counter will remain the same.
11. Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
12. The proposed take-out counter will nor attract the principal portion of its customers/clients from off-island locations. Since there is no other type of take-out business in the area it will cater to the south end residents and building occupants.
13. There are no historic trees on site.
14. The proposed take-out counter will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations as the café is a small operation with limited seats and limited service.

D) SITE PLAN REVIEW 134-329 N/A

E) VARIANCES 134-201 N/A

Please feel free to reach out with any questions.

Sincerely,

Maura Ziska

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