

February 11, 2025

**VIA ELECTRONIC DELIVERY**

Mr. Zafar Ahmed  
Director, Community Development Department  
City of North Miami Beach  
17050 NE 19th Avenue, 1st Floor  
North Miami Beach, FL 33162

**RE:               RK 14025 BISCAYNE LLC | Folio No.: 07-2221-031-0020**  
**Narrative Responses for TRAD 2 Review - Raising Cane's**

Please accept this response letter and resubmittal documents on behalf RK 14025 BISCAYNE LLC (the "Applicant") in connection with the above-referenced Application for the approval of the proposed Raising Cane's restaurant. The Applicant hereby provides the following responses to comments:

**TRAD Review Comments dated January 22, 2025; Responses provided February 11, 2025**

**Utilities/Engineering (Page 6)**

3. Access to the lift station is currently through a drive along the South property line which also serves as access to the dumpster enclosures. The new site plan negates this access. We request some sort of accommodation be provided for access through the drivethru or other means.

**Response: Per separate coordination with the City, an access path has been worked out for access to the lift station from the private property. The enclosed revised civil plans provide the agreed upon lift station access side path. Conditions of the access agreed upon between the City and Applicant team will be provided in the resolution of approval.**

4. Proper coordination between the Civil and Landscape plans is imperative. We do not allow large trees on top of the water main.

**Response: A minimum of 3' of spacing has been provided from the water lines to the proposed tree centers. Please see revised landscape plans included in this resubmittal.**

5. Dedicated easements will be required for all meters and firelines.

**Response: Acknowledged. Easement linework is shown on the site plan and will be coordinated with the City as construction nears.**

### **Planning and Zoning (Pages 15-16)**

1. On Page 3 and Page 8 of the brand book, note the sign spells out "North Miami" and adjust to display "North Miami Beach". Same comment from TRAD #1.

**Response: The labeling has been corrected.**

2. Conditional Use Application and Variance Request for Drive-Thru. The city attorney justified the addition of the drive-thru using the following statement: There is no parking garage structure located on the site, so the condition requiring a drive-thru to be in a parking structure does not apply and will be amended soon.

**Response: Acknowledged.**

3. Building Frontage and Forecourt Non-Use Variance Request. Pending the Director's approval.

**Response: Acknowledged.**

4. Glazing and Window Placement Non-Use Variance Request. Pending the Director's approval.

**Response: Acknowledged.**

5. Sec. 24-79 - Paint Colors. Provide the light reflection value for all base paint colors proposed. Per the code, all buildings located in commercial Zoning Districts (B-2) are required to obtain a permit to paint the exterior of the building. Allowable paint colors are as follows: Base: Must have a light reflectance value (LRV) of 35 or greater. Trim: It may be any solid color.

**Response: This information is provided on Sheet A4.20.**

## **Traffic (Addendum)**

2. Please provide an update to the FDOT District 6 Access Management Review Committee (AMRC) approval for the Target Commercial Plaza driveway connection as was required by the City. Please confirm if the access management connection to US-1/Biscayne Boulevard is still approved and no access modifications are required based on the proposed land uses.

Kimley Horn & Associates, Inc. 11/04/24 Response: Please note that FDOT AMRC review and approval is not required as no variances are being requested as part of the project. Coordination with FDOT is ongoing and a pre-application meeting was held on June 19, 2024 via conference call. Please refer to the pre-application meeting minutes contained in Attachment A-1.

TCG 11/12/24 Response: Addressed. A condition of approval will be developed which requires the applicant to address all FDOT requirements as outlined in the 06/19/24 meeting minutes.

### **Response: Acknowledged.**

7. Please include an Intersection Capacity Analysis section to the traffic impact study methodology memo. The traffic operational analysis should include existing conditions, future conditions without project and future conditions with project.

Kimley Horn & Associates, Inc. 11/04/24 Response: Comment noted. Please refer to the updated traffic study methodology included in Attachment B-1.

TCG 11/12/24 Response: Addressed. Intersection Capacity Analysis should be evaluated during the midday and PM peak hours at the three identified intersections and road segments (please reference comment #6).

### **Response: Acknowledged.**

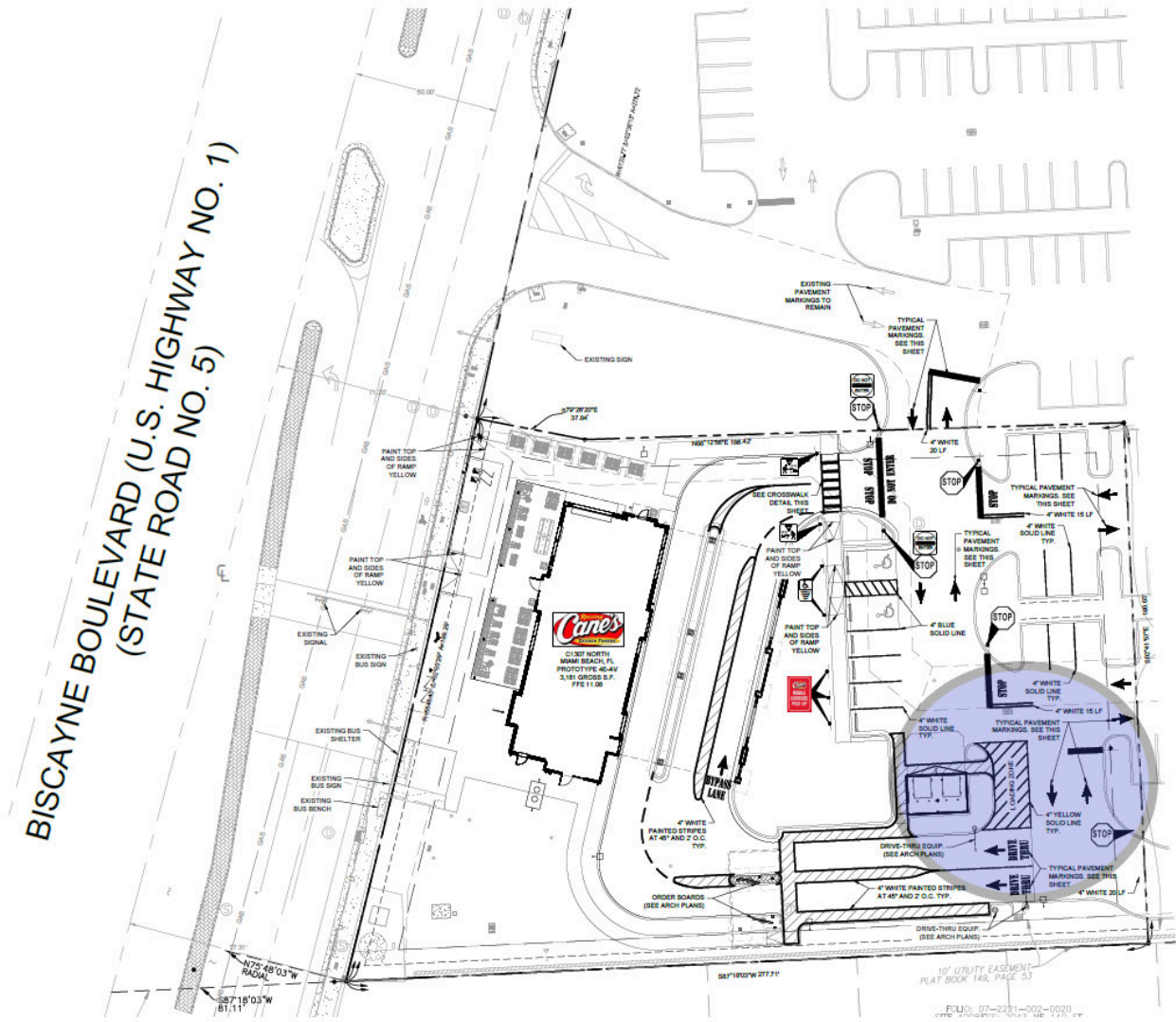
13. Please provide a copy of any cross-access agreement with the owner of the overall shopping center. There should be concurrence from the overall owner of the shopping plaza to ensure appropriate internal traffic circulation.

Kimley Horn & Associates, Inc. 11/04/24 Response: Please refer to subsection 7.3 of the Declaration of Restrictive Covenants and Easements contained in Attachment D-1.

TCG 11/12/24 Response: Addressed. A condition of approval will be developed which requires the applicant to comply with all conditions outlined in the Declaration of Restrictive Covenants and Easements dated 02/23/2016 and as amended.

**Response: Acknowledged.**

16. Please provide a vehicle maneuverability analysis for the proposed site loading zone/areas using Transoft Solutions' AutoTURN software. A technical memorandum needs to document deficiencies related to maneuverability, traffic flow, and vehicular conflicts. This should include the loading zone movements, interaction with the drive-thru queuing, and internal shopping center traffic circulation.



TCG 02/04/25 Response: This item is still pending.

**Response: Please see provided truck access exhibit.**

17. Please add the committed trips from the following approved but unbuilt development projects:
- Nexo fka Capri Towers- 13899 Biscayne Boulevard, North Miami Beach, Florida
  - SoLe Mia Miami and related outparcels- North Miami, Florida.

**Response: The traffic impact analysis was updated to include the Nexo (fka Capri Towers) and the unbuilt SoLe Mia Miami projects (as provided by the City of North Miami) as committed developments. Please refer to the updated traffic impact analysis included in Attachment B-1.**

18. Please add a column for the volume/capacity (v/c) ratio to road segment capacity analysis tables 7, 8, and 9. This should be for the adopted LOS standard (E+20).

**Response: Tables 7, 8, and 9 were updated to include the requested v/c ratios. Please refer to the updated traffic impact analysis included in Attachment B-1.**

19. Please provide a copy of the approved site plan for the existing Raising Canes located at 2301 N.E. 8th Street, Homestead, Florida in the Appendix of the updated traffic study. The drive-through lane queuing analysis narrative should be updated to provide more details regarding the existing Raising Canes site (i.e., the building square footage comparison, number of drive thru lanes and ordering procedures) in Homestead, Florida.

**Response: The approved site plan for the Raising Cane's Homestead site is included in Appendix L of the updated traffic impact analysis. Additionally, the traffic impact analysis was updated to include details related to the existing Raising Cane's Homestead site. Please refer to the updated traffic impact analysis included in Attachment B-1.**

20. A condition of approval will be issued that requires the applicant to submit a supplemental traffic memorandum, including an evaluation of the proposed drive-through queuing operations by no later than six months from the date the Raising Canes development is fully operational. A field queuing study of the drive through queuing operations should include field data collection between 11:00 a.m. and 11:00 p.m. during one weekday and one weekend day. This field review should also include a review and observations of southbound left-turn traffic operations at the primary Target driveway at US-1/Biscayne Boulevard and the northbound U-turn movements at the US-1/Biscayne Boulevard and NE 143rd Street signalized intersection.

**Response: Comment noted. Please note that the condition of approval should indicate that the supplemental traffic memorandum evaluating on-site vehicle queues, southbound left-turn movement at SR 5/US 1/Biscayne Boulevard at the primary Target driveway, and northbound U-turn movement at SR 5/US 1/Biscayne Boulevard at NE 143rd Street will be focused on impacts specific to traffic generated by the Raising Cane's project. The applicant will not be responsible for potential existing/background traffic operational deficiencies, including vehicular delays and queues.**

21. A condition of approval will require the applicant to update the cross-access agreement with additional declarations of use restrictions related to the proposed Raising Canes development. The conditions for this outparcel in the cross-access agreement should be updated to clarify the vehicle stacking operations at the proposed drive-through and site circulation, including access to the Target plaza driveway at US-1/Biscayne Boulevard.

**Response: Noted.**

With this resubmittal, the Applicant respectfully requests that the TRAD review be deemed complete. Please advise if you have any questions or require additional information at this time.

Respectfully submitted,

LSN Law, P.A.



Tracy R. Slavens