



## **CITY OF MARGATE**

### **DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #1**

***August 10, 2021***

<b>PROJECT NAME:</b>		Chipotle Restaurant with Drive Thru	
<b>PROJECT NUMBER:</b>		DRC 2021-316	
<b>LOCATION:</b>		5555 W. Atlantic Blvd	
<b>APPLICANT/AGENT:</b>		Chris Lall, Bohler Engineering FI, LLC agent for Jeff Zito, Southeast Investments, Inc.	
<b>REVIEW/APPLICATION</b>		Subdivision Resurvey	
<b>DISCIPLINE</b>	<b>REVIEWER</b>	<b>EMAIL</b>	<b>TELEPHONE</b>
DRC Chairman	Elizabeth Taschereau – Director	<a href="mailto:etaschereau@margatefl.com">etaschereau@margatefl.com</a>	(954) 884-3686
Planning	Andrew Pinney – Senior Planner	<a href="mailto:apinney@margatefl.com">apinney@margatefl.com</a>	(954) 884-3684
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Police	Lt. Ashley McCarthy – Police Department	<a href="mailto:amccarthy@margatefl.com">amccarthy@margatefl.com</a>	(954) 972-1232

**Any questions regarding the DRC comments, please contact the appropriate department.**

**Applicant is required to address EACH comment and to revise plans accordingly (*acknowledgements are not corrections*).**

**DRC comments follow.**

## DEPARTMENTAL COMMENTS

### BUILDING

1. No comments.

### FIRE

1. No comments.

### PUBLIC WORKS

1. This is private property and the drainage on Atlantic Boulevard is the responsibility of FDOT. There should be a request or an agreement already in place to allow the drains from the private property to connect to the FDOT drains on Atlantic Boulevard.

### POLICE

1. No comments.

### ENGINEERING

The Director of the Department of Environmental and Engineering Services (DEES), or his qualified designee, has conducted a review of the submitted documentation in accordance with Article IV, Chapter 31 of the City of Margate is Code of Ordinances and finds the following:

#### PREAMBLE

The applicant is requesting to create an outparcel in relation to the development of a Chipotle Restaurant with a drive through “Chipotlane”.

#### A. TRAFFICWAYS

1. A Traffic Impact Analysis was performed by JFO Group Inc. The Analysis was signed and sealed by Florida Professional Engineer, Juan F. Ortega, P.E. License # 63422.
2. There is a possible line of sight issue with stop signs at the end of drive through lane and site exit to mall feeder road. Provide analysis to show that what is proposed will suffice, or modify.
3. Show how delivery vehicles will access the site and make deliveries.
4. Show garbage truck site ingress and egress with computer generated turning curves.

#### B. POTABLE WATER AND WASTEWATER

Provide calculations to show potable water demand for the project.

#### C. DRAINAGE

1. Provide a plan of the existing drainage system to illustrate underground pipes and exfiltration trenches and show how this plan will be modified to accommodate the new development.
2. Provide details of perimeter berm and control structure that will be used to retain runoff.
3. Provide a copy of the SFWMD ERP for Lakewood Plaza.
4. Provide confirmation that groundwater elevations are 5 feet below grade.

5. Applicant claims a reduction in impervious area by 0.03 acres to support no additional stormwater treatment.

**D. FLOODPLAIN**

The site is in a AH Flood Zone with BFE 11.00 Feet (NAVD). The City's Flood Plain Management Ordinance was recently amended to require one-foot additional freeboard above BFE, in the SFHA. Therefore, the FFL should be at 12.00 feet (NAVD).

**E. SOLID WASTE**

The developer shall consult with the city's solid waste contractor to determine their requirements to service this development.

**F. RECREATION**

Not Applicable

**G. LANDSCAPING**

No trees are allowed in the water and sewer easement.

**H. PARKING DEMAND**

A Parking Demand Analysis was performed by JFO Group Inc. and digitally signed and sealed by Juan F. Ortega, P.E. Florida license # 64322.

Provide a sample calculation for the "calculated parking demand" based on any of the average parking demand rates used from the ITE Parking Manual, 5<sup>th</sup> Edition.

**I. PARKING**

Provide a safe path for users of handicap spaces to access the restaurant.

**J. SIDEWALK**

All work in the ROW will require an Engineering Permit

**DEVELOPMENT SERVICES**

After review of the above referenced DRC Subdivision Resurvey application, Development Services Department provides the following comments and advisory notes. Comments require a written response from the applicant and correction(s) to the application. Advisory notes do not require corrections.

**Advisory Note 1:** This application is for a subdivision resurvey and is therefore subject to the requirements of Chapter 31 of the Code of the City of Margate.

Section 3.11. - Subdivision resurvey required.

When any lot, tract, or other parcel of land, however designated, which is part of a subdivision recorded in the official records of Broward County after May 30, 1955, and which has been approved by the city commission of the City of Margate, is further subdivided or resubdivided for the purpose of development, the following requirements shall be met prior to the issuance of a development permit:

(1) A survey of the subject property, containing all of the applicable information required by Section 31-18 of this Code, shall be prepared by a registered engineer or surveyor.

(2) The proposed parcel(s) shall meet the requirements of Section 31-19(A) through (E) of this Code as determined by the city commission.

(3) Any land within the parcel that is necessary to comply with the Margate trafficways plan shall be conveyed to the public by deed or grant of easement.

(4) The developer shall submit to the city clerk a performance bond for subdivision improvements and inspection fees as required by Section 16.3 of this appendix.

(5) The developer shall file a reproducible copy of the instrument with the city clerk with payment of filing fee of one hundred dollars (\$100.00) and all recording fees.

Sec. 31-33. - Definitions.

*Development permit* means any building permit, as defined herein, subdivision resurvey or plat approval, rezoning, special exception, or other official action of the city having the effect of permitting the development or redevelopment of land.

This does not include any variance or other official action necessary solely for the purpose of issuing a permit, other than a building permit, pursuant to the South Florida Building Code, or other building code in force and effect at the time.

Sec. 31-35. - Determinations required prior to approval of a development permit.

A determination that adequate services will be available to serve the needs of the proposed development shall be made when the following conditions are met:

(1) *Director of development services.* The director of development services determines:

- a. That the proposed development is consistent with the Margate Comprehensive Plan.
- b. That the proposed development is in conformity with the Margate Zoning Code.
- c. In the case of site plans, that the proposed development is in conformity with the provisions of chapter 23 of this Code.

Sec. 31-37. - Development presumed to have maximum impact permitted; use of site plan to assess maximum impact.

(a) For the purpose of implementing sections [31-34](#), [31-35](#), and [31-36](#), a proposed development shall be presumed to have the maximum impact permitted under applicable land development regulations such as zoning regulations and the land use element of the Margate Comprehensive Plan.

(b) If a site plan is presented when a proposed plat, subdivision resurvey or rezoning application is submitted, it may be used as the basis to assess the maximum impact of the development. In the event that an application for a building permit is submitted which, in the opinion of the building official, provides more intensive uses than those indicated on the site plan or substantially deviates from the approved site plan, the application shall be referred to the development review committee for assessment.

2. Urban greenways consist of a landscape buffer and broad multi-modal path lying between travel lanes of adjacent

#### Section 9.7. - Specific design standards.

##### 0) Streets and blocks.

2. Urban greenways consist of a landscape buffer and broad multi-modal path lying between travel lanes of adjacent roadways and buildings within the TOC, and are intended to replace existing sidewalks. Urban greenways may be required to be wider than the minimum requirement if any right-of-way reservation dedications, or roadway, utility, or other easements have been previously granted. Urban greenways along all roads classified as an arterial roadway by the Broward Metropolitan Planning Organization's Federal Functional Classification Map roads are required to maintain a minimum width of eighteen (18) feet. Urban greenways along all other roads, except for rear alleys and connections, are required to maintain a minimum width of sixteen (16) feet. Beginning from the curb or edge of travel lanes, a landscape buffer shall be provided within the urban greenway which meets the minimum design criteria of Section 23-6(B)(2) of this Code. Behind the landscape buffer, a multi-modal paved path of at least ten (10) feet in width shall be provided within urban greenways built along arterial roadways. Urban greenways built along all other roads shall provide a multi-modal path of at least eight (8) feet in width behind the landscape buffer and within

the urban greenway. The paved multi-modal path shall be made of a uniform material, and concrete paths shall not have seams or joints running the length of the path. No obstructions, temporary or permanent, are allowed within the minimum required width of the multi-modal path. Multi-modal paths and landscape buffers wider than the above described minimums are also encouraged. A public access easement shall be dedicated and recorded for any portion of an urban greenway located on privately owned property.

Based upon Code of the City of Margate requirements, Development Services Division staff compared the application to the adequacy determinations described in Section 31-35. The presumption is the proposed subdivision resurvey will have maximum impact under the applicable land development regulations and the Future Land Use Element of the Margate Comprehensive Plan. The Applicant submitted a Site plan and Special Exception Use applications concurrent with this subdivision resurvey application. Code enables staff to use concurrent reviews as the basis for assessing maximum impacts emanating from the proposed development.

**Subject Property:**

The subject property is approximately 38,399 square feet (.8815 acre) in area. It constitutes a portion of Margate Realty No 1 Plat as recorded (PB42, P42). The subject subdivision resurvey reduces total acreage from ~20.92 acres by this corresponding square footage.

The site presently serves as a portion of the Walmart Superstore parking areas located at 5555 West Atlantic Boulevard, Margate, FL 33063. It also forms part of Phase I of the Lakewood Mall Shopping Center. Bound on the south by Atlantic Boulevard; the site includes an existing Boston Market to the west, and interior drive aisles to the east and north. The Margate Land Use plan classifies this site as an Activity Center (AC) land use and it is zoned Transit Oriented Corridor-Corridor (TOC-C). Finally, the property is located within the Margate Community Redevelopment Agency (CRA) district.

**I. CONFORMITY WITH CODE**

**COMMENT 1:** When any lot, tract, or other parcel that has been platted after May 30, 1955 is further subdivided for the purpose of development, an applicant must file a subdivision resurvey application which meets the requirements of Section 31-18 and 31-19(A) through (E) of the Code of the City of Margate. The applicant must meet these requirements prior to the issuance of a development permit.

**COMMENT 2:** The proposed development requires the addition of a broad multi-modal path adjacent to the Atlantic Boulevard right-of-way that meets the design criteria of Article IX, Section 9.7 (O)(2). Revise resurvey to identify a new on-site easement designed of appropriate width to accommodate this improvement as specified in Section 9.7 of the Margate Zoning Code.

**COMMENT 3:** Provide dedication of easement language on subdivision resurvey.

**COMMENT 4:** Confirm Declaration of Partners and Mortgage Deed related to this property dated June 9, 1975 as recorded in ORB 6249, Page 478.

**COMMENT 5:** Any work proposed within the existing water and sewer easement areas need to be coordinated with DEES.

**COMMENT 6:** The resurvey identifies a Lakewood Mall monument sign located at the southeast corner of the proposed resurvey and encroaches into it. Confirm minimum distance separation between this existing sign and the new monument sign proposed as part of this development. If the existing sign is to remain, it will also need an easement on the subdivision resurvey.

In addition, the Lakewood mall monument sign will be considered legally non-conforming and will be subject to Section 39.14 of the Margate Sign Code.

**COMMENT 7:** Confirm presence and correctness as to form for all signature blocks included on the signature page of resurvey.

**COMMENT 8:** Provide City Commission's approval, County engineer's approval, and Certificate of the Clerk of the Circuit Court.

**COMMENT 9:** Call out the plat limit on the subdivision resurvey.

**Advisory Note 2:** A performance bond and engineering permit are required for the construction of improvements on public property, per Section 32.3 of the Margate Zoning Code.

**Advisory Note 3:** The developer shall file a reproducible copy of the instrument with the city clerk with payment of filing fee of one hundred dollars (\$100.00) and all recording fees. The instrument shall contain all required signature blocks.