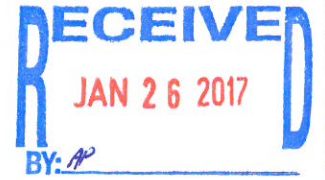




City of Margate
DEVELOPMENT REVIEW COMMITTEE
Application for Special Exception (new construction)

5790 Margate Blvd., Margate, FL 33063
954-972-6454

Submittal Date (official use):



Project Name Drive-through ATM		
Address 3103 N. State Road 7, Margate, FL		
Acreage	Folio Number 4841 24 10 0030	DRC # 02-17-07
Existing Use Commercial center with surface parking		
Legal Description MARGATE PLAZA NO. 1 132-50 B, BEG AT NORTHERNMOST SE COR, of Plat, NLT		
162, WLY 165, SWLY 150.99, SLY 120, ELY 249, NELY 70.71 TO POB AKA: PARCEL "A" PER		
SURVEY JOB NO 86145-001		

Describe proposal/request in detail, including non-residential square footage and/or number of dwelling units
☐ See attached narrative
☐
☐

Agent/Contact Name Steven Wherry, Esq. / Greenspoon Marder	
Address 200 E. Broward Blvd., Suite 1800, Fort Lauderdale, FL 33301	
Phone Number 754-200-7017	Fax Number 954-333-4157
Email Address steven.wherry@gmlaw.com	

Property Owner Name LE-PSL LLC ETAL C/O LEDER GROUP, INC.	
Address 4755 Technology Way, #203, Boca Raton, FL 33431	
Phone Number 561-807-2770	Fax Number
Email Address smleder@ledergroup.com	

OWNER'S AFFIDAVIT: I certify that I am the owner of record for the above referenced property and give authorization to file this petition. I understand that I, or a representative on my behalf, must be present at the DRC meeting. I further understand that my petition will be subject to the regulations of Chapter 16 1/2 of the Margate City Code.

Property Owner's Signature

Date

1/18/17

City of Margate
*** CUSTOMER RECEIPT ***

Batch ID: RR0DI 2/01/17 00 Receipt no: 64014

Type	SvcCd	Description	Amount
EI		ECDV SPECIAL EXECPT. USE	
	Qty	1.00	\$500.00

GREENSPOON MARDER
CLIENT COST ADVANCE
100 W CYPRESS CREEK RD., #700
FT LAUDERDALE, FL 33309
DRC #02-17-07
SPECIAL EXCEPTION USE
DRIVE THRU ATM @DANDEE DONUTS
3103 N STATE ROAD 7
BY STEVEN WHERRY, ESQ
GREENSPOON MARDER
200 E BROWARD BLVD., #1800
FT LAUDERDALE, FL 33301
754-200-7017
STEVEN.WHERRY@GMLAW.COM

Tender detail

CK Ref#:	11316	\$500.00
Total tendered:		\$500.00
Total payment:		\$500.00

Trans date: 2/01/17 Time: 16:28:09

HAVE A GREAT DAY!

City of Margate
*** CUSTOMER RECEIPT ***

Batch ID: RRODI 5/03/16 00 Receipt no: 110234

Type	SvcCd	Description	Amount
EB		ECDV BANNERS	
	Qty	1.00	\$150.00

3101 N SR7, TIC
4755 TECHNOLOGY WAY, STE 203
BOCA RATON, FL 33431
PUBLIC HEARING SIGN BOND
DRC 05-16-09
DRIVE THRU ONLY ATM
DANDEE DONUTS
3103 N STATE ROAD 7
MARGATE, FL
BY WILLIAMSON CREEK VENTURE
4755 TECHNOLOGY WAY, #203
BOCA RATON, FL 33431
561-807-2770
SMLEDER@LEDERGROUP.COM

Tender detail

CK Ref#:	224	\$150.00
Total tendered:		\$150.00
Total payment:		\$150.00

Trans date: 5/03/16 Time: 16:42:50

HAVE A GREAT DAY!

Special Exception Narrative – Drive-Through ATM

LE-PSL LLC c/o Leder Group, Inc. (“Applicant”) owns the property located at 3103 N. State Road 7, Margate, Florida (“Property”). The Property is located at the intersection of North State Road 7 and NW 31st Street. Currently on the Property is an existing 8,528 square foot commercial building, and the Applicant is proposing to renovate approximately 2,500 square feet of the existing building for the new Dandee Donut Factory (“Dandee Donuts”) and add a drive-through window located on the east side of the existing building façade. The Applicant is also proposing a standalone drive-through-only ATM (“ATM”) at the Property (collectively “Proposed Development”) in accordance with the Applicant’s site plan. The drive-through-only ATM will be an automated standalone ATM for the convenience of residents and visitors of the City. The zoning for the Property is transit oriented corridor – gateway (TOC-G) which does not allow for drive-through facilities without a special exception approval.

On May 24, 2016, the Development Review Committee approved the previous request for the drive-through-only ATM and the 3,100 square foot addition for the new Dandee Donut Factory with drive through. The DRC case number for the previous approval is 05-16-07. The Applicant’s proposed change to the previously approved site plan will be to place the drive-through-only ATM at an alternate location within the surface parking lot. The proposed site plan change will improve site circulation and help to avoid possible stacking issues that may have occurred with the previously approved placement of the ATM. The proposed location of the drive-through-only ATM will help to eliminate pedestrian vehicular conflicts within the site by providing additional pavement markings, providing the ATM machine outside of the traffic lane and by providing adequate vehicular stacking as the vehicle exits the ATM machine use.

Therefore, the Applicant seeks a special exception use approval from the provisions of the Code to allow for a drive through only ATM at the Property. The Applicant satisfies the special exception use approval conditions in Section 22.10 of the Code as follows:

(a) Compatibility of the use and site plan elements with the indigenous environment and with properties in the neighborhood, as outlined in the Margate Comprehensive Plan.

The Property is compatible with the indigenous environment and with the properties in the neighborhood as outlined in the Margate Comprehensive Plan (“Comprehensive Plan”). The Property is located within the City’s TOC-G zoning district. The purpose of this zoning district pursuant to the City’s Comprehensive Plan includes, but is not limited to, stimulating redevelopment efforts within the City,

while providing opportunities for mixed use development. The Proposed Development will offer a convenient means for accessing an ATM meeting the needs of the surrounding neighborhoods and for residents and the proposed use of the Property is in compliance with the goals and objectives of the TOC-G zoning and commercial use of the Property. The Proposed Development is located at the gateway of the City at a corner lot off of State Road 7. The drive through amenities for the ATM will be a convenient option for those entering the City of the main thoroughfare of State Road 7.

The Property is located adjacent to an existing shopping center and the design of the proposed plan of development will be consistent with the orientation, location size, and features of buildings, and appearance and harmony of the buildings with nearby development and commercial land uses. The proposed plan of development will be a contemporary design with neutral colors that blend and are compatible with the existing surrounding buildings.

Per the City's Comprehensive Plan, many strip centers in the TOC-G zoning category do not meet current landscaping, parking, and setback requirements, and are in need of redevelopment and redevelopment efforts will focus on the State Road 7 corridor. The Property, located adjacent to State Road 7 at the gateway of the City is currently an abandoned vacant building that is not in compliance with the City's Code. The proposed development will improve the current conditions of the Property by making improvements in line with the City's Comprehensive Plan such as improving the landscaping, improving the walkability of the Property by connecting the Property to a walkway to the shopping center adjacent to the Property, improving the lighting with high efficiency LED lighting, improving traffic circulation and removing current vehicular dead end conditions at the Property, and developing an attractive and convenient ATM service at the building which is currently vacant.

(b) Substantial detrimental effects of the proposal on the property values in the neighborhood.

The operation of Proposed Development will not have detrimental effects on the property values in the neighborhood. The Property is surrounded by other compatible commercial business uses such as the adjacent shopping center and other restaurants, banks, drug store, and food markets. The Proposed Development is not adjacent to residential uses and will not have detrimental effects on property values in the neighborhood.

(c) Substantial detrimental effects of the use on living or working conditions in the neighborhood.

The Proposed Development will not have any detrimental effects on the living or working conditions in the neighborhood. As set forth above, the Proposed Development is surrounded by other commercial uses that are compatible with the

proposed use. The plan for the Proposed Development will comply with all provisions of the Code. Further, the Proposed Development will serve the commercial use needs of the surrounding neighborhoods, residents and visitors in the City.

- (d) Ingress and Egress to the development and proposed structures, with particular reference to automotive and pedestrian safety, control of automotive traffic, provision of services and servicing of utilities and refuse collection, and access in the case of fire, catastrophe, or emergency.**

As reflected on the survey, there is proper ingress and egress to the Property to allow for the servicing of utilities and refuse collection, and access in case of fire, catastrophe or emergency. Because the ATM is an automated machine and not a full service drive through bank, this will not create traffic concerns at the Property.

The ingress and egress for the Property has not been modified from the existing vehicular access. The internal circulation of the Property has been modified by eliminating a dead end condition on the site to improve traffic flow. The dumpster collection location has been moved to an area more accessible to the garbage trucks closer to the main entrance of the Property. A full loop circulation has been designed in the parking lot to improve traffic flow. As to pedestrian flow, the existing single entrance to the building has been modified to connect the Property to a linear pedestrian promenade so that the Property is connected by a walkway to the adjacent shopping center to improve pedestrian flow.

- (e) Off-street parking location and relation to buildings, internal traffic safety, traffic flow and control, access in case of fire or emergencies, and screening and buffering.**

As indicated on the survey, the location of parking provides easy and safe access to the uses on the Property.

- (f) Orientation, location size, and features of buildings, and appearance and harmony of the buildings with nearby development and land uses.**

The orientation, location size and features of the Proposed Development are in harmony with the surrounding buildings and nearby development and land uses. As set forth above, the Proposed Development is surrounded by other compatible commercial uses such as restaurants, banks, drug store, and food markets. The Property is located adjacent to an existing shopping center and the design of the proposed plan of development will be consistent with the orientation, location size, and features of buildings, and appearance and harmony of the buildings with nearby development and land uses. The proposed plan of development will be a

contemporary design with neutral colors that blend and are compatible with the existing surrounding buildings.

- (g) Sufficiency of setbacks, buffers, and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of site generated noise, lights, fumes, and other nuisances.**

The plan for the Proposed Development provides setbacks and buffers that meet the Code and general amenities that preserve the harmony and compatibility with the surrounding uses. As a result, the impact of any noise, lights, fumes or other potential nuisances will be controlled. None of the existing landscape buffers are being reduced or altered. Parking lighting will be improved by adding LED energy efficient fixtures with lighting compatible with the surrounding commercial properties.

- (h) Adequacy of stormwater management with attention to the necessity for on-site retention to alleviate flooding and ground water pollution without compromising the aesthetics and maintainability of landscaping.**

Stormwater management will be provided to alleviate flooding and ground water pollution. Therefore, the aesthetics and maintainability of the landscaping will not be compromised. All existing drainage will remain in place.

- (i) Adequacy of landscaping an emphasis on the preservation of existing trees, the use of native species, and the use of berming along street perimeters.**

Currently the Property is not consistent with the City's landscape Code and the Applicant's landscape plan demonstrates landscaping that meets the Code's requirements with an emphasis on the preservation of existing trees and adding additional landscaping at the Property. The Property's landscaping along State Road 7 and NW 31st Street is consistent and contiguous to the surrounding landscaping to the north and west of the Property.

- (j) Compliance with applicable goals, objectives, and policies of the Margate Comprehensive Plan.**

The proposed use furthers the goals, objectives, and policies of the Comprehensive Plan as follows:

- The Proposed Development will further the goal of commercial properties creating a net gain to local government
- The Proposed Development will further the goal to attract commercial developers to accommodate the City's growing population to develop on

large tracts with good access and utilizes readily available existing commercial property

- The Proposed Development will further the concern raised with commercial development of having a responsibility to protect existing and proposed residential, recreational and public facility areas from any adverse impacts

(k) Compliance with the applicable goals, objectives and policies of the Margate Community Redevelopment Plan.

The Property is located within the Community Redevelopment Area (“CRA”). The Property is currently an abandoned vacant building located adjacent to an existing shopping center and the Applicant proposes to develop the drive through Dandee Donuts and ATM which will include making certain improvements required for the Property to permit this use at the Property and to bring the Property in compliance with the City’s Code. The plan of development as further described above which will create an attractive and convenient commercial use at the Property is in compliance with the following applicable goals, objectives, and policies of the CRA:

- Redevelopment Policy GOAL 2: Prevent the future occurrence of slum and blight.
- Economic GOAL 1: Establish a diverse, identifiable character for the City within the Redevelopment Area while promoting economic vitality through private sector investment.
- Economic GOAL 2: Invigorate the business community and revitalize existing commercial properties.
- Economic GOAL 3: Market the Redevelopment Area as a major destination point
- Public Facilities and Services GOAL 2: Plan and support a safe efficient traffic circulation system that implements the City Center development and TOC zoning districts, and provides sufficient access for all modes of transportation between activity centers within the Redevelopment Area and the balance of the community