



Development Services Department

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**CITY OF MARGATE
 DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW #3
 January 12, 2021**

PROJECT NAME:		Clutch Coffee	
PROJECT NUMBER:		2020-460	
LOCATION:		5300 Coconut Creek Parkway	
APPLICANT/AGENT:		Matthew Scott, Esq. Dunay, Miskel and Backman, LLP, agent for John Anderson	
REVIEW/APPLICATION		Special Exception for Drive-Through Facility	
DISCIPLINE	REVIEWER	EMAIL	TELEPHONE
DRC Chairman	Elizabeth Taschereau – Director	etaschereau@margatefl.com	(954) 884-3686
Planning	Andrew Pinney – Senior Planner	apinney@margatefl.com	(954) 884-3684
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Public Works	Mark Collins – Director	mcollins@margatefl.com	(954) 728-5515
CRA	Vacant		
Police	Lt. Ashley McCarthy – Police Department	amccarthy@margatefl.com	(954) 972-1232

Any questions regarding the DRC comments, please contact the appropriate department. DRC comments are as follows:

Applicant is required to provide a response letter addressing **EACH** comment and to revise plans accordingly (*acknowledgements are not corrections*).

DEPARTMENTAL COMMENTS

BUILDING

1. Provide ADA crosswalk from handicap parking space across driveway to coffee shop. Show a clear direct unobstructed ADA compliant accessible route from handicap parking space to building. Existing site conditions like sidewalk and asphalt may need to be modified to comply with current ADA building code.

FIRE

1. No comments

PUBLIC WORKS

1. No comments

POLICE

1. No comments

ENGINEERING

The Director of the Department of Environmental and Engineering Services, or his qualified designee, has conducted a review of the submitted documentation in accordance with 31-35 (2), 31-37, and other relevant sections of the City's Code of Ordinances and finds the following:

A. AVAILABILITY OF POTABLE WATER

Potable water service is available to serve the needs of the proposed development. The water treatment plant has sufficient available capacity to satisfy the potable water needs of the proposed development as well as those of other developments in the service area which are occupied; available for occupancy; hold active, valid building permits; or have already reserved capacity.

Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving water treatment capacity.

B. AVAILABILITY OF WASTEWATER TREATMENT AND DISPOSAL SERVICES

Wastewater treatment and disposal service is available to serve the needs of the proposed development. The wastewater treatment plant has sufficient available capacity to satisfy the wastewater treatment and disposal needs of the proposed development as well as those of other developments in the service area which are occupied; available for occupancy; hold active, valid building permits; or have already reserved capacity.

Please note that this determination shall not be construed as a reservation of capacity for the development unless a developer's agreement has been executed with the City specifically reserving wastewater treatment and disposal capacity.

C. TRAFFIC IMPACTS

~~Based on the analysis provided by the applicant's traffic engineer, the net trips being contributed to the roadway network by this development is a net decrease compared to those trips that were contributed by the prior bank. Therefore, we have concluded that the traffic generated by the proposed development will be safely and efficiently handled by the regional transportation network and local streets. No roadway improvements are required of the developer.~~

~~While the traffic study shows that most of the trips to this development are "drive-by" trips, rather than "destination" trips, the study indicates that site will receive 996 daily trips, supposedly all flowing through the single drive thru lane. Please provide sufficient stacking on site to manage the volume of traffic expected without stacking off site and affecting traffic flow within the shopping center or on the public streets. Provide a stacking study to support the plan.~~

The plan has been determined to satisfy the requirements of code Section 33.11.

D. SURFACE WATER MANAGEMENT

This project is a re-purpose of an existing bank parcel within the shopping center. The property was previously permitted and developed with the surface water management system connected to the master drainage system within the shopping center. No revisions to the drainage system are proposed. The proposed development will realize a reduction in pervious area and, therefore, a reduction in site run-off. Accordingly, the existing stormwater management system is deemed sufficient, as are the rights-of-way and easements for a surface water management system.

E. STREETS, SIDEWALKS, PUBLIC PLACES

The engineering design of streets, sidewalks, and other public places abutting or serving this property appear to be "existing to remain". They appear to be in good condition and do not appear to be in distress. To the best of our knowledge and understanding, these public improvements were previously constructed under permits from the City. Accordingly, they are deemed to meet the minimum standards set forth in Chapters 31 and 35 of this Code.

F. WATER DISTRIBUTION SYSTEM

To the best of our knowledge and understanding, the water distribution system meets or exceeds the minimum standards and requirements of the following:

- 1. Chapter 39 of the City’s Code of Ordinances
- 2. AWWA Standards
- 3. Broward County Environmental Protection and Growth Management Division

Connection charges and/or impact fees will be determined during review of the engineering permit.

G. WASTEWATER COLLECTION AND TRANSMISSION SYSTEM

To the best of our knowledge and understanding, the wastewater collection and transmission system meets or exceeds the minimum standards and requirements of the following:

- 1. Chapter 39 of the City’s Code of Ordinances
- 2. AWWA Standards
- 3. Broward County Environmental Protection and Growth Management Division

H. GENERAL

1. Application

~~a. In response to the question “Describe the proposal/request in detail, including occupant capacity (if applicable)” “See attached.” is not a sufficient answer, especially when nothing is attached. Please provide a narrative sufficiently describing the project and its intent.~~

The project narrative submitted on December 8, 2020 is deemed to satisfy this comment.

2. Cover Sheet

- a. Please correct the contact information as noted:
 - i. “Surveyors” is misspelled in Pulice Land Surveyors, Inc.
 - ii. Comcast’s office is in Miramar, not Margate
 - iii. Daniella Carvajal is now Daniella Hill and her phone number should be (954) 972-0828.

All of these issues have been addressed on the revised plans.

3. C.100 Site Plan

~~a. The shopping center driveway appears to cross a NVAL. Please clarify.~~

Applicant’s response is satisfactory.

~~b. At the NW corner of the site, between the H/C parking space and the main driveway to the shopping center, a concrete light pole~~

~~appears to obstruct the clear width of the ADA Accessible Route.~~
Applicant's response is satisfactory.

4. **C.101 Loading Zone & Truck Route Plan**

- a. ~~Truck route should not cross the centerlines.~~ **Satisfied**
- b. ~~Show truck route with the vehicle maintaining its own lane throughout.~~ **Satisfied**

5. **C.400 Details**

- a. Type D Curb Along Existing Pavement Detail
 - i. Lines representing asphalt and the various layers of sub-grade shall terminate at the face of the curb, rather than extending through the curb. **This detail is still not correct. This can become an advisory note to be addressed during the engineering permit process.**
 - ii. ~~Please provide a Trench Detail.~~ **Satisfied.**

6. **E.R.C.'s and Connection Charges**

Current E.R.C.s at 5300 Coconut Creek Parkway is one (1.) Per Code Sec. 39-73. - Connection charges, paragraph (c), "Either upon initial connection to the system, or upon each change of type or expansion of occupancy, or type of use, or nature of business, all nonresidential users, including commercial and industrial users and public facilities, shall have their E.R.C. value redetermined based on the actual measured and recorded water consumption." In your case, the Drive-Through Bank is changing to a Drive-Through Coffee Shop.

The actual use shall be determined after said change occurs or after initial connection to the system and when the facility reaches the degree of occupancy, activity, or use that allows for the accurate measurement of maximum expected water consumption (as determined by the city).

The actual measured water consumption shall be used as the basis for predetermining the E.R.C. value as follows:

The maximum monthly flow for a previous one-year period (converted to a daily flow value in gallons per day) shall be divided by three-hundred thirty-five (335) gallons per day per E.R.C. to derive the redetermined E.R.C. value, which shall be calculated to the nearest one-hundredth (0.01) ERC.

One E.R.C. is equal to Water and Wastewater = \$1,790.00 + \$1,920.00 = \$3,710.00

7. Tree Removal Permit

- a. Must submit a Tree Removal Permit. Please download the application at

<https://www.margatefl.com/DocumentCenter/View/280/Tree-Removal-Relocation-Permit-Application-PDF>

This comment can become an advisory note to be addressed during the engineering permit process.

I. ADVISORY NOTES

1. Upon receipt of DRC Approval, applicant must apply for and obtain an Engineering Permit. Please download the application at <https://www.margatefl.com/DocumentCenter/View/281/Engineering-Permit-Application-PDF>
2. Upon receipt of DRC Approval, applicant must apply for and obtain a Tree Removal Permit. Please download the application at <https://www.margatefl.com/DocumentCenter/View/280/Tree-Removal-Relocation-Permit-Application-PDF>
3. Demonstrate how you are going to prevent the liquids and trash from entering the catch basin adjacent to the dumpster enclosure.
4. When the application is filed for the Engineering Permit, ensure the engineering details are complete and accurate.
 - a. Sheet C.400, Type D Curb Along Existing Pavement Detail
 - i. Lines representing asphalt and the various layers of sub-grade shall terminate at the face of the curb, rather than extending through the curb.

DEVELOPMENT SERVICES

COMMENT 1: This application for a special exception was previously reviewed at the October 27, 2020 DRC meeting. The applicant has made a number of revisions to the application for this re-submittal, including providing a response sheet to address all staff comments. In reviewing the documentation provided with this resubmittal, staff recommends consolidating all of the responses and analyses of the special exception criteria into the justification statement in order to simplify review for policymakers of the City. For example, page 11 of the Comment Response sheet provides analysis for utilities, roadway capacity, drainage, and police/fire emergency services, while the justification statement does not provide the same level of detail in addressing criterion #5 for special exception uses. **This comment is an advisory note.**

COMMENT 2: The minimum plot size within the TOC zoning districts is 10,000 square feet, with a minimum of 100 feet of street frontage, per Section 9.7(N) of the Margate Zoning Code. The subject property provides 89.46 feet of street frontage and therefore does not conform to the minimum plot sizes established for TOC districts. **This comment is an advisory note.**

Section 9.7. - Specific design standards.

(A) *Intent.* This article illustrates the types of streets, buildings, heights, and mixes of uses that create the desired "form" presented in the master plan and TOC districts. Guidelines for building design, site design, access, and other development components are transect-based with a corresponding regulating plan that prescribes the appropriate land uses, and project and site design principles relating to the appropriate form for the pedestrian orientation, streetscape, and public realm in the subject area.

In general, development along the corridor is able to maximize developable heights and developable volume by positioning buildings at the back of the public sidewalk. Parcels with less than two hundred (200) feet of lot depth will also find increased flexibility in achieving greater developable height and building volume while maintaining or increasing separation from adjacent residential properties located to the rear.

A minimum height of two (2) enclosed floors of active use is required for all new development and redevelopment in the TOC-CC City Center district.

(B) *Building placement.* The building placement regulations contained in this article assume the implementation of a one hundred fifty (150) minimum trafficways reservation width for parcels fronting the State Road 7 corridor and one hundred seventy-five (175) minimum trafficways reservation at the intersection of State Road 7 and Atlantic Boulevard as described in appendix 2, Broward County Trafficways Map Series.

(C) *Setbacks along street frontages.* The building placement regulations contained in this article assume the implementation of sidewalk improvements and associated adjustments to the State Road 7 corridor right-of-way widths and related back-of-sidewalk locations as described in subsection (O) "Streets and blocks" and Appendix 2, Broward County Trafficways Map Series Placement of future buildings is encouraged to reflect either:

(1) Location of back of sidewalk following street reconstruction, or

(2) If street reconstruction has not yet taken place, approved city plans for sidewalk reconstruction that relocate the back of sidewalk.

For the purposes of this article front setback is defined as the minimum permitted distance from the back-of-sidewalk line along a primary street to the primary building facade. The primary frontage setback shall maintain a minimum of eighteen (18) feet, measured from the curb along; along roads classified as an arterial roadway by the Broward Metropolitan Planning Organization's Federal Functional Classification Map; and sixteen (16) feet for all other roadways.

(D) *Secondary frontage setback.* For the purposes of this article the side street setback is defined as the minimum required distance from the right-of-way line back of curb along the side street to the side street building facade. The secondary frontage setback shall maintain a minimum of eighteen (18) feet, measured from the curb along; along roads classified as an arterial roadway by the Broward Metropolitan Planning Organization's Federal Functional Classification Map; and sixteen (16) feet for all other roadways where an urban greenway is required.

(E) *Side yard setback.* For the purposes of this article side yard setback is defined as the required minimum distance from the side property line to the primary building. There is no minimum side yard setback between buildings or minimum space between buildings.

(F) *Rear setback.* Rear setback is defined as the required minimum distance from the rear property line to the nearest building. The creation and maintenance of a new and interconnected rear alleyway system is a major goal of this section. Rear setbacks must be maintained to accommodate rear alleyway creation and provide separation between nonresidential uses in the TOC and residential uses outside of the TOC. The minimum rear setback shall be thirty-eight (38) feet when new development abuts a residential district or use.

(G) *Alleyway setback.* Alleyway setback is defined as the required minimum distance from the alleyway edge of pavement to any building. The minimum alleyway setback shall be twelve (12) feet. The minimum paved width of a one-way alley in the TOC shall be ten (10) feet, the minimum width of a two-way alley in the TOC shall be

eighteen (18) feet. Portions of an alley which serve parking spaces shall meet minimum dimensions provided in Article XXXIII of this Code.

(H) *Frontage build-out.* Frontage coverage is defined as the percentage of the length of the frontage coverage zone that is occupied by the front facade(s) of the primary building(s). In the TOC-C and TOC-G districts a minimum frontage buildout of seventy (70) per cent is encouraged. In the TOC-CC districts a minimum frontage buildout of eighty (80) per cent is encouraged. In order to connect the public sidewalk with courtyards and parking lots in the interior or at the rear of a parcel, development may incorporate a passage between buildings designed in a manner consistent with the pedestrian zone, described in [Section 23-8](#) of this Code not less than sixteen (16) feet.

(I) *Build-to-corner.* Developers are encouraged to build-to the corner of the parcel at the intersection of two (2) primary streets. The build-to-corner location is defined by the front and side setback lines. No visual obstructions are permitted within the corner of an intersection measured thirty-five (35) feet from the intersecting rights-of-way for a height of twenty (20) feet. The use of tower elements at these locations is encouraged.

(J) *Space between buildings.* There is no minimum space between buildings on the same parcel, except for the provision of pedestrian zones.

(K) *Reserved.*

(L) *Height limits.* A minimum height of two (2) enclosed floors of active use is required for all new development and redevelopment in the TOC-CC City Center district. No building or structure shall be erected or altered to exceed four (4) floors and sixty-six (66) feet in the TOC-C Corridor districts. No building or structure shall be erected or altered to exceed six (6) floors and ninety-four (94) feet in height in TOC-G Gateway districts, provided that no more than seventy-five (75) per cent of any building elevation exceeding one hundred fifty (150) feet in length may exceed four (4) stories and sixty-six (66) feet. No building or structure shall be erected or altered to exceed eight (8) floors and one hundred twenty-two (122) feet in height in the TOC-CC City Center district. Rooftop antennas and elevator shafts are not counted in these height limitations. Rooftop mechanical equipment must be placed in enclosures or screened.

(M) *Frontage types.* For the purposes of this article private frontage is defined as the area extending from a building facade in combination with the private open space that spans between the building and to the public right-of-way or back of sidewalk line. There shall be no residential frontages directly on State Road 7.

(N) *Plot size.* The minimum plot size, excluding public rights-of-way, shall be ten thousand (10,000) square feet with a minimum of one hundred (100) feet of street frontage.

(O) *Streets and blocks.*

1. The maximum primary block face is seven hundred (700) feet and total block perimeter is two thousand one hundred (2,100) feet. New development and redeveloped sites are encouraged to share connections to roadways and provide rear alley connections.

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.

3. Up to fifty (50) per cent of the length of the required landscape buffer within an urban greenway on a local street owned by the City of Margate or a private entity may be utilized for parallel on-street parking if approved by the Department of Environmental and Engineering Services, provided that one (1) tree is planted every three (3) parking spaces. Said tree shall meet the minimum requirements described in [Chapter 23](#) of this Code. The minimum width of the paved multi-modal path shall not be reduced to accommodate on-street parking, and shall be elevated at least six (6) above the grade of the on-street parking.

COMMENT 3: Some of the plans included in this resubmittal are inconsistent, for example, the site plans included in the traffic statement and master parking plan do not match the current site plan provided by Dynamic Engineering. **Correct this issue before proceeding to the Planning and Zoning Board.**

I. CONFORMITY WITH CODE

COMMENT 4: Tenant signage depicted on the elevation exceed maximum sign area permitted per Section 39.6 of the Margate Zoning Code. Maximum sign area permitted is 1 square foot of area per linear foot of frontage, and secondary signs are not permitted to be larger than main identification signs. The west elevation depicts a secondary identification sign that is 45 square feet in area, and this frontage is approximately 38 feet in length. **Revise signage prior to final site plan submittal.**

COMMENT 5: Tenant signage depicted on the North elevation consists of three lines of copy. Section 39.6 of the Margate Zoning Code limits main identification wall signs to a maximum of two lines of copy. **Revise signage prior to final site plan submittal.**

COMMENT 6: Tenant Signage depicted on the North elevation appears to be a directional sign because it includes chevrons pointing to the drive-through use. Directional signs are limited to a maximum height of four feet, and a maximum sign area of four square feet, per Section 39.6 of the Margate Zoning Code. **Revise signage prior to final site plan submittal.**

COMMENT 7: Staff finds the application is generally consistent with the 10 General Standards of Review provided in Section 31-54(c) of the Code of the City of Margate, copied below with specific recommendations provided therein. An explanation of the staff finding were provided in the staff comments for the October 27, 2020 DRC meeting. Only recommended conditions of approval remain in this comment sheet.

Sec. 31-54. - Special exceptions.

(c) *General standards of review.* In addition to the standards set forth in this Code of Ordinances for the particular use, **all proposed special exceptions shall meet each of the following standards:**

- (1) The special exception shall be consistent with the purposes, goals, objectives and policies of the Margate Comprehensive Plan and the Margate Code of Ordinances.
- (2) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare.

Staff finds that the subject property has a number of maintenance issues that must be addressed in order to preserve the public health safety, and general welfare. The parking lot is in need of repair to address pot holes and ponding water, sealcoat parking lot, re-stripe parking lot, trim/clean-up landscaping areas, replace broken light fixtures, replace broken disabled parking signage, remove unused sign post, address rusted red and green lights installed on south side of canopy that are used for traffic control. **In response to staff comments, Applicant has agreed to correct property maintenance issues. Staff will include this as a recommended condition of approval.**

(3) The establishment, maintenance or operation of the proposed use shall only be approved if in the best interest of the city. It shall be determined that a genuine need for the use is present in the city to support and justify the approval order to avoid creating an excessive proliferation of said special exception use.

(4) The proposed use shall be compatible with the existing natural environment and community character of the properties within the immediate neighborhood.

(5) Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of this Code of Ordinances.

(6) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion on public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right.

(7) There shall be adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas shall be convenient and conducive to safe operation consistent with city standards to the greatest extent possible.

(8) The establishment of the special exception shall not impede the development of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties;

(9) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.

Staff finds an opportunity to enhance the existing landscape buffer between the subject property and the Crossroads Shopping Center parking area to the east. The landscape plan submitted with this application notes this existing buffer varies from one foot to four feet in width. This area is already being modified to accommodate a new dumpster enclosure. The applicant could widen the landscape area to the north of the proposed dumpster enclosure for additional trees and decorative plantings to enhance this buffer area. If this application was for new development or redevelopment, this buffer would be required to be 10 feet in width, with each adjacent property owner contributing five feet. **Staff will include this as a recommended condition of approval.**

(10) The city commission finds that the granting of the application will be in the best interest of the city.

A. TOC-G Gateway Zoning District:

COMMENT 8: The subject property is located within the TOC-G Gateway zoning district. This district only allows drive-through facilities with a permitted use. Restaurants are a permitted use in the TOC-G Gateway district, per Section 8.4 of the Margate Zoning Code. **This comment is an advisory note.**

B. Off-street Parking Requirements

COMMENT 9: Section 33.2(E) of the Margate Zoning Code requires the submittal of either a photometric plan or lighting certification with every application for a special exception use. The applicant submitted a photometric plan. Applicant indicated the hours of operation will be 5 a.m. to 9 p.m. at the 10/27/2020 DRC meeting, as well as in this submittal. These hours of operation are considered light level 2 and require a minimum illuminance of 2.0 footcandles, with a maximum uniformity ratio of 10:1. Several areas of the vehicular use area fall below this minimum requirement, and the uniformity ratio stated on the plan is 65, far exceeding the maximum allowed. **Correct this issue prior to final site plan submittal.**

Section 33.2. - Parking design standards.

(E) The following lighting standards have been adopted for all off-street parking facilities:

(1) *General requirements:* The following lighting requirements shall apply to all vehicular use areas in non-residential, multi-family, and mixed use developments.

(2) *Required illumination levels for parking lots:* The lighting system shall be designed with efficiency, security, quality, and control. The required illumination levels, which are expressed in footcandles (fc), are maintained levels. Maintained levels take into account the luminaires decreased efficiency over time by a factor.

Required illuminance levels, expressed in footcandles (fc), have been established for two (2) levels of activity designated as level 1 and level 2, based on nighttime traffic and pedestrian activity. The defined levels of activity for facilities are as follows:

**Table 1.
Levels of Nighttime Traffic and Pedestrian Activity**

Level of Activity	Nighttime use
Level 1	<ul style="list-style-type: none"> Facilities with businesses not operating after 7:00 p.m.
	<ul style="list-style-type: none"> Multifamily residential
Level 2	<ul style="list-style-type: none"> Facilities with businesses operating after 7:00 p.m. These facilities can fall back to level 1 criteria only after the closing hours of all businesses within the center.

The required illuminance levels for the two (2) levels of activity shall be as follows:

**Table 2.
Required Maintained Illuminance Levels**

Feature	Level 1	Level 2
Minimum horizontal illuminance	1.0 (fc)	2.0 (fc)
Maximum Uniformity ratio (max/min) ¹	10:1	10:1
¹ Uniformity ratios shall be measured at grade level.		

(3) *Required illumination levels for garages:* The required illuminance levels for each parking garage component shall be as specified in Table 3, below:

**Table 3.
Required Maintained Illuminance Levels**

Feature	General Areas	Ramps	Entrance Areas	Stairways	Rooftop
Minimum Horizontal Illuminance	2.0 (fc)	1.0 (fc)	1.0 (fc)	2.0 (fc)	2.0 (fc)
Maximum Uniformity Ratio (Max/Min)	10:1	10:1	10:1	10:1	10:1

(4) *Light sources:* All exterior parking lot lighting fixtures must be fully shielded to prevent nuisance lighting.

(5) *Mounting-height restrictions:* In order to prevent nuisance lighting, pole fixtures shall be mounted between fifteen (15) feet and forty (40) feet in height. Wall-mounted fixtures shall be mounted at a minimum height of ten (10) feet, but shall not be placed on nor extend past the roofline of any structure.

(6) *Obtrusive light:* Obtrusive spill light and up light shall be controlled with the use of efficient luminaires using cut-off optics and shields. Luminaires providing light to any parcel of land adjacent to any residentially zoned parcel of land shall emit no more than one-half (0.5) footcandle of light at the property line of the adjacently zoned parcel, measured horizontally six (6) feet above grade level.

(7) *Tree canopies:* Location of light poles in new facilities and substantial rehabilitation of existing facilities shall be such that poles are placed a minimum of ten (10) feet from the edge of the tree canopy. Tree canopies at existing facilities shall be trimmed in accordance with the City of Margate's Property Maintenance and Landscaping codes, in order to allow lighting to reach the parking surface.

(8) *Photometric plans:* A photometric plan shall be submitted with every DRC application for a site plan approval or amendment, change of occupancy group, or special exception use. Said plan shall clearly and accurately designate the required parking spaces, lighting, access aisles, driveways, adjacent utility poles that provide light to the subject property, and trees (existing and proposed). Such facilities shall be arranged for the convenient access and safety of pedestrians and vehicles. Photometric plans shall delineate

footcandle measurements in a grid pattern using ten-foot squares throughout the vehicular use area and measured at grade. Photometric plans shall include light contributions from all sources, including, but not limited to, pole mounted light fixtures, wall-mounted light fixtures, illuminated signs, and adjacent street lights.

For existing sites and structures, an inspection and test of all existing site lighting systems may be performed by a design professional who can certify to the Margate Department of Environmental and Engineering Services that existing site lighting facilities meet the design criteria and meet functional compliance with this Code.

(9) *Inspection:* Prior to issuing a certificate of occupancy or certificate of completion for any application required to comply with this section, a design professional shall certify to the Margate Department of Environmental and Engineering Services that the exterior lighting facilities are in compliance with this section.

COMMENT 10: Justification statement indicates applicant intends to paint the building. Section 40.5 of the Margate Zoning Code provides that non-residential buildings which is to be painted shall be approved only pursuant to the color palette of the City of Margate. A paint permit must be submitted to Development Services prior to painting of the building. Please download the application at <https://www.margatefl.com/202/Zoning>. **This comment is an advisory note.**

II. CONSISTENCY WITH COMPREHENSIVE PLAN, ELEMENT I

COMMENT 11: Staff finds the application generally consistent with the Margate Comprehensive Plan, Element I. An analyses was provided with the October 27, 2020 DRC comments. **This comment is an advisory note.**